City of High Point

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

Meeting Agenda

Monday, May 21, 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

2018-178 VITA Recognitions

Members of the Community Development and Housing Department, will be present at the Council Meeting to present certificates to the volunteers who participated in the Volunteer Income Tax Assistance (VITA) program.

Attachments: Letter to Mayor_HP VITA Coalition_4-17-2018

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Council Member Moore, Chair

2018-163 Utility Relocation Agreement - NCDOT

City Council is requested to approve a Utility Relocation Agreement between the City of High Point and the North Carolina Department of Transportation (NCDOT) for the relocation of the electric utilities within the I-74 (US311) and NC 68 (Eastchester Drive) interchange ramp replacement project.

Attachments: 1. Utility Relocation Agreement-U5169-311- Hwy 68-CC

2018-164 Ordinance - Budget Amendment - Utility Relocation at I-74 and NC Hwy 68 Interchange

City Council is requested to adopt a budget amendment amending the 2017-2018 Budget Ordinance in the amount of $1,302,760.00 to recognize funds from NCDOT for the relocation of overhead and underground electric lines located at the intersection of I-74 & NC Hwy 68 interchange ramp replacement project.

Attachments: 2. Budget Ordinance Amendment - I74-NC68 Electric Utilities Relocation

2018-165 Contract - Cleco Construction Corporation - Centennial Street Bridge Deck Preservation

City Council is requested to approve the award of contract for Bid No. 48 in the amount of $454,320.60 to Cleco Construction Corporation for the deck preservation repairs on the Centennial Street Bridge over Oak Hollow Lake.

Attachments: 3. Centennial Street Bridge Deck Preservation

2018-166 Ordinance - Budget Ordinance - Centennial Street Bridge Deck Preservation

City Council is requested to adopt a budget amendment amending the 2017 - 2018 Budget Ordinance in the amount of $383,000 for the Centennial Street Bridge Decking Preservation Project.

Attachments: 4. Budget Ordinance - Centennial Street Bridge Deck Preservation

2018-167 Change Order to Contract - Wharton-Smith, Inc. - Eastside WWTP
City Council is requested to approve a change order in the amount of $107,721.67 to the Wharton-Smith, Inc. contract to provide for additional repairs and replacement of equipment needed for the Eastside Wastewater Treatment Plant Solids Handling Improvements.

Attachments: 5. Change Order - Wharton-Smith Eastside WWTP Improvements

2018-168 Change Order - Yates Construction Company - Southside Pedestrian Bridge
City Council is requested to approve a change order in the amount of $75,000.00 to the Yates Construction Company contract for Southside Pedestrian Bridge project to construct a greenway between Vail Avenue and Grimes Avenue.

Attachments: 6. Change Order - Southside Pedestrian Bridge Greenway

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

2018-170 Public Hearing - 2018-2019 City of High Point Annual Budget
Monday, May 21, 2018 at 5:30 p.m. is the date and time established to receive public comments on the proposed 2018-2019 City of High Point Annual Budget.

Attachments: 8. Budget Public Hearing 2018-2019 Budget

PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing, Chair

2018-171 Special Events Policy
City Council is requested to approve a Special Events policy as recommended by the Prosperity & Livability Committee. This policy includes a definition of categories of events, a fee schedule and a listing of current events held in the city, with recommendations for which events are city sponsored and those that are not.

Attachments: 1. Special Events policy

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.

Attachments: Arts Council Agreement

Arts Council Agreement Art Loan Payoff Agreement

COMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT AND PUBLIC SAFETY COMMITTEE - Council Member Golden, Chair

2018-172 Parades, Special Events and Picketing Policy
City Council is requested to repeal Title 10 - Transportation and Traffic, Chapter 1 - Traffic Regulations, Article 0 - Parades in its entirety and replace with the newly, revised Title 10 - Transportation and Traffic, Chapter 1 - Traffic Regulations, Article 0 - Parades Special Events and Picketing.

Attachments: Ordinance- Picketing, Parades etc

PENDING ITEMS

2018-10 Ordinance - Demolition of Structure - 1227 Pearson Place
City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1227 Pearson Place belonging to Monument of Praise Ministries.

Attachments: 1. 1227 Pearson St Council Final Packet

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

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Williams, Chair

PUBLIC HEARINGS

2018-173 Faulk & Foster Special Use 18-01 (SU-18-01)
A request by Faulk & Foster, representing Verizon Communication, Inc, to permit a major Wireless Telecommunication Facility. The site is approximately 8.7 acres and lying along the south side of Skeet Club Road, approximately 800 feet east of Braddock Road (1520 Skeet Club Road).

Attachments: 1. SU-18-01 Staff Report

2018-174 Ordinance - NSPC-Gallimore Dairy, LLC Zoning Map Amendment 18-03 (ZA-18-03)
A request by NSPC-Gallimore Dairy, LLC, to rezone approximately 40 acres from a Conditional Use Light Industrial (CU-LI) District to a

Conditional Zoning Employment Center (CZ-EC) District. The site is lying along the north side of Gallimore Dairy Road, approximately 1,250 feet west of Pegg Road.

Attachments: 2. ZA-18-03 Staff Report

2018-175 Ordinance - City of High Point Text Amendment 18-03 (TA-18-03)
A request by the Planning and Development Department to amend various sections of the City of High Point Development Ordinance regarding the following:
a) Establishing quasi-judicial hearing procedures for the Historic Preservation Commission;
b) Updating design standards in the Employment Center (EC) zoning district and the Gateway Corridor Overlay (GCO) district, and for Corner Retail and Large Retail development types;
c) Amending dimensional tables in the Agricultural/Rural (AGR), Residential Single Family-3 (R-3), Residential Single Family-5 (R-5), Residential Single Family-7 (R-7), Main Street (MS), Mixed-Use Washington Street (MX-W), and Mixed-Use Downtown (MX-D) zoning districts regarding perimeter setback;
d) Adding the Assembly (major and minor) and Cultural Facility (major and minor) use types as permitted principal uses in the Light Industrial (LI) zoning district in the Core City;
e) Adding or amending adaptive reuse provisions for certain use types in the Light Industrial (LI) zoning district in the Core City;
f) Clarifying an off-street parking exemption for reuse of an historic structure;
g) Correcting errors in Table 5.5.11.B, Perimeter Landscape Yard Types; and,
h) Replacing “dimensional requirements” with “dimensional standards” in various ordinance sections.

Attachments: 3. TA-18-03 Staff Report

GENERAL BUSINESS AGENDA

2018-120 Proposed Ordinance Amending Method of Election for City of High Point City Council Members
The High Point City Council held public hearings on Monday, April 2, 2018 at 5:30 p.m. and continued the public hearing to Monday, May 7, 2018 at 5:30 p.m. (public hearing was closed at this meeting) on a proposed amendment to Article III, Section 3.1. Method of Election of the City Charter to implement four-year terms for the Members of City Council beginning with the 2019 municipal election.

Attachments: Public Hearing - Change in Elections
AN ORDINANCE AMENDING ARTICLE III
Affidavit of Publication

2018-176 Appointment/Reappointment - CAC/P&Z Commission

Mayor Pro Tem Chris Williams is requesting that City Council confirm the appointment of Dorothy Jackson to the Citizens Advisory Council (CAC) as the Ward 2 appointment (effective 6/2/2018-6/1/2020) and the reappointment of Angela McGill to the Planning &Zoning Commission (P & Z) as the Ward 2 appointment (effective 7/1/2018-7/1/2021).

Attachments: Appointments - CAC - PZ

2018-177 Minutes to be Approved

Special meeting (Departmental Presentations) Wednesday, May 2nd @ 3:30 p.m.
Finance Committee Meeting; Thursday, May 3 @ 3:00 p.m.
Special Meeting of CC, Monday, May 7th @ 4:00 p.m.
Regular Meeting of Council, Monday, May 7th @ 5:30 p.m.
Community Housing, Neighborhood Development & Public Safety Committee Meeting, Tuesday, May 8th @ 10:00 a.m.
Special Meeting of CC (Library Department Tour); Tuesday, May 8th @ 3:00 p.m.
Prosperity & Livability Committee Meeting; Wednesday, May 9th @ 10:00 a.m.
City Council Review Session; Thursday, May 10th @ 9:00 a.m.

Attachments:
1. May 2 2018 Special Meeting (Department Presentations)
2. May 3 2018 Finance Committee Minutes
3. May 7 2018 Special Meeting MINUTES
4. May 7 2018 High Point City Council
5. May 8 2018 CH ND & PS Committee
6. May 8 2018 Special Meeting (Library Tour)
7. May 9 2018 Prosperity & Livability Committee
8. May 10 2018 Special Meeting (Budget Review #1) Minutes

ADJOURNMENT

FINANCE COMMITTEE
Chaired by Council Member Moore
Members: Moore, Hudson, Ewing, and Jones
May 3, 2018 – 3:00 p.m.
Third Floor Lobby Conference Room

Chair Britt Moore called the meeting to order at 3:00 p.m.

Present:

Chair Britt Moore, Committee Members: Jason Ewing, Wesley Hudson, Victor Jones

Also Present:

Mayor Jay Wagner

Staff Present: Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Jeff Moore, Financial Director; Kim Thore, Right of Way Coordinator; Thomas Reid, Fire Chief; Garey Edwards, Electric Utilities Director; Terry Houck, Public Service Director; Derrick Boone, Public Service Assistant Director, Eric Olmedo, Budget and Evaluation Director; Greg Venable, Transportation Planning Administrator

Chair Moore stated if there were no objections from the committee, Mr. Jim Morgan, a longtime member and supporter of the High Point Arts Council, would make at brief statement at the end of the proceedings.

2018-133 Contract - Anixter - Underground Cable

City Council is requested to approve the award of contract for Bid No. 44 to Anixter for the purchase of 750 MCM Underground Cable in an amount not to exceed $1,088,000.00 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

Chair Moore stated the Committee would begin with the first item 2018-133 regarding underground cable.

Randy McCaslin, Deputy City Manager stated, the first three items 2018-133, 2018-134 and 2018-135 are concerning underground projects in downtown and asked Garey Edwards, Electric Utilities Director, to give the presentations.

Mr. Edwards stated all three projects are connected with the revitalization project and the underground project on Centennial. These are all main feeder lines and expensive

cable. There is a caveat on the cable because of the issue with materials regarding the price of copper on the bid date. There will need to be an adjustment in price on the date of submitting the purchase order. That is why there is a difference in the price that is on the bid, verses what is being recommended.

Chair Moore asked if there was any discussion.
Council Member Jones asked what is the life span on these items. Mr. Edwards replied the cable last about 40 years.

Chair Moore made a motion to forward items 2018-133, 2018-134 and 2018-135 to Council with a favorable recommendation. Council Member Jones seconded. Motion carried unanimously with the following vote:
Aye: 4 - Council Member Moore, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-134 Contract - WESCO - PVC Conduit

City Council is requested to approve the award of contract for Bid No. 45 to WESCO for the purchase of PVC conduit in the amount of $181,275.90 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

The vote to forward this item to Council with a favorable recommendation was made with item 2018-133.

2018-135 Contract - WESCO - Concrete Underground Vaults

Council is requested to approve the award of contract for Bid No. 50 to WESCO for the purchase of Concrete Underground Vaults in the amount of $252,740.00 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

The vote to forward this item to Council with a favorable recommendation was made on item 2018-133.

2018-136 Contract - Control Systems Programmer - Ward WTP

City Council is requested to approve the Request for Qualification (RFQ) selection of Revere Control Systems in the amount of $377,201.00 as the control systems programmer for the Ward Water Treatment Plant.

Mr. Terry Houck, Public Service Director, gave the presentation on this item.
Mr. Houk stated the Ward Water Treatment Plant is under design for major electrical and HVAC upgrades. As part of that design a Request for Qualifications (RFQ) was sent out to select a programmer to do the integration part of the contract. The RFQ went out in January, and three qualified candidates were received. There was an evaluation performed by staff and Revere Control Systems, Inc. was selected to be the primary programmer. He noted the programmer will work with the City's' Engineers and the Contractors to integrate the system. He said the Public Service Department recommends approval of the RFQ selection of Revere Control Systems, Inc. in the

amount of $377, 201, and that the appropriate City official be authorized to execute all necessary documents to award the services.
Chair Moore asked if the City has worked with Revere Control Systems, Inc. before. Mr. Houck stated no, however, they are highly recommended.

Chair Moore motion to forward item 2018-136 to Council with a favorable recommendation. Council Member Jones seconded. Motion carried unanimously with the following vote:

Aye: 4 - Council Member Moore, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-137 Municipal Agreement - NCDOT - Sidewalk & Transit Improvements - Eastchester Drive

City Council is requested to approve a Municipal Agreement with the North Carolina Department of Transportation for Congestion Mitigation and Air Quality (CMAQ) funding to construct sidewalk and transit improvements on Eastchester Drive (Palladium Circulator Transit Connector).

Mr. Greg Venable, Transportation Planning Administrator, gave the staff presentation on this item.

Mr. Venable stated this a request for Congestion Mitigation Air Quality (CMAQ) funds for improvements on Eastchester Drive at the Palladium Circulator Transit Connector. He stated PART operates a Palladium Circulator and there is also a PART route that runs Eastchester, so this is to provide access points, shelter and sidewalk accommodations on both sides of 68. He stated the cost of this project to NCDOT is $126,480, which is 80% of the total project cost. The City is responsible for the remaining 20% of the project cost which is $31,620. The City's portion of the project will come from the 2004 General Obligation Intersection Improvement Bond fund.

Council Member Ewing asked if there are currently temporary stops. Mr. Venable stated yes, this will just be adding the shelters, benches etc. and should increase ridership. Council Member Jones asked when will the project start. Mr. Venable replied the contract would need to be put out to bid, but hopefully in the summer work can begin. Mr. McCaslin stated this is just the funding part of the project, the construction part will need to come back to Committee for approval.

Council Member Ewing motion to forward this item to Council with a favorable recommendation. Council Member Jones seconded. Motion carried with the following vote:

> **Aye:** 4 -Council Member Moore, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-138 Agreement- Cherry Bekaert LLP - Audit Testing Procedures

City Council is requested to approve an agreement with Cherry Bekaert LLP in the amount of $6,000.00 for special audit testing procedures required by the State Treasurer's Office as part of the Retirement System's audit and report.

Jeff Moore, Financial Services Director, gave the presentation on this item.

Mr. Moore stated the State Treasurer has requested the City to conduct a routine audit for the eligibility of participants in the states plan. The audit will verify all active employees and how they are classified, as well as verify if participants are reported properly to the state. Another factor the state will be verifying is to make sure participants are showing as an active employee and they are actually active on the City's payroll. The cost is $6,000 which will be included in next year's budget. The Financial Service Department recommends approval.

Council Member Hudson motion to forward this item to Council with a favorable recommendation. Council Member Ewing seconded. Motion carried unanimously with the following vote:

> **Aye: 4 - Council Member Moore, Council Member Hudson, Council Member Jones, and Council Member Ewing**

2018-139 Resolution Approving the Donation of Surplus Fire Equipment - Francisco Volunteer Fire Department

City Council is requested to adopt a Resolution approving the donation of a surplus 1992 Seagrave Pumper to the Francisco Volunteer Department.

Tommy Reid, Fire Chief, gave the staff presentation on this item.

Chief Reid stated the Pumper truck was inherited during the Deep River Fire District and City of High Point liquidation/merger. If this truck was sold as surplus the City might receive $800 to $3,000 for the vehicle. A request was made from the Francisco Volunteer Fire Department to donate the Seagrave Pumper to their organization as they do not have funds to purchase a truck.

Chair Moore, motion to forward this item to Council with a favorable recommendation. Council Member Jones, seconded the motion. Motion carried unanimously with the following vote:

> **Aye: 4 - Council Member Moore, Council Member Hudson, Council Member Jones, and Council Member Ewing**

2018-140 Resolution - Lease Agreement - City Owned Property

City Council is requested to adopt a Resolution approve a lease agreement for city-owned property located at 1420 Bragg Avenue.

Randy McCaslin, Deputy City Manager, gave the staff report on this item.

Mr. McCaslin stated this property was purchased years ago for future expansion around the museum. He stated since there is not an immediate need to expand the area, a lease would provide revenue to the city. He stated the lease is for a five-year period at an annual rental of $8,340. Kim Thore, Right of Way Director, noted there was a 60 day out in the lease.

Council Member Ewing asked if this is the parcel that immediately abuts the main Museum campus. Ms. Thore stated it is located on the corner of Main St. and Bragg Ave.

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Chair Moore, motion to forward this item to Council with a favorable recommendation. Council Member Ewing, seconded. Motion carried unanimously with the following vote:

Aye: 4 - Council Member Moore, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-141 Resolution - Housing Authority of High Point - Redevelopment of Daniel Brooks Homes

City Council is requested to adopt a Resolution to fund a total of $6,500,000 from the City's general fund budget over a three-year period with total funding available by March 31, 2021 to assist with redevelopment of Daniel Brooks Homes; and authorize the City Manager to execute funding commitment letters and associated documents as may be required to support the Housing Authority of the City of High Point in its pursuit of federal and state approvals associated with the redevelopment plan for Daniel Brooks. City funds will be used toward construction costs and infrastructure associated with the development of 100 new, mixed income affordable housing units and infrastructure on the existing Daniel Brooks site.

Mr. McCaslin gave the staff report on this item.

Mr. McCaslin stated the Housing Authority would like to replace the Daniel Brooks Complex. It will be a multi-year venture due to obtaining approval from HUD, the relocation of the residents, demolishing the current facility and construction of the new facility. The Housing Authority is in the process of applying to HUD, and a part of that, is to secure financing which will require an obligation from the City of $6.5 million dollars over three years.

Chair Moore asked if this was a formalization of what the City has agreed to. Mr. McCaslin stated yes. Chair Britt asked when will they receive a response. Mr. McCaslin stated they expect to hear something by the end of the year.

Chair Britt motion to forward this item to Council with a favorable recommendation. Council Member Ewing second. Motion carried unanimously with the following vote:

Aye: 4 - Council Member Moore, Council Member Hudson, Council Member Jones, and Council 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.

_____Transcript_____

Chairman Britt: I want to bring back into this meeting the pending item number 2018-100 as mentioned in the beginning concerning this request for assistance to the High Point Arts

Council. Jim I told you, you could speak and I'm going to let you speak a few minutes just know that you had several members that were here to share with us before. We appreciate you taking the time to come and talk to us.

Jim Morgan: Thank you for letting me be here. This is a very important issue for me and for the Arts Council and I think for our City. I want to give you just a little bit of history. We were the largest community in North Carolina that did not have an Arts Center or a home. One of the reasons for that, was that we could not reach a consensus with the City Council about where it ought to be. Now I want you to understand that's not being critical, because as a matter of fact, over those years when we were debating where to put it and drawing plans and so forth, the Council was very supportive. They were giving us more money for operations and they also paid the rent when we were downtown. I can't remember...the old Enterprise building, remember that? Then after we left there, when I came in as Chairman of the Arts Council we were at the Parks and Recreation and did not have to pay any rent. We were receiving more money than we are receiving now for our budget and we were also getting free rent. I have been involved with Arts for a long time. I was Fund Raising Chairman three or four times. I believe in the Arts because I think it changes lives like athletics did for me. When you go and see all of those things going on with young people, middle age and older people involved and how it changes their lives. The long story short, when I came in as Chairman in 2012, I got a call that the Centennial Station was in foreclosure, and that there was a deal on it. We had a committee Sparky Stroud, Debbie and Dave McCoy and I said go look at it and if you like it come back. They did, and then I said well we got to have the Mayor and the City Manager agree that's a good location. We had a meeting. Strib was out of town, but Randy was there, and Mayor Smothers and I think we all concurred that it was an ideal spot. I think the Mayor said I wished we could have thought of it maybe a Senior Center or something in that fashion. We were able to get the bid and we paid don't hold me to the exact figure Mr. Chairman but roughly $1 million dollars, but that included some repairs we needed to do to the roof, buying all the equipment inside for about $50,000 and we had two notes. One was two hundred and some thousand and the balance of eight hundred thousand was more of a long term note. We've been working over these years to pay it off. My number one rule on heading it up was that every penny that came in was taken and paid on the mortgage. Every penny. Give you an example the County gave us $200,000 and Debbie went and picked up the check, I was at the.. behind the High Point bank, I opened the back door and handed it to the banker from the County. Every penny. Now of course the struggle we've had is that we've had to reach in our pocket to pay the interest. The big issue that we've had, and somebody mentioned it in the hall, what about other people. Well you know we have raised roughly $700,000 but now when we go for grants we hear what is the City doing? Has the City been involved with this at all. We always say yes, they help us with our budget every year but they haven't participated in the capital fund. I'm convinced with my heart and soul and one of the reason we came instead of just coming and saying we want a grant a flat out grant, I'm convinced the way we've got it structured we can get it paid for quickly. Here is my hope, the way this is structured we got Randy $90,000 this year which would be by June 30th and then next year which begins July 1st, I'm hopeful that we'll go out and get the matching, we will pay for the building very very quickly and at least we got to raise the $90,000 by June. We need your help, we need it as quickly as you can, so I can go to work under this structure. The last thing I want to say to you is that we have been a huge economic growth for High Point. We are used almost every weekend during the year for events, including the City. We had an awards banquet, for the City Fire Department. It brings in people. When I travel around the State and surrounding Counties they say what a wonderful place, it is very unique. You got a stage, you got a bar, you got a set up kitchen you got everything, and it is very very unique. The County feels it is

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so unique instead of us being in the non-profit budget each year, we are in and Randy help me economic development section of their budget. That's where we are. If I could get on my hands and knees, I would. I need your help to get this paid for. You can imagine how it is eating on me. It's a great location. The last thing I want to say to you is we got a deal, if we need to sell it and I hope we don't we could get a lot more money than we paid, we have interest off the record please Pat. But we don't want to sell it because we think it's so ideal and even if we got a lot of money, if you figure out what it costs to go build that size facility. The last thing I'll say the ballet is back, they had basically moved to Winston now they are doing their shows at the Theatre which helps High Point. We've got the Community Theatre. We gave them free rent there, and they are doing their performances at Christ Church Mr. Chairman, they are doing them at the theatre, and they are doing them here, and they are all back in High Point. Bringing in business, bringing in people and doing great things. So please help and I promise you that I am going to be go wide open to get this done quickly.

Chairman Moore: Any comments or questions for Mr. Morgan that we have not been through before? Thank you, Jim, we appreciate it.

Council Member Ewing: Clarification on the agreement. Couple of questions. One, I don't know who drafted it and maybe there is an error, looking at the 2016-2017 audit of the financial statements, it shows the credit line having a balance of $23,000 as of 17 but in this agreement, it says that there is a line of credit with an estimated balance of $250,000.

Jim Morgan: Incorrect. We have, that I personally guarantee we have a line of credit of $50,000 that goes back and forth you know up and down, sometimes it is zero sometimes it is there, and I did it in case we have some kind of emergency. That was the other thing that hurt us Councilman, we use to have a pretty good size reserve, but now paying the interest, having cuts from the City, you know we have had to go into those reserves. It is my hope and prayer that what's going to happen is, we will raise more than enough money, we'll pay the mortgage off and we will have our reserves back and we will continue to maybe get some increases from the City and we will be in great financial shape. We got some great things going on. Did that clarify for you?

Council Member Ewing: Yes. That was one clarification. Those two numbers did not match. That should be fine. $25,000 maybe is the balance? If $23,000 was the 2017 balance?

Jim Morgan: I don't want to say because I don't know. But that doesn't have anything to do with our agreement. This is only on the mortgage on the building.

Council Member Ewing: It was just a paragraph for information.

Jim Morgan: Right, it was just for information. The only thing you are agreeing to is to three Randy, I think its 363 that we owe on that actual mortgage. The challenge is.. You are going the challenge is half of it and we are going to do the other half, and if we don't do the other half we don't get a penny. Nothing.

Randy Hemann, Assistant City Manager: I think the only reason thats in there is to say there is a line of credit and these funds are not to be used to pay off that line of credit.

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Council Member Ewing: Second question, ties into that. Proposed $90,662 in 18 and 19, the way I read it, and I'm not an attorney but there is enough in this room, if you guys raise $90,661 we don't have to match it. Is that correct?

Randy Hemann: No.
Mayor Wagner: No. It's up to.

Council Member Ewing: It doesn't say up to.

Randy Hemann: It should say not to exceed and I think we have told JoAnne the language needs to be changed to say not to exceed.
Mayor Wagner: It should be not to exceed.

Randy Hemann: So it would be up to that amount.

Jim Morgan: Let me state again, as I want a clear understanding here. If you approve this Monday, which I hope you'll do, to give me a little room here between now and June 30th. We must by end of June raise that $90,000 if we don't we loose it.

Randy Hemann: Actually, it is June 15th is the way this is written.

Jim Morgan: Oh God. Can you do that to the end of the end of the year?

Mayor Wagner: I think we can do June 30, I don't see why not.

Jim Morgan: But anyway, you understand my understanding.

Council Member Hudson: We match any amount you raise. Jim Morgan: Right.

Council Member Hudson: You don't have to raise the total amount for us to pay the total amount.
In Audiable: All talking at once.

Jim Morgan: Let me assure you that I'm going to do everything in my power to raise that 90 and more what I hope. Let me give you an example, I would hope that maybe you would give us $200,000. Write the check and then on June 30th if you extend that date, you will give us a check for 90 and on July 3rd of whatever you will give us the other 90 cause we matched it. We've matched it.... Any other questions Council?

Council Member Ewing: I think that is the only question.

Mayor Wagner: The way this is set up, the funds will go into a fund with the Community Foundation. As the money gets raised, it is not pledges it is actual dollars. Jim goes out and gets a certified check from somebody or whatever he takes it to the Community Foundation, they hold the money, and then when the deadline hits, we match whatever is in that account and the Community Foundation makes the payment.

Jim Morgan: Let me say this, Mayor I think that.... Let us take this example so we are on the same page. Let us say that next week after you approve this I get, then I would take, you

would pay the 90 as soon as we give you notice or the foundation does, and then in July whenever the next year starts, if they notify you we've got it.

Mayor Wagner: Correct. Thats right.
Jim Morgan: And probably what I would do if I get donations that are big enough again, my policy get it to the foundation let them write a check quickly to the bank so our interest stops. And they would just certify it back to you.

Mayor Wagner: Correct.

Council Member Ewing: How many capital fund drives have there been since the building was purchased in November of 2012?

Jim Morgan: We have done a lot of grants. As I said earlier the reason that we have been turned down or what we have been told was the City wasn't participating in those grants. Now we've raised very quietly, I've been very quiet about it about $700,000. We have thought for a number of years, again this isn't being critical that the City was going to step up and then we were going to really crank it up and say the Cites in, send us the money within this time period so we can pay it off. That's where we were. So, I have been quiet about it. I raised the $700,000, the only time I was really vocal about it was when I went with my black tie one night to the County Commissioners meeting and I did that because I was on my way to a party. But anyway, they approved it and two or three days we got their check.

Council Member Ewing: So, is that 700 include the 200 they gave? Jim Morgan: Yes.

Chair Moore: That money has gone to mainly operating expense or?

Jim Morgan: No Sir. I'm going to be very adamant about this Mr. Chairman. Every penny raised for the capital campaign has been paid on principal. Every penny. We took the check either directly or as soon as it cleared to the bank.

Council Member Ewing: My question on that in looking at the Deed of Trust, and the report information it was purchased for $860,000 and the note was for $731,000.

Jim Morgan: But we had a supplementary note of $200 and some thousand. The way I structured it at that bank, we had a deed of trust on the building and then we had another note that we deeded. And you know that was kind of the banking regulations I had to deal with and that $200 and some thousand was short term, we had to pay that off very quickly. As a matter of fact we burn that note in April of 2013 just a few months after we bought it we closed in November and we paid that $200 plus thousand off in the next year. Pictures are up over there.

Council Member Ewing: The current note the finale principal payment is due November of next year? Is that correct?

Jim Morgan: Yea the way its structured now and we restructured it, it was one of those five year balloons, so we're in that second. And the way I restructured it was that every year in November $29,000 is paid and then we have to pay the interest quarterly, but I hope that's over if you will help me here and help the Arts Council and help our city. You know if we

raised the money hopefully by certainly by the end of June and then certainly early next year then there is no more payment.

Chair Moore: Is it a fixed rate? Is the interest rate on your loan fixed? I know it's a five year balloon.
Jim Morgan: Yea, I think the last time, you know without the documents in front of me, I'm 99% that it is a fixed rate for five years.

Council Member Ewing: Based on the auditor, she said prime plus 1%.

Jim Morgan: Ok. So I was wrong.

Council Member Ewing: It floats a little bit, prime isn't moving too much.

Randy McCaslin: It's been fixed for a long time.

Jim Morgan: But again, I can't tell you what this means to me and the City, you know I just need to get it off my plate please, please, please.

Council Member Jones: Jim, whose driving the boat on the Arts Council to try to get it profitable? I mean you got a venue like that, that should be getting $2,500 an afternoon for the weddings, that's what I do, I don't know why it hasn't gotten the.. its a business why hasn't it got more profitable?

Jim Morgan: Well the one thing that's been hurting us is the interest payment and again we are doing the business and I think that we are pretty close to making money or breaking even matter fact we did not have any interest payment and some other things, so I think if we get this off our back and some other good things we got working. For example, we've increased our parking during the Markets dramatically. I think we will be on very sound footing if we can get our reserves built back. The City can continue to help us with our budget funding and so forth.

Council Member Jones: Who's the person that's responsible to see to it that the Arts Council starts bringing in more money?

Jim Morgan: Debbie Lumpkins is our Executive Director, we have a staff, we use other a company to help us with our books that saves us money. We've got a good Board that's working. The one thing that we off the record Pat that we haven't done that we really need to do is to find a good fund-raising project, a good one. We've struggled. We used to have an Arts Ball that was great and then you know trends change, then we had Expo Vino and that kind of change so we're working on some fund raising projects that's the key.

Council Member Jones: I say they need a marketing person because I mean I never seen, I've seen the people from every wedding venue in North Carolina and everything that I go to I've never once seen anybody from there out there.

Jim Morgan: I think we are in publications and so forth. We have a lady that has been very good at keeping us full but refer me to somebody anything I do I want to use good business sense.

Council Member Jones: Just have whoever that person is to call me, and I'll give them some of my time.

Jim Morgan: I will have Debbie or somebody to call you.
Council Member Hudson: We do get in trouble, that is not the mission statement of the Arts Council. So, if you start booking the Arts Council building to do weddings every weekend, you are eliminating Art Council events and that's the Mission Statement of the Arts Council.

Jim Morgan: And that again is the reason that we are not getting money every night because Community Foundation I mean not Community Foundation Community Theatre or one of our other affiliates needs it we want to be helpful. That's the reason we've given them Community Theatre and the Ballet free rent because we want them back in High Point. We want them here. Because they've been all over the place. And again, that helps us.

Council Member Ewing: Facility rental based on these statements its $11,000 a year income, so it's not.

Council Member Hudson: It's also something new that they are doing.

Jim Morgan: Jason, correct me that maybe after the interest and everything is paid on the building, I'm not sure which line item that...

Council Member Ewing: That's just the facility rental net income line item.

Jim Morgan: I don't know if that covers our bar because lucrative..... Chair Moore: Any other comments?

Council Member Ewing: Just a statement before we move on. One of my concerns and it's a big concern that not only this Council, previous Council and previous Councils have discussed cause fund raising is not a new issue for the Arts Council. We had this conversation five years ago six years ago the first time I was on the Council and were dealing with budget allocations and in looking at these statements and I understand that if you eliminated $20,000 interest payment every year right now just 16 and 17 looking at the net assets and the cash flow statements its losing about 20 grand a year. So, you eliminate the interest payment and its break even.

Council Member Jones: If nothing else changes.

Council Member Ewing: Right. If nothing else changes. But its losing more every year, and I guess my concern is putting good money after bad the way its losing money and there is no change no apparent change in programming that is attracting new people that's showing interest in the Arts.

Jim Morgan: That's not correct. We are always working on new programs. We are always trying to do as much as we can with the building and this has been one of our push back. Now it's like he said, we are not in the business to make money but we are certainly not in the business to lose money. I think on the building that we are doing great. Particularly if we get it done. And then I think that gives us some lead way to work on some other things. So, I'm enthusiastic and I think once if you will help us with this I think we are going to be there. The

last point on that is I don't know if you caught it or not but I think the property is worth a lot more than we paid for it. And that doesn't show up.

Council Member Ewing: It doesn't and frankly and that is more my case not to help because we've got a more expensive property that's off the tax rolls that now that we've formulated the market district it's in the middle of the market district that we could be earning tax revenue from as show room or an occupied venue and move the Arts closer to our Core City Project that we are redeveloping to have all these activities and feet on the street that could then benefit the Arts Council.

Jim Morgan: But remember the debate was where we ought to be. That was from prior Council before I became involved and to me it's important that our location is roughly where we are because people can find it, it's close to going to be close to our new ball facility and other things where we can use we are cooperating with GTCC and their Theatre. So, it's a lot of good things going. Wesley eluded to what the mission of the Arts Council is. I think we always have a tendency to look at organizations like that from a business stand point but the Arts Council is essentially a charity. It's there to promote the arts and supports its affiliates. A lot of what the Arts Council does as well is providing free arts education for people in High Point who can't afford it. It's almost as if we have our own arts department but it's not part of the city and I don't think we should have an Arts Department.

Jim Morgan: Every year Mayor we do these free concerts all over town. We do it at transportation center, we do it at the parks for some people that may couldn't go to these events.

Mayor Wagner: You have to remember I mean that is their mission. It's not to run a wedding venue. I mean that's the way they helping to pay their bills but that is not their primary mission. It is supporting the affiliates and providing arts education and opportunities to people in town who can't afford it.

Council Member Ewing: The Arts in the Park and the Depot is that what you said?

Council Member Jones: Arts Splash.

Jim Morgan: Arts Splash is in I think late summer and we do it different locations, we do it at the park, Washington Terrace.

Council Member Ewing: In all those we above and beyond the annual allocation we in kind if I'm wrong with what we discussed in kind events services. We in kind for all this don't we? Police coverage, park use, whatnot.

Randy McCaslin: That is correct. Best of my knowledge.

Jim Morgan: Say again, I didn't understand you.

Council Member Ewing: All the City sports those events above and beyond are operational allocations.

Jim Morgan: Yeah, they do.

Council Member Ewing: We in kind services, we in kind use of parks and facilities and whatnot.

Jim Morgan: Yes, but we spend our money to put them on, bring the entertainment and I think it's good for the City. If you'll look at Greensboro and Winston you know the money City Council spent for facilities and the arts, I just think they are so important.

Council Ewing: Does the CDB support driving any of the marketing on those events?

Jim Morgan: Absolutely CDB has been very very good to us over the years. I'm a past Chairman three or four times over, they have just been great. I think they understand the economic development and I hope that if we go down the road we can move from a nonprofit status into the economic development like we are in the county budget. I think that is really where we ought to be.

Council Member Hudson: If I can share about the future. The principal payment comes out of capital campaign. The interest payment comes out of operations. Correct?

Jim Morgan: That is correct.

Council Member Hudson: About $19,000 I know part of Debbie's thought is that extra $19,000 is going to go to promote more of those type of events. She doesn't she is not putting it back into the facility she wants to promote more arts splash and more of those. She has the idea, she just doesn't have the funding to do more city-wide events. That's her focus.

Jim Morgan: The only thing that I'm going to insist on if we can make this successful is to have reserves where you don't have to go guaranteed line of credit. I getting ready to move on if we can get this through and get the building paid for. I've served my time.

Mayor Wagner: I think there is a couple of more points that need to be made too. One of them is again, you have to look at the big picture of what having a healthy arts organization in town means to our City, in terms of people you can attract to live here. If they are not healthy or in danger of going under what does that say about our City and our committment to things like that or the museum or library which are things we to be personally honest with you are things we don't have to have. But those are choices that we have made to have those things. The other thing is really that again, I go back to the fact this is an organization it is not a business in essence a charitable organization. Of course, we want them to be healthy and have lots of money and to be able to afford money back into things an in an ideal world get to the point where corporate sponsorships are so big that the City doesn't have to support them. If you look at Arts Organizations nationwide there is always Government support for them. It's just the way they.

Chair Moore: It has always been a tough issue back for several hundred years. It's been no secret some of my feelings over the years about how we finance a lot of things. Total respect, I love the Arts yall seen me around at different things and I do think they are important. This is a tough issue for a lot of reasons. But with respect to them being a charitable organization there is one organization that does have to make some money and that's the City. Trying to pin point a return on investment on some of these type things is awfully difficult.

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Mayor Wagner: I think too, my last point will be, I think we are getting out cheap. I really do. We are not talking about a huge amount of money. I mean I understand for a lot of people that is a lot of money and if you wrote me a check for it I would be very happy. But you know on the same note it's not a huge amount of money considering the City's around us that are our size in the state and what they are willing to spend Arts facilities to make sure the arts community is healthy and prosperous in helping sale their city. As we go forward with what we got going on downtown, the Arts are going to be a part of that, and they want to be a part of that. They want to help us with things like public art, helping to get programming, I think they will be a part of that, and they need to be a part of that.

Council Member Jones: I would just like to encourage that sliding scale from nonprofit to business to slide a little bit more to the business end.

Mayor Wagner: I understand that.

Council Member Jones: Then, if they would come back and say hey we took that number from $11,000 to $80,000 in 2018, I would consider it a very successful move it takes a lot of pressure off of the City.

Mayor Wagner: Yes, that would be great. But ultimately, I think it comes down to what is your view about organization and what our supports for the ought to be. The flip side to that argument is well they are making lots of money we don't need to give them anything. Then you can look at it now and say well they are not doing so well so why should be put good money after bad. I mean there are arguments made on both sides whether they are making money or they are not making money. Its ultimately it comes down to whether you support what they are doing and want them to be successful and I just think that is important for our city.

Chair Moore: Spoken well Mayor, I don't think there is anybody sitting in this room that doesn't want them to be successful.

Council Member Ewing: One last question for you before you make any movement Mr. Chair. If this City does support the Arts Council in some form of this agreement is the Arts Council willing to deed the facility to the City? Then lease it back for a dollar.

Jim Morgan: I'm not sure, how Greensboro has done that and Winston. I think what they have done and again, I don't know, I'm not sure of. I think what they've done has taken over the management of the building. It is still owned by the Arts but again, kind of like what we did the museum years ago. It is now owned by the City and basically run by the city. My dad help start the museum. You know there are other things that goes like that. But my thought on that right now, it is better for the City not to have more responsibilities and personnel. Let us do it. But I think all options are always open. What's best for the City and what's best for the Arts. I really feel, if you give this challenge and remember the County Commissioners did it six years ago, if we would have had it then I think it would have been paid for, that we are going to be fine and that we want to work with you because the Arts are important. If you ever go to one of the plays or ever been to the ballet and see those young people. I invite ya'll to come in and watch them rehearse when you see those young kids, personalities are changed. When they get up and speak or they sing or they dance.

DRAFT

Chair Moore: I think they are all valid points. Is there any other discussion or questions at this point or comments from anybody? I will entertain a motion if there is one.
I will make a motion that we move this item forward to Mondays Agenda with no recommendation but full consideration of the entire Council.

Council Member Jones: I second that.

Chair Moore: That is a motion and second any comments or discussion? All in favor?
Unanimous Aye's

Chair Moore: That motion passes.

Jim Morgan: Thank you for hearing me.

Chair Moore: Thank you for coming Jim.

[end of transcript]

ADJOURMENT

There being no further business to come before the Finance Committee, the meeting adjourned at 3:54 p.m.

_____
Sandra Keeney, Deputy City Clerk

_____
Britt Moore, Chairman

DRAFT

CITY OF HIGH POINT
AGENDA ITEM

Title: **Zoning Map Amendment 18-03 (ZA-18-03)**
(NSPC-Gallimore Dairy, LLC)

From: Lee Burnette, Planning & Development Director

Meeting Date: May 21, 2018

Public Hearing: Yes

Advertising Date: May 9, 2018, and May 16, 2018

Advertised By: Planning & Development

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

PURPOSE:
A request by NSPC-Gallimore Dairy, LLC, to rezone approximately 40 acres from a Conditional Use Light Industrial (CU-LI) District to a Conditional Zoning Employment Center (CZ-EC) District. The site is lying along the north side of Gallimore Dairy Road, approximately 1,250 feet west of Pegg Road.

BACKGROUND:
The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:
There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff recommended ***approval*** of this request, as outlined in the attached staff report.

B. On April 24, 2018, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 18-03. The Planning & Zoning Commission recommended ***approval*** of this request, as outlined in the staff report and recommended by staff, by a vote of 8-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

NSPC-Gallimore Dairy, LLC Zoning Map Amendment 18-03 (ZA-18-03)

At its April 24, 2018 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximate 40-acre parcel to a Conditional Zoning Employment Center (CZ-EC) District. All members of the Commission were present, except for Mr. Andrew Putnam. Mr. Robert Robbins, Development Services Administrator, presented Zoning Map Amendment 18-03 and recommended approval of the request as outlined in the staff report.

Speaking in favor of the request:

Speaking in favor of the request was the applicant, Mr. Jonathan T. Smith, manager of NSPC-Gallimore, 229 Plymouth Avenue, Winston-Salem, N.C. Mr. Smith noted that the requested CZ-EC District is the modern equivalent of the former CU-LI District zoning established on the site in 2005. He said the company intends to develop a light industrial park, consistent in quality with Piedmont Centre and other light industrial parks located in north High Point. Mr. Smith added that the vegetation in the current landscaping yard will be replaced with higher quality plants.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

Consistency Statement

The Commission stated that the request is consistent with adopted policy guidance, in that the land use policy for this area has not changed since the property was annexed in 2005.

Reasonableness Statement

The Commission stated that the request is reasonable – the requested EC District – because it is similar and compatible with previous conditional zoning approvals granted in this area. Further, development of residential uses are prohibited in Zone 1 of the Airport Overlay District.

The Planning & Zoning Commission ***adopted these statements*** by a vote of 8-0.

Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 18-03, as recommended by staff, by a vote of 8-0.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT

STAFF REPORT
ZONING MAP AMENDMENT 18-03
April 24, 2018

Request			
Applicant: NSPC-Gallimore Dairy, LLC	**Owner:** NSPC-Gallimore Dairy, LLC		
Zoning Proposal: To rezone approximately 40 acres	**From:**	CU LI	Conditional Use Light Industrial District
	To:	CZ-EC	Conditional Zoning Employment Center District

Site Information	
Location:	The site is lying along the north side of Gallimore Dairy Road, approximately 1,250 feet west of Pegg Road.
Tax Parcel Numbers:	Guilford County Tax Parcel 0207901
Site Acreage:	Approximately 40 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The site has a moderate to severely sloping terrain. A perennial stream runs along the eastern portion of the site. The steeper terrain and floodplain are along the eastern 1/3 of the site, paralleling the stream corridor.
Water and Sewer Proximity:	A 12-inch City water line lies adjacent to the site along Gallimore Dairy Road and a 12-inch City sewer line runs along the eastern boundary of the parcel, along the stream corridor.
General Drainage and Watershed:	The site drains in a general easterly direction, and development is subject to the City Lake General Watershed Area (GWA) requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that is greater than 24% of the site.
Overlay District:	City Lake General Watershed Area (GWA) Airport Overlay – Zone 1

Adjacent Property Zoning and Current Land Use			
North	**AG**	Agricultural District (Guilford County)	Single family dwelling
South	**AG** **CU-EC**	Agricultural District (Guilford County) Conditional Use Employment Center District	Single family dwelling Light industrial machinery use
East	**AG**	Agricultural District (Guilford County)	Single family dwelling and undeveloped parcel
West	**AG**	Agricultural District (Guilford County)	Single family dwelling and undeveloped parcel

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	This request is neither in conflict with, nor does it promote the goals and objectives of the Community Growth Vision Statement.
Land Use Plan Map Classification:	The site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research and development, distribution, and light manufacturing or assembly uses on larger sites in unified developments.
Land Use Plan Goals, Objectives & Policies:	The following goal and objective of the Land Use Plan are relevant to this request: Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area. Obj.#5. Maintain an appropriate balance between the size, location and density of new development and the availability and demands upon the public services and facilities required to serve that development.
Relevant Area Plan:	There are no area plans for this area.
Zoning History:	The abutting parcel to the east was annexed in 2016 and granted a Conditional Zoning Corporate Park (CZ-CP) District, which is now classified as CZ-EC. Since the late 1980s, approximately 19 requests have been approved in this northern portion of the City's Planning area to support restricted industrial uses.

Transportation Information			
Adjacent Streets:	**Name**	**Classification**	**Approx. Frontage**
	Gallimore Dairy Road	Major Thoroughfare	1,230 Feet
Vehicular Access:	Gallimore Dairy Road		
Traffic Counts: *(Average Daily Trips)*	Gallimore Dairy Road	4,700 AADT (NCDOT 2015 traffic count)	
Estimated Trip Generation:	Not applicable		
Traffic Impact Analysis:	**Required**		**TIA Comments**
	Yes	No X	Not applicable

School District Comment
Not applicable to this zoning case.

Details of Proposal

The zoning site is located in the northern portion of the City's Planning Area and is designated by the adopted Land Use Map for Restricted Industrial uses. This property was initially annexed and granted City of High Point zoning of a Conditional Use Light Industrial (CU-LI) District in 2005. That zoning approval, like most in this northern portion of the City, included conditions requiring development to meet design and development standards of the former Corporate Park (CP) zoning district, with the LI designation allowing greater building coverage and a wider range of uses. With the implementation of the new Development Ordinance in January 2017, the CP District has

been replaced with the EC District. This new district was developed to implement Land Development policy of the Restricted Industrial Land Use Map classification, but designed to permit a wider range of uses, greater site flexibility and higher building coverage allotments.

The previous zoning approval included a condition to provide a 50-foot wide undisturbed Type A perimeter landscape yard along the western boundary of the site where it abuts single family dwellings. The applicant is requesting rezoning to the CZ-EC District to remove the requirement that this be an undisturbed perimeter landscape yard. Because this portion of the site abuts residential uses the Type A landscape yard is still required to be installed, but as conditioned, this planting yard can be graded to address site layout and access preferences of the applicant. Transportation conditions from the former Conditional Use permit are being carried forward.

Staff Analysis

Section 2.4.5.C of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Review Factors: Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:	
Factor #1	**Result in a development that is compatible with surrounding development character and land uses;**
	Adjacent annexed parcels have similar industrial zoning. The requested CZ-EC District will be compatible with those existing parcels.
Factor #2	**Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;**
	Previously adopted zoning conditions pertaining to right-of-way dedication, the number of access points and the installation of right and left turn lanes at the access points are being carried forward in this updated zoning application to mitigate traffic impacts.
Factor #3	**Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;**
	The site is within the City Lake General Watershed Area, and as such, development is required to meet the watershed standards of the Development Ordinance. ❖
Factor #4	**Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;**
	The site is within an area currently served by City of High Point utilities and municipal services. There are no identified adverse impacts on municipal services.

Factor #5	**Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent lands.**
	❖ The removal of the undisturbed landscape yard provision, next to abutting residential dwellings, will result in the grading and loss of some existing mature trees. However, the abutting parcel and the surrounding area are subject to the City's Airport Overlay District and Land Use Plan, if annexed. The Land Use Plan calls for Restricted Industrial uses in the area and the overlay district would not permit new residential uses. ❖ Under the requested zoning, the Type A planting yard is still required to be installed. The Type A planting yard is the most stringent required by the Development Ordinance and it is intended to function as an opaque screen from the ground to a height of eight feet, with the installation of 14 trees and 33 shrubs every 100 linear feet. This type of yard prevents visual and auditory contact between uses and creates a strong impression of separation. Under the new Development Ordinance, the Type A yard width has been reduced from 50 feet to 45 feet; however, the new ordinance requires shrubbery to be of an evergreen species which will assist in proving year-round visual screening. ❖ In addition to the exterior lighting and perimeter landscaping standards of the Development Ordinance, the EC District has development standards that address building orientation, fencing, location of mechanical equipment, loading docks, outdoor storage and prohibition on any outdoor manufacturing. These required standards will further ensure development will not negatively impact adjacent properties.

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

During the past 25 years, several industrial developments, consistent with goals and objectives of the Restricted Industrial Land Use classification, have been developed in this area.

Development Patterns:
The proposed Conditional Zoning District results in development that promotes a logical, preferred and orderly development pattern.

❖ Applicants desiring to seek a zoning map amendment in this portion of the City's planning area are directed to seek an Employment Center (EC) District zoning, which is designed for land classified as Restricted Industrial. This requested EC District is consistent with adopted policy guidance and with previous zoning approvals adopted in this area.

❖ The property is in the Airport Overlay Area, Zone 1, which prohibits new residential development. Adjacent unincorporated parcels, under Guilford County's zoning control, are either undeveloped or developed with large lot single family uses. The EC District has been established to accommodate office, warehouse, research and development, and light industrial uses in a well-planned, high quality business park setting. As stated in the purpose and intent introduction of the EC District in the Development Ordinance, this district includes standards to help ensure compatibility between development and nearby residential uses.

Consistency with Adopted Policy Guidance:
Whether and the extent to which the proposed conditional zoning district is appropriate for its proposed location, and is consistent with the City's adopted policy guidance;

Land use policy for this area has not changed since the property was annex and zoned in 2005, and the request is consistent with the Restricted Industrial land use designation and it represents an orderly growth pattern of the City.

Reasonableness/Public Interest:
Whether an approval of the Conditional Zoning District is reasonable and in the public interest.

The requested EC District is similar and compatible with previous conditional zoning approvals granted in this area.

Recommendation

Staff Recommends Approval
The Planning & Development Department recommends approval of the request to rezone this 40-acre parcel to the CZ-EC District.

Required Action

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

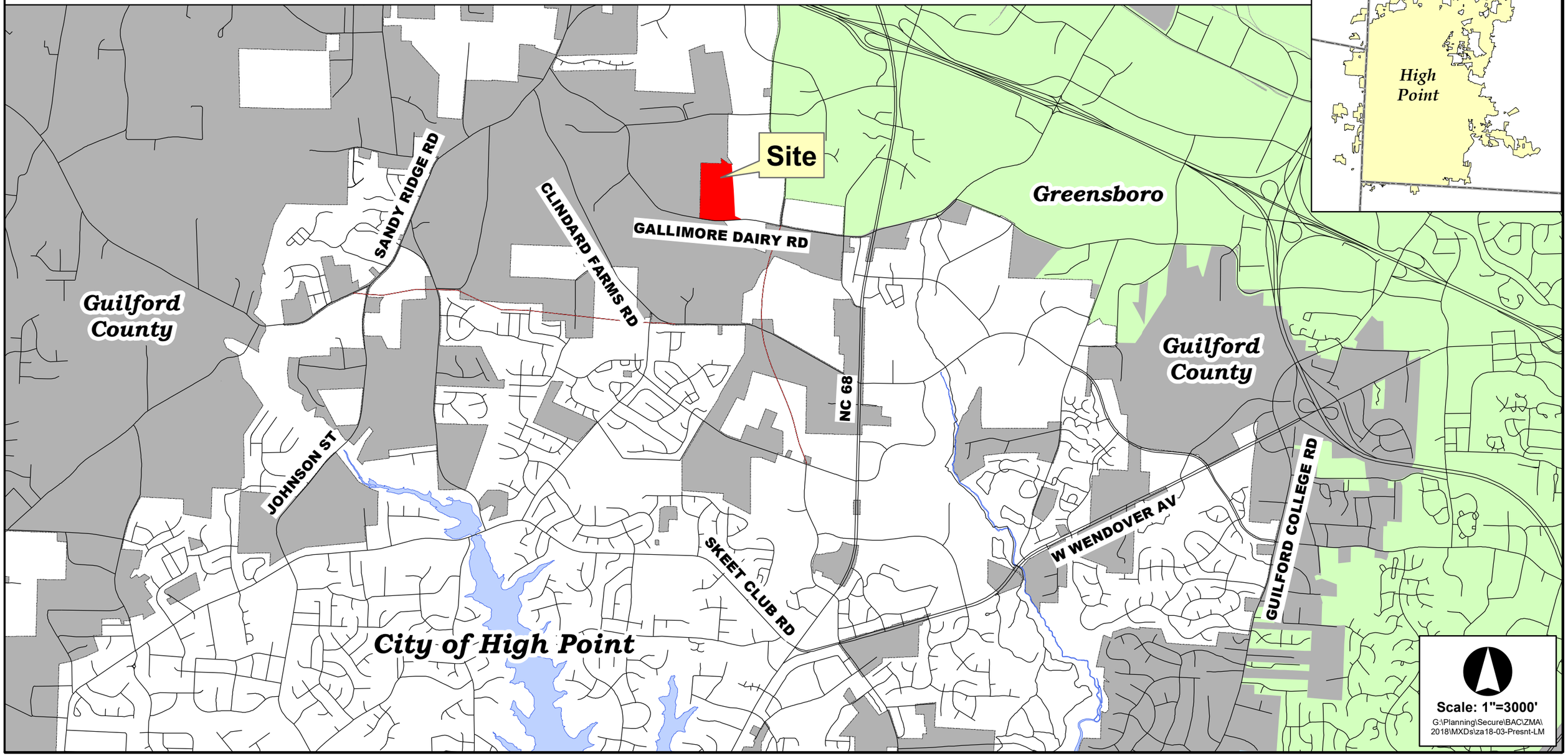
City Council:
The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may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

Report Preparation

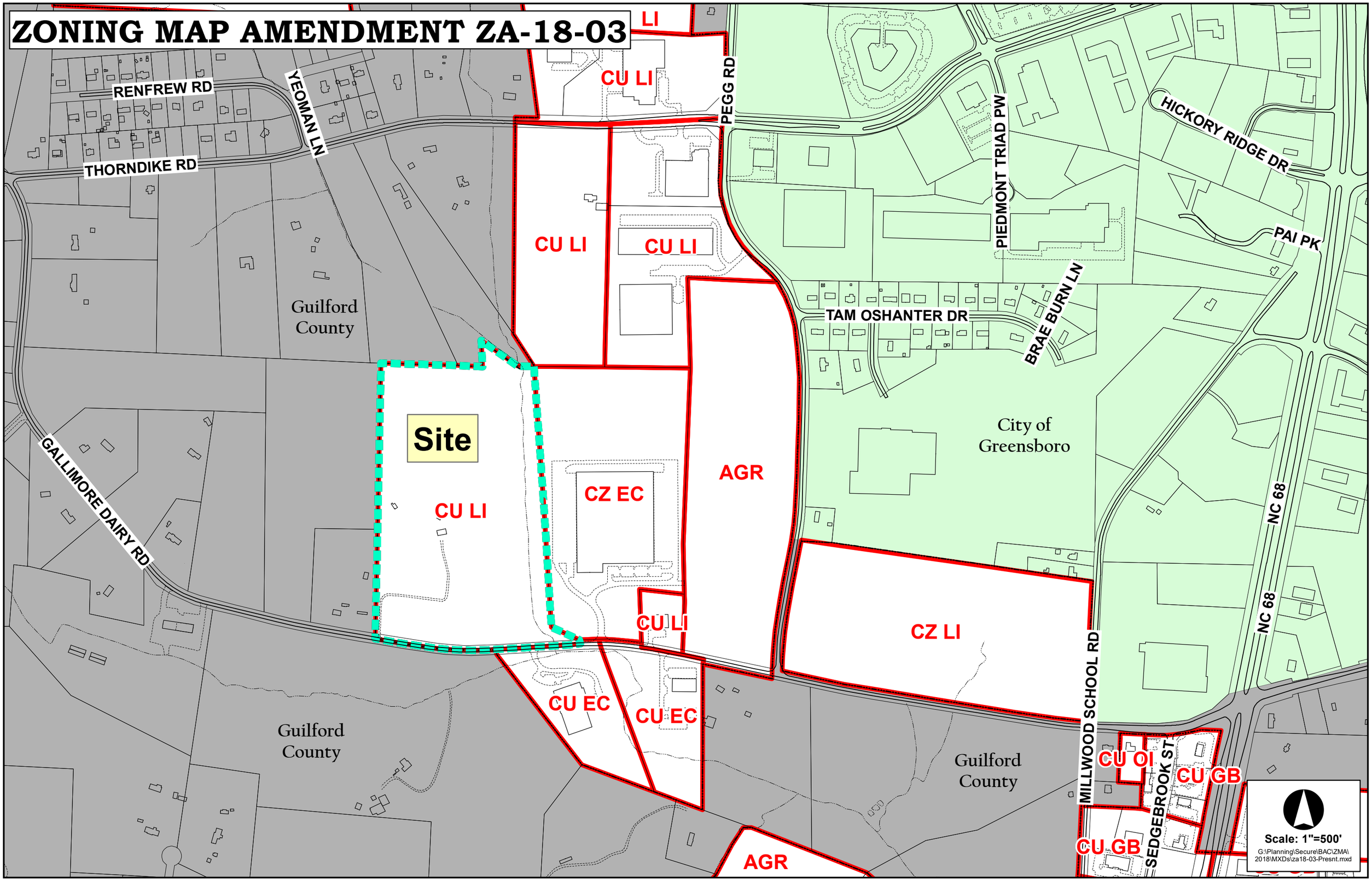
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-18-03
Applicant: NSPC-Gallimore Dairy, LLC



ZONING MAP AMENDMENT ZA-18-03



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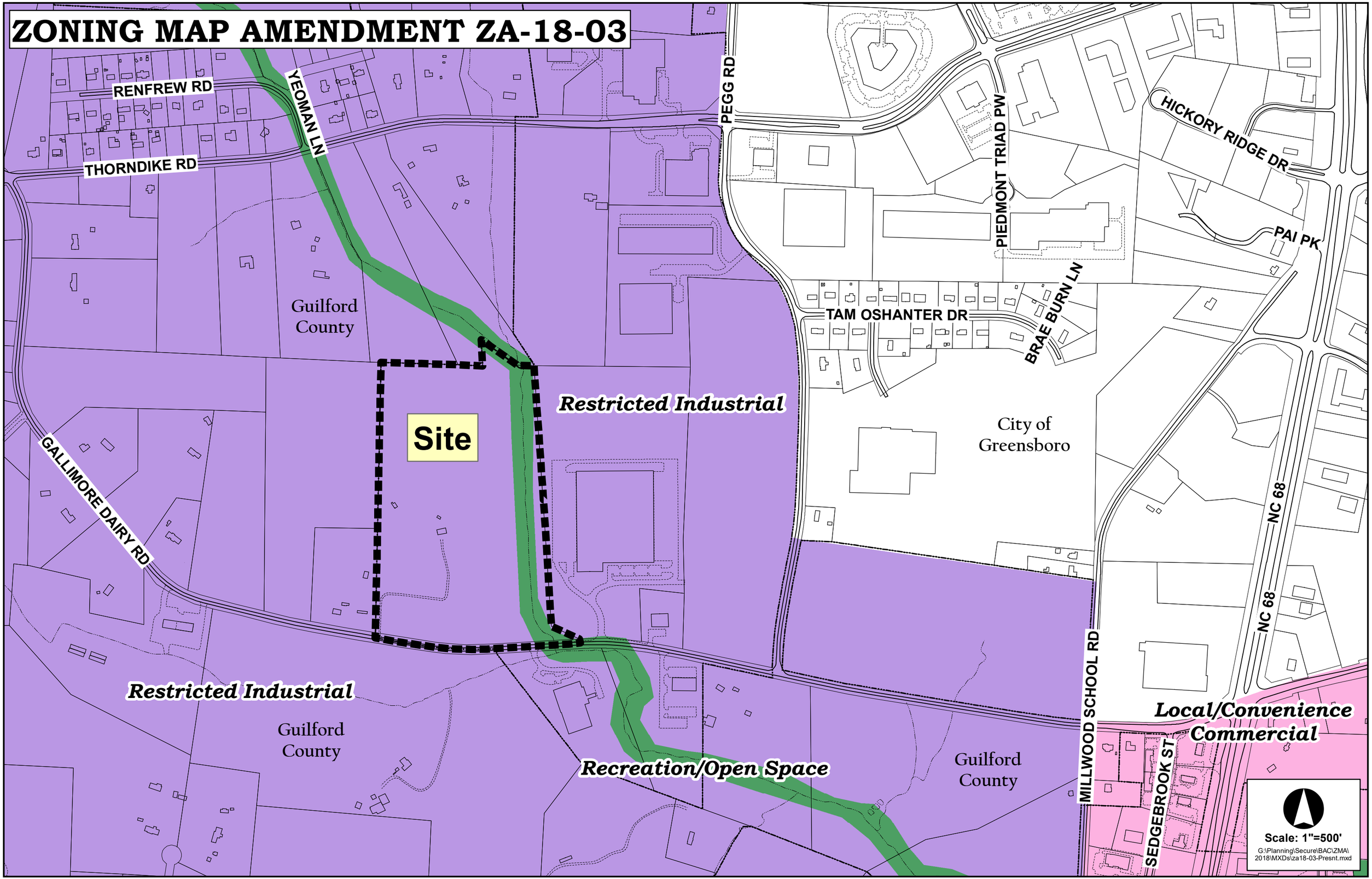
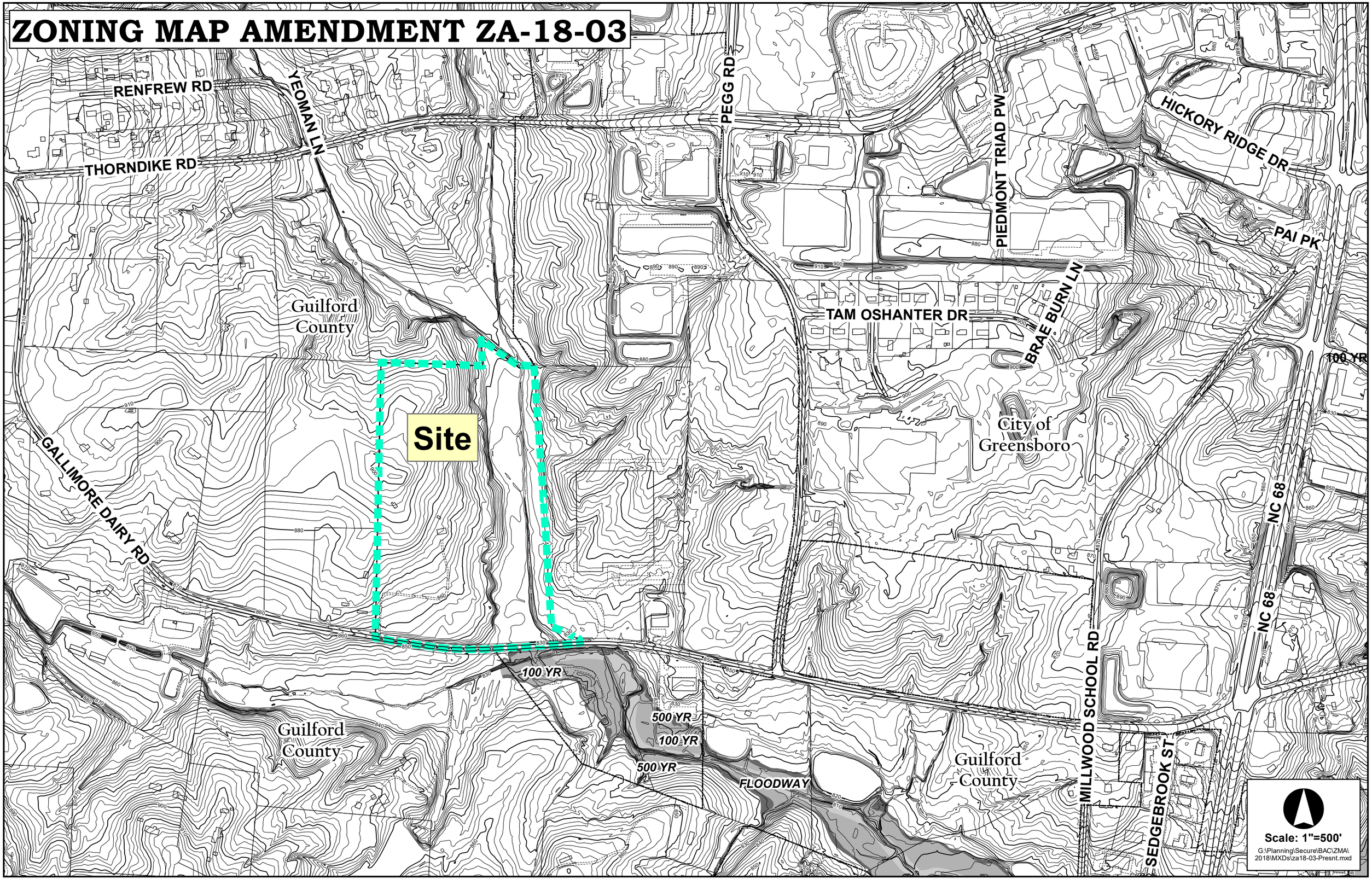


ZONING MAP AMENDMENT ZA-18-03



ZONING MAP AMENDMENT ZA-18-03

AN ORDINANCE AMENDING "THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE," PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted "The City of High Point Development Ordinance" on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on April 24, 2018 and before the City Council of the City of High Point on May 21, 2018 regarding **Zoning Map Amendment Case 18-03 (ZA-18-03)** a proposed amendment to the Official Zoning Map of the "City of High Point Development Ordinance";

WHEREAS, notice of the public hearings were published in the High Point Enterprise on April 15, 2018, for the Planning and Zoning Commission public hearing and on May 9, 2018 and May 16, 2018, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on **May 21, 2018**.

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

SECTION 1
That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Conditional Zoning Employment Center (CZ-EC) District.** The property is approximately 40 acres and lying along the north side of Gallimore Dairy Road, approximately 1,250 feet west Pegg Road. The property is addressed as 738 Gallimore Dairy Road and also known as Guilford County Tax Parcel 0207901.

SECTION 2
That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES: Any uses allowed in the Employment Center (EC) District subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Transportation Conditions.

1. Right-of-Way Dedication: As a part of the Land Development Permit approval, the property owner shall dedicate a minimum of sixty (60) feet of right-of-way as measured from the existing centerline of Gallimore Dairy Road.

2. Access: The zoning site shall have one point of access to Gallimore Dairy Road.

3. Improvements: Prior to driveway permit approval, the property owner shall construct right and left turn lanes, with appropriate storage and tapers, at the Gallimore Dairy Road access point into the rezoning site.

4. Other Transportation Conditions: The City of High Point Transportation Director and the North Carolina Department of Transportation (NCDOT) shall approve the exact location and design of all access points and improvements.

SECTION 3
That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4
Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.
This ordinance shall become effective upon the date of adoption.
21st day of May, 2018.

Lisa B. Vierling, City Clerk

Wage & Investment

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Atlanta, GA 30308

April 17, 2018

The Honorable Jay W. Wagner
Mayor, City of High Point
211 S. Hamilton Street
High Point, NC 27260-5232

Dear Mayor Wagner:

I want to thank you and your volunteers for twelve outstanding years of continuous service provided to taxpayers through the work of the High Point Volunteer Income Tax Assistance (VITA) Coalition.

Your VITA volunteers at the Community and Neighborhood Development Center, Macedonia Family Resource Center, West End Community Center, Guilford Technical Community College Campuses, Salvation Army Boys and Girls Club, and YWCA High Point assisted in preparing basic income tax returns for families and individuals with low to moderate incomes, disabilities and other special needs.

Your VITA volunteers have prepared 880 Federal and State income tax returns for families and individuals with average Adjusted Gross Income of $21,227. Taxpayers serviced at your VITA sites received over $1,052,918 in federal tax refunds. That's over a million dollars that will stay within your community! Your free tax preparation services would be valued at approximately $220,000 in fees had these families and individuals had their tax returns prepared by paid preparers.

Once again, I want to thank you and all of your volunteers and partners for all that you do in partnering with us and the service and contribution provided to your communities.

Sincerely,

Joyce L. Robbins
Acting Territory Manager
Stakeholder Partnerships, Education & Communication
Internal Revenue Service

CITY OF HIGH POINT
AGENDA ITEM

Title: Wharton-Smith, Inc. - Eastside WWTP Solids Handling Improvements
Change Order No. 6

From: Terry Houk – Public Services Director
Derrick Boone – Asst. Public Services Director

Meeting Date: May 21, 2018

Public Hearing: No

Advertising Date: N/A
Advertised By: N/A

Attachments: Attachment A – Change Order Documents

PURPOSE:
The City of High Point disposes bio-solids from the wastewater system via incineration. The work for this project included installation of two new centrifuges, two new cake pumps, and rehabilitation of the incinerator to comply with new EPA air emission requirements.

The City prepurchased the centrifuges, cake pumps, and incinerator under separate bids. This project installed all the new equipment and any additional required equipment to make the new solids handling system operational.

BACKGROUND:
This change order provides for additional repairs and replacement of equipment identified during the project installation.

BUDGET IMPACT:
Funds for this change order are available in the FY 2017-2018 budget.

RECOMMENDATION / ACTION REQUESTED:
Public Services is recommending that City Council approve Change Order 6 to the Wharton - Smith, Inc. contract in the amount of $107,721.67.

Change Order

No. 6

Date of Issuance: April 23, 2018 Effective Date: April 23, 2018

Project: Eastside WWTP Solids Handling Improvements	Owner: City of High Point	Owner's Contract No.: Bid No. 13-121014
Contract: Eastside WWTP Solids Handling Improvements		Date of Contract: January 29, 2015
Contractor: Wharton-Smith, Inc.		Engineer's Project No.: 3460-014

The Contract Documents are modified as follows upon execution of this Change Order:

Description:
See work descriptions on Page 3. Also see attached documents.

Attachments (list documents supporting change):
RFP No. 36 with W-S WCP # 51r2; RFP No. 37 with W-S WCP # 52r4; RFP No. 38 with W-S WCP #53; RFP No. 39 with W-S WCP # 54

CHANGE IN CONTRACT PRICE:

Original Contract Price:

$8,847,850.00

[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 5:

$1,681,147.38

Contract Price prior to this Change Order:

$10,528,997.38

Increase of this Change Order:

$107,721.67

Contract Price incorporating this Change Order:

$10,636,719.05

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☒ Calendar days
Substantial completion (days or date): February 25, 2016
Ready for final payment (days or date): March 26, 2016

[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 5:
Substantial completion (days): 126
Ready for final payment (days): 126

Contract Times prior to this Change Order:
Substantial completion (days or date): June 30, 2016
Ready for final payment (days or date): July 30, 2016

Increase of this Change Order:
Substantial completion (days or date): 0
Ready for final payment (days or date): 0

Contract Times with all approved Change Orders:
Substantial completion (days or date): June 30, 2016
Ready for final payment (days or date): July 30, 2016

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Hazen & Sawyer	By: _____ City of High Point (Authorized Signature)	By: _____ City of High Point - Finance
Date: 4/23/18	Date: _____	Date: _____

ACCEPTED by CONTRACTOR: Wharton-Smith, Inc.

By: _____
Contractor (Authorized Signature)

Date: 4/25/18

* NOTWITHSTANDING ANYTHING IN THE CONTRACT DOCUMENTS OR THIS CHANGE ORDER TO THE CONTRARY WHARTON-SMITH, INC. RESERVES AND RETAINS ITS RIGHTS TO SEEK ADDITIONAL CONTRACT TIME RESULTING FROM THE ADDITIONAL WORK GRANTED BY THIS CHANGE ORDER.

DESCRIPTION / JUSTIFICATION

1. **WHARTON-SMITH WCP # 51R2 (RFP NO. 36 – ACCESS PLATFORM FOR SCRUBBER IMPINGEMENT TRAY REMOVAL)**

   The Owner requested an access platform be added so that the impingement tray section of the venturi scrubber may be removed when needed. **Cost increase for changes is $56,359.84.**

2. **WHARTON-SMITH WCP # 52R4 (RFP NO. 37 – MISCELLANEOUS PIPING MODIFICATIONS)**

   Various small miscellaneous lines (non-potable water, vent, drain, etc.) required modification to be properly coordinated with Owner-furnished equipment. This work was completed on a time and materials basis. **Cost increase for changes is $26,582.74.**

3. **WHARTON-SMITH WCP # 53 (RFP NO. 38 – DISASSEMBLY & INSPECTION OF EXHAUST GAS DUCT AND DAMPERS ADJACENT TO GAC ABSORBER AND STACK)**

   The exhaust gas duct sections and dampers adjacent to the GAC absorber and stack needed inspection due to smoldering fire damage. The Contractor assisted the Owner in inspection and repair of damaged portions. This work was completed on a time and materials basis. **Cost increase for changes is $14,377.25.**

4. **WHARTON-SMITH WCP # 54 (RFP No. 39 – INSTALLATION OF REPLACEMENT FRP BAFFLE PANELS AND NEW CARBON MEDIA INSIDE GAS ABSORBER)**

   The FRP baffles inside the GAC absorber were found to be damaged and require replacement. New carbon media was also required. This work was completed on a time and materials basis. **Cost increase for this work is $10,401.84.**

AN ORDINANCE AMENDING "THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE," PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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A. Transportation Conditions.

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right-of-way as measured from the existing centerline of Gallimore Dairy Road.

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3. Improvements: Prior to driveway permit approval, the property owner shall construct right and left turn lanes, with appropriate storage and tapers, at the Gallimore Dairy Road access point into the rezoning site.

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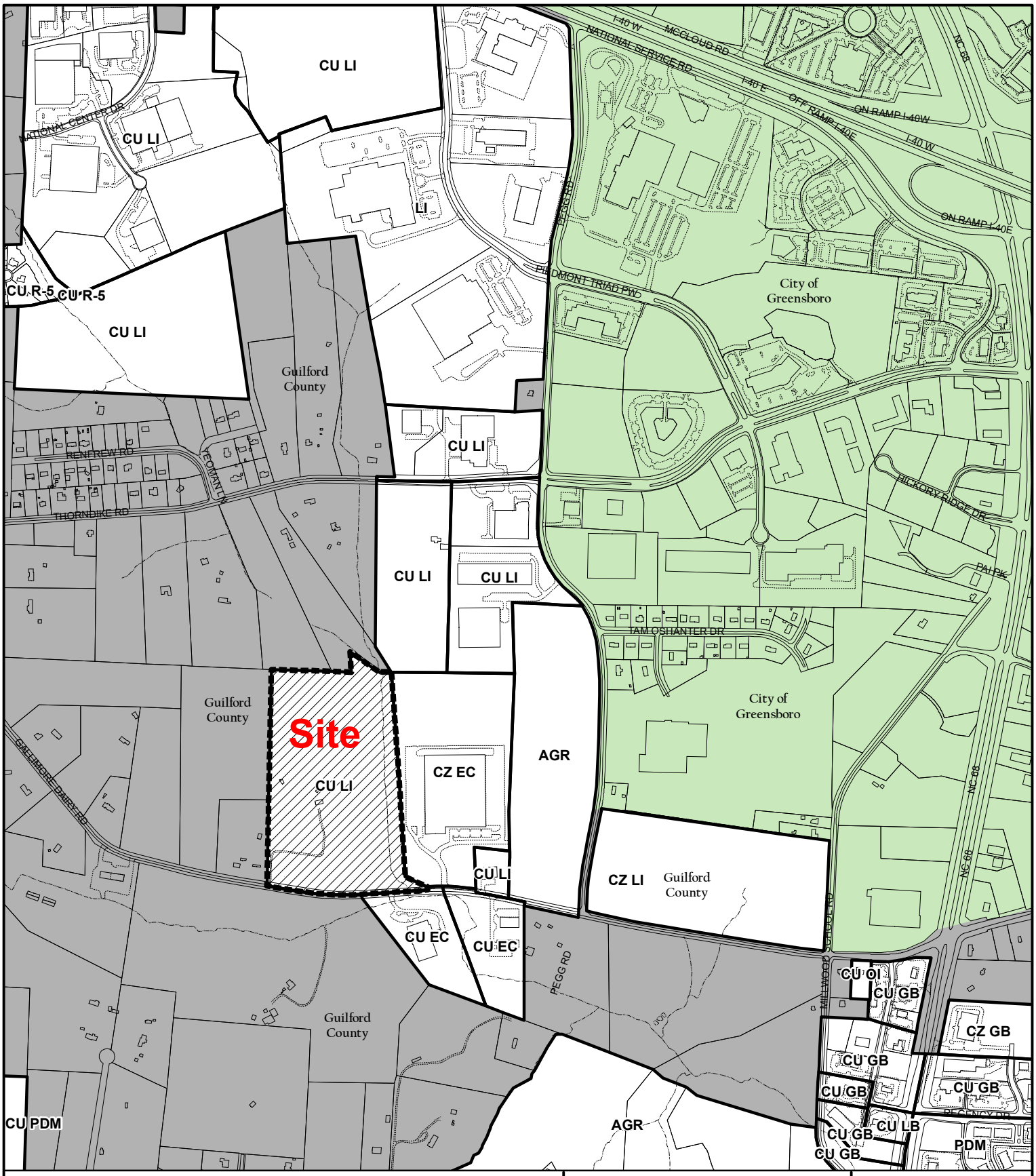
SECTION 4
Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.
This ordinance shall become effective upon the date of adoption.
21st day of May, 2018.

Lisa B. Vierling, City Clerk



ZONING MAP AMENDMENT ZA-18-03

From: Conditional Use Light Industrial (CU-LI) District
To: Conditional Zoning Employment Center (CZ-EC) District

Existing Zoning Boundary
Subject Property Boundary

Planning & Development Department

City of High Point

N

Scale: 1"=1,000'

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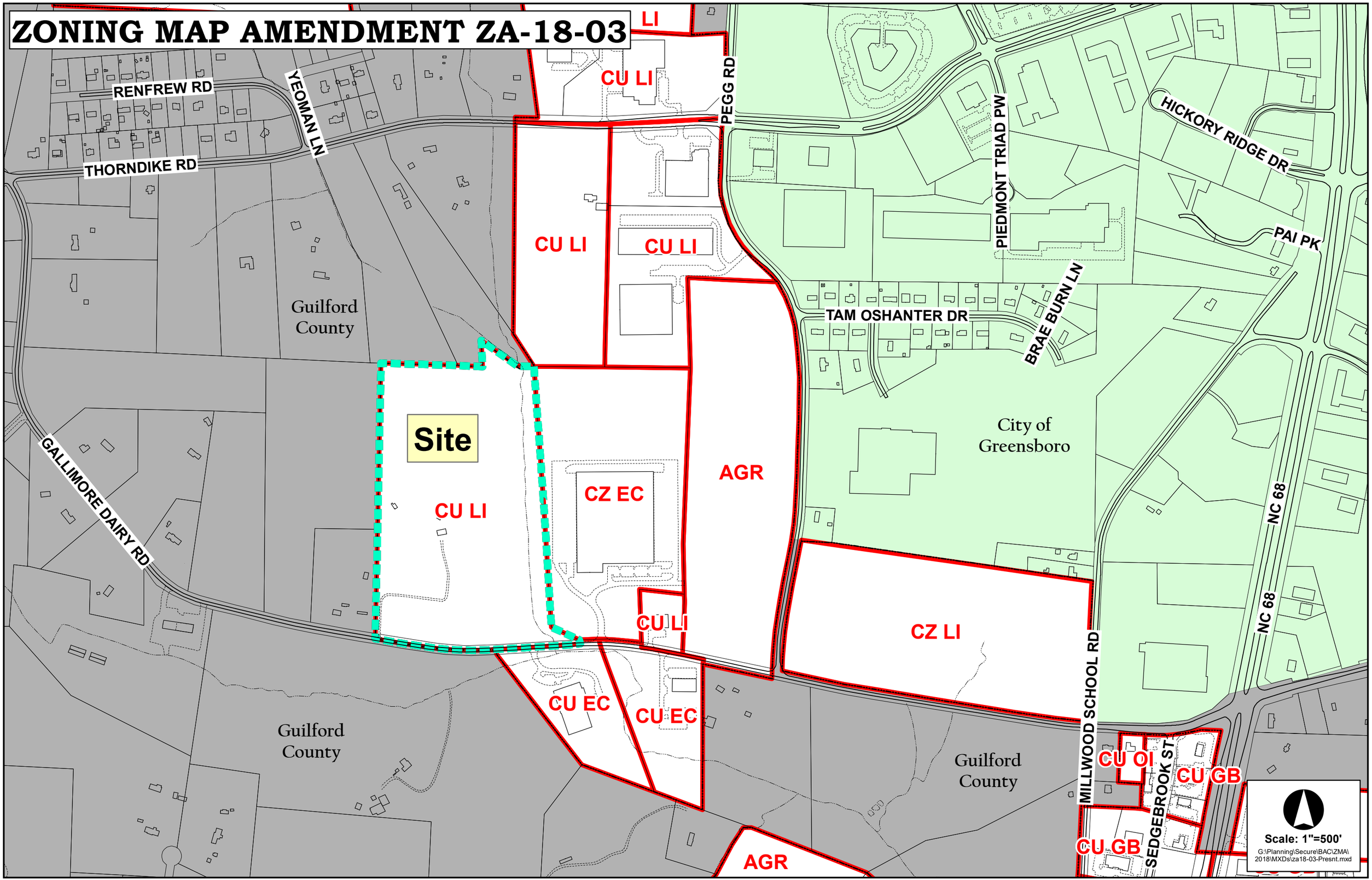
ZONING MAP AMENDMENT ZA-18-03



CITY OF HIGH POINT
AGENDA ITEM

Title: Budget Amendment Centennial Street Bridge Deck Preservation

From: Eric Olmedo, Budget Director

Meeting Date: May 21, 2018

Public Hearing: N/A

Advertising Date: N/A
Advertised By: N/A

Attachments: Budget ordinance

PURPOSE:
A budget amendment is needed to allocate existing funds for deck preservation repairs on the Centennial Street Bridge over Oak Hollow Lake.

BACKGROUND:
The existing bridge deck on the Centennial Street Bridge over Oak Hollow Lake requires preservation repairs due to structural deficiencies. A Structure Safety Report was performed by NCDOT in February 2018, which revealed priority maintenance be required to address concrete failures and exposed reinforcing steel in the bridge deck surface. The project will involve removal of the top 2 inches of concrete deck using hydro-demolition methods. The reinforcing steel will be repaired prior to pouring the new concrete deck surface using latex modified concrete. The total project costs will include the bid amount of $454,321, an additional $49,000 for material testing as well a 10% contingency for a total project cost of $550,000.

BUDGET IMPACT:
Funds in the amount of $167,960 are already budgeted for this project. Other funds are requested to be allocated as follows:

General Fund bridge project:	$149,583
General Bond Fund (road projs):	$233,417
	$383,000

RECOMMENDATION / ACTION REQUESTED:
The Budget Department recommends and asks City Council to approve the budget amendment in the amount of $383,000.

"AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
CENTENNIAL STREET BRIDGE DECKING PRESERVATION PROJECT

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

Section 1. Funding for the Centennial Street Bridge Decking Preservation Project will come from a combination of existing capital funds.

Section 2. In order to appropriate and transfer these funds, the 2017-2018 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the General Capital Projects Fund revenue be amended as follows:

Transfer from General Fund	$149,583
Transfer from General Bond Fund	$233,417

(B) That the General Capital projects Fund expenditures be amended as follows:

Centennial Street Bridge Decking Project	$383,000

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

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

Adopted May 21, 2018

HIGH POINT CITY COUNCIL
SPECIAL MEETING
May 2, 2018 – 3:30 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM

MINUTES

Present:
Mayor Pro Tem Chris Williams (Ward 2); Don Scarborough, At Large; Jeff Golden (Ward 1) Monica Peters (Ward 3); Wesley Hudson (Ward 4) Victor Jones (Ward 5); Jason Ewing (Ward 6) [Arrived at 3:42]

Absent:
Mayor Jay Wagner; and Council Members Britt Moore, At Large

Staff Present:
Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Reggie Hucks, Inspections Administrator; Mark McDonald, Transportation Director; Greg Venable, Transportation Planner; Angela Wynes, Transit Manager Assistant; Laura Altizer, Senior Budget Analyst; Roslyn McNeill, Budget Analyst; Lisa Vierling, City Clerk and Sandra Keeney, Deputy City Clerk

Others: Ken Delount

News Media:
No News Media Present

Note: The following presentations will be attached and incorporated as a permanent part of these proceedings.

- ✓ Transportation & Transit Services– PowerPoint **(Exhibit Book, Volume XIII, Page 9)**
- ✓ Building Inspections – PowerPoint (**Exhibit Book, Volume XIII, Page 10)**

Mayor Pro Tem Chris Williams called the meeting to order at 3:30 p.m. and introduced Greg Demko, City Manager.

Mr. Demko stated this is the last of the Department Presentations until Budget Review and introduced Mark McDonald, Transportation Director.

Transportation & Transit Presentation

Mr. McDonald thanked the Council for the opportunity to present how the department is structured and what they do, as well as explain current and upcoming projects. He recited the Mission Statement "Provide a safe, efficient, economical and environmentally sensitive transportation network that serves the best interest of our citizens." He stated the priorities of the department are:

1. Improve Safety
2. Manage Congestion
3. Enhance the Quality of Life
4. Foster Economic Growth

He listed the Divisions of the Transportation Department: Administration & Engineering, Signs & Markings, Traffic Signals, System Operations, Parking, Transportation Planning and Transit. He stated the department consist of 80 employees and that more than half of those employees are in the High Point Transit System. He said the plan is to increase the staff of the Transit System with additional drivers, and other staff that is necessary to extend operating hours. The operating and capital budget is about $10 million annually and it fluctuates from year to year. He listed the roles of the Administration & Engineering staff which are: Respond to public concerns, Program and policy management, Collect and evaluate traffic data used for safety and operational improvements, Oversee the design and operation of transportation systems and facilities, Technical support to other divisions, and Coordination with City departments, and NCDOT. He stated his staff works closely with Engineering and Design to do some design and manage projects once they get to a construction stage.

He explained the two operational divisions for traffic at the R.V. Moss Center and noted the facility was named after a past Transportation Director. He stated the Signs & Marketing Division handles design, fabricate, and install traffic signing; lay out and install all pavement markings; traffic control for all special events, and work zone support for other departments.

He said Traffic Signals Division handles maintenance for a total of 250 devices, and most of those are traffic signals but include school zone flashers and intersection beacons. 85% of those traffic signals belong to the State of North Carolina and is maintained under an agreement with the State and reimbursed quarterly for materials and effort regarding the maintenance that is performed. He stated there are similar agreements for signs and pavement markings on state roads. He said this division also maintains the lighting and equipment at parking decks, Depot and MTT as well as performs traffic control support for special events.

He stated the Signal System Operations are located on the 1st floor of the Municipal Building and the employees operate the traffic signals and evaluate the timings and monitor traffic on the major corridors on a daily basis, particularly during special events. Currently there are 37 traffic cameras with the anticipation of an expansion and upgrade to 50 cameras. Mayor Pro Tem Williams asked if the videos are retained and stored. Mr. McDonald responded there is a DVR that records everything that is seen according to the angles of the cameras. There is a 5 to 7-day rollover. He noted they work with the Police Department as well as other departments if the cameras have useful information.

He explained the role of the Parking employees which operates two parking decks, Parking Plaza and Broad Street and noted that Broad street was closed except during Market and an occasional special event. Council Member Hudson asked if there would be shuttle service from Broad Street. Mr. McDonald stated that it is something the ball team could provide. Mr. McDonald stated between the two decks there are about 950 spaces. Randy McCaslin stated the City also owns the parking deck at the old Radisson and has it leased. He noted that all three parking decks are paid

for. Council Member Hudson asked if it was leased to the hotel. Mr. McDonald stated yes, the hotel deck on Main Street is leased to the hotel. He stated the parking staff also overseas general maintenance and operational details around the Depot. He stated the Train Depot was restored in 2004 and pointed out the transit terminal is directly across the train tracks from the Depot.

Mr. McDonald introduced Greg Venable, Transportation Planner, to speak regarding the MPO.

Mr. Venable stated an MPO is the Metropolitan Planning Organization and it is one of 19 across the state. He stated High Point is designated as the lead planning agency for the MPO meaning all the funding received from the Federal Government comes through the state and then to High Point. He stated they are responsible for all transportation planning programs in the urban area and the area is defined by the Census and is updated every 10 years. They identify, evaluate, and document future transportation needs and seek state and federal project funding. He stated they also promote the development of a multi-modal transportation system which includes highways, transit, rail and bike-ped. He showed a map of the High Point MPO and stated the department is responsible for traffic planning to include 8 cities and towns, 4 counties, and 3 NCDOT Divisions. He stated it is comprised of a 15 Member Board and noted Mayor Wagner is the representative from High Point as well as the Vice Chair. He stated the MPO covers approximately 700 square miles. He explained in looking at the map and noting the MPO is urbanized it is obvious that not all areas are urbanized. Lexington during the last census became urbanized and as result requested to be a member of High Points MPO, which explains why the boundary takes up most of Davidson County. The northern part of Davidson County is part of Winston-Salem's MPO. The15 Member Board includes 3 NCDOT Division Board Members and High Point is in 3 divisions: Division 7 which is Guilford County, Division 8 which covers Randolph County and Division 9 covers Davidson County.

He explained the MPO budget for this year noting it is $580,000 and it's an 80/20 match which means 80% is received from the Federal Government and the MPO matches the other 20%. He stated each member jurisdiction pays a share of the local match based on population. High Point contributes approximately $37,000 annually. A portion of the MPO budget, $19,000 is allocated to the Piedmont Authority for Regional Transportation (PART) for transportation planning activities.

He shared Planning Documents that were created with MPO funds including a Multi-modal plan, which covers the downtown area, some recommendations out of that plan covers streetscape improvements for the ball park. He stated the Pedestrian plan is complete, and the Regional Bike Plan should take about a year and a half to complete. Council Member Peters asked when will the public start seeing some bike lanes. Mr. Venable stated there have been some bike lanes completed recently due to resurfacing, but overall it will be about a year. There will be an opportunity for public involvement and they will hold several public meetings. Council Member Hudson asked if Southwest renewal is included in this plan? Mr. Venable stated they work closely with Dorothy Darr and she could apply for a grant to get some of the Multi-Modal Vision Plan, which is all included. What she's done is include it in the long-range plan. There is a push to update the Greenway Master Plan which will take place over the next six months and that will be included as part as the document as well.

DRAFT

Randy McCaslin noted there is a difference between planning and construction funds. Mr. Venable stated the budget he presented is all planning funds there are no construction funds. He stated they were able to get the Congestion Mitigation Air Quality funding and those are construction funds. There are projects such as bike ped projects and greenway projects that we can submit to the state to get construction funds but for now I'm speaking of planning funds. Council Member Peters asked if any of the phases of the Southwest Greenway are implemented in this. Mr. Venable stated it is mentioned in there. Mr. McCaslin stated there is no funding in there, the City or the Southwest has got to find a funding source. Randy Hemann, Assistant City Manager, said he believed it would be a part of the Parks & Recreation plan. Mr. Demko stated they are doing the Master Plan for Parks and Trails and it will be incorporated in that.

Mr. McDonald introduced Angela Wynes, Transit Manager Assistant, to present regarding the High Point Transit System.

Ms. Wynes stated the City operates fixed routes throughout the city, and provides 3,500 passenger trips each weekday and 1,400 each Saturday. She explained a passenger trip is not one individual, but that it could be one individual making several different trips a day. She stated trips are counted, not individual's passengers, and that is how the ridership is accounted and reported to Federal Transit and to NCDOT and they in turn provide funding based on those numbers. Regular fare is $1.00 and by law they are required to offer half fare for elderly, disabled, and Medicare cardholders. There is a local connection for PART service to other Triad communities such as Greensboro and Winston-Salem etc. She explained the Accessnow which provides door-to-door, on demand service for the elderly (70+) and disabled who are unable to use the bus. One-way Access fare is $2.00. She noted all buses are accessible and equipped for the disabled. Mr. McCaslin asked what the average trip cost? Ms. Wynes responded that the average trip cost per passenger is $3.75 and the passenger is paying $1.00. Mr. McCaslin asked about the cost of Paratransit. Ms. Wynes responded the passenger is paying $2.00 and the cost of the trip is $18.00. She stated she encourages people to ride the bus. There is a thorough screening process to allow passengers to use the Paratransit system.

She shared pictures of the High Point Transit Terminal and stated the goal was to blend in with the Depot. She stated High Point Transit operates six days a week. Currently there are 12 weekday routes that serve more than 500 bus stops and cover over 1,700 miles daily. There are 10 Saturday routes. The transit covers about 1/3 of the City area and average operational costs is $78.00 per hour. The annual operating budget is $3.3 million, comprised of 40% Federal, 20% State, 20% City, and 20% farebox funding. She stated the Capital budget averages about $240,000 annually, that does not include the years there is need to replace a portion of the fleet which is about 15 years. She said every 10 years money is set aside, and over a 5-year period, a local match will help to make that purchase.

Council Member Peters asked what are the hours the buses run on the six days. Ms. Wynes responded Monday-Friday is 5:45 a.m. – 6:30 p.m. for the fix route service. To extend service a little later to match the initial PART hours there is a guarantee ride home service which is at 6:00 p.m., 6:30 p.m., and 7:00 p.m. Saturday service is 8:45 a.m. until 5:15 p.m. Council Member Ewing asked since PART extended their hours to 9:00 p.m. has that affected our demand? Ms. Wynes stated she thinks it does, but once the service is expanded this summer, it will change. Mayor Pro

Temp asked what will the new hours be this summer. Ms. Wynes replied the last bus will pull in at 9:45 p.m. this will give the information needed as far as demand is concerned. Mayor Pro Tem asked what steps are being taken to get the information to the public regarding later summer hours. Ms. Wynes stated maps and displays will be set up in the lobby, terminals, library, the transportation department and information posted on the website, all the social media outlets and will work with Public Information regarding press releases. Council Member Jones asked what the passenger count is on the buses. Ms. Wynes stated 32 people per bus. Council Member Jones asked if there is still need for drivers. Ms. Wynes stated yes, that is correct. Council Member Ewing asked how competitive is the pay verses PART, Winston-Salem and Greensboro. Ms. Wynes answered High Point pays more than PART, but does not pay more than Winston-Salem and Greensboro. Council Member Golden asked if the City has ever considered having a commercial trail way such as Grey Hound. Ms. Wynes responded it was considered but with the issues that Winston-Salem and Greensboro were having they decided against it. Mayor Pro Tem Williams asked if that included Mega Bus. Ms. Wynes stated Mega Bus has not been considered.

Ms. Wynes stated in 2015 the Short-Range Transit Plan was completed and implemented. There were several branding projects that were completed which included a new logo, new paint schemes and a new name. She stated they have implemented bus advertising which is doing well. She spoke about the Palladium Circulator and creating a shorter route for that to increase ridership. She stated they will work with staff and departments to make the public aware of the Palladium Circulator service. She gave an overview of new services beginning in August which include: Route Restructuring, increasing hourly service to GTCC Jamestown campus, service until 9:45 p.m., 2 hours additional service hours on Saturday and increase the fare to $1.25. She stated there are plans to create 13 additional positions.

She showed a map of the transit route coverage and noted that some existing bus routes will be extended. She explained capital improvements which include renovations to the Paratransit facility, Palladium Area Transfer facility and bus stop amenity pilot projects.

Mark McDonald gave an update and list of current projects:

1. Skeet Club Road Widening
2. Traffic Signal System Upgrades
3. Safe Routes to Schools
4. Sidewalks
5. Parking Deck Improvements
6. Mendenhall Terminal Upgrades
7. Traffic Service Storage Building
8. Intersection Improvements (N. Main & Lexington, Centennial & Montlieu, Eastchester &Regency)

He gave an overview and update on future projects including: I-74 & NC 68 Interchange Improvements, Jamestown Bypass, Johnson Street – Sandy Ridge Road Improvements, Eastchester Drive widening, I-85 Business & S. Main Street Bridge Replacement and Interchange Improvements and E. Lexington Avenue Gateway. He listed potential bond projects: Triangle Lake Road, Washington Street Realignment, Burton Road, Gordon Street, E. Ward Avenue

Extension, Braddock Road, English & MLK conversions and intersection and unpaved street improvements. Council Member Ewing asked if the current lists and updates are on the website. Mr. McDonald stated some are up to date, however, there may be some that need to be updated.

Building Inspections Presentation

Mr. Demko introduced Reggie Hucks, Inspections Administrator.

Mr. Hucks stated since 2016 there have been ten new showrooms which are either substantial additions to existing showrooms or are brand new showrooms. He stated there is a difference between local codes and state building codes. He said his department enforces the State Building Code. There is language in State Building Code regarding demolitions of residentials structures, but his department generally lets local code enforcement handle residential code violations. This sometimes confuses the public. He stated his department handles commercial demolitions, and noted there would be a commercial demolition coming soon on English street.

He listed different codes that his department enforces such as: Building Codes, Existing Building Codes, Plumbing Codes, Mechanical Codes, ADA Codes, and Electrical Codes. Mr. McCaslin pointed out that the department does not write the codes or have any say in the codes. They strictly enforce the codes. Mr. Hucks stated there are big changes coming from the Building Code Council and the Legislature. He stated in High Point there is a lot of commercial construction. One of the complaints received was in regard to the time it took to get a commercial project through the system. He stated his department has worked hard to reduce that time. There were a number of things implemented to reduce that time such as looking at what was causing the back log and restructure of the work flow. He stated the time it takes to issue a permit has been reduced from 3 weeks to a week and one day. Instead of waiting to get a perfect document, they will issue a foundation permit so the builders can start construction. He stated the goal of the inspections department is to review a set of drawings in three days and either give a good set of comments or issue the permit.

He showed pictures of work regarding High Point University Congdon Health Science building, and stated with the new Arena breaking ground in June or July, the new ball stadium, new show rooms, as well as new restaurants it is an exciting time to be in High Point and there is a lot of work to be done.

He stated with new and existing showrooms he hopes to be able to issue a permit within two hours of submission. He explained in order to make that happen they created an Expedited Show Room Permit. Inspections are performed in the field as opposed to being in an office. He said although there are still problems with people operating show rooms without permits, he feels with an easier system in place for permits, as well as better policing of show rooms, the show room permits should increase.

He showed a picture of a commercial building needing demolished and stated it was a challenge to go through the steps required to have a commercial building demolished. He stated there are others in town like this and they need to be dealt with because of safety issues, however, they do work with the owners to try to get them to repair the building.

He encourages all Inspectors to become multi-certified, and listed some of the Inspections Service initiatives such as:

1. Expedited Showroom Permits
2. Improved Plan Review Workflow
3. Field Meetings with Customers
4. Multi-Certification of Inspection Staff
5. Improved Reporting
6. iPad Implementation
7. Monthly full staff meetings – some with guest presenters

The following are statistics from the Inspection Services during 2017:

1. Number of commercial permits issued – 1200
2. Number of residential permits issued – 2000
3. Number of expedited showroom permits issued – 160 (3 markets)
4. Number of new showrooms built August since 2016 – 9
5. Number of inspections made during 2017 – 24,125

He showed a picture of the Inspection Staff and stated there are two positions that are vacant. He said the Inspection staff works hard and he is very proud of the what they have accomplished and feels everyone works as a team.

Mr. Demko asked if a level 3 Electrical Inspector is needed. Mr. Hucks responded we need an Electrical and Plumbing Inspector now and a Level 3 Electrical Inspector really bad.

Council Member Hudson stated he was pleased that residential permits are now available online. Mayor Pro Tem Williams concurred.

The meeting adjourned at 5:15 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____

Chris Williams, Mayor Pro Tem

Attest:

_____

Sandra Keeney, Deputy City Clerk

DRAFT

CITY OF HIGH POINT
AGENDA ITEM

Title: **Special Use 18-01 (SU-18-01)**
(Faulk & Foster, representing Verizon Communication, Inc)

From: Lee Burnette, Planning & Development Director

Meeting Date: May 21, 2018

Public Hearing: Yes

Advertising Date: May 9, 2018, and May 16, 2018

Advertised By: Planning & Development

Attachments:
A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Special Use Permit

PURPOSE:
A request by Faulk & Foster, representing Verizon Communication, Inc, to permit a Major Wireless Telecommunication Facility. The site is approximately 8.7 acres and lying along the south side of Skeet Club Road, approximately 800 feet east of Braddock Road (1520 Skeet Club Road).

BACKGROUND:
The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:
There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff recommended ***approval*** of this request, as outlined in the attached staff report.

B. On April 24, 2018, a public hearing was held before the Planning and Zoning Commission regarding Special Use 18-01. The Planning & Zoning Commission recommended ***approval*** of this request, as outlined in the staff report and recommended by staff, by a vote of 6-2 with Mr. Armstrong and Ms. Stone voting in opposition to the request.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Faulk & Foster Special Use 18-01 (SU-18-01)

At its April 24, 2018 public hearing, the Planning and Zoning Commission reviewed a request to permit a Major Wireless Telecommunication Facility in a Residential Single Family -3 (R-3) District. All members of the Commission were present, except for Mr. Andrew Putnam. Mr. Robert Robbins, Development Services Administrator, presented the request and recommended approval as outlined in the staff report.

Mr. Robbins offered the following information in response to questions by the Commission:

- The proposed tower will be subject to the city's building permit process. As part of that process the applicant will submit engineering and material specifications, including foundation or footer specification, to ensure the tower construction meets requirements of the N.C. Building Code. The soil analysis information will also be required in evaluating the foundation during the permitting process.
- All of the submitted information would also be reviewed by city staff prior to permit issuance.

Speaking in favor of the request:

Speaking in favor of the request on behalf of the applicant was James LaPann, zoning specialist with Faulk & Foster, 584 Laurel Lane, Lancaster, P.A. Mr. LaPann offered the following comments:

- The proposed wireless telecommunication facility is in compliance with the city's Development Ordinance. This location on the property was chooses to keep the tower away from adjacent residential dwellings and away from a stream and environmental constraints at the rear of the site.
- According to the Federal Communications Commission, 70% of 911 calls are placed from a cell phone. The requested tower will fill a gap in their client's service area, which will significantly benefit area residents with increased coverage and safety.
- He received an e-mail from Covenant Church United Methodist. Their main concern seemed to be with the stability of the soil and if the tower could be safely constructed. Mr. LaPann stated that SME, an engineering firm, completed a geotechnical exploration of the soil on April 20, 2018. SME indicated that, based on their on-site exploration, the site is adaptable for the proposed tower.
- An analysis by Sabre Industries, the company responsible for engineering the tower, was included in the zoning application. This analysis indicates that in the event of a failure, the tower is pre-engineered to collapse within a 75-foot radius fall zone on the property.

Speaking in opposition of the request:

Speaking in opposition, on behalf of Covenant Church United Methodist, were Mr. Chris Coggins, 2416 Tweedmore Court, High Point, and Mr. Wayne Marshall, 153 Marshall Smith Road, Colfax. These speakers had the following comments:

- Soil Conditions: The church has experience with the soil conditions in this area. When they constructed a parking lot, adjacent to the proposed tower location, 6 to 8 feet of soil had to be removed to make a stable parking lot. Furthermore, the church had to spend $18,500 to stabilize the wall on the south side of the educational building, which suffered damage related to the soil conditions. The analysis by Sabre Industries only takes into account the potential failure of the tower from high winds and does not account for the soil composition and characteristics.
- Safety Concerns: The 75-foot fall zone touches the eastern border of the church property near a playground area. The tower poses a risk to the children who use the playground daily. They requested the tower be moved 100 - 180 feet south to mitigate safety concerns.

Planning & Zoning Commission Action

The Planning and Zoning Commission recommended ***approval*** of the request by Faulk & Foster to permit a Major Wireless Telecommunication Facility, by a vote of 6-2, with Mr. Armstrong and Ms. Stone voting in opposition.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT

STAFF REPORT
SPECIAL USE PERMIT 18-01
April 24, 2018

Request	
Applicant: Faulk & Foster Real Estate, Inc., representing Verizon Communications, Inc.	**Owner:** Jeffery Patton and Holly Dee Patton
Proposal:	A Special Use request to allow a Major Wireless Telecommunication Facility in a Residential Single Family-3 (R-3) District.

Site Information	
Location:	Lying along the south side of Skeet Club Road, approximately 800 feet east of Braddock Road (1520 Skeet Club Road).
Tax Parcel Number:	Guilford County Tax Parcel 0204401
Site Acreage:	Approximately 8.7 acres
Current Land Use:	Single family dwelling
Physical Characteristics:	The site has a moderate to severely sloping terrain and is heavy wooded. A perennial stream runs across the southern 1/3 of the property and the steeper terrain of the site is along this stream corridor. Additionally, there is a 100-foot wide underground telephone line right-of-way running across the southern 1/3 of the property.
Water & Sewer Proximity:	A 12-inch City water line and an 8-inch & 16-inch sewer lines lies adjacent to the site along Skeet Club Road.
General Drainage and Watershed:	The site drains in a southeasterly direction and development is subject to the Oak Hollow Lake Watershed Critical Area (WCA) requirements. Engineered stormwater treatment measures are required for development with a total impervious surface area greater than 24% of the site. The southern half of the site is within Tier 3 of this WCA, which only permits two-dwelling units per acre for single family development or a maximum 35% built-upon area for other permitted uses. The northern half of the site is within Tier 4 of this WCA, which only permits two-dwelling units per acre for single family development or a maximum 50% built-upon area for other permitted uses.
Overlay Districts	Oak Hollow Lake Watershed Critical Area (WCA) – Tier 3 and Tier 4

Adjacent Property Zoning and Current Land Use			
North:	R-3	Residential Single Family-3 District	Deep River Recreational Center and Park
South:	R-3	Residential Single Family-3 District	Single family dwellings
East:	R-3	Church	Church
West:	R-3	Residential Single Family-3 District	Single family dwelling

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is not in conflict with the Community Growth Vision Statement.
Land Use Plan Map Classification:	The site has a Low-Density Residential land use classification. This classification is primarily intended to accommodate single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Land Use Plan Goals, Objectives &Policies:	This request is neither in conflict with the goals and objectives of the Land Use Plan, nor does it promote those goals and objectives.
Relevant Area Plan:	Not applicable
Community Growth Vision Statement:	This request is not in conflict with the Community Growth Vision Statement.
Zoning History:	There has been no recent rezoning activity in this area. Surrounding residential subdivisions were annexed and granted City zoning in the 1980s and 1990s.

Transportation Information				
Adjacent Streets:	**Name**		**Classification**	**Approx. Frontage**
	Skeet Club Road		Major Thoroughfare	75 ft.
Vehicular Access:	Via driveway access from Skeet Club Road.			
Traffic Counts: *(Average Daily Trips)*	Skeet Club Road		15, 000 AADT (NCDOT 2015 count)	
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis:	Required		TIA Comment	
	Yes	No X	Not applicable	
Pedestrian Access:	Not applicable			

School District Information
Not applicable to this special use request.

Details of Proposal

The Development Ordinance permits wireless telecommunication facilities, up to 60 feet in height, by right in all residential zoning districts. A wireless telecommunication facility over 60 feet in height in a residential zoning district is considered a major wireless telecommunication facility and requires Special Use approval by City Council.

The applicant, Faulk & Foster Real Estate, Inc., has submitted this application to allow a 145-foot high telecommunication tower on an 8.7-acre parcel that currently has a single family dwelling. Included with this application is a Special Use Permit that outlines site development conditions; a site plan; and supplemental documentation from the applicant justifying the request. A summary of this proposal is as follows:

- Location: A wireless telecommunication structure is proposed to be installed, within a 100-foot by 100-foot fenced in area, on the northeastern portion of the site approximately 385 feet south of Skeet Club Road.

- Tower Type and Maximum Height: A 145-high monopole style telecommunication tower is proposed to be installed.
- Co-location (shared use of tower): A minimum of four (4) antenna locations will be provided.
- Access: Access for use and maintenance of the proposed facility will be from the existing Skeet Club Road driveway used to serve the existing single family dwelling on the site.

Findings

A Special Use is an additional use to those permitted by right in a zoning district. Such a use requires analysis for its potential impact on the proposed site and its impact on surrounding properties. The purpose of the Special Use process is to allow the Planning and Zoning Commission and City Council an opportunity to perform this analysis.

Section 2.4.11.C of the Development Ordinance requires that certain findings be made before a Special Use may be approved. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these required findings.

Will not materially endanger the public health or safety if located where proposed.	
Compliance	All wireless facilities and support structures shall comply with or exceed current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC) and any other agency of the State or federal government that regulates telecommunications facilities. Furthermore, the Development Ordinance states that all wireless support structures shall not exceed 200 feet in height and shall be setback a minimum distance necessary to insure the support structure will remain on site following collapse (its fall zone), as certified by a licensed professional engineer. Based on the following documentation submitted by the applicant, staff finds the request will not endanger the public health or safety: 1. The applicant has submitted a "Determination of No Hazard to Air Navigation" letter from the FAA dated February 27, 2018. 2. A 145-foot tall structure is proposed, which is well under the 200-foot limit. 3. The applicant has submitted a letter dated January 3, 2018, sealed by a professional engineer from Sabre Industries Tower and Poles, stating the proposed monopole structure will have a fall zone of 75 feet. The site plan depicts the base of the tower structure as being over 75 feet from the northern, western and southern property lines and at least 75 feet from the eastern property line of the site.

Complies with all required standards, conditions, and specifications of the Development Ordinance, including Chapter 4: Uses.	
Compliance	Staff has reviewed the Special Use Permit plans and has determined the request meets or exceeds the standards of the Development Ordinance. While the accompanying site plan shows the tower on a lessee space, the tower is required to be on a special purpose lot separate from the single family dwelling lot. This will occur prior to development.

Will not substantially injure the value of the abutting land, or the special use is a public necessity;	
Compliance	The applicant is placing the proposed telecommunication structure in a wooded portion of the property approximately 385 feet south of Skeet Club Road and more than 500 feet from the nearest residential dwelling. The site abuts an existing 31,000-square foot non-residential use (church); however, the proposed monopole structure will be to the rear of this church structure, near a gravel parking lot. Staff has not identified any evidence that the proposed wireless telecommunication structure will substantially injure the values of abutting properties. Based on its proposed location, distance from adjacent residential dwellings and that fact it abuts an existing non-residential use, staff finds that the request would be in harmony with surrounding uses.

Will be in harmony with the area in which it is to be located.	
Compliance	The northern portion of the site is at a higher elevation, which reduces the need to apply for a taller tower structure. Also, the existing driveway will be used; thus, lessen environmental impact from grading and paving a longer access drive in this watershed critical area. Placement on the southern half of the property, behind the existing dwelling, would be closer to the abutting dwelling on the parcel to the west and be within Tier 3 of the watershed critical area that has more restrictive development standards. Finally, the southern portion of the site is encumbered by a perennial stream that requires a 200-foot wide stream buffer (100 feet on both sides of stream) and a separate 100-foot wide underground telephone easement.

Is in general conformity with the City's adopted policy guidance.	
Compliance	Wireless communication facilities are permitted in all zoning districts, subject to applicable uses and district standards. The proposal to establish a 145-foot monopole structure at this location does not conflict with adopted policy guidance documents.

Recommendation

Staff recommends approval

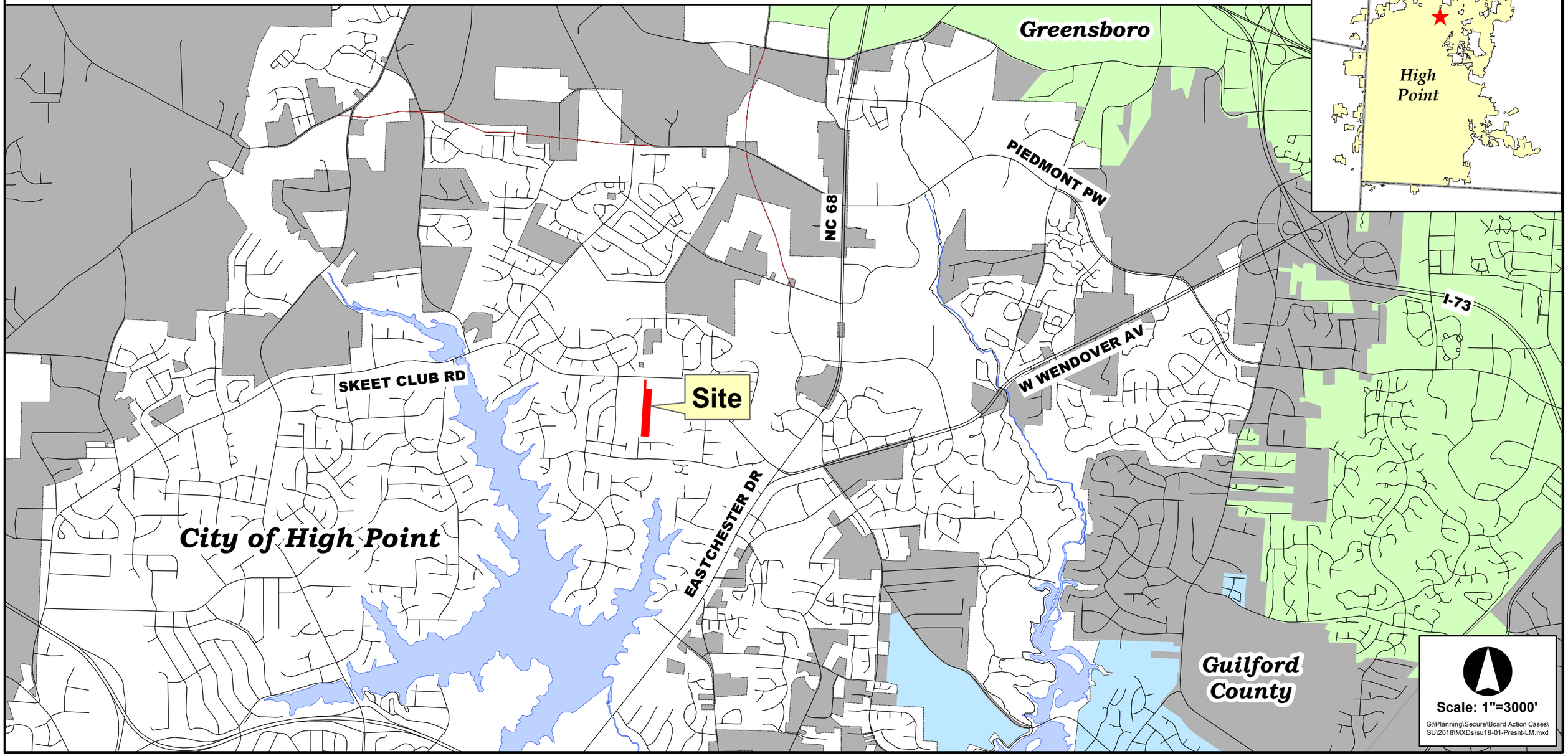
Based upon the conditions in the attached Special Use Permit application and the preliminary findings of fact, staff finds that the request will be compatible with the surrounding zoning and in harmony with adjacent development in this area. The Planning and Development Department recommends approval of the accompanying Special Use Permit to allow a 145-foot tall wireless communication facility structure in a Residential Single Family-3 (R-3) District.

Report Preparation

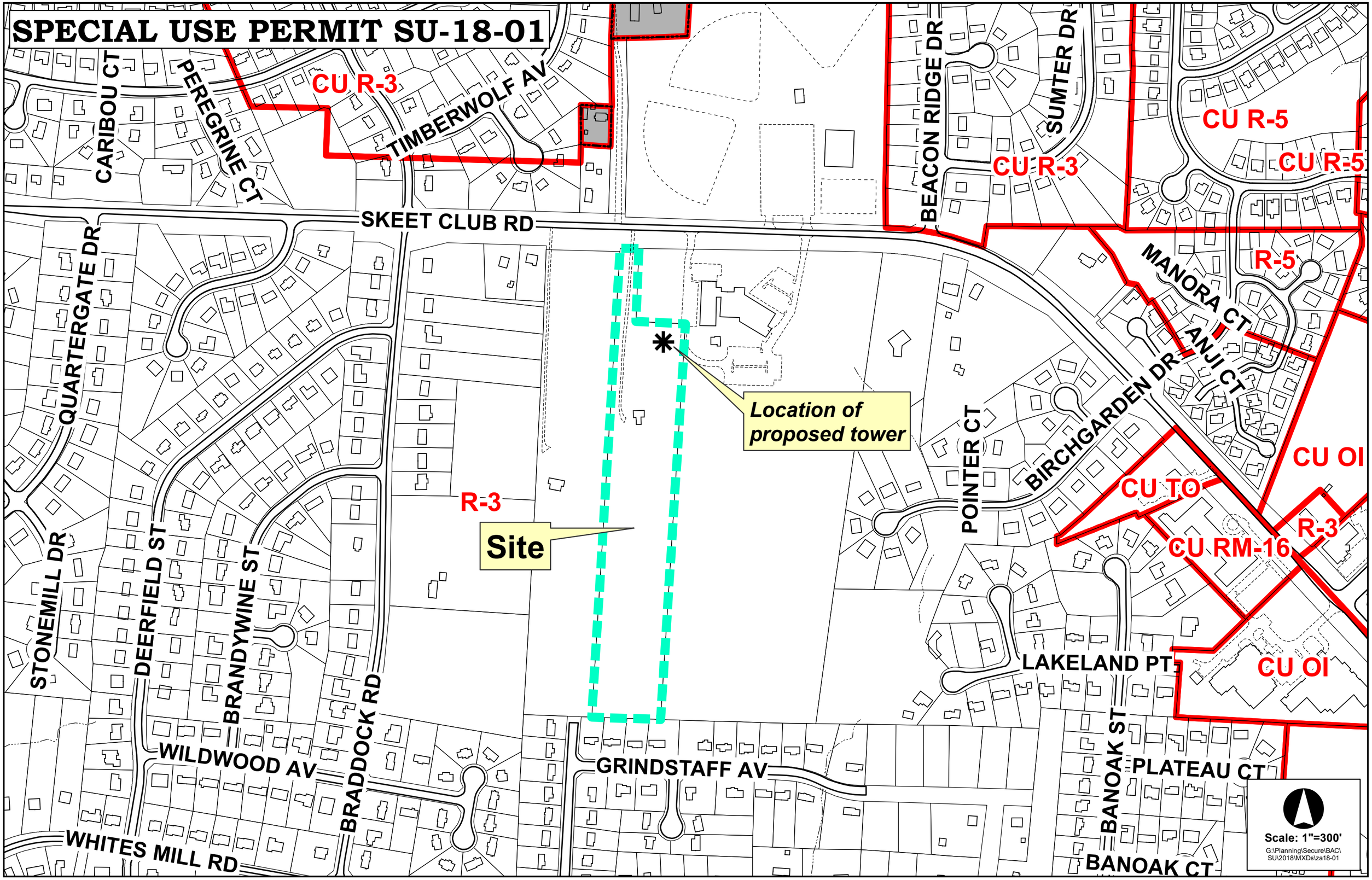
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.

LOCATION MAP

SPECIAL USE SU-18-01
Applicant: Faulk & Foster



SPECIAL USE PERMIT SU-18-01



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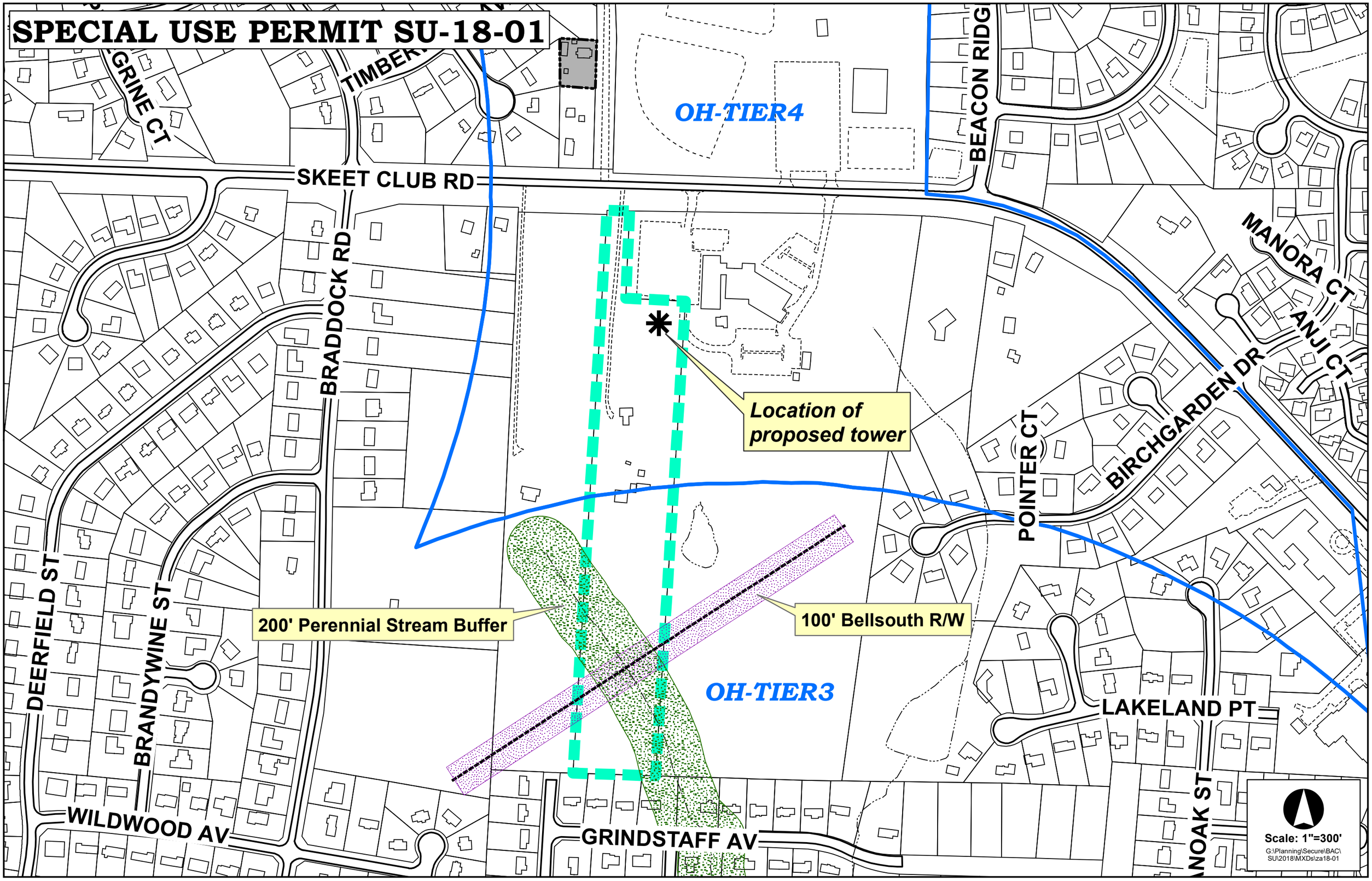

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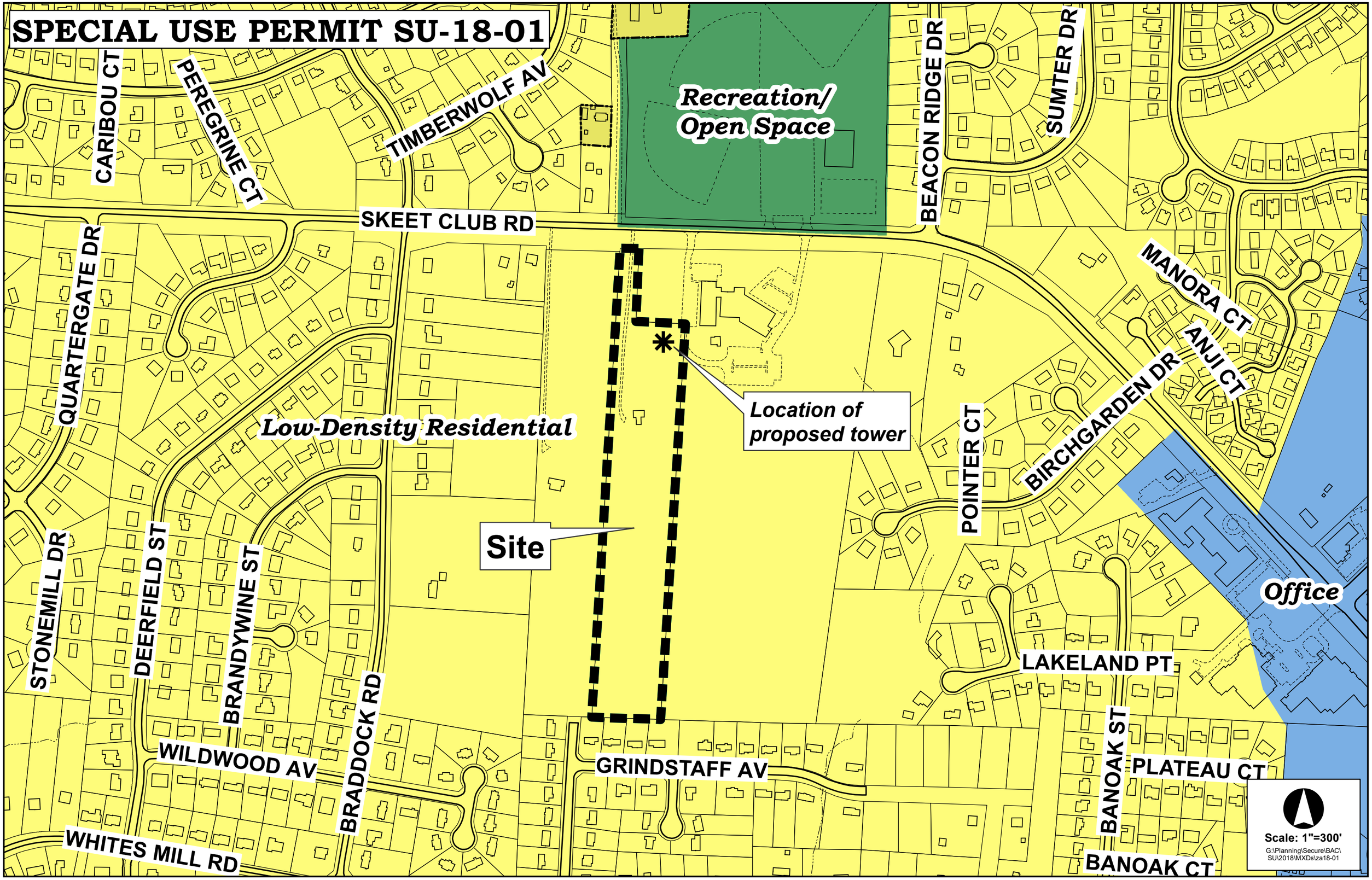

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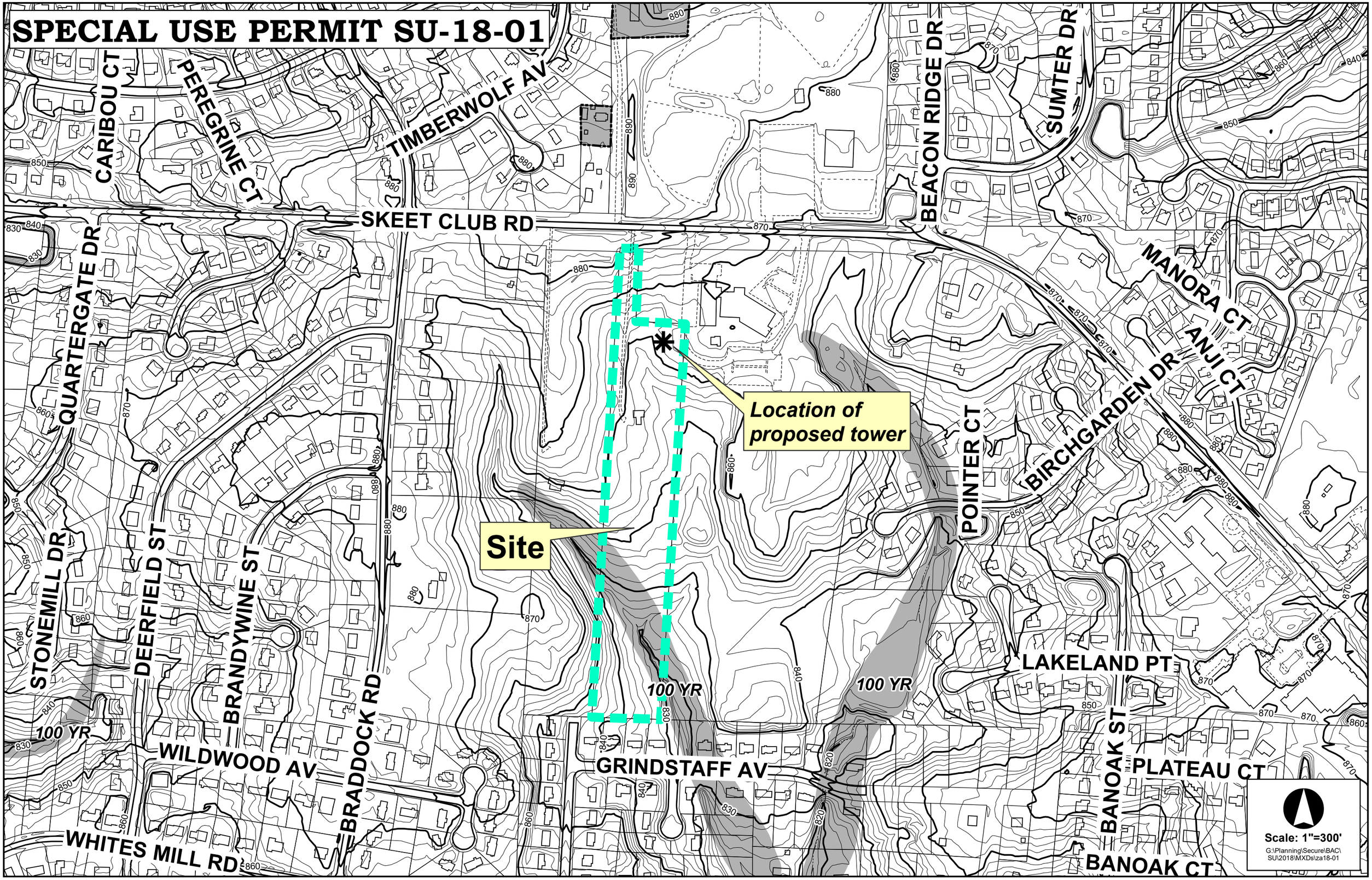


SPECIAL USE PERMIT SU-18-01

SPECIAL USE PERMIT 18-01
CITY OF HIGH POINT, NORTH CAROLINA
April 24, 2018.
(Submitted)

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 2.4.11, SPECIAL USE, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE PERMIT AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

USE: Major Wireless Telecommunication Facility

a. Type – Monopole
b. Maximum Height – 145-feet
c. Co-location (shared use of tower): A minimum of four (4) antenna locations will be made available (see Special Use Permit plan).

CONDITIONS:

Special Use Permit Plan:
Development shall be in accordance with the attached Special Use Permit site plan. This Special Use Permit and approved site plan are perpetually binding on this property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

DESCRIPTION OF PROPERTY:
An approximately 8.7-acre parcel lying along the south side of Skeet Club Road, approximately 800 feet east of Braddock Road (1520 Skeet Club Road).

This Special Use Permit and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use Permit shall be null and void and of no effect. If for any reason any condition imposed in this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

The issuance of this Special Use Permit authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE RMIT 18-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE XXTH DAY OF XXXXXXXXXXXXX, 2018.

_____ _____

Lisa B. Vierling Date
City Clerk

SUBJECT PROPERTY

OWNER: JEFFREY & HOLLY PATTON

SITE ADDRESS: 1520 SKEET CLUB RD, HIGH POINT, NC 27265

PARCEL ID: 0204401

AREA: 7.82 ACRES (PER TAX ASSESSOR)

ZONED: RS-12 - RESIDENTIAL MULTI FAMILY DISTRICT

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS

REFERENCE: DEED BOOK 3346 PAGE 448 & PLAT BOOK 150 PAGE 74

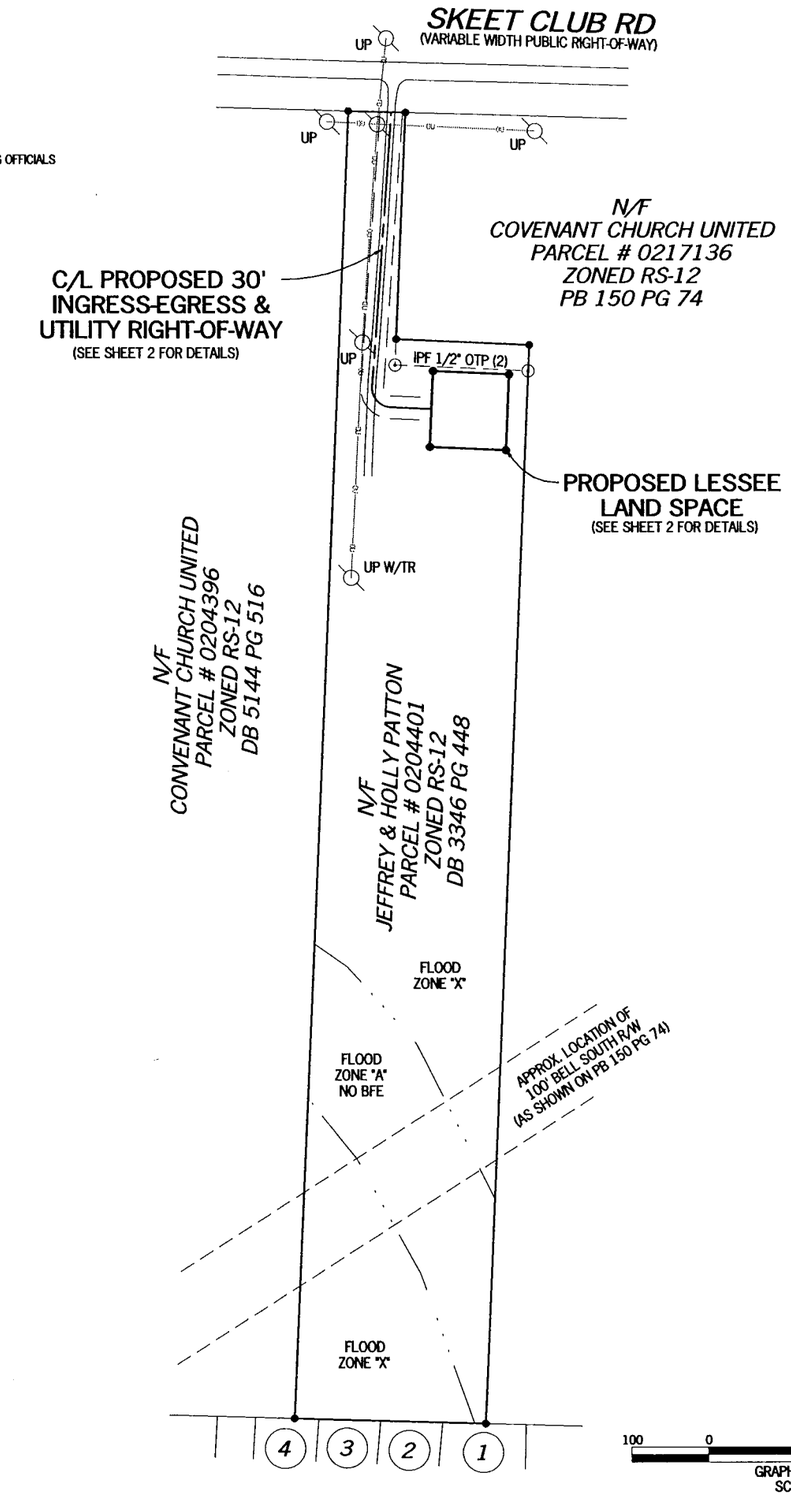
GPS NOTES

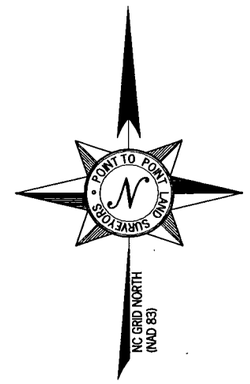
THE FOLLOWING GPS STATISTICS UPON WHICH THIS SURVEY IS BASED HAVE BEEN PRODUCED AT THE 95% CONFIDENCE LEVEL:

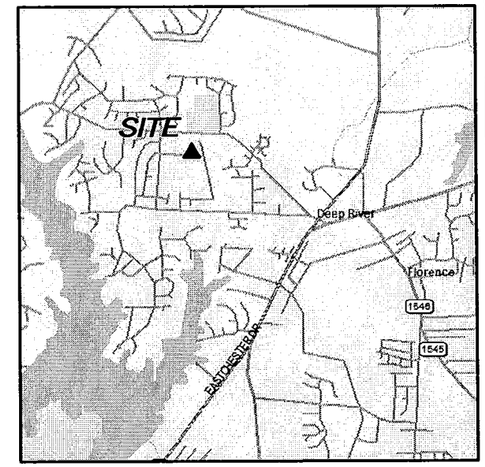
POSITIONAL ACCURACY: 0.04 FEET
TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC NETWORKS
DATES OF SURVEY: 7/13/17
DATUM / EPOCH: NAD_83(2011)(EPOCH:2010.0000)
PUBLISHED / FIXED CONTROL USE: N/A
GEOID MODEL: 12B
COMBINED GRID FACTOR(S): 0.99970373

ADJOINER INFO.

N/F	PARCEL #
1. NEIL & SALLY RICE	0204751
2. MILL WHITES TRUST	0204750
3. BLAKE WOODRUFF	0204749
4. SEAN & DEBRA MCNEELA	0204748
ALL ZONED RS-12	







VICINITY MAP

NOT TO SCALE

GENERAL NOTES

* THIS SPECIFIC PURPOSE SURVEY IS FOR THE LESSEE LAND SPACE AND APPURTENANT RIGHTS OF WAY ONLY. THIS SPECIFIC PURPOSE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF VERIZON WIRELESS AND EXCLUSIVELY FOR THE TRANSFERRAL OF THE PROPOSED LESSEE LAND SPACE AND APPURTENANT RIGHTS OF WAY SHOWN HEREON AND SHALL NOT BE USED AS AN EXHIBIT OR EVIDENCE IN THE FEE SIMPLE TRANSFERRAL OF THE PARENT PARCEL NOR ANY PORTION OR PORTIONS THEREOF. BOUNDARY INFORMATION SHOWN HEREON HAS BEEN COMPILED FROM TAX MAPS AND DEED DESCRIPTIONS ONLY. NO BOUNDARY SURVEY OF THE PARENT PARCEL WAS PERFORMED.

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.

THIS SPECIFIC PURPOSE SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.

THE FIELD DATA UPON WHICH THIS SPECIFIC PURPOSE SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,000+ FEET AND AN ANGULAR ERROR OF 5.0" PER ANGLE POINT AND WAS ADJUSTED USING LEAST SQUARES.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TPS 1200 ROBOTIC & GEOMAX ZENITH 35. [DATE OF LAST FIELD VISIT: 7/13/2017]

THE 1' CONTOURS AND SPOT ELEVATIONS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE ADJUSTED TO NAVD 88 DATUM (COMPUTED USING GEOID 12B) AND HAVE A VERTICAL ACCURACY OF ± 0.5'. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

BEARINGS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON NC GRID NORTH (NAD 83) LIST STATE ZONE.

A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD AREA (ZONE A: NO BFE DETERMINED) AS PER F.I.R.M. COMMUNITY PANEL NO. 3710780300J DATED JUNE 18, 2007.

NO WETLAND AREAS HAVE BEEN INVESTIGATED BY THIS SPECIFIC PURPOSE SURVEY.

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS.

ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT ANY UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES.

SURVEYOR CERTIFICATION

I HEREBY CERTIFY THAT THIS MAP IS CORRECT AND WAS DRAWN UNDER MY DIRECT SUPERVISION. ANY VISIBLE ENCROACHMENTS ARE SHOWN HEREON.

DATE: 7/18/2017

G. DARRELL TAYLOR, NORTH CAROLINA REGISTERED LAND SURVEYOR #L-3729
POINT TO POINT LAND SURVEYORS, INC.

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THIS MAP IS ONLY INTENDED FOR THE PARTIES AND PURPOSES SHOWN. THIS MAP IS NOT FOR RECORDATION. NO TITLE REPORT PROVIDED.

100 0 200 400
GRAPHIC SCALE IN FEET
SCALE: 1" = 200'

SURVEY NOT VALID WITHOUT SHEET 2 OF 2

LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
UP	UTILITY POLE
LP	LIGHT POLE
FP	FLAG POLE
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
INV	INVERT
FH	FIRE HYDRANT
EP	EDGE OF PAVEMENT
TC	TOP OF CURB
BC	BACK OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
OU	OVERHEAD UTILITY
UE	UNDERGROUND UTILITY
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
GW	GUY WIRE ANCHOR
TR	TRANSFORMER
JB	JUNCTION BOX
SWCB	SINGLE WING CATCH BASIN
DWCB	DOUBLE WING CATCH BASIN
CLF	CHAIN LINK FENCE
WV	WATER VALVE
WM	WATER METER
CO	SEWER CLEAN-OUT
GV	GAS VALVE
N/F	NOW OR FORMERLY
IB	ICE BRIDGE
IBP	ICE BRIDGE POLE

NORTH CAROLINA PROFESSIONAL SEAL L-3729 LAND SURVEYOR G. DARRELL TAYLOR

NO.	DATE	REVISION

* SPECIFIC PURPOSE SURVEY PREPARED BY:
POINT TO POINT LAND SURVEYORS
Firm License Number: C-4145
9650 Strickland Road, #103-307
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(p) 678.565.4440 (f) 678.565.4497
(w) p2pls.com

SPECIFIC PURPOSE SURVEY PREPARED FOR:

verizon
8921 RESEARCH DRIVE
CHARLOTTE, NC 28262

"SILVER FOX"

HIGH POINT TOWNSHIP,
GUILFORD COUNTY,
NORTH CAROLINA

DRAWN BY: EAL
CHECKED BY: JKL
APPROVED: C. INER
DATE: JULY 18, 2017
P2P JOB #: N170181

SHEET: 1 OF 2

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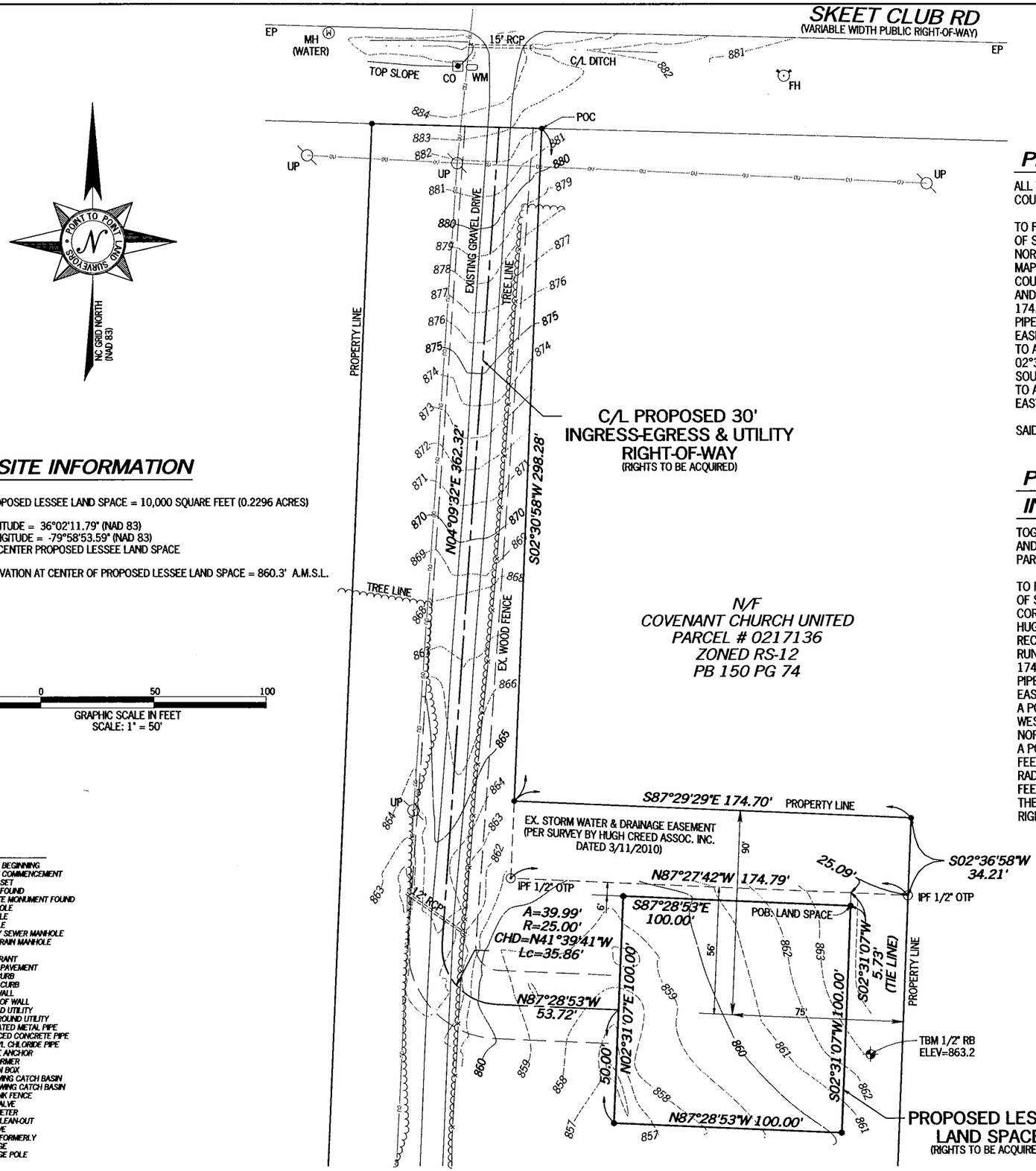

SITE INFORMATION

PROPOSED LESSEE LAND SPACE = 10,000 SQUARE FEET (0.2296 ACRES)

LATITUDE = 36°02'11.79" (NAD 83)
LONGITUDE = -79°58'53.59" (NAD 83)
AT CENTER PROPOSED LESSEE LAND SPACE

ELEVATION AT CENTER OF PROPOSED LESSEE LAND SPACE = 860.3' A.M.S.L.

LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
UP	UTILITY POLE
LP	LIGHT POLE
FP	FLAG POLE
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
INV	INVERT
FH	FIRE HYDRANT
EP	EDGE OF PAVEMENT
TC	TOP OF CURB
BC	BACK OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
OU	OVERHEAD UTILITY
UE	UNDERGROUND UTILITY
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
GW	GUY WIRE ANCHOR
TR	TRANSFORMER
JB	JUNCTION BOX
SWCB	SINGLE WING CATCH BASIN
DWCB	DOUBLE WING CATCH BASIN
CLF	CHAIN LINK FENCE
WV	WATER VALVE
WM	WATER METER
CO	SEWER CLEAN-OUT
GV	GAS VALVE
N/F	NOW OR FORMERLY
IB	ICE BRIDGE
IBP	ICE BRIDGE POLE

PROPOSED LESSEE LAND SPACE

ALL THAT TRACT OR PARCEL OF LAND, LYING AND BEING IN HIGH POINT TOWNSHIP, GUILFORD COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SKEET CLUB ROAD (HAVING A VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT BEING THE NORTHEAST CORNER OF THE LANDS OF JEFFREY & HOLLY PATTON, SHOWN AS LOT 2 ON EXCLUSION MAP BY HUGH CREED ASSOCIATES, INC., RECORDED IN PLAT BOOK 150 PAGE 74, GUILFORD COUNTY RECORDS; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF SKEET CLUB ROAD AND RUNNING, SOUTH 02°30'58" WEST, 298.28 FEET TO A POINT; THENCE, SOUTH 87°29'29" EAST, 174.70 FEET TO A POINT; THENCE, SOUTH 02°36'58" WEST, 34.21 FEET TO A ½-INCH OPEN TOP PIPE FOUND AT THE SOUTHEASTERN CORNER OF AN EXISTING STORM WATER AND DRAINAGE EASEMENT; THENCE RUNNING ALONG SAID EASEMENT LINE, NORTH 87°27'42" WEST, 25.09 FEET TO A POINT; THENCE LEAVING SAID EASEMENT LINE AND RUNNING ALONG A TIE LINE, SOUTH 02°31'07" WEST, 5.73 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE RUNNING, SOUTH 02°31'07" WEST, 100.00 FEET TO A POINT; THENCE, NORTH 87°28'53" WEST, 100.00 FEET TO A POINT; THENCE, NORTH 02°31'07" EAST, 100.00 FEET TO A POINT; THENCE, SOUTH 87°28'53" EAST, 100.00 FEET TO A POINT AND THE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.2296 ACRES (10,000 SQUARE FEET), MORE OR LESS.

PROPOSED 30' INGRESS-EGRESS & UTILITY RIGHT-OF-WAY

TOGETHER WITH A PROPOSED 30-FOOT WIDE INGRESS-EGRESS AND UTILITY RIGHT-OF-WAY, LYING AND BEING IN HIGH POINT TOWNSHIP, GUILFORD COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SKEET CLUB ROAD (HAVING A VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT BEING THE NORTHEAST CORNER OF THE LANDS OF JEFFREY & HOLLY PATTON, SHOWN AS LOT 2 ON EXCLUSION MAP BY HUGH CREED ASSOCIATES, INC., RECORDED IN PLAT BOOK 150 PAGE 74, GUILFORD COUNTY RECORDS; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF SKEET CLUB ROAD AND RUNNING, SOUTH 02°30'58" WEST, 298.28 FEET TO A POINT; THENCE, SOUTH 87°29'29" EAST, 174.70 FEET TO A POINT; THENCE, SOUTH 02°36'58" WEST, 34.21 FEET TO A ½-INCH OPEN TOP PIPE FOUND AT THE SOUTHEASTERN CORNER OF AN EXISTING STORM WATER AND DRAINAGE EASEMENT; THENCE RUNNING ALONG SAID EASEMENT LINE, NORTH 87°27'42" WEST, 25.09 FEET TO A POINT; THENCE LEAVING SAID EASEMENT LINE AND RUNNING ALONG A TIE LINE, SOUTH 02°31'07" WEST, 5.73 FEET TO A POINT; THENCE, SOUTH 02°31'07" WEST, 100.00 FEET TO A POINT; THENCE, NORTH 87°28'53" WEST, 100.00 FEET TO A POINT; THENCE, NORTH 02°31'07" EAST, 50.00 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE RUNNING, NORTH 87°28'53" WEST, 53.72 FEET TO A POINT; THENCE, 39.99 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET AND BEING SCRIBED BY A CHORD BEARING, NORTH 41°39'41" WEST, 35.86 FEET TO A POINT; THENCE, NORTH 04°09'32" EAST, 362.32 FEET TO THE ENDING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SKEET CLUB ROAD (HAVING A VARIABLE WIDTH RIGHT-OF-WAY).

SURVEY NOT VALID WITHOUT SHEET 1 OF 2

NORTH CAROLINA PROFESSIONAL SEAL L-3729 LAND SURVEYOR G. DARRELL TAYLOR

NO.	DATE	REVISION

* SPECIFIC PURPOSE SURVEY PREPARED BY:
POINT TO POINT LAND SURVEYORS
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(w) p2pls.com

SPECIFIC PURPOSE SURVEY PREPARED FOR:

verizon

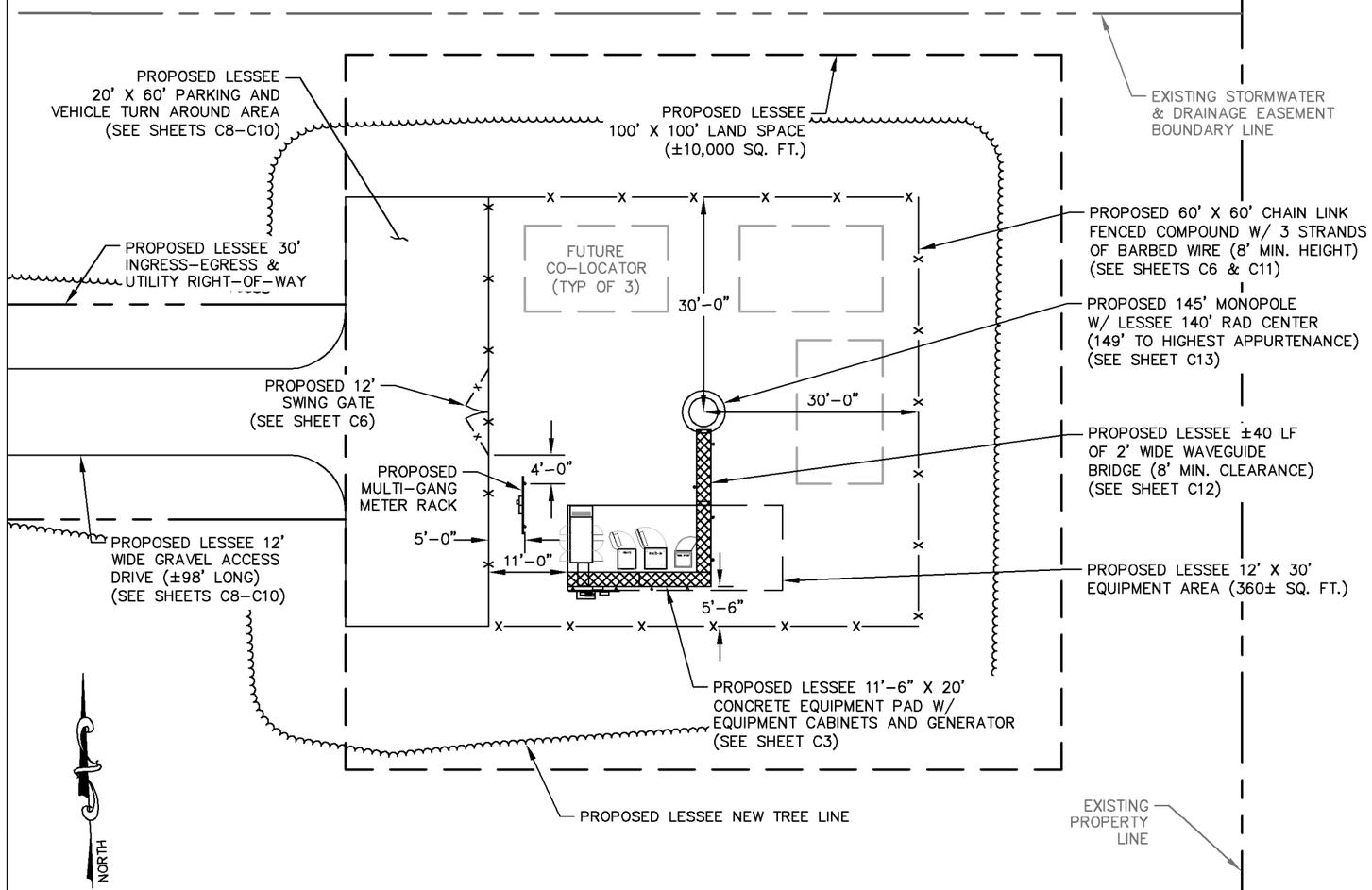
8921 RESEARCH DRIVE
CHARLOTTE, NC 28262

"SILVER FOX"

HIGH POINT TOWNSHIP,
GUILFORD COUNTY,
NORTH CAROLINA

DRAWN BY: EAL	SHEET:
CHECKED BY: JKL	2
APPROVED: C. INER	
DATE: JULY 18, 2017	
P2P JOB #: N170181	OF 2

E:\Dropbox (Point To Point)\P2P Current Jobs\2017\N170181 Silver Fox\N170181.pro



1 / C2 SITE PLAN
SCALE: 1" = 20'

0 10 20 40
GRAPHIC SCALE: 1" = 20'

SITE NOTES:

1. VERIZON WIRELESS STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY POINT TO POINT LAND SURVEYORS DATED 07/18/17 AND SITE VISIT ON 07/18/17.
3. CONTRACTOR TO CONFIRM WITH VERIZON CONSTRUCTION MANAGER THAT THE EQUIPMENT SHOWN HAS BEEN ORDERED/SCHEDULED FOR DELIVERY TO THIS SITE.
4. THE BASIS OF EQUIPMENT DESIGN INCLUDES ONE (1) COMMSCOPE RBA72–36 BATTERY CABINET, ONE (1) COMMSCOPE RBA72 RF CABINET, AND ONE (1) ERICSSON RBS 6120 RF CABINET.
5. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING AND MODIFYING SCOPE OF WORK TO ACCOMMODATE ANY CHANGES IN THE EXACT EQUIPMENT PROCURED BY VERIZON WIRELESS. COORDINATE ANY CHANGES WITH VERIZON WIRELESS CONSTRUCTION MANAGER.
6. ROUTE COAX/FIBER UP TOWER PER STRUCTURAL ANALYSIS BY TOWER OWNER.
7. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION. CONTRACTOR TO OBTAIN COPY OF TOWER ERECTION DRAWINGS FROM VERIZON CONSTRUCTION MANAGER PRIOR TO DRILLING TOWER FOUNDATIONS. CASSIONS AND TOWER SHOWN ON THIS PLAN ARE ILLUSTRATIVE, SEE DESIGN DRAWING BY OTHERS. DO NOT SCALE.

verizon
8921 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:

VERIZON NAME: SILVER FOX
VERIZON No.: 301033
1525 SKEET CLUB ROAD
HIGH POINT, NC 27265
GUILFORD COUNTY

CURRENT ISSUE DATE: 08/21/17

ISSUED FOR: CONSTRUCTION

REV.:	DATE:	ISSUED FOR:	BY:
0	08/21/17	CONSTRUCTION	DMF

CONSULTANT:
Kimley»Horn
2 SUN COURT, SUITE 450
PEACHTREE CORNERS, GA 30092
PHONE: 770–825–0744
WWW.KIMLEY–HORN.COM
NC License F–0102

CONSULTANT:

DRAWN BY:	CHK.:	APV.:
CLS	KAB	DMF

LICENSER:

NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN
8/24/17

SHEET TITLE: **SITE PLAN**

SHEET NUMBER: **C2** REVISION: **0**

018985542

K:\ATL_Wireless\000_Verizon\2017 Sites\Silver Fox\CAD\CD\Rev0-08-08-17\Silver Fox_CD_R0.dwg August 21, 2017 2:04 PM by: kelli.Bale

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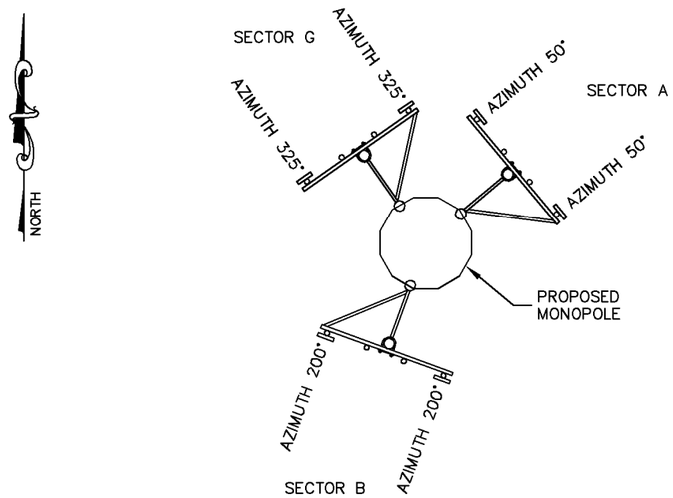


1 / C13 ANTENNA ORIENTATION PLAN

(NOT TO SCALE, FOR ILLUSTRATIVE PURPOSES ONLY, SEE STRUCTURAL ANALYSIS BY OTHERS TO CONFIRM ANTENNA MOUNT TYPE)

ANTENNA SECTOR	AZIMUTH IN DEGREES	MECHANICAL DOWN TILT	LICENSED FREQUENCY	ANTENNA* (QTY) MAKE/MODEL	REMOTE RADIO UNIT	COMPOSITION CABLES			
						LENGTH	COAX QTY	COAX SIZE	TOTAL HYBRID
A1	50°	0°	700/850	(1) ANDREW/NHH-65C-R2B	RRUSB13	198'±	2	1⅝"ø	2
A2	50°	0°	1900	SHARED WITH A1	RRUS32	–	–	–	
A3	50°	0°	2100	SHARED WITH A4	RRUS32	–	–	–	
A4	50°	0°	700/850	(1) ANDREW/NHH065C-R2B	RRUSB13	198'±	2	1⅝"ø	
B1	200°	0°	700/850	(1) ANDREW/NHH-65C-R2B	RRUSB13	198'±	2	1⅝"ø	
B2	200°	0°	1900	SHARED WITH A1	RRUS32	–	–	–	
B3	200°	0°	2100	SHARED WITH A4	RRUS32	–	–	–	
B4	200°	0°	700/850	(1) ANDREW/NHH-65C-R2B	RRUSB13	–	–	–	
G1	325°	0°	700/850	(1) ANDREW/NHH-65C-R2B	RRUSB13	198'±	2	1⅝"ø	
G2	325°	0°	1900	SHARED WITH A1	RRUS32	–	–	–	
G3	325°	0°	2100	SHARED WITH A4	RRUS32	–	–	–	
G4	325°	0°	700/850	(1) ANDREW/NHH-65C-R2B	RRUSB13	198'±	2	1⅝"ø	

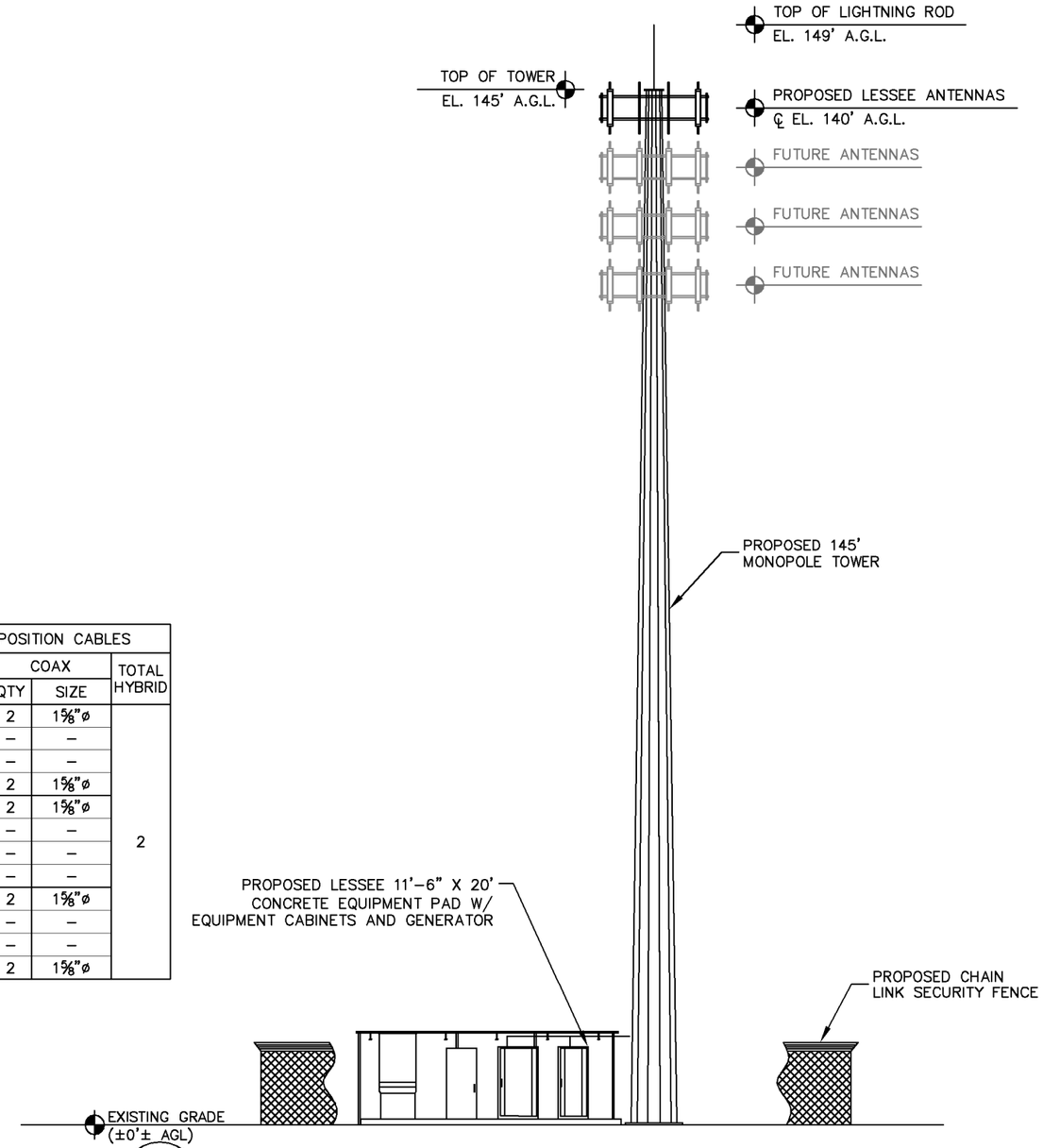
* CONTRACTOR TO INSTALL ANY RAYCAP BOXES AS NECESSARY. VERIFY WITH VERIZON WIRELESS PROJECT MANAGER PRIOR TO CONSTRUCTION.

NOTES:

1. ALL INFORMATION ON THIS PAGE IS PROVIDED BY VERIZON WIRELESS AND/OR OTHERS AND IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. CONTRACTOR SHALL CONTACT THE VERIZON WIRELESS CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION FOR ALL DETAILED ANTENNA, AND COAX CABLE INFORMATION.

2. REFER TO STRUCTURAL ANALYSIS BY TOWER OWNER FOR ANALYSIS OF PROPOSED TOWER.

3. IT IS UNDERSTOOD THAT KIMLEY-HORN MAKES NO WARRANTY, EITHER EXPRESSED OR IMPLIED, FINDINGS, DESIGNS, RECOMMENDATIONS, SPECIFICATIONS, OPINION, OR PROFESSIONAL ADVICE RELATING TO THE STRUCTURAL ADEQUACY OF THE PROPOSED TOWER OR ATTACHMENT OF ANTENNAS OR OTHER APPURTENANCES.



2 / C13 MONOPOLE TOWER ELEVATION - SOUTH VIEW

(FACING NORTH)
NOT TO SCALE

NOTES:

1. ALL PROPOSED ATTACHMENTS TO TOWER BASED ON TOWER DESIGN DRAWINGS BY OTHERS (SEE GENERAL NOTE 1.07, SHEET N1).
2. THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY.
3. COAX CABLE LENGTHS ARE APPROXIMATE. CONTRACTOR TO VERIFY CORRECT LENGTH IN FIELD AT TIME OF CONSTRUCTION.
4. PROPOSED TOWER WILL BE GALVANIZED STEEL-GRAY IN COLOR.

verizon
8921 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:

VERIZON NAME: SILVER FOX
VERIZON No.: 301033

1525 SKEET CLUB ROAD
HIGH POINT, NC 27265
GUILFORD COUNTY

CURRENT ISSUE DATE: 09/13/17

ISSUED FOR: CONSTRUCTION

REV.:	DATE:	ISSUED FOR:	BY:
0	08/21/17	CONSTRUCTION	DMF
1	09/13/17	CONSTRUCTION	DMF

CONSULTANT:
Kimley»Horn
2 SUN COURT, SUITE 450
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NC License F-0102

CONSULTANT:

DRAWN BY:	CHK.:	APV.:
CLS	KAB	DMF

LICENSER:

FOR ILLUSTRATIVE PURPOSES ONLY- NO SIGNATURE REQUIRED

SHEET TITLE:

ANTENNA AND TOWER ELEVATION DETAILS

SHEET NUMBER: C13 REVISION: 1

018985542

K:\ATL_Wireless\000_Verizon\2017 Sites\Silver Fox\CAD\CD\Rev1-9-13-17\Silver Fox_CD_R1.dwg September 14, 2017 5:46 PM by: michael.dickerson

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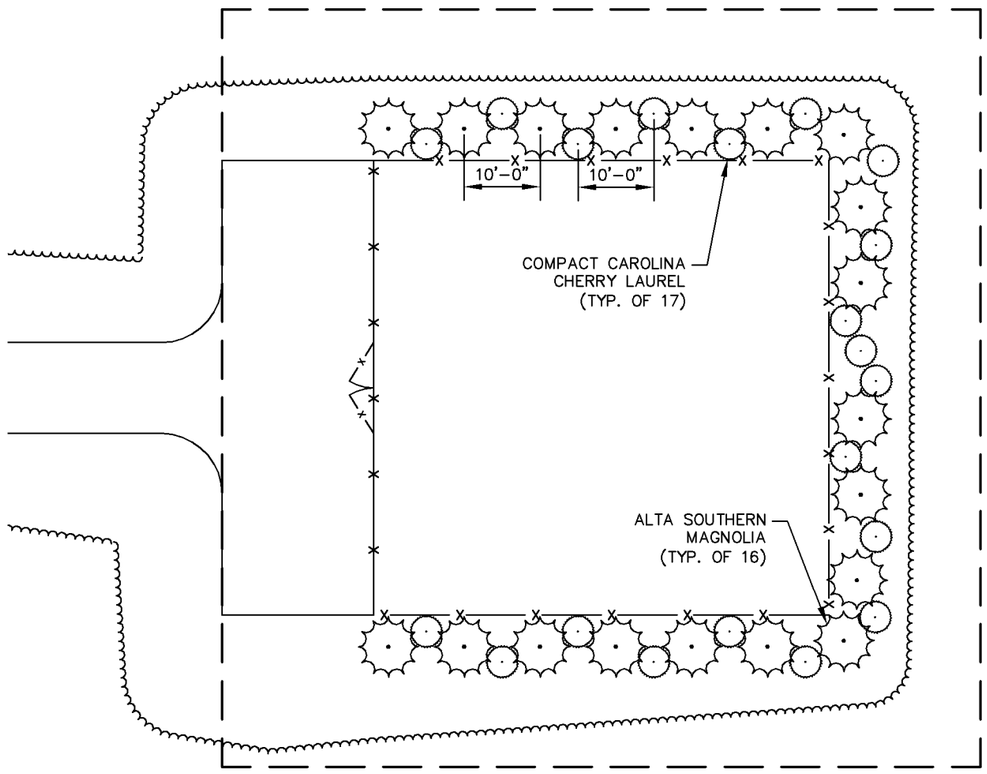

1 / L1 LANDSCAPING PLAN

SCALE: 1" = 20'

GENERAL LANDSCAPE NOTES:

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF HIS WORK WITH THAT OF ALL OTHER CONTRACTORS. THIS PLAN DOES NOT GUARANTEE THE EXISTENCE OR NON-EXISTENCE OF ANY UTILITIES. PRIOR TO COMMENCEMENT OF ANY WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE GROUND AND UNDERGROUND UTILITIES.
2. THE QUALITY AND SIZE OF ALL PLANT MATERIAL SHALL CONFORM TO THE MOST CURRENT STANDARDS AS SET FORTH IN ANSI Z60.180 - AMERICAN STANDARD FOR NURSERY STOCK.
3. ALL DISTURBED AREAS NOT COVERED BY HARDSCAPE OR PLANT MATERIALS SHALL BE COVERED WITH SEED AND STRAW.
4. PLANT SUBSTITUTION MAY BE PERMITTED ONLY AFTER PROOF THAT SPECIFIED PLANTS ARE UNAVAILABLE AND THE REQUEST HAS BEEN SUBMITTED TO THE OWNER OR LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL PROVIDE THE NEAREST EQUIVALENT OBTAINABLE SIZE AND VARIETY OF THE PLANT HAVING THE SAME ESSENTIAL CHARACTERISTICS AS THE PLANT SPECIFIED
5. MINOR PLANT LOCATION ADJUSTMENTS MAY BE MADE IN THE FIELD TO ENSURE ACCESS TO UTILITY JUNCTION BOXES, FREE SITE LIGHTING OF FUTURE TREE CANOPY INTERFERENCE AND ALLOW UNINHIBITED PEDESTRIAN / VEHICULAR CIRCULATION ON ALL PAVEMENTS OR FOUNDATIONS.
6. ALL SHRUB MASSES OF TWO OR MORE SHALL BE EDGED INTO A PLANTING BED AND MULCHED PER DETAIL. ALL INDIVIDUAL TREES AND SHRUBS SHALL HAVE A MULCH SAUCER EQUAL IN DIAMETER TO THE PLANTING PIT DIAMETER AND SHALL BE MULCHED AS SHOWN ON THE DETAILS. UNLESS OTHERWISE INDICATED, ALL BED EDGES SHALL BE A DEEP CUT CLEAN SPADE EDGE.
7. THE CONTRACTOR SHALL VERIFY THAT EACH TREE OR SHRUB PIT WILL DRAIN BEFORE INSTALLING PLANT MATERIAL. HE SHALL FILL THE HOLE WITH SIX INCHES (6") OF WATER THAT SHOULD PERCOLATE OUT WITHIN TWENTY-FOUR HOURS. SHOULD ANY AREA NOT DRAIN PROPERLY, A PERFORATED DRAIN LINE SHALL BE INSTALLED, OR THE PLANTS RELOCATED.
8. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY IF HE ENCOUNTERS ANY UNSUITABLE SURFACE OR SUBSURFACE DRAINAGE CONDITIONS, SOIL DEPTH, LATENT SOILS, HARD PAN, UTILITY LINES, OR OTHER CONDITIONS THAT WILL JEOPARDIZE THE HEALTH AND VIGOR OF THE PLANTS. SHOULD THE CONTRACTOR NOT NOTIFY THE OWNER OF A PROBLEM AREA, HE WARRANTS THAT THE AREAS ARE SUITABLE FOR PROPER GROWTH AND DEVELOPMENT OF ALL PLANTS INSTALLED.
9. THE CONTRACTOR SHOULD VERIFY LANDSCAPING/TREE PLANTING LOCATIONS WITH THE PUBLIC UTILITIES DEPARTMENT TO AVOID CONFLICTS WITH WATER, SEWER, AND GAS LINES.
10. PLANTS SHALL BE SO TRAINED IN DEVELOPMENT AND APPEARANCE AS TO BE UNQUESTIONABLE SUPERIOR IN FORM, COMPACTNESS AND SYMMETRY. THEY SHALL BE SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF, AND FREE OF DISEASE AND INSECT ADULT EGGS, PUPAE OR LARVAE. THEY SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS AND SHALL BE FREE FROM PHYSICAL DAMAGE OR OTHER CONDITIONS THAT WOULD PREVENT THRIVING GROWTH.
11. THERE SHALL BE NO CIRCLING OR GIRDLING ROOTS. CIRCLING ROOTS SHOULD BE CUT IN AT LEAST ONE PLACE.
12. THERE SHOULD BE ONE DOMINANT LEADER TO THE TOP OF THE TREE WITH THE LARGEST BRANCHES SPACED AT LEAST 6 INCHES APART. THERE CAN BE TWO LEADERS IN THE TOP 10% OF THE TREE IF IT IS OTHERWISE OF GOOD QUALITY.
13. THE TREE CANOPY SHOULD BE SYMMETRICAL AND FREE OF LARGE VOIDS. CLEAR TRUNK SHOULD BE NO MORE THAN 40% OF TREE HEIGHT UNLESS OTHERWISE SPECIFIED IN THE PLANTING SPECIFICATIONS. CLEAR TRUNK SHALL BE OF SUFFICIENT HEIGHT TO CLEAR SURROUNDING USES THAT MAY BE IMPACTED BY THE FUTURE GROWTH OF THE TREE.
14. OPEN TRUNK AND BRANCH WOUNDS SHALL BE LESS THAN 10% OF THE CIRCUMFERENCE AT THE WOUND AND NO MORE THAN 2 INCHES TALL. PROPERLY MADE PRUNING CUTS ARE NOT CONSIDERED OPEN TRUNK WOUNDS. THERE SHOULD BE NO CONKS OR BLEEDING, AND THERE SHOULD BE NO SIGNS OF INSECTS OR DISEASE ON MORE THAN 5% OF THE TREE.
15. IF ANY OF THE ABOVE CONDITIONS ARE NOT MET, TREES MAY BE REJECTED.
16. TREE PROTECTION DEVICES MUST BE INSTALLED AND INSPECTED PRIOR TO ANY CLEARING, GRUBBING, OR GRADING OF THE SITE BY THE LOCAL ARBORIST.

PLANTING LIST

SYM./ KEY	QTY.	BOTANICAL NAME	COMMON NAME	SPECIFICATION		
				PLANTING HEIGHT	ROOT	SPACING
ASM	16	MAGNOLIA GRANDIFLORA	ALTA SOUTHERN MAGNOLIA	6'-8'	B&B	10' O.C. MIN
CCCL	17	PRUNUS CAROLINIANA	COMPACT CAROLINA CHERRY LAUREL	4'-6'	B&B	10' O.C. MIN

LEGEND

	ALTA SOUTHERN MAGNOLIA
	COMPACT CAROLINA CHERRY LAUREL

NORTH

0 10 20 40

GRAPHIC SCALE: 1" = 20'

verizon

8921 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:

VERIZON NAME: SILVER FOX
VERIZON No.: 301033

1525 SKEET CLUB ROAD
HIGH POINT, NC 27265
GUILFORD COUNTY

CURRENT ISSUE DATE:

08/21/17

ISSUED FOR:

CONSTRUCTION

REV.:	DATE:	ISSUED FOR:	BY:
0	08/21/17	CONSTRUCTION	DMF

CONSULTANT:

Kimley»Horn

2 SUN COURT, SUITE 450
PEACHTREE CORNERS, GA 30092
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WWW.KIMLEY-HORN.COM
NC License F-0102

CONSULTANT:

DRAWN BY:	CHK.:	APV.:
CLS	KAB	DMF

LICENSER:

NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN 8/24/17

SHEET TITLE:

LANDSCAPING PLAN & DETAILS

SHEET NUMBER: L1

REVISION: 0

018985542

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Supporting Documentation
SU-18-01

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2018-ASO-322-OE

Issued Date: 02/27/2018

Network Regulatory
ALLTEL COMMUNICATIONS OF NORTH CAROLINA LP
5055 North Point Pkwy
NP2NE Network Engineering
Alpharetta, GA 30022

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole SILVER FOX - Deep River Community Park - B
Location:	High Point, NC
Latitude:	36-02-11.79N NAD 83
Longitude:	79-58-53.59W
Heights:	861 feet site elevation (SE)
	149 feet above ground level (AGL)
	1010 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 08/27/2019 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-ASO-322-OE.

Signature Control No: 352469529-358171038 (DNE)
Andrew Hollie
Specialist

Attachment(s)
Case Description
Frequency Data
Map(s)

cc: FCC

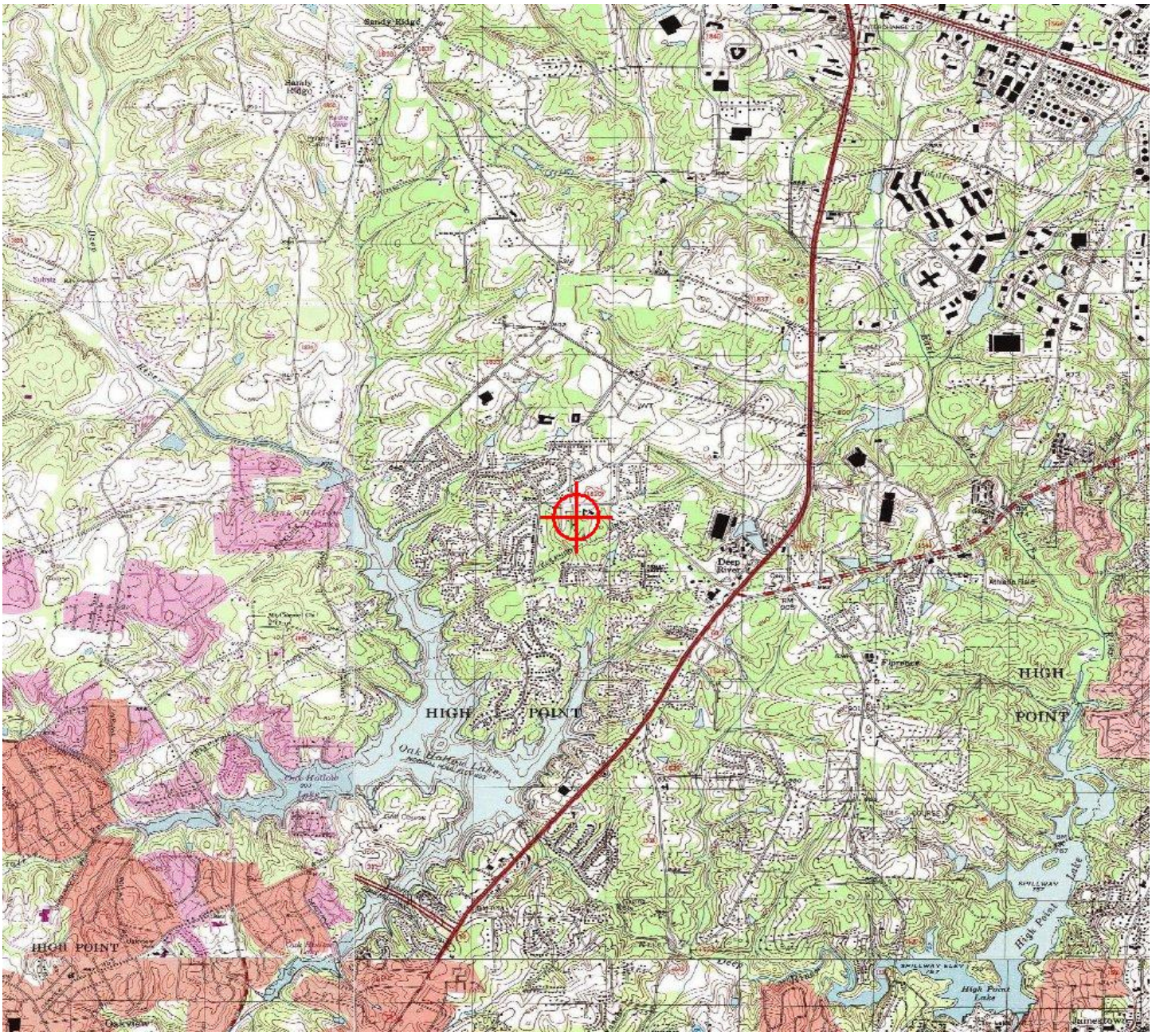
Case Description for ASN 2018-ASO-322-OE

Proposed 149' monopole. If marking/lighting is required dual/med. is requested. For questions contact, Nate Peterson 770-797-1144.

Frequency Data for ASN 2018-ASO-322-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W

TOPO Map for ASN 2018-ASO-322-OE



Sectional Map for ASN 2018-ASO-322-OE

Sabre Industries™
Towers and Poles

January 3, 2018

Mr. Paul Parker
2724 Lakeview Drive
Raleigh, NC 27609

RE: 145' Sabre Monopole for Silver Fox, NC

Dear Mr. Parker,

Upon receipt of order, we propose to design and supply the above referenced Sabre monopole for a Basic Wind Speed of 90 mph with no ice and 30 mph + 0.75" ice, Structure Class II, Exposure Category C and Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the monopole shaft, above the base plate. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the monopole shaft. This is likely to result in the portion of the monopole above leaning over and remaining in a permanently deformed condition. ***Please note that this letter only applies to the above referenced monopole designed and manufactured by Sabre Towers & Poles***. The fall radius for the monopole design described above is less than 75 feet.

Sincerely,

NORTH CAROLINA PROFESSIONAL SEAL 038204 ENGINEER ROBERT E. BEACOM

1/3/18

Robert E. Beacom, P.E., S.E.
Senior Design Engineer

Sabre Towers and Poles • 7101 Southbridge Drive • P.O. Box 658 • Sioux City, IA 51102-0658
P: 712-258-6690 **F**: 712-279-0814 **W**: www.SabreTowersandPoles.com

Statement as to how the request is in compliance with City Development Ordinance
Special Use Application for Wireless Communication Facility
"Silver Fox"
1520 Skeet Club Road
High Point, NC 27265

i. Zoning District: Proposed site is in a R-5 Zoning District which is permitted under the Code or ordinances for the City of High Point with Approval of a special Use Permit.

ii. Setbacks: Please refer to the "Fall Zone" Letter from Saber Industries.

iii. Collocation: Please refer to the RF Mapping Power Point and Letter from Verizon's Mike Haven regarding allowing colocation.

iv. Tower Design: **Tower Design Requirements** · Both the proposed tower structure and fenced compound are designed to accommodate at least three (3) telecommunication users as shown in the attached site drawings. Further, Verizon wireless will make this tower available to any users who request to collocate on this structure.

v. Buffers: **Buffers** · A planted landscaped buffer around the communication tower site is shown on Sheet C-1 of the Construction Plans. In addition, the applicant is proposing a complete preservation of the existing, mature vegetation on the property, except for the clearing required for the fenced compound.,. The proposed tower will be located within heavily dense woods and will be effectively screened from any public, off-site views. Below are photographs of the existing vegetation with views taken from the proposed site. Furthermore, applicant agrees to install additional plantings to supplement existing vegetation as deemed necessary.

Paul Parker
Paul.parker@faulkandfoster.com
1811 Auburn Avenue, Monroe, LA 71201
(919) 422-9560
Faulk & Foster | www.faulkandfoster.com

HERBERT SHANNON JR

From: Jim LaPann <Jim.LaPann@faulkandfoster.com>
Sent: Monday, April 02, 2018 5:03 PM
To: HERBERT SHANNON JR
Cc: Duke Yeager
Subject: Silver Fox- notice to neighbors

Herb,

Today I sent out notices to the five people that we had omitted:

1. Jeffrey and Holly Patton, 1520 Skeet Club Road, (property owner of tower site)
2. Douglas and Kathleen Davis, 4004 Dresher Court (across Skeet Club Road – Back from Skeet Club Road)
3. Cali Gibson, 4002 Dresher Court(across Skeet Club Road – Back from Skeet Club Road)
4. David and Holly Labiak, 3810 Wildwood Court (at the very bottom of our long lot – not adjacent to our lot)
5. Patricia and Victor Vaughan, 3212 Wildwood Court(at the very bottom of our long lot – not adjacent to our lot)

Please note that other than the owner of the subject lot, Mr. and Mrs. Patton, the other lots do not share a border with our lot, and are therefore not technically adjacent to our lot.

Thank you,

Jim

Jim LaPann | Zoning Specialist
Mobile 518.791.3740
Faulk & Foster | www.faulkandfoster.com
Our mission is "MAKING A DIFFERENCE" for our customers, employees and communities.

Disclaimer:

Faulk & Foster
www.faulkandfoster.com

This communication is Private and Confidential as detailed here.

Please reply to sender if you cannot access the hyperlink.

Faulk&Foster

December 19, 2017

Covenant Church United Methodist
1526 Skeet Club Road
High Point, NC 27265-9530

Re: Proposed Verizon Site – Silver Fox

Dear Trustee Team:

Through this letter I will address those items of concern as stated in your December 18th letter.

SAFETY

1. The reason that this particular spot was chosen involves the lengthy efforts of our team to locate a site that will be in the very strict area that is designated by Verizon Radio Frequency engineers, and that will also meet the three elements of tower placement. These three elements involve the tower being able to pass zoning, be able to be built on that location, and also be able to be leased.

   A. RF search ring – The engineers first looked to put this tower slightly north of the current location on land owned by the City of High Point. The team, unfortunately, found that the sites in that area we not leasable. The City of High Point would not allow us to put our tower in a park area.

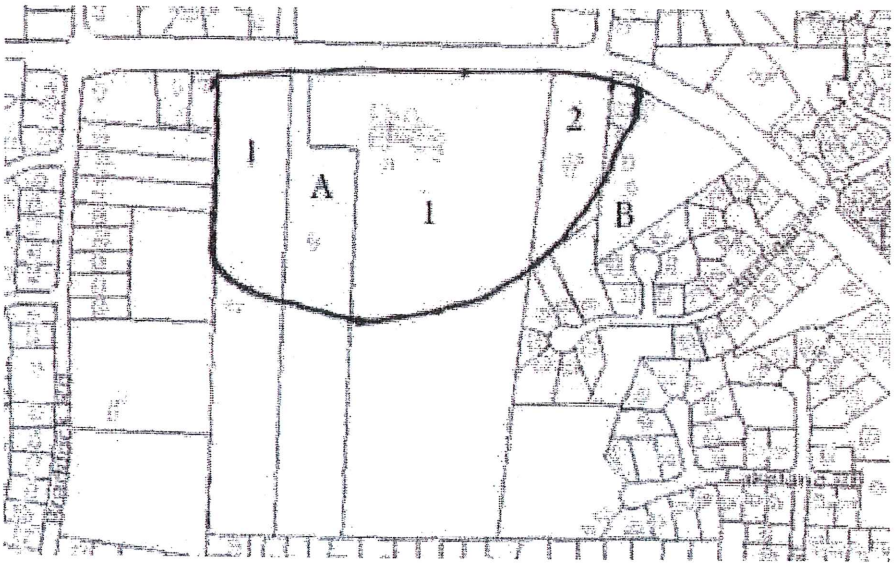
   B. The RF engineers then moved the ring south. A copy of the search ring is set forth on the next page. The "circled" area is the search ring. Within this ring there are two properties that you own, the proposed site (marked A), one marked 2, and one marked B.

   Candidate B is quite a bit lower in elevation and is much closer to the residences. It would also involve considerable expense in creating a new access road. We ruled that site out as not having the requirements that we need. Candidate 2 did not respond to our request to locate on their property.

   As between Candidate A and the Church, Candidate A was ideal because it was well situated away from the residences, buildable, and very leasable. A lease has already been signed with the owners of property A. The southern portion of parcel A has watershed and stream issues.

Corporate Headquarters, 1811 Auburn Avenue, Monroe LA 71201
318.325.4666, Fax 318-325-6324
faulkandfoster.com

SEARCH RING



SAFETY (Continued)

2. The second element of your concerns (besides why did we choose that site) is about the potential fall of the tower and the potential danger to people. I have attached a copy of the zoning drawings that we will submit to High Point. Please look at Drawings C1 (Overall Site Plan) and C2 (Site Plan). I ask that you note that both of these engineering stamped drawings bear a circle around the proposed tower that is entirely within the leased property. The circle bears the notation " 75' engineered fall zone".

As part of our application to the City of High Point, we will be submitting an engineer's letter that will certify that the tower will be designed to hold the weight of all of the proposed co-locators (please see Drawing C6), withstand the wind that is typical of the area, and to collapse within the 75 foot fall zone in the event of a collapse.

The same level of engineering that was used to construct your church building and to make sure that the building doesn't collapse will be used to design the cell tower to be sure that it doesn't collapse. Should a collapse take place, however, the engineers will design it such that it does not fall over in one piece like a tree, but rather, a portion will bend over, as if on a hinge.

3. Height of tower - The height of the tower is chosen by the Radio Frequency Engineers to provide the proper coverage, and to relieve the proper amount of load on one or more of the other Verizon towers in the network.

ENGINEERING SOIL CONCERN

The engineers that are designing the tower will also design the site based on facts obtained prior to design and construction.

ESTHETIC CONCERNS

I have copied your questions for ease of response. I have edited your text for clarity of my responses:

> We do not think this proposed tower location complies with the in City of High Point NC Development Ordinance 4.3.3.F. (g)(l) ..." and to minimize adverse visual impact"

The portion of the ordinance cited above is one portion of the general standards that the ordinance intends to regulate. Cell towers are allowed if the applicant complies with the regulations. I suggest that since the portion of the regulations that we must comply with involve cell towers it is assumed that the cell towers will look like cell towers, as this one will.

> This proposed site is the MOST visible location possible on the Patton property to our members, visitors, and road traffic. We would like less visibility.

While it is not Verizon Wireless's intention to cause an eyesore, we do intend to place a cell tower in the proposed location.

> If a tower were to be built as currently located, can you supply typical pictures (including and assuming 3 co-locators with their antennae)?

Although not ready to show you on Thursday, we will be providing you and the jurisdiction with photo simulations of the appearance of this tower from a variety of locations. This will be provided well before the Planning Board and Board of Commissioners meetings.

What are the options you plan to camouflage the tower and antennae? If not planned, what do you recommend and why?

Verizon Wireless does not plan to camouflage the tower and antenna, but we will provide fencing around the base of the tower and an evergreen buffer. Please see drawing L1 where the landscaping is shown, along with the tree line as it will exist after the construction, and the type of plantings. The base of the tower, and the equipment will not be visible from the adjoining properties.

OTHER CONCERNS AND QUESTIONS

How critical to Verizon and other clients is this exact location? Would service be essentially equal if the tower were moved south and or west by 300 feet plus?

The exact location is very important for the proper functioning of the Verizon network. The location of the tower was decided by the Verizon Radio Frequency engineers and movement of the tower 300 feet is not possible. In addition, it is my understanding that the southern part of the site is encumbered by a stream and has watershed issues.

If there were not additional road construction costs, are there any other reasons that moving south and west would not work?

Yes, please see the earlier responses.

Please address any data you have or project that identifies RF (radio frequency) or EMF(Electromagnetic Field) issues. We see safety research on both sides of this issue.

The FCC has created a standard for when a jurisdiction needs to look into a project for safety of emissions. That standard is that if the transmission source is ten meters or less away from an individual on a regular basis, then the safety of the site must be reviewed. If the transmitters are more than ten meters from any potential individuals then the site is "categorically excluded" from review. This project would be categorically excluded since the transmitters will be at 145 feet. None of the co-locators would ever be at less than 35 feet.

This proposed location either restricts or prevents Covenant Church expanding west into our current parking lot.

Verizon Wireless can only be required to comply with the regulations set forth by the City of High Point. I am not aware of the reason for the restriction or limitations of the Covenant Church's expansion, but although that is a legitimate concern of the Church members, we cannot be held responsible for other lots than the lot that we are located on.

Is this proposed tower associated with the recent November 13, 2017 announcement that AT & T and Verizon would be building hundreds of new cell towers?

This tower has been in the planning stages well before that announcement. The Drawings show a date of 8/17/17.

Who will be the actual owner of the tower? Is it Tillman Infrastructure? Since they are a newer,smaller private company, how do we know their history and performance ifthe tower needs maintenance over the next 30 years?

This tower will be owned and constructed by Verizon Wireless. The lease for the site is between the property owners and Verizon Wireless.

I look forward to meeting you on Thursday afternoon. I will be leaving my office at noon tomorrow (Wednesday) for travel and I won't be able to respond to any e-mails after that, but I will be happy to answer any questions you may have at the meeting, or via e-mail or telephone after the meeting.

I do have another community meeting at the same location at 6:00 p.m., so I won't be able to talk any longer than that.

Very truly yours,

James L. LaPann
Zoning Specialist – Faulk and Foster

Verizon Wireless Communications Facility

Engineering Necessity Case – SILVER FOX

Prepared by: Sam Patel

February 09, 2018

Rev. 1/18

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Project Need Overview:

The primary objective for this project is to improve service quality in the area between existing sites Penny Road and Uwharrie Lake, primarily in Palladium area. Due to the large distances from existing cell sites , the indoor residential and commercial overage in the area is reduced which results in low data throughput and an increase in drop calls in the area. Detail is provided supporting slides.

Our engineering data also shows that this area is experiencing 4G data overloads for the Penny Road and Uwharrie Lake gamma sector. This site does a good job of moving commercial traffic onto a more localized site, better able to serve this area.

Additional details and explanations follow in this presentation.

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Introduction:

Coverage and/or capacity deficiencies are the two main drivers that prompt the need for a new wireless communications facility (WCF). Most WCF provide a mixture of both capacity and coverage for the benefit of the end user.

Coverage describes the existence or lack of wireless service in an area. The request for improved service often comes from our customers or emergency services personnel that have no service or poor service. Coverage used to refer to the ability to make or place a call in vehicles, however, as usage patterns have shifted, coverage is now determined based on whether or not sufficient WCF exist to provide a reliable signal inside of buildings and residential areas, as well. Historically, when wireless was still in its infancy, coverage was the primary means to measure the effectiveness of the network in a given area.

Capacity is the metric used to determine if sufficient wireless resources exist and is now the primary means to measure how a community's wireless needs are being addressed. "Five bars" no longer means guaranteed coverage and capacity because each WCF has a limited amount of resources to handle voice calls, data connections and data volume. When these limits are reached and the WCF becomes overloaded (meaning there is more demand than signal to service it), the user experience quickly degrades preventing customers from making/receiving calls or getting applications to run. A WCF short on capacity could also make internet connections time out or delay information to emergency response personnel.

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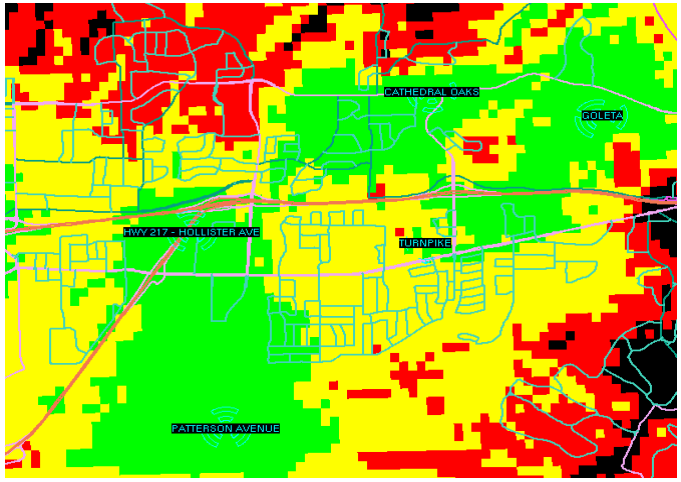
Explanation of Wireless Coverage



Coverage is best shown via coverage maps. RF engineers use tools that take into account terrain, vegetation, building types, and WCF specifics to model the existing coverage and prediction what we expect to see with the addition of a proposed WCF.

Coverage also changes depending on which frequencies are used. Most phones today use 3G at 800 MHZ or 4G at 700 MHz spectrum which are considered low frequencies. Low frequencies can travel further distances than then the higher 1900 MHz and 2100 MHz frequencies now being employed due to increased capacity demands. Operating at higher frequencies makes it necessary for carriers to install substantially more wireless facilities to achieve the same coverage as one tower operating on the lower frequencies.

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Explanation of Wireless Capacity

Capacity is the amount of resources that a WCF has to service customer demand. Verizon utilizes sophisticated programs and customer feedback to monitor current usage trends and to forecast future needs. Because it takes an average of 2-3 years to complete a WCF, we have to start the process of adding a new WCF several years in advance of when the WCF will be needed.

Location, Location, Location. A good capacity WCF needs to be in the center of a user population which insures that traffic is evenly distributed around the WCF. A typical WCF is configured into three sectors (like a pie cut into three pieces), with each slice (sector) having 33% of the WCF resources. If one sector is under-utilized, it's resources can not necessarily be diverted to another sector. Therefore, optimal performance is only obtained when all three sectors have an even traffic distribution.

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Explanation of Wireless Data Growth

Wireless Data Growth

Each year Verizon sees large increases in how much data its customers need. As the resolution of the pictures we send increases, the quality of the video we watch improves and the complexity of the applications grow, we commonly see tremendous growth year-over-year.

Machine to Machine communications will also increase the data burden on wireless networks, as over the next five (5) years more and more services that improve our safety and make our lives easier will be available over the wireless infrastructure , such as:

- Cars that notify 911 when an airbag deploys.
- “Driverless” cars needing traffic data and maps to reach your destination as quickly as possible.
- Medical monitors that will alert us should a loved one neglect taking their prescription drugs.
- Home alarms that notify you when your child arrives home from school.
- Smart street lights that notify the city when they are not working.
- City garbage cans that let people know when they need to be emptied.
- Tracking watches will aid in finding lost Alzheimer patients.

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Radio Emission Safety…

A common question received is “Are the radio emissions safe?”

Verizon goes to great effort to ensure that all of its projects meet the standards established by the FCC to ensure safety of the public and its employees. *How this site measures in comparison with this standard is detailed in a report included with the zoning application for this site (Include if legally approved).* The links below are to three reputable organizations that have performed extensive reviews of the science available on this subject and have good educational articles on the results of their research.

World Health Organization
http://www.who.int/peh-emf/about/WhatisEMF/en/index1.html

America Cancer Society
http://www.cancer.org/cancer/cancercauses/othercarcinogens/athome/wireless facilityular-phone-towers

FCC Radio Frequency Safety
https://www.fcc.gov/general/radio-frequency-safety-0

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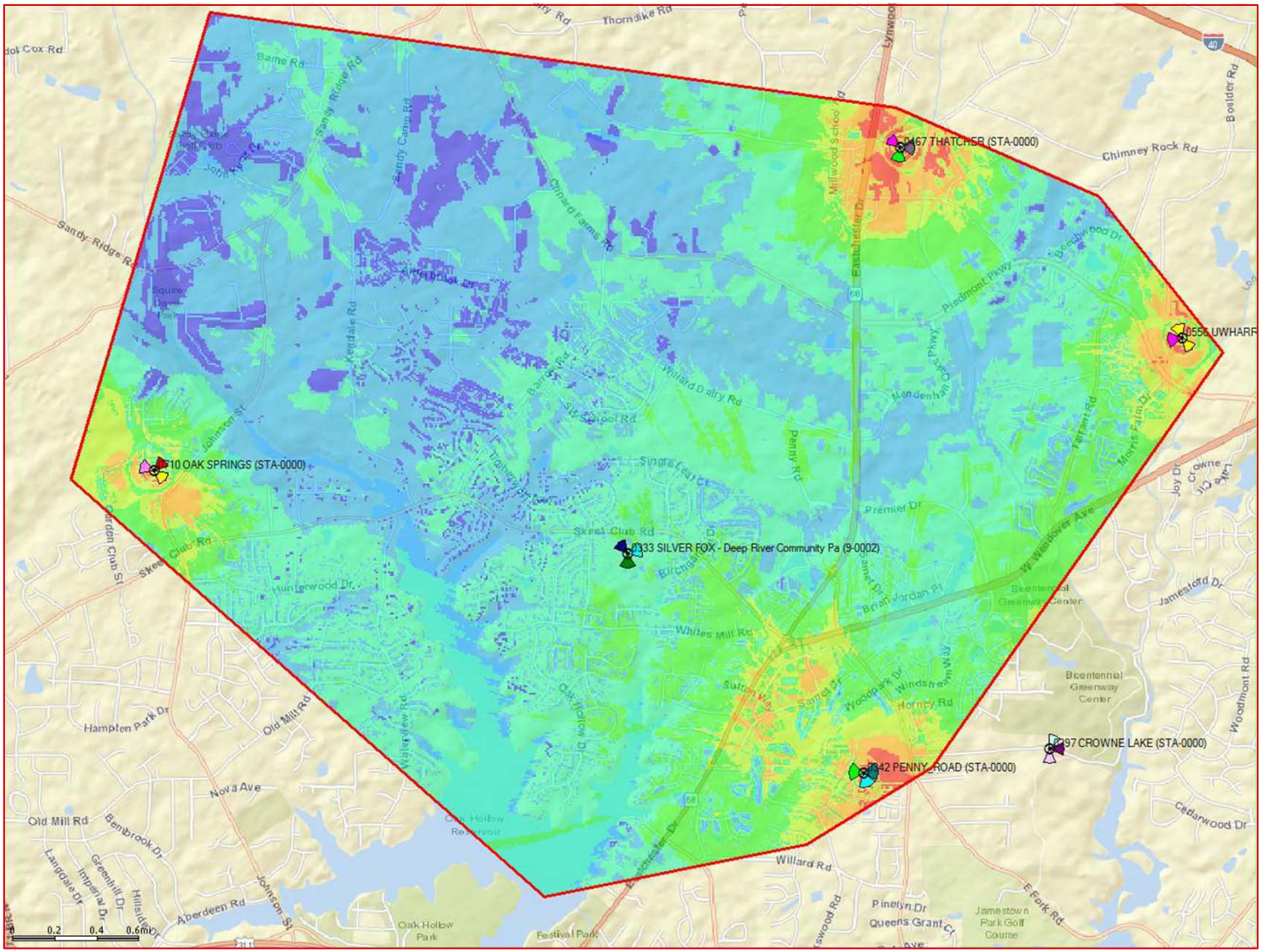
Existing Coverage



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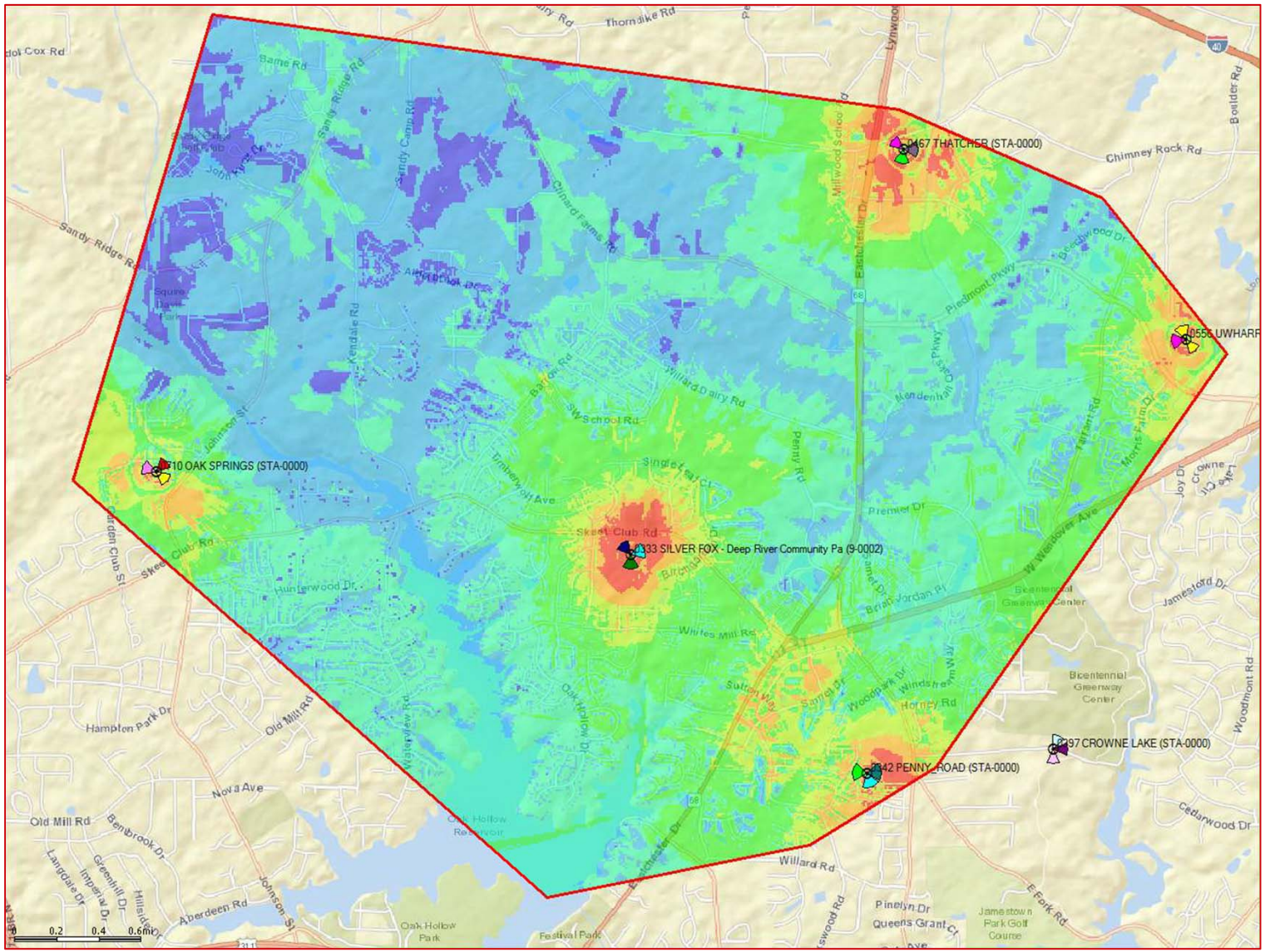
Proposed Candidate Coverage



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Conclusion

It is recommended to proceed with the proposed Verizon candidate. The proposed candidate provides better coverage than the evaluation site as shown in early sections.

The proposed candidate location also provides better distribution of traffic between sectors allowing users to enjoy higher data speeds.

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We believe technology can help solve our biggest social problems.

We're working with innovators, community leaders, non-profits, universities and our peers to address some of the unmet challenges in education, healthcare and energy management.

Learn more about our corporate social responsibility at www.verizon.com.

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Information submitted by speakers in opposition to SU-18-01 at the April 24, 2018 Planning & Zoning Commission Public Hearing

HERBERT SHANNON JR

From: Chris Coggins <chris@american-woodcrafters.com>
Sent: Monday, April 23, 2018 7:21 PM
To: JIM ARMSTRONG; OZZIE HOUGH; TOM KIRKMAN; ANGELA MCGILL; JOHN MCKENZIE; ANDREW PUTNAM; MARIE STONE; MARK WALSH; RAY WHEATLEY
Cc: jim.lapann@faulkandfoster.com; YeagerD@faulkandfoster.com; ptparkerrs@outlook.com; traci@juvotelecom.com; 'jeffclark@clarkfirmpc.com; HERBERT SHANNON JR; bob.robbins@highpoint.gov; lee.burnette@highpoint.gov.; dritchie@triad.rr.com; 'Linda Faircloth' (lfaircloth@coldwellbanker.com); jtenreep@northstate.net; Greta939@aol.com; Gilleysinc@aol.com; cchastain071@gmail.com; kylewhiteappraisals@triadbiz.rr.com; nljkritter@northstate.net; 'Lynn Ritter' (Lynn.Ritter@AccredoHealth.com) (Lynn.Ritter@AccredoHealth.com); darren@covenant-church.com; Wayne Marshall
Subject: Regarding the Public Hearing on 4/24/18 for Special Use Permit Case 18-01
Attachments: Letter to Planning & Zoning dated 4.23.18.pdf; Letter to Mr. LaPann 12.18.17.pdf; Response from Faulk & Foster 12.19.17.pdf; Letter Responding back to Mr. LaPann 12.21.17.pdf

Planning & Zoning Commission members:

I am an active member of Covenant Church United Methodist and currently serve as the Trustee Team Chairman. In regard to the upcoming public hearing scheduled for April 24, 2018 the Trustees wanted to share with you our concerns prior to the meeting so everyone would fully understand our issues that we strongly feel need to be addressed. I am attaching a letter addressed to the Planning and Zoning Commission that summarizes our concern. In addition, I am attaching several letters submitted to the Zoning Specialist back in December that summarized a number of concerns that we feel have not been fully addressed.

I am respectfully submitting this information to the entire committee in hopes that the information can be reviewed by each member prior to the public hearing.

We look forward to hearing your thoughts in regard to our concerns.

Best regards,

J. Chris Coggins
Trustee Chair
Covenant Church United Methodist

COVENANT CHURCH
UNITED METHODIST

1526 Skeet Club Road, High Point, NC 27265-9530
336.841.3242 beverly@covenant-church.com

April 23, 2018

Dear Planning & Zoning Commission members:

Reference: Special Use Permit 18-01 (Verizon Silver Fox Cell Tower Proposal)

My name is Chris Coggins and I am currently serving as the Trustee Team Chairman for Covenant Church United Methodist, 1526 Skeet Club Rd., High Point, NC 27265. I am responding to you on behalf of our entire Trustee Team. Covenant Church has over 1,000 members as well as provides structured children programs that are currently serving 134 preschool kids and 107 afterschool kids with a staff of over 40 plus teachers in addition to clergy and staff.

I would like to begin by stating that we support the proposal to build a cell tower under Special Use Permit 18-01 with one huge required caveat. We want the location to be moved approximately 180 feet south of the proposed location to protect our kids!

Here are the primary safety reasons:

Verizon, through their real estate agent and subcontractors, has chosen to place their proposed "Silver Fox" tower within 140 ft of our preschool and after school kid's classrooms and playground that our kids use every school day. We outlined this safety issue in our letters of December 18, 2017 and December 21, 2018 (attached) and during the December 21, 2017 community Information meeting to/with Mr. Jim LaPann, the Faulk and Foster real estate contact. During this meeting with about 10 people, no one understood why the tower was proposed to be so close to the church (we see no reference to the report from this meeting with attendees and concerns).

Even though the tower has a wind-related "engineered fall zone" of 75 feet, the soil on which it is to be built is not stable. It has high shrink-swell characteristics when wet. It contains soil type EnB and EnC, as defined in Soil Survey of Guilford County, North Carolina in 1977. We see no evidence in this staff report recommendation that this information, given in our December letters and meeting, was communicated to the staff of the Planning and Zoning Commission or to Sabre Industries Tower Company that engineered the wind related fall zone. These poor soil conditions means potential tower failure is from the tower base, not from wind.

Our Church has experience dealing with this soil. When we built the parking lot adjacent to the tower location, we had to remove 6 to 8 feet of soil just to make a stable parking lot! And late last year, about 15 years after building construction, we had to stabilize the wall of our classrooms on the south side of our building (140 feet from the tower location) at a cost of

$18,500. In addition, the water from our parking lot drains to the southwestern corner of our parking lot and flows directly by the proposed cell tower. The soil is not stable and additional runoff will exacerbate the shrink swell characteristics of the soil. This soil is not recommended for industrial uses caused by these high shrink-swell characteristics. To our knowledge, this data was not provided to the Planning and Zoning staff or tower designers.

If the tower is moved 180 feet south, it retains all the advantages outlined in the Special Use Permit 18-01.

And most importantly, if it were to fail, the tower would fall on trees, not kids.

We request this soil issue and tower location be addressed before approval of this Special Use permit 18-01. We will be available for questions at the April 24 meeting.

Respectfully submitted,

J. Chris Coggins, Trustee Team Chairperson

On behalf of our Trustee Team (I assume you already know that the Trustee Team in the United Methodist Church has the fiduciary responsibility to address all issues relating to church building and grounds.)

I will copy this note and your responses separately to the rest of our Trustee Team, our senior Clergy, and our Church Leadership Council Chairperson and our Weekday Ministries Chairperson.

COVENANT CHURCH
UNITED METHODIST

1526 Skeet Club Road, High Point, NC 27265-9530
336.841.3242 beverly@covenant-church.com

December 18, 2017

Dear Mr. LaPann, Zoning Specialist

My name is Chris Coggins and I am currently serving as the Trustee Team Chairman for Covenant Church United Methodist, 1526 Skeet Club Rd., High Point, NC 27265. I am responding to you on behalf of our entire Trustee Team. Covenant Church has over 1,000 members as well as provides structured children programs that are currently serving 134 preschool kids and 107 afterschool kids with a staff of over 40 plus teachers in addition to clergy and staff.

We have read with interest and concern about the Verizon Telecommunications Tower Proposal (undated) to be shared at a Citizens Information Meeting on Thursday, December 21, 2017 at the High Point Public Library. Given the situation and issues at hand, we felt it was prudent to share our multiple thoughts and concerns that we have so far. It would be very helpful if you could respond back to us before the meeting with any answers you already know and be prepared to answer other questions we will have.

Our goal, personally and corporately, is to be good neighbors! We have known and dealt with Jeff and Holly Patton for many years on various land issues as you have been able to determine from your Guilford County deeds research. We are also very aware of the lack of Verizon cell service near our church. We look forward to solving that problem to the benefit of all concerned. We are very aware of not disturbing the potential 25 to 30 year plus income stream for Jeff and Holly. We do not seek to block construction of a cell tower. However, we have large concerns about the proposed location in your letter that puts our people and buildings in potential danger for the next 25 to 30 years!

Safety Concerns

We learned several years ago during previous negotiations with another cell tower company for a 180 foot tower that the approximately 50 acres of mostly wooded land (includes our approximately 33 acres (two tracts), the Patton's 8 plus acres and Cole Holdings 10 acres bordering our property) is a very desirable geographical location for cell towers. In all of these 50 acres, less than 10 people in 3 houses call this home. That deal did not materialize because they could not acquire phone company tenants at that time.

So can you share why this exact spot was chosen! It is directly in the fall line of the proposed tower that would endanger about 300 people, mostly 3 to 12 year olds, every school day of the year. We, simply,

do not see the logic of unnecessarily endangering and exposing children in our building and playground. Our playgrounds are less than 145 feet from your proposed tower.

As you probably know by now, City of High Point NC Development Ordinance 4.3.3.F.3(a)(4) states *"Encourage wireless support structures that are carefully engineered, sited, and screened to avoid potential damage to adjacent properties from tower failure, and to minimize adverse visual impact."*

We think this is precisely the most dangerous spot to locate a tower in **all** of the 50 plus acres!

Please define "engineered fall zone" and what it means for tower failure. Is the reason for this "engineered fall zone" of 75 feet to prevent exceeding setback requirements in City of High Point NC Development Ordinance 4.3.3.F.(g)(1)f?

Is the reason for choosing this height tower because that is the tallest structure on this plot that would potentially be allowed under High Point building codes or because Verizon does not need more coverage?

Prevailing winds are from the Southwest. This makes our buildings and playgrounds specifically in the prevailing wind direction and fall zone.

We specifically and respectfully request your company reconsider this proposed tower location. If you have already made commitments to Jeff and Holly, then we would like you to relocate as far west and south as possible on their property.

Engineering Soil Concern

You may or may not be aware of soil stability issues at the proposed site. The soil classification is EnB and EnC—Enon fine sandy loam at 2 to 6 percent slope and 6 to 10 percent slope. Quoting directly from the Soil Survey of Guilford County, North Carolina done by the USDA in 1977, pages 12 and 13, "The potential for urban uses, such as houses and streets is low because of slow permeability, and high shrink-swell potential. There is a moderate limitation for recreation areas because of permeability, slope, and traffic supporting capacity."

In layman's terms, we had to remove 6 to 8 feet of soil to just grade our parking lot. The berm you may have seen by now is in the drainage easement as part of that soil removal. And you will note that all of the 1.25 acres we bought from Jeff and Holly drains to your proposed tower location. When we pave the lot, all 1.25 acres will drain to the access road to the tower and the soil under the tower as well. As you know, water only follows gravity and will shrink and swell under your concrete pad. Obviously, we are not interested (and we hope you aren't either) in an avoidable risk of a concrete pad on unstable soil with a 145 foot tower with 3 potential additional co-locator antennae.

We also just completed repair of a wall separation on our Education Building wall (about 140 ft. from your pole) caused by these same soil conditions. It separated from our building after about 15 years!

Esthetic Concerns

First, everybody agrees that cell towers are ugly (unless maybe you as builder!?) Sorry, but pictures of towers from your website would be considered unattractive and detrimental by our church people and

non-church parents of our children's ministries. We do not want these parents to ever wonder about any issues, rational or non-rational.

We do not think this proposed tower location complies with the in City of High Point NC Development Ordinance 4.3.3.F. (g)(1) ..." and to minimize adverse visual impact"

This proposed site is the MOST visible location possible on the Patton property to our members, visitors, and road traffic. We would like less visibility.

If a tower were to be built as currently located, can you supply typical pictures (including and assuming 3 co-locators with their antennae)?

What are the options you plan to camouflage the tower and antennae? If not planned, what do you recommend and why?

We specifically request your company reconsider this proposed tower location.

Other Concerns and Questions

How critical to Verizon and other clients is this exact location? Would service be essentially equal if the tower were moved south and or west by 300 feet plus?

If there were not additional road construction costs, are there any other reasons that moving south and west would not work?

Please address any data you have or project that identifies RF (radio frequency) or EMF(Electromagnetic Field) issues. We see safety research on both sides of this issue.

This proposed location either restricts or prevents Covenant Church expanding west into our current parking lot.

Is this proposed tower associated with the recent November 13, 2017 announcement that AT & T and Verizon would be building hundreds of new cell towers?

Who will be the actual owner of the tower? Is it Tillman Infrastructure? Since they are a newer, smaller private company, how do we know their history and performance if the tower needs maintenance over the next 30 years?

We specifically request your company reconsider this proposed tower location.

Thank you for your invitation for comments and questions. As you can see, we have many questions and concerns over the last few days since we learned about this planned meeting. We look forward to

hearing from you before the meeting scheduled for this coming Thursday, December 21, 2017 at 4:30pm. Can you also share the proposed timing for filing a zoning application for a conditional zoning? When is the next Planning & Zoning commission meeting?

Will you be providing a copy of these concerns to the Planning & Zoning commission or should we plan to make a submission to this commission and/or to High Point City Council?

If appropriate, you may share all of our concerns in full to Jeff and Holly Patton, especially our request to relocate the tower to other parts of their property.

We know that Verizon would be pleased to have a mutually acceptable solution for this tower placement since many of our members currently use their services. We also know Verizon would be unhappy with this current tower placement location if we shared the current, proposed details with our entire church family. We just need some reasonable plan adjustments that address our concerns.

Thank you in advance for thoughtfully considering our concerns. We look forward to your next steps to resolve these issues.

We assume you will be the presenter at this meeting on Thursday. If not, please pass the letter on to the appropriate person. If you are going to travel here and have not seen our property, come early! We would be glad to show you around our property so you will have more actual knowledge about our Church.

Respectfully submitted,

J. Chris Coggins, Trustee Team Chairperson

On behalf of our Trustee Team (I assume you already know that the Trustee Team in the United Methodist Church has the fiduciary responsibility to address all issues relating to church building and grounds.)

I will copy this note and your responses separately to the rest of our Trustee Team, our senior Clergy, and our Church Leadership Council Chairperson and our Weekday Ministries Chairperson.

Faulk&Foster

December 19, 2017

Covenant Church United Methodist
1526 Skeet Club Road
High Point, NC 27265-9530

Re: Proposed Verizon Site – Silver Fox

Dear Trustee Team:

Through this letter I will address those items of concern as stated in your December 18th letter.

SAFETY

1. The reason that this particular spot was chosen involves the lengthy efforts of our team to locate a site that will be in the very strict area that is designated by Verizon Radio Frequency engineers, and that will also meet the three elements of tower placement. These three elements involve the tower being able to pass zoning, be able to be built on that location, and also be able to be leased.

   A. RF search ring – The engineers first looked to put this tower slightly north of the current location on land owned by the City of High Point. The team, unfortunately, found that the sites in that area we not leasable. The City of High Point would not allow us to put our tower in a park area.

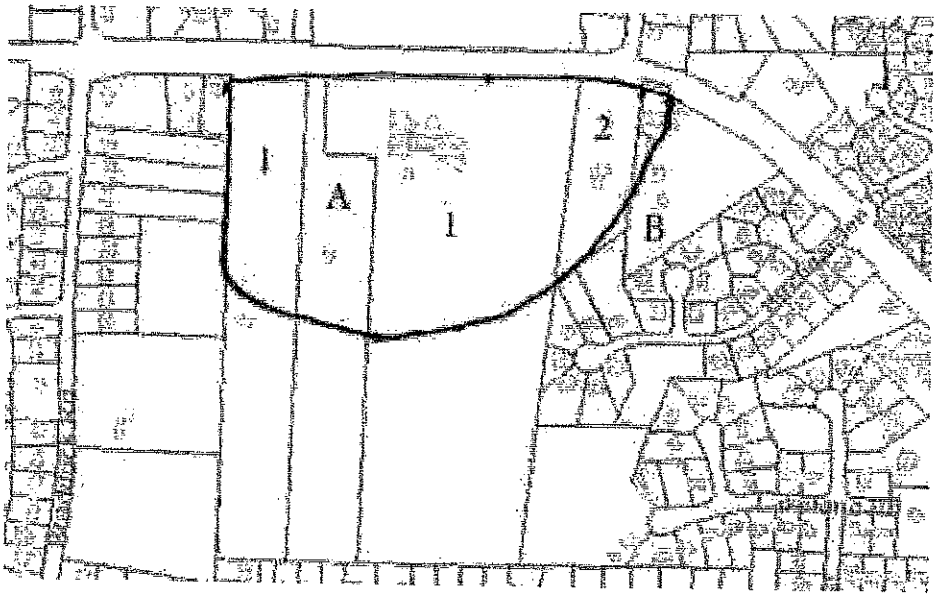
   B. The RF engineers then moved the ring south. A copy of the search ring is set forth on the next page. The "circled" area is the search ring. Within this ring there are two properties that you own, the proposed site (marked A), one marked 2, and one marked B.

   Candidate B is quite a bit lower in elevation and is much closer to the residences. It would also involve considerable expense in creating a new access road. We ruled that site out as not having the requirements that we need. Candidate 2 did not respond to our request to locate on their property.

   As between Candidate A and the Church, Candidate A was ideal because it was well situated away from the residences, buildable, and very leasable. A lease has already been signed with the owners of property A. The southern portion of parcel A has watershed and stream issues.

Corporate Headquarters, 1811 Aubum Avenue, Monroe LA 71201
318.325.4666, Fax 318-325-6324
faulkandfoster.com

SEARCH RING



SAFETY (Continued)

2. The second element of your concerns (besides why did we choose that site) is about the potential fall of the tower and the potential danger to people. I have attached a copy of the zoning drawings that we will submit to High Point. Please look at Drawings C1 (Overall Site Plan) and C2 (Site Plan). I ask that you note that both of these engineering stamped drawings bear a circle around the proposed tower that is entirely within the leased property. The circle bears the notation " 75' engineered fall zone".

As part of our application to the City of High Point, we will be submitting an engineer's letter that will certify that the tower will be designed to hold the weight of all of the proposed co-locators (please see Drawing C6), withstand the wind that is typical of the area, and to collapse within the 75 foot fall zone in the event of a collapse.

The same level of engineering that was used to construct your church building and to make sure that the building doesn't collapse will be used to design the cell tower to be sure that it doesn't collapse. Should a collapse take place, however, the engineers will design it such that it does not fall over in one piece like a tree, but rather, a portion will bend over, as if on a hinge.

3. Height of tower - The height of the tower is chosen by the Radio Frequency Engineers to provide the proper coverage, and to relieve the proper amount of load on one or more of the other Verizon towers in the network.

ENGINEERING SOIL CONCERN

The engineers that are designing the tower will also design the site based on facts obtained prior to design and construction.

ESTHETIC CONCERNS

I have copied your questions for ease of response. I have edited your text for clarity of my responses:

> We do not think this proposed tower location complies with the in City of High Point NC Development Ordinance 4.3.3.F. (g)(l) ..." and to minimize adverse visual impact"

The portion of the ordinance cited above is one portion of the general standards that the ordinance intends to regulate. Cell towers are allowed if the applicant complies with the regulations. I suggest that since the portion of the regulations that we must comply with involve cell towers it is assumed that the cell towers will look like cell towers, as this one will.

> This proposed site is the MOST visible location possible on the Patton property to our members, visitors, and road traffic. We would like less visibility.

While it is not Verizon Wireless's intention to cause an eyesore, we do intend to place a cell tower in the proposed location.

> If a tower were to be built as currently located, can you supply typical pictures (including and assuming 3 co-locators with their antennae)?

Although not ready to show you on Thursday, we will be providing you and the jurisdiction with photo simulations of the appearance of this tower from a variety of locations. This will be provided well before the Planning Board and Board of Commissioners meetings.

What are the options you plan to camouflage the tower and antennae? If not planned, what do you recommend and why?

Verizon Wireless does not plan to camouflage the tower and antenna, but we will provide fencing around the base of the tower and an evergreen buffer. Please see drawing L1 where the landscaping is shown, along with the tree line as it will exist after the construction, and the type of plantings. The base of the tower, and the equipment will not be visible from the adjoining properties.

OTHER CONCERNS AND QUESTIONS

How critical to Verizon and other clients is this exact location? Would service be essentially equal if the tower were moved south and or west by 300 feet plus?

The exact location is very important for the proper functioning of the Verizon network. The location of the tower was decided by the Verizon Radio Frequency engineers and movement of the tower 300 feet is not possible. In addition, it is my understanding that the southern part of the site is encumbered by a stream and has watershed issues.

If there were not additional road construction costs, are there any other reasons that moving south and west would not work?

Yes, please see the earlier responses.

Please address any data you have or project that identifies RF (radio frequency) or EMF(Electromagnetic Field) issues. We see safety research on both sides of this issue.

The FCC has created a standard for when a jurisdiction needs to look into a project for safety of emissions. That standard is that if the transmission source is ten meters or less away from an individual on a regular basis, then the safety of the site must be reviewed. If the transmitters are more than ten meters from any potential individuals then the site is "categorically excluded" from review. This project would be categorically excluded since the transmitters will be at 145 feet. None of the co-locators would ever be at less than 35 feet.

> This proposed location either restricts or prevents Covenant Church expanding west into our current parking lot.

Verizon Wireless can only be required to comply with the regulations set forth by the City of High Point. I am not aware of the reason for the restriction or limitations of the Covenant Church's expansion, but although that is a legitimate concern of the Church members, we cannot be held responsible for other lots than the lot that we are located on.

> Is this proposed tower associated with the recent November 13, 2017 announcement that AT & T and Verizon would be building hundreds of new cell towers?

This tower has been in the planning stages well before that announcement. The Drawings show a date of 8/17/17.

> Who will be the actual owner of the tower? Is it Tillman Infrastructure? Since they are a newer,smaller private company, how do we know their history and performance if the tower needs maintenance over the next 30 years?

This tower will be owned and constructed by Verizon Wireless. The lease for the site is between the property owners and Verizon Wireless.

I look forward to meeting you on Thursday afternoon. I will be leaving my office at noon tomorrow (Wednesday) for travel and I won't be able to respond to any e-mails after that, but I will be happy to answer any questions you may have at the meeting, or via e-mail or telephone after the meeting.

I do have another community meeting at the same location at 6:00 p.m., so I won't be able to talk any longer than that.

Very truly yours,

James L. LaPann
Zoning Specialist – Faulk and Foster

COVENANT CHURCH
UNITED METHODIST

1526 Skeet Club Road, High Point, NC 27265-9530
336.841.3242 beverly@covenant-church.com

Date: December 21, 2017

James L. LaPann
Zoning Specialist – Faulk and Foster

Dear Mr. LaPann,

This letter is from the Trustee Team of Covenant Church United Methodist and is in regard to the Questions, Requests and Concerns for Citizens Information Meeting –December 21, 2017 For Proposed Verizon "Silver Fox" cell tower location at 1520 Skeet Club Rd. High Point, NC.

We respectfully request you to please consider moving the location of the proposed Verizon "Silver Fox" Cell Tower approximately 180 feet south on Jeff and Holly Patton's property from your current proposed location.

This keeps the tower with its 75 feet "engineered fall zone" away from their house. And it moves the tower away from endangering 300 people (mostly kids) every school day of the year. It would then endanger no one!

The new location would provide acceptable aesthetic conditions for Covenant Church as well as the City of High Point to minimize visual effects of a 145 foot monopole tower.

The reasons we think this is possible and practical are:

1. You have already evaluated sites West, North, and East of proposed location by your RF engineers so movement of 180 feet South should not be significant.
2. This removes danger of collapse on our students and church structures caused by building on soil type EnC. This soil is not recommended for industrial uses as outlined in our letter reference to you on December 18, 2017 caused by high shrink-swell characteristics. If the tower falls in this new proposed site, it affects trees, not kids.
3. Your proposed "engineered fall zone" of 75 feet (half the height of the tower) assumes failure from the top i.e. wind. The fall zone does not account for failure from water in soil caused shrinking and swelling and its seasonal high water table of 1 to 2 feet. These soil issues would negate the hinge effect benefits that are critical to the 75 foot "engineered fall zone" assumptions. The "hinged fall" design also does not account for bolt failure where the tower is attached to the concrete.

4. Aesthetically, the tower distance would look like it is not on Covenant Church property with many more trees between church property and the tower. And this would probably meet City of High Point code 4.3.3.F(g)(1)..."and to minimize adverse visual impact".

Please review the above request and let us know your thoughts.

Sincerely,

J. Chris Coggins
Trustee Team Chairperson

Reference documents:

Undated Citizens Information Meeting letter received December 12, 2017, topic: Telecommunications Tower Proposed for 1520 Skeet Club Rd. High Point Verizon Site—Silver Fox presented by James LaPann, Zoning Specialist, Faulk & Foster, Inc. on behalf of Verizon Wireless.

Letter to James LaPann, Zoning Specialist, Faulk&Foster from Chris Coggins, Trustee Team Chairperson, dated December 18, 2017.

Letter to Trustee Team at Covenant Church United Methodist from James LaPann, Zoning Specialist, dated Dec.19, 2017 including 10 pages of engineering drawings detailing tower construction plans.

HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
May 7, 2018 – 5:30 P.M.

ROLL CALL, PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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 Donald 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.

RECOGNITIONS AND PRESENTATIONS

2018-161 **Proclamation - Public Works Week**

Mayor Wagner will read a proclamation declaring the week of May 20-26, 2018 as "Public Works Week" in the City of High Point.

Mayor Wagner read a Proclamation into the record declaring the week of May 20-26, 2018 as "Public Works Week" in the City of High Point and presented it to Keith Pugh, Director of Engineering Services.

[photo op followed]

2018-162 **Proclamation - Municipal Clerks Week**

Mayor Wagner will read a proclamation declaring the week of May 6-12, 2018 as "Municipal Clerks Week" in the City of High Point.

Mayor Wagner read a Proclamation into the record declaring the week of May 6-12, 2018 as "Municipal Clerks Week" in the City of High Point and presented it to Lisa Vierling, City Clerk and Sandra Keeney, Deputy City Clerk.

[photo op followed]

DRAFT

STRATEGIC PLAN UPDATE

2018-131 **Update on the Strategic Plan adopted by City 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 will give an update to City Council on the Strategic Plan.

Code Enforcement/Blight

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 April 2018 activities as follows:

- ✓ *39 New Minimum Housing Complaints*
- ✓ *292 Active Minimum Housing Cases*
- ✓ *96 New Public Nuisance Complaints*
- ✓ *165 Active Public Nuisance cases*
- ✓ *68 Signs collected*

Chairman Golden also reported that staff has completed interviews for the two vacant Local Codes Enforcement Officer positions and are currently awaiting background checks with hopes to have the two positions filled by the end of the month.

Lori Loosemore, Local Codes Enforcement Supervisor, shared some photographs of the ongoing Code Enforcement activity for April 2018.

PUBLIC COMMENT PERIOD

2018-132 **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 three (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 people spoke during the Public Comment Period.

***Larry Cormier**, 3007 Scott Trail, a registered voter in Precinct FR2, addressed Council regarding equal and fair treatment of women. He advised that our country is based on fairness, justice, and equality and referenced the Constitution, which he referred to as a living document that is amended on a regular basis. He explained there was an attempt to amend it and pointed out it has not been ratified since 1972. He noted that the next speaker, Megan Longstreet, would read the resolution into the record and asked that Council consider adoption.*

***Megan Longstreet**, 607 Rotary Drive, a registered voter in Precinct H02, also addressed Council on equal and fair rights for all women. She explained that although Congress finally passed the ERA in 1972 and sent it to the states for ratification; the ERA fell three states short of the 38 required to become an amendment to the Constitution as of the deadline for ratification. Since that time, the ERA has been reintroduced in every single session of Congress with Bi-Partisan support. She further stated that on March 22, 2017, Nevada became the first state in 40 years to ratify the ERA, and Illinois followed suit and also ratified it, leaving only one state short for national ratification. She hinted that North Carolina could make history and could be that state.*

Ms. Longstreet then shared some of her personal experiences with discrimination and mentioned the "Me Too" movement. she also asked for Council to fully support the ERA resolution.

Following her comments, Ms. Longstreet read the Resolution in Support of the Equal Rights Amendment into the record. [a copy of the resolution will be attached in Legistar as a permanent part of these proceedings].

***Assoud Koury**, a resident at 2921 E. Martin Luther King Drive, spoke about high electric bills in High Point. He shared that he has businesses all across the Piedmont Triad and High Point's bills are about 40% higher than other jurisdictions. He provided an example of one employee they moved to High Point in a one-bedroom apartment with an $800 a month electric bill. He asked that the city check into this situation with a high electric bill. Mayor Wagner asked Mr. Koury make sure he shared his contact information with Deputy City Manager Randy McCaslin.*

***Ken Orms**, a resident at 3525 Sainsbury Lane, Greensboro (in High Point city limits), inquired about the status of the collection notice that High Point received from HUD for mishandling federal grant money. He noted at issue was $1.8 million that the federal government says High Point owes for a lead abatement program from several years ago. He also mentioned a recent article that was printed in the High Point Enterprise that stated HUD determined that High Point "had significant deficiencies in the way the city administered its lead abatement program." He made light of the Mayor's comments regarding HUD's response that they don't make mistakes, even though they make mistakes. Mr. Orms asked the following questions:*

1. *Where is the city going to come up with the money to repay HUD?*
2. *Will a tax increase be necessary?*
3. *Does the city have an extra $2 million lying around to pay the federal government?*
4. *Will this matter be discussed in public meetings that would allow voters to comment, or will Council hold another secret, private meeting?*
5. *Do we know who made these significant deficiencies discovered by HUD?*
6. *Will anyone be held accountable for the mishandling and misspending of federal grant money?*

He also mentioned an item on tonight's agenda that calls for spending over $1.5 million for projects related to the stadium and asked whether those monies are part of the bond monies, or extra monies.

He also posed the following questions regarding the High Point Area Arts Council Assistance Agreement.

1. *Is this extra money?*
2. *Where would the money come from?*
3. *Does the city have a port of cash laying around that can be spent on whatever?*

Mayor Wagner asked City Attorney JoAnne Carlyle to speak with Mr. Orms following adjournment of the meeting and provide an update on the HUD issue.

***Mark Harris**, 3212 Peninsula Drive, Chairman of the Arts Council Board of Directors, thanked Council for their consideration for the matching assistance to pay the mortgage associated with the High Point Arts Council at Centennial Station. He went on to say in today's environment, all areas of spending, including the arts, continue to come under scrutiny realizing every public dollar is competitive. He shared the economic impact that the arts have on High Point is great, serving over 25,000 citizens. Of this number, many are children from the poorest areas where the Arts Council provides concerts at no cost to these children. In addition, he advised that the arts also bring an educational impact. Mr. Harris pointed out the Arts Council is a catalyst and brings people to the city. He explained the principal and interest on their buildings is $70,000 a year and by paying off the mortgage, they would have more money to reach more people and places.*

***Jim Morgan**, 416 Hillcrest Drive, former Chairman on the Arts Council Board of Directors, advised that when he became affiliated with the Arts Council in 2012, High Point was the only major city in North Carolina that did not have an arts headquarters. He further explained the reason was that a consensus between the City Council and Arts Council could not be reached regarding an optimal location. He shared that Centennial Station has been a great thing for them and is in a great location. He pointed out that when they acquired the building, they were able to bring the Ballet back to High Point and they also provide a home to the Community Theatre.*

He advised that the agreement requires that the money they raise would go through and would be held by the Community Foundation. He noted that at the end of the city's fiscal

year, June 30th, the Community Foundation would certify the monies received and the Council would then match what has been raised; then the process would be repeated next year. Mr. Morgan concluded his remarks and asked Council to consider that prosperous communities support the arts and support folks and this is what makes High Point a great city, "the most livable safe and prosperous community in America."

***Louis Thibodeaux**, a resident at 1242 Kensington Drive, stated he does not support giving the Arts Council an 81% increase in funding in the amount of about $81,000, as they already receive $100,000 a year from the city for operations/programming. He felt there are many other issues that require attention such as continued work on blighted housing and putting hand sanitizers in the port-a-potties at one of the Parks & Recreation facilities. He shared that other groups would ask for funding as well and expressed concerns with giving over $160,000 to one group. He asked if there was more that could be done with such a large amount of money. He encouraged Council to listen and think about what the citizens have to say.*

There being no further comments, the Public Comment Period was closed.

CONSENT AGENDA ITEMS

Finance Committee Chairman Moore reported that the Finance Committee did meet on May 3, 2018 and recommended all finance-related items be placed on the Consent Agenda with a favorable recommendation.

Council Member Moore then moved approval of the finance-related items on the Consent Agenda. Council Member Peters 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.

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

2018-133 Contract - Anixter - Underground Cable

City Council is requested to approve the award of contract for Bid No. 44 to Anixter for the purchase of 750 MCM Underground Cable in an amount not to exceed $1,088,000.00 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

Approved contract with Anixter for the purchase of 750 MCM Underground Cable in an amount not to exceed $1,088,000.00 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

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

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

2018-134 **Contract - WESCO - PVC Conduit**

City Council is requested to approve the award of contract for Bid No. 45 to WESCO for the purchase of PVC conduit in the amount of $181,275.90 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

Approved contract with WESCO for the purchase of PVC conduit in the amount of $181,275.90 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

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

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

2018-135 **Contract - WESCO - Concrete Underground Vaults**

Council is requested to approve the award of contract for Bid No. 50 to WESCO for the purchase of Concrete Underground Vaults in the amount of $252,740.00 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

Approved contract with WESCO for the purchase of Concrete Underground Vaults in the amount of $252,740.00 for the conversion of overhead electric lines to underground facilities for the Downtown Revitalization projects.

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

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

2018-136 **Contract - Control Systems Programmer - Ward WTP**

City Council is requested to approve the Request for Qualification (RFQ) selection of Revere Control Systems in the amount of $377,201.00 as the control systems programmer for the Ward Water Treatment Plant.

Approved contract with Revere Control Systems in the amount of $377,201.00 as the control systems programmer for the Ward Water Treatment Plant.

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

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

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2018-137 **Municipal Agreement - NCDOT - Sidewalk & Transit Improvements - Eastchester Drive**

City Council is requested to approve a Municipal Agreement with the North Carolina Department of Transportation for Congestion Mitigation and Air Quality (CMAQ) funding to construct sidewalk and transit improvements on Eastchester Drive (Palladium Circulator Transit Connector).

Approved a Municipal Agreement with the North Carolina Department of Transportation for Congestion Mitigation and Air Quality (CMAQ) funding to construct sidewalk and transit improvements on Eastchester Drive (Palladium Circulator Transit Connector).

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

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

2018-138 **Agreement- Cherry Bekaert LLP - Audit Testing Procedures**

City Council is requested to approve an agreement with Cherry Bekaert LLP in the amount of $6,000.00 for special audit testing procedures required by the State Treasurer's Office as part of the Retirement System's audit and report.

Approved an agreement with Cherry Bekaert LLP in the amount of $6,000.00 for special audit testing procedures required by the State Treasurer's Office as part of the Retirement System's audit and report.

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

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

2018-139 **Resolution Approving the Donation of Surplus Fire Equipment - Francisco Volunteer Fire Department**

City Council is requested to adopt a Resolution approving the donation of a surplus 1992 Seagrave Pumper to the Francisco Volunteer Department.

Adopted a Resolution approving the donation of a surplus 1992 Seagrave Pumper to the Francisco Volunteer Fire Department.

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

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

Resolution No. 1760/18-22
Resolution Book, Volume XX, Page 22

Introduced 5/7/2018; Adopted 5/7/2018

2018-140 **Resolution - Lease Agreement - City Owned Property**

City Council is requested to adopt a Resolution approve a lease agreement for city-owned property located at 1420 Bragg Avenue.

Adopted a Resolution approving a lease agreement for city-owned property located at 1420 Bragg Avenue.

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

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

Resolution No. 1761/18-23
Resolution Book, Volume XX, Page 23
Introduced 5/7/2018; Adopted 5/7/2018

2018-141 **Resolution - Housing Authority of High Point - Redevelopment of Daniel Brooks Homes**

City Council is requested to adopt a Resolution to fund a total of $6,500,000 from the City's general fund budget over a three-year period with total funding available by March 31, 2021 to assist with redevelopment of Daniel Brooks Homes; and authorize the City Manager to execute funding commitment letters and associated documents as may be required to support the Housing Authority of the City of High Point in its pursuit of federal and state approvals associated with the redevelopment plan for Daniel Brooks. City funds will be used toward construction costs and infrastructure associated with the development of 100 new, mixed income affordable housing units and infrastructure on the existing Daniel Brooks site.

Adopted a Resolution to fund a total of $6,500,000.00 from the City's general fund budget over a three-year period with total funding available by March 31, 2021 to assist with the redevelopment of Daniel Brooks Homes, and authorized the City Manager to execute funding commitment letters and associated documents as may be required to support the Housing Authority of the City of High Point in pursuit of federal and state approvals associated with the redevelopment plan for Daniel Brooks.

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

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

Resolution No. 1762/18-24
Resolution Book, Volume XX, Page 24
Introduced 5/7/2018; Adopted 5/7/2018

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REGULAR AGENDA ITEMS

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

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.

Transcript of Discussion

Chairman Moore*: There was another item on the regular agenda-the High Point Area Arts Council Assistance Agreement. Over the past two weeks at different meetings, this item has been discussed in great detail. It certainly has the attention of all members of this Council and I believe this Council fully wants a thriving and important Arts Council. With that being said, there were still many things to be discussed. This is being brought back to the full Council for consideration without a recommendation from the Finance Committee.*

Council Member Hudson*: Mr. Chair and Mr. Mayor,* **I'd like to make a motion to refer this item to the P & L Committee for further discussion.**

Mayor Wagner*: there's a motion by Councilman Hudson to move this to the P & L Committee.*

Council Member Golden: **Second.**

Mayor Wagner*: Is there any discussion on the motion?*

Council Member Peters*: Can I make a motion for it to go to the full Council?*

Mayor Wagner: *It's already with the full Council.*

Council Member Peters*: Okay.*

Mayor Wagner*: Any other questions or comments? [none] All those in favor of the motion, please signify by saying Aye.*

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

Mayor Wagner*: That motion passes.*

Note: The following discussion took place preceding adjournment.

***Jim Morgan**: Would you please reconsider the motion to send the Arts Council's request to the P & L Committee. If you'll note from our agreement, there's a very short period of time to raise the money before June 30th. I plead with you that somebody make a motion so we can go forward with this request because our time is running out.*

***Mayor Wagner**: I believe a motion to reconsider would require 2/3 vote if it's at the same meeting under our rules. Is someone willing to make a motion to reconsider at this point?*

***Council Member Golden**:* **I MOVE THAT WE SUSPEND THE RULES AND ADDRESS HIS REQUEST UNDERSTANDING THAT IT WILL REQUIRE 2/3 VOTE.**

***Mayor Wagner**: There's a motion in pending to reconsider the Arts Council item. Is there a second?*

Council Member Hudson: **Second.**

***Mayor Wagner**: Is there any comment?*

***Council Member Ewing**:* **I MOVE TO DECLINE THE AGREEMENT AS PRESENTED.**

***Mayor Wagner**: This would be a SUBSTITUTE MOTION. I think we need to pass the motion to reconsider first before we can consider that.*

Is there any other comment on the MOTION TO RECONSIDER?

***Council Member Hudson**: If I can say…. if this goes to a vote, it will be a No.*

***Mayor Wagner**: Okay, all those in favor, let's see a show of hand. All in favor of the* **MOTION TO RECONSIDER PLEASE SIGNIFY BY SAYING AYE**. *Let's see a show of hands. [7-2 vote]*

Mayor Wagner, Council Members Moore, Scarborough, Peters, Hudson, Jones, and Ewing: *Aye.*

***Mayor Pro Tem Williams and Council Member Golden**: Nay.*

***Mayor Wagner**: We will now reconsider the item for the Arts Council agreement.*

I'll put it out to Council for discussion.

***Council Member Ewing**: I believe the purpose for putting it back into committee was to try to find some way to assist because as councilman Hudson said, right now there's not enough support to move it forward as it is. So we can discuss it in committee in P & L and try to find a way to help the Arts Council because we do see value in it, just not the agreement as it's*

written. But, if you all want a decision tonight, **I will remake my motion to decline the agreement as presented.**

***Mayor Wagner**: There's a motion to decline the agreement as presented. Is there a second?*

Council Member Golden: **Second.**

***Mayor Wagner**: There's a motion and a second. Is there any further discussion?*

***Council Member Peters**: The only thing that I'd like to say is, you know, we're going to meet, the P & L is going to meet on Wednesday and I just think there's some things that need to be ironed out.*

***Council Member Moore**: The whole intent on moving it back there for discussion is to try to find a way to make it work. Everyone understanding that there's a deadline, but there was not enough agreement to get it through. We'll move as quick as we can.*

***Jim Morgan**: When will they meet?*

***Mayor Wagner**: The P & L Committee I believe would discuss it on Wednesday and we'll have to go from there.*

***Council Member Jones**: Will they have to send it back to us at the Finance Committee?*

***Mayor Wagner**: I doubt it, but you never know what might happen.*

***Council Member Ewing**: There's still another Finance Committee meeting before the May 21st City Council meeting, so we could if we wanted to touch as many people as…..*

***Jim Morgan**: Let me say this, if you're willing to try to help us and understand how crucial it is whatever you think we ought to do. I tweak things all the time for people, so I'm just concerned about the timing and I want to get at least half of this money raised by June 30th.*

***Council Member Ewing**: I think timing is important, but we're talking about $180,000 of taxpayer money that there's a lot of other organizations that would probably like to have a piece of that as well. And I think that it requires a lot of constructive thought and consideration and discussion to make sure that we're making the best decision, not only for the city, but for the Arts Council and all the other organizations in the city.*

***Jim Morgan**: When will the committee meeting be?*

***Mayor Wagner**: Wednesday at 10:00 a.m.*

***Jim Morgan**: Then we can get it back on the agenda?*

***Mayor Wagner**: It would depend on what happens in the committee.*

***Council Member Ewing**: I call the question.*

***Mayor Wagner**: All those in favor of denial of the agreement, please signify by saying Aye. Would you raise your hands?*

***Council Member Peters**: Okay, I'm confused. Y'all confuse me. So, can we make a motion to…..*

***Mayor Wagner**: A vote for is a vote against the agreement.*

***Council Member Peters**: But, then it will not go to Prosperity & Livability.*

***Council Member Moore**: So, do you need a substitute motion to move it back.*

***Mayor Wagner:** We can either vote on this, or we can entertain a substitute motion.*

***Council Member Moore**:* **I make a SUBSTITUTE MOTION that we go back.**

Mayor Pro Tem Williams: **I second it.**

***Mayor Wagner**: I don't know at this point, I've already called for a vote. So, I think we have to record that vote. Who was in favor of that vote? Of the approval denying the agreement?*

***Council Member Jones**: Denying the agreement as it stands right now.*

***Council Member Ewing**; Denying it as it stands right now.*

Mayor Wagner**: One, two, three, four, five.* ***That motion passes. [5-4 vote]

***Council Member Peters**: Now can we make a motion to……..*

***Mayor Wagner**: Well five of you just voted to kill the agreement.*

***Council Member Peters**: As it stands.*

***Council Member Moore**: Prior to that vote, we asked if we could substitute a motion.*

***Mayor Wagner**: We couldn't because I had already called for the vote.*

***Council Member Moore**: And we asked if after that vote if we could make a substitute motion.*

***Council Member Jones**:* **I make a motion to reconsider the Arts Council agreement.**

Council Member Moore: **Second.**

***Mayor Wagner**: This has to be a 6-3 vote to pass. All those in favor of reconsidering the Arts Council agreement, please raise your hand. One, two, three, four, five, six, seven, eight. Alright, now we're back on track.*

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

Council Member Ewing*:* **Nay.**

Mayor Wagner*: Is there a motion regarding the Arts Council agreement?* **It was 8-1***, the motion to reconsider.*

Council Member Hudson*:* **I'd like to make a motion to put this in the P & L Committee.**

Council Member Peters: **I second it.**

Mayor Wagner*: There's a motion and a second to place this item in the P & L Committee for Wednesday. Is there any further discussion? Are we all thoroughly confused? The motion is to place the item into the P & L Committee to be heard on Wednesday. Any discussion? All those in favor, please signify by saying Aye.*

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

Mayor Wagner*: Anyone opposed? [none] Okay, that motion passes unanimously.*

A motion was made by Council Member Hudson, seconded by Council Member Peters, that this matter be referred to the Prosperity & Livability Committee for further discussion. The motion carried by the following 9-0 unanimous vote:

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

COMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT AND PUBLIC SAFETY COMMITTEE - *Council Member Golden, Chair*
Committee Members: Golden, Peters, Scarborough, and Williams

2018-143 Ordinance - Demolition of Structure - 711 E. Commerce Avenue

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 711 E. Commerce Avenue belonging to Tom and Rhonda Gould.

Lori Loosemore, Local Codes Enforcement Director, advised the inspector observed the exterior of the property and requested to do an inspection. The original inspection on this structure was conducted on January 25, 2018. A hearing was held on February 12, 2018 and no one appeared. An Order to Repair or Demolish was issued with a compliance date of March 12, 2018. Ms. Loosemore noted the inspector did talk with the owner, Ms. Gould, on January 30, 2018 and learned that the property owner does not plan on doing anything with the structure. Delinquent property taxes in the amount of $5,641 are owed on the property.

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

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

Ordinance No. 7403/18-32
Ordinance Book, Volume XX, Page 32
Introduced 5/7/2018; Adopted 5/7/2018

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.

Lori Loosemore, Local Codes Enforcement Supervisor, requested that Council place this housing case in pending for 30 days. She explained that they discovered that the previous owner, SHJ Capital LLC sold the property in the last few weeks. She did speak with the new owner of the property who asked for an additional 30 days to get permits pulled and start making some progress on the house. Ms. Loosemore also advised that she has requested a meeting with the new property owner because he has purchased other properties from the same owners.

A motion was made by Council Member Golden, seconded by Council Member Hudson, that this matter be placed on the pending list for 30 days. The motion carried by the following 9-0 unanimous vote:

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

2018-145 **Ordinance - Demolition of Structure - 1028 Meadowbrook Boulevard**

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1028 Meadowbrook Boulevard belonging to Thomas Lee Dickens III and Erika Dickens.

Lori Loosemore, Local Codes Enforcement Supervisor, reported that the original inspection was conducted on January 21, 2017. No one appeared for the hearing that was held on August 21, 2017. An Order to Repair or Demolish was issued with a compliance date of October 25, 2017. Since that time, staff has had no communications with anyone about the property. Property taxes are delinquent in the amount of $3,643.00.

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

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of the structure located at 1028 Meadowbrook Boulevard.

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 9-0 unanimous vote:

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

Ordinance No. 7404/18-33
Ordinance Book, Volume XX, Page 33
Introduced 5/7/2018; Adopted 5/7/2018

2018-146 **Ordinance - Demolition of Structure - 901 Martin Street**

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 901 Martin Street belonging to Estate of Ben Chestnut, Jr.

Lori Loosemore, Local Codes Enforcement Supervisor, noted the inspector initiated the inspection on this structure due to the exterior conditions. The original inspection was conducted on March 31, 2017. A hearing was held on May 3, 2017. James Chestnut, the executor of the Estate for Ben Chestnut, did attend the hearing and stated that he was possibly looking at demolishing the structure, but he was not sure as to which direction he would go. An Order to Repair or Demolish was issued with a compliance date of June 5, 2017. Mr. Chestnut advised the inspector in June of 2017 that he planned to demolish it, but was later told in February of this year that he did not have the funds to demolish it. Delinquent taxes in the amount of $6,474 are owed on the property and the property is pending active foreclosure with the Guilford County Tax Department.

There was no one present at tonight's meeting to speak regarding this housing case.

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of a structure located at 901 Martin Street.

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

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

Ordinance No. 7405/18-34
Ordinance Book, Volume XX, Page 34
Introduced 5/7/2018; Adopted 5/7/2018

2018-147 **Ordinance - Demolition of Structure - 302 Montlieu Avenue**

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 302 Montlieu Avenue belonging to Lucretia L. Henard.

Lori Loosemore, Local Codes Enforcement Supervisor, advised the original inspection was conducted on January 20, 2017 with a hearing on June 12, 2017. No one appeared for the hearing. An Order to Repair or Demolish was issued on June 29, 2017 with a compliance

date of July 29, 2017. The property owner, Ms. Henard, did contact the inspector prior to the hearing and stated the house had been foreclosed on and she was no longer living in it. Delinquent taxes are owned on the property in the amount of $587.00.

There was no one present to speak regarding this matter.

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of a structure located at 302 Montlieu Avenue.

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

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

Ordinance No. 7406/18-35
Ordinance Book, Volume XX, Page 35
Introduced 5/7/2018; Adopted 5/7/2018

PENDING ITEMS

2018-10 **Ordinance - Demolition of Structure - 1227 Pearson Place**

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1227 Pearson Place belonging to Monument of Praise Ministries.

Lori Loosemore, Local Codes Enforcement Supervisor, asked that Council turn this housing back over to staff to handle. She advised that Ms. Dorley has been emaling her and staying in contact providing regular updates. They have gone in and demolished the chimneys on the property and have gutted the entire house. The church does have a contract with KC's Home Improvements to assist with the repairs. They have been actively working and staying in touch with staff, although they have not yet asked for any inspections. Ms. Loosemore advised that she informed Ms. Dorley that they would have to make continuous progress with the inspections, stay in touch with staff, and could not drop the ball because it would be brought back to Council if that were the case.

This matter was removed from the agenda and referred back to staff.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Williams, that this matter be removed from the agenda and referred back to staff to monitor the progress. The motion carried by the following 9-0 unanimous vote:

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

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2018-13 **Ordinance - Demolition of Structure - 613 Manley Street**

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 613 Manley Street belonging to Joshua and Sarah Stahl.

Chairman Golden asked staff to provide an update on this housing case.

Lori Loosemore, Local Codes Enforcement Supervisor, requested that Council adopt an ordinance to demolish this structure. She advised that this case was originally brought to the City Council in January 2018 and Council has granted extensions since that time. She further advised that the property owner was sent a notice to secure the property, but did not comply, so the city had to secure it. The property owner has paid most of the delinquent property taxes on the property, but still owes $931. The property owner has not had any inspections made on the permit that was pulled in September. Ms. Loosemore shared some recent pictures that were taken of the property that showed the grass that needs to be cut and a pile of limbs in the front yard and she noted that it was posted today and staff would be sending out a notice on the public nuisance abatement. Staff is requesting that Council move forward with the Ordinance to demolish the structure.

Chairman Golden asked if there was anyone present to speak regarding this housing case. There was no one present to speak.

Chairman Golden then moved to take remove this matter from the pending list so it could be added to the agenda for action. Council Member Ewing made a second to the motion, which carried by a unanimous 9-0 vote.

Adopted the Ordinance ordering the housing inspector to effectuate the demolition of the structure located at 613 Manley Street.

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

Ordinance No. 7407/18-36
Ordinance Book, Volume XX, Page 36
Introduced 1/16/2018; Adopted 5/7/2018

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

2018-148 **Resolution of Support - Removing US 311 Designation from the I-74 Corridor**

City Council is requested to adopt a Resolution of Support for the removal of the US 311 route designation from the Interstate 74 corridor. This matter was discussed in the March 7, 2018 Prosperity and Livability Committee with a unanimous vote to forward to City Council for final approval.

Mark McDonald, Director of Transportation, advised that the city has been presented with a proposal from NCDOT to remove the designation and reference to 311 from the I-74 corridor. He explained this was discussed at the March 7, 2018 Prosperity & Livability Committee meeting and advised that Brian Thomas with NCDOT was present to address any concerns/questions regarding the proposal.

Adopted the Resolution of Support for the removal of the US 311 designation off the I-74 corridor.

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

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

Resolution No. 1763/18-25
Resolution Book, Volume XX, Page 25
Introduced 5/7/2018; Adopted 5/7/2018

2018-149 **<u>Resolution - Use Agreement- City-Owned Property (The Pit)</u>**

A presentation will be made to City Council regarding the use of this city-owned property ("The Pit").

Randy McCaslin, Deputy City Manager, advised that there are some individuals who want to use the PIT for events. He shared an aerial photograph. He explained there are actually three different levels. The main level is below the street grade and is accessed by a joint access easement from High Avenue. The lower level is accessed by an access easement off of Commerce only. The upper level, is accessed by a pedestrian walkway that comes off Main Street. Mr. McCaslin emphasized that they all have single access points: one off of High; one off of Main; and one off of Commerce.

Mr. McCaslin reported that the city has a proposal from the High Point Jaycees and Ryan Saunders, who has held several events in High Point. They desire to do a 1st Thursday event with bands and other entertainment in the he PIT on the 1st Thursday of June through October. Staff is not proposing a cost to Mr. Saunders as far as a rental or a license agreement for the use of the PIT itself; however, they have been working with the Police Department and if off-duty officers are needed for such events, then Mr. Saunders will be responsible for the costs of those officers. He will also be responsible for any barricading of certain areas. Depending on which areas they elect to use, there may have to be some portable stairs or some other method of access for getting from one level to another.

Mr. McCaslin advised that staff is not at a point right now where they can provide a written document, a license agreement, or a lease agreement as they are still trying to work out details with the Police Department, the ABC officers, Building Inspections Department, Fire Marshall, etc.... to come up with all the regulations/conditions of the agreement.

Staff is aware that there will be liability insurance required to hold the city harmless and the promoters have agreed to provide that. At this time, Mr. McCaslin asked Ryan Saunders to

share his ideas as to his plans for using the PIT. Mr. McCaslin emphasized that staff is asking that Council give staff the authority to negotiate the remainder of the license agreement with Mr. Saunders and stressed that time is of the essence because of the 1st Thursday schedule. He explained that there is an urgent need for Mr. Saunders to proceed with booking bands, etc..... for the facility to keep on the 1st Thursday schedule that would commence in June.

Mr. Saunders expressed excitement for the changes that are taking place in moving High Point forward in the potential to create new jobs and energy for young people to want to live in High Point. He stated that places like the PIT are areas that generate that energy and artistic innovation that leads to new industries and job creators to consider a city. In direct response as to what will occur with the events, he acknowledged the presence of Byron Moran with the High Point Jaycees and noted the powerful role that the Jaycees play in the community to improve conditions for all. He shared that they will have live music, live artists, games, and would work with designers, speaker series to introduce architects, artists, landscape designers--people that generate creativity in spaces. Mr. Saunders stated that he hopes to continue to be an ethical and responsible generator of economic prosperity for the entire Piedmont Triad.

City Attorney JoAnne Carlyle advised that this document would have the city's general protection, indemnification, and insurance. She further advised that the city may ask for some fencing in trying to address all the safety issues. She noted there might be some question as to if it would be a three-party agreement in whatever needs to be done to address the need for an ABC permit and the Jaycees, but acknowledged that this was something that she felt could be resolved. She advised the action that staff is seeking tonight is for Council to give the manager permission to execute the agreement after the negotiations are complete.

Mr. Saunders reported that he has been in direct contact with the High Point Fire Department, the High Point Police Department, Building Inspections, Electrical Engineering, etc... and informed Council that he will be meeting with an events specialist regarding the temporary stairs and ramps, which may or may not be necessary based on the plans in regards to getting people between the three levels. He also advised that he did speak to his insurance company and feels comfortable with what they are going to be able to work out. He felt confident that all the details would be worked out by the 1st Thursday in June.

Prosperity & Livability Committee Chairman, Jason Ewing, advised this matter was discussed by the Prosperity & Livability Committee and the agreement comes in full support from the Prosperity & Livability Committee.

Adopted the Resolution

A motion was made by Council Member Golden, seconded by Council Member Peters, to grant the city manager the authority to finalize the agreement. the motion carried by the following 9-0 unanimous vote:

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

Resolution No. 1764/18-26

Resolution Book, Volume XX, Page 26
Introduced 5/7/2018; Adopted 5/7/2018

2018-150 **Revision to the Standing Committees of City Council (2017-2019)**

Council Member Ewing is proposing a revision to the Standing Committees of the 2017-2019 Council as follows:
Prosperity & Livability Committee - Wednesday following the 1st Monday Regular Council Meeting at 9:00 a.m.

Approved the revision to the 2017-2019 Standing Committees of the Council changing the time for the Prosperity & Livability Committee to the Wednesday at 9:00 a.m., following the 1st Monday Regular Meeting of the City Council.

A motion was made by Council Member Ewing, seconded by Council Member Golden, that the revision to the Standing Committees of the City Council (2017-2019) be approved. The motion carried by the following 9-0 unanimous vote:

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

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

PUBLIC HEARINGS

2018-151 **Ordinance - Jerry & Alicia Murphy and Hong Thu Nguyen Hong Thu - Annexation 18-01 (AN-18-01)**

A request by Jerry & Alicia Murphy and Hong Thu Nguyen to consider a voluntary contiguous annexation of approximately 8.7 acres lying along the north side of W. Wendover Avenue, approximately 500 feet west of Tarrant Road. The property is addressed as 5206 and 5208 W. Wendover Avenue and also known as Guilford County Tax Parcels 0154826 and 0154832.

The joint public hearing for this matter and related matter 2018-152 Zoning Map Amendment 18-01 was held on Monday, May 7, 2018 at 5:30 p.m.

Herb Shannon with the Planning and Development Department provided an overview of the staff report, which is hereby attached as a permanent part of these

This is a request for a voluntary contiguous annexation of approximately 8.7 acres lying along the north side of W. Wendover, approximately 500 feet west of Tarrant Road; the specific location of the property is 5206 and 5208 W. Wendover Avenue. The property owners are requesting annexation in order to have access to city utilities. Wynnefield Properties, a local development, construction, and management firm, has contracted with one of the two property owners associated with this request.

Mr. Shannon reported that in order for to not have an unincorporated home next to the property proposed for annexation, staff approached the owner of the parcel and asked them

if they would like to be part of the annexation request; they agreed and signed on as co-applicant.

Staff stated annexation of this site would be a logical progression of the city's annexation policy in this area, and there would be no impact on the current level of service.

Regarding the second part of the proposal, Zoning Map Amendment 18-01, is a request by the applicant to establish an RM-16 Residential Multi-Family 16 zoning on this property. There is existing multi-family developments in this area, therefore, this proposal for the RM-16 District will not be introducing a use that is not already established in the area.

As far as consistency with adopted policy guidance documents, Mr. Shannon, advised that the zoning in the surrounding area is designated as Medium Density on the Land Use Map and the Wendover Avenue/Guilford College Corridor Plan does support higher density residential along the north side of this portion of the Wendover corridor. As for the reasonableness in the public interest, the request is consistent with the existing zoning development pattern along this portion of the Wendover corridor. Staff recommends approval of the requested RM-16 zoning on this property. The Planning & Zoning Commission reviewed this request at their March public hearing and also recommended approval by a vote of 9-0.

At this time, Chairman Williams opened the public hearing and asked the applicant to come forward.

Craig Stone, 5614 Riverdale Drive, Jamestown, North Carolina, advised this is a continuation of the work that we've done over the last number of years working in conjunction with the cities staff in affordable housing to bring communities like this through the competitive cycle of the NC Housing Finance Agency. Mr. Stone pointed out this particular site was selected because of some competitive items. They are estimating this to be about a $10 million investment in the community. He shared that Wynnefield Properties recently opened up Admiral Pointe,

Addington Ridge, and Kirkwood Crossing and noted that these units have been extremely in high demand with over 1,500 names on the waiting list for Kirkwood Crossing with more staggering numbers on the other waiting lists.

Council Member Moore asked if the footprint for the actual building would encompass most of the 8.7 acres. Mr. Moore replied they would take a majority of the larger tract of land and advised that they have met with the municipal staff and NCDOT to talk about access, ingress, egress, etc.... He explained that they are asking for up to 96 units, but they may have to size it down just a bit, but confirmed that they would utilize a majority of the land.

Council Member Moore shared some concerning news he heard recently that Charlotte-Mecklenburg has a waiting list of 18,000. He applauded Mr. Stone for his work in bringing affordable housing to High Point, but felt it would be nice to see the demand going down.

For clarification purposes, Council Member Ewing asked if sidewalks would be a part of this development. Mr. Stone explained they do have contiguous sidewalks within the community, and they would bridge across and go up to the connected sidewalk on Wendover Avenue.

Chairman Williams asked if there was anyone present who would like to speak regarding the annexation or the zoning map amendment case. There being none, the public hearing was closed.

Adopted a Resolution approving annexation of this property, and adopted an Ordinance approving Zoning Map Amendment 18-01 based on consistency with the city's adopted plans, and that it is reasonable and in the public interest as stated in the staff report.

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

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

Ordinance No. 7408/18-37
Ordinance Book, Volume XX, Page 37
Introduced 5/7/2018; Adopted 5/7/2018

2018-152 **<u>Ordinance - Wynnefield Properties, Inc. - Zoning Map Amendment 18-01 (ZA-18-01)</u>**

A request by Wynnefield Properties, Inc to rezone approximately 8.7 acres from the Residential Single Family-40 (RS-40) District, within Guilford County's jurisdiction, to the Residential Multifamily-16 (RM-16) District. The site is lying along the north side of W. Wendover Avenue, approximately 500 feet west of Tarrant Road (5206 & 5208 W. Wendover Avenue). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

The joint public hearing for this matter and accompanying matter, 2018-151 Annexation 18-01, was held on Monday, May 7, 2018 at 5:30 p.m.

Note: Staff provided a joint presentation on this matter and the accompanying annexation request. For specific comments made at the public hearing, please refer to 2018-151 Annexation 18-01.

Adopted Ordinance approving Zoning Map Amendment 18-01 based on consistency with the city's adopted plans and that the request is reasonable and in the public interest as stated in the staff report.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Moore, that this ordinance approving Zoning Map Amendment 18-01 be adopted. The motion carried by the following 9-0 unanimous vote:

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

Ordinance No. 7409/18-38
Ordinance Book, Volume XX, Page 38
Introduced 5/7/2018; Adopted 5/7/2018

2018-153 **<u>Ordinance - The Presbyterian Homes, Inc. - Zoning Map Amendment 18-02 (ZA-18-02)</u>**

A request by the Presbyterian Homes, Inc. to rezone approximately 0.16 acres from a Conditional Use Residential Multifamily-5 (CU RM-5) District to a Planned Development - Periphery (PD-P) District, and update the Master Plan and amend the Statement of Intent to include this area. The site is lying north of the intersection of Sandy Ridge Road and Johnson Street and west of the intersection of Sandy Ridge Road and Kendale Road.

The public hearing for this matter was held on Monday, May 7, 2018 at 5:30 p.m.

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

Presbyterian Homes, Inc., the applicant, is requesting zoning approval to allow a minor expansion of the River Landing's Continuing Care Retirement Community, which consists of approximately 162 acres. They are requesting to allow an expansion on the northeastern portion of the development for expansion of their corporate office.

Mr. Shannon explained that due to the current property line configuration, the proposed new structure would have an odd situation and would not allow maximum use of the new building. The applicant has purchased just under 7,000 square feet of property from the Saddlebrook subdivision that will be added to their development. The applicant is requesting the following:

1. *That the additional area be included in their Planned Development zoning.*
2. *That their Master Plan be updated to show that area as part of Tract G (which is their Office tract).*
3. *That the total acreage for the development be updated to include the area.*

Key items to point out in the Staff Analysis:

1. *This is a minor expansion of this development.*
2. *The previously adopted conditions and perimeter buffer standards will remain in place.*
3. *No change in any of the previous zoning conditions that Council has imposed on this development.*
4. *As far as consistency with adopted policy guidance, the proposal is consistent with the Land Use Plan Map designation objectives for this area and is consistent with the Northwest Area Plan.*
5. *And, the request is minor and adding just under 7,000 sq. ft. to a 162-acre development with all the previous conditions and perimeter buffer requirements remaining the same.*

Staff, as well as the Planning & Zoning Commission, recommend approval of Zoning Map Amendment 18-02.

At this time, Chairman Williams opened the public hearing and asked the applicant to come forward.

Tim Webster, President of The Presbyterian Homes, 2109 Sandy Ridge Road, Colfax, offered to address any concerns or comments regarding the request.

Chairman Williams asked if there was anyone present who would like to offer comment regarding Zoning Map Amendment 18-02. There being no one else to speak, the public hearing was declared closed.

Adopted an Ordinance approving Zoning Map Amendment 18-02 based on consistency with the city's adopted plans and that the request is reasonable in the public interest as stated in the staff report.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Peters, that the ordinance approving Zoning Map Amendment 18-02 be adopted. The motion carried by the following 9-0 unanimous vote:

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

Ordinance No. 7410/18-39
Ordinance Book, Volume XX, Page 39
Introduced 5/7/2018; Adopted 5/7/2018

2018-154 **<u>Ordinance - Anthony Pennisi - Zoning Map Amendment 18-05 (ZA-18-05)</u>**

A request by Anthony Pennisi to rezone approximately 1.7 acres from the General Business (GB) District to the Light Industrial (LI) District. The site is lying west of East Market Center Drive, between Tate Street and Park Street.

The public hearing for this matter was held on Monday, May 7, 2018 at 5:30 p.m.

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

Anthony Pennisi, the applicant, is requesting Council rezone an approximate 1.7 acres from the General Business District to the Light Industrial District. Mr. Shannon shared a map of the site in question which showed an oddly configured area of the General Business District being completely surrounded by Light Industrial zoning. The applicant is requesting the area be rezoned to allow a manufacturing use at this location.

Mr. Shannon advised that the property is under ownership of about eight parcels and the zoning line cuts through the property that has a 20,000 sq. ft. building on the site. The portion of the building fronting Tate Street is zoned Light Industrial; however, the rear of the

building that fronts on Park Street is zoned General Business. This proposal would allow the site to be governed by one set of zoning standards, thus the requested rezoning from the General Business to the Light Industrial District.

As far as consistency with the adopted policy guidance, the zoning site and surrounding area designated on the Land Use Plan for Light Industrial uses and the proposed LI District is consistent with that designation. As for the reasonableness and public interest, the proposed LI District is consistent with surrounding zoning patterns when a lot of the property is developed in a similar manner as the surrounding properties.

Both staff and the Planning & Zoning Commission recommend approval of this request.

At this time, Chairman Williams opened the public hearing and asked the applicant to come forward.

***Anthony Pennisi**, 1107 Tate Street, shared that he has a manufacturing business in High Point and has been renting a building off of Market Center Drive for the past six years. The building has been sold and opened up an opportunity for them to purchase this property. He advised that they do light furniture manufacturing and they also help out with and service the overflow from other manufacturers in High Point as well.*

Chairman Williams asked if there was anyone present who would like to comment. There being no further comments, the public hearing was closed.

Adopted an Ordinance approving Zoning Map Amendment 18-05 based on consistency with the city's adopted plans, and that the request is reasonable and in the public interest as stated in the staff report.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jones, that the ordinance approving Zoning Map Amendment 18-05 be adopted. The motion carried by the following 9-0 unanimous vote:

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

Ordinance No. 7411/18-40
Ordinance Book, Volume XX, Page 40
Introduced 5/7/2018; adopted 5/7/2018

GENERAL BUSINESS AGENDA

2018-120 **Proposed Ordinance Amending Method of Election for City of High Point City Council Members**

The High Point City Council held public hearings on Monday, April 2, 2018 at 5:30 p.m. and continued the public hearing to Monday, May 7, 2018 at 5:30 p.m. (public hearing was closed at this meeting) on a proposed amendment to Article III, Section 3.1. Method of Election of the City Charter to implement four-year terms for the Members of City Council beginning with the 2019 municipal election.

The initial public hearing regarding this matter was held on Monday, April 2, 2018 at 5:30 p.m. At that time, the public hearing was continued to Monday, May 7, 2018 at 5:30 p.m.

This is the continuation of that public hearing.

***Ken Orms**, a resident at 3525 Sainsbury Lane in Greensboro (property in High Point city limits), felt it inappropriate to restrict comments to a 3-minute time limit because the time limit was not restricted during the first phase of the public hearing held on April 2nd.*

He spoke in strong opposition to changing from two-year terms back to four-year terms. He felt a referendum would settle the issue and would be the right, smart thing to do.

***Louis Thibodeaux**, 1242 Kensington Drive, reiterated that he asked Council two questions at the April 2nd meeting.*

1. Are you in favor of the said issue?
2. Would you put the four-year term to a vote of the citizens?

Mr. Thibodeaux expressed that it was puzzling to him because he asked Council for a show of hands, but got no response. He believed the terms for Mayor and Council should remain on a two-year cycle for the following three reasons:

1. *It is a good incentive to be accountable to the citizens.*
2. *If terms are changed to four years, it would limit the citizens who could not serve the four-year terms, but could do two years. And,*
3. *You would have to attend City Council meetings to have some idea of what is involved in being a City Council member.*

***Dot Kearns**, a former City Council member, Board of Education member, and community advocate expressed strong support for four-year terms. She spoke about her on personal experience in holding various elected positions and felt two-year terms are inadequate because having two years in between the first year and the last year is extremely helpful for knowing and interacting with constituents and continuing to work on opportunities for the city and coordination with other local, state, and national elected officials and lays the ground work for productive, successful city government.*

***Jeffrey Mazze**, a resident at 212 N. Ward Avenue, stated Council should not make the decision for the voters. He believed the decision should be put to a referendum for the voters to decide.*

***Brian Earl**, 1111 Wynnewood Avenue, shared that he has lived and worked in three countries around the world and currently resides in the United States. He stated that he has never known local government anywhere that only has two year's service. He agreed that it takes four years to get things done and expressed support for four-year terms.*

Mayor Wagner asked if there was anyone else present who would would like to speak. There being no further comments, the public hearing was closed. The Mayor advised that because

of the provisions in the statute regarding the timing and adoption, Council could not take action at tonight's meeting.

2018-159 **Economic Development Agreement - High Point CVB and City of High Point**

City Council is requested to approve an Economic Development Agreement between the High Point Convention and Visitors Bureau, Inc. (CVB) and the City of High Point which formalizes the CVB commitment for financial support for the Multi-Use Stadium.

Randy Hemann, Assistant City Manager, explained that in August of 2017, the Convention & Visitors Bureau (CVB) agreed to assist the city with the financing of the multi-use stadium and agreed to provide $250,000 a year for twenty years using occupancy tax receipts. This agreement formalizes the CVB's support and clarifies the roles and responsibilities of both parties in keeping with Senate Law 1989-39, as well as the CVB's Articles of Incorporation and By-Laws. He noted that the City Attorney would like to reserve the right to make a few minor adjustments to the agreement.

Staff recommends approval.

No questions were posed.

Approved an Economic Development Agreement between the High Point Convention and Visitors Bureau, Inc. (CVB) and the City of High Point which formalizes the CVB's commitment for financial support for the multi-use stadium.

A motion was made by Council Member Ewing, seconded by Mayor Pro Tem Williams, that this Economic Development Agreement between the City of High Point and the Convention & Visitors Bureau be approved. The motion carried by the following 9-0 unanimous vote:

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

2018-155 **Presentation of the Proposed 2018-2019 City of High Point Annual Budget**

The proposed 2018-2019 City of High Point Annual Budget will be presented to City Council and Council is requested to establish the date of Monday, May 21, 2017 at 5:30 p.m. to receive public comments on the proposed budget; and establish Thursday, May 10th - 9:00 a.m. - 12:00 p.m. and Friday, May 11th - 9:00 a.m. - 12:00 p.m. as budget work sessions for City Council.

Eric Olmedo, Budget & Administrative Director, advised the proposed FY 2018-2019 Budget was built using the policy goals and strategic initiatives set by Council and strives to maintain current service levels. On the revenue side, a lot of things are staying the same. It continues the current tax rate of 64.75 cents; no electric rate increase; no garbage fee increase, no stormwater increase, no motor vehicle fee increase. It does include a 3% water/sewer rate increase effective October 1, 2018 in keeping with the long range financial plan that we have developed with Davenport & Company to fund necessary investments and infrastructure.

Mr. Olmedo pointed out the proposed rate increases keep the costs close to the median of the 315 utility systems statewide that the Environmental Finance Center benchmarks against. With the proposed 3% water/sewer rate increase, an average 5,000 gallon water/sewer bill would be $75.48, which is very close to the median.

The following are also included in the budget:

- ✓ *Four full-time positions citywide and upgrades to one position*
- ✓ *Continues the third year of the 3% pay for performance program.*
- ✓ *Includes a 1% contribution from the city for a 401K/457 match.*
- ✓ *Anticipates a 5% increase in health and dental insurance.*
- ✓ *Includes a second-year commitment with Guilford County to fund the Family Justice Center currently under construction.*
- ✓ *Increases the city's utility assistance program*
- ✓ *Acquisition and renovation of a police headquarters building at an estimated cost of $10 million and anticipates that the city will sell two-thirds bonds for $6.6 million to start the funding process for this.*
- ✓ *Increases the investment in the Core City Redevelopment programs.*
- ✓ *Continues annual Street resurfacing at $2.45 million.*
- ✓ *Continues the city's partnership with Forward High Point.*
- ✓ *Continues a multi-year replacement plan which will include lease purchase of a ladder truck and a pumper truck for $2.1 million.*
- ✓ *Anticipates replacing $6.6 million in vehicles and large equipment.*
- ✓ *Replaces one transit bus (90% will be paid by state and federal funds).*
- ✓ Includes some renovation of the Transit offices (a 90% grant was secured for this).

The PAYGO (cash-funded projects) portion of the budget will include capital projects such as:

- ✓ Street resurfacing program;
- ✓ Renovations to some of the older fire stations;
- ✓ Deferred maintenance program for Parks & Recreation ($500,000 has been allocated over the last two years for paving City Lake Park and some of the other larger parks. The proposed budget includes about $200,000 for paving, and addresses some of the older playgrounds and facilities within the parks).
- ✓ Improvements at the Mendenhall Terminal that are necessary for upgrading signage and other infrastructure.
- ✓ Includes about $290,000 in NCDOT matching funds (for the Eastchester/I-74 Interchange and Skeet Club Road).
- ✓ Includes $150,000 for a second phase of funding for traffic services building.
- ✓ Includes $250,000 for the Enterprise Resource Planning (ERP) system upgrade.
- ✓ Includes $100,000 for an electric system upgrade for City Hall.
- ✓ Includes $150,000 for some smaller projects.

Mr. Olmedo reported that other PAYGO within the Water/Sewer Fund, Electric Fund, and Landfill are funded on an annual basis because of the infrastructure needs that have to be addressed. Approximately $2.9 million is included in the proposed budget for PAYGO stormwater projects.

A Budget Review Session has been scheduled for Thursday, May 10th from 9:00 to Noon, and a time set aside for Friday, May 11th if needed. The public hearing on the budget will be held on Monday, May 21st at 5:30 p.m., and another scheduled work session, if needed, on Wednesday, May 30th. Staff will place copies of the FY 2018-2019 Proposed Budget at the City Hall and the Library for the public to view. Council Member Ewing asked about the possibility of putting a copy at the Deep River Recreation Center as well. Mr. Olmedo agreed and advised that he would place a copy at all the Recreation Centers throughout the city.

Mayor Wagner asked Mr. Olmedo to explain the PAYGO policy for capital projects and what the 3% water/sewer rate increase is for. Mr. Olmedo explained a study was done in 2004 when the Revenue Bond Program was created that anticipated a 4-6% annual rate increase to pay for the plan because of the known massive amount of infrastructure from previous years of deferred maintenance that was not addressed properly. The work with Davenport was able to project out how much infrastructure was needed and this has been manageable with the recommended 4-6% rate increase. He noted they have been able to lower this and even enjoyed a couple of years with no rate increase. The Mayor added that prior to 2004, the city was getting some hefty fines by the State for sewage spills because of the poor infrastructure and enormous amount of deferred maintenance on the infrastructure. He noted that there has also been some refinancing opportunities for the bonds over time and this has also enabled the lower rates. Mr. Olmedo clarified that the city has been able to take advantage of refinancing some of the bonds and also mentioned that staff has had to adjust the budget due to ever changing federal mandates, especially on the wastewater side.

Acknowledgement that the Proposed FY 2018-2019 Budget was presented to the Council and established the following dates relative to the proposed budget:

- *May 10, 2018 from 9:00 a.m. to 12 Noon- Budget Review*
- *May 11, 2018 from 9:00 a.m. to 12 Noon- Budget Review (if needed)*
- *May 21, 2018 @ 5:30 p.m. Public Hearing*

A motion was made by Council Member Moore, seconded by Council Member Jones, to acknowledge receipt of the 2018-2019 Annual Budget and establish these dates relative to the proposed budget. The motion carried by the following 9-0 unanimous vote:

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

2018-156 **<u>Reappointment - Boards & Commissions - Guilford County Historic Preservation Commission</u>**

City Council is requested to confirm the reappointment of Christian Thoma to the Guilford County Historic Preservation Commission. Appointment will be effective immediately and will expire April 1, 2021.

Approved the reappointment of Christian Thoma to the Guilford County Historic Preservation Commission (GCHPC).

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

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

2018-157 **Appointment - Boards & Commissions - Human Relations Commission**

Council Member Jason Ewing is requesting the approval of the appointment of Esther Idassi to the Human Relations Commission as the Ward 6 appointment. Appointment will be effective immediately and will expire November 1, 2020.

Approved the appointment of Esther Idassi to the Human Relations Commission.

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

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

2018-160 **Reappointments - Citizens Advisory Council (CAC)**

Council is requested to confirm the reappointment of Jim Bronnert (Council Member Moore's At-Large appointment); Elizabeth Dennis (Council Member Jones' Ward 5 appointment); and Jerry Mingo (Council Member Scarborough's At-Large appointment) to the Citizens Advisory Council (CAC). Appointments to be effective May 31, 2018 and will expire May 31, 2021.

Approved the reappointment of Elizabeth Dennis, Jerry Mingo, and Jim Bronnert to the Citizens Advisory Council.

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

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

2018-158 **Minutes to Be Approved**

1. Special Meeting (Departmental Presentations); Wednesday, March 28th @ 3:30 p.m.
2. Finance Committee Meeting; Thursday, March 29th @ 4:00 p.m.
3. Manager's Briefing; Monday, April 2nd @ 4:00 p.m.
4. Regular Meeting of Council; Monday, April 2nd @ 5:30 p.m.
5. Community Housing, Neighborhood Development & Public Safety Committee; Tuesday, April 3rd @ 10:00 a.m.
6. Prosperity & Livability Committee; Wednesday, April 4th @ 9:00 a.m.
7. Special Meeting (Departmental Presentations); Wednesday, April 11th @ 3:30 p.m.
8. Special Meeting (EDC Public Hearing/Departmental Presentations); Wednesday, April 18th @ 3:00 p.m.
9. Special Meeting (Departmental Presentations); Wednesday, April 25th @ 3:30 p.m.

10. Special Meeting of Finance Committee; Thursday, April 26th @ 8:00 a.m.

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

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

ADJOURNMENT

Prior to adjournment, Jim Morgan asked Council to reconsider the previous vote to send the Arts Council matter to the Prosperity & Livability Committee due to the short time period the Arts Council would have to raise the money for the match. He pleaded with the Council to move forward with action on the item. [further discussion is included in Matter 2018-100 above]

There being no further business to come before Council, the meeting adjourned at 7:51 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
Jay W. Wagner, Mayor

Attest:

_____
Lisa B. Vierling, MMC
City Clerk

DRAFT

CITY OF HIGH POINT
AGENDA ITEM

Title: Centennial Street Bridge Deck Preservation

From: Terry Houk – Public Services Director
Robby Stone – Public Services Asst. Director
Trevor Spencer – Projects Engineer

Meeting Date: May 21, 2018

Public Hearing: N/A

Advertising Date: March 29, 2018
Advertised By: Purchasing

Attachments: Attachment A – Bid Tabulation

PURPOSE:
The City has budgeted for deck preservation repairs on the Centennial Street Bridge over Oak Hollow Lake.

BACKGROUND:
The existing bridge deck on the Centennial Street Bridge over Oak Hollow Lake requires preservation repairs due to structural deficiencies. A Structure Safety Report was performed by NCDOT in February 2018, which revealed priority maintenance be required to address concrete failures and exposed reinforcing steel in the bridge deck surface. The project will involve removal of the top 2 inches of concrete deck using hydro-demolition methods. The reinforcing steel will be repaired prior to pouring the new concrete deck surface using latex modified concrete.

BUDGET IMPACT:
Funds for this project are available in 2017-2018 budget.

RECOMMENDATION / ACTION REQUESTED:
The Public Services Department recommends City Council to award contract to Cleco Construction Corp. in the amount of $454,320.60, and that the appropriate City official be authorized to execute all necessary documents.

Rebar exposure and concrete section loss are prevalent in existing bridge deck in northbound and southbound lanes

FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL

DEPARTMENT: Public Services

COUNCIL AGENDA DATE: May 21, 2018

BID NO.: 48-050218 CONTRACT NO.: DATE OPENED: 5/2/2018

DESCRIPTION:

Centennial Street Bridge Deck Preservation

PURPOSE:

The City has budgeted for deck preservation repairs on the Centennial Street Bridge over Oak Hollow Lake.

COMMENTS:

A Structure Safety Report was performed by NCDOT in February 2018, which revealed priority maintenance be required to address concrete failures and exposed reinforcing steel in the bridge deck surface.

RECOMMEND AWARD TO: Cleco Construction Corp. AMOUNT: 454,320.60

JUSTIFICATION:

At the May 2nd bid opening, Cleco Construction Corp. was the low bidder of the three (3) qualified bidders that submitted a bid.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
401710	533701	401141022905	40202	454,320.60
TOTAL BUDGETED AMOUNT				454,320.60

DEPARTMENT HEAD: Terry Houk — Digitally signed by Terry Houk DN: cn=Terry Houk, o=City of High Point, ou=Public Services, email=terry.houk@highpointnc.gov, c=US Date: 2018.05.09 16:13:41 -04'00' DATE: May 9, 2018

The Purchasing Division concurs with recommendation submitted by the Public Services and recommends award to the lowest responsible, responsive bidder Cleco Construction Corp. in the amount of $ 454,320.60.

PURCHASING MANAGER: Erik Conti — Digitally signed by Erik Conti DN: cn=Erik Conti, o, ou, email=erik.conti@highpointnc.gov, c=US Date: 2018.05.10 07:47:35 -04'00' DATE: May 10, 2018

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: Jeffrey A. Moore — Digitally signed by Jeffrey A. Moore DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=jeff.moore@highpointnc.gov, c=US Date: 2018.05.10 16:58:42 -04'00' DATE: May 10, 2018

CITY MANAGER: Greg Demko — Digitally signed by Greg Demko DN: cn=Greg Demko, o=High Point, ou=High Point, email=greg.demko@highpointnc.gov, c=US Date: 2018.05.10 17:06:52 -04'00' DATE: May 10, 2018

Bid Tabulation

City of High Point, North Carolina
Centennial Street Bridge Deck Preservation
Bid 48-050218 / Wednesday, 05/2/18 2:00 PM

Contractor	Addendum	Bid Bond	Proposal Form	MWBE Forms	Total Bid
Sloan Construction	Yes	Yes	Yes	Yes	$561,546.10
Lanford Brothers Co. Inc.	Yes	Yes	Yes	Yes	$575,298.10
Cleco Construction Corp.	Yes	Yes	Yes	Yes	$454,320.60

CITY OF HIGH POINT
AGENDA ITEM

Title: **Text Amendment 18-03 (TA-18-03)**
(City of High Point)

From: Lee Burnette, Planning & Development Director

Meeting Date: May 21, 2018

Public Hearing: Yes

Advertising Date: May 9, 2018, and May 16, 2018

Advertised By: Planning & Development

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

PURPOSE:
A request by the Planning and Development Department to amend various sections of the City of High Point Development Ordinance regarding the following:

a) Establishing quasi-judicial hearing procedures for the Historic Preservation Commission;
b) Updating design standards in the Employment Center (EC) zoning district and the Gateway Corridor Overlay (GCO) district, and for Corner Retail and Large Retail development types;
c) Amending dimensional tables in the Agricultural/Rural (AGR), Residential Single Family-3 (R-3), Residential Single Family-5 (R-5), Residential Single Family-7 (R-7), Main Street (MS), Mixed-Use Washington Street (MX-W), and Mixed-Use Downtown (MX-D) zoning districts regarding perimeter setback;
d) Adding the Assembly (major and minor) and Cultural Facility (major and minor) use types as permitted principal uses in the Light Industrial (LI) zoning district in the Core City;
e) Adding or amending adaptive reuse provisions for certain use types in the Light Industrial (LI) zoning district in the Core City;
f) Clarifying an off-street parking exemption for reuse of an historic structure;
g) Correcting errors in Table 5.5.11.B, Perimeter Landscape Yard Types; and,
h) Replacing “dimensional requirements” with “dimensional standards” in various ordinance sections.

BACKGROUND:
The staff report and the Planning & Zoning Commission’s recommendation are enclosed.

BUDGET IMPACT:
There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff recommended ***approval*** of this request, as outlined in the attached staff report.

B. On April 24, 2018, a public hearing was held before the Planning and Zoning Commission regarding Text Amendment 18-03. The Planning & Zoning Commission recommended ***approval*** of this request, as outlined in the staff report and recommended by staff, by a vote of 8-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point Text Amendment 18-03 (TA-18-03)

At its April 24, 2018 public hearing, the Planning and Zoning Commission reviewed this request for amendments to the Development Ordinance. All members of the Commission were present, except for Mr. Andrew Putnam. Mr. Robert Robbins, Development Administrator, presented the text amendment case and recommended approval of the request as outlined in the staff report.

Speaking in favor of the request:

Speaking in favor of the request, on behalf of the Triad Real Estate and Business Industry (TREBIC), was Ms. Judy Stalder, 115 S. Westgate Street. Greensboro, N.C. Ms. Stalder stated that TREBIC has reviewed the proposed text amendment with staff and noted that TREBIC feels that the text amendment enhances the ordinance.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

Consistency Statement

The Commission stated that the requested miscellaneous amendments are consistent with the city's adopted plan and the objectives of the Development Ordinance in that they; make the Ordinance more user-friendly, adds flexibility, adds clarity to the wording and intent of various provisions, and supports mixed use development.

Reasonableness Statement

The Commission stated that the request is reasonable and in the public interest as the proposed amendments continue to pursue making the Development Ordinance error free, easier to read and understand, more consistent in its use of language and formatting, and more supportive of the City's adopted policy guidance.

The Planning & Zoning Commission ***adopted these statements*** by a vote of 8-0.

Text Amendment

The Commission recommended ***approval*** of Text Amendment 18-03 as recommended by staff, by a vote of 8-0.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT

STAFF REPORT
TEXT AMENDMENT CASE TA-18-03
April 24, 2018

Request	
Applicant: City of High Point	**Affected Ordinance Sections:** Table 2.1.2, *Summary Development Review Table* Table 2.3.6, *Public Notification Timing Requirements* Section 2.4, *Review Procedures Subject to Decision-Making Body Review and Decision* Section 3.4.10, *Employment Center (EC)* Section 3.8.7, *Gateway Corridor Overlay* Section 5.14.3, *Corner Retail* Section 5.14.4, *Large Retail* Section 3.5.2, *Agricultural/Rural (AGR)* Section 3.3.2, *Residential Single-Family -3 (R-3)* Section 3.3.3, *Residential Single-Family -5 (R-5)* Section 3.3.4, *Residential Single-Family -7 (R-7)* Section 3.5.6, *Main Street (MS)* Section 3.5.7, *Specific Standards for the MX-W District* Table 3.5.7.E, *Dimensional Requirements in the MX-D District* Table 4.1.9, *Principal Use Table* Section 4.3, *Use Standards* Section 5.4.3, *Exemptions* (Off-street parking) Table 5.5.11.B, *Perimeter Landscape Yard Types* Section 3.8.8, *Local Historic Overlay* Section 7.1.6, *Subdivision Standards* Section 8.3, *Nonconforming Structures* Section 8.4, *Nonconforming Lots of Record* Section 10.4, *Definitions*
Proposal: A request by the Planning and Development Department to amend various sections of the City of High Point Development Ordinance regarding the following: **a)** Establishing quasi-judicial hearing procedures for the Historic Preservation Commission; **b)** Updating design standards in the Employment Center (EC) zoning district and the Gateway Corridor Overlay (GCO) district, and for Corner Retail and Large Retail development types; **c)** Amending dimensional tables in the Agricultural/Rural (AGR), Residential Single Family-3 (R-3), Residential Single Family-5 (R-5), Residential Single Family-7 (R-7), Main Street (MS), Mixed-Use Washington Street (MX-W), and Mixed-Use Downtown (MX-D) zoning districts regarding perimeter setback; **d)** Adding the Assembly (major and minor) and Cultural Facility (major and minor) use types as permitted principal uses in the Light Industrial (LI) zoning district in the Core City; **e)** Adding or amending adaptive reuse provisions for certain use types in the Light Industrial (LI) zoning district in the Core City; **f)** Clarifying an off-street parking exemption for reuse of an historic structure; **g)** Correcting errors in Table 5.5.11.B, Perimeter Landscape Yard Types; and, **h)** Replacing “dimensional requirements” with “dimensional standards” in various ordinance sections.	

Background

The Development Ordinance was adopted on May 16, 2016 and went into effect on January 1, 2017. On January 17, 2017, City Council approved the first set of text amendments to correct errors and omissions and address some changes in City policy. A second set of text amendments, correcting additional errors and omissions and removing the street design standards from the Ordinance so they may be placed in a design manual to allow for added flexibility, received approval on April 3, 2017. A third set of text amendments was approved on November 20, 2017, which focused on the clarification, consolidation and standardization of wording in several sections of the Ordinance, and correcting another group of errors and omissions. Now, a fourth miscellaneous amendment is proposed which addresses various items (See the listing in the Proposal section of this report).

Details of Proposal

The following is a brief summary of the proposed amendments.

- **Section 1.** The changes in Section 1 of the amendment establish a quasi-judicial review procedure for consideration of Certificate of Appropriateness (COA) applications by the Historic Preservation Commission. This move is in line with proposed legislation in the General Assembly that will require quasi-judicial hearings, which most preservation commissions across the state are already using, and which the UNC School of Government recommends.
- **Section 2.** This section brings the building design standards in the Employment Center (EC) and Gateway Corridor Overlay (GCO) zoning districts, and those in the Corner Retail and Large Retail development types, closer to the language of the standards in the Main Street (MS) district, the recently established Mixed-Use Downtown (MX-D) district and the recently amended Central Business (CB) district.
- **Section 3.** The Development Ordinance establishes a perimeter setback requirement for multi-family and non-residential uses in most zoning districts rather than individual side and rear setbacks. However, this was not the case for multi-family or non-residential uses in the AGR, R-3, R-5, and R-7 districts, and in the MS, MX-W and MX-D districts the term “perimeter” was not used. The changes proposed in Section 3 will remedy this inconsistency so that the term “perimeter setback” is common to all districts for multi-family and non-residential uses.
- **Section 4.** For purposes of encouraging adaptive reuse of former industrial properties in the Core City area, the principal use table (Table 4.1.9.) is proposed to be amended to add the Assembly, major and minor, and Cultural Facility, major and minor, use types to the Light Industrial district. The addition of the ‘*’ to the right of the ‘P’ signifies that the use type is permitted only within the Core City area. The assembly use type includes such uses as meeting facilities, banquet halls, conference centers, dinner theaters and private clubs or lodges. Cultural facilities include community centers, libraries, museums, art galleries and uses that provide education, training, or resources of a public, non-profit or charitable nature.

- **Section 5.** This section rewrites the opening paragraph of Section 4.3. Use Standards for clarification and amends the individual use standards for the Multi-Family Dwelling, Assembly (Major and Minor), Cultural Facility (Major and Minor), Personal Services Establishment (Major), and Retail Sales Establishment (Major and Minor) use types regarding standards applicable in the LI district for Core City properties. These new standards relate to adaptive reuse of existing buildings in the district.
- **Section 6.** Historic properties, often having been constructed in a time before the automobile existed or became a common means of transportation, are not on sites large enough to accommodate off-street parking as is required today. The Development Ordinance contains an exemption from the parking requirements, and the proposed amendment clarifies that the property must be on the North Carolina National Register Advisory Committee's Study List in order to qualify for the exemption.
- **Section 7.** The plant material specifications in Section 5.5.6. of the Development Ordinance set minimum size requirements for canopy and understory trees and for shrubs. This section also sets the percentage of shrubs that must be evergreen according to landscape yard type. Table 5.5.11.B. incorrectly indicates that all shrubs must be evergreen in Type B, C, and D landscape yards. The table has been amended so that it coincides with Section 5.5.6.
- **Section 8.** Staff continues to strive for consistency and uniformity in the text of the Development Ordinance, including terminology. The term "dimensional standards" is preferred over the term "dimensional requirements", and this section of the amendment includes several instances where it was determined a change from "dimensional requirements" to "dimensional standards" is needed.

Analysis

As the new Development Ordinance is used, staff is continuing to identify errors and omissions and the need for clarification of wording and intent. The proposed changes in Sections 6, 7, and 8 of this amendment can be described as correcting or clarifying text. The changes in Section 2, while substantive to the affected Ordinance sections, are really meant to create more consistent formatting and wording with regard to design standards that are applicable to several zoning districts. And the changes proposed in Section 3 are meant to establish consistency in the use of a perimeter setback provision for single-family attached, multi-family and nonresidential uses in all zoning districts where they are permitted.

The changes in Sections 1,4, and 5 of this amendment are substantive, in that they add to or change existing regulations. The Section 4 and 5 amendments will continue to encourage the reuse of some of the City's old industrial properties in the Core City area by allowing certain non-industrial (residential, civic and retail) use types in adaptive reuse projects, thereby providing additional flexibility. In Section 1, the review process change to a quasi-judicial procedure is significant, and will provide a better framework for documenting and relating COA decisions to required findings.

Consistency with Adopted Plans:
The proposed text amendments are appropriate and are consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

These miscellaneous amendments are consistent with the City's adopted plans and the objectives of the Development Ordinance in that they; make the Ordinance more user-friendly and flexible, add clarity to the wording and intent of various provisions, and support mixed use development.

Reasonableness/Public Interest:
An approval of the proposed text amendments is considered reasonable and in the public interest.

The proposed amendments continue to pursue making the Development Ordinance error free, easier to read and understand, more consistent in its use of language and formatting, and more supportive of the City's adopted policy guidance.

Recommendation

Staff recommends approval.

Required Action

Planning and Zoning Commission:

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

City Council:

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

Report Preparation

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

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE

WHEREAS, the City Council of the City of High Point adopted the "City of High Point Development Ordinance" on May 16, 2016, with an effective date of January 1, 2017, and subsequently amended; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on April 24, 2018 and before the City Council on May 21, 2018 regarding **Text Amendment 18-03;** and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on ########### for the Planning and Zoning Commission public hearing and on ########### and ########### for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina.

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

SECTION 1. *(Regarding establishing quasi-judicial hearing procedures for the HPC)*

Part A.

Table 2.1.2, *Summary Development Review Table*, is hereby amended as follows:

TABLE 2.1.2: SUMMARY DEVELOPMENT REVIEW TABLE
Pre-application Conference & Citizen Information Meeting: M = Mandatory O = Optional Type of Action: C = Comment R = Recommendation D = Decision A = Appeal
Type of Hearing: { } = Public Hearing [ ] = Quasi-Judicial Public Hearing Table symbols: "·" = not applicable / / = see notes

Procedure	Section Reference	Pre-application Conference	Citizen Information Meeting	Review Authorities							
				Staff				Decision-Making Bodies			
				Planning and Development Director	Engineering Services Director	Technical Review Committee (TRC)	Urban Forestry Committee (UFC)	Historic Preservation Commission (HPC)	Planning & Zoning Commission (P&Z)	City Council	Board of Adjustment (BOA)
Certificate of Appropriateness	2.4.4	O	·	R	·	·	·	~~{D}~~ **[D]**	·	·	[A]

Part B.

Table 2.3.6, *Public Notification Timing Requirements*, is hereby amended as follows:

TABLE 2.3.6: PUBLIC NOTIFICATION TIMING REQUIREMENTS				
APPLICATION TYPE	DECISION-MAKING BODY REVIEW	TYPES OF REQUIRED PUBLIC NOTICE		
		PUBLISHED NOTICE	MAILED NOTICE	POSTED NOTICE
Certificate of Appropriateness	HPC	~~–~~X [1]	X ~~[4]~~ [2]	~~–~~X [3]

Part C.

Section 2.4, *Review Procedures Subject to Decision-Making Body Review and Decision,* Subsection C, *Certificate of Appropriateness Procedure* is hereby amended as follows:

5. HPC Review and Decision

(a) Applicable (See Section 2.3.9, Action by Decision-Making Body**, and Section 2.3.7, Quasi-Judicial Public Hearing Procedures**).

~~**(b) The HPC shall consider the application, relevant support materials, the staff report, and testimony or evidence given at the public hearing (if one is conducted), and make one of the following decision, based on the standards in Section 2.4.4.D, Certificate of Appropriateness Review Standards:**~~

~~**(1) Approval of the certificate of appropriateness in part or as submitted;**~~

~~**(2) Approval of the certificate of appropriateness subject to conditions of approval; or**~~

~~**(3) Denial of the certificate of appropriateness in part or as submitted. The HPC shall not deny an application except for the purpose of preventing the construction, reconstruction, alteration, restoration, or moving of buildings, appurtenant features, or signs that are incompatible with the *Design Review Guidelines – Historic Districts High Point, North Carolina.***~~

(b) The HPC, after the conclusion of a quasi-judicial public hearing, shall decide the application for a certificate of appropriateness.

(c) The decision shall be based on the competent, material, and substantial evidence in the record, as supplemented by the

arguments presented at the quasi-judicial hearing, and the standards in Section 2.4.4.D, Certificate of Appropriateness Review Standards

(d) The decision shall be one of the following:

(1) Approval of the certificate of appropriateness in part, or as submitted;

(2) Approval of the certificate of appropriateness subject to conditions or revisions; or

(3) Denial of the certificate of appropriateness in part, or as submitted. The HPC shall not deny an application except for the purpose of preventing the construction, reconstruction, alteration, restoration, or moving of buildings, appurtenant features, or signs that are incompatible with the *High Point Design Guidelines*.

(e) Each decision shall be made in writing and reflect the HPC's determination of contested facts and their application to the standards in this Ordinance.

(f) The written decision shall be signed by the Chair or other duly authorized member of the HPC.

(g) The decision of the HPC shall be effective upon the filing of the written decision.

6. Notification of Decision

The decision of the HPC shall be delivered by personal service, electronic mail, or by first class mail to the applicant, the landowner, and to any person who has submitted a written request for a copy prior to the date the decision becomes effective. The person providing notification of decision shall certify that proper notification has been made.

Part D.

Section 2.4.15, *Variance*, Subsection C, *Variance Procedure*, shall be amended as follows:

5. HPC Review and Recommendation

(a) *(No changes to text)*

(b) If the application is for land located within a LHO district, the HPC, following a ~~**public**~~ meeting, shall provide a recommendation on the application to the

BOA. The BOA shall not make a decision on an application until they receive a recommendation from the HPC.

SECTION 2. *(Regarding the updating of design standards in EC, GCO, Corner Retail and Large Retail to be closer to the language of the MS, MX and CB standards)*

Part A.

Section 3.4.10, Employment Center (EC), of the City of High Point Development Ordinance is hereby amended as follows:

Section 3.4.10.G.1. *Site Standards* is amended as follows:

(a) Building Orientation
Single-building developments shall be oriented so that the ~~**primary**~~ **front** facade faces the street from which the building derives its street address.

Section 3.4.10.G.2. *Building Standards* is amended as follows:

2. Building Standards
The following standards are applied to **all multi-family residential and** nonresidential buildings**, except for locally or nationally designated individual historic structures and contributing structures within a locally or nationally designated historic district, provided such structures comply with the Secretary of Interior's Standards for Rehabilitation or are issued a Certificate of Appropriateness, as applicable.**

(a) ~~**Facades**~~ **Articulation**

(1) Building facades facing a public street shall include at least 2 or more of the following features:

(i) Windows or fenestration;

(ii) Changes in wall plane (such as projections or recesses) with an offset or depth of at least 1 foot;

(iii) Roofline changes, coupled with correspondingly aligned wall offset or facade material changes, changes in the roof planes, or changes in the height of a parapet wall;

(iv) Use of columns, pilasters, piers, architectural boxing, or other technique to break the facade into different volumes;

(v) Inclusion of eaves or overhangs; **or**

~~**(vi) Use of brick, stone, or glass as primary materials; or**~~

~~**(vii)**~~ **(vi)** Inclusion of an entryway with a roof form that differs from the rest of the facade.

(b) **Facade** Materials

(1) Exterior building materials should be continued to the finished grade on any elevation.

(2) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets **as seen from the public right-of-way at a height of 6 feet**.

(3) The use of vinyl siding or corrugated metal siding **and other vertical metal siding** is prohibited.

(4) The use of high intensity **(bright)**, metallic, or fluorescent colors ~~**(such as but not limited to neon or vivid colors)**~~ **shall be limited to facade trim or accents and total less than 20% of the area of any building façade.** ~~**on any building facade is prohibited.**~~

(5) Primary facade materials ~~**shall**~~ **should** not change at outside corners, and ~~**shall**~~ **should** continue around the corner to a logical point of conclusion such as a window or change in facade plane.

(c) Roof-Mounted Equipment

(1) Flat roofs shall incorporate parapet walls ~~**with 3-dimensional cornice treatments**~~ designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building~~**, to the maximum extent practicable. All parapet walls visible from a street shall be finished and be the same or similar in color and material to the building**~~ **and any abutting side streets as seen from the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building**.

(2) For sloped roofs, ~~**roof-mounted**~~ equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the ~~**street or existing residential uses**~~ **public right-of-way at a height of 6 feet**.

(3) In cases where complete screening is not practicable, all roof- mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.

(4) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~**permitted as an alternative to the roof forms described in this subsection**~~ **exempt from the screening requirements described in this subsection**.

Part B.

Section 3.8.7, Gateway Corridor Overlay, of the City of High Point Development Ordinance is hereby amended as follows:

Section 3.8.7.E, *General Standards*, is amended as follows:

2. Outdoor advertising **signs** ~~**is**~~ **are** prohibited in the GCO.

Section 3.8.7.F.3, *Minimum Building Setbacks*, is amended as follows:

3. Minimum Building Setbacks

Lots within the Eastchester GCO shall be subject to minimum building setbacks from Eastchester ~~**/ N.C. Highway 68**~~ **Drive** in accordance with the standards in Table 3.8.7.F.3, Minimum Building Setbacks. The minimum building setback may be reduced to the average streetyard width, in accordance with Table 3.8.7.F.5 Eastchester GCO Landscaping Standards, when off-street parking areas are not located between the front building line and Eastchester Drive and the building facades facing a public street include ~~**at least 2 or more of the following features:**~~

~~**(a)**~~ ~~**W**~~**w**indows or fenestration~~**;**~~**, and the**

~~**(b) Changes in wall plane (such as projections or recesses) with an offset or depth of at least 1 foot;**~~

~~**(c) Roofline changes, coupled with correspondingly aligned wall offset or facade material changes, changes in the roof planes, or changes in the height of a parapet wall;**~~

~~**(d) Use of columns, pilasters, piers, architectural boxing, or other technique to break the facade into different volumes;**~~

~~**(e) Inclusion of eaves or overhangs;**~~ **or**

~~**(f) Use of brick, stone, or glass as primary materials; or**~~

~~**(g)**~~ ~~**I**~~**i**nclusion of an entryway with a roof form that differs from the rest of the facade.

Ground-based mechanical equipment shall not be placed between the front building line and Eastchester Drive.

TABLE 3.8.7.F.3, MINIMUM BUILDING SETBACKS	
STREET SEGMENT OF EASTCHESTER DRIVE ~~**/ N.C. HIGHWAY 68**~~	**MINIMUM BUILDING SETBACK FROM**
North Main Street North to Johnson Street	50
Johnson Street North to Penny Road	50
Penny Road North to Gallimore Dairy Road	75

Section 3.8.7.F.4, *Site Standards* is hereby amended as follows:

(d) Off-Street Loading

Off-street loading areas shall be located to the side or rear of the principal building and shall not face Eastchester **Drive**.

Section 3.8.7.F.7, *Building Standards,* is amended as follows:

7. Building Standards

The following standards are applied to all multi-family residential and nonresidential buildings**, except for locally or nationally designated individual historic structures and contributing structures within a locally or nationally designated historic district, provided such structures comply with the Secretary of Interior's Standards for Rehabilitation or are issued a Certificate of Appropriateness, as applicable.**

(a) Façade Materials

(1) Exterior building materials should be continued to the finished grade on any elevation.

(2) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets as seen from the public right-of-way at a height of 6 feet.

(3) The use of vinyl siding or corrugated metal siding and other vertical metal siding is prohibited.

(4) The use of high intensity (bright), metallic, or fluorescent colors shall be limited to facade trim or accents and total less than 20% of the area of any building façade.

(5) The use of lighting by direct illumination to outline or accentuate all or part of a structure, building or architectural features of a building, including but not limited to rooflines, windows, doors, cupolas, exterior walls, porches, canopies and awnings, with narrow band, strip, tube or other methods of lighting, is prohibited.

(6) Primary facade materials should not change at outside corners, and should continue around the corner to a logical point of conclusion such as a window or change in facade plane.

~~(a)~~(b)Roof-Mounted Equipment

(1) Flat roofs shall incorporate parapet walls **~~with 3-dimensional cornice treatments~~** designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building**~~, to the maximum extent practicable. All parapet walls visible from a street shall be finished and be the same or similar in color and material to the~~**

~~**building**~~ **and any abutting side streets as seen from the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building**.

(2) For sloped roofs, ~~**roof-mounted**~~ equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the ~~**street or existing residential uses**~~ **public right-of-way at a height of 6 feet**.

(3) In cases where complete screening is not practicable, all roof- mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.

(4) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~**permitted as an alternative to the roof forms described in this subsection**~~ **exempt from the screening requirements described in this subsection**.

~~**(c) Building Siding**~~

~~**Metal and vertical sided buildings, which include but are not limited to buildings sided with vinyl and Masonite, and which are visible from the Eastchester Drive right-of-way, are prohibited unless architectural building plans and elevations are submitted to the City Council for review and approval based on the following criteria:**~~

~~**(1) A minimum of 50 percent of each wall elevation mass shall be a non-metal/ vertical siding material; and horizontal runs shall have a vertical break in building materials.**~~

~~**(2) The color(s) of the metal/vertical siding shall be complementary with the color of non-metal/vertical siding materials used on the building.**~~

~~**(3) Metal/vertical siding shall be used in a manner which maintains the architectural unity and integrity of the entire building.**~~

~~**(4) In a multi-building development, metal/vertical sided buildings shall utilize a uniform architectural theme with other buildings on the site, and shall be designed to create a harmonious style through consideration of scale, proportion, detail, materials, color and site planning.**~~

~~**(5) Corrugated and/or sheet metal are prohibited.**~~

~~**(b)**~~**(c) Service or Vehicular Bays**

Service or vehicular bays and their doors shall not face Eastchester **Drive**, to the maximum extent practicable. ~~**Public safety facilities are exempt from this requirement.**~~

(d) Statement of Design Guidelines

(No changes to text)

Part C.

Section 5.14.3, Corner Retail, of the City of High Point Development Ordinance is hereby amended as follows:

Section 5.14.3.C, *Standards*, is amended to add a new **(a)** as follows:

5. Site ~~Configuration Requirements~~ Standards

(a) Drive-Throughs

Drive-through lanes and windows are prohibited.

Subsections **(a)** through **(e)** shall be re-lettered as **(b)** through **(f)**

6. Building ~~Configuration Requirements~~ Standards

~~(a) Drive-Throughs~~

~~Drive-throughs are prohibited.~~

~~(b)~~(a)Facade Transparency

(1) The ~~F~~front building facades facing a street shall maintain non-reflective, transparent windows on at least 50 percent of the facade area between 2 and 8 feet above average grade.

(2) Ground level side facades facing a street shall maintain non-reflective, transparent windows on at least 40 percent of the facade area between 2 and 8 feet of the floor.

~~(2)~~(3) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area **per floor as measured between 2 and 8 feet**.

~~(c)~~(b)Awnings or Overhangs

(No changes to text)

Part D.

Section 5.14.4, Large Retail, of the City of High Point Development Ordinance is hereby amended as follows:

Section 5.14.4.B.1, *General,* is amended as follows:

(d) Within developments with multiple buildings, building heights shall be varied to avoid the appearance of an elongated building mass. This can be achieved by stair-stepping building heights or by varying roof forms.

Section 5.14.4.B.3, *Building Standards*, is amended as follows:

3. Building Standards

(a) Facade Articulation

Walls requiring articulation must use 2 or more of the following features:

(1) Recessed **entryways** ~~**or display windows**~~;

(2) Display windows

(3) Window indentations ~~**that incorporate different building material, texture, or color**~~ **(such as but not limited to double-hung, stationary, or casement windows) that are regularly spaced and that incorporate a differing building material, texture, color, awnings, window hoods, or canopies. This shall not include a glass curtain wall or flush mounted glass**;

~~**(4) Awnings, canopies, arcades, or overhangs with a minimum projection of 4 feet from the building wall along with an awning or overhang;**~~

~~**(2)**~~**(4)Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of 4 inches;**

(5) ~~**Use of c**~~**Columns**, pilasters, piers, architectural boxing, or other technique to break the facade into different volumes;

(6) Textured materials **(such as but not limited to brick or stone)**;

(7) *(No change to text)*

(8) *(No change to text)*

(b) Facade Materials

(1) Where 2 or more materials are proposed to be combined on a facade, the heavier and more massive elements should be located below the lighter elements (e.g., brick shall be located below stucco). Heavier materials ~~**can**~~ **may** also be placed as a detail on the corner of a building or along cornices or windows.

(2) Primary facade materials ~~**shall**~~ **should** not change at outside corners, and ~~**shall**~~ **should** continue around the corner to a logical point of conclusion such as a window or change in facade plane.

~~**(3) The following materials shall be prohibited:**~~

~~**(i) Corrugated metal siding; and**~~

~~**(ii) Exposed smooth-finished concrete block;**~~

(3) Exterior building materials shall be continued to the finished grade on any elevation.

(4) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets as seen from the public right-of-way at a height of 6 feet.

(5) The use of vinyl siding or corrugated and other vertical metal siding as the sole or primary facade material is prohibited.

(c) ~~**Windows**~~ **Facade Transparency**

~~**When provided, windows shall meet the following:**~~

~~**(1)**~~**When provided,** ~~**A**~~ ground-level window**s** shall ~~**be visually permeable**~~ **maintain non-reflective, transparent glass** between ~~**a height of**~~ 3 feet and 8 feet ~~**above the walkway grade**~~ **of the floor**.

~~**(2) Reflective or tinted glass that obstructs views into the building shall not be used to meet the facade articulation requirements.**~~

(d) Primary Entrances

The primary entrance shall be clearly defined and incorporate the following features:

(1) ~~**For All Development**~~ **Multi-Tenant Buildings**

(i) Overhangs, awnings, canopies, or other projections of at least 8 feet, from the building wall;

(ii) Windows within or beside entry doors that allow entrants to see into the building.

(2) ~~**For**~~ **Single Tenant Buildings**

Distinctive roof forms, towers, gables, roof ridges, peaks, or other features that differ in height by 3 feet or more from the balance of the roof~~;~~**. Outparcels are exempt from this standard.**

(e) Roof ~~**Form**~~ **-Mounted Equipment**

(1) Flat roofs shall incorporate parapet walls ~~**with 3-dimensional cornice treatments**~~ designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building~~**, to the maximum extent practicable. All parapet walls visible from a street shall be finished and be the same or similar in color and material to the building**~~ **and any abutting side street as seen from the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building.**

(2) For sloped roofs, roof-mounted equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the ~~**street or existing residential uses**~~ **public right-of-way at a height of 6 feet**.

(3) In cases where complete screening is not practicable, all roof- mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.

~~**(4) Within developments with multiple buildings, building heights shall be varied to avoid the appearance of an elongated building mass. This can be achieved by stair-stepping building heights or by varying roof forms.**~~

~~**(5)**~~**(4)** Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~**permitted as an alternative to the roof forms described in this subsection**~~ **exempt from the screening requirements described in this subsection**.

SECTION 3.

Part A.

Section 3.5.2. Agricultural/Rural (AGR) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

B. DIMENSIONAL STANDARDS			
STANDARD		**REFERENCE #**	**ALL USES**
Maximum Density (units/acre)			n/a
Minimum Lot Area (acres)		❶	5
Minimum Lot Width (feet) [1]	Interior lot	❷	150
	Corner lot	❸	
Minimum Street Setback (feet)	Front	❹	30
	Side	❺	15
~~**Minimum Side Setback (feet)**~~		❻	~~**15**~~
~~**Minimum Rear Setback (feet)**~~		❼	~~**30**~~
Minimum Perimeter Setback (feet)			**30**
Maximum Building Height (feet)		❽	50 [2]
[1] All development shall comply with the City's Driveway Ordinance requirements.			
[2] Not applied to farm-related accessory structures.			

Part B.

Section 3.3.2. Residential Single Family – 3 (R-3) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

B. DIMENSIONAL STANDARDS										
STANDARD		**REFERENCE #**	**OUTSIDE CORE CITY AREA**				**INSIDE CORE CITY AREA**			
			SF Detached	Duplex	SF Attached & Multi-family	All Other Uses	SF Detached	Duplex	SF Attached & Multi-family	All Other Uses
Minimum Lot Area (square feet)		❶	12,000 [1]	n/a		20,000	12,000 [2]	n/a		20,000
Minimum Lot Width (feet) [3]	Interior lot	❷	75	n/a		75	75 [2]	n/a		75
	Corner lot	❸	85			85	85 [2]			85
Minimum Street Setback (feet)	Front	❹	30	n/a		30	30 [2]	n/a		30 [2]
	Side	❺	15				15 [2]			
Minimum Side Setback (feet)		❻	10	n/a		~~20~~ **n/a**	5 [2]	n/a		~~15~~**n/a**
Minimum Rear Setback (feet)		❼	~~30~~ **25**	n/a		~~40~~ **n/a**	15 [2]	n/a		~~25~~**n/a**
Minimum Perimeter Setback (feet)			**n/a**	**n/a**		**25**	**n/a**	**n/a**		**25**
Maximum Building Height (feet)		❽	50	n/a		50	50	n/a		50
[1] Lots in projects 2 acres or greater in area may be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum (See Section 10.2.3 C.2 Lot Area Averaging).										
[2] At applicant's option, may be reduced to the lesser of: zoning district minimum or between 75% and 125% of the average for lots on the same block face (See Section 10.2.3 D, Dimensional Standards in the Core City).										
[3] All development shall comply with the City's Driveway Ordinance requirements.										

Part C.

Section 3.3.3. Residential Single Family – 5 (R-5) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

B. DIMENSIONAL STANDARDS										
STANDARD		**REFERENCE #**	**OUTSIDE CORE CITY AREA**				**INSIDE CORE CITY AREA**			
			SF Detached	Duplex	SF Attached & Multi-family	All Other Uses	SF Detached	Duplex	SF Attached & Multi-family	All Other Uses
Minimum Lot Area (square feet)		❶	7,000 [1]	n/a		15,000	7,000 [2]	10,000 [2]	15,000 [3]	15,000
Minimum Development Size (acres)			n/a		5	n/a	n/a			
Maximum Density (units/acre)			n/a		5 [4]	n/a	n/a			
Minimum Lot Width (feet) [5]	Interior lot	❷	50	n/a	75 + [6]	50	50 [2]		80	50
	Corner lot		60			70	60 [2]			70
Minimum Street Setback (feet)	Front	❸	25	n/a	20	25	25 [2]			25 [2]
	Side	❺	15				15 [2]			
Minimum Side Setback (feet)		❻	5	n/a	~~20 [7]~~ **n/a**		5 [2]		~~10 [7]~~ ~~20 [7]~~ **n/a** ~~15 [7]~~	
Minimum Rear Setback (feet)		❼	20	n/a			10 [2]			
Minimum Perimeter Setback (feet)			**n/a**	**n/a**	**20**		**n/a**		**15**	**20**
Maximum Building Height (feet)		❽	50	n/a	50		50			

[1] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum (See Section 10.2.3 C.2 Lot Area Averaging).

[2] At applicant's option, may be reduced to the lesser of: zoning district minimum or between 75% and 125% of the average for lots on the same block face (See Section 10.2.3 D, Dimensional Standards in the Core City).

[3] Minimum development size.
[4] The maximum number of attached dwelling units per structure is 2.
[5] All development shall comply with the City's Driveway Ordinance requirements.
[6] For developments with more than 3 units, minimum lot width is increased by 5 feet per unit up to a maximum width of 120 feet.
~~**[7] In a group development, applied only to buildings along the perimeter of the development.**~~

Part D.

Section 3.3.4. Residential Single Family – 7 (R-7) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

<table>
<tr><th colspan="11">B. DIMENSIONAL STANDARDS</th></tr>
<tr><th colspan="2" rowspan="2">STANDARD</th><th rowspan="2">REFERENCE #</th><th colspan="4">OUTSIDE
CORE CITY AREA</th><th colspan="4">INSIDE
CORE CITY AREA</th></tr>
<tr><th>SF Detached</th><th>Duplex</th><th>SF Attached & Multi-family</th><th>All Other Uses</th><th>SF Detached</th><th>Duplex</th><th>SF Attached & Multi-family</th><th>All Other Uses</th></tr>
<tr><td colspan="2">Minimum Lot Area (square feet)</td><td>❶</td><td>5,000 [1]</td><td>7,000</td><td>n/a</td><td>12,000</td><td>5,000 [2]</td><td>7,000 [2]</td><td>12,000 [3]</td><td>12,000</td></tr>
<tr><td colspan="2">Minimum Development Size (acres)</td><td></td><td colspan="2">n/a</td><td>5</td><td>n/a</td><td colspan="4">n/a</td></tr>
<tr><td colspan="2">Maximum Density (units/acre)</td><td></td><td colspan="2">n/a</td><td>7 [4]</td><td>n/a</td><td colspan="4">n/a</td></tr>
<tr><td rowspan="2">Minimum Lot Width (feet) [5]</td><td>Interior lot</td><td>❷</td><td colspan="2">40</td><td rowspan="2">75+ [6]</td><td>50</td><td colspan="2">40 [2]</td><td rowspan="2">80</td><td>50</td></tr>
<tr><td>Corner lot</td><td>❸</td><td colspan="2">50</td><td>65</td><td colspan="2">50 [2]</td><td>65</td></tr>
<tr><td rowspan="2">Minimum Street Setback (feet)</td><td>Front</td><td>❹</td><td colspan="2">20</td><td rowspan="2">20</td><td rowspan="2">20</td><td colspan="3">20 [2]</td><td rowspan="2">20 [2]</td></tr>
<tr><td>Side</td><td>❺</td><td colspan="2">15</td><td colspan="3">15 [2]</td></tr>
<tr><td colspan="2">Minimum Side Setback (feet)</td><td>❻</td><td colspan="2">5</td><td colspan="2" rowspan="2">~~20 [7]~~ n/a</td><td>5 [2]</td><td colspan="2" rowspan="2">~~5 [7]~~
~~20 [7]~~ n/a
~~10 [7]~~</td></tr>
<tr><td colspan="2">Minimum Rear Setback (feet)</td><td>❼</td><td colspan="2">15</td><td>10 [2]</td></tr>
</table>

Minimum Perimeter Setback (feet)		**n/a**	**20**	**n/a**	**10**	**20**
Maximum Building Height (feet)	❽	50	50	50		

[1] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum (See Section 10.2.3 C.2 Lot Area Averaging).
[2] At applicant's option, may be reduced to the lesser of: zoning district minimum or between 75% and 125% of the average for lots on the same block face (See Section 10.2.3 D, Dimensional Standards in the Core City).
[3] Minimum development size.
[4] The maximum number of attached dwelling units per structure is 2.
[5] All development shall comply with the City's Driveway Ordinance requirements.
[6] For developments with more than 3 units, minimum lot width is increased by 5 feet per unit up to a maximum width of 120 feet.
~~**[7] In a group development, applied only to buildings along the perimeter of the development.**~~

Part E.

Section 3.5.6. Main Street (MS) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

B. DIMENSIONAL STANDARDS						
STANDARD			**SUB-DISTRICT A**	**SUB-DISTRICT B**	**SUB-DISTRICT C**	**SUB-DISTRICT D**
Maximum Density (units/acre)			26 [1]			
Minimum Lot Area (square feet)		❶	6,000	4,000		6,000
Minimum Lot Width (feet) [2]	Interior lot	❷	60	40		60
	Corner lot	❸				
Minimum Street Setback (feet)		❹	5, 10 from back of curb [3]	0, 10 from back of curb [3]		5, 10 from back of curb [3]
Maximum Street Setback (feet) (Main Street Only) [4] [5]		❺	25	20		25
Minimum ~~**Interior**~~ **Perimeter** Setback (feet)	Adjacent to Residential District	❻	~~**0/5 [6]**~~ **10**			
	Adjacent to Non-residential District		**0/5**			

Maximum Building Height (feet)	❼	n/a ~~[7]~~ [6]
[1] Mixed-use development is subject to the maximum density standards.		
[2] All development shall comply with the City's Driveway Ordinance requirements.		
[3] All buildings shall be at least 10 feet from the back of the curb.		
[4] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.		
[5] Buildings are exempt from the maximum street setback, if they provide a civic space (see section 3.5.6 G.3.(b) Exemption form Maximum Setback).		
~~[6] Buildings shall be setback at least 10 feet from lot lines abutting a residential district.~~		
~~[7]~~ [6]When a perimeter setback abuts a single-family residential district, the setback shall be increased by 1 foot for each foot in height beyond 50 feet up to 80 feet.		

Part F.

Section 3.5.7.D. *Specific Standards for the MX-W District*, is hereby amended as follows:

2. Dimensional ~~Requirements~~ Standards

The dimensional ~~**requirements**~~ **standards** in Table 3.5.7.D, *Dimensional ~~Requirements~~ Standards in the MX-W District*, shall apply to all development in the MX-W District.

Table 3.5.7.D, *Dimensional Requirements in the MX-W District*, is amended as follows:

TABLE 3.5.7.D, DIMENSIONAL ~~REQUIREMENTS~~ STANDARDS IN THE MX-W DISTRICT		
REQUIREMENT		**STANDARD**
Maximum Density (units/acre)		n/a
Minimum Lot Area (square feet)		n/a
Minimum Lot Width [1]		n/a
Minimum Street Setback (feet)		0, 12 from back of curb [2]
Maximum Street Setback (feet) [3] [4]		15
Minimum ~~Side and Rear~~ Perimeter Setback (feet)	Adjacent to Residential District	10
	Adjacent to a Nonresidential District	0/5 [5]
Maximum Building Height (feet)		50
NOTES:		
[1] All development shall comply with the City 's Driveway Ordinance requirements.		

[2] All buildings shall be at least 12 feet from the back of curb.
[3] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.
[4] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.5.7 C.2(b) Exemption from Maximum Setback).
[5] No setback is required, but if provided, shall be at least 5 feet.

Part G.

Section 3.5.7.E.2. *Specific Standards for the MX-D District*, is hereby amended as follows:

2. Dimensional ~~Requirements~~ Standards

The dimensional ~~**requirements**~~ **standards** in Table 3.5.7.E, *Dimensional ~~Requirements~~ Standards in the MX-D District*, shall apply to all development in the MX-D District.

Table 3.5.7.E, *Dimensional Requirements in the MX-D District*, is amended as follows:

TABLE 3.5.7.E, DIMENSIONAL ~~REQUIREMENTS~~ STANDARDS IN THE MX-D DISTRICT		
REQUIREMENT		**STANDARD**
Maximum Density (units/acre)		n/a
Minimum Lot Area (square feet)		n/a
Minimum Lot Width [1]		n/a
Minimum Street Setback (feet)		0, 12 from back of curb [2]
Maximum Street Setback (Elm and Main Street Only) [3] [4]		20
Minimum ~~Side and Rear~~ Perimeter Setback (feet)	Adjacent to Residential District	10
	Adjacent to a Nonresidential District	0/5 [5]
Maximum Building Height (feet)		n/a
[1] All development shall comply with the City 's Driveway Ordinance requirements.		
[2] All buildings shall be at least 12 feet from the back of curb.		
[3] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.		
[4] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.5.7 C.2(b) Exemption from Maximum Setback).		
[5] No setback is required, but if provided, it shall be at least 5 feet.		

SECTION 4.

Table 4.1.9, *Principal Use Table*, is amended as follows:

Part A.

Under the *Institutional Use Classification; Civic Use Category; Assembly, major Use Type;* add a **P*** in the column under the LI zoning district.

Under the *Institutional Use Classification; Civic Use Category; Assembly, minor Use Type;* add a **P*** in the column under the LI zoning district.

Part B.

Under the *Institutional Use Classification; Civic Use Category; Cultural facility, major Use Type;* add a **P*** in the column under the LI zoning district, and add **4.3.3.A.3.** in the *Additional Standards* column.

Under the *Institutional Use Classification; Civic Use Category; Cultural facility, minor Use Type;* add a **P*** in the column under the LI zoning district, and add **4.3.3.A.3.** in the *Additional Standards* column.

SECTION 5.

Part A.

Section 4.3, *Use Standards*, is hereby amended as follows:

4.3. USE STANDARDS

~~Use standards are the requirements applied to individual use types unless otherwise stated to the contrary. This section is intended to identify the use standards for all principal uses identified in Table 4.1.9, Principal Use Table that are subject to "additional requirements."~~

Use standards are additional requirements applied to certain individual use types identified in Table 4.1.9, Principal Use Table by a section reference in the *Additional Standards* column. Use standards are fully applicable to new principal uses within those individual use types. Use standards are also applicable, to the maximum extent practicable, to expansions of existing principal uses within those individual use types.

Part B.

Section 4.3.2.B.5, *Multi-Family Dwelling*, is amended as follows:

(g) Adaptive Reuse in the Core City

In order to ~~**utilize**~~ **reuse** the existing buildings in the Core City in accordance with the City's adopted policy guidance, multi-family uses are permitted in the LI district, subject to the following standards:

(1) The LI district must be located in the Core City area;

(2) The **new** use must ~~**utilize**~~ **reuse** an existing building or buildings;

(3) **The total square footage of all** ~~**B**~~**b**uilding additions ~~**for these uses**~~ **for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses** shall be limited to a maximum of 25 percent of the **total** gross floor area ~~**of the existing building; and**~~ **of all principal buildings existing on the site as of the effective date of this Ordinance.**

Part C.

Section 4.3.3.A.1, *Assembly (Major and Minor)* is amended to add a new paragraph **(f)** which shall read as follows:

(f) In order to reuse the existing buildings in the Core City in accordance with the City's adopted policy guidance, major and minor assembly uses are permitted in the LI district, subject to the following standards:

(i) The LI district must be located in the Core City area;

(ii) The new use must reuse an existing building or buildings;

(iii) The total square footage of all building additions for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses shall be limited to a maximum of 25 percent of the total gross floor area of all principal buildings existing on the site as of the effective date of this Ordinance.

Part D.

Section 4.3.3, *Institutional Uses*, Subsection A. *Civic,* is amended to add a new paragraph **3.** which shall read as follows:

3. Cultural Facility (Major and Minor)

In order to reuse the existing buildings in the Core City in accordance with the City's adopted policy guidance, major and minor cultural facility uses are permitted in the LI district, subject to the following standards:

(a) The LI district must be located in the Core City area;

(b) The new use must reuse an existing building or buildings;

(c) The total square footage of all building additions for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses shall be limited to a maximum of 25 percent of the total gross floor area of all principal buildings existing on the site as of the effective date of this Ordinance.

~~3~~4. Public Recreation Facility

(No changes to text)

Part E.

Section 4.3.4.D.1, *Personal Services Establishment, Major*, is amended as follows:

1. Personal Services Establishment, Major

In order to **~~utilize~~** **reuse** the existing buildings in the Core City in accordance with the City's adopted policy guidance, major personal services establishments are permitted in the LI district, subject to the following standards:

(a) The LI district must be located in the Core City area;

(b) The **new** use must **~~utilize~~** **reuse** an existing building or buildings;

(c) **The total square footage of all** **~~B~~b**uilding additions **~~for these uses~~** **for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses** shall be limited to a maximum of 25 percent of the **total** gross floor area **~~of the existing building; and~~** **of all principal buildings existing on the site as of the effective date of this Ordinance.**

Part F.

Section 4.3.4.F.3, *Retail Sales Establishment*, is amended as follows:

(a) Major

(1) In the MS District

(No changes to text)

(2) In the LI District

In order to ~~**utilize**~~ **reuse** the existing buildings in the Core City in accordance with the City's adopted policy guidance, major retail sales establishments are permitted in the LI district, subject to the following standards:

(i) The LI district must be located in the Core City area;

(ii) The **new** use must ~~**utilize**~~ **reuse** an existing building or buildings;

(iii) **The total square footage of all** ~~**B**~~**b**uilding additions ~~**for these uses**~~ **for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses** shall be limited to a maximum of 25 percent of the **total** gross floor area ~~**of the existing building; and**~~ **of all principal buildings existing on the site as of the effective date of this Ordinance.**

(b) Minor

In order to ~~**utilize**~~ **reuse** the existing buildings in the Core City in accordance with the City's adopted policy guidance, minor retail sales establishments are permitted in the LI district, subject to the following standards:

(1) The LI district must be located in the Core City area;

(2) The **new** use must ~~**utilize**~~ **reuse** an existing building or buildings;

(3) **The total square footage of all** ~~**B**~~**b**uilding additions ~~**for these uses**~~ **for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses** shall be limited to a maximum of 25 percent of the **total** gross floor area ~~**of the existing building; and**~~

of all principal buildings existing on the site as of the effective date of this Ordinance.

SECTION 6.

Section 5.4.3.B.3. of the City of High Point Development Ordinance regarding exemptions from off-street parking requirements is hereby amended as follows:

3. Rehabilitation or reuse of a structure ~~**included in the City's inventory of historic architecture as determined by the HPC**~~ **that is on the North Carolina National Register Advisory Committee's Study List.**

SECTION 7.

Table 5.5.11.B, *Perimeter Landscape Yard Types* is hereby amended as follows:

TABLE 5.5.11.B: PERIMETER LANDSCAPE YARD TYPES		
LANDSCAPE YARD TYPE	DESCRIPTION/MINIMUM REQUIREMENTS	
	INSIDE CORE CITY	OUTSIDE CORE CITY
TYPE B: SEMI OPAQUE LANDSCAPE YARD		
Intent: This landscape yard functions as a partially opaque screen from the ground to a height of 6 feet. This type of buffer prevents visual contact between uses and creates a sense of spatial separation. Yard shown at maturity		
Average width (feet)	15	25
Minimum width (feet) [2]	12	20
Maximum width (feet)	25	45
Canopy trees per every 100 linear feet	2	4
Understory trees per every 100 linear feet	4	6
~~**Evergreen s**~~**S**hrubs per every 100 linear feet **[3]**	8	25
5-foot opaque fence	Reduces average width by 3 feet and minimum width by 2 feet	Reduces average and minimum widths by 5 feet

TYPE C: INTERMITTENT LANDSCAPE YARD		
Intent: This landscape yard functions as an intermittent visual screen from the ground to a height of 5 feet. It is intended to partially block visibility between different uses but not totally obstruct visual contact from one use to another. Yard shown at maturity		
Average width (feet)	10	15
Minimum width (feet) [2]	8	10
Maximum width (feet)	20	35
Canopy trees per every 100 linear feet	2	3
Understory trees per every 100 linear feet	3	4
~~**Evergreen s**~~**S**hrubs per every 100 linear feet **[3]**	6	20
5-foot opaque fence	Reduces average width by 2 feet	Reduces average and minimum widths by 5 feet

TABLE 5.5.11.B: PERIMETER LANDSCAPE YARD TYPES		
LANDSCAPE YARD TYPE	**DESCRIPTION/MINIMUM REQUIREMENTS**	
	INSIDE CORE CITY	**OUTSIDE CORE CITY**
TYPE D: BASIC LANDSCAPE YARD		
Intent: This landscape yard functions as a means to demarcate boundaries between different uses and provide only a slight visual obstruction between different uses. Yard shown at maturity		
Average width (feet)	5	8
Minimum width (feet) [2]	5	5
Maximum width (feet)	10	15
Canopy trees per every 100 linear feet	None	
Understory trees per every 100 linear feet	2	2
~~**Evergreen s**~~**S**hrubs per every 100 linear feet	12	15
5-foot opaque fence	No additional reductions	

NOTES:
[1] Within the Core City, where a required streetyard cannot be accommodated due to the location of existing development or other site related issue, an adjustment may be approved in accordance with Section 2.5.2, Administrative Adjustment
[2] If the required principal building setback is less than the required landscape yard width, the principal building setback controls and the landscape yard width shall be reduced only along the length of the building wall that encroaches into the landscape yard. Regardless of reduction in streetyard width, the required planting material must be installed, though its location may be modified in accordance with Section 5.5.13, Alternate Landscape Plan.
[3] A percentage of the required shrubs must be evergreen. See Section 5.5.6.C, Shrub Size and Type.

SECTION 8.

Part A.

Section 3.8.8, *Local Historic Overlay*, is hereby amended as follows:

D. Dimensional ~~Requirements~~ Standards and Exceptions

(No changes to text)

Part B.

Section 7.1.6, *Subdivision Standards*, Subsection B, *Lot Dimensions and Standards* is hereby amended as follows:

5. Lots Adjoining Dedicated Public Open Space or Required Watershed Stream Buffer Areas

(No changes to text)

(a) *(No changes to text)*

(b) A note shall be placed on the Final Plat stating:

"The required area of Lots *(insert lot #)* through *(insert lot #)* has been reduced in accordance with Section 7.1.6.B.5, Lots Adjoining Dedicated Public Space or Required Watershed Stream Buffer Areas. All other dimensional **~~requirements~~** **standards** of the Development Ordinance shall apply."

Part C.

Section 8.3, *Nonconforming Structures*, Subsection 2.B, *Replacement* is hereby amended as follows:

1. After Damage in Excess of 50 Percent of Building Value

In the event of fire or other causes to an extent exceeding 50 percent of its building value prior to such damage, as established by the applicable county tax listing, reconstruction of a nonconforming structure shall be permitted only in compliance with the applicable dimensional ~~**requirements**~~ **standards** of this Ordinance.

2. After Damage Less Than 50 Percent of Building Value

(No changes to text)

(a) *(No changes to text)*

(b) *(No changes to text)*

(c) In compliance with the current dimensional ~~**requirements**~~ **standards**.

Part D.

Section 8.3, *Nonconforming Structures*, Subsection 3.B, *Enlargement* is hereby amended as follows:

B. Enlargement

Any enlargement of a nonconforming structure shall conform to the dimensional ~~**requirements**~~ **standards** of the zoning district where it is located.

Part E.

Section 8.4, *Nonconforming Lots of Record*, Subsection 2, *Continuation* is hereby amended as follows:

A. Lots with Continuous Frontage in One Ownership

When 2 or more adjoining lots with contiguous frontage are under common ownership and the lots are nonconforming in terms of width or area, such lots shall be combined for development purposes to create 1 or more lots, each of which conforms to the applicable dimensional ~~**requirements**~~ **standards** of the district.

B. Single Lot of Record in a Residential District

When a lot in a residential zoning district has an area or width which does not conform to the dimensional ~~**requirements**~~ **standards** of the district where it is located, but was of record on the effective date of this Ordinance, then a single-

family dwelling may be built on the lot, subject to compliance with setback standards.

C. Single Lot of Record in a Nonresidential District

When a lot in a nonresidential district has an area or width which does not conform to the dimensional ~~**requirements**~~ **standards** of the district where it is located, but was of record on the effective date of this Ordinance, then development on the lot may be permitted, subject to compliance with all required setbacks, open space requirements, and all other applicable development and design standards.

Part F.

Section 8.4, *Nonconforming Lots of Record*, Subsection D, *Dimensional Requirements* is hereby amended as follows:

D. Dimensional ~~Requirements~~ Standards

(No changes to text)

Part G.

Section 10.4, *Definitions*, is hereby amended as follows:

Nonconforming Lot	A lot of record that was lawful at the date on which it was established, but does not conform to the current dimensional ~~**requirements**~~ **standards** of the zoning district in which it is located.
Nonconforming Structure	A structure that was lawful at the date on which it was established, but does not conform to the current dimensional **standards**, elevation, location, or other requirements of this Ordinance.

SECTION 9.

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

SECTION 10.

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

SECTION 11.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The ____ day of _____, 2018

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT
AGENDA ITEM

Title: Appointment/Reappointment – CAC/P&Z

From: Mayor Pro Tem Chris Williams

Public Hearing: N/A

Attachments: Bio for Dorothy Jackson

Meeting Date: May 21, 2018

Advertising Date / Advertised By: N/A

PURPOSE:
Appoint Dorothy Jackson to the Citizens Advisory Council as the Ward 2 appointment and reappointment Angela McGill to the Planning and Zoning Commission as the Ward 2 appointment.

BACKGROUND:
Mayor Pro Tem Chris Williams is requesting that City Council confirm the appointment of Dorothy Jackson to the Citizens Advisory Council (CAC) as the Ward 2 appointment; and the reappointment of Angela McGill to the Planning and Zoning Commission (P & Z).

BUDGET IMPACT:
N/A

RECOMMENDATION / ACTION REQUESTED:
Council is requested to confirm the appointment the appointment of Dorothy Jackson to the CAC (effective 6/1/2018 – 6/1/2020) and the reappointment of Angela McGill to the P & Z Commission (effective 7/1/2018 – 7/1/2021).

HIGH POINT CITY COUNCIL
SPECIAL MEETING
May 7, 2018 – 4:00 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; Herb Shannon, Senior Planner; Lee Burnette, Planning & Development Director; Heidi Galanti, Planning Administrator; Eric Olmedo, Budget and Administrative Director; Laura Altizer, Senior Budget Analyst; Angela Kirkwood, Human Resource Director; Sherri Toney, Human Resource Analyst; Lisa Vierling, City Clerk and Sandra Keeney, Deputy City Clerk

Others Present:
Judy Stalder, TREBIC

News Media:
Pat Kimbrough, High Point Enterprise

Note: The following handouts were distributed and will be incorporated as a permanent part of these proceedings:

- ✓ City Wide Rezoning Project
- ✓ Fiscal Year 2018-2019 Proposed Budget Personnel & Benefits

Mayor Wagner called the Special Meeting to order at 4:09 p.m. and introduced Greg Demko, City Manager. Mr. Demko gave an overview of the meeting and introduced Heidi Galanti, Planning Administrator.

City Wide Rezoning Project

Ms. Galanti gave a brief overview on Zoning Map Revisions. January 1, 2017, the new development ordinance went into effect. In the process of doing that project staff reviewed the zoning map and identified areas that the zoning map was not in compliance with the use or the planning policies. She explained the goal is to encourage development, and the objectives are:

1. To remove zoning remnants and slivers
2. Properly zone City parks and natural areas
3. Evaluate zoning that conflicts with the common land use
4. Remove old conditional Zoning that may be a barrier to development

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She stated the project would be similar to the Street Abandonment project and will be a multi-year project. She explained how the cases would be presented to Council noting they would be presented a few at a time.

She shared maps of examples of zoning issues and explained the plan for correcting those issues. She stated if Council was in agreement with correcting the zoning issues some next steps would be to allow staff to contact property owners, City Council would initiate zoning changes, Public Hearings by Planning and Zoning Commission, Public Hearings by City Council followed by approval of zoning changes.

Council Member Peters asked if the West End is being considered. Ms. Galanti stated in the 2012 Core City Plan, there were land use plan amendments for the core city area and West End is likely one of them, it is a big part of the zoning changes that will be brought forth for consideration.

Fiscal Year 2018-2019 Proposed Budget – Personnel & Benefits

Mr. Demko stated Eric Olmedo, Budget and Administrative Director, will be presenting items that are included in the budget regarding personnel and personnel benefits.

Mr. Olmedo related to the Council that copies of the Fiscal Year 2018-2019 Budget is in the City Manager's Office for them to pick up after the meeting. He stated the following are positions that will be added to the proposed budget:

1. Administrative Assistant – City Manager's Office
2. Administrative Associate – Water/Sewer
3. Scale House Operator – Solid Waste
4. Motor Equipment Operator – Stormwater
5. Upgraded Position – Police Officer position to Lieutenant for the Family Justice Center

Next, he spoke regarding the Pay for Performance Plan, explaining the proposed budget includes a Performance merit increase with a 0%-4% range which helps the city remain competitive in the retention and recruitment of new employees, and gives department directors more flexibility in rewarding high performing employees. He said the merit increase would be effective January 1st citywide, noting that historically merit increases were performed on the date of hire anniversary. There will be a review period beginning August 1st through October 31st and all merit increases would be effective January 1st. He stated the cost is approximately $1.24 million citywide and gave a breakdown of impact by fund.

He said City employees are eligible to participate in the North Carolina 410(k) or 457 plan, but there is currently no match by the city. He stated as of December 2017, 274 Cities and 59 Counties statewide match or grant employees' funds for these programs. He suggested the City match contributions up to 1% effective January 1st, noting the city-wide cost to be estimated at $160,000 for the 1st year. Randy Hemann, Assistant City Manager stated employees have turned down positions because of the fact they worked for Counties or Municipalities that do match the 410(k) or 457 and the City of High Point does not.

Mr. Olmedo stated the Health Insurance and Dental Insurance program was moved last year to a calendar year bases, historically it was on a fiscal year bases. He said there is budgeted a 5% increase to city contributions for health and dental insurance, although the City is still working with Mark III which is the benefit consultant to try to determine the renewal rate for next year. He said the contract will be coming to Council in September for renewal. Mr. Demko asked what is the confidence level that 5% will be sufficient. Mr. Olmedo stated with employee contribution changes and minor plan changes he is confident in the 5%. Mr. Demko asked about the possibility of becoming self-insured. Mr. Olmedo stated the city has been fully insured for several years. He stated an analysis is performed every year to determine if that is an option, noting the past few years have not shown substantial savings. He said the City continues to have conversations with Mark III to ensure the best option for the City.

Mr. Demko stated he felt it was important to continue with the Pay for Performance Plan because City Employees are the most valuable assets. He stated in regard to the 401(k) he wanted to encourage people to save as well as the City to be more competitive in the market place to ensure getting the best quality people.

Mayor Wagner asked when the Public Hearing will be for the Budget. Mr. Olmedo stated it will be May 21st. Mr. Demko stated there will be a follow up work session if needed on May 30th and the vote on the Budget is June 4th.

Mayor Wagner announced that a Closed Session was needed. Council Member Moore moved to go into Close Session at 4:31 p.m. pursuant to N.C. General Statue §143-318.11(a)3 to discuss matters regarding attorney-client privilege. Council Member Golden made a second to the motion, which carried by a 9-0 unanimous vote.

Mayor Pro Tem Williams moved to dissolve the Closed Session and resume Regular Session. Council Member Moore made a second to the motion, which carried by a 9-0 unanimous vote. Regular Session resumed at 4:47 p.m.

Mayor Wagner announced there would be no action taken as a result of the Closed Session.

There being no further discussion, the meeting adjourned at 4:48 p.m. upon motion by Council Member Hudson and second by Council Member Peters.

Respectfully Submitted,

_____

Jay W. Wagner, Mayor

Attest:

_____

Sandra Keeney
Deputy City Clerk

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HIGH POINT CITY COUNCIL
SPECIAL MEETING
HIGH POINT MUNICIPAL BUILDING
Library, 901 N. Main Street, High Point
May 8, 2018 – 3:00 P.M.

MINUTES

Present:
Council Members Britt Moore, Don Scarborough, Wesley Hudson, Victor Jones, and Jason Ewing

Absent:
Mayor Jay Wagner, Mayor Pro Tem Williams, and Council Member Golden

Staff Present:
Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Jeron Hollis Director of Communications & Public Engagement; Mary Sizemore, Library Director; John Raynor, Kassie Ettefagh; Sandra Keeney, Deputy City Clerk, and Lisa Vierling, City Clerk

Others Present:
David, Alyssa, and James Roberts- Patrons
Ann Lynch, President of the Friends of the High Point Library and Friends of the Museum Committee Board Member
Reverend Little, President- Washington Street Business Association
Yvonne Short, Chair- Library Board of Trustees
Everett Short, Retired Veteran
Bill Swain, Patron of the Library, Retired
Sally Hartlett
Marsha Allen
Carl Vierling, Executive Director, High Point Food Alliance

Mary Sizemore and the Library staff greeted Council and staff as they entered the building. She provided a tour of the various divisions and services that the Library offers. Brief tours of the areas followed.

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Following the tour, everyone gathered on the Second Floor where refreshments were provided. Ms. Sizemore asked the customers who were present to introduce themselves.

Following the introductions, Ms. Sizemore asked Carl Vierling, Executive Director, Greater High Point Food Alliance (GHPFA) to kick off discussion. He advised that the GHPFA works closely with the Farmer's Market aspect of the Library and they are a great resource as everyone works together to alleviate hunger in the community. Mr. Vierling concluded his remarks by sharing that groups outside of Guilford County are always impressed with the works and services that the High Point Library offers.

The Library's youngest patron present, James Roberts, exclaimed that "Our Library is awesome." His mother, Alyssa Roberts, shared how much her family thoroughly enjoys coming to the Library noting that they have participated in numerous programs offered by the Library over the past six years.

Ann Lynch, Chairman of the Friends of the Library and a Friends of the Museum Board Member, shared that although her children are now grown, they have participated in reading programs and always thoroughly enjoyed it. She concluded her remarks by stating that the Library is the perfect place to be.

John McCulley, Retired, applauded the Library for instituting programs that have helped seniors not to have to travel and noted patrons can do a lot on computers, which proved to be especially effective because of the undergoing construction. He shared that staff is really good about alerting readers as to what is new.

Reverend Little, expressed how the Library has helped him tremendously in furthering his studies and noted the Library is a second home to him.

Yvonne Short, Chairman of the Library Board of Trustees, shared that she has been acquainted with the Library for many years. She noted the Library's vital role in the Macedonia Family Resource Center and the reading opportunities that children have enjoyed because they could not visit the Library due to the lack of transportation.

Everett Short, husband of Yvonne Short, expressed that the Library is fantastic.

Bill Swain, Retired, shared that the Library is a wonderful place and thanked the Library staff, as well as thanked the Council for supplying the necessary things for the operation of the Library.

Ms. Sterling, a frequent patron of the Library and an aspired writer currently working on a children's book, expressed uncertainty about technology and electronic books. She shared that she prefers to read and hold a book because she likes the "feel" and "smell" of books. She stated the community that is represented at the Library is amazing and shared that she likes the Farmer's Market too.

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Marsha Allen, a long-time patron of the Library, shared that she has visited the Library on a regular basis as an adult since the 1980s and it has been like “home” to her. She felt the Library staff is fabulous, as well as the opportunities and services that the Library provides. She likened the Library as a jewel that has been hidden in the community.

Following the comments by the patrons, Ms. Sizemore asked the business staff to share a snippet of the kind of work they do at the business center.

Kassie Ettefagh, advised their primary goal is to assist entrepreneurs, business owners, nonprofits, etc…. by providing them with data/research/contacts they need to succeed.

John Raynor, shared the Library provides demographic data, market research data, and can overlay multiple layers at once. He expressed that the service they offer to businesses can be useful to them for marketing or brick/mortar location decisions. He shared they also help nonprofit customers and philanthropic organizations that might be sympathetic to their needs/goals by helping target fundraising efforts.

Vicki Lester shared some of the programming they provide. They help with job search skills and they share information as to what NC Works services can offer. They also help them make connections for job resources, as well as class resources that are available at GTCC and the surrounding area. In generally, they connect people with business information.

Yvonne Short advised that the Library provides computers for use by the public and added how important and extremely helpful computers are to many people.

At this time, Ms. Sizemore solicited introductions from the Council Members present, as well as the administrative staff.

Ms. Sizemore shared that the Grand Opening of the Library Plaza was perfect with great attendance. She emphasized that the Library Plaza is no different than what they do inside the Library as they try to specifically identify needs of the community that currently includes:

1. Food insecurity
2. Health
3. Obesity
4. Sense of community for downtown High Point

The tour concluded on the 2nd Floor at the Heritage Research Center, at which time Edith Brady, Museum Director, shared that she was trying to schedule a time for the Council to visit and tour the Museum.

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There being no further business to discuss, the meeting adjourned at 4:50 p.m.

Respectfully Submitted,

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Lisa B. Vierling, MMC
City Clerk

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COMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT & PUBLIC SAFETY COMMITTEE

Chaired by Councilman Golden

Committee Members: Golden, Peters, Scarborough, and Williams

May 8, 2018 – 10:00 a.m.

3rd Floor Lobby Conference Room

MINUTES

Present:
Chairman Jeff Golden and Committee Members Monica Peters, Don Scarborough, and Chris Williams [arrived at 10:18 a.m.]

Staff Present:
Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Brian Beasley, Police Attorney; JoAnne Carlyle, City Attorney; Angela Kirkwood, Human Resources Director; Mike McNair, Director of Community Development & Housing; Thanena Wilson, Assistant Director of Community Development & Housing; Lori Loosemore, Local Codes Enforcement Supervisor; Michelle McNair, Community Resource Manager; Sandra Keeney, Deputy City Clerk; and Lisa Vierling, City Clerk

Others Present:
Catherine Clodfelter, Outside Legal Counsel- Parker Poe
Judy Stalder, TREBIC
Pastor Brad Lilley, Lisa Hitch, Sarah Bullard, Steve Bird, Kathy Wheeler, James Adams
Gene Brown, Community Housing Solutions
Sofia Crisp, Housing Consultants Group

News Media Present:
Pat Kimbrough, *High Point Enterprise*

Note: The following handouts will be attached and incorporated as a part of these proceedings:

- ✓ *Article O- Parades, Special Events and Picketing (Revised)*
- ✓ *Operation Inasmuch 2018 Information Sheet*

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- ✓ *Community Housing Solutions 2017 IMPACT Report*

1. Discussion- Amendments to the Current Parade/Picketing Ordinance

_____Transcript_____

City Attorney JoAnne Carlyle: I'll get started. You guys probably remember Catherine Clodfelter, who is assisting us with Parker Poe. Brian Beasley, the Police Attorney is also here this morning. Let me start out by just saying that we've had communications with the ACLU, as well as the NAACP. We've gone through the process and modified the document and the ordinance a little bit here and there. The good news about the involvement of these organizations is it's been a positive experience. As Catherine was saying before we walked into the room, they haven't really had complaints. It's not exactly that I think they would come out and say we're in favor and support it, but I think it's been a process and very positive on both sides. Chris Brook has been excellent to work with and has been very complimentary in the manner in which we handled it.

We did receive a letter, regretfully, from the NAACP. It was not specifically on point as to items they had issues with, but it was overall that they just didn't approve of us rewriting it. From my perspective and I think Catherine and Brian will agree with this. What we have before you is so much better than what we currently have in place and in addition to the protection that allows city, in my opinion it certainly lays out and clarifies and therefore provides more opportunity for people that want to participate in parades or picketing that we just don't currently have.

So, with that said, I know you guys have visited this several times and I'll just kind of go through by heading and give you a brief description of it. You can ask any questions, and I will ask both Brian and Catherine to chime in.

What you see before you, again, we're going to repeal what is on the books now because we've done such a drastic amendment. We really just gutted the entire thing. That's why you see now we have them labeled as Division 1 will be the Parades and Special Events and Division 2 will be the part that covers Picketing. It's numbered that way so that we can set it up the appropriate way that it's done in ordinance form.

Section 10-1-271 simply lays out the definitions. You will note that this does include the pickets, picketer and picketing under the definitions. We wanted to have the definitions set out for Division 1 and Division 2 in one place so that when we get to Division that will say that it incorporates the definitions that are set forth in this. They will be separately considered, but when you look at Picketing, those definitions are only set forth under the Parade section.

Section 10-1-272 deals with Parade Permits. Subsection A basically says permits are required and it provides the times that are allowed for parades, which is 9:00 a.m. to 9:00 p.m. Subsection B Application specifications, it says it must be submitted at least 10 days before and not more than 180 days before the event, unless it is one of those spontaneous responses to a current issue, or where after there's consideration given by the manager or designee that he

deems that it's okay to go ahead and have it without providing that notice that's at least 10 days and not more than 180 days. Once he weighs the balance of what the responsibilities will be placed on the city with the actual parade permit itself. Subsection B also sets forth the contents of the application of what's required.

Subsection C lists the criteria for the manager to issue a permit and the main rememberance of this section is that the manager must issue the permit. Remember we're taking all the subjectivity, which would cause it to be unconstitutional, away from anyone to make that decision. So, basically, they've got to issue the permit unless there are certain things that are present. For example, again, for the protection of the city and the participants. You're looking at the safety issues. He can determine whether or not there's misinformation on the application that would be necessary for him to make the proper decision. Whether there's a schedule conflict that's currently on a city calendar with other events or if there's a primary purpose in the applicant's permit that references something that would be for profit. Perhaps advertisement by a private entity or something like that, which would not be allowed. Again, the main thing under Subsection C and throughout this entire document is that there's no discriminatory basis allowed.

Section 10-1-273 deals with the revocation of permit and it basically says if there's a violation of the standards for conduct that's set forth in this document for parades, then you can revoke the permit.

Section 10-1-274 addresses parade costs and fees. The actual costs, we talked about this before we came over. You know when we're talking about a fee in this document, to reduce any confusion we're going to delete that and just call this cost when we do a little clean-up of the document. Because to me when we talk about fees, we're talking about that nominal fee for the actual permit application and I wouldn't want that to be confused. This section only deals with the actual costs. So when you're talking about cost, you're talking about the off-duty law enforcement officers, you're talking about any other personnel that the city requires to do the set-up and the equipment and that sort of thing. So these are actual costs that you can identify.

Under that same section, Subsection B, it addresses a waiver of cost for indigent applicants. We have incorporated it in that section. We discussed that the last time about incorporating the statutory language and those types of references. Catherine, you have it in front of you if you want to go over it.

Attorney Catherine Clodfelter: Again, this is mandatory. There's no discretion. The permit official shall grant a waiver if the applicant qualifies as an indigent applicant and we have qualified and given specific direction as to what an indigent applicant would be and that would be a person who receives any of the following:

- ✓ Electronic food and nutrition benefit stamps,
- ✓ Work First cash assistance, or
- ✓ Supplemental Social Security income.

We did also provide in that section simply a manner stating that the indigent applicant will be the one that provides the evidence for the city and that the city has the right to review and make sure those are true representations.

Chairman Golden: We'll let them know that at application time whenever they submit it?

City Attorney Carlyle: Yes, definitely. One other thing that we probably need to work on is setting up some forms so that this will be, you know, one that the manager gives an applicant when they come so that we can be consistent with everybody that comes in too.

Unidentified Speaker: As far as that section, what if it's a group that doesn't take any funds or bring in any money at all? Would that be considered in that section?

Attorney Clodfelter: No, it's an individual applicant, not a group.

Unidentified Speaker: Even if it brings no money or makes no money? Okay.

City Attorney Carlyle: *Section 10-1-275* is notice of action on permit application and the appeal procedure. The permit official, or manager, shall act within three days after receiving the application and then notify the applicant of the decision. Included in that notice will be their right to appeal and the description of what that appeal process will be. Again, that's an example of where I think we probably should proceed in my office and create some forms that could be used for that.

The appeal process is going to be in the nature of a quasi-judicial hearing. Of the permit official and whether or not somebody's been denied at that point, and if they are denied again, then they will have the right to appeal through Superior Court following that within 30 days. That's a very similar process that you see throughout the statutes with like the Board of Adjustment, quasi-judicial hearings.

Section 10-1-276 alternative permit, an applicant may amend an application. Say an applicant submits an application, the manager looks at it and the manager has issues with it, he can go back and let the applicant know that you're deficient in this area, and then the applicant, if they ask for it, will have a right to come back.

Section 10-1-277 duties of permittee, basically they are simple. They have to comply with all the laws, regulations, and ordinances.

Section 10-1-278 sets out the duty of the parade chairman. The parade chairman will be responsible for the physical conduct of parade participants. So the actual on-site and what's happening at the parade itself.

Section 10-1-279 sets out the conduct during the parade. There shall be no interreference, no driving through parades, and then the city manager will be the one that will set forth the route of the parade that's acceptable.

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Section 10-1-280 defines what's allowed for hand-carried signs. We had some discussion about that before as to what material the sign is made of, the sign's size, etc….and then all of this mostly focuses on the safety issues and making sure we have everyone protected.

Section 10-1-281 parade routes, this might be a little duplication. It says that it will be designated and approved by the city manager. Brian, I was wondering, would you mind addressing the foot races, bicycle races, and the block parties?

Police Attorney Brian Beasley: Certainly. In recent years, we've had more of these foot races, bicycle races, 5Ks. There are a lot of different charities that do these now. So this just sets out…we don't have anything currently in our ordinance that covers those events. We've kind of just been making it up as we go along so-to-speak and negotiate with the people that are organizing it to make sure that everybody's safe. This just codifies the best practices for that to include payment for, again, off-duty law enforcement. Any street closures that have to be manned and those sorts of things, so that nobody can see the city treated them differently than the last person. That could open us up to some kind of argument there.

10-1-283 is Block Parties. We've had neighborhoods before that wanted to have block parties and we probably have allowed a few of those. Those are difficult for us because you've got so many different residents that are impacted by that. This allows block parties for places of worship, businesses, non-profits or community interest groups. So, if I'm just a homeowner in the neighborhood, I can't decide to close down the streets. I have to be with one of these organizations. It could be a community interest group. It could be a neighborhood association or something like or a non-profit entity. Again, it just sets out rules for that. The deadlines, and I think it was mentioned in here before, there's another group that's working on kind of the back end of that with some of the forms that go into that. Who the contact people are and how all that operates. Practically, this sets out kind of outside, kind of big picture rules for when you can do that, what you need to be aware of and so forth.

Festivals are similar to block parties, except a festival could be …..it doesn't have to be in a particular controlled-geographic area. So, again, that's a similar situation. You see a lot of those in a lot of different places. I don't know that we have that many that we've done like that in High Point lately, but I know there's been talk about using the PIT for different things. So, we're trying to get ahead of that. That's in 10-1-284.

City Attorney Carlyle: Another thing in regards to the fee that we were talking about a while ago. I think if it's amenable tomorrow that will have to be adopted prior to this because the actual fee amount is going to be based on what that Event Policy says. We already have the language in here that references that event policy.

Moving on to **Division 2**. I will make a comment and Catherine is going to talk about picketing.

Pastor Brad Lilley: Before you go there, the festivals and you've given a definition for that. My church at times, we do festivals or concerts on our church property, would we need to have to have a permit for that?

Police Attorney Beasley: If it's completely on your private property or church property, you shouldn't need a permit.

City Attorney Carlyle: One of the things that…I mean there won't be very many changes at all. As far as substance, there will not be any changes, I predict, after today's meeting. But we'll have some clean-up to do. For example, on the Division 2 picketing, you'll see that it says this Division incorporates all the terms like we talked about earlier and incorporates those definitions. I'll have to move that down into a section so that it will have a number because in the event that we are in a lawsuit, you have to have a number that you can refer to so, we would, for example, have to say in accordance with section blah, blah, blah, those definitions are incorporated in this section. And we don't have that set up properly right now. So, it's kind of, again, cleanup.

Attorney Clodfelter: So, Division 2 is just Picketing. Again, as JoAnne was saying, it does reference all the definitions contained at the front, including the term Picketing. So, that should be clear. Again, the picket size that has to give notice would be a group of 15 or more, and we've addressed your issue with when it would be considered that number. As you see under 10-1-285(b), it's whether a group consists of 15 or more persons such that notice is required shall be determined from a time immediately prior to initiating a picket. So that if people decide to join the picket or not, you won't be penalized.

Let's see….so, again, it provides all information which is limited that should be given in the notice and, again, you'll reference down to (d) upon receiving that notice, the Chief of Police or designee shall immediately issue a receipt. So, there is no discretion whether the receipt is given and the receipt must be immediate. There's also no restriction on how the notice must be provided. It can be verbal. It can be written, emailed, faxed, whatever an individual or organization chooses to do.

Chairman Golden: Question. I have had some concerns brought to me. Throughout this thing, the manager was the person making the decisions or his designee, then on this particular part it switches to the Police Department. Why?

Police Attorney Brian Beasley: The reason for that is there's not really a decision to be made, it's just a receipt of notice for the picketing. The police chief doesn't have any discretion, but he's the one that has to make sure that the officers are there to keep everybody safe. So, it was quicker to actually go to the police chief rather than the city manager.

Chairman Golden: The manager still has the discretion to say?

Attorney Beasley: For the parade, but not for the picketing.

Committee Member Peters: I think that it all needs to be the same. I think it should all say to the city manager or designee. I don't think it should all of a sudden go to the chief of police.

City Attorney Carlyle: I'll mention, I was getting ready to interrupt Catherine on this very point because this was something that we really discussed at length with the ACLU, and a lot of what their comments were incorporated into this section. That was my recollection. It's been a

couple of months now. So, I just mention that. I was going to mention it before their comments even because I think it was really important for you guys to know that what you're looking at here has been heavily vetted by the them. I hear what you're saying, and we can certainly look at….I guess you want to put it all under the manager or……

Committee Member Peters: Just word it the same as the other. Like under…..it says city manager or designee, I would just say that there too. Just change that language.

Police Attorney Beasley: I would only caution that if you do that, you run some risk of slowing down the process because you've got another person. I think when the city manager gets a notice of picket, he's going to pick up the phone and call the chief of police.

Committee Member Peters: And you wouldn't do that for a festival or a parade?

Police Attorney Beasley: Well, really he has a decision to make. The city manager has to make that decision whether the festival can take place or the parade can take place. So, there's not that decision, there's no decision to be made for the picket. The picket is going to be allowed. It's just a matter of having police know about it so that they can take the precautions to keep everybody safe. That would be my only concern if you add that extra layer to it, it slows down our ability to turn those around and allow that.

Committee Member Peters: I'm not happy with the language. So, I'm just telling you.

City Attorney Carlyle: I think the result is really going to be the police chief either way. We can definitely change that.

Chairman Golden: That's fine and I think if we go through the manager first and that keeps him in the loop. That way if anybody can point fingers they can go straight to the top.

City Attorney Carlyle: I think the chief will appreciate that.

Attorney Clodfelter: Okay, turn to page 11, Section 10-1-286. None of this has really changed since last time we met. There was an edit that we had to do due to one of the statutory references regarding prohibition against picketing at someone's residence. That's been edited, but substantively, everything is the same. The standards are set out for picketing activity. The size and type of hand-carried signs, and then, of course, when there would be a clear offense.

Chairman Golden: Section 101-1-286(e), the dog effect. Are we just allowed to bring pets to picketings normally? I understand service animals, but why would we even have dogs there in the first place? Can we put some language in there and restrict that to service animals?

City Attorney Carlyle: I think we need to include the reference to vicious animals regardless because we capture that in our ordinance definition.

Chairman Golden: So, we leave it in there?

City Attorney Carlyle: I will refer to the Police Attorney. I just clearly remember when Trader Joe's was coming to Greensboro and they had their dogs out there, Labradors and Goldens with those signs. The signs were on the dogs bodies.

Police Attorney Beasley: I guess I could envision a group for animal rights or something that wanted to demonstrate and have their dogs out there. So, they would get upset. I don't mind either way.

Chairman Golden: Because a dog does not have to be vicious to bite. It would put them in an unfamiliar situation.

Police Attorney Beasley: I don't really have an opinion either way.

City Attorney Carlyle: I don't either. I think we have enough laws on the books that would cover it.

Chairman Golden: Who would be responsible, liable? The person who brought the dog, or the person doing the picketing?

Committee Member Williams: I would say the dog owner, wouldn't you?

City Attorney Carlyle: The dog owner should be.

Chairman Golden: Alright, go ahead Pastor Lilley. You had a question.

Pastor Brad Lilley: Foot races, bicycle races, parades, are allowed to use public streets, but not picketers. To me, it's like a discrimination against picketers because all others are allowed to use public streets except for picketers. If it's not conducted on portions of the public streets, sidewalks not used primarily for vehicle parking and moving traffic. And, all other sections of this ordinance allows for the use of public streets except for picketers.

Chairman Golden: I think that's why we had the discussions about definitions, but in Section 10-1-286, it says picketers shall conduct on or portion of public street, sidewalks not primarily used for vehicular traffic. So it's saying you can use the streets as long as you are not blocking traffic. That's how I'm reading it.

Pastor Lilley: But it's also saying that all other activities can use the public streets.

Committee Member Williams: To which they've got to get permits first.

Pastor Lilley: Picketers do too.

Chairman Golden: I see your point, but remember we were talking about the difference between picketing and parades when we were talking about parades generally move. Picketers don't move as much. So that's what my thinking was that they wouldn't need to use the public

streets. Then they become a parade or a march. So, then they fall into the other part of the ordinance.

Committee Member Peters: That's what I thought to.

City Attorney Carlyle: No, that's spot on. Exactly. And, Sir, you would not have to get a permit for picketing. That's what he was just saying a while ago. There's no discretion or judgement or review or anything like there is for the parade.

Attorney Clodfelter: This only requires notice. No permit is issued. It's just simply notice that the picketing is taking place if it's a certain group size. So, you know you have that ability to organize the size of the group, where you want it, and then let the chief or now it's the city manager or designee know. So, there's no waiting, I guess, for an approval.

Pastor Lilley: Also, the last time we met I asked about prayer vigils and I was told that it's requiring that it also eliminates being picketing, but in your definitions of picketing, make a public display of due demonstration or sentiment for or against a personal cause. I don't see why if we're going to have a prayer vigil that we need to be concerned about how many people are going to pray at a certain location or anything. Or, to have that prayer vigil and not to know how many people are going to be there and if we know that it's going to be more than 15, then we have to get a permit to pray.

Committee Member Peters: Unless you prayed at church. Just have the prayer vigil in your parking lot.

City Attorney Carlyle: I don't believe that's accurate at all. I think….and Brian and Catherine, please feel free to jump in. I do recall some of that discussion, it was more when it switched from being a picketing situation to a parade situation. I think that was the main focus at that point.

Chairman Golden: So, you're talking about moving vehicles versus a stationary vehicle. Are you okay with that?

Pastor Lilley: Yeah, I mean most of my prayer vigils don't turn into marches.

Chairman Golden: Yeah, if they march, then they have to follow the marching guidelines.

City Attorney Carlyle: And, that won't require an application, permit process, or any of that. That would be just a matter of peaceful picketing.

Pastor Lilley: I don't agree with just a prayer vigil at all being called picketing.

City Attorney Carlyle: I understand what you're saying for sure.

Pastor Lilley: That's Freedom of Religion basically and now we've crossed it into other freedoms that are being chipped away.

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City Attorney Carlyle: I hear you loud and clear and agree with you actually, personally. But, we are in a position where we can't designate prayer and identify it separately or identify different categories. That's where we get in a precarious position of doing something that's unconstitutional because prayer has to be protected equally to other events or whatever purpose they're holding it for.

Attorney Clodfelter: It's an attempt to make it content neutral, and I think it's a success even though you might like the term "picket," it does preempt any content of what the activity would be the same. And that's to meet the Constitution standard that no matter what you're talking about, no matter why you are gathering together in that location, it's all treated equally and it's allowed. It just has to have notice.

Chairman Golden: Can we put some language in here that says picketing to include prayer versus making prayer picketing? I think that's what you were saying. Because you're not going to be picketing anything if you're praying.

City Attorney Carlyle: Right. Let me play devil's advocate a bit. We don't have the opposite of that language in here. We're not saying that prayer is picketing. We're not saying that anything is picketing or vice versa. And the whole reason for that is because if we start naming things, I don't know where we'll be able to stop to identify and predict what we need to include. We also then begin the content issue of saying, okay, we've identified one. I completely understand and when I think of a prayer vigil, I don't think of calling that picketing. To me, there's just two different connotations there.

Attorney Clodfelter: Again, I also understand. I think the last time we met there were a lot of questions about different terminology that might not be considered and Chris Brook and I actually discussed the definition of picket a lot and in his mind and in my mind, everyone understands that it's the best term to understand the actions that are involved. Not at all what's being discussed, what the sentiment is. It is the best visual description of what people are doing regardless of the content. So, that's why this language was chosen. And it's also a commonly used word so across-the-board people will know what it is. But, again, I totally understand the negative connotation you might feel from it.

Pastor Lilley: Well, if somebody is killed at a certain place and the family wants to go to that place and have prayer. It doesn't have to be an act of violence, it could be from a car accident. You know we see memorials all the time on the sides of the roads and different things. And I can understand not praying in the middle of the street, but if people want to gather for prayer at sort of a memorial, then I don't think it should be restricted. I think we should get a total pass on everything. We should not be considered any part of this at all.

Attorney Clodfelter: I hear you, but the law, the constitutionality of it, and to provide exceptions would be content-based treatment and preferring an individual to another type of gathering. That's something that we cannot do.

City Attorney Carlyle: I just have to point something else out too. We have to write the due diligence into the law, but when the rubber meets the road, the police department is going to use

common sense to enforce this in regards to the application. I felt that the chief made that clear when he was here before. Seeing what's written on paper versus what's actually happened.

Pastor Lilley: I would feel comfortable also that it's not discretionary by the police chief.

Chairman Golden: It's not though. He does not have a choice in the matter. He just has to be notified. He can't make a decision and say, no, you can't do that. He doesn't have that power.

City Attorney Carlyle: We're basically just asking for notice. If you're going to be out there 15 or more peacefully picketing, you know, just give us a heads up. That's basically it.

Unidentified Speaker: Would a prayer vigil, regardless of size fall under the breaking news and would it be protected under that spontaneous event?

Attorney Clodfelter: Well, that would be an application for a parade I believe.

Unidentified Speaker: But what if it was in a breaking news because if we re responding, that would be a breaking news scenario.

Police Attorney Beasley: If you're going to be stationery and in a particular location, it won't matter because the notice has to be turned around immediately. If you're going to be in the street, it would then be termed a parade, moving from one location to another. That would affect the turn-around time for the permit for the parade. Actually, to address one of your concerns, if you're on, you know, if this is a scene of a shooting and you're on private property, none of this matters anyway. This only affects if you're on public property or in the streets.

City Attorney Carlyle: And you wouldn't want this spontaneous part to apply to you. It wouldn't. You wouldn't want it to because then you'd move under the process for the parade.

Unidentified Speaker: Spontaneous moves under the ordinance?

City Attorney Carlyle: it doesn't apply to permits at all. You can get out there whenever.

Attorney Clodfelter: The spontaneous…..it was created so that when you think about parades, it takes so much more effort to get safety and everything to the route of the parade. So, we have a timeline, generally, from an application not for pickets, but for parades. And then you get a turn-around time and we've provided a specific number of days. But, understanding that there are events, someone is shot, massive trauma in the community, or if there's a happy celebration that everyone wants to get together to celebrate, you need a spontaneous turn-around time. So we limited that turn-around time to only 24 hours, or as fast as possible. If it's easy to turn around, it's going to be turned around, but that's when the spontaneous event comes into play. Not for something that's stationery, and not for something that's on private property. Only when you're trying to walk through the public streets, block the traffic. And not only for protection, but also to keep people aware.

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City Attorney Carlyle: So, comments? How do you feel about the way we separated it into two different divisions?

Chairman Golden: That was the request, that we separate it. I think we've vetted it as much as we can vet it. I would suggest we move it on to Council. Not necessarily with a favorable or an unfavorable, but just move it on to Council for a decision.

Chairman Golden: **I'll make that in the form of a motion.**

Committee Member Peters: **Second.**

Unidentified Speaker: Could I just get a little clarification on the part about the costs? I had asked you if it's a group that doesn't bring in any money, doesn't have any kind of fundraising or anything, is it the organizer of the group that you take into account? Is that the case? And then you decide whether they can afford it?

Attorney Clodfelter: I understand. The law in this area is very unclear. Whether or not there even needs to be an indigent waive is unclear. What this ordinance attempts to do is to provide what was seen as already recognized under North Carolina laws, a person unable to provide any form of financing for themselves. That would only be an individual as it's written. Meaning there may be other ways to identify just that organization, but the ordinance itself only recognizes the individual. So, as it's written, numerous individuals could have applications, but the organization itself would not be considered indigent.

Unidentified Speaker: So, you would register an event as an individual?

Attorney Clodfelter: Yes.

Unidentified Speaker: Okay. Not for an organization, but as an individual. Okay, I see.

Chairman Golden: I have a motion on the table to move this on to Council and I have a second. All in favor?

Chairman Golden and Committee Members Peters, Hudson, and Scarborough: Aye. [4-0 vote]

[end of transcript]

2. Update on Operation Inasmuch (OIAM)

Sofia Crisp with Housing Consultants Group shared a video of Operation Inasmuch and thanked the City of High Point and all the volunteers for the great work they are doing in the community. She stated the OIAM event would not be possible without volunteers. Since its inception, OIAM has impacted over 59 families. The fifth OIAM event is scheduled for May 19th in the Washington Street neighborhood. She mentioned that they were contacted by the Town of Chapel Hill who is interested in replicating this work.

3. Update on Community Housing Solutions – Program Impact Report

Gene Brown with Community Housing solutions provided a brief overview of who they are and the work that they do in the community. CHS is a non-profit with ten employees, half of the staff is experienced construction staff. They work to preserve home ownership in Guilford County through home repairs and home construction. They provide home repairs to qualifying families who own their homes and who are below specific income levels. They also promote home ownership opportunities for low income families while helping to stabilize neighborhoods.

Mr. Brown shared that they assisted with 165 home repairs last year in Guilford County and provided opportunities in the Southside neighborhood in High Point. They build/rehab about 5-10 homes a year. They do this in partnership with Sofia Crisp, who conducts HUD home ownership training classes.

He then distributed the 2017 Community Housing Solutions IMPACT report, which is hereby attached as a permanent part of these minutes.

He then shared the impact that CHS has on the High Point community in 2017.

- ✓ Completed 46 home repairs
- ✓ 32 were OIAM repairs (funded by the City of High Point)
- ✓ 10 heating repairs made possible with Piedmont Natural Gas funds
- ✓ 10 accessibility modifications
- ✓ 4 were aging gracefully participants who got home repair services, but also had nurses and occupational therapists visiting with them as well.
- ✓ Total of $241,123 that was invested in High Point to help preserve affordable homes for low income families.

Mr. Brown noted the City of High of High Point has been doing this for a little over two years now and has had a positive impact on five neighborhoods with 59 homes that have been repaired. New construction in the Southside neighborhood has resulted in:

- ✓ 4 homes completed; 3 of them have been sold
- ✓ 2 homes started at 806 George Place and 605 Vail
- ✓ 3 scheduled for 2018 at 608, 610, and 700 Vail

Mr. Brown explained they have been working with Advanced Energy who develop models of high return on investment for energy efficiency. He shared they have a model called SystemVision and every new home they build is built to the SystemVision standard. He provided an example of the home at 809 George Place that is part of the SystemVision and for two years they get a guarantee that their heating/cooling costs will be no more than $33.18 a month. Chairman Golden inquired as to what happens in Year 3. Mr. Brown advised that they would evaluate the usage, but theoretically, they could have low utility bills throughout the life of being there.

He then shared a map identifying homes that have been built on George Place, Vail, Cassell Street, and Tryon Avenue and entertained any questions.

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There being none, the meeting was adjourned at 11:15 a.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
Lisa B. Vierling, MMC
City Clerk

_____
Jeffrey Golden, Chairman

DRAFT

CITY OF HIGH POINT
AGENDA ITEM

Title: Change Order, Contract 2017-002 Soutside Pedestrian Bridge

From: Keith Pugh, Engineering Services

Public Hearing: N/A

Attachments: Vicinity Map

Meeting Date: May 21, 2018
Advertising Date: April 23, 2017
Advertised By: Purchasing Division

PURPOSE:
City Council is asked to approve a change order for the Southside Pedestrian Bridge contract with Yates Construction Company in the amount of $75,000.

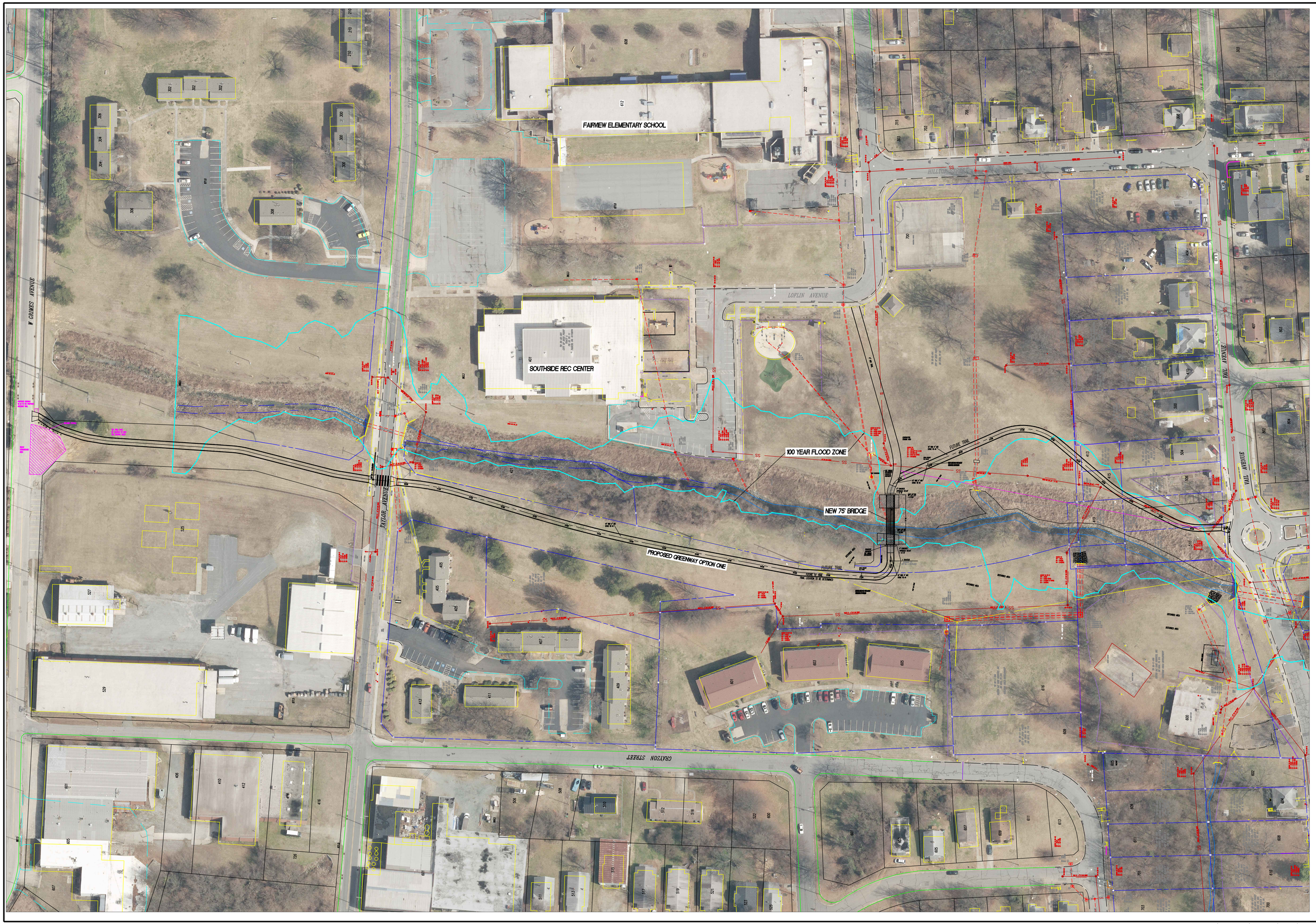
BACKGROUND:
Bids for the work were originally opened on May 17, 2017. City Council awarded the construction contract during their regular meeting on June 5, 2017. The work to fabricate and install the pedestrian bridge is complete. Community Development and Housing, as well as the Southwest Renewal Foundation would like us to complete the proposed greenway between Vail Avenue and Grimes Avenue. The total cost to perform this work is anticipated to be $107,910. The City has residual funding remaining in the existing construction contract which will offset some of these costs.

The portion of the greenway between Taylor and Grimes is subject to an environmental review which should be completed within the next 60 days.

The contractor will likely coordinate the new greenway construction with their work under Contract 2015-011 Safe Routes to School. Work on the section of greenway between Taylor and Grimes can begin immediately following environmental documentation approval and execution of this change order. The contractor will have 90 days to complete all work.

BUDGET IMPACT:
Funds are available in the existing construction contract and through the Neighborhood Stabilization Program.

RECOMMENDATION / ACTION REQUESTED:
Engineering Services as well as Community Development and Housing requests City Council approve a change order on contract ENG2017-002 to Yates Construction Company in the amount of $75,000.00.



CITY OF HIGH POINT
ENGINEERING SERVICES
DEPARTMENT
211 S. HAMILTON STREET
P.O. BOX 230
HIGH POINT, N.C. 27261
TELEPHONE (336) 883-3194
FAX (336) 883-4118

PRELIMINARY

JOB NO:	ENG - 2473
DATE	MARCH 2018
DESIGNED	JSD
DRAWN	JSD
CHECKED	TAK
BY SCALE	1" = 60' HORIZONTAL

PLAN DRAWINGS FOR SOUTHSIDE GREENWAY

PROPOSED GREENWAY PROJECT

PAVED TRAIL IMPROVEMENTS

HIGH POINT - GUILFORD COUNTY - N.C.

SHEET NO.

4

PLOT DATE AND FILE: 03-08-18 Y:\drawings\projects\2473\MAINDWG\12001.DWG

CITY OF HIGH POINT

AGENDA ITEM

Title: Ordinance – Parades, Special Events, and Picketing

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, May 21, 2018

Advertising Date: not required

Public Hearing: No **Advertised By**:

Attachments: Ordinance

PURPOSE/BACKGROUND:
The City Attorney's Office has completed an extensive review and revision of the Ordinance for Parades, Special Events and Picketing. The review and study of the revision included multiple considerations by the Community Housing, Neighborhood Development and Public Safety Committee, High Point Police Department and outside organizations including ACLU and NAACP. The majority of the current ordinance was determined to be inadequate and therefore, instead of an amendment, a replacement of the current ordinance is deemed necessary.

BUDGET IMPACT:
None

RECOMMENDATION / ACTION REQUESTED:
The City Attorney recommends repealing Title 10 – Transportation and Traffic, Chapter 1 – Traffic Regulations, Article O – Parades in its entirety and replace with the newly, revised Title 10 – Transportation and Traffic, Chapter 1 – Traffic Regulations, Article O – Parades, Special Events and Picketing.

City Attorney

JoAnne L. Carlyle

NORTH CAROLINA'S INTERNATIONAL CITY™

DATE: **May 15, 2018**

TO: **City Council and City Manager, and Deputy City Manager**

FROM: **JoAnne L. Carlyle, City Attorney**

RE: **Parades, Special Events, and Picketing Ordinance**

The City Attorney's Office has completed an extensive review and revision of the Ordinance for Parades, Special Events and Picketing. The review and study of the revision included multiple considerations by the Community Housing, Neighborhood Development and Public Safety Committee, High Point Police Department and outside organizations including ACLU and NAACP. The majority of the current ordinance was determined to be inadequate and therefore, instead of an amendment, a replacement of the current ordinance is deemed necessary.

City of High Point, P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Phone: 336.822.4745 Fax: 336.883.2129
E-mail: joanne.carlyle@highpointnc.gov

AN ORDINANCE REPEALING TITLE 10 – TRANSPORTATION AND TRAFFIC, CHAPTER 1 – TRAFFIC REGULATIONS, ARTICLE O – PARADES IN ITS ENTIRETY AND ADOPTING TITLE 10 – TRANSPORTATION AND TRAFFIC, CHAPTER 1 – TRAFFIC REGULATIONS, ARTICLE O – PARADES, SPECIAL EVENTS AND PICKETING OF THE CITY OF HIGH POINT CODE OF ORDINANCES

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of High Point that Title 10, Chapter 1, Article O - Parades is repealed in its entirety (Section 10-1-271 through and including 10-1-290) and Title 10, Chapter 1, Article O – Parades, Special Events, and Picketing (Section 10-1-271 through and including 10-1-290) is hereby adopted.

ARTICLE O – PARADES, SPECIAL EVENTS AND PICKETING

Footnotes:

--- (3) ---

Editor's note— Section 1 of Ord. No. 91-55, adopted Sep. 5, 1991, repealed §§ 10-1-271—10-1-276 and added §§ 10-1-271—10-1-283 as herein set out. Former §§ 10-1-271—10-1-276 pertained to parades and derived from the 1982 Code.

DIVISION 1
PARADES AND SPECIAL EVENTS

Sec. 10-1-271 - Definitions.

The following words, terms and phrases, when used in this Article, Division 1 and Division 2, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Appeals Official* means the City Manager, or his designee who shall be a Deputy City Manager or Assistant City Manager.

(3) *City* means the City of High Point, North Carolina.

(4) *City Manager* is the person selected and appointed by the High Point City Council to fill the position of City Manager or his or her designee.

(5) *Parade* means any march, demonstration, gathering, public assembly, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof that has the potential to disrupt the normal flow of traffic upon any public street, provided the term shall not include:

a. Funeral processions;
b. Pickets as defined in subsection (8) below;
c. Footraces and bicycle races as defined in Section 10-1-282 of this Article;
d. Block parties as defined in Section 10-1-283 of this Article; and
e. Festivals as defined in Section 10-1-284 of this Article.

(6) *Permit Official* means the person or persons designated by the City Manager as being responsible for issuing and revoking permits under this article. The City Manager may designate different persons as the Permit Official for different categories of permitted events and for different facilities or locations. The Permit Official shall not be the same designee as the Appeals Official.

(7) *Person* means any person, firm, partnership, association, corporation, company or organization of any kind.

(8) The terms *picket, pickets, picketer, and picketing* as used herein mean to make a public display or demonstration of sentiment for or against a person or cause, taking place in a particular location without procession to other locations, and includes those demonstrations which may include the distribution of leaflets or handbills, the display of signs and any oral communication or speech, which may involve an effort to persuade or influence, including all expressive and symbolic conduct, whether active or passive, upon those portions of the public street and sidewalk not used primarily for vehicular parking and moving traffic and not constituting a parade, as defined in Sec. 10-1-271(5).

(9) *Public street* means any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right of way, or median strip thereof. The terms "highway" and "street" and their cognates are synonymous as used herein.

(10) *Sidewalk* means any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved. (Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

(11) *Special Event* means Parade as defined in Sec. 10-1-271(5); Footraces and bicycle races as defined in Section 10-1-282 of this Article; Block parties as defined in Section 10-1-283 of this Article; and Festivals as defined in Section 10-1-284 of this Article.

Sec. 10-1-272 -Parade permits.

(a) *Permit required.* It shall be unlawful for any person to conduct or participate in a parade unless a permit allowing such activity has been obtained, and remains unrevoked, pursuant to this section. No person may conduct or otherwise participate in any parade except between the hours of 9:00 a.m. and 9:00 p.m.

(b) *Permit Application.* A person seeking a parade permit shall file an application with the Permit Official or designee on forms provided by the City and the application shall be signed by the Applicant under oath at least 10 business days and not more than 180 days before the commencement of the event. Notwithstanding the preceding sentence, the Permit Official shall consider an application that is filed less than 10 business days before the commencement of the proposed event where the purpose of such event is a spontaneous response to a current event or where, after due consideration of the date, time, place, and nature of the parade, the anticipated number of participants, and the City services required in connection with the event, the Permit Official determines that the time from filing is sufficient to prepare for the parade pursuant to the standards set forth in subsection (c) below.

The Permit Application must contain the following if applicable:

(1) The name, address, and telephone number for the person in charge of the proposed event and the name of the organization with which that person is affiliated or on whose behalf the person is applying (collectively "Applicant");
(2) The name, address, and telephone number for an individual who shall be designated as the responsible planner and on-site manager for the event ("Parade Chairman");
(3) The date, time, place, and route of the proposed event, including the location and time that the event will begin to assemble and disband;
(4) The anticipated number of persons, vehicles, and animals which will constitute such parade or demonstration and the type of animals and description of the vehicles;
(5) The location by street of any assembly areas for such parade or demonstration;
(6) Such other information, attachments, and submissions that are requested on the application form; and
(7) Payment of a nonrefundable application fee as set out in the City's Special Event Policy.

(c) *Permitting criteria*. The Permit Official or City Manager shall issue a permit for the proposed parade unless:
(1) The safe conduct of the parade will substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
(2) The conduct of the parade will require the diversion of so great a number of law enforcement personnel of the City to properly police the line of movement of the parade and of contiguous areas that adequate police protection cannot be provided to the remainder of the City;
(3) The conduct of the parade will require the diversion of so great a number of ambulances and rescue units that adequate ambulance and rescue service to portions of the City and contiguous areas not occupied by the parade will be impeded;
(4) The application is not fully completed and executed or contains a material falsehood or misrepresentation;
(5) The proposed event would conflict with previously planned programs organized, conducted, or sponsored by the City and previously scheduled at or near the same time and/or place or would conflict with an already permitted event under this section;
(6) The concentration of persons, animals, and vehicles at assembly points of the parade will substantially interfere with adequate police and fire protection of, or ambulance and rescue service to, areas contiguous to such assembly areas;
(7) The parade is to be held for the primary purpose of advertising a product, goods, or an event, and is designed to be held primarily for private profit or gain;
(8) The conduct of the parade will interfere with the movement of firefighting equipment to such an extent that adequate fire protection cannot be provided to the City; or
(9) The proposed event would present an unreasonable danger to the public health and safety.

(d) Nothing in this section shall authorize the Permit Official or City Manager to deny a permit based upon political, social, religious, ethnic, race, disability, sexual orientation or gender related grounds, or based upon the content of the views expressed.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-273 - Revocation of Permit.

The City Manager or Chief of Police may immediately revoke any permit granted for a parade if:

(a) Any parade participant violates the standards for conduct of parades set out herein; or

(b) Any parade participant fails to comply with the formation, terms, and conditions set out in the application and permit or fails to comply with the terms of this article.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-274 – Parade Costs.

(a) The Applicant for permits pursuant to Section 10-1-272 shall be responsible for reasonable costs associated with the parade including the hiring and paying off-duty law enforcement officers, or reimbursing the City for the costs of providing on-duty law enforcement officers and other necessary personnel and equipment, to appropriately police street closures and the safety and security of participants. The police and fire departments shall determine the number of officers, traffic control officers (in accordance with N.C. Gen. Stat. 20-114.1), fire/EMS personnel, and transportation personnel needed to appropriately police street closures and for safety, security, and medical needs and the time when such services shall commence and end, taking into consideration the following:

(1) The proposed location of the route of the parade;
(2) The time of day that the parade is to take place;
(3) The date and day of the week proposed;
(4) The general traffic conditions in the area requested, both vehicular and pedestrian.
(5) The number of marked and unmarked intersections along the route requested, together with the traffic control devices present;
(6) If traffic must be completely rerouted from the area, then the number of marked and unmarked intersections and the traffic control devices are to be taken into consideration;
(7) The estimated number of participants;
(8) The nature, composition, format and configuration of the parade;
(9) The anticipated weather conditions; and
(10) The estimated time for the parade

(b) (1) Notwithstanding the foregoing, the Permit Official or City Manager shall grant a waiver of costs for the services required by this subsection to an indigent Applicant seeking a permit for a parade. An indigent applicant is any person who:

(i) if an individual, receives or is qualified to receive electronic food and nutrition benefits recognized by the North Carolina Department of Health and Human Services, issued through Electronic Benefit Transfer cards;
(ii) if an individual, receives or is qualified to receive Work First Cash Assistance;
(iiii) if an individual, receives or is qualified to receive Supplemental Social Security Income; or

(iv) if not an individual, receives no membership fees, dues, or any other type of income and owns no assets, and is not a sole proprietorship, general partnership, corporation, limited liability company, or limited partnership organized under state law.

(2) An Applicant requesting a waiver of costs on the basis of indigency shall inform the Permit Official and provide evidence of indigency. If it is later determined that there has been an intentional, material misrepresentation of the Applicant's financial status or other information provided on the application, the City reserves the right to charge the organizers on appropriate fee based on actual events.

(c) The City may sponsor parades that are annual civic or community events provided to City residents generally around holidays.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-275 - Notice of action on permit application; appeal procedure.

(a) The Permit Official or City Manager shall act upon the application as expeditiously as reasonably possible, and within three (3) working days after receipt, notifying the Applicant in writing of his decision. The notice shall also inform the Applicant of the appeal procedure available under subsection (b) of this section and the conference available under section 10-1-276 for an alternative permit. If the application is for a parade permit and is filed in less than 10 days prior to the proposed event as a spontaneous response, described in Sec. 10-1-272(b), the Permit Official or City Manager shall notify the Applicant in writing of the decision and basis for the decision within 24 hours of receipt of the application.

(b) Any person aggrieved shall have the right to appeal the denial of a parade permit immediately to the Appeals Official. The denied Applicant shall make the appeal within five (5) days after receipt of the denial by filing a written notice with the City Manager and a copy of the notice with the City Clerk.

(1) Within five business days, or such longer period of time agreed to by the Applicant, the Appeals Official shall hold a quasi-judicial hearing on whether to issue the permit or uphold the denial or revocation. The Applicant shall have the right to present evidence at said hearing. The decision to issue or uphold the denial or revocation shall be based solely on the approval criteria set forth in this section. The Appeals Official shall render a decision on the appeal within five business days after the date of the hearing. In the event that the purpose of the proposed event is a spontaneous response to a current event, or where other good and compelling causes are shown, the Appeals Official shall reasonably attempt to conduct the hearing and render a decision on the appeal as expeditiously as is practicable.

(2) The decision of the Appeals Official is subject to review in the Superior Court of Guilford County by proceedings in the nature of certiorari. Any petition for writ

of certiorari for review shall be filed with the clerk of superior court within 30 days after the Applicant has received notice of the decision. Unless good cause exists to contest a petition for writ of certiorari, the City shall stipulate to certiorari no later than five business days after the petitioner requests such a stipulation. The City shall transmit the record to the court no later than five business days after receiving the order allowing certiorari. Notwithstanding the provisions of any local rule of the reviewing court that allows for a longer time period, the City shall file its brief within 15 days after it is served with the petitioner's brief. If the petitioner serves his or her brief by mail, the City shall add three days to this time limit, in accordance with North Carolina General Statute 1A-1, Rule 5. If the local rule is subsequently amended to provide for a shorter time period for the filing of any brief, then the shorter time period shall control. The North Carolina Rules of Appellate Procedure shall govern an appeal by an Applicant from the Superior Court of Guilford County.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-276 - Alternative permit.

If the Permit Official or City Manager denies an application for a parade permit based upon one (1) or more of the findings prescribed in section 10-1-272, the Permit Official or City Manager shall, upon the request of the Applicant, confer with Applicant for the purpose of trying to negotiate modifications to the planned parade that will eliminate the objections found under section 10-1-272. The Permit Official or City Manager is authorized to grant an alternative permit specifying a date, time, or route different from that contained in the application. The alternative permit is valid only upon the filing by the Applicant with the Permit Official or City Manager a written acceptance of the alternative permit. An alternative permit is void if not accepted in the manner prescribed in this section within three (3) working days after its issuance. An alternative permit shall conform to the requirements of and shall have the effect of a parade permit under this article.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-277 - Duties of permittee.

A permittee hereunder shall comply with all permit directions and conditions, and with applicable laws and ordinances.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-278 - Duty of parade chairman.

The person designated in the application as responsible for the physical conduct of the parade shall be responsible for monitoring the conduct of the participants in the parade. Upon actual notice of any violation, given to the responsible person by a law enforcement officer on the scene of said parade, such person shall make immediate bona fide attempts to correct the violation. It shall be unlawful for such responsible person to refuse to make such bona fide attempts to correct the violation.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-279 - Conduct during the parade.

(a) *Interference*. No person shall unreasonably hamper, obstruct, or impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in the parade.

(b) *Driving through parades*. No driver of any vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(c) *Parade or parade route*. The City Manager or designee shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or highway or part thereof constituting a part of the route of a parade. The City Manager shall cause signs to be posted to this effect, and it shall be unlawful for any person to park or leave unattended, any vehicle in violation thereof.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-280 - Hand-carried signs.

No sign or poster carried by hand in the parade shall be of greater density than eight (8) ply .030 thickness cardboard. No support for such sign or poster shall be of a metallic substance nor thicker than one (1) by three-fourth (¾) inches.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-281 - Parade route.

Every parade shall follow the route designated and approved by the City Manager or designee and prescribed on the parade permit.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-282 – Footraces and Bicycle Races

(a) The term "footrace" as used in this section is defined as a group of three (3) or more runners or walkers competing against either each other or a time limit over a fixed course all or a part of which involves the use of City street right-of-way, City sidewalks, and greenways. This term shall include events connected to a footrace, such as untimed non-competitive "fun runs."

(b) The term "bicycle race" as used in this section is defined as a group of three (3) or more bicyclists competing against each other or a time limit over a fixed course all or a part of which involves the use of City street right-of-way, City sidewalks, and greenways. This term shall include untimed non-competitive bicycle events such as memorial rides.

(c) Application for a race covered by this section shall be made in writing at least one hundred twenty (120) calendar days before the time at which the race shall be scheduled to begin and shall contain the information outlined in the City's Special Event Policy. A race application may be accepted after this deadline only if allowed as a late application permitted under the City's Special Event Policy.

(d) Upon receipt of an application properly completed and timely filed as hereinabove set out, the City Manager or designee shall issue a permit after the Applicant has complied with all applicable requirements imposed in accordance with the City's Special Event Policy. The permit shall contain all information stated on the application and shall be signed by the City Manager or designee.

(e) The following standards shall apply to all footraces and bicycle races subject to this section conducted in the City:

(1) Every race shall follow a route approved by the City Manager or designee in accordance with the standards set out below.

(2) The race Applicant and all persons involved in conducting the race shall comply with all terms and conditions set out in the City's Special Event Policy and all terms and conditions contained in the permit issued for the race.

(3) The organizer of an event subject to this section shall be responsible for reasonable costs associated with the foot races and bicycle races including the hiring and paying off-duty law enforcement officers, or reimbursing the City for the costs of providing on-duty law enforcement officers and other necessary personnel and equipment, to appropriately police street closures and the safety and security of participants. The police and fire departments shall determine the number of officers, traffic control officers (in accordance with N.C. Gen. Stat. 20-114.1), fire/EMS personnel, and transportation personnel needed to appropriately police street closures and for safety, security, and medical needs and the time when such services shall commence and end. The City may provide the services required by this subsection at no cost, or at a reduced cost, to the Applicant should the City desire to provide such support to the event.

(4) The permit shall not be issued until the sponsor shall acquire sufficient insurance or approval by the city attorney to indemnify the City for damages or liability which the City might incur.

(5) The approval of any route shall be based on the safety of the participants and non-participants, the degree of disruption that the route will likely cause, the available access for cars and pedestrians, and the unique requirements of a specific event.

(6) The City Manager or designee's disapproval of a proposed route may be appealed to the City Council. Appeals shall be made in person at a regularly scheduled City Council meeting at least three meetings prior to the proposed event date.

Sec. 10-1-283 – Block Parties

(a) The term “block party” as used in this section is defined as a planned gathering of persons in which a public street will be closed that is sponsored by a business, place of worship, non-profit organization or community interest group.

(b) Application for an event covered by this section shall be made in writing at least ten (10) business days before the time at which the event shall be scheduled to begin and shall contain the information outlined in the City's Special Event Policy. An event application may be accepted after this deadline only if allowed as a late application permitted under the City's Special Event Policy.

(c) The Applicant is responsible for notifying all property owners or residents in the area to be blocked off of the event using a form provided by the City. Any opposition by property owners or residents with direct frontage and/or access to the street to be closed may result in permit denial.

(d) Upon receipt of an application properly completed and timely filed as hereinabove set out, the City Manager or designee shall issue a permit after the Applicant has complied with all applicable requirements imposed in accordance with the City's Special Event Policy. The permit shall contain all information stated on the application and shall be signed by the City Manager or designee.

(e) The following standards shall apply to all block parties subject to this section conducted in the City:
    (1) The block party may encompass an area of no greater than one block and the sponsoring organization must be located in that area;
    (2) Block parties may have no more than 500 attendees at any one time;
    (3) Block parties are still subject to all federal, state, and local laws, including the noise ordinance and alcohol laws.
    (4) Police may end the party and order attendees to leave the street(s) if violation of this section occurs. After a reasonable time to allow for dispersal, the street(s) will be reopened and persons impeding the flow of traffic will be subject to arrest.

Sec. 10-1-284 – Festivals

(a) The term "festival" as used in this section is defined as an outdoor concert, fair, community event, or similar event that is primarily commercial and/or recreational in nature.

(b) Application for a festival covered by this section shall be made in writing at least one hundred twenty (120) calendar days before the time at which the festival shall be scheduled to begin and shall contain the information outlined in the City's Special Event Policy. A festival application may be accepted after this deadline only if allowed as a late application permitted under the City's Special Event Policy.

(c) Upon receipt of an application properly completed and timely filed as hereinabove set out, the City Manager or designee shall issue a permit after the Applicant has complied with all applicable requirements imposed in accordance with the City's Special Event Policy. The permit shall contain all information stated on the application and shall be signed by the City Manager or designee.

(d) The following standards shall apply to all festivals subject to this section conducted in the City:

(1) The festival Applicant and all persons involved in conducting the festival shall comply with all terms and conditions set out in the City's Special Event Policy and all terms and conditions contained in the permit issued for the festival.

(2) The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the City for the costs of providing on-duty law enforcement officers and other necessary personnel and equipment, to appropriately police street closures and the safety and security of participants and those in the vicinity of the event. The police and fire departments shall determine the number of officers, traffic control officers (in accordance with N.C. Gen. Stat. 20-114.1), fire/EMS personnel, and transportation personnel needed to appropriately police street closures and for safety, security, and medical needs and the time when such services shall commence and end. The City may provide the services required by this subsection at no cost, or at a reduced cost, to the Applicant should the City desire to provide such support to the event.

(3) The festival permit shall not be issued until the sponsor shall acquire sufficient insurance or approval by the city attorney to indemnify the City for damages or liability which the City might incur.

DIVISION 2

PICKETING

Sec. 10-1-285 - Picketing Permitted; Notice of Intent and Receipt Required.

Peaceful picketing shall be permitted in the City provided the same is done under the following conditions:

(a) No picketing shall be conducted on a public street or sidewalk and no person shall participate in the same unless notice of intent to picket has been given to the City Manager or designee, and unless a receipt of such notice has been issued, except where provided below.

(b) A group of fifteen or more persons shall give notice of intent to picket. A group of fewer than fifteen persons may give notice of intent to picket but is not required to do so. Whether a group consists of fifteen or more persons such that notice is required shall be determined from the time immediately prior to initiating a picket. If a group of less than fourteen persons begins to picket without providing notice and becomes a group of fifteen persons or more, the failure to provide notice of the picket shall not be a violation of this section. Notice given shall contain the following information:

(1) The name, if any, of the organization or group sponsoring or proposing to picket unless the group indicates that it intends to picket anonymously, in which case no name is required;
(2) The location or locations in the City where the pickets propose to assemble and demonstrate;
(3) The date or dates on which the picketing is to occur;
(4) The name of the person and organization giving notice of intent to picket unless the person or organization indicates that it intends to picket anonymously, in which case no name is required;

(5) Whether or not persons below the age of eighteen (18) years are expected to participate; and
(6) The person or persons to be in charge of the activity and who will accompany it and carry any receipt of notice at all times.

(c) It is unlawful for any picketer, as defined herein, to engage in the activity prohibited under N.C.G.S. §14-277.4A.

(d) Upon the giving of notice of intent to picket, properly provided as hereinabove set out, the Chief of Police or his designee shall immediately issue a receipt of notice. The receipt shall contain all information stated in the notice. Upon cessation of such picketing for a period of 24 hours or more, any notice previously provided shall no longer be effective for the purpose of 285(a) and (b). .

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-286 - Standards of Conduct for Picketing Activity.

(a) Picketing shall be conducted only on portions of the public street and sidewalk not used primarily for vehicular parking or moving traffic.

(b) Picketers may carry written or printed placards or signs not exceeding forty (40) inches provided the words used are not fighting words or threats that would tend to provoke a reasonable person to breach the peace.

(c) If picketers promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the second in time picketers shall maintain a minimum of 20 feet of space from the first in time pickets at all times and at all adjacent points of potential contact. The Chief of Police or designee shall aid picketers in creating a minimum of 20 feet of space between the picketers in order to ensure safety for all picketers promoting different objectives, law enforcement, and the public, without regard to the purpose or content of objectives promoted by either picketers.

(d) Picketers shall not at any time nor in any way obstruct, interfere with, or block: persons entering or exiting from vehicles; persons crossing streets or otherwise using the public street and/or sidewalk; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.

(e) No person observing, engaging in, or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.

(f) It shall be unlawful for a group of fifteen or more persons to picket without filing a notice as required herein.

(g) It shall be unlawful for any person to violate any provision of this section.

Sec. 10-1-287. - Hand-carried signs.

No sign or poster carried by hand in the picket shall be of greater density than eight (8) ply .030 thickness cardboard. No support for such sign or poster shall be of a metallic substance nor thicker than one (1) by three-fourth (¾) inches.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-288 - Interference with Picketers Prohibited; Police Authority To Disperse Crowds; Failure To Leave When Ordered Declared Offense.

(a) The police officers of the City may, in the event of violation of N.C.G.S. Ann. §14-288.4(a)(1) and §14-288.4(a)(2), direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.

(b) Whenever the free passage of any public street or sidewalk in the City shall be obstructed by a crowd, whether or not the crowd assembles as a result of or in connection with picketing, the persons composing such crowd shall disperse or move on when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when so directed by a police officer as herein provided.

Sec. 10-1-289 - Severability.

If any part, subsection, paragraph, sentence, clause, phrase or word of this article shall be held to be void, invalid, or unconstitutional by a valid judgment or decree of court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this section and such remaining portions shall remain in full force and effect.

Sec. 10-1-290 – Criminal penalty.

In accordance with N.C.G.S. §160A-175, violation of any provision of Division 1 and Division 2, with the exceptions as set forth herein, shall be a misdemeanor as provided in N.C.G.S. §14-4, punishable upon conviction by a fine not exceeding Fifty Dollars ($50.00) or by imprisonment not exceeding thirty (30) days. Any violation set forth herein that is also a violation of any state law shall not be punishable under Sec. 10-1-290 such that the violation would allow for duplicative punishments. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed. This ordinance shall become effective upon adoption.

Adopted the 21st day of May, 2018.

_____

Mayor Jay W. Wagner

_____

Lisa B. Vierling, City Clerk

HIGH POINT CITY COUNCIL
SPECIAL MEETING
BUDGET REVIEW #1
PROPOSED FISCAL YEAR 2018-2019 BUDGET
HIGH POINT MUNICIPAL BUILDING
MAY 10, 2017 – 9:00 A.M.
3RD FLOOR LOBBY CONFERENCE ROOM

MINUTES

Present:
Mayor Jay Wagner; 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 5)

Absent:
Mayor Pro Tem Chris Williams (Ward 2)

Staff Present:
Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; JoAnne Carlyle, City Attorney; Eric Olmedo, Budget & Administrative Director; Laura Altizer, Senior Budget Analyst; Lisa Vierling, City Clerk and Sandra Keeney, Deputy City Clerk

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.

- ***Agreement for the Convention & Visitors Bureau***

Mayor Wagner called the meeting to order at 9:00 a.m. and introduced City Manager, Greg Demko.

Mr. Demko stated the annual Budget is a major policy document regarding how the City implements and provide services to the community as well as affirms with the strategies that were affirmed earlier this year. He then introduced Eric Olmedo, Budget and Administrative Director.

Mr. Olmedo stated he received some good news Tuesday from Mike McNair, Community Development Director, regarding the HUD Allocations. On page 129 in the Budget Book, there are two numbers highlighted under the Federal which reflects the new allocations received. The

HOME allocation is $164,044 higher than planned and the CDBG number is $107,192 which is higher than budgeted as well. These changes as well as other changes that may occur will be included in a one page running document.

Randy Hemann, Assistant City Manager, shared he visited Mike McNair's office and a representative from the Greensboro HUD office was there performing an annual audit. This audit included extensive monitoring of files and processes for four areas which were: Low Moderate Income, Subrecipient Management, overall financial management and audits of the department. He stated the report will be available for Councils review, but wanted to praise the Community Development Department for receiving a great audit report which showed the department is in compliance and proper procedures are being followed.

Mr. Olmedo stated there is an accounting change to the budget. There is a piece of equipment that was budgeted for the Solid Waste fund but the money needs to be placed in the Fleet Service fund. There will be no change in the Solid Waste fund but there will be an increase in Fleet Services fund.

He stated there were previous discussions regarding development fees and changes that were recommended. Mark Schroeder, Development Review Supervisor, met with TREBIC and they gave their recommendations for fee changes. Mr. Olmedo gave an overview of those proposed changes, and stated Development Services would do a comparison of current fees and what impact the recommended changes by TREBIC would be. A report would be sent to Council for review.

Mr. Demko stated he feels the Budget is in compliance with the goals and strategies of the Council. He said there are no increases in electric, garbage, or motor vehicle fees, but noted to maintain a long range financial plan there will be a 3% water and sewer increase. He stated there is still a need to rebuild infrastructure and maintain current infrastructures.

Council Member Moore asked what increased on the revenue side to allow the increase to the budget. Mr. Olmedo responded the water and sewer was a big part, and Parks & Recreation and Development Services are anticipating growth. He stated there was growth in property tax and sales tax. He stated in previous years they would budget for about 98% for taxes collected, but this year it will increase to 99.4%. Historically the property tax on real property and personnel property has been 99% and the tax on motor vehicles is almost 100%, that has allowed for the higher percentage in budgeting.

Council Member Ewing asked is there incentives in the budget of what is yet to be paid out. Mr. Olmedo stated there was not a specific schedule in the budget, however that information can be provided.

Mr. Demko stated there will be continuation of eliminating blight, and recommends and extra $300,000 be budgeted to help ensure sufficient funding. Council Member Golden asked if the upgrades to Green Hill Cemetery would be coming out of these funds. Mr. Olmedo responded after the briefing, he reached out to the Public Service Department for a comparison of the numbers and thought it was better to address it separately than to have it coming from redevelopment.

Council Member Peters asked if a TIGER Grant will be applied for this year. Mr. Hemann stated yes, staff is working on plans regarding the one-way two-way conversion of English and MLK from Centennial to Phillips and also reviewing the Elm Street Corridor from Westwood to High Street.

Council Member Ewing asked regarding the increase in the Utility Assistance Program, do we give that to the Community Foundation and they in turn handle the allocation? Mr. McCaslin stated it was not the Community Foundation but a Community Group that handles the distribution to citizens based on the criteria they have developed. Council Member Ewing asked if the City has an audit of the process they go through. Mr. McCaslin stated not to his knowledge there is not an audit, but there are criteria. He said an individual can only obtain assistance once every six months.

Council Member Ewing asked about funds for street surfacing and time lines and schedules. Mr. Demko explained the process and Mr. McCaslin stated studies are performed every three years. Mr. Olmedo stated one of the ways the City has increased revenue is to raise vehicle fees from $5.00 to $20.00. He said $5.00 goes to transit and $15.00 goes towards street resurfacing. He stated the amount can go to $30.00 per state statute. Council Member Moore asked what the $15.00-dollar increase translates to as far as revenue for the year. Mr. Olmedo estimated $1.2 million. Council Member Moore asked if all of the money went to resurfacing allocation. Mr. Demko stated yes, $15.00.

Council Member Peters asked if any Capital money have been set aside for the Southside Corridor. Mr. Olmedo stated there were some funds set aside a few years ago, but it was determined that the amount of money that was set aside would not address the concerns. He stated in the CIP this year there are some matching funds because they are doing a study of the interchange. He said S. Main could be a component of future bonds. Council Member Ewing suggested it would be beneficial for the new Council if staff would prepare a list of all bond projects over the last 10 years. Mr. Demko as well as Mr. McCaslin explained the funding, and the issues encountered regarding the project.

Mr. Demko stated the City has had decent growth in assessed valuation this year. He noted this budget included the first-year payments of the interfund loans for the catalyst project, and the following year there is hope to see revenue increases in the 649 acres that will come to fruition to help pay down bonds.

Council Member Moore asked the process of determining fleet replacement. Mr. Olmedo explained the Fleet Department meets with each department, they review the inventory, the maintenance history, and expected life span. This number is larger this year because a compactor, grader, and 3 side load garbage trucks are needed.

Council Member Peters commented on a great job the budget department did regarding the budget. Laura Alitizer, Senior Budget Analyst stated a copy of the Budget is at all the Recreation Centers, Library, Senior Center as well as online. Mr. Olmedo stated a copy is also available in the City Clerk's office. Mr. Demko stated there will be a Public Hearing on the May 21st, a follow up work schedule for May 30th if needed, and the City Council vote is scheduled for June 4th.

Council Member Ewing asked what is the total debt balance. Mr. Olmedo stated as of June 30, 2017, total owed tax support is $78 million and utility support is $156 million. He asked if the newest bond for the stadium is built in to the tax support of debt. Mr. Olmedo stated that is correct. There was a discussion regarding a breakdown from the revenue side of the money that goes to pay off the debt service.

Council Ewing asked for explanation in the increase in Council Budget. Mr. Olmedo stated $95,000 is budgeted annually for election cost.
Discussion ensued regarding load management, outdoor lighting, energy efficiency programs, and collection cart replacements.

Council Member Moore asked for clarification regarding the Storm water fund. Mr. Olemdo stated two years ago storm water fees were raised in anticipation of a revenue bond sale for storm water, which hopefully will be this fall. The LGC will not let us sale bonds until projects are fully designed. We are working on a major design in the hospital area. If we are able to get that complete, we will be able to sale the bonds this fall. When we raised the rate, it was used to pay the debt service on the bond. We have accumulated funds in the storm water fund for the last two years. The recommendation is to appropriate some funds that have been accumulated to a capital project. Mr. Demko stated it is to address the issues of the inadequate storm water over there.

Mr. Demko stated the Budget is balanced and complies with state statutes. As mentioned before there will be a Public Hearing on May 21st, possible work session on May 30th with a vote by Council on June 4th.

Mayor Wagner stated there was a need to go into Closed Session.

Council Member Golden moved to excuse Council Member Jones from the Closed Session. Council Member Ewing made a second to the motion, which carried by an 8-0 vote.

Council Member Golden moved to go into Closed Session at 10:41 a.m. pursuant to N.C. General Statute §143-318.11(a)5 Real estate negotiations. Council Member Ewing made a second to the motion, which carried by an 7-0 vote.

Council Member Ewing moved to dissolve the Closed Session and resume Regular Session. Council Member Hudson made a second to the motion which carried with a 7-0 vote. Regular Session resumed at 10:54 a.m.

Mayor Wagner stated there would be no action taken as a result of the Closed Session.

There being no further business, the meeting adjourned at 10:55 a.m. upon motion duly made and seconded.

DRAFT

There being no further business, the meeting adjourned at 4:08 p.m. upon motion duly made.

Respectfully Submitted,

_____
Jay W. Wagner, Mayor

Attest:

_____
Sandra Keeney, Deputy City Clerk

DRAFT

AN ORDINANCE REPEALING TITLE 10 – TRANSPORTATION AND TRAFFIC, CHAPTER 1 – TRAFFIC REGULATIONS, ARTICLE O – PARADES IN ITS ENTIRETY AND ADOPTING TITLE 10 – TRANSPORTATION AND TRAFFIC, CHAPTER 1 – TRAFFIC REGULATIONS, ARTICLE O – PARADES, SPECIAL EVENTS AND PICKETING OF THE CITY OF HIGH POINT CODE OF ORDINANCES

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of High Point that Title 10, Chapter 1, Article O - Parades is repealed in its entirety (Section 10-1-271 through and including 10-1-290) and Title 10, Chapter 1, Article O – Parades, Special Events, and Picketing (Section 10-1-271 through and including 10-1-290) is hereby adopted.

ARTICLE O – PARADES, SPECIAL EVENTS AND PICKETING

Footnotes:

--- (3) ---

Editor's note— Section 1 of Ord. No. 91-55, adopted Sep. 5, 1991, repealed §§ 10-1-271—10-1-276 and added §§ 10-1-271—10-1-283 as herein set out. Former §§ 10-1-271—10-1-276 pertained to parades and derived from the 1982 Code.

DIVISION 1
PARADES AND SPECIAL EVENTS

Sec. 10-1-271 - Definitions.

The following words, terms and phrases, when used in this Article, Division 1 and Division 2, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Appeals Official* means the City Manager, or his designee who shall be a Deputy City Manager or Assistant City Manager.

(3) *City* means the City of High Point, North Carolina.

(4) *City Manager* is the person selected and appointed by the High Point City Council to fill the position of City Manager or his or her designee.

(5) *Parade* means any march, demonstration, gathering, public assembly, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof that has the potential to disrupt the normal flow of traffic upon any public street, provided the term shall not include:

a. Funeral processions;
b. Pickets as defined in subsection (8) below;
c. Footraces and bicycle races as defined in Section 10-1-282 of this Article;
d. Block parties as defined in Section 10-1-283 of this Article; and
e. Festivals as defined in Section 10-1-284 of this Article.

(6) *Permit Official* means the person or persons designated by the City Manager as being responsible for issuing and revoking permits under this article. The City Manager may designate different persons as the Permit Official for different categories of permitted events and for different facilities or locations. The Permit Official shall not be the same designee as the Appeals Official.

(7) *Person* means any person, firm, partnership, association, corporation, company or organization of any kind.

(8) The terms *picket, pickets, picketer, and picketing* as used herein mean to make a public display or demonstration of sentiment for or against a person or cause, taking place in a particular location without procession to other locations, and includes those demonstrations which may include the distribution of leaflets or handbills, the display of signs and any oral communication or speech, which may involve an effort to persuade or influence, including all expressive and symbolic conduct, whether active or passive, upon those portions of the public street and sidewalk not used primarily for vehicular parking and moving traffic and not constituting a parade, as defined in Sec. 10-1-271(5).

(9) *Public street* means any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right of way, or median strip thereof. The terms "highway" and "street" and their cognates are synonymous as used herein.

(10) *Sidewalk* means any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved. (Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

(11) *Special Event* means Parade as defined in Sec. 10-1-271(5); Footraces and bicycle races as defined in Section 10-1-282 of this Article; Block parties as defined in Section 10-1-283 of this Article; and Festivals as defined in Section 10-1-284 of this Article.

Sec. 10-1-272 -Parade permits.

(a) *Permit required.* It shall be unlawful for any person to conduct or participate in a parade unless a permit allowing such activity has been obtained, and remains unrevoked, pursuant to this section. No person may conduct or otherwise participate in any parade except between the hours of 9:00 a.m. and 9:00 p.m.

(b) *Permit Application.* A person seeking a parade permit shall file an application with the Permit Official or designee on forms provided by the City and the application shall be signed by the Applicant under oath at least 10 business days and not more than 180 days before the commencement of the event. Notwithstanding the preceding sentence, the Permit Official shall consider an application that is filed less than 10 business days before the commencement of the proposed event where the purpose of such event is a spontaneous response to a current event or where, after due consideration of the date, time, place, and nature of the parade, the anticipated number of participants, and the City services required in connection with the event, the Permit Official determines that the time from filing is sufficient to prepare for the parade pursuant to the standards set forth in subsection (c) below.

The Permit Application must contain the following if applicable:

(1) The name, address, and telephone number for the person in charge of the proposed event and the name of the organization with which that person is affiliated or on whose behalf the person is applying (collectively "Applicant");
(2) The name, address, and telephone number for an individual who shall be designated as the responsible planner and on-site manager for the event ("Parade Chairman");
(3) The date, time, place, and route of the proposed event, including the location and time that the event will begin to assemble and disband;
(4) The anticipated number of persons, vehicles, and animals which will constitute such parade or demonstration and the type of animals and description of the vehicles;
(5) The location by street of any assembly areas for such parade or demonstration;
(6) Such other information, attachments, and submissions that are requested on the application form; and
(7) Payment of a nonrefundable application fee as set out in the City's Special Event Policy.

(c) *Permitting criteria.* The Permit Official or City Manager shall issue a permit for the proposed parade unless:
(1) The safe conduct of the parade will substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
(2) The conduct of the parade will require the diversion of so great a number of law enforcement personnel of the City to properly police the line of movement of the parade and of contiguous areas that adequate police protection cannot be provided to the remainder of the City;
(3) The conduct of the parade will require the diversion of so great a number of ambulances and rescue units that adequate ambulance and rescue service to portions of the City and contiguous areas not occupied by the parade will be impeded;
(4) The application is not fully completed and executed or contains a material falsehood or misrepresentation;
(5) The proposed event would conflict with previously planned programs organized, conducted, or sponsored by the City and previously scheduled at or near the same time and/or place or would conflict with an already permitted event under this section;
(6) The concentration of persons, animals, and vehicles at assembly points of the parade will substantially interfere with adequate police and fire protection of, or ambulance and rescue service to, areas contiguous to such assembly areas;
(7) The parade is to be held for the primary purpose of advertising a product, goods, or an event, and is designed to be held primarily for private profit or gain;
(8) The conduct of the parade will interfere with the movement of firefighting equipment to such an extent that adequate fire protection cannot be provided to the City; or
(9) The proposed event would present an unreasonable danger to the public health and safety.

(d) Nothing in this section shall authorize the Permit Official or City Manager to deny a permit based upon political, social, religious, ethnic, race, disability, sexual orientation or gender related grounds, or based upon the content of the views expressed.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-273 - Revocation of Permit.

The City Manager or Chief of Police may immediately revoke any permit granted for a parade if:

(a) Any parade participant violates the standards for conduct of parades set out herein; or

(b) Any parade participant fails to comply with the formation, terms, and conditions set out in the application and permit or fails to comply with the terms of this article.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-274 – Parade Costs.

(a) The Applicant for permits pursuant to Section 10-1-272 shall be responsible for reasonable costs associated with the parade including the hiring and paying off-duty law enforcement officers, or reimbursing the City for the costs of providing on-duty law enforcement officers and other necessary personnel and equipment, to appropriately police street closures and the safety and security of participants. The police and fire departments shall determine the number of officers, traffic control officers (in accordance with N.C. Gen. Stat. 20-114.1), fire/EMS personnel, and transportation personnel needed to appropriately police street closures and for safety, security, and medical needs and the time when such services shall commence and end, taking into consideration the following:

(1) The proposed location of the route of the parade;
(2) The time of day that the parade is to take place;
(3) The date and day of the week proposed;
(4) The general traffic conditions in the area requested, both vehicular and pedestrian.
(5) The number of marked and unmarked intersections along the route requested, together with the traffic control devices present;
(6) If traffic must be completely rerouted from the area, then the number of marked and unmarked intersections and the traffic control devices are to be taken into consideration;
(7) The estimated number of participants;
(8) The nature, composition, format and configuration of the parade;
(9) The anticipated weather conditions; and
(10) The estimated time for the parade

(b) (1) Notwithstanding the foregoing, the Permit Official or City Manager shall grant a waiver of costs for the services required by this subsection to an indigent Applicant seeking a permit for a parade. An indigent applicant is any person who:

(i) if an individual, receives or is qualified to receive electronic food and nutrition benefits recognized by the North Carolina Department of Health and Human Services, issued through Electronic Benefit Transfer cards;
(ii) if an individual, receives or is qualified to receive Work First Cash Assistance;
(iiii) if an individual, receives or is qualified to receive Supplemental Social Security Income; or

(iv) if not an individual, receives no membership fees, dues, or any other type of income and owns no assets, and is not a sole proprietorship, general partnership, corporation, limited liability company, or limited partnership organized under state law.

(2) An Applicant requesting a waiver of costs on the basis of indigency shall inform the Permit Official and provide evidence of indigency. If it is later determined that there has been an intentional, material misrepresentation of the Applicant's financial status or other information provided on the application, the City reserves the right to charge the organizers on appropriate fee based on actual events.

(c) The City may sponsor parades that are annual civic or community events provided to City residents generally around holidays.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-275 - Notice of action on permit application; appeal procedure.

(a) The Permit Official or City Manager shall act upon the application as expeditiously as reasonably possible, and within three (3) working days after receipt, notifying the Applicant in writing of his decision. The notice shall also inform the Applicant of the appeal procedure available under subsection (b) of this section and the conference available under section 10-1-276 for an alternative permit. If the application is for a parade permit and is filed in less than 10 days prior to the proposed event as a spontaneous response, described in Sec. 10-1-272(b), the Permit Official or City Manager shall notify the Applicant in writing of the decision and basis for the decision within 24 hours of receipt of the application.

(b) Any person aggrieved shall have the right to appeal the denial of a parade permit immediately to the Appeals Official. The denied Applicant shall make the appeal within five (5) days after receipt of the denial by filing a written notice with the City Manager and a copy of the notice with the City Clerk.

(1) Within five business days, or such longer period of time agreed to by the Applicant, the Appeals Official shall hold a quasi-judicial hearing on whether to issue the permit or uphold the denial or revocation. The Applicant shall have the right to present evidence at said hearing. The decision to issue or uphold the denial or revocation shall be based solely on the approval criteria set forth in this section. The Appeals Official shall render a decision on the appeal within five business days after the date of the hearing. In the event that the purpose of the proposed event is a spontaneous response to a current event, or where other good and compelling causes are shown, the Appeals Official shall reasonably attempt to conduct the hearing and render a decision on the appeal as expeditiously as is practicable.

(2) The decision of the Appeals Official is subject to review in the Superior Court of Guilford County by proceedings in the nature of certiorari. Any petition for writ

of certiorari for review shall be filed with the clerk of superior court within 30 days after the Applicant has received notice of the decision. Unless good cause exists to contest a petition for writ of certiorari, the City shall stipulate to certiorari no later than five business days after the petitioner requests such a stipulation. The City shall transmit the record to the court no later than five business days after receiving the order allowing certiorari. Notwithstanding the provisions of any local rule of the reviewing court that allows for a longer time period, the City shall file its brief within 15 days after it is served with the petitioner's brief. If the petitioner serves his or her brief by mail, the City shall add three days to this time limit, in accordance with North Carolina General Statute 1A-1, Rule 5. If the local rule is subsequently amended to provide for a shorter time period for the filing of any brief, then the shorter time period shall control. The North Carolina Rules of Appellate Procedure shall govern an appeal by an Applicant from the Superior Court of Guilford County.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-276 - Alternative permit.

If the Permit Official or City Manager denies an application for a parade permit based upon one (1) or more of the findings prescribed in section 10-1-272, the Permit Official or City Manager shall, upon the request of the Applicant, confer with Applicant for the purpose of trying to negotiate modifications to the planned parade that will eliminate the objections found under section 10-1-272. The Permit Official or City Manager is authorized to grant an alternative permit specifying a date, time, or route different from that contained in the application. The alternative permit is valid only upon the filing by the Applicant with the Permit Official or City Manager a written acceptance of the alternative permit. An alternative permit is void if not accepted in the manner prescribed in this section within three (3) working days after its issuance. An alternative permit shall conform to the requirements of and shall have the effect of a parade permit under this article.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-277 - Duties of permittee.

A permittee hereunder shall comply with all permit directions and conditions, and with applicable laws and ordinances.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-278 - Duty of parade chairman.

The person designated in the application as responsible for the physical conduct of the parade shall be responsible for monitoring the conduct of the participants in the parade. Upon actual notice of any violation, given to the responsible person by a law enforcement officer on the scene of said parade, such person shall make immediate bona fide attempts to correct the violation. It shall be unlawful for such responsible person to refuse to make such bona fide attempts to correct the violation.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-279 - Conduct during the parade.

(a) *Interference*. No person shall unreasonably hamper, obstruct, or impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in the parade.

(b) *Driving through parades*. No driver of any vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(c) *Parade or parade route*. The City Manager or designee shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or highway or part thereof constituting a part of the route of a parade. The City Manager shall cause signs to be posted to this effect, and it shall be unlawful for any person to park or leave unattended, any vehicle in violation thereof.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-280 - Hand-carried signs.

No sign or poster carried by hand in the parade shall be of greater density than eight (8) ply .030 thickness cardboard. No support for such sign or poster shall be of a metallic substance nor thicker than one (1) by three-fourth (¾) inches.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-281 - Parade route.

Every parade shall follow the route designated and approved by the City Manager or designee and prescribed on the parade permit.

(Ord. No. 91-55, § 1, 9-5-91; Ord. No. 7022/13-54, 12-16-13)

Sec. 10-1-282 – Footraces and Bicycle Races

(a) The term "footrace" as used in this section is defined as a group of three (3) or more runners or walkers competing against either each other or a time limit over a fixed course all or a part of which involves the use of City street right-of-way, City sidewalks, and greenways. This term shall include events connected to a footrace, such as untimed non-competitive "fun runs."

(b) The term "bicycle race" as used in this section is defined as a group of three (3) or more bicyclists competing against each other or a time limit over a fixed course all or a part of which involves the use of City street right-of-way, City sidewalks, and greenways. This term shall include untimed non-competitive bicycle events such as memorial rides.

(c) Application for a race covered by this section shall be made in writing at least one hundred twenty (120) calendar days before the time at which the race shall be scheduled to begin and shall contain the information outlined in the City's Special Event Policy. A race application may be accepted after this deadline only if allowed as a late application permitted under the City's Special Event Policy.

(d) Upon receipt of an application properly completed and timely filed as hereinabove set out, the City Manager or designee shall issue a permit after the Applicant has complied with all applicable requirements imposed in accordance with the City's Special Event Policy. The permit shall contain all information stated on the application and shall be signed by the City Manager or designee.

(e) The following standards shall apply to all footraces and bicycle races subject to this section conducted in the City:

(1) Every race shall follow a route approved by the City Manager or designee in accordance with the standards set out below.

(2) The race Applicant and all persons involved in conducting the race shall comply with all terms and conditions set out in the City's Special Event Policy and all terms and conditions contained in the permit issued for the race.

(3) The organizer of an event subject to this section shall be responsible for reasonable costs associated with the foot races and bicycle races including the hiring and paying off-duty law enforcement officers, or reimbursing the City for the costs of providing on-duty law enforcement officers and other necessary personnel and equipment, to appropriately police street closures and the safety and security of participants. The police and fire departments shall determine the number of officers, traffic control officers (in accordance with N.C. Gen. Stat. 20-114.1), fire/EMS personnel, and transportation personnel needed to appropriately police street closures and for safety, security, and medical needs and the time when such services shall commence and end. The City may provide the services required by this subsection at no cost, or at a reduced cost, to the Applicant should the City desire to provide such support to the event.

(4) The permit shall not be issued until the sponsor shall acquire sufficient insurance or approval by the city attorney to indemnify the City for damages or liability which the City might incur.

(5) The approval of any route shall be based on the safety of the participants and non-participants, the degree of disruption that the route will likely cause, the available access for cars and pedestrians, and the unique requirements of a specific event.

(6) The City Manager or designee's disapproval of a proposed route may be appealed to the City Council. Appeals shall be made in person at a regularly scheduled City Council meeting at least three meetings prior to the proposed event date.

Sec. 10-1-283 – Block Parties

(a) The term "block party" as used in this section is defined as a planned gathering of persons in which a public street will be closed that is sponsored by a business, place of worship, non-profit organization or community interest group.

(b) Application for an event covered by this section shall be made in writing at least ten (10) business days before the time at which the event shall be scheduled to begin and shall contain the information outlined in the City's Special Event Policy. An event application may be accepted after this deadline only if allowed as a late application permitted under the City's Special Event Policy.

(c) The Applicant is responsible for notifying all property owners or residents in the area to be blocked off of the event using a form provided by the City. Any opposition by property owners or residents with direct frontage and/or access to the street to be closed may result in permit denial.

(d) Upon receipt of an application properly completed and timely filed as hereinabove set out, the City Manager or designee shall issue a permit after the Applicant has complied with all applicable requirements imposed in accordance with the City's Special Event Policy. The permit shall contain all information stated on the application and shall be signed by the City Manager or designee.

(e) The following standards shall apply to all block parties subject to this section conducted in the City:
    (1) The block party may encompass an area of no greater than one block and the sponsoring organization must be located in that area;
    (2) Block parties may have no more than 500 attendees at any one time;
    (3) Block parties are still subject to all federal, state, and local laws, including the noise ordinance and alcohol laws.
    (4) Police may end the party and order attendees to leave the street(s) if violation of this section occurs. After a reasonable time to allow for dispersal, the street(s) will be reopened and persons impeding the flow of traffic will be subject to arrest.

Sec. 10-1-284 – Festivals

(a) The term "festival" as used in this section is defined as an outdoor concert, fair, community event, or similar event that is primarily commercial and/or recreational in nature.

(b) Application for a festival covered by this section shall be made in writing at least one hundred twenty (120) calendar days before the time at which the festival shall be scheduled to begin and shall contain the information outlined in the City's Special Event Policy. A festival application may be accepted after this deadline only if allowed as a late application permitted under the City's Special Event Policy.

(c) Upon receipt of an application properly completed and timely filed as hereinabove set out, the City Manager or designee shall issue a permit after the Applicant has complied with all applicable requirements imposed in accordance with the City's Special Event Policy. The permit shall contain all information stated on the application and shall be signed by the City Manager or designee.

(d) The following standards shall apply to all festivals subject to this section conducted in the City:

(1) The festival Applicant and all persons involved in conducting the festival shall comply with all terms and conditions set out in the City's Special Event Policy and all terms and conditions contained in the permit issued for the festival.

(2) The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the City for the costs of providing on-duty law enforcement officers and other necessary personnel and equipment, to appropriately police street closures and the safety and security of participants and those in the vicinity of the event. The police and fire departments shall determine the number of officers, traffic control officers (in accordance with N.C. Gen. Stat. 20-114.1), fire/EMS personnel, and transportation personnel needed to appropriately police street closures and for safety, security, and medical needs and the time when such services shall commence and end. The City may provide the services required by this subsection at no cost, or at a reduced cost, to the Applicant should the City desire to provide such support to the event.

(3) The festival permit shall not be issued until the sponsor shall acquire sufficient insurance or approval by the city attorney to indemnify the City for damages or liability which the City might incur.

DIVISION 2

PICKETING

Sec. 10-1-285 - Picketing Permitted; Notice of Intent and Receipt Required.

Peaceful picketing shall be permitted in the City provided the same is done under the following conditions:

(a) No picketing shall be conducted on a public street or sidewalk and no person shall participate in the same unless notice of intent to picket has been given to the City Manager or designee, and unless a receipt of such notice has been issued, except where provided below.

(b) A group of fifteen or more persons shall give notice of intent to picket. A group of fewer than fifteen persons may give notice of intent to picket but is not required to do so. Whether a group consists of fifteen or more persons such that notice is required shall be determined from the time immediately prior to initiating a picket. If a group of less than fourteen persons begins to picket without providing notice and becomes a group of fifteen persons or more, the failure to provide notice of the picket shall not be a violation of this section. Notice given shall contain the following information:

(1) The name, if any, of the organization or group sponsoring or proposing to picket unless the group indicates that it intends to picket anonymously, in which case no name is required;
(2) The location or locations in the City where the pickets propose to assemble and demonstrate;
(3) The date or dates on which the picketing is to occur;
(4) The name of the person and organization giving notice of intent to picket unless the person or organization indicates that it intends to picket anonymously, in which case no name is required;

(5) Whether or not persons below the age of eighteen (18) years are expected to participate; and

(6) The person or persons to be in charge of the activity and who will accompany it and carry any receipt of notice at all times.

(c) It is unlawful for any picketer, as defined herein, to engage in the activity prohibited under N.C.G.S. §14-277.4A.

(d) Upon the giving of notice of intent to picket, properly provided as hereinabove set out, the City Manager or his designee shall immediately issue a receipt of notice. The receipt shall contain all information stated in the notice. Upon cessation of such picketing for a period of 24 hours or more, any notice previously provided shall no longer be effective for the purpose of 285(a) and (b).

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-286 - Standards of Conduct for Picketing Activity.

(a) Picketing shall be conducted only on portions of the public street and sidewalk not used primarily for vehicular parking or moving traffic.

(b) Picketers may carry written or printed placards or signs not exceeding forty (40) inches provided the words used are not fighting words or threats that would tend to provoke a reasonable person to breach the peace.

(c) If picketers promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the second in time picketers shall maintain a minimum of 20 feet of space from the first in time pickets at all times and at all adjacent points of potential contact. The Chief of Police or designee shall aid picketers in creating a minimum of 20 feet of space between the picketers in order to ensure safety for all picketers promoting different objectives, law enforcement, and the public, without regard to the purpose or content of objectives promoted by either picketers.

(d) Picketers shall not at any time nor in any way obstruct, interfere with, or block: persons entering or exiting from vehicles; persons crossing streets or otherwise using the public street and/or sidewalk; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.

(e) No person observing, engaging in, or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.

(f) It shall be unlawful for a group of fifteen or more persons to picket without filing a notice as required herein.

(g) It shall be unlawful for any person to violate any provision of this section.

Sec. 10-1-287. - Hand-carried signs.

No sign or poster carried by hand in the picket shall be of greater density than eight (8) ply .030 thickness cardboard. No support for such sign or poster shall be of a metallic substance nor thicker than one (1) by three-fourth (¾) inches.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-288 - Interference with Picketers Prohibited; Police Authority To Disperse Crowds; Failure To Leave When Ordered Declared Offense.

(a) The police officers of the City may, in the event of violation of N.C.G.S. Ann. §14-288.4(a)(1) and §14-288.4(a)(2), direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.

(b) Whenever the free passage of any public street or sidewalk in the City shall be obstructed by a crowd, whether or not the crowd assembles as a result of or in connection with picketing, the persons composing such crowd shall disperse or move on when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when so directed by a police officer as herein provided.

Sec. 10-1-289 - Severability.

If any part, subsection, paragraph, sentence, clause, phrase or word of this article shall be held to be void, invalid, or unconstitutional by a valid judgment or decree of court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this section and such remaining portions shall remain in full force and effect.

Sec. 10-1-290 – Criminal penalty.

In accordance with N.C.G.S. §160A-175, violation of any provision of Division 1 and Division 2, with the exceptions as set forth herein, shall be a misdemeanor as provided in N.C.G.S. §14-4, punishable upon conviction by a fine not exceeding Fifty Dollars ($50.00) or by imprisonment not exceeding thirty (30) days. Any violation set forth herein that is also a violation of any state law shall not be punishable under Sec. 10-1-290 such that the violation would allow for duplicative punishments.

All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed. This ordinance shall become effective upon adoption.

Adopted the 21st day of May, 2018.

Mayor Jay W. Wagner

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT
AGENDA ITEM

Title: Utility Relocation Agreement (Electric) -NCDOT Project U-5169 I-74 (US 311) and NC Hwy 68

From: Garey S. Edwards, Electric Utilities Director

Meeting Date: May 21, 2018

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Utility Relocation Agreement

PURPOSE:
This is an agreement between the City of High Point and the North Carolina Department of Transportation (NCDOT) for the relocation of the overhead and underground electric lines located at the intersection of Interstate 74 (US 311) and North Carolina Highway 68 (Eastchester Drive).

BACKGROUND:
NCDOT has plans to improve the interchange by widening the bridge and making improvements to the roadway in the project area. The City has transmission and distribution lines located both overhead and underground within the project area. The agreement covers the responsible party for the electric line relocation expenses. NCDOT is responsible for $1,302,760 for the electric line relocation. If an electric line is located within a City easement area, NCDOT is responsible for the relocation cost. If they are located within an NCDOT right-of-way the City is responsible for the relocation cost.

BUDGET IMPACT:
Funds are available in the 2017-2018 Annual Budget.

RECOMMENDATION / ACTION REQUESTED:
City Council is requested to approve the agreement and authorize the appropriate City Official to execute the necessary documents.

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

T.I.P. NO.	SHEET NO.
U-5169	UC-1

UTILITY AGREEMENT PLANS

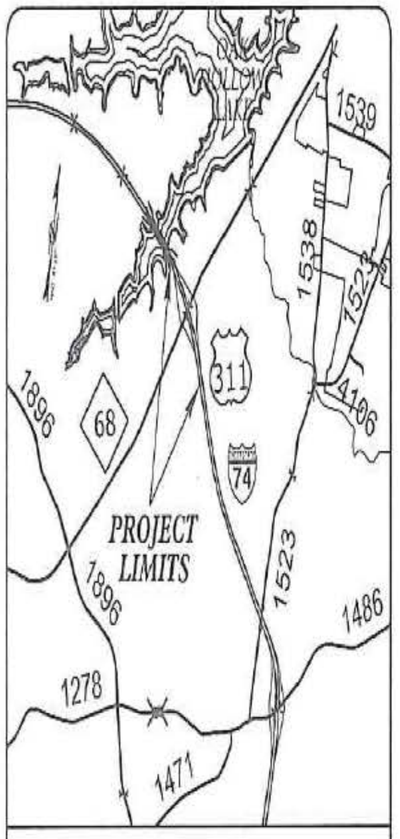
UTILITY CONSTRUCTION PLANS
GUILFORD COUNTY

LOCATION: I-74/US311 AND NC 68 (EASTCHESTER DRIVE) INTERCHANGE IMPROVEMENTS

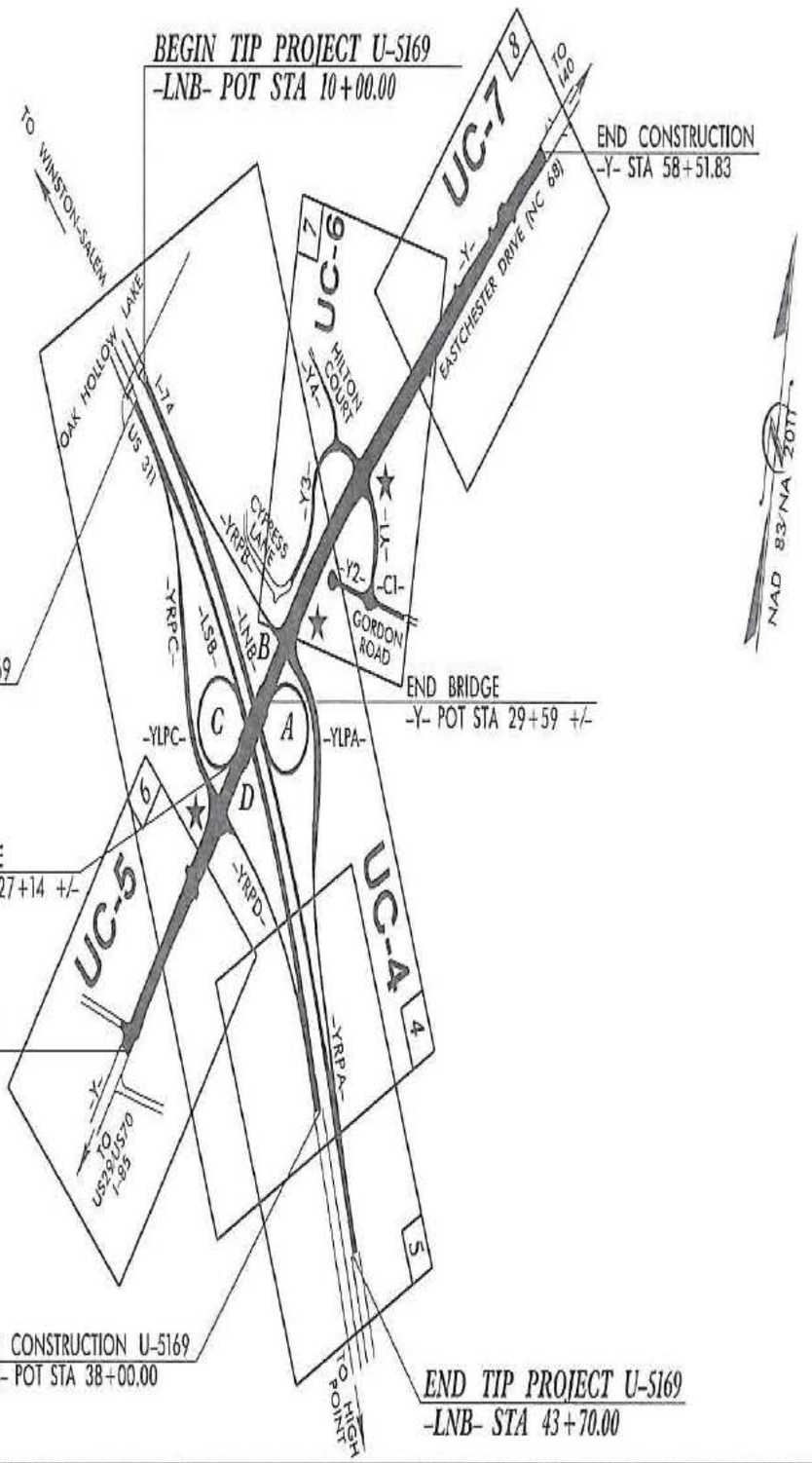
TYPE OF WORK: UTILITY CONSTRUCTION

EXHIBIT A

AGREEMENT PLANS



VICINITY MAP



COST BREAKDOWN LEGEND	
STATE COST	
MUNI COST	

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

NOTES:

1. THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF HIGH POINT.

GRAPHIC SCALES

50 25 0 50 100
PLANS

50 25 0 50 100
PROFILE (HORIZONTAL)

5 2.5 0 5 10
PROFILE (VERTICAL)

INDEX OF SHEETS

SHEET NO.:	DESCRIPTION:
UC-1	TITLE SHEET
UC-2	UTILITY SYMBOLOGY
UC-3	NOTES
UC-3A	DETAILS
UC-4 THRU UC-7	UTILITY CONSTRUCTION SHEETS
UC-8 THRU UC-10	PROFILE SHEETS

WATER AND SEWER OWNERS ON PROJECT

(A) WATER - CITY OF HIGH POINT
(B) SANITARY SEWER - CITY OF HIGH POINT

PREPARED IN THE OFFICE OF

DAVIS • MARTIN • POWELL
ENGINEERS & SURVEYORS
64 BRIDGE PLANK RD. • WINTERVILLE, NC 27596
PHONE (252) 830-0172 FAX (252) 830-0174
MMP@MMP-NC.COM LICENSE F-0476

Andy Larrick, P.E.	CONSULTANT CONTACT #1
Randy McNeill, P.E.	CONSULTANT CONTACT #2
Steve McKee, P.E.	CONSULTANT CONTACT #3

SEAL

NORTH CAROLINA PRELIMINARY PLANS 26457 ENGINEER ANDREW P. LARRICK

DIVISION OF HIGHWAYS
UTILITIES UNIT
1555 MAIL SERVICES CENTER
RALEIGH NC 27699-1555
PHONE (919) 707-6600
FAX (919) 250-4151

Donna Jackson, P.E.	UTILITIES REGIONAL ENGINEER
J.T. Vann, P.E.	UTILITIES ENGINEER
Ed Reams	UTILITIES AREA COORDINATOR
Kyle Pleasant	UTILITIES COORDINATOR

TIP PROJECT: U-5169

09/08/99
PW:ZOLVS50147:NCDOT Files\Usi69\Utilities\Engineering\UC\Proj\Usi69_ut_tsh_UC01.psh.dgn
USERNAME

* *

UTILITY RELOCATION AGREEMENT

NCDOT HIGHWAY WBS ELEMENT NO. 45220.2.1

TRANSPORTATION IMPROVEMENT PROGRAM NO. U-5169

COUNTY Guilford

* *

This agreement made this ______________day of___________, _________, by and between the Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the DEPARTMENT, and City of High Point, North Carolina **Inc. hereinafter referred to as the COMPANY:**

W I T N E S S E T H:

THAT WHEREAS, the DEPARTMENT will submit a project for construction as follows:

Interchange ramp replacement

known as route I-74/US 311 **in** Guilford **County, North Carolina to be designated as N.C. State Highway Project and/or WBS Element** U-5169 **and, WHEREAS, the construction of said project will require certain adjustments to be made to the existing facilities of the COMPANY;**

NOW, THEREFORE, in order to facilitate the orderly and expeditious relocation of the said facilities of COMPANY, the DEPARTMENT and the COMPANY have agreed as follows:

1. That the scope, description, and location of work to be undertaken by the COMPANY are as follows

Relocation of 100 kV and 12 kV overhead and underground electric utility lines.

2. That any work performed under this agreement shall comply with DEPARTMENT's "POLICIES AND PROCEDURES FOR ACCOMMODATING UTILITIES ON HIGHWAY RIGHTS OF WAY" dated January 1, 1975, and such amendments thereto as may be in effect at the date of this agreement. The work to be performed by the COMPANY shall conform with Federal Highway Administration's Federal-Aid Policy Guide, Subchapter G, Part 645, Subpart A hereinafter referred to as FAPG dated December 9, 1991, and such amendments thereto as may be in effect at the date of this agreement. The provisions of said FAPG and amendments thereto are incorporated in this agreement by reference as fully as if herein set out. Any work performed under this agreement not in compliance with FAPG shall constitute unauthorized work and the DEPARTMENT shall be relieved of participating in the costs of such unauthorized work unless such work is done pursuant to a supplemental agreement attached to and made a part hereof.

3. That the COMPANY will prepare an estimate, broken down as to estimated cost of labor, construction overhead, materials and supplies, handling charges, transportation and equipment, rights of way, preliminary engineering and construction engineering, including an itemization of appropriate credits for salvage and betterments, and accrued depreciation all in sufficient detail to provide the DEPARTMENT a reasonable basis for analysis. Unit costs, such as broad gauge units of property, may be used for estimating purposes where the COMPANY uses such units in its own operations. The COMPANY will also prepare plans, sketches or drawings showing their existing facilities, temporary and permanent changes to be made with reference to the DEPARTMENT's new right of way using appropriate nomenclature, symbols, legend, notes, color coding or the like. The before mentioned estimate and plans are attached hereto and made a part hereof. The DEPARTMENT will not reimburse the COMPANY for any utility relocations or changes not necessitated by the construction of the highway project, nor for changes made solely for the benefit or convenience of the COMPANY, its contractor, or a highway contractor.

4. That the DEPARTMENT's authority, obligation, or liability to pay for relocations as set forth in this agreement is based on the COMPANY having a right of occupancy in its existing location by reason of the fee, an easement or other real property interest, the damaging or taking of which is compensable in eminent domain.

5. That payment for all work done hereunder shall be made in accordance with the requirements of FAPG unless payment is being made pursuant to a supplemental agreement attached to and made a part of this agreement.

6. That the construction work provided for in this agreement will be performed by the method or methods as specified below:

☐ BY COMPANY'S REGULAR FORCE: The COMPANY proposes to use its regular construction or maintenance crews and personnel at its standard schedule of wages and working hours in accordance with the terms of its agreement with such employees.

☑ BY EXISTING WRITTEN CONTINUING CONTRACT: The COMPANY proposes to use an existing written continuing contract under which certain work as shown by the COMPANY's estimate is regularly performed for the COMPANY and under which the lowest available costs are developed.

☑ BY CONTRACT: The COMPANY does not have adequate staff or equipment to perform the necessary work with its own forces. The COMPANY proposes to award a contract to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed as set forth in an appropriate solicitation for bids.

7. a. It is contemplated by the parties hereto that the construction of this State Highway Project will begin on or about the 4 day of December, 2017.

b. Based on the best information available at the present time to the COMPANY, indicate applicable paragraph below:

☐ Materials are available and it is expected that work will be complete prior to highway construction.

☐ All work will take place during highway construction and arrangements for said work will be coordinated with highway construction operations at preconstruction conference.

☑ Work will begin promptly upon notification by DEPARTMENT; however, it is not expected to be complete prior to highway construction. Any remaining work will be coordinated with highway construction operations at preconstruction conference.

☐ Other (Specify)

8. That the method used by the COMPANY in developing the relocation costs shall be as indicated by Paragraph (a), (b), or (c) as follows:

a. ☐ Actual direct and related indirect costs accumulated in accordance with a work order accounting procedure prescribed by the applicable Federal or State regulatory body.

b. ☑ Actual direct and related indirect costs accumulated in accordance with an established accounting procedure developed by the COMPANY and approved by the DEPARTMENT.

c. ☐ On a lump-sum basis where the estimated cost to the DEPARTMENT does not exceed $100,000.00. Except where unit costs are used and approved, the estimate shall show such details as man-hours by class and rate; equipment charges by type, size, and rate; materials and supplies by items and price; and payroll additives and other overhead factors.

9. Indicate if (a) or (b) is applicable:

a. ☑ That the replacement facility is not of greater functional capacity or capability than the one it replaces, and includes no COMPANY betterments.

b. ☐ That the replacement facility involves COMPANY betterments, or is of greater functional capacity or capability than the one it replaces.

10. That the total estimated cost of the work proposed herein, including all cost to the DEPARTMENT and COMPANY less any credit for salvage, is estimated to be --------- $ 1,302,760

The estimated non-betterment cost to the DEPARTMENT, including all cost less any credits for salvage, betterments, accrued depreciation and additional work done by the COMPANY will be ---------- $ 1,302,760

The estimated cost to the COMPANY including betterments, and any additional work done by the COMPANY will be ---------- $ 0

(*The above costs shall be supported by attached estimate and plans*)

11. That in the event it is determined there are changes in the scope of work, extra work, or major changes from the statement of work covered by this agreement, reimbursement shall be limited to costs covered by a modification of this agreement or a written change or extra work order approved by the DEPARTMENT.

12. Periodic progress billings of incurred costs may be made by COMPANY to the DEPARTMENT not to exceed monthly intervals; however, total progress billing payments shall not exceed 95% of the approved non-betterment estimate. Progress billing forms may be obtained from the Area Utility Agent.

13. One final and detailed complete billing of all cost shall be made by COMPANY to the DEPARTMENT at the earliest practicable date after completion of work and in any event within six months after completion of work. The statement of final billing shall follow as closely as possible the order of the items in the estimate portion of this agreement.

14. That the DEPARTMENT shall have the right to inspect all books, records, accounts and other documents of the COMPANY pertaining to the work performed by it under this agreement at any time after work begins and for a period of 3 years from the date final payment has been received by the COMPANY.

15. That the COMPANY obligates itself to erect, service and maintain the facilities to be retained and installed over and along the highway within the DEPARTMENT right of way limits in accordance with the mandate of the Statute and such other laws, rules, and regulations as have been or may be validly enacted or adopted, now or hereafter.

16. That if, in the future, it becomes necessary due to highway construction or improvement to adjust or relocate utilities covered in this agreement being relocated at DEPARTMENT expense that are crossing or otherwise occupying highway right of way, the non-betterment cost of same will be that of the DEPARTMENT.

17. That if, at any time, the DEPARTMENT shall require the relocation of or changes in the location of the encroaching facilities covered in this agreement being relocated at COMPANY expense, the COMPANY binds itself, its successors and assigns, to promptly relocate or alter the facilities, in order to conform to the said requirements, without any cost to the DEPARTMENT.

18. That the COMPANY agrees to relinquish their rights in that portion of right of way vacated by their existing facilities now absorbed within DEPARTMENT right of way.

19. Proper temporary and permanent measures shall be used to control erosion and sedimentation in accordance with all local, State and Federal regulations.

20. The COMPANY agrees to comply with the environmental rules and regulations of the State of North Carolina. Violation to the NC Sedimentation Pollution Control Act, Clean Water Act, NC Coastal Management Act, or other environmental commitment outlined in the project permits may result in work stoppage, penalties and/or construction delays.

21. The COMPANY agrees to comply with Buy America. United States Codes (USC) 313 and Code of Federal Regulations 23 CFR 635.410: Requires the use of domestic steel and iron in all federally funded construction projects.

IN WITNESS WHEREOF, the parties hereby have affixed their names by their duly authorized officers the day and year first above written.

DEPARTMENT OF TRANSPORTATION

BY: _____

AREA UTILITY AGENT

ATTEST OR WITNESS

_____

(TITLE)

_____

(NAME OF COMPANY)

BY: _____

TITLE: _____

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

CITY OF HIGH POINT
AGENDA ITEM

Title: Special Events Policy

From: Eric Olmedo, Budget Director

Public Hearing: N/A

Attachments: Special Events Policy
Special Events Fee Schedule
List of Special Events

Meeting Date: May 21, 2018
Advertising Date: N/A
Advertised By: N/A

PURPOSE:
Special events are important contributors to the quality of life for High Point citizens. City resources are used for many special events held in the City. A defined policy will give the City Council and City Staff guidance regarding which events are co-sponsored by the City, and an associated fee schedule will allow the city to recover a portion of the cost to support these events.

BACKGROUND:
The Prosperity and Livability Committee met on March 7, April 4 and May 9, 2018 to discuss the Special Events Policy. The attached policy has been placed on the Council's agenda with a unanimous recommendation from the P&L Committee. The policy includes a definition of categories of events, a fee schedule, and a listing of current events held in the city, with recommendations for which events are city sponsored and those that are not.

BUDGET IMPACT:
There will be increased revenue associated with the fee schedule. The fiscal impact is yet to be determined.

RECOMMENDATION / ACTION REQUESTED:
The Budget Department recommends approval of the policy.

City of High Point

Special Event Policy - DRAFT

Special events are important contributors to the quality of life for High Point citizens and are welcome activities in our community. The City of High Point is happy to assist organizations and groups in providing quality events. A special event is defined as a pre-planned event, whether publicly or privately sponsored, which is held on public property, including but not limited to parks, streets and/or sidewalks.

The costs of making such facilities available are generally recovered through fees collected for the specific event. However, the public interest is also served by reducing and/or waiving such fees for certain events that have direct community benefit to the population as a whole. Furthermore, to maintain public trust, procedures shall be established for the consistent, fair and prompt evaluation of such requests.

Categories of Events

Co-Sponsored—Co-Sponsored events are determined by the City Council and are events of general interest to the public which provide a special economic development benefit or advances the City's public image. The City will determine through the budget appropriation process the extent to which the event will be financially sponsored, either through direct appropriation or allocation of in-kind support. Any costs in excess of the support level determined by the City will be the responsibility of the other sponsoring organization(s). The City must be listed as a co-sponsor on printed materials/announcements.

Other Non-Profit Events (Charitable/Non-Profit groups, Civic/Community Groups)—permit fees and rental fees for City facilities will be charged at 50% of charges listed in the Comprehensive Fee Schedule. Rental fees for equipment and/or Public Safety personnel will be charged at regular rates.

For-Profit Events/Private Individuals or Groups —All fees associated with the event are the full and complete responsibility of the requesting party.

Additionally, any organization or group which did not meet their obligation for a previously fee-waived or reduced event will not be eligible to receive a fee waiver or reduction for subsequent events.

City of High Point
Special Event Fees

Event Permits	Non-Profit	For Profit	
Special Event Permit fee	$ 25.00	$ 50.00	per event
Street Closure fee	$ 25.00	$ 50.00	per event
Neighborhood Block Party fee	$ 25.00	n/a	per event
Parade, Walk or Run permit fee	$ 50.00	$ 100.00	per event
Trail or Greenway event usage fee	$ 50.00	$ 100.00	per event

Traffic Control Devices	Non-Profit	For Profit	
Barricade Rental	$ 12.00	$ 12.00	per day
Traffic Cone Rental	$ 2.00	$ 2.00	per day
Sign Truck	$ 18.00	$ 18.00	per hour, per truck
Bicycle Rack (P&R)	$ 10.00	$ 10.00	per day

Personnel	Non-Profit	For Profit	
Fire Medic	$ 30.00	$ 30.00	per hour
Fire Light Duty Apparatus	$ 50.00	$ 50.00	per hour
Police Officer	$ 40.00	$ 40.00	per hour

Mendenhall Terminal	Non-Profit	For Profit	
Mendenhall Terminal rental	$ 500.00	$ 1,000.00	per day
Message Board Programming	$ 100.00	$ 100.00	per event
Over Head Lights	$ 50.00	$ 50.00	per event

Other	Non-Profit	For Profit	
Power - 20A 115v receptacle	$ 10.00	$ 10.00	per outlet
Power - 200A 208v receptacle 3-phase (sound)	$ 100.00	$ 100.00	per day
Power - 300A 208v 3 phase (lighting)	$ 125.00	$ 125.00	per day
Power - electrician for 3 phase connect/disconnect	$ 150.00	$ 150.00	per event
Roll-Off Dumpster	$ 100.00	$ 100.00	per event

City of High Point

List of events - Staff Recommendations

Recommended City Sponsored Event
CoHP Spring Fling
Police Dept. Law Enforcement Torch Run
HP PD Memorial Fitness Event
History Rocks @ Museum
High Fest
Uncle Sam Jam
Arts Splash
Art in the Park
Clean and Green
Coltrane Festival
Cycling Classic
Furniture Market - Spring
Furniture Market - Fall
Go Far 5k - Spring
Great American Clean Up
Greater High Point Torch Run
Holiday Parade
MLK Holiday Parade
National Night Out
Picnic in the Plaza
PSA Soccer Tournament (3 day event)
Veterans Day Parade

Not Recommended City Sponsored
5 Before the Feast
Neighborhood Block Parties
AAFE 5k for Education
Big Brothers/Big Sisters Tennis Tournament
Blue Rock Fundraiser
Brown Truck Brewery Event
CIS Picnic Fundraiser
Crop Hunger Walk
Cystic Fibrosis Foundation 5 k
East Commerce Prayer Walk
EbFest Music Festival
Feed the Homeless project
Food Truck Festival
Go Far 5k - Fall
GUSA Soccer Tournament
Hayworth Jog A Thon
Heart & Sole 5K
High Point Sprint Triathlon
HP Regional 5k
HPU Family 5k
JDRF5k
Jingle Jog 5k
Junction 311 Half Marathon/5k & Carolina Brewfest
Knights Run
Pink 1000
Run to Remember
Southside Community Event
Southwest Renewal Foundation event
Taking it to the Streets
Tour De Emerywood
Traction Two Miler
Transform High point
Tri-City Relay event
United Way Campaign kickoff
Unity Festival
Uptown Stroll
Walk for Life
YMCA Cork and Ale event
YWCA Youth Triathlon

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE

WHEREAS, the City Council of the City of High Point adopted the "City of High Point Development Ordinance" on May 16, 2016, with an effective date of January 1, 2017, and subsequently amended; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on April 24, 2018 and before the City Council on May 21, 2018 regarding **Text Amendment 18-03;** and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on April 15, 2018 for the Planning and Zoning Commission public hearing and on May 9, 2018 and May 16, 2018 for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina.

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

SECTION 1. *(Regarding establishing quasi-judicial hearing procedures for the HPC)*

Part A.

Table 2.1.2, *Summary Development Review Table*, is hereby amended as follows:

TABLE 2.1.2: SUMMARY DEVELOPMENT REVIEW TABLE
Pre-application Conference & Citizen Information Meeting: M = Mandatory O = Optional Type of Action: C = Comment R = Recommendation D = Decision A = Appeal
Type of Hearing: { } = Public Hearing [ ] = Quasi-Judicial Public Hearing Table symbols: "·" = not applicable / / = see notes

Procedure	Section Reference	Pre-application Conference	Citizen Information Meeting	Review Authorities							
				Staff				Decision-Making Bodies			
				Planning and Development Director	Engineering Services Director	Technical Review Committee (TRC)	Urban Forestry Committee (UFC)	Historic Preservation Commission (HPC)	Planning & Zoning Commission (P&Z)	City Council	Board of Adjustment (BOA)
Certificate of Appropriateness	2.4.4	O	·	R	·	·	·	~~{D}~~ **[D]**	·	·	[A]

Part B.

Table 2.3.6, *Public Notification Timing Requirements*, is hereby amended as follows:

TABLE 2.3.6: PUBLIC NOTIFICATION TIMING REQUIREMENTS				
APPLICATION TYPE	DECISION-MAKING BODY REVIEW	TYPES OF REQUIRED PUBLIC NOTICE		
		PUBLISHED NOTICE	MAILED NOTICE	POSTED NOTICE
Certificate of Appropriateness	HPC	~~–~~**X [1]**	X ~~[4]~~ **[2]**	~~–~~**X [3]**

Part C.

Section 2.4, *Review Procedures Subject to Decision-Making Body Review and Decision,* Subsection C, *Certificate of Appropriateness Procedure* is hereby amended as follows:

5. HPC Review and Decision

(a) Applicable (See Section 2.3.9, Action by Decision-Making Body**, and Section 2.3.7, Quasi-Judicial Public Hearing Procedures**).

~~**(b) The HPC shall consider the application, relevant support materials, the staff report, and testimony or evidence given at the public hearing (if one is conducted), and make one of the following decision, based on the standards in Section 2.4.4.D, Certificate of Appropriateness Review Standards:**~~

~~**(1) Approval of the certificate of appropriateness in part or as submitted;**~~

~~**(2) Approval of the certificate of appropriateness subject to conditions of approval; or**~~

~~**(3) Denial of the certificate of appropriateness in part or as submitted. The HPC shall not deny an application except for the purpose of preventing the construction, reconstruction, alteration, restoration, or moving of buildings, appurtenant features, or signs that are incompatible with the *Design Review Guidelines — Historic Districts High Point, North Carolina.***~~

(b) The HPC, after the conclusion of a quasi-judicial public hearing, shall decide the application for a certificate of appropriateness.

(c) The decision shall be based on the competent, material, and substantial evidence in the record, as supplemented by the

arguments presented at the quasi-judicial hearing, and the standards in Section 2.4.4.D, Certificate of Appropriateness Review Standards

(d) The decision shall be one of the following:

(1) Approval of the certificate of appropriateness in part, or as submitted;

(2) Approval of the certificate of appropriateness subject to conditions or revisions; or

(3) Denial of the certificate of appropriateness in part, or as submitted. The HPC shall not deny an application except for the purpose of preventing the construction, reconstruction, alteration, restoration, or moving of buildings, appurtenant features, or signs that are incompatible with the *High Point Design Guidelines*.

(e) Each decision shall be made in writing and reflect the HPC's determination of contested facts and their application to the standards in this Ordinance.

(f) The written decision shall be signed by the Chair or other duly authorized member of the HPC.

(g) The decision of the HPC shall be effective upon the filing of the written decision.

6. Notification of Decision

The decision of the HPC shall be delivered by personal service, electronic mail, or by first class mail to the applicant, the landowner, and to any person who has submitted a written request for a copy prior to the date the decision becomes effective. The person providing notification of decision shall certify that proper notification has been made.

Part D.

Section 2.4.15, *Variance*, Subsection C, *Variance Procedure*, shall be amended as follows:

5. HPC Review and Recommendation

(a) *(No changes to text)*

(b) If the application is for land located within a LHO district, the HPC, following a ~~**public**~~ meeting, shall provide a recommendation on the application to the

BOA. The BOA shall not make a decision on an application until they receive a recommendation from the HPC.

SECTION 2. *(Regarding the updating of design standards in EC, GCO, Corner Retail and Large Retail to be closer to the language of the MS, MX and CB standards)*

Part A.

Section 3.4.10, Employment Center (EC), of the City of High Point Development Ordinance is hereby amended as follows:

Section 3.4.10.G.1. *Site Standards* is amended as follows:

(a) Building Orientation
Single-building developments shall be oriented so that the ~~**primary**~~ **front** facade faces the street from which the building derives its street address.

Section 3.4.10.G.2. *Building Standards* is amended as follows:

2. Building Standards
The following standards are applied to **all multi-family residential and** nonresidential buildings**, except for locally or nationally designated individual historic structures and contributing structures within a locally or nationally designated historic district, provided such structures comply with the Secretary of Interior's Standards for Rehabilitation or are issued a Certificate of Appropriateness, as applicable.**

(a) ~~**Facades**~~ **Articulation**

(1) Building facades facing a public street shall include at least 2 or more of the following features:

(i) Windows or fenestration;

(ii) Changes in wall plane (such as projections or recesses) with an offset or depth of at least 1 foot;

(iii) Roofline changes, coupled with correspondingly aligned wall offset or facade material changes, changes in the roof planes, or changes in the height of a parapet wall;

(iv) Use of columns, pilasters, piers, architectural boxing, or other technique to break the facade into different volumes;

(v) Inclusion of eaves or overhangs; **or**

~~**(vi) Use of brick, stone, or glass as primary materials; or**~~

~~**(vii)**~~ **(vi)** Inclusion of an entryway with a roof form that differs from the rest of the facade.

(b) **Facade** Materials

(1) Exterior building materials should be continued to the finished grade on any elevation.

(2) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets **as seen from the public right-of-way at a height of 6 feet**.

(3) The use of vinyl siding or corrugated metal siding **and other vertical metal siding** is prohibited.

(4) The use of high intensity **(bright)**, metallic, or fluorescent colors ~~**(such as but not limited to neon or vivid colors)**~~ **shall be limited to facade trim or accents and total less than 20% of the area of any building façade.** ~~**on any building facade is prohibited.**~~

(5) Primary facade materials ~~**shall**~~ **should** not change at outside corners, and ~~**shall**~~ **should** continue around the corner to a logical point of conclusion such as a window or change in facade plane.

(c) Roof-Mounted Equipment

(1) Flat roofs shall incorporate parapet walls ~~**with 3-dimensional cornice treatments**~~ designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building~~**, to the maximum extent practicable. All parapet walls visible from a street shall be finished and be the same or similar in color and material to the building**~~ **and any abutting side streets as seen from the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building**.

(2) For sloped roofs, ~~**roof-mounted**~~ equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the ~~**street or existing residential uses**~~ **public right-of-way at a height of 6 feet**.

(3) In cases where complete screening is not practicable, all roof- mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.

(4) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~**permitted as an alternative to the roof forms described in this subsection**~~ **exempt from the screening requirements described in this subsection**.

Part B.

Section 3.8.7, Gateway Corridor Overlay, of the City of High Point Development Ordinance is hereby amended as follows:

Section 3.8.7.E, *General Standards*, is amended as follows:

2. Outdoor advertising **signs** ~~**is**~~ **are** prohibited in the GCO.

Section 3.8.7.F.3, *Minimum Building Setbacks*, is amended as follows:

3. Minimum Building Setbacks

Lots within the Eastchester GCO shall be subject to minimum building setbacks from Eastchester ~~**/ N.C. Highway 68**~~ **Drive** in accordance with the standards in Table 3.8.7.F.3, Minimum Building Setbacks. The minimum building setback may be reduced to the average streetyard width, in accordance with Table 3.8.7.F.5 Eastchester GCO Landscaping Standards, when off-street parking areas are not located between the front building line and Eastchester Drive and the building facades facing a public street include ~~**at least 2 or more of the following features:**~~

~~**(a)**~~ ~~**W**~~**w**indows or fenestration~~**;**~~**, and the**

~~**(b) Changes in wall plane (such as projections or recesses) with an offset or depth of at least 1 foot;**~~

~~**(c) Roofline changes, coupled with correspondingly aligned wall offset or facade material changes, changes in the roof planes, or changes in the height of a parapet wall;**~~

~~**(d) Use of columns, pilasters, piers, architectural boxing, or other technique to break the facade into different volumes;**~~

~~**(e) Inclusion of eaves or overhangs;**~~ **or**

~~**(f) Use of brick, stone, or glass as primary materials; or**~~

~~**(g)**~~ ~~**I**~~**i**nclusion of an entryway with a roof form that differs from the rest of the facade.

Ground-based mechanical equipment shall not be placed between the front building line and Eastchester Drive.

TABLE 3.8.7.F.3, MINIMUM BUILDING SETBACKS	
STREET SEGMENT OF EASTCHESTER DRIVE ~~**/ N.C. HIGHWAY 68**~~	**MINIMUM BUILDING SETBACK FROM**
North Main Street North to Johnson Street	50
Johnson Street North to Penny Road	50
Penny Road North to Gallimore Dairy Road	75

Section 3.8.7.F.4, *Site Standards* is hereby amended as follows:

(d) Off-Street Loading

Off-street loading areas shall be located to the side or rear of the principal building and shall not face Eastchester **Drive**.

Section 3.8.7.F.7, *Building Standards,* is amended as follows:

7. Building Standards

The following standards are applied to all multi-family residential and nonresidential buildings**, except for locally or nationally designated individual historic structures and contributing structures within a locally or nationally designated historic district, provided such structures comply with the Secretary of Interior's Standards for Rehabilitation or are issued a Certificate of Appropriateness, as applicable.**

(a) Façade Materials

(1) Exterior building materials should be continued to the finished grade on any elevation.

(2) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets as seen from the public right-of-way at a height of 6 feet.

(3) The use of vinyl siding or corrugated metal siding and other vertical metal siding is prohibited.

(4) The use of high intensity (bright), metallic, or fluorescent colors shall be limited to facade trim or accents and total less than 20% of the area of any building façade.

(5) The use of lighting by direct illumination to outline or accentuate all or part of a structure, building or architectural features of a building, including but not limited to rooflines, windows, doors, cupolas, exterior walls, porches, canopies and awnings, with narrow band, strip, tube or other methods of lighting, is prohibited.

(6) Primary facade materials should not change at outside corners, and should continue around the corner to a logical point of conclusion such as a window or change in facade plane.

~~(a)~~(b)Roof-Mounted Equipment

(1) Flat roofs shall incorporate parapet walls **~~with 3-dimensional cornice treatments~~** designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building**~~, to the maximum extent practicable. All parapet walls visible from a street shall be finished and be the same or similar in color and material to the~~**

~~**building**~~ **and any abutting side streets as seen from the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building**.

(2) For sloped roofs, ~~**roof-mounted**~~ equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the ~~**street or existing residential uses**~~ **public right-of-way at a height of 6 feet**.

(3) In cases where complete screening is not practicable, all roof- mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.

(4) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~**permitted as an alternative to the roof forms described in this subsection**~~ **exempt from the screening requirements described in this subsection**.

~~**(c) Building Siding**~~

~~**Metal and vertical sided buildings, which include but are not limited to buildings sided with vinyl and Masonite, and which are visible from the Eastchester Drive right-of-way, are prohibited unless architectural building plans and elevations are submitted to the City Council for review and approval based on the following criteria:**~~

~~**(1) A minimum of 50 percent of each wall elevation mass shall be a non-metal/ vertical siding material; and horizontal runs shall have a vertical break in building materials.**~~

~~**(2) The color(s) of the metal/vertical siding shall be complementary with the color of non-metal/vertical siding materials used on the building.**~~

~~**(3) Metal/vertical siding shall be used in a manner which maintains the architectural unity and integrity of the entire building.**~~

~~**(4) In a multi-building development, metal/vertical sided buildings shall utilize a uniform architectural theme with other buildings on the site, and shall be designed to create a harmonious style through consideration of scale, proportion, detail, materials, color and site planning.**~~

~~**(5) Corrugated and/or sheet metal are prohibited.**~~

~~**(b)**~~**(c)Service or Vehicular Bays**

Service or vehicular bays and their doors shall not face Eastchester **Drive**, to the maximum extent practicable. ~~**Public safety facilities are exempt from this requirement.**~~

(d) Statement of Design Guidelines

(No changes to text)

Part C.

Section 5.14.3, Corner Retail, of the City of High Point Development Ordinance is hereby amended as follows:

Section 5.14.3.C, *Standards*, is amended to add a new **(a)** as follows:

5. Site ~~Configuration Requirements~~ Standards

(a) Drive-Throughs

Drive-through lanes and windows are prohibited.

Subsections **(a)** through **(e)** shall be re-lettered as **(b)** through **(f)**

6. Building ~~Configuration Requirements~~ Standards

~~(a) Drive-Throughs~~

~~Drive-throughs are prohibited.~~

~~(b)~~(a)Facade Transparency

(1) The ~~F~~front building facades facing a street shall maintain non-reflective, transparent windows on at least 50 percent of the facade area between 2 and 8 feet above average grade.

(2) Ground level side facades facing a street shall maintain non-reflective, transparent windows on at least 40 percent of the facade area between 2 and 8 feet of the floor.

~~(2)~~(3) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area **per floor as measured between 2 and 8 feet**.

~~(c)~~(b)Awnings or Overhangs

(No changes to text)

Part D.

Section 5.14.4, Large Retail, of the City of High Point Development Ordinance is hereby amended as follows:

Section 5.14.4.B.1, *General,* is amended as follows:

(d) Within developments with multiple buildings, building heights shall be varied to avoid the appearance of an elongated building mass. This can be achieved by stair-stepping building heights or by varying roof forms.

Section 5.14.4.B.3, *Building Standards*, is amended as follows:

3. Building Standards

(a) Facade Articulation

Walls requiring articulation must use 2 or more of the following features:

(1) Recessed **entryways** ~~**or display windows**~~;

(2) Display windows

(3) Window indentations ~~**that incorporate different building material, texture, or color**~~ **(such as but not limited to double-hung, stationary, or casement windows) that are regularly spaced and that incorporate a differing building material, texture, color, awnings, window hoods, or canopies. This shall not include a glass curtain wall or flush mounted glass**;

~~**(4) Awnings, canopies, arcades, or overhangs with a minimum projection of 4 feet from the building wall along with an awning or overhang;**~~

~~**(2)**~~**(4)Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of 4 inches;**

(5) ~~**Use of c**~~**Columns**, pilasters, piers, architectural boxing, or other technique to break the facade into different volumes;

(6) Textured materials **(such as but not limited to brick or stone)**;

(7) *(No change to text)*

(8) *(No change to text)*

(b) Facade Materials

(1) Where 2 or more materials are proposed to be combined on a facade, the heavier and more massive elements should be located below the lighter elements (e.g., brick shall be located below stucco). Heavier materials ~~**can**~~ **may** also be placed as a detail on the corner of a building or along cornices or windows.

(2) Primary facade materials ~~**shall**~~ **should** not change at outside corners, and ~~**shall**~~ **should** continue around the corner to a logical point of conclusion such as a window or change in facade plane.

~~**(3) The following materials shall be prohibited:**~~

~~**(i) Corrugated metal siding; and**~~

~~**(ii) Exposed smooth-finished concrete block;**~~

(3) Exterior building materials shall be continued to the finished grade on any elevation.

(4) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets as seen from the public right-of-way at a height of 6 feet.

(5) The use of vinyl siding or corrugated and other vertical metal siding as the sole or primary facade material is prohibited.

(c) ~~**Windows**~~ **Facade Transparency**
~~**When provided, windows shall meet the following:**~~
~~**(1)**~~**When provided,** ~~**A**~~ ground-level window**s** shall ~~**be visually permeable**~~ **maintain non-reflective, transparent glass** between ~~**a height of**~~ 3 feet and 8 feet ~~**above the walkway grade**~~ **of the floor**.
~~**(2) Reflective or tinted glass that obstructs views into the building shall not be used to meet the facade articulation requirements.**~~

(d) Primary Entrances
The primary entrance shall be clearly defined and incorporate the following features:
(1) ~~**For All Development**~~ **Multi-Tenant Buildings**
(i) Overhangs, awnings, canopies, or other projections of at least 8 feet, from the building wall;
(ii) Windows within or beside entry doors that allow entrants to see into the building.
(2) ~~**For**~~ **Single Tenant Buildings**
Distinctive roof forms, towers, gables, roof ridges, peaks, or other features that differ in height by 3 feet or more from the balance of the roof~~**;**~~**. Outparcels are exempt from this standard.**

(e) Roof ~~**Form**~~ **-Mounted Equipment**
(1) Flat roofs shall incorporate parapet walls ~~**with 3-dimensional cornice treatments**~~ designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building~~**, to the maximum extent practicable. All parapet walls visible from a street shall be finished and be the same or similar in color and material to the building**~~ **and any abutting side street as seen from the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building.**
(2) For sloped roofs, roof-mounted equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the ~~**street or existing residential uses**~~ **public right-of-way at a height of 6 feet**.
(3) In cases where complete screening is not practicable, all roof- mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.
~~**(4) Within developments with multiple buildings, building heights shall be varied to avoid the appearance of an elongated building mass. This can be achieved by stair-stepping building heights or by varying roof forms.**~~

~~**(5)**~~**(4)** Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~**permitted as an alternative to the roof forms described in this subsection**~~ **exempt from the screening requirements described in this subsection**.

SECTION 3.

Part A.

Section 3.5.2. Agricultural/Rural (AGR) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

B. DIMENSIONAL STANDARDS			
STANDARD		**REFERENCE #**	**ALL USES**
Maximum Density (units/acre)			n/a
Minimum Lot Area (acres)		❶	5
Minimum Lot Width (feet) [1]	Interior lot	❷	150
	Corner lot	❸	
Minimum Street Setback (feet)	Front	❹	30
	Side	❺	15
~~**Minimum Side Setback (feet)**~~		❻	~~**15**~~
~~**Minimum Rear Setback (feet)**~~		❼	~~**30**~~
Minimum Perimeter Setback (feet)			**30**
Maximum Building Height (feet)		❽	50 [2]
[1] All development shall comply with the City's Driveway Ordinance requirements.			
[2] Not applied to farm-related accessory structures.			

Part B.

Section 3.3.2. Residential Single Family – 3 (R-3) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

B. DIMENSIONAL STANDARDS										
STANDARD		**REFERENCE #**	**OUTSIDE CORE CITY AREA**				**INSIDE CORE CITY AREA**			
			SF Detached	Duplex	SF Attached & Multi-family	All Other Uses	SF Detached	Duplex	SF Attached & Multi-family	All Other Uses
Minimum Lot Area (square feet)		❶	12,000 [1]	n/a		20,000	12,000 [2]	n/a		20,000
Minimum Lot Width (feet) [3]	Interior lot	❷	75	n/a		75	75 [2]	n/a		75
	Corner lot	❸	85			85	85 [2]			85
Minimum Street Setback (feet)	Front	❹	30	n/a		30	30 [2]	n/a		30 [2]
	Side	❺	15				15 [2]			
Minimum Side Setback (feet)		❻	10	n/a		~~20~~ **n/a**	5 [2]	n/a		~~15~~**n/a**
Minimum Rear Setback (feet)		❼	~~30~~ **25**	n/a		~~40~~ **n/a**	15 [2]	n/a		~~25~~**n/a**
Minimum Perimeter Setback (feet)			**n/a**	**n/a**		**25**	**n/a**	**n/a**		**25**
Maximum Building Height (feet)		❽	50	n/a		50	50	n/a		50
[1] Lots in projects 2 acres or greater in area may be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum (See Section 10.2.3 C.2 Lot Area Averaging).										
[2] At applicant's option, may be reduced to the lesser of: zoning district minimum or between 75% and 125% of the average for lots on the same block face (See Section 10.2.3 D, Dimensional Standards in the Core City).										
[3] All development shall comply with the City's Driveway Ordinance requirements.										

Part C.

Section 3.3.3. Residential Single Family – 5 (R-5) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

B. DIMENSIONAL STANDARDS										
STANDARD		**REFERENCE #**	**OUTSIDE CORE CITY AREA**				**INSIDE CORE CITY AREA**			
			SF Detached	Duplex	SF Attached & Multi-family	All Other Uses	SF Detached	Duplex	SF Attached & Multi-family	All Other Uses
Minimum Lot Area (square feet)		❶	7,000 [1]	n/a		15,000	7,000 [2]	10,000 [2]	15,000 [3]	15,000
Minimum Development Size (acres)			n/a		5	n/a	n/a			
Maximum Density (units/acre)			n/a		5 [4]	n/a	n/a			
Minimum Lot Width (feet) [5]	Interior lot	❷	50	n/a	75 + [6]	50	50 [2]		80	50
	Corner lot	❸	60			70	60 [2]			70
Minimum Street Setback (feet)	Front	❹	25	n/a	20	25	25 [2]			25 [2]
	Side	❺	15				15 [2]			
Minimum Side Setback (feet)		❻	5	n/a	~~20 [7]~~ **n/a**		5 [2]		~~10 [7]~~ ~~20 [7]~~ **n/a** ~~15 [7]~~	
Minimum Rear Setback (feet)		❼	20	n/a			10 [2]			
Minimum Perimeter Setback (feet)			**n/a**	**n/a**	**20**		**n/a**		**15**	**20**
Maximum Building Height (feet)		❽	50	n/a	50		50			
[1] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum (See Section 10.2.3 C.2 Lot Area Averaging).										
[2] At applicant's option, may be reduced to the lesser of: zoning district minimum or between 75% and 125% of the average for lots on the same block face (See Section 10.2.3 D, Dimensional Standards in the Core City).										

[3] Minimum development size.
[4] The maximum number of attached dwelling units per structure is 2.
[5] All development shall comply with the City's Driveway Ordinance requirements.
[6] For developments with more than 3 units, minimum lot width is increased by 5 feet per unit up to a maximum width of 120 feet.
~~**[7] In a group development, applied only to buildings along the perimeter of the development.**~~

Part D.

Section 3.3.4. Residential Single Family – 7 (R-7) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

<table>
<tr><th colspan="11">B. DIMENSIONAL STANDARDS</th></tr>
<tr><th colspan="2" rowspan="2">STANDARD</th><th rowspan="2">REFERENCE #</th><th colspan="4">OUTSIDE CORE CITY AREA</th><th colspan="4">INSIDE CORE CITY AREA</th></tr>
<tr><th>SF Detached</th><th>Duplex</th><th>SF Attached & Multi-family</th><th>All Other Uses</th><th>SF Detached</th><th>Duplex</th><th>SF Attached & Multi-family</th><th>All Other Uses</th></tr>
<tr><td colspan="2">Minimum Lot Area (square feet)</td><td>❶</td><td>5,000 [1]</td><td>7,000</td><td>n/a</td><td>12,000</td><td>5,000 [2]</td><td>7,000 [2]</td><td>12,000 [3]</td><td>12,000</td></tr>
<tr><td colspan="2">Minimum Development Size (acres)</td><td></td><td colspan="2">n/a</td><td>5</td><td>n/a</td><td colspan="4">n/a</td></tr>
<tr><td colspan="2">Maximum Density (units/acre)</td><td></td><td colspan="2">n/a</td><td>7 [4]</td><td>n/a</td><td colspan="4">n/a</td></tr>
<tr><td rowspan="2">Minimum Lot Width (feet) [5]</td><td>Interior lot</td><td>❷</td><td colspan="2">40</td><td rowspan="2">75+ [6]</td><td>50</td><td colspan="2">40 [2]</td><td rowspan="2">80</td><td>50</td></tr>
<tr><td>Corner lot</td><td>❸</td><td colspan="2">50</td><td>65</td><td colspan="2">50 [2]</td><td>65</td></tr>
<tr><td rowspan="2">Minimum Street Setback (feet)</td><td>Front</td><td>❹</td><td colspan="2">20</td><td rowspan="2">20</td><td rowspan="2">20</td><td colspan="3">20 [2]</td><td rowspan="2">20 [2]</td></tr>
<tr><td>Side</td><td>❺</td><td colspan="2">15</td><td colspan="3">15 [2]</td></tr>
<tr><td colspan="2">Minimum Side Setback (feet)</td><td>❻</td><td colspan="2">5</td><td colspan="2" rowspan="2">~~20 [7]~~ <u>n/a</u></td><td colspan="2">5 [2]</td><td colspan="2" rowspan="2">~~5 [7]~~
~~20 [7]~~ <u>n/a</u>
~~10 [7]~~</td></tr>
<tr><td colspan="2">Minimum Rear Setback (feet)</td><td>❼</td><td colspan="2">15</td><td colspan="2">10 [2]</td></tr>
</table>

Minimum Perimeter Setback (feet)		**n/a**	**20**	**n/a**	**10**	**20**
Maximum Building Height (feet)	❽	50	50	50		
[1] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum (See Section 10.2.3 C.2 Lot Area Averaging).						
[2] At applicant's option, may be reduced to the lesser of: zoning district minimum or between 75% and 125% of the average for lots on the same block face (See Section 10.2.3 D, Dimensional Standards in the Core City).						
[3] Minimum development size.						
[4] The maximum number of attached dwelling units per structure is 2.						
[5] All development shall comply with the City's Driveway Ordinance requirements.						
[6] For developments with more than 3 units, minimum lot width is increased by 5 feet per unit up to a maximum width of 120 feet.						
~~**[7] In a group development, applied only to buildings along the perimeter of the development.**~~						

Part E.

Section 3.5.6. Main Street (MS) zoning district, Subsection B. *Dimensional Standards*, is amended as follows:

B. DIMENSIONAL STANDARDS						
STANDARD			**SUB-DISTRICT A**	**SUB-DISTRICT B**	**SUB-DISTRICT C**	**SUB-DISTRICT D**
Maximum Density (units/acre)			26 [1]			
Minimum Lot Area (square feet)		❶	6,000	4,000		6,000
Minimum Lot Width (feet) [2]	Interior lot	❷	60	40		60
	Corner lot	❸				
Minimum Street Setback (feet)		❹	5, 10 from back of curb [3]	0, 10 from back of curb [3]		5, 10 from back of curb [3]
Maximum Street Setback (feet) (Main Street Only) [4] [5]		❺	25	20		25
Minimum ~~**Interior**~~ **Perimeter** Setback (feet)	Adjacent to Residential District	❻	~~**0/5 [6]**~~ **10**			
	Adjacent to Non-residential District		**0/5**			

Maximum Building Height (feet)	❼	n/a ~~[7]~~ [6]
[1] Mixed-use development is subject to the maximum density standards.		
[2] All development shall comply with the City's Driveway Ordinance requirements.		
[3] All buildings shall be at least 10 feet from the back of the curb.		
[4] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.		
[5] Buildings are exempt from the maximum street setback, if they provide a civic space (see section 3.5.6 G.3.(b) Exemption form Maximum Setback).		
~~[6] Buildings shall be setback at least 10 feet from lot lines abutting a residential district.~~		
~~[7]~~ [6]When a perimeter setback abuts a single-family residential district, the setback shall be increased by 1 foot for each foot in height beyond 50 feet up to 80 feet.		

Part F.

Section 3.5.7.D. *Specific Standards for the MX-W District*, is hereby amended as follows:

2. Dimensional ~~Requirements~~ Standards

The dimensional ~~**requirements**~~ **standards** in Table 3.5.7.D, *Dimensional ~~Requirements~~ Standards in the MX-W District*, shall apply to all development in the MX-W District.

Table 3.5.7.D, *Dimensional Requirements in the MX-W District*, is amended as follows:

TABLE 3.5.7.D, DIMENSIONAL ~~REQUIREMENTS~~ STANDARDS IN THE MX-W DISTRICT		
REQUIREMENT		**STANDARD**
Maximum Density (units/acre)		n/a
Minimum Lot Area (square feet)		n/a
Minimum Lot Width [1]		n/a
Minimum Street Setback (feet)		0, 12 from back of curb [2]
Maximum Street Setback (feet) [3] [4]		15
Minimum ~~Side and Rear~~ Perimeter Setback (feet)	Adjacent to Residential District	10
	Adjacent to a Nonresidential District	0/5 [5]
Maximum Building Height (feet)		50
NOTES:		
[1] All development shall comply with the City 's Driveway Ordinance requirements.		

[2] All buildings shall be at least 12 feet from the back of curb.
[3] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.
[4] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.5.7 C.2(b) Exemption from Maximum Setback).
[5] No setback is required, but if provided, shall be at least 5 feet.

Part G.

Section 3.5.7.E.2. *Specific Standards for the MX-D District*, is hereby amended as follows:

2. Dimensional ~~Requirements~~ Standards

The dimensional ~~**requirements**~~ **standards** in Table 3.5.7.E, *Dimensional ~~Requirements~~ Standards in the MX-D District*, shall apply to all development in the MX-D District.

Table 3.5.7.E, *Dimensional Requirements in the MX-D District*, is amended as follows:

TABLE 3.5.7.E, DIMENSIONAL ~~REQUIREMENTS~~ STANDARDS IN THE MX-D DISTRICT		
REQUIREMENT		**STANDARD**
Maximum Density (units/acre)		n/a
Minimum Lot Area (square feet)		n/a
Minimum Lot Width [1]		n/a
Minimum Street Setback (feet)		0, 12 from back of curb [2]
Maximum Street Setback (Elm and Main Street Only) [3] [4]		20
Minimum ~~Side and Rear~~ Perimeter Setback (feet)	Adjacent to Residential District	10
	Adjacent to a Nonresidential District	0/5 [5]
Maximum Building Height (feet)		n/a
[1] All development shall comply with the City 's Driveway Ordinance requirements.		
[2] All buildings shall be at least 12 feet from the back of curb.		
[3] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.		
[4] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.5.7 C.2(b) Exemption from Maximum Setback).		
[5] No setback is required, but if provided, it shall be at least 5 feet.		

SECTION 4.

Table 4.1.9, *Principal Use Table*, is amended as follows:

Part A.

Under the *Institutional Use Classification; Civic Use Category; Assembly, major Use Type;* add a **P*** in the column under the LI zoning district.

Under the *Institutional Use Classification; Civic Use Category; Assembly, minor Use Type;* add a **P*** in the column under the LI zoning district.

Part B.

Under the *Institutional Use Classification; Civic Use Category; Cultural facility, major Use Type;* add a **P*** in the column under the LI zoning district, and add **4.3.3.A.3.** in the *Additional Standards* column.

Under the *Institutional Use Classification; Civic Use Category; Cultural facility, minor Use Type;* add a **P*** in the column under the LI zoning district, and add **4.3.3.A.3.** in the *Additional Standards* column.

SECTION 5.

Part A.

Section 4.3, *Use Standards*, is hereby amended as follows:

4.3. USE STANDARDS

~~Use standards are the requirements applied to individual use types unless otherwise stated to the contrary. This section is intended to identify the use standards for all principal uses identified in Table 4.1.9, Principal Use Table that are subject to "additional requirements."~~

Use standards are additional requirements applied to certain individual use types identified in Table 4.1.9, Principal Use Table by a section reference in the *Additional Standards* column. Use standards are fully applicable to new principal uses within those individual use types. Use standards are also applicable, to the maximum extent practicable, to expansions of existing principal uses within those individual use types.

Part B.

Section 4.3.2.B.5, *Multi-Family Dwelling*, is amended as follows:

(g) Adaptive Reuse in the Core City

In order to ~~**utilize**~~ **reuse** the existing buildings in the Core City in accordance with the City's adopted policy guidance, multi-family uses are permitted in the LI district, subject to the following standards:

(1) The LI district must be located in the Core City area;

(2) The **new** use must ~~**utilize**~~ **reuse** an existing building or buildings;

(3) **The total square footage of all** ~~**B**~~**b**uilding additions ~~**for these uses**~~ **for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses** shall be limited to a maximum of 25 percent of the **total** gross floor area ~~**of the existing building; and**~~ **of all principal buildings existing on the site as of the effective date of this Ordinance.**

Part C.

Section 4.3.3.A.1, *Assembly (Major and Minor)* is amended to add a new paragraph **(f)** which shall read as follows:

(f) In order to reuse the existing buildings in the Core City in accordance with the City's adopted policy guidance, major and minor assembly uses are permitted in the LI district, subject to the following standards:

(i) The LI district must be located in the Core City area;

(ii) The new use must reuse an existing building or buildings;

(iii) The total square footage of all building additions for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses shall be limited to a maximum of 25 percent of the total gross floor area of all principal buildings existing on the site as of the effective date of this Ordinance.

Part D.

Section 4.3.3, *Institutional Uses*, Subsection A. *Civic,* is amended to add a new paragraph **3.** which shall read as follows:

3. Cultural Facility (Major and Minor)

In order to reuse the existing buildings in the Core City in accordance with the City's adopted policy guidance, major and minor cultural facility uses are permitted in the LI district, subject to the following standards:

(a) The LI district must be located in the Core City area;

(b) The new use must reuse an existing building or buildings;

(c) The total square footage of all building additions for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses shall be limited to a maximum of 25 percent of the total gross floor area of all principal buildings existing on the site as of the effective date of this Ordinance.

~~3~~4. Public Recreation Facility

(No changes to text)

Part E.

Section 4.3.4.D.1, *Personal Services Establishment, Major*, is amended as follows:

1. Personal Services Establishment, Major

In order to **~~utilize~~** **reuse** the existing buildings in the Core City in accordance with the City's adopted policy guidance, major personal services establishments are permitted in the LI district, subject to the following standards:

(a) The LI district must be located in the Core City area;

(b) The **new** use must **~~utilize~~** **reuse** an existing building or buildings;

(c) **The total square footage of all** **~~B~~b**uilding additions **~~for these uses~~** **for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses** shall be limited to a maximum of 25 percent of the **total** gross floor area **~~of the existing building; and~~** **of all principal buildings existing on the site as of the effective date of this Ordinance.**

Part F.

Section 4.3.4.F.3, *Retail Sales Establishment*, is amended as follows:

(a) Major

(1) In the MS District

(No changes to text)

(2) In the LI District

In order to ~~**utilize**~~ **reuse** the existing buildings in the Core City in accordance with the City's adopted policy guidance, major retail sales establishments are permitted in the LI district, subject to the following standards:

(i) The LI district must be located in the Core City area;

(ii) The **new** use must ~~**utilize**~~ **reuse** an existing building or buildings;

(iii) **The total square footage of all** ~~**B**~~**b**uilding additions ~~**for these uses**~~ **for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses** shall be limited to a maximum of 25 percent of the **total** gross floor area ~~**of the existing building; and**~~ **of all principal buildings existing on the site as of the effective date of this Ordinance.**

(b) Minor

In order to ~~**utilize**~~ **reuse** the existing buildings in the Core City in accordance with the City's adopted policy guidance, minor retail sales establishments are permitted in the LI district, subject to the following standards:

(1) The LI district must be located in the Core City area;

(2) The **new** use must ~~**utilize**~~ **reuse** an existing building or buildings;

(3) **The total square footage of all** ~~**B**~~**b**uilding additions ~~**for these uses**~~ **for multi-family; personal service, major; major and minor retail sales; major and minor assembly; and major and minor cultural facility uses** shall be limited to a maximum of 25 percent of the **total** gross floor area ~~**of the existing building; and**~~

of all principal buildings existing on the site as of the effective date of this Ordinance.

SECTION 6.

Section 5.4.3.B.3. of the City of High Point Development Ordinance regarding exemptions from off-street parking requirements is hereby amended as follows:

3. Rehabilitation or reuse of a structure ~~**included in the City's inventory of historic architecture as determined by the HPC**~~ **that is on the North Carolina National Register Advisory Committee's Study List.**

SECTION 7.

Table 5.5.11.B, *Perimeter Landscape Yard Types* is hereby amended as follows:

TABLE 5.5.11.B: PERIMETER LANDSCAPE YARD TYPES		
LANDSCAPE YARD TYPE	DESCRIPTION/MINIMUM REQUIREMENTS	
	INSIDE CORE CITY	OUTSIDE CORE CITY
TYPE B: SEMI OPAQUE LANDSCAPE YARD		
Intent: This landscape yard functions as a partially opaque screen from the ground to a height of 6 feet. This type of buffer prevents visual contact between uses and creates a sense of spatial separation. Yard shown at maturity		
Average width (feet)	15	25
Minimum width (feet) [2]	12	20
Maximum width (feet)	25	45
Canopy trees per every 100 linear feet	2	4
Understory trees per every 100 linear feet	4	6
~~**Evergreen s**~~**S**hrubs per every 100 linear feet **[3]**	8	25
5-foot opaque fence	Reduces average width by 3 feet and minimum width by 2 feet	Reduces average and minimum widths by 5 feet

TYPE C: INTERMITTENT LANDSCAPE YARD		
Intent: This landscape yard functions as an intermittent visual screen from the ground to a height of 5 feet. It is intended to partially block visibility between different uses but not totally obstruct visual contact from one use to another. Yard shown at maturity		
Average width (feet)	10	15
Minimum width (feet) [2]	8	10
Maximum width (feet)	20	35
Canopy trees per every 100 linear feet	2	3
Understory trees per every 100 linear feet	3	4
~~**Evergreen**~~ ~~s~~S~~**[3]**~~hrubs per every 100 linear feet **[3]**	6	20
5-foot opaque fence	Reduces average width by 2 feet	Reduces average and minimum widths by 5 feet

TABLE 5.5.11.B: PERIMETER LANDSCAPE YARD TYPES		
LANDSCAPE YARD TYPE	**DESCRIPTION/MINIMUM REQUIREMENTS**	
	INSIDE CORE CITY	**OUTSIDE CORE CITY**
TYPE D: BASIC LANDSCAPE YARD		
Intent: This landscape yard functions as a means to demarcate boundaries between different uses and provide only a slight visual obstruction between different uses. Yard shown at maturity		
Average width (feet)	5	8
Minimum width (feet) [2]	5	5
Maximum width (feet)	10	15
Canopy trees per every 100 linear feet	None	
Understory trees per every 100 linear feet	2	2
~~**Evergreen**~~ ~~s~~S~~**[3]**~~hrubs per every 100 linear feet	12	15
5-foot opaque fence	No additional reductions	

NOTES:
[1] Within the Core City, where a required streetyard cannot be accommodated due to the location of existing development or other site related issue, an adjustment may be approved in accordance with Section 2.5.2, Administrative Adjustment
[2] If the required principal building setback is less than the required landscape yard width, the principal building setback controls and the landscape yard width shall be reduced only along the length of the building wall that encroaches into the landscape yard. Regardless of reduction in streetyard width, the required planting material must be installed, though its location may be modified in accordance with Section 5.5.13, Alternate Landscape Plan.
[3] A percentage of the required shrubs must be evergreen. See Section 5.5.6.C, Shrub Size and Type.

SECTION 8.

Part A.

Section 3.8.8, *Local Historic Overlay*, is hereby amended as follows:

D. Dimensional ~~Requirements~~ Standards and Exceptions

(No changes to text)

Part B.

Section 7.1.6, *Subdivision Standards*, Subsection B, *Lot Dimensions and Standards* is hereby amended as follows:

5. Lots Adjoining Dedicated Public Open Space or Required Watershed Stream Buffer Areas

(No changes to text)

(a) *(No changes to text)*

(b) A note shall be placed on the Final Plat stating:

"The required area of Lots *(insert lot #)* through *(insert lot #)* has been reduced in accordance with Section 7.1.6.B.5, Lots Adjoining Dedicated Public Space or Required Watershed Stream Buffer Areas. All other dimensional **~~requirements~~** **standards** of the Development Ordinance shall apply."

Part C.

Section 8.3, *Nonconforming Structures*, Subsection 2.B, *Replacement* is hereby amended as follows:

1. After Damage in Excess of 50 Percent of Building Value

In the event of fire or other causes to an extent exceeding 50 percent of its building value prior to such damage, as established by the applicable county tax listing, reconstruction of a nonconforming structure shall be permitted only in compliance with the applicable dimensional ~~**requirements**~~ **standards** of this Ordinance.

2. After Damage Less Than 50 Percent of Building Value

(No changes to text)

(a) *(No changes to text)*

(b) *(No changes to text)*

(c) In compliance with the current dimensional ~~**requirements**~~ **standards**.

Part D.

Section 8.3, *Nonconforming Structures*, Subsection 3.B, *Enlargement* is hereby amended as follows:

B. Enlargement

Any enlargement of a nonconforming structure shall conform to the dimensional ~~**requirements**~~ **standards** of the zoning district where it is located.

Part E.

Section 8.4, *Nonconforming Lots of Record*, Subsection 2, *Continuation* is hereby amended as follows:

A. Lots with Continuous Frontage in One Ownership

When 2 or more adjoining lots with contiguous frontage are under common ownership and the lots are nonconforming in terms of width or area, such lots shall be combined for development purposes to create 1 or more lots, each of which conforms to the applicable dimensional ~~**requirements**~~ **standards** of the district.

B. Single Lot of Record in a Residential District

When a lot in a residential zoning district has an area or width which does not conform to the dimensional ~~**requirements**~~ **standards** of the district where it is located, but was of record on the effective date of this Ordinance, then a single-

family dwelling may be built on the lot, subject to compliance with setback standards.

C. Single Lot of Record in a Nonresidential District

When a lot in a nonresidential district has an area or width which does not conform to the dimensional ~~**requirements**~~ **standards** of the district where it is located, but was of record on the effective date of this Ordinance, then development on the lot may be permitted, subject to compliance with all required setbacks, open space requirements, and all other applicable development and design standards.

Part F.

Section 8.4, *Nonconforming Lots of Record*, Subsection D, *Dimensional Requirements* is hereby amended as follows:

D. Dimensional ~~Requirements~~ Standards

(No changes to text)

Part G.

Section 10.4, *Definitions*, is hereby amended as follows:

Nonconforming Lot	A lot of record that was lawful at the date on which it was established, but does not conform to the current dimensional ~~**requirements**~~ **standards** of the zoning district in which it is located.
Nonconforming Structure	A structure that was lawful at the date on which it was established, but does not conform to the current dimensional **standards**, elevation, location, or other requirements of this Ordinance.

SECTION 9.

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

SECTION 10.

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

SECTION 11.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The **21st** day of **May, 2018**

Lisa B. Vierling, City Clerk

Prosperity & Livability Committee
Members: Ewing, Hudson, Peters, and Golden
Chaired by Council Member Ewing
3rd Floor Lobby Conference Room
May 9, 2018 – 10:00 a.m.

MINUTES

Present:
Committee Chair Jason Ewing; and Committee Members Jeff Golden, Wesley Hudson, and Monica Peters

Staff Present:
Randy McCaslin, Deputy City Manager; Eric Olmedo, Budget and Administrative Director; JoAnne Carlyle, City Attorney; David Dulin, Police Officer; Lee Tillery, Parks and Recreation Director; David Briggs, Theatre Director; Mark McDonald, Director of Transportation; Scott Dingus, Engineering Services; Loren Hill, President- High Point Economic Development Corporation Sandra Keeney, Deputy City Clerk; and Lisa Vierling, City Clerk

Others Present:
Debbie Lumpkins, Executive Director- High Point Area Arts Council
Jim Morgan, Board of Directors and Former Chairman, High Point Area Arts Council
Mark Harris, Chairman, High Point Area Arts Council
Steve Ilderton, Incoming Chairman, High Point Area Arts Council
Louis Thibodeaux
Susan Harman
Blaney Prillaman

News Media:
No News Media was present.

Note: The following handout was distributed during the meeting and will be attached as a permanent part of these proceedings:

- ✓ Special Event Policy- DRAFT
- ✓ List of Events- Staff Recommendations

DRAFT

Discussion- Special Events Policy

_____Transcript_____

Deputy City Manager Randy McCaslin: We're hoping to wrap up this discussion at this meeting, and hopefully take it to the Council if we get a recommendation today at the next Council meeting, which will be on the 21st of May. So, I'm going to turn it over to Eric and Eric's going to walk you through what he's got.

Eric Olmedo: What I've got, we have discussed the Special Events Policy. We have presented you with a proposed fee schedule and we've also talked about a list of different special events that occur in the city, and we have a staff recommendation for which events would fall under the city-sponsored policy and I can pass that out. I think that's kind of where we had left it was for you all to review a list and make a policy decision on which events were city sponsored and which ones were not.

Committee Member Golden: When we did this list right here, was it by historical participation?

Eric Olmedo: That's correct. We looked at history. We looked at the events that the city has advertised, has historically advertised. And, also there's some level of participation at these events. Some of these events are….the ones that we didn't recommend continuing to sponsor are the ones that are smaller in numbers. So that certainly had a part in it.

Chairman Ewing: Do we have a cost savings or a cost breakdown based on this list of what we will sponsor what we won't? How much cost we may incur in the upcoming budget year?

Eric Olmedo: I do have a cost estimate for each event. I didn't formulate which ones….I wouldn't say that we have a full cost estimate. Usually for the larger events, we did. But we didn't have a full cost for each of them. So, I don't really feel comfortable with throwing a number out.

Chairman Ewing: Well it's a staff recommendation. So, are there any questions, concerns?

Committee Member Peters: I've got a question. So, on the ones that the city will sponsor, is that 100% sponsor, and then the ones that they won't sponsor is 0% sponsored? So, let's say like the Southside Community event. Would they even get anything like a tent or nothing? I'm just curious.

Eric Olmedo: Right, here's the policy that we had presented earlier, I think two meetings ago. We listed out that I think the intent I was following was the ones on this first page, the city co-sponsored and we would sponsor all the materials and manpower for those. If it's a nonprofit event, if they are on the second page, then they would pay a 50% reduced rate on fees/charges. And, then if it's a for profit, it would be 100% their responsibility to pay.

Deputy City Manager McCaslin: Even the city-sponsored would not be 100% city. It would be for what we provide, but there will be other sponsors associated with their events too.

Committee Member Golden: I am understanding that it doesn't include Police, does it? You can't split the cost for that for a non-profit can you? For law enforcement?

Eric Olmedo: I think we can in-kind law enforcement to an event such as the Coltrane Festival.

Committee Member Golden: I'm more thinking in line of none of the recommended sponsors. Let's say like an event that needs three police, so I just pay the full price or whatever? Because you really can't really 50% that.

Eric Olmedo: You're right.

Chairman Ewing: The proposed fee schedule that you gave us, there isn't a separation in the fire, medic, light duty apparatus, police. It's the same for a non-profit and a profit.

Eric Olmedo: That's right. I'm sorry on that policy that we gave we did say that rental fees for equipment and public safety personnel would be charged regular rates and all the other fees associated would be discounted at a 50% rate.

Chairman Ewing: Does anyone have any problems with the proposed fee schedule that was presented back in March?

Committee Member Peters: What did we end up with for the cone rentals?

Chairman Ewing: The cone rental fee…..the barricade was $12; the cone rental is $5.

Committee Member Peters: I disagree with that. I think it needs to be $2. I know that might sound minor and if it is minor, it should be minor for the city as well. I mean Greensboro charges $1.10. Asheville charges $5. I don't think we should be five times more than what Greensboro charges for cones. I think $2 is good.

Chairman Ewing: What's the average amount of cones that are necessary at some of these events? Any idea? I'm sure it varies as to what type of event.

Officer David Dulin: Like this weekend, we've got the half marathon.

Chairman Ewing: So, let's say a non-running event. More of a self-contained event.

Officer Dulin: Even a self-contained event like the July 4th event. I can set up 200 cones because there's still entrance and exit plans. So, each event it's hard to come up with an average because each event is completely different.

Deputy City Manager McCaslin: We're good with $2 a cone.

Committee Member Hudson: You're really paying for labor.

Theatre Director David Briggs: I think one of the reasons why we went with that price was to encourage folks to rent them from someplace else.

Committee Member Peters: Well, you know I called some rental places and there aren't any in High Point. You can rent them from Greensboro and they're like $3.50 a cone.

Chairman Ewing: With all these events, and I know that cones get run over. Cones get beat up and what-not. What's our loss? How many cones do we technically lose per event?

Mark McDonald, Transportation Director: That varies too, depending on the event. How many you put out there. Sometimes we lose none, but that's rare. We usually lose something somewhere. I would say probably less than 5%.

Committee Member Peters: Well, there were a bunch of cones left out here after Furniture Market. Just sitting out there for over a week to be picked up.

Chairman Ewing: What's the replacement cost?

Mark McDonald: Depending on the size $15-$20 a piece. And depending on how many we buy.

Chairman Ewing: So, from a proposed fee schedule, are you good with everything except for the cones?

Committee Member Peters: Yep.

Committee Member Hudson: I'm fine with $2.

Chairman Ewing: $2 across-the-board, or $5 for profit and $2 for non-profit?

Committee Member Peters: I say $2 across-the-board.

Chairman Ewing: So, let's do this in two different groupings. If we're good with the fee schedule, **I'll make a motion that we move the proposed fee schedule with the modification for traffic cones to the May 21st Council meeting for approval.**

Committee Member Golden: **Second**.

Chairman Ewing: We have a motion and a second. All those in favor?

Chairman Ewing and Committee Members Hudson, Peters, and Golden: Aye. [4-0 vote]

Chairman Ewing: Okay, we'll put the fee schedule on the May 21st agenda.

Now for the actual list of events broken down by which ones the city will support in some sort of sponsorship and ones that we will not. Are you okay with the proposed list? Any changes?

Committee Member Golden: What's the Clean & Green? Is that the annual clean-up that we do all around town?

Eric Olmedo: Yes.

Committee Member Golden: So it's separate from the Great American Clean-up?

Eric Olmedo: I think it's one in the same. There's two different events. One in the spring and one in the fall. I think they technically have two different names and this was intended both. Actually the Great American Clean-up is lower on the list, so there are two separate events.

Committee Member Golden: So you listed them by priority? You said it's lower on the list.

Eric Olmedo: No, they're not by priority.

Committee Member Hudson: So the Great American Clean-up is the spring event. That was last week, is that right?

Eric Olmedo: that's correct.

Chairman Ewing: I guess I've got a question. In the recommended, we've got the Go Far 5K May 2017 and the non-recommended, we have the November Go Far in November 2017, which they were both last year.

David Briggs, They do them every year.

Chairman Ewing: So is that we'll support the spring one, but not the fall one?

David Briggs: The fall one actually takes place at the terminal right there downtown. The one in May, they do at Piedmont Parkway and it's a little more self-contained.

Deputy City Manager McCaslin: We probably ought to just put spring and fall on there.

Chairman Ewing: So, we're going to support the spring from this policy standpoint, but not the fall?

Deputy City Manager McCaslin: That's the recommendation.

Chairman Ewing: Is that because of the cost from a rental facility, the terminal?

Dave Briggs: It's actually the number of officers that we use.

Chairman Ewing: Any other questions? Modifications?

Committee Member Golden: I'm good.

Chairman Ewing: Then **I will make a motion to move the recommendations for city sponsored and non-city sponsored events as presented to our May 21st meeting with a favorable recommendation**.

Committee Member Peters: Second.

Chairman Ewing: We have a motion and a second. All those in favor?

Chairman Ewing, and Committee Members Hudson, Peters and Scarborough: Aye. [4-0 vote]

Chairman Ewing: That will be on the May 21st agenda as well. Is that the only two action items for the Special Events policy?

Deputy City Manager McCaslin: And we thank you.

[end of transcript]

Discussion- Traffic Situations on Rotary Drive

Mark McDonald, Director of Transportation, noted he provided information going back to the last discussion regarding the traffic concerns on Rotary Drive in 2015. He advised that from a traffic standpoint, nothing has changed. He shared the traffic volumes are at 3,700 cars a day and the speeds are averaging in the 40 mph range. Regarding the crash history in the area, Mr. McDonald noted for a 5-year period (2010-2014), there have been a variety of crashes in the area, but nothing demonstrates a pattern at any one particular location. At the Westwood intersection, over the past eight years, there have been eight crashes, mostly related to failure to yield or running a stop sign.

Mr. McDonald shared that the most recent complaints voiced center on the area around Sunset/Woodland/Fairway/Ray (down at the bottom of the hill on both sides). He then shared some options that staff has prepared for consideration.

- ✓ Putting in roundabouts at the bottom of the hill on Fairway, creating curb lines and deflection. Estimated cost $218,000.
- ✓ Take intersection at the bottom of the hill on Fairway and T it into Rotary and create a multi-way Stop. Estimated cost $92,000.

Committee Member Peters liked the roundabouts and asked if one might be sufficient. Mr. McDonald replied that it is a matter of preference, but they could do one or both. He advised that the roundabouts would be the most effective measure.

Chairman Ewing asked how the traffic counts fit in with the indicators identified in the Traffic Calming Policy. Mr. McDonald explained that it does meet some of the criteria, but staff has not plugged in any numbers yet. A discussion followed regarding the congestion at certain times of the day when school is in and the speeding that continues to be an issue. Chairman Ewing

suggested a conversation might be necessary with the Guilford County Schools if it is a school traffic issue.

Committee Member Golden asked about numbers for speed humps/bumps and Mr. McDonald agreed that these may work. He proceeded to describe the recent speed hump installation on Hoskins Street. He noted although the installation is very labor intensive, they have worked well. The estimated costs for speed humps is about $3,200-$3,500 a set (for materials only, does not include labor for installation). Mr. McDonald suggested they could possibly do a test case.

Committee Member Hudson pointed out he actually lives within two blocks of the intersection in question and did not personally feel that a roundabout at either of these two locations would do anything at Ray and Ferndale. He suggested putting a 3-way stop at Ray, and a 4-way stop at Westwood or Quaker Lane. He felt that would be the quickest, easiest test run to see if it works. He pointed out that Rotary is a feeder road, not a residential road and putting speed bumps on a feeder road is a bad idea.

Mr. McDonald advised against putting in multi-way stops at every intersection because stop signs do not control speed, except in the immediate area of the stop. He suggested Westwood is probably the most logical place to do something.

Chairman Ewing suggested that staff follow the policy in place and evaluate remedies per the policy to determine the options. He also asked that they look at the school traffic issues and have a conversation with Guilford County Schools about the possibility of changing school traffic patterns to reduce traffic flow. Mr. McDonald pointed out this is something that goes on with others schools as well, and he did not feel that Guilford County Schools could control the traffic any better than the city could.

He agreed to take the data and plug it into the policy to see what the options might be, and offered to look at any other suggestions as well.

Committee Member Golden advised that he did not want a roundabout as the first option and asked what a temporary roundabout would look like. Committee Member Peters mentioned Mayor Wagner's suggestion with roundabouts. Committee Member Hudson saw nothing wrong with doing several trial runs.

Chairman Ewing pointed out that staff needs to apply it to the policy that was adopted to determine if it applies. Mr. McDonald agreed that staff would take the data available and apply it to the policy to see what the options are and would come back to the Committee in June with the results.

Discussion- Arts Council Funding

Transcript

Chairman Ewing: The last item is the Arts Council funding which was deferred to the Committee on Monday night. I know we didn't have much time to prepare anything on it. Does staff have any comments?

Deputy City Manager McCaslin: We have nothing further to add.

Chairman Ewing: So, the agreement that you all have came before Finance. We discussed it in Finance last week and there wasn't support to move it forward favorably. Of course, Monday night there wasn't support for it either. So, clearly if we're going to do something, we need some sort of modification. I know I talked to Vic and Chris, if we can sort of lay out some thoughts on it, and bring it back for discussion by the full Council at a subsequent meeting, and find a way to do it. I know one of the big concerns that we've talked about is setting a precedent for paying off a note for a non-profit within the city and how that could open the door. One of the reasons we created the non-profit funding ad-hoc committee was to minimize how many non-profits were coming to the city manager saying we want money.

Committee Member Peters: And you know that's a good point, and one of the things that we may want to look at in the future is maybe not considering Arts Council a non-profit. And like set aside another budget for the arts because I definitely think the arts are very, very important. And, I got confused the other night and I think that it's bad timing. I feel bad for the Arts Council because if it wasn't just now coming up with the non-profit amount that they're asking for and this note, we wouldn't really be thinking about it. So, I'm 100% in favor for voting exactly like it is without any changes and for their full allocation for the non-profit as well. I feel like it's very important. They've worked really super hard on this. It's a great location and I think it's important for High Point.

Committee Member Golden: I won't argue that the entire Council sees the value in arts, but you cannot say that this particular entity is more valuable than another. And if you start giving them the allocation that we did for the non-profit side and give them additional funds, you are setting a precedent that you don't want to set. We've had arts go out of business because they didn't have money, so what makes them different?

Committee Member Peters: Well, I think that, you know, if we do this, I think that we need to hold them more accountable. I think that there could be some changes. Well, I've talked to some folks and have some thoughts.

Jim Morgan: Mr. Chairman, may I respond?

Chairman Ewing: To?

Jim Morgan: That concern.

Committee Member Golden: I don't have a problem with it.

Committee Member Hudson: Can we do our discussion first?

Chairman Ewing: So, a couple of concerns that I've got aside from setting a precedent. From an accountability standpoint, we have no leverage or ability to hold them accountable. If we do this, they are not a city extension. They are not our staff. They own the property. So, we have no way to hold them accountable. If we're going to do this, I think we have to create some sort

of leverage which gives us that ability to hold them accountable. Whether it is the city buying the note from a bank and acting as the mortgager, then paying us. Whether it is…..we pay off the note and we take title to the property and lease it back to them. I think we need to have some sort of leverage if we're going to hold them accountable. If you look at the operating statement, their cash flow for the last couple of years. Based on their audits, it's not a cash healthy organization and there's concerns by the auditor about their ability to survive.
And, you know, I'll reiterate what I said a few weeks ago. A couple of years ago, we saw a similar case with the City Project. It had run its course effectively and we de-funded it. We made a lot of people upset. Forward High Point came out of the mix of that, which has been really good.

Committee Member Peters: I do have to remind you about one thing about that. The reason it was set up that way is because nobody's going to donate money to a city. You're not going to do that. You're going to donate money to a non-profit and that's why the City Project ….the city was the one that recommended that they set it up that way. The city recommended that. So, that's the way it is. They wouldn't have raised that much money had it been a city…

Chairman Ewing: That wasn't about fundraising, it was about effectiveness and actually redevelopment. They had sort of hit a wall and it wasn't about funding, it was about putting forth something that was worth what they were given.

Committee Member Peters: I actually think there was some grassroots anger that came from that that really blossomed. I told you how I feel. I think that we should support the Arts Council.

Committee Member Golden: You don't think that we support them through the grants process?

Committee Peters: Well, I think that….well, no I think we do.

Committee Member Golden: This funding was roughly what, a $100,000? Have we done that much every year for the last few years?

Eric Olmedo: We've done $100,000 I believe the last two years. Three years ago, it was $110,000 and prior to that it was in the $130,000 range.

Committee Member Golden: Easily over a million dollars in the last ten years?

Eric Olmedo: Yes.

Committee member Golden: I think the city supports the arts.

Chairman Ewing: Not including all the in-kind.

Committee Member Peters: I understand that, but also the matching grant, if the city's not going to sponsor it….if the city's not on board, it's going to be harder to get the grant started.

Committee Member Golden: When I was sitting in a conversation a year or two ago, and we talked about a matching grant. To my knowledge, there has been no money raised on their behalf to even show they were willing to do that.

Committee Member Peters: Well, I guess we don't have to pay anything.
Committee Member Golden: So, what do we do for the next guy? Because trust me, there are going to be some non-profits sitting out there in the audience that night. So, what are we going to tell them when they come the next month and say, hey, we've got this bill we need paid.

Committee Member Peters: I think that maybe we need to look at maybe taking the Arts Council out of the non-profit category and say this is what the city will do for arts. I mean I don't know.

Chairman Ewing: Then we start collecting property taxes on Centennial Station?

Committee Member Peters: I don't know. I'm just saying there's other ways to think about it.

Chairman Ewing: From an economic development standpoint, if we're going to them out of the non-profit funding, then we need to get money back from them instead of giving them money.

Committee Member Peters: Right. Okay, I've got you. I don't know what the answer is, but I just feel like it's really important to our community.

Committee Member Golden: We all do, but we have to be fair to everybody. And, that's where the issue lies.

Chairman Ewing: Again, it's setting a precedent and to the point, where's the risk if they don't raise any money, then we don't have to match it, but we still extend the offer. So, it doesn't mean that someone else might not come in and ask us to extend the same offer, then they are able to fund raise and we have to match.

Committee Member Peters: Okay, what's some other solutions? Like I said, I think….. for me, it's modifying and I'm not agreeing that we can't help them, but I think to make it attractive for us and for us to defend to our constituency, we have to have some leverage in it. And, the biggest thing for me would be if we hold title to the property, that gives us the ability where we've got an asset where we can say and that's something there's probably not a lot of non-profits out there that want to give up. If they say you extended this to the city, we want the same offer.

Committee Member Golden: Is that something that you could let them speak to now?

Committee Member Hudson: Can I ask Randy is that something that the city wants to do? Is that encouraged by the city?

Deputy City Manager McCaslin: What?

Committee Member Hudson: To actually hold a note to the building. I know there are advantages and disadvantages.

Deputy City Manager McCaslin: That is thinking out of the box, and it's something that we really need to evaluate before I really feel comfortable giving you an answer.
Chairman Ewing: And, holding the note would carry a lot more risk than just paying off the note and taking title. You know, because holding the note, then we become the bank and they pay us and then you get into the exact same scenario that Greensboro just dealt with a non-profit.

Committee Member Hudson: It also helps Jeff's concern. I agree with Jeff's concern because I've had three people call so far and say this is not what the city gets involved in. You're not getting anything, you're just giving. To say, okay, we bought a building for $150,000-$160,000 that now the city holds the note for, that is substantial. That is not a bad business deal for the city. That's basically what we're talking about. So, that is different than the Y calling and saying why don't you just give us $160,000, which is legitimate. It's a legitimate concern.

Chairman Ewing: There's consideration on both sides if we do this and we hold the note.

Committee Member Hudson: Sure.

Chairman Ewing: Any other response? Anything else you want to bring up? Jim, you have just a few minutes.

Jim Morgan: Well, I think you've heard from me a lot. I have with me today Debbie, who's our Executive Director; Steve Ilderton, who is our incoming Chair and Mark Harris, who is our Chair. Let me just say this, that I think the key here in what makes this different is what other communities have done for the arts. Winston and Greensboro is a great example, giving them millions of dollars to help them go. And part of our problem has been, you mentioned, you know, matching grants. Yes, the Council has been talking to us for five years about it. And if they would have ever done it, I think that we would have had the building paid for. But the Council never came around and approved that matching grant. Now, the County gave us $200,000. Just gave it to us.

Committee Member Golden: How many times? Was it a one-time gift?

Jim Morgan: It was a one-time gift. And it was just a few months after we bought it that they gave us that. So, I just think that the arts are so important for High Point. And, part of my problem here is you've delayed this for five years and now part of this note says that we've got to raise ninety some thousand dollars before June 30th. If we don't, we lose that portion.

Chairman Ewing: With that, from a time perspective, we don't have $90,000 in the 2018-2019 budget for this specifically, correct?

Jim Morgan: Well the staff…..now, let me say this. The staff was the one that recommended this. The staff approved this and sent it to you for your approval. We worked on it for months.

Chairman Ewing: But we haven't funneled it through yet and it hasn't actually been put in the budget.

Jim Morgan: Well, here was the point. We were going to do it in two budget years instead of one.
Chairman Ewing: The dates, if we do something similar to this, because of the timing and from a budget standpoint, you know, I would rather give you guys until the middle of May next year to raise those funds. That way we know during our budget conversations how much we have to match that we can adopt in the budget ordinance and grant you the first check in July.

Jim Morgan: Let me be sure I understand what you're saying, okay? Let's say we change the agreement and half of it doesn't have to be raised by this year. Okay, that takes the pressure off me. Now, if we say May 30th, 2019, and we raise it quickly. Not this year, but let's say by July 1st. I have $200,000 or $190,000 or whatever the numbers are, then I understood that the city would write a check.

Chairman Ewing: July 1, 2019 because that's the start of the next fiscal year that we would be able to budget it.

Committee Member Golden: Let me clear one thing up. This committee won't be able to do that.

Jim Morgan: The budget year would start July 1, 2018.

Chairman Ewing: With the current budget, but this isn't in the current budget. So this gives you guys a year to raise the money, but then based on how much money you've raised, gives staff the ability to be able to forecast how much they're going to have to match and put it in the existing, the next year's budget.

Jim Morgan: Well, the problem is then you're putting it off really two years if you do that.

Chairman Ewing: For the total payment, it would be two years. But, it still isn't….if I read the audit report right, the note isn't due until November of 2020.

Jim Morgan: Yeah, but we've got to make payments every year. Whatever way you structure it, what I want to do is to be able to raise the money as quickly as I can. You put your portion in, we put ours in to pay the note off. That's what I plead with you to do.

Committee Member Golden: This is my question. If that's the case, let's say we were to accept this today as is, you would be able to raise that $90,000 by when?

Jim Morgan: Under the present agreement, if I did not raise $93,000 by June 30th of this year, the city would be released. Now, if I raise $45,000 or $50,000, that's what you'd be obligated for.

Chairman Ewing: And private contributions, not grants, but private contributions?
Jim Morgan: Well, it could be from a, you know, there are non-profits that give grants for a building.

Chairman Ewing: This would be…..for me, it would have to be all private contributors because grants should be subject to operating expenses.

Committee Member Golden: My question is why haven't we been doing this all along?

Committee Member Peters: I guess we never agreed to it.

Jim Morgan: I'm saying adamantly that we would have raised the money if you would have passed the resolution that you would do some matching. And you haven't done that.

Committee Member Golden: Forget the matching. I'm saying if you're able to raise that money, why haven't you guys just raised the money over the years?

Jim Morgan: We've raised almost $700,000 over six years and we've had people that give grants say that we would have normally given you a grant, but we're not going to do it because the city is not involved. And, that's one thing they look for.

Committee Member Golden: You've been looking for grant money to pay off the mortgage?

Jim Morgan: That's correct. And also, individual. If I go to Don and say I've got a matching grant, will you help us? Or if they come to me, I'm more inclined to do it if I'm going to double my money. That's all I'm saying.

Chairman Ewing: And I guess that goes back to importance of the arts. You look at some of these other cities that have successful arts councils, arts programming with really engaged citizenry. They have private donors. And they get grants too. They have corporate sponsorships. It's not just a single funding source, but they have large private beneficiaries that write checks. I feel with the amount of money that is able to be raised by HPU, by United Way, Forward High Point, all these different organizations within High Point, if there was a sincere support of the arts as it's currently programmed and operated, then somebody would have no problem pulling out that checkbook and writing a $90,000 check. If they can get a million dollars, five million dollars, a ten-million dollar commitment from people that live within our city limits, what's $90,000 to them to support the arts if it is truly what the community is engaged in?

Jim Morgan: And I want to say to you, though, that it's easier. I've been raising money now for almost 50 years in this community. It's always easier if you've got, say you're going to double your money and do it. That's the reason we're doing it and we've kind of held back because we've been promised for so many years that we were going to get this matching grant.

Chairman Ewing: Who promised that? Jeff and I have been on here since before Centennial Station was purchased and I don't recall a promise.

Jim Morgan: We've had discussions all along. The mayor made a motion one time and it failed by one vote.

Committee Member Golden: Which mayor?

Jim Morgan: The present mayor. When he was on the Council. You voted against it that night. He made a motion that we do a matching grant and you voted against it.

Committee Member Golden: I probably did.

Jim Morgan: But we've had the discussion since the beginning. And the other discussion we've had, you know, when this started years ago, we were the largest city in North Carolina that didn't have an arts center. And one of the reasons, not to be critical, was we couldn't get the Council to agree where. When I came in as chairman, we got everybody to agree that Centennial Station was awesome, but that's when we did it. That's when we did it.

Committee Member Peters: I just wanted to say one other thing, or probably several other things, but one right now. As far as the Arts Council, you know I used to be on the board of the High Point Community Theatre and that's part of the umbrella of the Arts Council. You know, they rent the Theatre for $10,000 to do their annual, big thing. They're still paying the city and then there's all the volunteers, all the parents who are volunteering, hundreds of thousands of kids go through those programs. It's totally free. They learn about theatre. They learn how to act. They perform. Parents are making costumes, building stage sets. All that goes into it. I mean it literally changes kids' lives. It's not just about going to the function, or did they have a concert that was well attended. It's about the kids' lives that they are changing. You know like with the High Point Community Theatre, it's free for children. So, it's all inclusive.

Jim Morgan: Now, on our stability, let me say this. Debbie, we've been in existence what 50 years? 55 years. We're one of the oldest Arts Councils in North Carolina. We're going to be there and I'm going off the board and now everybody is saying hallelujah. But I'm still going to be involved. I'm one of their major donors and I'm going to continue to do it. So, all I'm just begging you to do is give us a match and once we get it paid off, I am very receptive of us sitting down about donating the building to the city with the idea that we get a 25-year lease at some $1 a year. That's fine. Now, one other thing I want to point out. In this agreement, there is a clause in there that we are prohibited from mortgaging this building for ten years. So, it would be free and clear. Free and clear, for at least ten years. That's part of it.

And the other thing I pointed out the other night is that the money will be certified by the Community Foundation. They have the money before the city writes a check. It may come in to us, but we would take it to them instead of the bank. Now, what we've been doing is taking it directly to the bank. One reason that an organization got into trouble here was that they were taking money that was going to capital and spending it for something else. We haven't done that with a penny of this.

Chairman Ewing: Question. We don't agree. We can't come up with terms. We don't do anything about this agreement. It just dies and falls to the wayside. What's your back-up plan?

Jim Morgan: Well, you've been our #1 plan because, again, we've been dealing with this for four or five years. I guess we've got to go to Plan B, C, and D.

Mark Harris: Can I speak?

Jim Morgan: He's the chair.

Mark Harris: I'm Mark Harris. One, to address the major concerns and address how it's been impacted in other communities as well. One, the Arts Council in Greensboro is an economic development part of the city. We, this Arts Council, is considered under economic development for the Guilford County. When we get our grant funding, it comes from the county to us. We raise hundreds of thousands of dollars a year. We raise $70,000 plus a year right now to pay the interest and principal on the building every year. Not taking away any funding at all from our programs. When you ask what's the difference between this non-profit. Well, one, we're not really a non-profit in the sense that we're a charity. There's very few charities in the city that reaches 25,000-35,000 students and people in the city. It's mostly students. It is really getting the arts to students who have never seen it before.

So, one, we are economic development. We are recognized as economic development. Two, the building in Greensboro and in Winston both are held by the city. They are held by the city. It is a city building. Prior to us moving into Centennial Station, this city housed us for free. We were at Parks & Rec too. And we shared a building and we were given $180,000. If you look at the past giving record by the city. We were truly considered a city organization and we are a city organization. Then we are a public-private partnership. No different than what you are doing with the catalyst project right now. And we will be providing arts and entertainment groups through our membership because it's not just the Arts Council, it's the four or five other organizations, the Ballet, the Theatre, the Carousel Theatre, which gets every second grader in Guilford County and they're under our umbrella in High Point. Every second grader in the county gets to see theatre for free. Every second grader, every year, twice a year, goes to see productions. It has vast impact. Vast impact. Then, last of all. I understand that it's difficult to tell somebody else, but we should not be compared like other non-profits who are asking for football uniforms and other things at community centers. All are important. I support it all. I coach Miracle League. I work with other organizations, not just this one. But this one has more impact on students than any other that I've seen. I was a principal in Guilford County for twelve years and I know that's why it's important to me. I was also principal at Peeler Open School for the Performing Arts, and it that performing arts school, I saw the impact.

Now, as the Dean of the High Point Campus down here at GTCC, I see the arts and what we have in our entertainment technology and how these students come from all over Guilford County and see that the arts have impact. And we have impact. We have impact in your neighborhood. We have impact in your neighborhood. Everywhere. There is not a neighborhood in this city or county that's not impacted by this individual organization. So, it is different. If you took the note and we were able to function just as we are now, we would have

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even better impact because right now we're raising money, most of our fundraising doesn't go into programming, it's going into our operational budget so that we're trying to keep that place whereas before, you gave us a place and gave us $180,000. That's what's different.

Thank you.

Louis Thibodeaux: May I say something since the floor has been opened?
What I'd like to say is I'm not against the arts, but let's look at….if it's been ten years that the Arts Council has been given a million dollars, we're talking about in two years if the city could be responsible somewhere in the neighborhood of $560,000. I think it's been brought up in audits that the Arts Council has had issues with being viable as far as financially. Looking at all of that, I think the vote should be brought to the full Council so the citizens can speak to their representative so it can be a far, across-the-board vote.

Chairman Ewing: Any decision would have to be by the full Council.

Jim Morgan: I agree with that. Have you ever been to Centennial Station?

Louis Thibodeaux: No sir.

Jim Morgan: You ought to call Debbie and go before you make up your mind.

Chairman Ewing: What I'd like to ask, we've kicked around a lot of different things here and I know conversations that a few of us have had the last week or so with other council members. **I'd like to ask staff to look at some of the impact. If we were to either buy the note, or take over title, how that could impact us from a financial standpoint and budgetarily in moving forward and what structures might be beneficial and what not as far as do we own maintenance, do we not? Then, bring that discussion back for the June 6th P & L Committee.**

Committee Member Peters: The only problem with that is because they've got until June 30th. Is there anyway we can do it for May 21st?

Chairman Ewing: That's this agreement which is being rewritten if we're doing anything.

Jim Morgan: Mr. Chairman, if we're going forward we need Council to vote on it. As I said earlier, you know the time is running out.

Chairman Ewing: We have two meetings every month.

Jim Morgan: Yeah, but you're next meeting is May 21st.

Chairman Ewing: We're nowhere near coming up. Like Monday night, we can bring it up and we can shoot it down and move on with our budget. Or, we can have constructive conversation and come to an answer that we can all be happy with.

Jim Morgan: But the problem is the way it's worded if we don't get it on the agenda quickly, I can't go an tell somebody…..

Chairman Ewing: From a date standpoint, the way this is written I would never support this the way it's written. And I know there's a lot of other council members who feel the same way. We've got to find a way to rewrite this agreement, so everyone can be on board with it. So, the way it's written now, don't worry about the timeline. The timeline is null and void. We're trying to figure a way to make something work.

Jim Morgan: Alright, then let me make this request. When you're thinking about it Randy, one thing that I want to do is to get rid of the debt as quickly as I can. So, let's assume that you change this end of the year and we can agree on that. But in the next budget year that if we raise the money, we close it out. Do you understand what I'm saying?

Chairman Ewing: I understand that you want to pay it off quickly, but from a budget standpoint, if we agree to this, we've got to be able to account for those funds in our budget.

Jim Morgan: But the city manager and the staff had studied this and they recommended it to you. That's my point.

Deputy City Manager McCaslin: Let me correct that.

Jim Morgan: Was I wrong on that, Randy?

Deputy City Manager McCaslin: Yeah, we didn't recommend that. That agreement came from the meeting that y'all had with the mayor and Randy was sitting in on that meeting. He put together the agreement based on the discussion at that meeting.

Jim Morgan: Right. But what my understanding was and if I'm wrong certainly correct me, was that out of that meeting what he said was the staff recommends Council approve this. That was my understanding.

Deputy City Manager McCaslin: That was based on the discussion out of the meeting, yes.

Chairman Ewing: Well, regardless of whether it had staff approval or not, the Council makes the decision. There have certainly been staff recommendations that have been made that we have disagreed with in the past that we haven't adopted. So, whether it came as recommended by staff or not is not acceptable by a majority of Council and we need to find something that is acceptable.

Jim Morgan: Would you help us, though, in trying to find some middle ground where we can get this paid off?

Chairman Ewing: I think that's what we're trying to find. The fact that we're sitting here having this conversation is we're trying to find middle ground. We could have left it dead

Monday night and been adjourned 35 minutes ago. So, I think we're trying to find middle ground.

Jim Morgan: Will you help us with that?

Chairman Ewing: We're doing that right now. You know we deferred more information to staff to come back on June 6th so that we can have conversations and try to find out how to do this without creating a lot of other problems.

Jim Morgan: Can we be involved with you and the staff before the meeting, and maybe sit down and tweak this out so that we can come in here and say we're in agreement?

Chairman Ewing: I think as we get information together, if we need information or feedback, staff or myself, we can reach out and get that and keep you in the loop. We need to figure out what's going to work for us and then we can bounce it off.

Jim Morgan: Let me ask if you can do this for me. If you and the staff work together and when you come up with a proposal, could I sit down with you and our chairman and see if we can't come to some consensus, so we don't take a lot of time? We can just come in here and say we and the staff have agreed to do this under this structure and let's move on. Let's move on.

Chairman Ewing: I think it would be viable if we come up with a solid plan by the next vetting date that we could bounce it off you guys to see if it would be palatable.

Jim Morgan: Before your meeting, and hopefully we will come in here and say we're all in agreement, we're going to do it and if you match this by so and so date, we'll write a check then we'll move on. I want to assure you, though, that once we reach this agreement and we can prayerfully, hopefully can, then I'm willing to sit down. Let's get it paid for. Then we know what we're talking about. Then let's have some serious discussion about whether it works, if we deed it to you and get a long-term lease. All I want is a home for the arts. I want a home for the Community Theatre and they didn't have one in the Ballet and they now at no charge.

Chairman Ewing: We'll come back to discuss on June 6th.

Jim Morgan: Hopefully before then, please.

Chairman Ewing: If we're able to, then we'll definitely come back and try to have discussions. But I think right now we are also a day away from digging into a $400,000,000 budget that we're going to be reviewing for the next couple of weeks. So, not that you guys aren't as important as everyone getting water, sewer and electric, we've got other things on our plate. So, we're going to continue to work on trying to find a way to make it work, but we also have other things on our plate.

Jim Morgan: I understand. One other point and I'm going to be quiet. Please don't hold the fact that we're trying to get a building paid for on our budget. You've been cutting our budget and we need to be back where we were with our budget, please.

[end of transcript]

There being no further business to discuss, the meeting adjourned at 11:27 a.m. upon motion duly made and seconded.

Respectfully submitted,

_____
Lisa B. Vierling, MMC
City Clerk

_____
Jason P. Ewing, Chairman

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CITY OF HIGH POINT
AGENDA ITEM

Title: Public Hearing- Proposed CHP Annual Budget FY 2018-2019

From: Greg Demko, City Manager

Public Hearing: Yes

Attachments: City Manager's Message
Legal Advertisement

Meeting Date: May 21, 2018

Advertising Date /
Advertised By: May 9, 2018
Budget Office

PURPOSE:
To receive public comment on the proposed City of High Point 2018-2019 Annual Budget.

BACKGROUND:
Each year, prior to the adoption of the Annual Budget for the City of High Point, the High Point City Council establishes a public hearing date and time to received comments from the public. These comments are taken into consideration by Council in budget work sessions.

BUDGET IMPACT:

RECOMMENDATION / ACTION REQUESTED:
Acknowledge public hearing was held to receive public input on the annual budget.

May 7, 2018

Honorable Mayor and Members of the City Council
City of High Point, North Carolina

I am pleased to present the City's 2018-19 Annual Budget for your review and consideration. This budget was developed with the principles of the City Council's Strategic Plan guiding the way. Substantial progress has been made in the implementation of the key elements of this plan, and I expect to see much more progress in the upcoming fiscal year and beyond.

It is an exciting time to be in High Point! High Point is on the cusp of transformational change, and I am honored that the City Council has placed their trust in me to lead our talented staff in implementing Council's strategic plans, programs, and initiatives that will truly change this great community for generations to come.

BUDGET AT A GLANCE

- *No tax rate increase*
- *No electric rate increase*
- *No garbage collection fee increase*
- *No stormwater fee increase*
- *No motor vehicle fee increase*
- *3% water and sewer fee increase, effective October 1.*
- *Continues average 3% pay for performance program*
- *Adds 1% city match for 401k contributions*
- *Adds 4 full time positions citywide and upgrades 1 position*
- *Plans acquisition and renovation of Police headquarters building*
- *Increases funding for redevelopment and blight removal efforts*
- *Second year funding for Family Justice Center*
- *Continues neighborhood street resurfacing investments*
- *Planned 5% increase in city funded health and dental premiums*
- *Increases utility assistance program*
- *Continues partnership with Forward High Point*
- *Continues investment in deferred maintenance reduction program in Parks and Recreation*
- *Replaces one transit bus*
- *Expands transit office space*
- *Continues fleet replacement program to replace large equipment and light duty vehicles*
- *Continues fire apparatus replacement program by replacing one ladder truck and one pumper truck*

STRATEGIC PLAN

The scope and breadth of the change that is occurring in High Point would not be possible without the faithful courage of the City Council. In March of 2016 the City Council developed a strategic plan, which has been reaffirmed and expanded by the current City Council. This budget continues to fund programs and initiatives related to these strategic goals and maintaining fiscal sustainability. The initial goals are below:

- Increase the population of active, engaged, and entrepreneurial and working young professionals living in High Point by 25%
- 100% proactive enforcement of codes
- Create a downtown catalyst project that produces:
    - 500 private sector jobs
    - 15-20 new restaurants and shops
    - 250 additional housing units
    - A centralized gathering place

One of the key pieces of this budget is continued investment for code enforcement and blight removal in our core city, which will help to stabilize property tax values and increase neighborhood pride. A vital step in the program is funding for the acquisition of county foreclosed properties, which we then make available to the private development community so that they can build new houses. Pinnacle Bank and other community partners have made this initiative a tremendous success. Property values and community pride are increasing in our core city neighborhoods, while adding much needed housing opportunities for our residents.

Engaging the young professional population by supporting the work of the Connect HP task force continues to be a priority. This group of dedicated community leaders has been engaged and is adding positive ideas and momentum to our community.

The multi-purpose stadium project, which is the cornerstone of our downtown catalyst project, is well under way, and is on target for the planned Spring of 2019 opening. This project is on an accelerated timeline and is changing the landscape of our new downtown on a daily basis. This project will be the catalyst for increased investment and property values in the area, and planning for the philanthropic and private sector projects is underway, and final details will soon be announced publicly. These strategic plan initiatives have the ultimate goal of increasing community pride, activity, and property values throughout the City.

In addition to the three goals identified above, the City Council has identified three additional items for City Staff to focus on in the future. These items are:

- How do we address underperforming schools?
- How do we plan for and build around our catalyst project?
- How can we utilize technology to communicate?

The Strategic Planning process continues to evolve, and Council and Staff will be addressing additional elements of the plan in the near future.

Did You Know?

To date, Pinnacle Bank has built ten new homes in the Core City. Eight of the ten homes have been sold or are under contract, and many more are planned. These homes have added approximately $900,000 in taxable value. The City looks forward to continuing and growing this innovative

TOTAL FY 2018-19 BUDGET OF ALL FUNDS

This budget was prepared in accordance with the provisions of the North Carolina General Statutes and the policies of the North Carolina Local Government Commission. This budget is balanced and reflects the City Council's commitment to responsible fiscal management, while enhancing services that improve the quality of life for the citizens of High Point.

Funds included in the budget are adequate to continue providing the services that are expected by our citizens. The budget funds the critical elements of the City Council's Strategic Plan while looking forward to the needs of the future.

The total FY 2018-19 budgeted expenditures for the City of High Point amount to $397,649,249. This is an increase of $19,165,218 or 5.1% from the FY 2017-18 Budget. Details of these increases are summarized later in this message.

Below is a chart of total 2018-19 budgeted revenues and expenditures compared to the 2017-18 Adopted Budget:

CITY OF HIGH POINT TOTAL BUDGET OF ALL FUNDS SUMMARY					
Sources and Uses of Funds	**FY 2017 Actual**	**Original FY 2018 Budget**	**Proposed FY 2019 Budget**	**$ Change Prop/Orig**	**% Change Prop/Orig**
REVENUES					
Fund Balance	18,399,339	5,456,850	9,762,169	4,305,319	78.9%
Property Tax	59,791,630	62,486,758	64,408,597	1,921,839	3.1%
Sales & Use Taxes	27,172,066	28,281,000	30,049,000	1,768,000	6.3%
Intergovernmental Revenues	23,956,757	16,858,981	18,284,163	1,425,182	8.5%
Licenses & Permits	4,492,153	4,688,650	4,811,150	122,500	2.6%
Charges for Services	217,795,586	234,992,282	240,494,510	5,502,228	2.3%
Miscellaneous Revenues	16,487,533	9,334,817	11,040,123	1,705,306	18.3%
Reimbursements	180,000	180,000	443,323	263,323	146.3%
Net Total Revenues	**368,275,064**	**362,279,338**	**379,293,035**	**17,013,697**	**4.7%**
Interfund Activities	24,229,034	16,204,693	18,356,214	2,151,521	13.3%
Total Revenues	**392,504,098**	**378,484,031**	**397,649,249**	**19,165,218**	**5.1%**
EXPENDITURES					
Personnel Services	114,756,964	120,050,803	126,567,064	6,516,261	5.4%
Operating Expenditures	172,789,195	170,109,593	164,687,447	(5,422,146)	-3.2%
Capital Outlay	16,438,246	11,132,465	13,287,874	2,155,409	19.4%
Debt Service	30,683,906	30,950,500	32,004,506	1,054,006	3.4%
PayGo Capital	22,965,246	22,920,650	32,465,500	9,544,850	41.6%
Reimbursements	10,591,507	10,397,649	12,198,978	1,801,329	17.3%
Contingency	-	3,464,128	6,786,466	3,322,338	95.9%
SubTotal	368,225,064	369,025,788	387,997,835	18,972,047	5.1%
Interfund Activities	24,279,034	9,458,243	9,651,414	193,171	2.0%
Total Uses of Funds	**392,504,098**	**378,484,031**	**397,649,249**	**19,165,218**	**5.1%**

FY 2018-19 MAJOR REVENUES HIGHLIGHTS

Total revenues for FY 2018-19 are projected to increase $19,165,218, which is a 5.1% increase from the FY 2017-18 Adopted Budget. The FY 2018-19 Budget proposes very few changes to our current revenue. The proposed budget keeps the property tax rate the same for the third year in a row, at 64.75 cents.

There is no proposed rate increase for electric service, stormwater fees, garbage collection fees, or motor vehicle fees. The only change to current rates is a proposed 3.0% water-sewer rate increase, effective October 1. This increase is designed to fund future debt service needs for the long range bond financing plan for upgrades and improvements to the water and sewer system. Greater details are outlined within each fund on the following pages.

FY 2018-19 EXPENDITURE HIGHLIGHTS

This budget continues to address issues related to the strategic plan initiatives that have been formulated and affirmed over the last two years.

Redevelopment and economic development continue to be important to the revitalization of High Point, and funding is included to address these priorities. Committing resources to address deferred maintenance has also been a priority over the last few years, and that commitment continues with this spending plan.

The needs, priorities and details of each fund are highlighted in detail throughout this document. Below are the major expenditure highlights included in the FY 2018-19 Proposed Budget:

- Continuation of the City's Pay for Performance Program with a 0% - 4% merit increase. This proposal will help the city remain competitive in the retention of staff, and will give department directors more flexibility to reward high performing employees. The cost of this pay plan is approximately $1,242,503 citywide. The cost by each major fund is: General Fund ($861,240), Water/Sewer ($98,006), Electric ($128,069), all others ($155,188).

- Adds a total of 4 full time positions citywide, including an Administrative Associate in the Water Sewer Fund, a Scale House Operator in the Solid Waste Fund, and an Administrative Assistant in the City Manager's Office and a Motor Equipment Operator in Stormwater. There is also one position being upgraded from a Police Officer positon to a Police Lieutenant for the Family Justice Center team.

- Increases funding for redevelopment and blight removal efforts from $500,000 to $800,000 to continue and expand this integral part of the long range strategic plan.

- Includes the planned acquisition and renovation of a Police Department facility. The total expected cost of this project is $10.0 million, and the funding is planned to come from internal borrowing for purchase of the facility, issuance of $6.6 million in 2/3rds bonds this fall, and additional lease purchase financing for renovation and replacement of major systems in the building. This option compares favorably to the estimates of $50+ million dollars to build a new facility. This budget has debt service included for the issuance of 2/3rds bonds. As plans become more certain additional budget action may be needed for the internal borrowing and the lease purchase agreements.

Did You Know?

The current Police Headquarters was built in 1963 and was originally Leonard Street Elementary School. The building was renovated for Police use in 1994.

FY 2018-19 EXPENDITURE HIGHLIGHTS (continued)

- Includes $250,000 for the second half of funding for the Family Justice Center project.
- Implementation of a program to match up to 1% of employee 401k contributions at a citywide cost of $160,000.
- Fully funds the first year repayment of the twenty-year internal loan for the Catalyst Project land purchases. The General Fund is repaying the Internal Service Fund $443,323 as planned.
- Continued funding of the Forward High Point downtown development group in the amount of $250,000.
- Increases funding for the Utility Assistance Program from $100,000 to $200,000 annually.
- Continues investment to address deferred maintenance at Parks and Recreation facilities throughout the City. A total of $589,500 is planned for various improvements.
- Continued investment of $2.45 million for neighborhood street resurfacing.
- Replaces $6.6 million in vehicles funded with a combination of pay-as-you-go funding ($4.6 million) and lease purchase funding ($2.0 million) from the Fleet division of the Central Services Fund. Planned fleet purchases include one rear loader truck, one front loader truck, and three automated trucks, one grader and one bulldozer for Environmental Services, a street sweeper unit, 2 dump trucks, 12 patrol cars and 4 other police vehicles, and other necessary mid-sized sedan and light duty pickup truck replacements.
- Plans the acquisition of one fire pumper and one fire ladder truck for $2,000,000. These vehicles will be funded using lease purchase funds. This acquisition is in line with the long range fire apparatus replacement plan that has been developed that proposes a steady cash funding source and using a combination of lease purchase financing and cash funding.
- Includes funds to replace one transit bus. The total cost is $500,000, and the City will pay ten percent of the cost of the replacement bus. Eighty percent will come from Federal funds and ten percent from State funds.
- Includes funds to renovate an existing facility at the Transit Department offices for increased space for the expanded Transit program. The total cost of this project is $330,000, and the City will pay ten percent while the State has agreed to pay ninety percent of the total cost.
- Pay-as-you-go projects of $33.44 million are included in the proposed budget, which is consistent with the level of investment we have made in the past. Details are included later in this message.

Fun Fact

The average High Point Transit bus will drive about 360,000 miles in its 12 year life cycle. That is equal to going to the moon and halfway back!

2018-19 MAJOR FUND SUMMARIES

GENERAL FUND

The 2018-19 General Fund Budget of $114,714,702 is $2,958,128 or 2.6% more than the adopted 2017-18 budget of $111,756,574. The FY 2018-19 General Fund Budget is balanced with current revenues of $109,671,690, $2,000,000 in lease purchase proceeds, and $3,043,012 appropriated prior year fund balances. This compares to $105,356,574 in current revenues, $2,900,000 in lease purchase proceeds, and $3,500,000 in appropriated fund balance in FY 2017-18.

General Fund revenues and expenditures are summarized below:

CITY OF HIGH POINT GENERAL FUND BUDGET SUMMARY					
Sources and Uses of Funds	**FY 2017 Actual**	**Original FY 2018 Budget**	**Proposed FY 2019 Budget**	**$ Change Prop/Orig**	**% Change Prop/Orig**
REVENUES					
Fund Balance		3,500,000	3,043,012	(456,988)	-13.1%
Property Tax	56,693,148	59,425,471	61,112,628	1,687,157	2.8%
Sales & Use Taxes	26,709,543	27,845,000	29,568,000	1,723,000	6.2%
Intergovernmental Revenues	10,240,872	9,847,116	10,365,973	518,857	5.3%
Licenses & Permits	2,465,714	2,673,650	2,791,150	117,500	4.4%
Charges for Services	4,859,444	4,678,087	4,838,064	159,977	3.4%
Miscellaneous Revenues	4,476,940	3,787,250	2,995,875	(791,375)	-20.9%
Net Total Revenues	**105,445,661**	**111,756,574**	**114,714,702**	**2,958,128**	**2.6%**
EXPENDITURES					
Personnel Services	70,660,055	73,719,462	76,677,831	2,958,369	4.0%
Operating Expenditures	23,443,269	25,140,980	25,681,282	540,302	2.1%
Capital Outlay	2,427,577	3,470,800	2,117,518	(1,353,282)	-39.0%
Debt Service	787,228	404,860	835,909	431,049	106.5%
Contingency	-	400,000	400,000	-	0.0%
SubTotal	**97,318,129**	**103,136,102**	**105,712,540**	**2,576,438**	**2.5%**
Interfund Activities	10,148,903	8,620,472	9,002,162	381,690	4.4%
Total Uses of Funds	**107,467,032**	**111,756,574**	**114,714,702**	**2,958,128**	**2.6%**

Did You Know?

High Point is the only city in North Carolina that spans four counties. High Point is in Guilford, Davidson, Randolph and Forsyth Counties.

GENERAL FUND REVENUES

Below is a summary of major General Fund revenue changes:

- Property tax revenues represent 53.3% or $61,112,628 of the total General Fund revenues. Property tax collections are projected to increase approximately $1,687,157 or 2.8%. The projected collections are based on no change to the tax rate of 64.75 cents.
- Sales tax revenues represent 25.8% of General Fund revenues and are projected to increase approximately $1,723,000 or 6.2% due to estimated sales tax growth and the continued effect of a broadening of the sales tax base.
- License and permit fees are projected to increase $117,500 or 4.4% due primarily to increased building activity.
- Charges for Services are increasing approximately $160,000 or 3.4% due to anticipated increases in building permit activity volume.
- Miscellaneous Revenues include lease purchase funding, which is decreasing from $3.1 million in the previous fiscal year to $2.0 million for fiscal year 2008-2019. This is directly related to the fire apparatus replacement plan.

TAX RATE AND COLLECTIONS

The proposed FY 2018-19 tax rate is 64.75 cents, unchanged from the Fiscal Year 2017-18 rate. The value of one cent in tax rate will produce approximately $965,495 of revenue. The total proposed tax rate is divided between the General Fund and the General Debt Service Fund. The General Fund receives 61.35 cents, and the General Debt Service Fund receives 3.4 cents.

Of the total current year estimated collections of $62,180,154, the General Fund will receive $58,915,095, and the General Debt Service Fund will receive $3,265,058. A blended collection rate of 99.4% is planned for current year tax collections since historically 99.0% of real property tax and 99.8% of automobile property tax is collected within the fiscal year.

ASSESSED PROPERTY VALUES

The combined total assessed valuation estimates for our four County taxing authorities is $9,654,950,463 for FY 2018-19, for a 2.8% increase over our previous year estimates. Below is a chart of our historic assessed value history:

CITY OF HIGH POINT
ASSESSED VALUE HISTORY

Fiscal Year	REAL PROPERTY				Personal Property	Public Service Companies	Total Assessed Value	% Inc yr/yr
	Residential Property	Commercial Property	Industrial Property	Total				
2006	3,481,796,314	2,491,980,410	942,275,410	6,916,052,134	1,372,316,382	117,923,262	8,406,291,778	0.9%
2007	3,615,085,429	2,530,768,578	942,311,760	7,088,165,767	1,409,442,958	122,178,728	8,619,787,453	2.5%
2008	3,778,859,150	2,729,035,922	994,596,450	7,502,491,522	1,441,055,968	131,332,066	9,074,879,556	5.3%
2009	4,231,853,123	2,408,171,911	1,005,788,880	7,645,813,914	1,452,697,393	131,984,351	9,230,495,658	1.7%
2010	4,279,155,000	2,483,747,575	1,008,165,180	7,771,067,755	1,417,186,050	131,456,290	9,319,710,095	1.0%
2011	n/a	n/a	n/a	7,682,834,650	1,402,419,615	129,766,404	9,215,020,669	-1.1%
2012	n/a	n/a	n/a	7,655,916,694	1,455,701,042	129,074,157	9,240,691,893	0.3%
2013	4,300,290,483	1,949,336,323	987,346,355	7,236,973,161	1,501,465,603	148,989,146	8,887,427,910	-3.8%
2014	4,315,429,943	2,149,860,980	969,318,600	7,434,609,523	1,489,840,190	128,387,727	9,052,837,440	1.9%
2015	4,397,388,367	1,872,215,206	977,839,178	7,247,442,751	1,555,428,785	126,857,380	8,929,728,916	-1.4%
2016	4,349,667,380	2,014,352,593	914,694,134	7,278,714,107	1,587,787,369	140,281,138	9,006,782,614	0.9%
2017	4,429,691,766	1,942,245,655	993,448,540	7,365,385,961	1,674,065,813	141,688,783	9,181,140,557	1.9%
2018 (est)	4,540,434,060	1,992,744,042	1,018,284,754	7,551,462,856	1,695,626,358	144,885,945	9,391,975,159	2.3%
2019 (est)	4,667,566,214	2,048,540,875	1,046,796,727	7,762,903,816	1,743,103,896	148,942,751	9,654,950,463	2.8%

GENERAL FUND EXPENDITURES

Below is a summary of major General Fund expenditure changes:

- Personnel services are increasing $2.95 million or 4.0% to continue the pay for performance merit program, a 5% mid-year increase to city funded health insurance premiums, implementation of a 1% 401k matching program, and full year funding for positions added in the previous fiscal year. New position changes include half year funding for an Administrative Assistant position in the City Manager's Office, and the upgrade of a Police Officer position to a Lieutenant for the new Family Justice Center addition at the Guilford County Courthouse.

- Operating expenditures are increasing $540,302 or 2.1%, primarily due to a $300,000 increase in redevelopment and blight related nuisance abatements and demolitions, annual software maintenance and lease costs, and various other increases.

GENERAL FUND EXPENDITURES (continued)

- Capital outlay is budgeted at $2,117,518, a decrease of $1,353,282 from the previous year. Planned expenditures this year include 2 fire apparatus ($2.0 million) and other smaller equipment.

- Debt service related to short term operating financing for capital equipment is increasing by $431,049 or 106.5% due to the anticipated lease-purchase financing agreement for fire apparatus.

WATER AND SEWER FUND

The $53,856,238 Water and Sewer Fund Budget for 2018-19 represents a 5.7% or $2,899,203 increase from the 2017-2018 adopted budget, as summarized below:

Fun Fact

The city operates two wastewater treatment plants. The Eastside plant was originally built in 1928 and the Westside Plant was built in 1929. The wastewater system has over 670 miles of outfalls and mains.

CITY OF HIGH POINT WATER SEWER FUND BUDGET SUMMARY					
Sources and Uses of Funds	**FY 2017 Actual**	**Original FY 2018 Budget**	**Proposed FY 2019 Budget**	**$ Change Prop/Orig**	**% Change Prop/Orig**
REVENUES					
Fund Balance	-	294,000	1,089,482	795,482	270.6%
Intergovernmental Revenues	401,544	435,000	410,586	(24,414)	-5.6%
Charges for Services	49,544,269	49,948,035	52,031,170	2,083,135	4.2%
Miscellaneous Revenues	129,271	280,000	325,000	45,000	16.1%
Net Total Revenues	**50,075,084**	**50,957,035**	**53,856,238**	**2,899,203**	**5.7%**
EXPENDITURES					
Personnel Services	8,566,184	9,224,652	9,618,630	393,978	4.3%
Operating Expenditures	10,081,482	11,259,334	11,736,971	477,637	4.2%
Debt Service	17,972,597	18,500,554	17,000,747	(1,499,807)	-8.1%
PayGo Capital	6,552,331	5,639,550	8,509,356	2,869,806	50.9%
Reimbursements	6,104,390	5,982,945	6,540,534	557,589	9.3%
Contingency	-	300,000	300,000	-	0.0%
SubTotal	**49,276,984**	**50,907,035**	**53,706,238**	**2,799,203**	**5.5%**
Interfund Activities	50,000	50,000	50,000	-	0.0%
Total Uses of Funds	**49,326,984**	**50,957,035**	**53,756,238**	**2,799,203**	**5.5%**

WATER AND SEWER RATES

The 2018-19 Water and Sewer Fund includes a 3.0% water and sewer rate increase effective October 1, 2018. This increase is to fund the debt service on the approximately $35 million in water and wastewater bonds that will be issued in the fall of 2018. It also maintains necessary coverage ratios associated with bond covenants. This budget includes $8.5 million in pay-as-you-go project funding detailed later in this message.

WATER AND SEWER RATES (continued)

This rate increase is in line with the long-range capital financing plan that has been developed by Davenport & Company. This plan calls for annual rate increases between the 3.0% to 5.0% range to pay for this critical infrastructure development. This strategy was adopted in the early 2000s to avoid some of the 15-22% rate increases that were needed due to lack of proper long range planning.

Below is a history of water and sewer rate increases:

FYI

The UNC Environmental Finance Center Water and Sewer Rates Dashboard compares residential rates among 385 utilities statewide.

Using 5,000 gallons , a ratepayer in High Point would pay $73.28, compared to the statewide median cost of $74.37. (based on 2018 rates)

CITY OF HIGH POINT
HISTORIC ANNUAL WATER AND SEWER RATE INCREASES

FISCAL YEAR	EFFECTIVE DATE	WATER % CHANGE	SEWER % CHANGE
FY2000-01	7/1/2000	17.20%	15.70%
FY2001-02	7/1/2001	5.00%	22.20%
FY2002-03	7/1/2002	8.00%	15.00%
FY2003-04	7/1/2003	6.30%	14.50%
FY2004-05	10/1/2004	4.90%	4.90%
FY2005-06	10/1/2005	4.90%	4.90%
FY2006-07	10/1/2006	4.90%	4.90%
FY2007-08	11/8/2007	4.85%	4.85%
FY2008-09	10/1/2008	5.90%	5.90%
FY2009-10	10/1/2009	5.00%	5.00%
FY2010-11	10/1/2010	4.90%	4.90%
FY2011-12	10/1/2011	4.90%	4.90%
FY2012-13	no increase	0.00%	0.00%
FY2013-14	no increase	0.00%	0.00%
FY2014-15	7/1/2014	3.00%	3.00%
FY2015-16	10/1/2016	3.50%	3.50%
FY2016-17	10/1/2017	4.00%	4.00%
FY2017-18	10/1/2017	3.00%	3.00%
FY2018-19 (proposed)	10/1/2018	3.00%	3.00%

Water and sewer revenue rates are a critical component of funding the operation, maintenance and needed capital improvements for water treatment facilities and distribution lines, and for wastewater collection lines and treatment systems. Property taxes are not used to finance water and sewer utility services.

ELECTRIC FUND

The 2018-19 Electric Fund Budget of $132,956,660 represents a 0.2% or $289,550 increase from the 2017-18 adopted budget. There is no change planned to the current rate structure.

Wholesale power cost for FY 2018-19 is budgeted at $92,721,000, which is the single largest expense in the Electric Fund and citywide budget. This represents a decrease of 7.0% or $6,979,000, which is due to a proposed decrease in wholesale power rates from Electricities. As with a prior wholesale power decrease 2 years ago, the plan is to keep the rates the same and use the excess revenue to fund a rate stabilization fund. A planned rate study will be completed in Fiscal Year 2018-2019, and results of that study will guide the city in determining future rates.

The budget plan continues to invest funds to maintain electric infrastructure, and includes $11,845,000 in major capital projects. These routine capital investments are necessary to maintain efficient and ongoing operation of the Electric System.

Did You Know?

Electricity for the High Point Electric System is generated at the Catawba Nuclear Station, which is located on the shores of Lake Wylie in York, South Carolina.

CITY OF HIGH POINT
ELECTRIC FUND BUDGET SUMMARY

Sources and Uses of Funds	FY 2017 Actual	Original FY 2018 Budget	Proposed FY 2019 Budget	$ Change Prop/Orig	% Change Prop/Orig
REVENUES					
Fund Balance	-	-	-	-	0.0%
Intergovernmental Revenues	702,582	-	-	-	0.0%
Charges for Services	129,078,339	132,428,110	132,645,047	216,937	0.2%
Miscellaneous Revenues	262,653	239,000	311,613	72,613	30.4%
Net Total Revenues	**130,043,574**	**132,667,110**	**132,956,660**	**289,550**	**0.2%**
Interfund Activities	-	-	-	-	0.0%
Total Revenues	**130,043,574**	**132,667,110**	**132,956,660**	**289,550**	**0.2%**
EXPENDITURES					
Personnel Services	8,717,365	9,499,425	10,054,186	554,761	5.8%
Operating Expenditures	8,010,916	7,089,731	7,331,686	241,955	3.4%
Wholesale Power Cost	99,130,924	99,700,000	92,721,000	(6,979,000)	-7.0%
Reimbursements	3,361,606	3,217,526	3,894,288	676,762	21.0%
Electric Capital	9,828,538	9,206,300	11,845,500	2,639,200	28.7%
Contingency	-	2,764,128	5,900,000	3,135,872	113.4%
SubTotal	129,049,349	131,477,110	131,746,660	269,550	0.2%
Interfund Activities	1,110,000	1,190,000	1,210,000	20,000	1.7%
Total Uses of Funds	**130,159,349**	**132,667,110**	**132,956,660**	**289,550**	**0.2%**

CAPITAL IMPROVEMENT PROGRAM

Capital investments and reinvestments are critical elements in the City's total financial program. Capital improvements are financed by one of four basic methods.

The first method involves the issuance of voter approved general obligation bonds generally backed and paid by property taxes. The second method is a slight variation of the first, and allows the City to issue small amounts of what are known as two-thirds general obligation bonds from time-to-time that do not require tax increases or voter approval. The third method involves revenue bonds, backed and paid by revenues from our water and sewer and our stormwater system. Revenue bonds do not require voter approval. Both general obligation and revenue bond financing involve principal, interest and cost of issuance expenses. The fourth method is pay-as-we-go capital financing. The pay-as-we-go alternative, developed and expanded in the past ten years, allows us to finance needed capital improvements from current revenues, grants and other funds, thereby avoiding the additional and higher cost associated with the issuance and financing of long-term debt.

The City has engaged Davenport & Company, LLC of Richmond, Virginia as our financial advisor since 2003. Davenport has assisted the City with general obligation and revenue bond planning and modeling, financial policies, rating agency strategies and interactions, bond issuance, investment analysis, and bond refunding analysis.

Capital investments are necessary for a city to replace existing infrastructure and to invest in new infrastructure. Debt financing of this infrastructure is a sound financial strategy as long as the borrowing is done in a strategic and conservative manner. Local policies are in place to ensure that borrowing is done responsibly, and oversight of our borrowing practices are in place through the Local Government Commission. The City is well prepared to address replacement of existing infrastructure to meet and provide for future growth and development.

Fun Fact

The first recorded municipal bond was issued by the City of New York in 1812. The bonds were issued for a canal project.

GENERAL OBLIGATION BONDS

General obligation bonds are a common type of municipal bond that are secured by the full faith and credit of the tax rate to repay bond holders. This debt instrument was used to fund the 2004 bond authorization. The majority of those projects have been completed and it is time to begin making plans for a future bond authorization. Any new GO Bond authorization will include the following steps:

- Refining the existing debt capacity model
- Developing a debt affordability model which identifies sources of repayment for existing debt service and funds available for future debt service, including accumulated reserves
- Modeling the City's Capital Improvement Plan
- Analyzing the impacts of funding scenarios relative to the City's debt capacity and affordability
- Developing a comprehensive plan of finance
- Implementing the plan of finance

TWO–THIRDS GENERAL OBLIGATION BONDS

Two-thirds bonds are State authorized General Obligation bonds that may be issued without voter approval. The statute allows a local government to issue up to 2/3 of the amount of GO bonds that were paid off in the previous year. These bonds can be used for any other general obligation purpose other than the financing of auditoriums, coliseums, arenas, stadiums, civic centers or convention centers, art galleries, museums, historic properties, public transportation systems, cable television systems or redevelopment projects.

Since 2007, Council has authorized the issuance and use of $21,515,000 in two-thirds bonds to complete a wide variety of needed improvements.

There is a two-thirds bond issue planned for this fall for $6.6 million. The proceeds will help fund the acquisition and renovation of a facility for the Police Department.

WATER/SEWER AND STORMWATER REVENUE BONDS

Revenue bonds are municipal bonds that finance income-producing projects that are secured by a specified revenue source, such as water and sewer or stormwater rates. Revenue bonds are issued by the government agency for operations that run in the manner of a business, with operating revenues and expenses, such as our Water & Sewer Fund. The pledge to repay the bond is guaranteed by the rates of the Water & Sewer Fund.

Over the next five years, staff has identified an estimated $116.2 million in additional major water and wastewater bond projects. The upcoming bond issue includes approximately $35 million in projects that were identified in the FY 2017-18 budget, but due to timing delays these bonds were not sold in the previous fiscal year.

This budget also anticipates issuing revenue bonds for the stormwater system. The amount of the bonds has not been finalized, but is anticipated to be between $20 - $25 million.

Did You Know?

Local Governments in North Carolina must seek approval from the Local Government Commission prior to issuing bonds.

North Carolina has a larger percentage of "AAA" local governments than any other state, which is often attributed to LGC oversight.

BOND AGENCY RATINGS

The City's capacity to finance and pay for needed improvements is evaluated from time to time by the following rating agencies: Moody's Investment Services, Standard & Poor's, and Fitch Ratings. Protecting and enhancing our bond ratings is one of our highest priorities.

The City has seen a series of bond rating upgrades since 2003, including the addition of a AAA bond rating assignment by Standard & Poor's. The City's bond ratings were re-affirmed in conjunction with our bond sale in April 2014, and Fitch Rating Services re-affirmed their ratings in March 2016. The City also received ratings related to the sale of $35 million ion Limited Obligation Bonds for the Stadium Project in the fall of 2017. The city received an AA+ rating from S&P, and an AA- from Fitch.

CITY OF HIGH POINT
CURRENT BOND RATINGS

	Moody's	Standard & Poor's	Fitch
GENERAL OBLIGATION BONDS	Aa 1	AAA	AA+
REVENUE BONDS	Aa 2	AAA	AA+
LIMITED OBLIGATION BONDS	n/a	AA+	AA-

PAY-AS-WE-GO FINANCING

The City has made a commitment to fund a healthy level of pay-as-we-go financing for routine improvements, infrastructure maintenance, and grant matches of capital projects funded from state and federal grant programs. Below is a summary of pay-as-we-go projects in each fund.

GENERAL FUND PAY-AS-WE-GO

General Fund pay-as-we-go capital investments for FY 2018-19 are budgeted at $4,337,000. The pay-as-we-go investments in the General Fund include:

Street Resurfacing	$2,450,000
Fire Station Renovations	250,000
GIS Base Mapping	40,000
Parks & Rec parking lot improvements	182,000
Parks Outdoor Court improvements	80,000
Playground Equipment	75,000
Parks Greenway improvements	40,000
Tennis Center Improvements	120,000
Mendenhall Terminal Improvements	200,000
NCDOT Matching Funds	290,000
Traffic Services Storage Building	150,000
Railroad Crossing improvements	25,000
City Hall electric system upgrade	100,000
Brine Wash Basin	50,000
Bridge inspections and repairs	35,000
ERP system upgrade	250,000
General Fund Total	**$4,337,000**

Did You Know?

The City is responsible for maintaining over 1,300 lane miles of local and state roads within the city limits.

WATER AND SEWER PAY-AS-WE-GO

Water and Sewer pay-as-we-go capital reinvestments are budgeted at $7,975,000. A list of 2018-19 Water and Sewer pay-as-we-go investments are shown below:

Replace Obsolete Neighborhood Water Lines	$2,300,000
Replace Obsolete Neighborhood Sewer Lines	2,300,000
Kendale Avenue Water Main	400,000
Developer reimbursements	50,000
Water Storage tank maintenance	250,000
Meter/Control Valve – Cedrow	200,000
Willard Dairy Road Water Main	600,000
Alum Sludge Removal	375,000
NCDOT – TIP Program	50,000
Water Meter Change-out	1,200,000
Water System Improvements	125,000
Sewer System Improvements	125,000
Water & Sewer Total	**$7,975,000**

ELECTRIC PAY-AS-WE-GO

The Electric pay-as-we-go projects are budgeted at $11,095,500. Projects include:

Electric System Improvements	$2,730,00
Automated Meter Reading	500,000
Outdoor Lighting	110,000
Hammer Substation	1,750,000
Downtown underground	3,700,000
Load Management	148,000
Street lighting	200,000
Breaker replacement	100,000
Oak Hollow T1 transformer	1,457,500
Penny Road Transformer	750,000
100kv breakers	300,000
Overhead conversion	100,000
Electric Capital Total	**$11,845,500**

SOLID WASTE PAY-AS-WE-GO

The Solid Waste pay-as-we-go budget is $1,731,900. The projects planned are:

Resurfacing – Ingleside and KV Landfill	$350,000
Landfill land purchase	50,000
Collection cart replacement	300,000
Solid Waste Feasibility Study	150,000
MRF Phase 3 upgrades	400,000
MRF Ongoing maintenance	50,000
Kersey Valley Transfer Station	260,900
KV Phase I-IV reserve	171,000
Landfill Capital Total	**$1,731,900**

OTHER PAY-AS-WE-GO

The $10,225,000 in other 2018-19 pay-as-we-go investments includes the scheduled replacement of vehicles, normal computer and radio replacements, routine stormwater projects, and others outlined below:

Fleet Replacement Program	$6,600,000
Fleet shop equipment	250,000
Stormwater routine projects	400,000
Stormwater – Ray St./Hospital	2,180,000
Stormwater – Jacobs Place	360,000
Computer System Replacements	435,000
Other Capital Total	**$ 10,225,000**

FUND BALANCES/RETAINED EARNINGS

Fund balances and retained earnings are critical, but often misunderstood and overlooked part of the Annual Budget. Fund balances and retained earnings consist of unencumbered and unappropriated monies. They are essential for maintaining our strong bond ratings as well as maintaining positive year-round and year-to-year cash flows. Strong fund balances are essential as we plan ahead for subsequent budgets.

The North Carolina Local Government Commission recommends maintaining an 8.0% balance in each fund. This is necessary for maintaining positive year-round cash flows, reducing the need for short term borrowing, and assisting in maintaining investment grade bond rating. The High Point City Council adopted Fiscal Policy calls for a minimum 10.0% fund balance of estimated expenditures as a signal of financial strength and fiscal stability. The City of High Point applies the policy to all operating funds *except* the Water-Sewer Fund, which calls for a 50% fund balance, and the Economic Development, General Debt, and General Capital Project funds, which are covered by more specific strategic plans.

The table below summarizes changes in annual fund balances/retained earnings, including early estimates for June 30, 2018:

CITY OF HIGH POINT FUND BALANCE AVAILABLE FOR APPROPRIATION					
FUND	FUND BALANCE POLICY	ESTIMATED BALANCE JUNE 30, 2019	FUND BALANCE MINIMUM PER POLICY	FUND BALANCE PERCENTAGE	$ ABOVE MINIMUM FUND BALANCE
GENERAL	10%	11,846,676	11,471,470	10.3%	375,206
GENERAL DEBT	50%	15,416,370	5,183,028	148.7%	10,233,342
ECONOMIC DEV.	n/a	1,285,890	n/a	n/a	n/a
CENTRAL SERVICE	n/a	2,221,815	n/a	n/a	n/a
WATER & SEWER	50%	31,992,205	26,928,119	59.4%	5,064,086
ELECTRIC	10%	13,876,546	13,295,666	10.4%	580,880
MASS TRANSIT	10%	1,095,115	433,149	25.3%	661,966
PARKING	10%	68,170	43,104	15.8%	25,066
SOLID WASTE	10%	1,716,391	1,679,289	10.2%	37,102
STORMWATER	10%	944,431	785,904	12.0%	158,527
TOTAL		**80,463,609**	**59,819,729**	**22.4%**	**17,136,175**

CONCLUSION

I am pleased to present to you a budget that addresses the strategic goals of the City Council of High Point. This budget continues to provide the quality programs and services our residents have come to expect and enjoy. High Point's financial condition is stable and strong. The FY 2018-19 Budget is balanced, meets all statutory requirements, and addresses many of the critical issues that Council has expressed interest in addressing.

It truly is an exciting time to be in High Point. I want to thank the City Council and the community for their interest, engagement and assistance. The success we enjoy would not be possible without the partnership of citizens and community agencies from all areas of the city. I look forward to a bright future as we continue to make High Point the single most livable, safe and prosperous community in America.

I want to acknowledge all of the staff members who assist in the preparation of this policy document. The efforts and professionalism of Eric Olmedo, Laura Altizer, Roslyn McNeill, Cindy Smith, Jeff Moore, Randy McCaslin, Randy Hemann, Jeron Hollis and the rest of our executive team are appreciated. I also thank the Mayor and City Council for your leadership and commitment to the City of High Point.

Respectfully submitted,

Greg Demko
City Manager

PUBLIC NOTICE
CITY OF HIGH POINT
BUDGET HEARING

The public will take notice that the Proposed Budget for the City of High Point for the Fiscal Year 2018-2019 has been filed with the City Council of the City of High Point. The Proposed Budget is available for public inspection in the office of the City Clerk, 211 S. Hamilton Street, High Point, North Carolina. A copy of the Proposed Budget is also available in the High Point Public Library located at 901 N. Main Street, as well as on the City website: "http://WWW.HIGHPOINTNC.GOV" WWW.HIGHPOINTNC.GOV

One public hearing on the Proposed Budget will be held. The public hearing will be held on Monday, May 21, 2017 at 5:30 P.M. The hearing will be held in the City Council chambers of the Municipal Building, 211 S. Hamilton Street, High Point, North Carolina.

Oral and written comments will be received from any interested citizen at the hearing.

May 9, 2018