

City of High Point

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



Meeting Agenda

Monday, May 15, 2017

5:30 PM

Council Chambers

City Council

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

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

- [170144](#) Proclamation - Public Works Week
Mayor Bencini will present a proclamation to Keith Pugh, Director of Engineering Services, proclaiming the week of May 21-27, 2017 as "Public Works Week."
- [170145](#) Recognition of Historic Preservation Commission Members
The Planning and Development Department will be presenting plaques in appreciation of service to the following members: William "Hollis" Anderson, Benjamin Briggs, Glenn Chavis and Peter Freeman.
- [170162](#) Recognition - Roy Culler - Senior Center Bus
Mayor and Bencini and members of City Council will recognize Mr. Roy B. Culler, Jr. for his contribution to purchase a new bus for the Roy B. Culler, Jr. Senior Center.

REGULAR AGENDA ITEMS**FINANCE COMMITTEE - Council Member J. Davis, Chair**

- [170146](#) Public Hearing - EDC Incentives
Monday May 15, 2017 at 5:30 is the date and time established to receive public comments on a funding request for performance-based incentives for a company's expansion project at 1509 Bethel Drive and another south High Point location; and authorize the City Manager to execute all documents.
- [170147](#) Public Hearing - 2017-2018 City of High Point Annual Budget
Monday, May 15, 2017 at 5:30 p.m. is the date and time established to receive public comments on the proposed 2017-2018 City of High Point Annual Budget.
- [170148](#) Contract - Stone Supplier
Council is requested to award a contract to Martin Marietta, Inc. to supply stone to city crews when performing maintenance functions that require different types of stone.
- [170149](#) Contract - Asplundh Tree Expert Company -FY 2017-2018
Council is requested to continue the existing contract with Asplundh Tree Expert Company in the estimated amount of \$600,000 to provide line clearance tree services (tree trimming) for the FY 2017-2018.
- [170150](#) Contract - Courtesy Road Improvements
Council is requested to award a contract to ASJ Wilson Construction, LLC in the amount of \$454,269.39 for the construction of Courtesy Road improvements which include new sidewalk, new driveways,

new/repaired curb and gutter, street resurfacing, new crosswalks and pavement markings. This project is being done in partnership with Thomas Built Bus.

[170151](#) Budget Ordinance Amendment/MOU - Courtesy Road Improvements Council is requested to adopt an ordinance amending the 2016-2017 Annual Budget to appropriate fund in the amount of \$454,270 received from Thomas Built Bus for the Courtesy Road Improvements and approve a Construction and Access Agreement (MOU) for the project improvements to the Thomas Built Bus property.

[170152](#) Ordinance - Budget Amendment - Little Red Schoolhouse Council is requested to adopt an ordinance amending the 2016-2017 Annual Budget to appropriate funds in the amount of \$47,875.00 to recognize funds received from the High Point Historical Society for the Little Red School House Relocation/Renovation Project.

[170153](#) Ordinance - Budget Amendment - Senior Center Bus Council is requested to adopt an ordinance amending the 2016-2017 Annual Budget to appropriate donated funds in the amount of \$31,000 for the replacement of the Senior Center Bus.

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

[170154](#) Small Builders Incentive Program Council is requested to approve the Small Builders Incentive Program pilot program establishing funding to encourage private participation in the restoration of existing housing or new development in areas of greatest need as defined by the Housing Market Segmentation Study.

[170161](#) Resolution - Regulation of Abandoned and Junked Motor Vehicles Ordinance Council is requested to adopt a Resolution for implementation of the Regulation of Abandoned and Junked Motor Vehicles Ordinance to become effective May 15, 2017.

[160330](#) Ordinance - Demolition of Structure - 512 Hines Street Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 512 Hines Street belonging to Eliseo Zavala. (At the November 7, 2016 meeting this item was deferred to the December 5, 2016 Council Meeting. At the December 5, 2016 Council Meeting, Council deferred this item for 60 days or until the February 6, 2017 Council Meeting. At the February 6, 2017 meeting this item was placed back on the pending list. At the May 1st Council Meeting this item was discussed and deferred for two weeks or until the May 15th meeting.

PENDING ITEMS

- [170141](#) Public Hearing - Minimum Housing Ordinance
Monday, May 1, 2017 is the date and time established to receive public comment on the City of High Point Minimum House Ordinance and at the close of the public hearing Council is requested to adopt the ordinance amending the City of High Point Minimum Housing Code. At the May 1st Council Meeting, this item was deferred to the June 5th Council Meeting.
- [170103](#) Ordinance - Demolition of Structure - 613 Manley Street
Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 613 Manley Street belonging to Joshua and Sarah Stahl.

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Wagner, Chair

- [170155](#) Resolution of Intent - Street Abandonment Case 17-01
Approval of a Resolution of Intent that establishes a public hearing date of Monday, June 19, 2017 at 5:30 p.m. to consider a request by Mr. Ghulam Khan to abandon excess right-of-way lying at the southwest corner of S. Main Street and Kendall Avenue.
- [170156](#) High Point University - Right-of-Way Encroachment RE-17-0003
A right-of-way encroachment request by High Point University for a proposed wrought-iron fence with brick columns that will encroach approximately 10 feet within an unopened section of the Fifth Street right-of-way.

PUBLIC HEARINGS

- [170157](#) Ordinance - North Carolina State Employees Credit Union - Zoning Map Amendment 17-03
A request by the North Carolina State Employees Credit Union to rezone approximately 4.2-acres from the Office Institutional (OI) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is lying along the west side of Westchester Drive, approximately 430 feet south of Chestnut Drive (1638 Westchester Drive).
- [170158](#) Ordinance - Ilderton Dodge-Chrysler-Jeep-Ram - Text Amendment 17-03
A request by Ilderton Dodge-Chrysler-Jeep-Ram to amend the City of High Point Development Ordinance, Section 5.7. Signage, pertaining to freestanding signs in Sub-District C of the Main Street (MS) District.

GENERAL BUSINESS AGENDA

- [170159](#) Appointment - Community Member - CDC Development Corporation
Council is requested to appoint a community member to the Core City Community Development Corporation.

[170160](#)

Minutes to Be Approved

Finance Committee Meeting, Wednesday, April 26th @ 4:00 p.m.

Manager's Briefing; Monday, May 1st @ 3:30 p.m.

City Council Meeting; Monday, May 1st @ 5:30 p.m.

Community Housing, Neighborhood Development & Public Safety
Committee; Tuesday, May 2nd @ 10:00 a.m.**ADJOURNMENT**

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, SECTION 5.7. *SIGNAGE*, PERTAINING TO FREESTANDING SIGNS IN SUB-DISTRICT “C” OF THE MAIN STREET (MS) DISTRICT.

WHEREAS, 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 25, 2017 and before the City Council on May 15, 2017 regarding Text Amendment 17-03; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on April 16, 2017 for the Planning and Zoning Commission public hearing, and on May 3, 2017 and May 10, 2017 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.

Section 5.7.9. *Freestanding Signs Requiring A Sign Permit*, Table 5.7.9.B. Requirements For A Freestanding Sign Requiring A Sign Permit, is hereby amended as shown in the row titled MS District in the section of the table reproduced below.

**TABLE 5.7.9.B: REQUIREMENTS FOR A FREESTANDING SIGN
REQUIRING A SIGN PERMIT**

ZONING DISTRICT OR SIGN TYPE		MAXIMUM NUMBER PER LOT FRONTAGE	AREA (SQ FT)		SETBACK FROM ROW (FEET)	MAX HEIGHT (FEET)	AREA COMPUTATION (SQUARE FEET PER EACH LINEAR FOOT OF LOT FRONTAGE)
			MAX	MIN [1]			
SIGN STANDARDS BY ZONING DISTRICT							
MS District	A, & C & D sub-districts	1	150	50	n/a	15	1.0
	B & G sub-districts	1	75	50	n/a	6 in B 8 in G	1.0

Section 2.

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

Section 3.

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

Section 4.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 15th day of May, 2017
Lisa B. Vierling, City Clerk



FINANCE COMMITTEE

Chaired by Council Member J. Davis

Members: J. Davis, Alexander, C. Davis, and Hill

APRIL 26, 2017 – 4:00 P.M.

3rd FLOOR CONFERENCE ROOM

MINUTES

Present:

Committee Chairman Jim Davis and Committee Members Latimer Alexander and Cynthia Davis

Absent:

Committee Member Alyce Hill

Staff Present:

Randy McCaslin, Deputy City Manager; JoAnne Carlyle, City Attorney; Eric Olmedo, Budget & Administrative Manager; Jeron Hollis, Communications & Public Engagement Director; Terry Houk, Director of Public Services; Mark McDonald, Transportation Director; Jeff Moore, Director of Financial Services; Robby Stone, Public Services Assistant Director; Garey Edwards, Electric Utilities Director; Philip Hiatt, Electrical Engineer, Senior; Kim Thore, Right of Way Coordinator; Lieutenant, Jay Yandle Jr.; Maria Smith, Deputy City Clerk and Lisa Vierling, City Clerk

News Media:

Pat Kimbrough, High Point Enterprise

Chairman J. Davis called the meeting to order at 4:00 p.m.

Contract - WatchGuard - Vehicle In-Car Cameras

Council is requested to award contract in the amount of \$45,818.00 to WatchGuard for the purchase of eight (8) in-car cameras for the Police Department.

Lieutenant, Jay Yandle Jr., reported the need of eight in-car cameras using seized funds through the Federal Assist program. These would be used for the eight new patrol cars which they purchased 16 and the eight were received through the Jag Grant and need eight more to outfit the patrol vehicles. They currently are using the software and antenna retrieval system at the Police Department to support the product and how the purchase of that brand of camera would be more cost effective. He remarked how these would capture both video and audio recordings, enhancing officer's safety, improve accountability, simplify instant review, enhance officer's training, improve community perception, strengthen police leadership and advance prosecution in case resolution and the performance with professionalism.

Committee Member Alexander wanted to know if all the Patrol Officers have these in their cars right now. Lieutenant, Yandle noted how the old system was not as reliable as the current one. He confirmed as they have been using them for approximately three to four years.

Committee Member C. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried by a 3-0 unanimous vote. [Committee Member Hill was absent]

Contract - Boundary Substation Equipment

Council is requested to award contracts to S & C Electric Company in the amount of \$115,918.00 and AZZ, Inc. in the amount of \$367,202.00 for equipment for the new Boundary Street Substation.

Garey Edwards, Electric Utilities Director, reviewed that Council approved the property for the Substation and then back January they selected Atlantic Coast. Randy McCaslin, Deputy City Manager, confirmed the station transformers were pre-ordered and on site. Mr. Edwards reported receiving two informal bids.

Committee Member Alexander was speaking on behalf of the neighbors who were concerned about the landscape with the grading and asked about fencing the areas. Mr. Edwards confirmed that they would be installing a retaining wall with a fence on top of the retaining wall for fall protection and EDOC on the inside with wire on top. He explained they would add some landscaping to the area. Mr. McCaslin added that the landscaping plan was approved by the TRC which went above and beyond. Committee Member Alexander reiterated to be sensitive to the neighbors. Mr. Edwards also mentioned a privacy fence as well.

Committee Member J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried by a 3-0 unanimous vote. [Committee Member Hill was absent]

Contract - Mast Arms for Downtown Intersections

Consideration of a sole source purchase of new traffic signal poles and mast arms from Atlantic Technical Sales of Chantilly, Virginia, in the amount of \$49,068.00 for installation at the intersection of North Main Street and Montlieu Avenue/Sunset Drive.

Transportation Director Mark McDonald discussed the purchase of the new traffic signal mast arms for the intersection at North Main Street, Montlieu and Sunset. He pointed out that they would be the decorative fluted mast arms poles, double arm poles with luminaries on the top which would be similar to what is currently being used at Main and Parkway, Kivett Drive, and University Parkway.

Committee Member Alexander was curious as to why they are all over the United States and why are they a sole source. Mr. McDonald responded that it meets NCDOT's specifications for wind loading and it matches all the recent poles which have been installed within the past ten years or more. Council Member Alexander asked if they were not sole sourced, would we still have a competitive price. Mr. McDonald believes it would be because they are decorative as too many do not make these poles. Jeff Moore, Director of Financial Services, added the last time these were bid out was eight years ago and, at that time, it was the lowest bid with a \$15,000 discrepancy per pole. Mr. McCaslin commented how this should be in time for the City to complete the project on schedule with another four months for electric, Spectrum and Northstate to put their lines in the underground.

Committee Member C. Davis was concerned if the lanes will remain open. Mr. McCaslin will not close off Main Street but did state that there would be certain lane closures and one lane in both directions open at all times.

Committee Member J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried by a 3-0 unanimous vote. [Committee Member Hill was absent]

Contract - Kersey Valley Road Realignment Design

Council is requested to approve a professional engineering services agreement with WithersRavenel, Inc., in the amount of \$384,500.00 for the design of the Kersey Valley Road realignment to allow the city to extend the life of the Kersey Valley Landfill.

Mr. Houk reported to maximize the life of our landfill, they would have to relocate the Kersey Valley Road and bridge the two landfills together. He explained how Public Service is recommending to award this to WithersRavenel in the amount of \$384,500.00. He did state it would take approximately one year to complete the design.

Chairman J. Davis asked if the road would be moved short term or long term. Robby Stone, Public Services Assistant Director, confirmed it would be approximately one year.

Committee Member J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried by a 3-0 unanimous vote. [Committee Member Hill was absent]

Contract Renewal - Concrete Supplier City Wide

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

Mr. Houk advised on the city-wide contract that Public Service uses for curbs, gutters, and sidewalks. He stated this would be for a renewal bid in 2016 and that Council approval the amount for \$106,425e.00.

Chairman J. Davis inquired on the location of Hartley Ready Mix, and Mr. Stone confirmed the location to be at Boulder Road in Greensboro.

Committee Member J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried by a 3-0 unanimous vote. [Committee Member Hill was absent]

Contract Extension - EZ-Go Golf Carts

Council is requested to extend the Golf Cart Program Contract with EZ-Go for one additional 3-year replacement cycle at no additional cost to the City. The annual value of the contract extension is \$124,505.00 which is the same annualized value in the FY 2016-2017 Annual Budget.

Mr. Moore recommended to extend the current pricing for the golf cart replacement program to bring before Council. If Council, chooses not approve, he then would have to go through the bid process which could take up to three months. Approximately nine years a bid process was completed and provided a three-year replacement cycle for the golf carts. EZ-Go approached Council to entertain the idea of another replacement cycle with no additional cost and same terms.

Committee Member C. Davis asked if Mr. Moore did any informal requirements to see if Council could receive a less expensive rate. Mr. Moore stated if they did not accept EZ-Go they would have gone through the bid process. Mr. Moore explained how please they have been with the carts and the maintenance being provided by the financing company. He expressed how nine years ago there was some discrepancy between some price differential while at that time the City had three companies they had entertained.

Committee Member Alexander wanted to know how much escalation during that nine-year period did we have. Mr. Moore noted how it had been CPR or less with each one. Mr. McCaslin stated how it would be a guarantee buy back from that company at the end of that three-year period.

Committee Member C. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried by a 3-0 unanimous vote. [Committee Member Hill was absent]

Purchase of Property - 1310 Timberlane Drive

Council is requested to authorize the City Attorney's office to proceed with the purchase of property located at 1310 Timberlane Drive in the amount of \$41,000.00. This property will be used for the expansion of the Oak Hollow Lake buffer area.

Right of Way Coordinator Kim Thore reported on the property located at 1310 Timberlane Drive which would be an expansion for the Oak Hollow Lake buffer area. She stated how this is one of many others that are continuous which adjoin the lake. She explained how they would be gating off that area at 3710 to protect it. Ms. Thore noted that they did offer \$9,000 less than the asking price above the tax appraisal and it being half an acre.

Committee Member Alexander asked about some trade off issues in a watershed and wanted to know if this would be considered for that in the future. Mr. McCaslin recalled the situation and suggested to review it with Lee Burnette, Planning & Development Director, and his staff for the exception of 3710 and 1312 Timberlane as the City will own that area.

Committee Member J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion. The motion carried by a 3-0 unanimous vote. [Committee Member Hill was absent]

Public Hearing - Resolution – Phoenix Academy – TEFRA Bonds

Council is requested to hold a public hearing to receive public input on behalf of Phoenix Academy for the issuance of Tax-Exempt Bonds (TEFRA Tax Equity and Fiscal Responsibility Act of 1982) in the amount of \$35,000,000.00 and adopt Resolution approving the issuance of the bonds.

JoAnne Carlyle, City Attorney, advised that this subject could be consider to be listed under General Business instead of actual Finance because of there not being any financial obligation on behalf of the City. She explained that the Charter Schools are required to have a public hearing before going through the process of initialing the tax-exempt bonds. She stated how there is no financial obligation along with the resolution. She did explain for Monday night; Phoenix Academy would be having their bond attorney involved.

Chairman J. Davis asked if this should be pulled off the consent agenda because of it being in his Ward. Mr. McCaslin agreed for the reason it being a public hearing. Chairman J. Davis noted how Phoenix Academy had been promising the parents that the children would increase their grade level and as it also has not come to fruition. Mr. McCaslin brought up how this was done approximately ten years ago for Wesleyan Education Center. Ms. Carlyle suggested removing this subject under Finance and to relocate under General Business.

Other Business:

Chairman J. Davis discussed what Committee Member Hill requested to consider making a recommendation to support \$5,000 to Southside Recreation Center for the event that they recently had.

Chairman J. Davis advised Committee Member Hill for the event in May 2017 that the City would not be able to support the funds for this year, but, instead, the fund would be there for next year's event. Committee Member C. Davis explained that it would be a Southside reunion event as they recruit other neighbors to engage in activities in that area as well as the citizens in that area as a sense of community with activities, to socialize, interact with the Police Department. She stated anyone else could attend the two-day event with refreshments and workshops. Chairman J. Davis stressed the importance on behalf of Committee Member Hill as it being in her Ward.

Committee Member Alexander supports this as Committee Member Hill reached out to him. The only thing he asked was if anyone were to have an exhibit or services to have them cleared through the City and would not have any controversial groups in attendance.

Eric Olmedo, Budget & Administrative Manager, discussed the grant to determine the \$5,000 to appropriate for Council for approval and did not feel the need to move forward with a budget amendment for such a small amount. Chairman J. Davis asked if another group came to Council requesting funds, how to handle it. Mr. Olmedo advised it would be at Council's discretion. Chairman J. Davis supports Southside.

Committee Member C. Davis suggested that Council meet with Tony Collins before the release of funds and to have all the information proceeds through Jeron Hollis, Communications & Public Engagement Director. Mr. Hollis discussed anything that is a City sponsored event, would have to be City endorsed. He expressed they are approached by groups that would like the City's support. Chairman J. Davis added how he supports the Police Department and does not want to see anything turned into something negative.

Committee Member C. Davis discussed the conversation on the Southside Recreation Center for the Southside Association while she and Committee Member Hill were in attendance she noted how there was no discussion along those lines and strictly in the neighborhood, community engagement, and the unity of the community of Southside. She shared there was no derogatory comments made regarding the Police Department.

Chairman J. Davis recommended for the future to state that we are *supporting* because Southside is one of the highest in "crime rated neighborhoods" or to put a stipulation in the clause. Committee Member Alexander believes that both Committee Members C. Davis and Hill have done their Due Diligence, and he supports their decision.

Chairman J. Davis discussed one other item, Elite Performance will attend the next Council meeting Monday night. They will speak during the Public comment period to request the \$5,000 remaining in budget.

There being no further business to come before the Committee, the meeting adjourned at 4:33 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Maria A. Smith
Deputy City Clerk

Jim Davis, Chairman



MINUTES

COMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT and PUBLIC SAFETY COMMITTEE

Committee Members: Golden, Ewing, Alexander and Williams

Chaired by Council Member Golden

MAY 2, 2017 – 10:00 A.M.

3RD FLOOR LOBBY CONFERENCE ROOM

MINUTES

Present:

Chairman Jeff Golden and Committee Members Chris Williams (joined the meeting at 10:10 a.m.) and Jason Ewing

Absent:

Committee Member Latimer Alexander

Also Present:

Council Member Cynthia Davis

Staff Present:

Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Mike McNair, Director of Community Development & Housing; Richard Fuqua, Affordable Housing Manager; Michelle McNair, Community Resource Manager; Tommy Reid, Fire Chief; Kenneth Shultz, Police Chief; Mark Walker, Local Codes Enforcement; JoAnne Carlyle, City Attorney; Jeron Hollis, Director of Communications & Public Engagement; Maria Smith, Deputy City Clerk; and Lisa Vierling, City Clerk

News Media:

Pat Kimbrough, High Point Enterprise

Note: The following hand-outs were distributed during the meeting and will be attached as a permanent part of these proceedings:

- *High Point Police Department Crime Statistics*
- *High Point Fire Department New Vehicles (Apparatus Replacement Plan)*
- *High Point Attorney's Office- Review of the Proposed Ordinance Regulating Abandoned and Junked Motor Vehicles*
- *Comm. Dev. & Housing Department- Southside Housing Development Contract with Community Housing Solutions*
- *Comm. Dev. & Housing Department- Small Builders Incentive Program*
- *Comm. Dev. & Housing Department- Southside Pedestrian Bridge & Fairview Food Park Project*
- *Comm. Dev. & Housing Department- Traffic Calming Project (Graves Avenue)*
- *Comm. Dev. & Housing Department- Core City Homebuyer Incentive Program*
- *Comm. Dev. & Housing Department- Abandoned and Deteriorated Properties Training Academy (May 31 – June 2, 2017)*

Presentation on Specific Crime Stats by High Point Police Department

Chief Shultz reported provided information on how the Police Department addresses crime and monitors data as it comes in. He shared a Weekly Data Report of statistics for Week 18 (4/30/2017). He advised that he looks at the data on a daily basis which allows him to lift and shift resources as necessary.

The stats show a 300%+ increase in homicides as compared to 2016 (two homicides) versus 2017 (eight homicides); aggravated assaults are down 38% as compared to this time last year; and the total violent crimes are down approximately 35%. Although for the year it is showing an increase of 34%, but the chart indicates some good progression specifically since they have made the final arrests. Property crimes are down 8% as compared to this time last year. Overall the crime rate is up about 9%.

Chief Shultz pointed out some of the spikes in crime and noted that the weather is very impactful on crime. He advised that he is very pleased with the numbers for the month sum up comparing the 2016 stats to 2017 and noted the department is making substantial headway. Although the overall homicide rate is high, the stats indicate that the violent crime rate is down. Property crimes are down traffic stop citations are down, as well as arrests.

The Chief reported that the heroin overdoses continue with the biggest spike happening in 2014 (116 overdoses) and this number dropped down to 77 in 2015. He attributed this to arrests that were made for major distributors. However in 2016, the overdoses rocketed with 191 and there already have been 110 for 2017. He reported there were seven deaths for the year already compared to 9, 6 and 14 the previous three years. The Police Department continues to use Narcan and has already used it sixteen times this year. He advised that they do track the children that are present for those that overdose, as well as tracking opioid-related traffic accidents.

Chief Shultz shared that he would be meeting with the Attorney General in Raleigh next week to discuss the heroin issues from a statewide viewpoint and they still enjoy good partnerships with the SBI, DEA. Approximately 417 pounds of marijuana was confiscated recently during a traffic stop off Business-85 by a High Point drug interdiction officer.

The Chief excitedly reported that he had the opportunity to go to Fort Bragg this past Friday at the invitation of the 16th Military Police Brigade. They remembered a presentation on the Domestic Violence Program that the Police Chief did while at the IACP, International Association of Chiefs of Police, Conference held in San Diego last fall and are looking at utilizing the High Point model to address domestic violence in the military. The Department of Justice, Office of Violence Against Women, also paid a visit to High Point recently and they are still looking at the replication sites and will be pulling in three that they will be running through John J. College with national network in an effort to replicate High Point's Domestic Violence Program.

At this time, the Chief entertained any questions/concerns.

Regarding the heroin issues, Council Member Ewing mentioned in previous years there were more outsiders than insiders and noted the numbers seem to be close this year (56 as compared to 53). Chief Shultz stated it is currently about 50/50 and pointed out heroin is not only a High Point issue, and a statewide inclusive Program.

Council Member Alexander asked if the time of day has shifted for when the levels of police activity are occurring because he has heard that much of the crime is now taking place during daytime hours. Chief Shultz replied that the department does use the Heat maps, crime statistics, and offered to share this information with the Committee.

Chairman Golden mentioned the spike in homicides recently and asked if they got a lot of calls from the community to report it or if the community was silent. Chief Shultz explained that it is a mix and noted that they are dealing with gunshot victims who are refusing to share information as to who did it or what happened. Another important point he wanted to make was that he did receive an invitation to attend a recent NAACP meeting, but was unable to do so because of a prior commitment in making a presentation in Fort Bragg. He explained some mothers of victims were upset and concerned because they felt the Police were not sharing enough information, but it was helpful that he was able to talk with them to explain the process and how investigations work. He hopes to have the media start doing some case summaries and focus on the mothers' plea for people to come forward and talk to the Police.

Chairman Golden reiterated the issues with the heroin overdoses and asked Chief Shultz about the department's needs. The Chief explained the biggest thing needed is the treatment for the addiction. He reiterated that they need to look at it from a statewide standpoint. He advised the police officers are having to deal with mental health issues because of the decline in mental health funding and lack of local resources. Council Member C. Davis reported that drugs are openly sold at the first four to six houses off Green and Cliffside and agreed this is a major concern and needs to be addressed. When things like this are observed, Chief Shultz encouraged them to make contact with Jeff Boyd or Brad Tenant, outreach officers for the north and south beats.

Presentation on New Fire Vehicles by High Point Fire Department

Chief Reid presented an overview of the Fleet Replacement Program that was approved in 2015, which basically follows the NFPA standards that mandates fire apparatus in a 15-year cycle go to a reserve status. The Chief reported that his department is dealing with some trucks that are over 20 years old. He advised that six apparatus engines and trucks were purchased in 1998 and having to replace them all at once creates a problem due to the cost of the trucks.

Committee Member Ewing asked about the price point for the retired fire trucks on govdeals. Chief Reid replied that they could only get about \$8,000 - \$10,000 because of all the wear and tear and generally they have no value because they are used up when they get through with them.

He shared some photos of some of the department's recently purchased trucks. He advised once the trucks are ordered, it takes 12-16 months for it to be delivered; pumpers take about 9-10 months. The trucks are managed, maintained and rotated to keep the costs down and prolong the life and usefulness. The fire trucks are purchased through the HGAC (Houston Galveston Area Council Contract), which is one of the biggest purchasing cooperatives in the United States.

Committee Member Alexander asked how the updated training facility was working out, and if the stations are strategically located to meet the response times. The Chief stated it is one of the top notch training facilities around. He replied that the stations are in the right locations and explained that the response times directly impacts the ISO and Accreditation ratings with a goal to be anywhere in the city within five minutes of receiving the call from 911 Communications Center.

Chairman Golden asked the Chief if he had adequate personnel and the Chief replied that eleven firemen were recently hired and would report to work on May 22nd.

Update on Southside Housing Development- Contract with CHS

Richard Fuqua, Affordable Housing Manager, presented a proposed contract with Community Housing Solutions (CHS) for the next fiscal year. CHS is one of the Community Housing Development organizations that is building in the Southside area. CHS was designated as a CHDO in 2015 and have completed two homes at 809 George Place (for sale) and 811 George Place (sold). Currently they have two homes under construction at 805 and 807 George Place and have the capacity to build additional homes.

Mr. Fuqua shared an aerial view map of the Southside area identifying homes completed by Unity Builders, homes completed by CHS, properties under construction, properties proposed in the CHS contract, as well as those properties owned by the city of High Point.

Regarding the proposed contract with CHS, some of the highlights were noted as follows:

- ✓ Includes construction of 5 homes that would be offered for sale or lease-purchase.
- ✓ Term of the contract is July 1, 2017 – June 30, 2018.
- ✓ Amount of the contract estimated around \$625,000 for these five homes which would be related to the construction/hard costs.

Committee Member Alexander asked if and when the properties are sold if the money is recycled back through the Community Housing & Development Department and how much is added to the top of this amount each year. Mr. Fuqua explained most of the \$625,000 is from the program income the city receives from the homes that were built with HOME funds in the past and it depends on those homes that are sold as well as the anticipated sale of the lease purchased homes. Staff anticipates having these funds to use in the next year. Mike McNair, Director of Community Housing & Development shared there are also several houses on Mobile Street that are in the lease purchase mode, so they are anticipating a wave of program income coming.

Committee Member Alexander inquired about how the grants are forgiven. Mr. Fuqua explained it is actually a part of the purchase and provided an example of someone taking advantage of the \$7,500 Homebuyers Incentive Program, these dollars would be forgiven over a five-year period and as part of the purchase, the \$7,500 would show up as monies going into the purchase price which would help reduce the first mortgage the buyer would have. Mr. McNair explained it comes out of the Core City Homebuyer Incentive Program, which is funded in the General Fund and the cash is "looped" back to the city after everyone is paid.

Mr. McNair advised that this would go to the Finance Committee next, then it would come to Council on May 15th.

It was the CONSENSUS of the Committee in SUPPORT of the proposed contract with CHS and that it be forwarded to the Finance Committee with a favorable recommendation.

Committee Member Alexander pointed out the lack of landscaping around these houses and landscaping would increase the curb appeal as well as enhance the neighborhood. The following suggestions were made:

- ✓ Partner with the Garden Club
- ✓ Have Parks & Rec Assist
- ✓ Come up with a program that coincides with the Teaching Garden at the Library
- ✓ Should be enough nurseries in High Point that could be cumulatively used
- ✓ Contact Lowes or Home Depot to see if they would be willing to donate a certain number of plants

Mr. McNair explained staff has had some inquiries from real estate groups for small grants and this might be a possibility. As a matter of information, he shared that they do contribute a shed for the residents to use to store tools, etc....

Review of Pilot Infill Development Program Targeted Towards Small Builders

Mr. Fuqua advised this program was actually instituted in the late 90s, early 2000 where the city provided an incentive to small builders to build new construction throughout the city. During this period of time, the city invested \$500,000+ in incentives that built and sold 55 homes. He shared a map identifying areas characterized by scattered sites and pointed out it was not focused in areas of greatest need with pre-Core City Plan designs. He noted the focus at that time was on new

construction, but now staff is proposing to also incorporate rehabilitation of homes in an effort to bring some of the abandoned homes back into use.

The purpose of the Small Builders Incentive Program is to:

- ✓ *Promote more homeownership in areas of greatest need.*
- ✓ *Improve existing housing stock in areas of greatest need.*
- ✓ *Encourage private sector participation to:*
 - *Rehabilitate existing housing for purchase by homeowners*
 - *Build new housing for homeownership*

*Mr. Fuqua highlighted some of the **Program Elements**:*

- ✓ *Builders receive incentive when home is sold*
- ✓ *Incentive Amount up to \$15,000*
- ✓ *Funding source: Core City Redevelopment Funds*
- ✓ *Focus area: extremely weak housing markets (shown in RED on HEAT map)*
- ✓ *Homebuyers can use CCHBI and/or NCHFA down payment assistance*
- ✓ *No household income requirements.*

***Reimbursable expenses** were identified as follows:*

- ✓ *Lot acquisition*
- ✓ *Building permits*
- ✓ *Site preparation*
- ✓ *Water/sewer tap*
- ✓ *Construction loan interest*
- ✓ *Driveway curb cut/driveway*
- ✓ *Landscaping*
- ✓ *Rehabilitation costs (emphasis on energy efficiency)*

Program Requirements are:

- ✓ *Site/Location*
 - *Site plans, elevations, floor plans and work write-ups approved by city.*
 - *Zoning must allow single-family residential use*
- ✓ *New construction*
 - *Minimum 3 bedrooms and 2 full bathrooms*
- ✓ *Application*
 - *Homes with building permits issued prior to application are not eligible.*
 - *Upon approval, contractor must begin construction or repairs within six months.*
- ✓ *Certificate of Occupancy is required for all homes.*

Program Requirements for Selling/Reimbursement:

- ✓ *Shall not be sold for more than its appraised value (selling price shall not exceed \$200,000).*
- ✓ *Buyer must obtain loan from a participating lender to qualify for down payment assistance.*
- ✓ *Builder must document reimbursable costs with city.*

- ✓ *Reimbursement made after closing of sale of home.*

Committee Member Alexander asked if staff has ever looked at building duplexes where you have a homeowner who resides on one side and leases the other side out to a tenant. Mr. McNair stated that staff has not considered duplexes because the focus has been on homeownership and although this could be a slippery slope, it could be a possibility. Council Member C. Davis commented that she did not like the idea. Committee Member Alexander shared that many people are purchasing much smaller homes from an affordability standpoint because many cannot afford a \$100,000 home. Council Member C. Davis expressed concerns and noted that it was important that they the landlord and tenant be familiar with their rights. Mr. McNair pointed out most of the demand is from people above the income guidelines. Council Member C. Davis felt this is why the tiny houses would be great to allow in the city as infill.

Committee Member Ewing felt staff should identify small Census tracts they really want to focus on and utilizing the 1031 exchanges would be a great opportunity. Mr. McNair explained the former program did not accomplish what staff wanted, but now that the footprints are there, the builders can come in and fill some of the gap. Chairman Golden asked how staff is getting the word out for the program. Committee Member Ewing mentioned he would be attending a meeting with investors in Greensboro and would mention the program to them which would hopefully solicit some interest.

Chairman Golden asked if the builders would get interest on their investments while the homes are on the market to sell. Mr. Fuqua noted construction loan interest is a reimbursable expense. Committee Member Ewing felt this program could be suitable in different sectors of the city where the structure is already demolished and the city owns the property. Committee Member Alexander felt the green, yellow and orange areas would result in much faster success than the red areas. He stated he would like to see some fast success because school systems will benefit most from homeowners moving into neighborhoods and stimulation in the right places could stabilize the whole neighborhood by taking care of one or two bad spots. Mr. McNair commented this is a pilot program and it does take time to turn a neighborhood over. Committee Member Alexander mentioned the future widening of Lexington Avenue in the Five Points area and pointed out these homes have very deep lots and are close to the road. He suggested development in this area could be a real incentive for these property owners.

Regarding the new construction and the minimum of 3 bedroom/2 bath homes, Council Member C. Davis asked if consideration was given to retirees and empty nesters who no longer need 3 bedroom/2 baths and mentioned the affordability. Committee Member Ewing pointed out from a resale standpoint, they are better off doing a 3 bedroom/2 bath and possibly doing a development for 55 and over seniors.

Committee Member Ewing MOVED to forward this matter to the Council with a FAVORABLE RECOMMENDATION. Chairman Golden made a second, which carried by a 3-0 unanimous vote of the Committee. [Committee Member Williams was absent]

Review of Ordinance Regarding Junked and Abandoned Vehicles

City Attorney JoAnne Carlyle advised this is a complete rewrite of the former ordinance because it did not reflect the requirements of the State Statute. Input will be solicited from this Committee, as well as additional input from Mike McNair and Lori Loosemore as they will be charged with enforcement of the ordinance.

The purpose and finding is required in the Statute. Ms. Carlyle advised a big difference in the proposed ordinance was between “abandoned” vehicles and “junked” vehicles. Aesthetics can be applied to the “junked” vehicles. The Community Housing Director or his designee will be responsible for going out to investigate and enforce the ordinance.

Council Member C. Davis stated that she and Committee Member Alexander had some concerns regarding auto repair establishments that have fences and vehicles along the edge of the fence that have not been touched. She asked if this ordinance would address this. Ms. Carlyle replied that it would not because there is an exception in the statute for legitimate auto repair businesses. She further elaborated that there are actually two exceptions set out in the statute:

- 1. Dealing with the business, and*
- 2. Whether or not a vehicle is used on a regular basis for business or personal use.*

Committee Member Alexander asked how many cars would be allowed and pointed out oftentimes the lots are completely covered with old pieces of junk. He noted that the definition of a legitimate business is in the eyes of the interpreter. He asked if there would be a way to limit how many vehicles could be confined within a specific space. Ms. Carlyle explained that it would be based on this scenario, she felt the inspector could look at the purpose of the business and if some of the vehicles have been sitting there forever, they are not being used for the purpose of that business. She pointed out this would certainly require much more investigation, gathering of evidence, etc She further explained that salvage yards are protected under the statute.

Council Member C. Davis mentioned large rats that have been spotted at the auto repair business located at Green and Tryon and felt the difference would be if it is an “auto repair” business versus a “salvage” business. Ms. Carlyle advised the powers through the nuisance regulations could help and pointed out in the old ordinance “nuisance” vehicles were defined.

Deputy City Manager Randy McCaslin asked if the proposed ordinance would allow the city to tow cars parked on the grass on their property. Ms. Carlyle explained there are “abandoned vehicles” and “abandoned junked vehicles” and the old ordinance put a value of less than \$100 and she was recommending this be increased to \$500 in the proposed ordinance for junked vehicles. She pointed out there would be a lot more leeway with the junked vehicles. Mr. McCaslin explained although Council has adopted an ordinance prohibiting people from parking on the grass in their front yards, there is no way to enforce it. He asked if Council should repeal it. Ms. Carlyle advised that this ordinance could be enforced with fines, but it could not be enforced through the junked and abandoned vehicle ordinance. She pointed out this was a completely different area of law.

In response to a question regarding the amount of the fines, Inspector Mark Walker shared that the fine starts out at \$25 for the first offense and increases to \$50, \$100, then it maxes out at \$200. Committee Member Ewing suggested \$200 for the first offense and \$500 for the second offense.

Committee Member Alexander inquired about vehicles parked in front of a house with flat tires and no tag. Ms. Carlyle advised this would be an abandoned motor vehicle and it would be covered in the proposed ordinance. The ordinance would allow for removal of the vehicle, but there are notification requirements and a probable cause hearing would be required in district court.

A brief discussion followed regarding the disposal of abandoned/junked vehicles and the ability to get a title. Ms. Carlyle explained that the statute does not direct the city to get a title. She advised that this proposed ordinance does give the city more teeth for enforcement. Mr. McCaslin questioned what authority this proposed ordinance gives the city as compared to the current one. Ms. Carlyle reiterated that an increase in the value of junked/abandoned vehicles from \$100 to \$500 and since the city was not really following the law, now there are more coverages including the notice of probable cause hearing.

Council Member C. Davis stressed that something has to be done about the “salvage” issue. Mr. McCaslin felt this is a Planning & Zoning issue and staff may have to look at some type of amortization which could be discussed at next month’s meeting.

Committee Member Ewing asked if it might be possible to get the original ordinances for the Junked/Abandoned Vehicle Ordinance as well as the Minimum Housing Ordinance for comparison to the proposed ordinances.

Discussion of Vacant, Abandoned and Deteriorated Properties Training Academy May 31 – June 2

Mr. McNair provided information on this training academy sponsored by the Center for Community Progress. He advised that he would be participating and making a presentation at one of the workshops. Others from High Point that will also be attending will be Lori Loosemore, Patrick Harman, and Donald Belton.

Update on Pedestrian Bridge Project in Southside

Mr. McNair reported that a pre-bid meeting took place this past Friday for the Pedestrian Bridge Project. Bids are due on May 17th. Neighborhood Stabilization Funds (NSF) will be used to fund the project; there will be no General Fund money involved. He noted this would allow the land that is now all city right-of-way to be connected to the park for expansion of the park. The second part of the project entails working with the Urban AG people to put in an orchard. The bids for the project would possibly come to Council on June 5th, no later than June 19th for award of the contract and it is anticipated that the pedestrian bridge would be completed in November.

Update on Traffic Calming project in the Graves Avenue area

The Community Development & Housing staff is working with the High Point Transportation Department to do some traffic calming in the Graves Avenue area and they have identified some areas where they want to slow the traffic down. Transportation Department crews will be installing speed cushions in this area, which will slow the speed down to 15-20 mph. The estimated cost for the speed cushions in this area is \$12,000; installation should be complete within 30 days. Funding for the project will come out of the Community Development & Housing budget. It was noted that this would be a great test case and under the right conditions, the life of the speed cushions should be 5-10 years. Mr. McNair noted a petition from the neighborhood was required.

Update on Core City Homebuyer Incentive Program

Mr. McNair advised that 52 applications have been received thus far (43 have closed; 6 are pending; 3 have been withdrawn). The average age of the applicants is 40 and the average household income is 96% of AMI. Council Member C. Davis stated she would like to know how many new applications the city received this year and noted she would like to see a breakdown according to the year. Mr. McNair estimated about 35-40 have been received for 2017.

There being no further business to discuss, the meeting adjourned at 12:10 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

Jeff Golden, Chairman

CITY OF HIGH POINT

AGENDA ITEM



Title: Small Builders Incentive Program

From: Michael E. McNair, Director

Meeting Date: May 15, 2017

Public Hearing: No

Advertising Date / N/A

Advertised By: N/A

Attachments: Program Flyer

PURPOSE:

This pilot program is designed to encourage private sector participation to:

- Rehabilitate existing housing for purchase by homeowners in the areas of greatest need; and
- Build new housing for homeownership in areas of greatest need in the Core City

This will supplement our ongoing housing activities to encourage more homeownership in the Core-City.

BACKGROUND:

The report prepared by the Center for Community Progress recommended establishing a fund for minor housing repairs in “targeted investment area”. This funding will encourage private participation in the restoration of existing housing or new development in areas of greatest need as defined by the Housing Market Segmentation Study. This program was unanimously recommended for approval to the City Council at the Community Housing, Neighborhood Development and Public Safety Committee meeting held Tuesday, May 2, 2017 at 10:00 a.m.

BUDGET IMPACT:

Incentives will be available up to \$15,000 per unit. Resources will be sourced from the Redevelopment fund. Staff recommends an initial allocation of \$100,000.

RECOMMENDATION / ACTION REQUESTED:

The Community Development and Housing Department recommends approval of Small Builders Incentive Program and that the appropriate City official and/or employee be authorized to execute all necessary documents.



SMALL BUILDERS INCENTIVE PROGRAM



The purpose of the Small Builders Incentive Program is to promote more homeownership as well as improve existing housing stock in areas of greatest need. The Program encourages private sector participation to rehabilitate existing housing for purchase by homeowners and to build new housing for homeownership.

Key Program Elements:

- ◆ Up to \$15,000 in reimbursable expenses (see below)
- ◆ Focus area: Extremely weak housing markets (see back of page)
- ◆ Builders receive incentive when the home is sold.
- ◆ Homebuyers can use existing down payment assistance programs.
- ◆ No household income requirements

Reimbursable Expenses include:

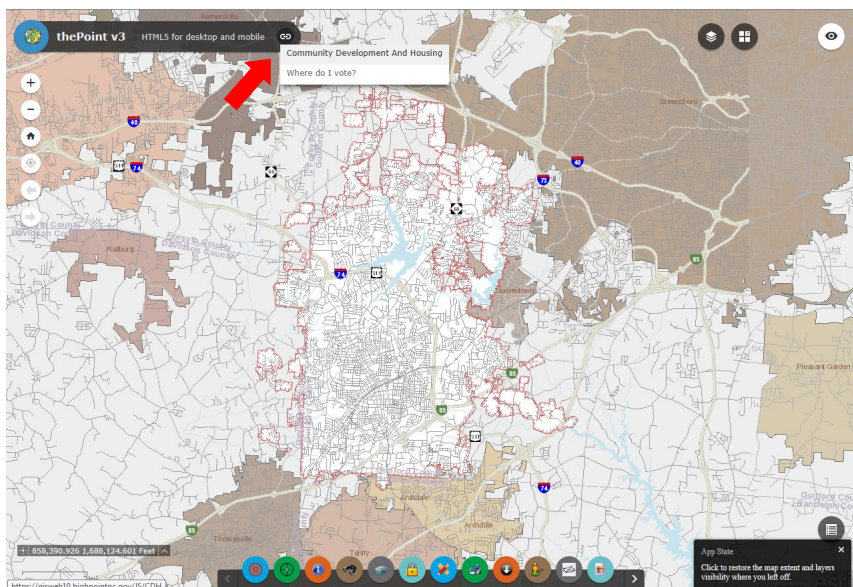
- ◆ Lot Acquisition
- ◆ Building Permits
- ◆ Site Preparation
- ◆ Water/Sewer Tap
- ◆ Construction Loan Interest (during construction and up to one year after C/O)
- ◆ Driveway Curb Cut/Driveway
- ◆ Landscaping
- ◆ Rehabilitation Costs (emphasis on energy efficiency)

For more information on how to apply and other program requirements, please call (336) 883-3348.

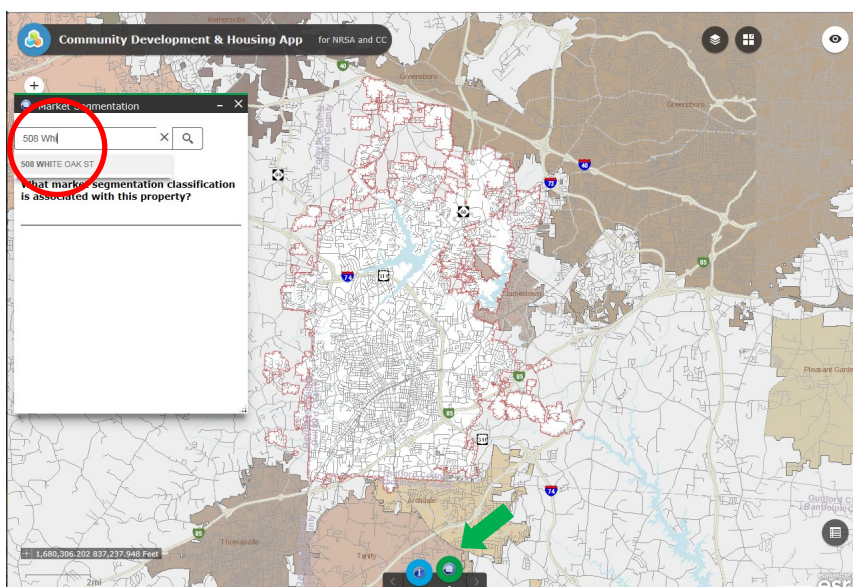


NORTH CAROLINA'S INTERNATIONAL CITY™
Community Development & Housing Department

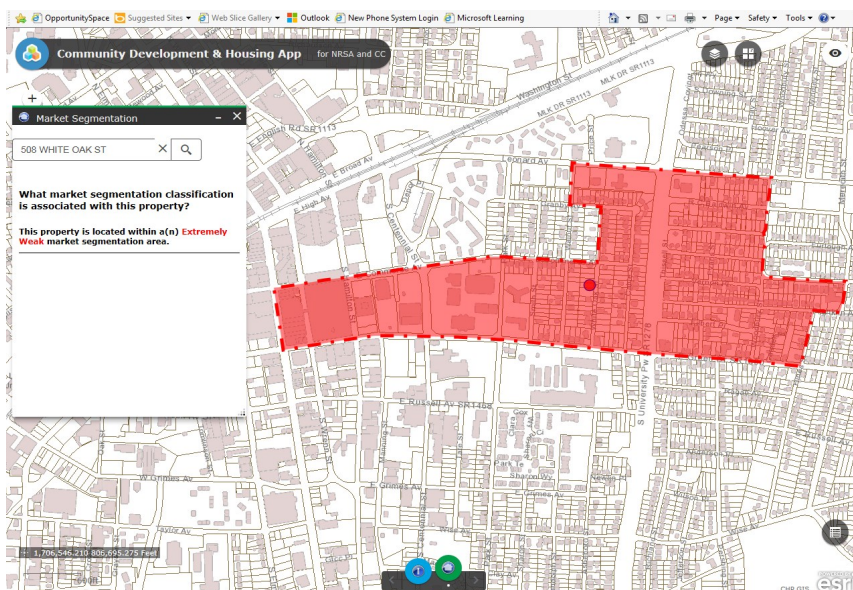
Search Instructions for Property Eligibility



- Type the following web address in your web browser: <http://gisweb10.highpointnc.gov/JS/thePoint/>
- If a pop-up window appears, choose “Ok”.
- Click on the “link chain” highlighted by the red arrow and click on “Community Development and Housing”



- A new pop-up window will appear
- Click on the green circle with the house at the bottom of the page (shown by the green arrow)
- In the pop-up box, start typing in the property address
- Choose the correct address when it appears (shown by the red circle)



- A red dot will show the location of the property.
- The market segmentation classification will be listed in the box on the left and its associated color will appear on the map. In this scenario, 508 White Oak is located in the Extremely Weak area and would be eligible for the Small Builders Incentive Program.

CITY OF HIGH POINT

AGENDA ITEM



Title: Stone Supplier City Wide

From: Terry Houk – Public Services Director
Robby Stone – Asst. Director Public Services
Tyler Berrier – Public Services Manager

Meeting Date: May 15, 2017

Public Hearing: N/A

Advertising Date: April 5, 2017

Advertised By: Purchasing

Attachments: Bid Tabulations

PURPOSE:

The City budgets on an annual basis for suppliers to provide materials to city crews. City crews that need stone will have the availability to have this material supplied to them when performing maintenance functions that require different types of stone.

BACKGROUND:

The city retains material suppliers for different types of stone (aggregate) to be used by crews for various maintenance activities. At the April 5th, 2017 bid opening of the two bids received, Martin Marietta Inc. was the low bidder. Their prices are competitive with historical pricing for this type of supplied material.

BUDGET IMPACT:

Funds for this project are in the 2016-2017 Annual Budget.

RECOMMENDATION / ACTION REQUESTED:

The Public Services Department recommends approval and asks for the Council to award the project to Martin Marietta, Inc. Over the past fiscal year, approximately \$100,000 was used to purchase stone.



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Public Services - Citywide Contract**

COUNCIL AGENDA DATE: **May 15, 2017**

BID NO.: **43-040517** CONTRACT NO.: **Supplier Contract** DATE OPENED: **April 5, 2017**

DESCRIPTION:

Stone Supplier Citywide

PURPOSE:

The City budgets on an annual basis for suppliers to provide materials to city crews. City crews that are in need of stone (aggregate), will have the availability to have this material supplied to them when performing maintenance functions that require different types of stone.

COMMENTS:

The city retains material suppliers for different types of stone to be used by crews for various maintenance activities.

RECOMMEND AWARD TO: **Martin Marietta Inc.** AMOUNT: **Varies**

JUSTIFICATION:

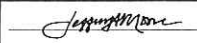
At the April 5th bid opening of the two bids received, Martin Marietta Inc. was the low bidder. Their prices are competitive with historical pricing for this type of supplied material.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
Citywide Contract	Varies			
TOTAL BUDGETED AMOUNT				

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: 2017.04.26 06:37:34 -0400 DATE: **Apr 26, 2017**

The Purchasing Division concurs with recommendation submitted by the **Public Services Dep.** and recommends award to the lowest responsible, responsive bidder **Martin Marietta Inc.** in the amount of \$.

PURCHASING MANAGER: **Erik Conti** Digitally signed by Erik Conti
DN: cn=Erik Conti, o=City of High Point, ou=Public Services, email=erik.conti@highpointnc.gov, c=US
Date: 2017.05.04 12:08:01 -0400 DATE: **May 4, 2017**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=jfmoore@highpointnc.gov, c=US
Date: 2017.05.05 09:44:06 -0400 DATE: **May 5, 2017**

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: 2017.05.05 09:44:06 -0400 DATE: **May 5, 2017**

Bid Tabulation
Bid #43-040517 STONE - CITY WIDE

	Martin Marietta Materials		Vulcan Materials Company	
Per Ton	Plant Price	Delivered Price	Plant Price	Delivered Price
ABC Stone	\$20.50	n/a	\$23.85	\$28.60
#4 Stone	\$23.50	n/a	\$28.40	\$33.15
#5 Stone	\$23.50	n/a	\$28.40	\$33.15
#6 Stone	\$24.25	n/a		
#57 Stone	\$23.50	n/a	\$28.40	\$33.15
#67 Stone	\$23.50	n/a	\$28.90	\$33.65
#78 M Stone	\$24.25	n/a	\$29.75	\$34.50
Class B Rip Rap	\$26.75	n/a	\$31.15	\$38.40
Class 1 Rip Rap	\$26.75	n/a	\$31.15	\$39.40
Class 2 Rip Rap	\$28.75	n/a	\$34.15	\$46.15
Screening	\$20.75	n/a	\$24.75	\$29.50
3" – 5" Surge	\$24.25	n/a	\$27.40	\$32.40
Less Than Load Charge	\$0.00		\$130.00	
Rip Rap Minimum	No Minimum		\$150.00/Class B \$175.00/Class 1/ \$225.00/Class 2	





Office of the Mayor
City of High Point
North Carolina

PROCLAMATION...

WHEREAS, public works infrastructure, facilities and services are of critical importance to the health, safety, economy and overall well-being of our community; and,

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, and administrators, representing all levels of government, who are responsible for and must plan, design, construct, inspect, operate and maintain the public works facilities essential to serve our citizens; and,

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works functions is materially influenced by the people's attitude and understanding of the importance of the work they perform; and,

WHEREAS, it is in the public interest for our citizens, civic leaders and children to learn and understand the importance of vital public works programs such as drinking water, sanitary and storm sewers, streets and highways, public buildings and grounds, public fleets, and solid waste collection and disposal; and,

WHEREAS, the theme for this year's celebration is "*Public Works Connects Us*", and 2017 marks the 58th annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, I, William S. Bencini, Jr., Mayor of the City of High Point, do hereby proclaim the week of May 21 – 27, 2017 as

"Public Works Week"

in the City of High Point, North Carolina, and I call upon all citizens and civic leaders in this community to gain knowledge of, and maintain a progressive interest in, the public works needs and programs vital to our everyday lives. And, to recognize the daily contributions which public works officials make to ensure our health, safety, comfort, and quality of life.



Given under my hand and Seal of the City of High Point, North Carolina on this, the 15th day of May, 2017.


William S. Bencini, Jr., Mayor

CITY OF HIGH POINT

AGENDA ITEM



Title: Contract Continuation-Asplundh-FY 2017-18

From: Garey S. Edwards, Electric Utilities Director

Public Hearing: N/A

Attachments: Bid Tabulation

Meeting Date: May 15, 2017

Advertising Date /

Advertised By: N/A

PURPOSE:

Acceptance/Continuation of this Contract will allow Asplundh Tree Expert Co. to provide line clearance tree services (tree trimming) for the upcoming fiscal year.

BACKGROUND:

At the July 18, 2016 Council Meeting, City Council approved High Point's participation in the ElectriCities Joint Purchasing Agreement for a three-year period. This program has allowed Cities to bid as a large quantity, usually resulting in lower pricing. One of the many services offered in this program is tree trimming. ElectriCities has bid the Tree Trimming contract and Asplundh Tree Expert Co. was the lowest responsive bidder. This contract is for the upcoming year and can be extended year to year, if both parties wish to continue.

BUDGET IMPACT:

We estimate these services at \$600,000 for the next fiscal year.

RECOMMENDATION / ACTION REQUESTED:

We recommend that the City Council proceed with the approval of the agreement and continue utilizing Asplundh Tree Expert Co. for the next fiscal year.



ITEM NO.	ITEM DESCRIPTION	ASPLUNDH		Lewis Tree Service	
		Normal Rate (per hour)	Overtime Rate	Normal Rate (per hour)	Overtime Rate
	EASTERN <i>(Work to be completed in 13 weeks or Less)</i>				
1	Working Foreman	\$31.07	\$43.49	\$38.40	\$55.68
2	Climber	\$28.02	\$39.23	\$33.05	\$47.92
3	Groundsman	\$23.98	\$33.57	\$24.70	\$35.81
4	1 Hydraulic Aerial Articulating N/A boom with single basket minimum of 501 bottom of bucket mounted on suitable truck with pneumatic toll and a power chain saw	\$14.86		N/A	
5	1 Chipper	\$4.02		\$7.70	
6	1 2-Ton Dump Type Tree Truck with hand tools, rope lines and power chain saw	\$12.10		\$15.23	
7	1 Stump Remover	\$16.50		\$36.78	
8	1 Bush Hog/Tractor	\$21.29		\$27.02	
9	1 Kershaw Type heavy brush or tree remover with 81 cutter head	NA		\$192.09	
10	1 4x4 Tractor and Bush Hog	\$27.27		\$31.09	
11	1 L-111 Trimlift	\$18.13		\$26.44	

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
May 1, 2017 – 5:30 P.M.**

ROLL CALL AND MOMENT OF SILENCE

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

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

Absent: Council Member Christopher Williams (Ward 2)

Mayor Bencini called the meeting to order; a Moment of Silence followed.

RECOGNITIONS AND PRESENTATIONS

170120 Proclamation - Real Estate Professionals Day

Mayor Bencini will present a Proclamation to Joan Swift, President of the High Point Regional Association of REALTORS®, proclaiming “Real Estate Professionals Day” in the City of High Point.

Mayor Bencini read the Proclamation into the record proclaiming the first Thursday of May as "Real Estate Professionals Day" in the City of High Point and presented the Proclamation to Ed Terry and Joan Swift, HPRAR President.

170121 Proclamation - A Day of Prayer

Mayor Bencini will present a Proclamation to Fanta Dorley, Human Relations Manager, proclaiming “A Day of Prayer” in the City of High Point.

Mayor Bencini read the Proclamation into the record proclaiming the first Thursday of May as "A Day of Prayer" in the City of High Point and presented the Proclamation to Fanta Dorley, Human Relations Manager and to Rev. Angela Roberson, 1452 Cantwell Court, Pastor of Congregational Church of Christ in High Point. Following the presentation, Rev. Roberson recognized those committee members that were present who helped organize the event. She noted there would be two separate events that would be held on Thursday, May 4th at the Library Amphitheatre at 7:00 a.m. and 7:00 p.m. and invited everyone to attend.

170142 Proclamation - Travel & Tourism Week

Mayor Bencini will present a Proclamation to members of the High Point Convention & Visitors Bureau proclaiming May 1-7, 2017 as “Travel and Tourism Week” in the City of High Point.

Mayor Bencini read a Proclamation into the record proclaiming May 13, 2017 as "National Travel and Tourism Week" in the City of High Point urging the citizens of High Point to join in this special observance with appropriate events and commemorations. The Proclamation was presented to Bruce Davis, Chairman, High Point Convention & Visitors Bureau (HPCVB). Following the presentation, Mr. Davis recognized members of the HPCVB and

asked them to stand. He noted that they would be hosting many activities at the Regional Activities Center and proceeded to share their accomplishments.

170122 **VITA Recognitions**

Ms. Alisha Doulen, with 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.

Alisha Doulen and Lauren Atwell-Bass with the Community Development and Housing Department recognized and presented certificates to the volunteers who participated in the Volunteer Income Tax Assistance (VITA) program. She reported that the IRS representative could not be present to present the letter, and proceeded to read the letter from Steven Owens with the IRS into the record.

Those recognized were:

VITA Partners: High Point University; GTCC; Macedonia Family Resource Center; Salvation Army Boys and Girls Club; West End Ministries; YWCA Latino Family Center; United Way of Greater High Point
Family Service of the Piedmont/Consumer Credit Counseling

VITA Volunteers: Charisse Jones; Rob Purdie; Leon Spencer; Teta Moore; Sherry Huggins; Barbara McAdams; Yuliya Kraftchick; Andrea Picou; Kari Norris; Jeanne Lovette; Amber James; Krista Neelley; April Williams; Morgan Drucker; Robin Bryfogle; Lauren Batey; Brittany Whitlock; Mallory Bookser; Daniel Nimri; T'Keyah Johnson; Gregory Curry; Dakota Voelker; James Ensor; Dan Hurley; John Gibbons; Jerry Mingo; Maria Maora; and Juan Rvas.

This is the 11th year the City of High Point has participated in the IRS VITA Program, which is comprised of community volunteers and provides free tax preparation for low to moderate income households. We are excited to recognize our 2017 VITA partners and volunteers. The average adjusted income of the clients served was \$20,000 this year. Some of the highlights making it a record-setting year were reported as follows:

- ✓ Expanded locations from 4 sites to 6.
- ✓ Completed 66% more tax returns than the previous year (increase from 530 to 807 returns filed).
- ✓ Increased federal tax refunds from \$657,000 to over \$1 million in federal refunds, a 64% increase.
- ✓ Offered Spanish translation services for the first time through a new partnership with the YWCA Latino Family Center.
- ✓ Provided a new site at GTCC campus (first site located on a college campus).
- ✓ Provided clients with information on budgeting, credit repair and other financial management tools with the help of Family Service of the Piedmont's Consumer Credit Counseling.

STRATEGIC PLAN UPDATE**170123 Council will receive an update on the Strategic Plan from Council**

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

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 2017 activities as follows:

- 40 Minimum Housing Complaints
- 252 Active Minimum Housing cases
- 78 Active Backlog cases
- 84 Public Nuisance Complaints
- 294 Active Public Nuisance cases
- 15 Zoning Complaints (vehicles, signs, banners, etc....)
- 112 Signs collected

Chairman Golden noted the backlog of minimum housing cases from the old system has dropped significantly from 270 in May 2016 to 78 in April 2017.

Lori Loosemore, Local Codes Enforcement Supervisor, shared some before and after photographs of some of the public nuisance and demolition cases that staff has been working on (1022 Grace Street; 1009 Meredith Street).

Connect HP

Prosperity & Livability Committee Chairman Ewing reported that Connect HP had an open meeting on April 20th with approximately 30 young professionals attending. They are looking at having another young professionals open meeting in August or September. The Young Professionals Summit held in October of last year was a huge success and they are hoping to do another one in 2017. Chairman Ewing shared that Connect HP is looking to engage more and more people in these open meetings/forums and encouraged any young professionals wanting to get involved to contact him or Sara Belle Tate, Chair, Connect HP.

PUBLIC COMMENT PERIOD**170124 Public Comment Period**

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

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

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

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

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

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

The following people addressed Council during the Public Comment Period.

Glenn Chavis, 137 Orville Drive, addressed Council about the fire ant mounds in the city's right-of-way and asked about the plans to eradicate the infestation. He stated the fire ants pose a safety hazard and something should be done.

The following persons/organizations/affiliates spoke on behalf of and in support of increased funding for the Arts Council:

Debbie Lumpkins, Executive Director, High Point Arts Council

Dottie O'Connor, Piedmont Artists

Lisa Taylor, High Point Ballet

Brandy Yokley, High Point Community Theatre

Myranda Polk, High Point Community Concert Association (HPCCA)

Each provided a brief history on their organization and the services they provide and expressed how critical the funding is they get from the Arts Council for continuing the programs/services they offer. Myranda Polk with HPCCA sang a "jingle" she made up to the tune of "Doe, a Deer."

Larry Diggs, 1127 Biltmore Avenue, expressed concerns about the demolition of the old North State building and asked the City Council to consider finding some way to bring back a Greyhound bus station to High Point.

Tony Graham with Tigers football, Elite Performance Sports, a local non-profit in High Point, asked that the City Council consider approving \$5,000 in funding for them. He shared that they did submit an application, but did not receive any funds and heard that there was \$5,000 remaining from the outside agency funding that was not allocated.

Also, speaking in support of funding for Elite Performance Sports, Tigers Football program, were the following:

Shawn Zimmerman, Shawn Roseboro, Joshua Roseboro, Sydney Roseboro, Darren Ragland, Shay Ragland, Dalys Ragland, Dee Brown, Dejuan Poston. *These were coaches and youth who participate in the Tigers Football/Cheerleading Program.*

Cathy Harless, 2907 Ingleside Drive, addressed Council and proposed that Council consider a referendum for the taxpayers to decide whether or not they want to pay for a baseball park in the city.

Following Ms. Harless' comments, Mayor Bencini announced that the public comment period had gone over the allotted 30-minute time period allowed to receive comments and Council would proceed with the business on the Agenda.

CONSENT AGENDA ITEMS

Chairman J. Davis reported that the Finance Committee met on April 26th and recommended approval of the following finance items. He recommended that these matters be rolled into one motion for approval.

At this time, Chairman J. Davis moved to approve all finance-related matters on the Consent Agenda. Mayor Pro Tem Wagner made a second to the motion, 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 J. Davis, Chair

Committee Members: J. Davis, C. Davis, Alexander and Hill

170125 Contract - WatchGuard - Vehicle In-Car Cameras

Council is requested to award contract in the amount of \$45,818.00 to WatchGuard for the purchase of eight (8) in-car cameras for the Police Department.

Approved the contract with WatchGuard in the amount of \$45,818.00 for the purchase of in-car cameras for the Police Department.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

Absent (1): Council Member Williams

170126 Contract - Boundary Substation Equipment

Council is requested to award contracts to S & C Electric Company in the amount of \$115,918.00 and AZZ, Inc. in the amount of \$367,202.00 for equipment for the new Boundary Street Substation.

Approved the contract with S & C Electric Company in the amount of \$115,918.00 and with AZZ, Inc. in the amount of \$367,202.00.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

Absent (1): Council Member Williams

170127 Contract - Mast Arms for Downtown Intersections

Consideration of a sole source purchase of new traffic signal poles and mast arms from Atlantic Technical Sales of Chantilly, Virginia, in the amount of \$49,068.00 for installation at the intersection of North Main Street and Montlieu Avenue/Sunset Drive.

Approved the sole source purchase contract with Atlantic Technical Sales in the amount of \$49,068.00.

A motion was made by Council Member Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

Absent (1): Council Member Williams

170128 Contract - Kersey Valley Road Realignment Design

Council is requested to approve a professional engineering services agreement with WithersRavenel, Inc., in the amount of \$384,500.00 for the design of the Kersey Valley Road realignment to allow the city to extend the life of the Kersey Valley Landfill.

Approved the professional services agreement with WithersRavenel, Inc. in the amount of \$384,500.00 for installation of traffic poles at the intersection of North Main Street and Montlieu Avenue/Sunset Drive.

A motion was made by Council Member Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

Absent (1): Council Member Williams

170129 Contract Renewal - Concrete Supplier City Wide

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

Approved the renewal of the Hartley Ready Mix contract in the amount of \$106,425.00.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis
Absent (1): Council Member Williams

170130 Contract Extension - EZ-Go Golf Carts

Council is requested to extend the Golf Cart Program Contract with EZ-Go for one additional 3-year replacement cycle at no additional cost to the City. The annual value of the contract extension is \$124,505.00 which is the same annualized value in the FY 2016-2017 Annual Budget.

Approved the extension to the Golf Cart Program Contract with EZ-Go for one additional 3-year replacement cycle at no additional cost to the city (annual value of the contract extension is \$124,505.00 which is the same annualized value in the FY 2016-2017 Annual Budget.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis
Absent (1): Council Member Williams

170131 Purchase of Property - 1310 Timberlane Drive

Council is requested to authorize the City Attorney's office to proceed with the purchase of property located at 1310 Timberlane Drive in the amount of \$41,000.00. This property will be used for the expansion of the Oak Hollow Lake buffer area.

Authorized the City Attorney's office to proceed with the purchase of property located at 1310 Timberland Drive in the amount of \$41,000 for expansion of the Oak Hollow Lake buffer area.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis
Absent (1): Council Member Williams

REGULAR AGENDA ITEMS**FINANCE COMMITTEE** - Council Member J. Davis, Chair**170143 Elite Performance Sports NC, Inc. - Program Funding**

At the May 1, 2017 City Council Meeting, Council approved funding in the amount of \$5,000.00 for the Elite Performance Sports NC, Inc. (EPSNC, Inc.) for athletic programs and education enrichment activities for youth in the High Point community and surrounding area.

Approved \$5,000 in funding in the city's nonprofit allocation for Elite Performance Sports NC, Inc.

Council Member J. Davis MOVED to suspend the rules to include funding for Elite Performance Sports NC, Inc. in the amount of \$5,000, which was seconded by Mayor Pro Tem Wagner and carried unanimously. [8-0 vote] [Council Member Williams was absent]

A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this matter be approved. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

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

Committee Members: Golden, Alexander, Ewing and Williams

170132 Community Development and Housing Department 2017-2018 Annual Action Plan

The Community Development and Housing Department is requesting City Council approval of the 2017-2018 Annual Action Plan. The plan was approved by the Citizens Advisory Council at their meeting on Thursday, March 23, 2017 and has been available for public review for 30 days.

Mike McNair, Director of Community Housing & Development, advised that staff held the public hearing on the Annual Action Plan last month. Following any questions, he asked for Council's approval of the plan and to authorize the city manager to execute any necessary documents.

Council Member C. Davis asked Mr. McNair to state for the record that staff may have to bring the plan back for review by Council. Mr. McNair explained that staff would not know until another 30-60 days what the actual numbers are, but HUD requires the Annual Action Plan be submitted to them by May 15th to meet the statutory deadline. He further explained that the final plan has to match the numbers contained in the HUD letter. Once this information is received, staff will bring it back to Council for an amendment to the plan.

Chairman Golden asked if any feedback was received during the 30-day feedback/review period. Mr. McNair advised that staff did get a request to bring Operation In As Much (OIAM) to the Macedonia area, which they will take a look at it although an area has not yet been selected for the next OIAM event. He pointed out all comments received will be incorporated into the plan to be submitted to HUD.

There being no further questions, Council approved the Annual Action Plan as submitted by staff and authorized the city manager to execute any necessary documents.

A motion was made by Council Member Davis, seconded by Mayor Pro Tem Wagner, that the 2017-2018 Annual Actin Plan be approved and to authorize the city manager to execute any necessary documents associated with the Annual Action Plan. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

170141 Public Hearing - Minimum Housing Ordinance

Monday, May 1, 2017 is the date and time established to receive public comment on the City of High Point Minimum House Ordinance and at the close of the public hearing Council is requested to adopt the ordinance amending the City of High Point Minimum Housing Code. At the May 1st Council Meeting, this item was deferred to the June 5th Council Meeting.

Chairman Golden stated this is the date and time to receive public comment regarding the proposed Minimum Housing Ordinance and opened the public hearing.

Judy Stalder, addressed Council on behalf of TREBIC (Triad Real Estate Building and Industry Coalition). She advised that they have reviewed the Minimum Housing Ordinance as it is proposed and had the following concerns:

1. No provisions for "tiny houses" and they would like to ensure that the Minimum Housing Code and the current Development Ordinance can support such development.

2. The second concern was with the boarding up of homes after one year and the requirement that something has to be done with the structure. They want to make sure that if the boarding up is the election of the investor or owner, that this provision does not apply.

Ms. Stalder explained that oftentimes investors buy several houses at once, board and secure them, take care of the lots, and need some additional time to determine whether or not they are going to rehab the houses or demolish them. She pointed out that this assessment sometimes takes longer than one year. City Attorney JoAnne Carlyle advised that she does not interpret the boarding up to apply in this manner and asked Lori Loosemore, Local Codes Enforcement Supervisor, to elaborate on the concerns regarding the "tiny houses."

Ms. Loosemore advised that she did not believe the "tiny houses" are yet allowed in North Carolina and are not regulated by the NC General Statutes, so there is no mention o fthe

"tiny houses" in the proposed Minimum Housing Ordinance. She added that revisions could be made to the Minimum Housing Code regulations if the State Statutes or the Building Code changes to permit the "tiny houses."

Council Member C. Davis pointed out Greensboro allows tiny houses and asked if the same statute would not apply to High Point. Ms. Stalder confirmed that there is a "tiny house" subdivision in Greensboro and they have recently changed their parking regulations to reduce the amount of parking required for the "tiny houses."

Council Member J. Davis asked if anyone from staff has reached out to the High Point Region Area Realtors because he understands they do have some questions. One regarding exterior painting and who makes the determination if there is peeling paint because there is no language in the ordinance as to who makes that determination. Ms. Loosemore replied that the inspector makes the determination. Council Member J. Davis expressed concerns because he felt it was subjective and a matter of interpretation. Ms. Loosemore advised that "peeling paint" would not be a violation of the Minimum Housing Code.

Council Member C. Davis stated she, too, heard from the realtors and they would like time to review the ordinance. She asked that action be delayed for two weeks until the next Council meeting to allow the HPRAR and its members to review the Minimum Housing Ordinance.

Chairman Golden suggested to delay it for 30 days.

Mayor Pro Tem Wagner then MOVED to delay adoption of this matter for 30 days and continue the public hearing until June 5th at 5:30 p.m. Council Member Ewing made a SECOND to the motion. The MOTION CARRIED unanimously. [8-0 vote]

Ms. Loosemore advised that she would be meeting with the realtors on June 13th, which would stretch beyond the 30-day delay. There were some concerns whether the 30-day delay would be adequate. Council Member Ewing stated their Governmental Affairs Committee would be meeting next Thursday, May 11th at 9:00 a.m., and this should be who Ms. Loosemore meets with.

A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Ewing, that this matter be deferred for 30 days and to continue the public hearing until June 5, 2017 at 5:30 p.m. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

170133 Ordinance - Demolition of Structure - 314 Model Farm Road

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 314 Model Farm Road belonging to Sheikh Khalid Mehmood.

Lori Loosemore, Local Codes Enforcement Supervisor, reported this case was opened due to complaints received from the neighbors that it was unsecured. It was originally inspected on December 13, 2016, at which time the following violations were cited:

- ✓ Roof sheathing/covering needed to be repaired/replaced;
- ✓ damaged floor joist beams
- ✓ Wall studs throughout the house should be repaired/replaced
- ✓ Sub-floor in need of repair throughout the house; and
- ✓ Exterior wall sheathing/covering needed to be repaired/replaced.

The hearing was held on January 20, 2017 and no one appeared for the hearing. At that time a determination was made that there were major code violations and the structure did not meet the Minimum Housing Standards. An Order to Repair or Demolish was issued with a compliance date of March 3, 2017, but no repairs have been made and no permits have been applied for. Ms. Loosemore pointed out over \$6,000 is owed for delinquent property taxes. The owner has moved back to Kuwait, but Ms. Loosemore did talk with the son. She explained that staff was directed to mail the notices to the 314 Model Farm Road address and they have been receiving their mail there.

At this time, Chairman Golden, asked if there was anyone present to speak regarding this housing case. There was not one present to speak.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 314 Model Farm Road.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Wagner, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 314 Model Farm Road be adopted. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

Ordinance No. 7289/17-31

Introduced 5/1/2017; Adopted 5/1/2017

Ordinance Book, Volume XIX, Page 172

170134 Ordinance - Demolition of Structure - 1206 E. Martin Luther King, Jr. Drive

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 1206 E. Martin Luther King, Jr., Drive belonging to Paul & Frances Prock.

Lori Loosemore, Local Codes Enforcement Supervisor, reported this property was originally inspected on November 14, 2016 and advised the roof is collapsing. The first inspection on November 14, 2016 revealed several violations:

- ✓ Repair/Replace entire roof, including rafters
- ✓ Repair/replace sheathing/covering
- ✓ Broken windows
- ✓ Missing plumbing fixtures
- ✓ Repair/replace rotten flooring throughout the house and interior steps

A hearing was held on January 10, 2017, but no one appeared for the hearing. Staff issued an Order to Repair or Demolish on February 14, 2017 with a compliance date of March 17, 2017, but the work has not been completed and no permits have been applied for.

No one was present at tonight's meeting to speak regarding this property.

Adopted an Ordinance ordering the inspector to effectuate the demolition of a structure located at 1206 E. Martin Luther King, Jr. Drive.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Wagner, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 1206 E. Martin Luther King, Jr. Drive be adopted. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

**Ordinance No. 7290/17-32
Introduced 5/1/2017; Adopted 5/1/2017
Ordinance Book, Volume XIX, Page 173**

170135 Ordinance - Demolition of Structure - 408 Vine Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 408 Vine Street belonging to Dennis Phillips.

Lori Loosemore, Local Codes Enforcement Supervisor, reported staff originally inspected this property on January 26, 2017 and noted that this property was identified in the UNC-G study as one of the properties in need of attention.

An inspection of the property was held on January 26, 2017 with the following violations cited:

- ✓ Repair/replace roof sheathing/covering
- ✓ Repair/replace damaged fly rafters and rafter tales
- ✓ Repair/replace porch, columns, ceiling supports and damaged ceiling material throughout the house
- ✓ Repair/replace damaged piers

A hearing was held on February 20, 2017, but no one appeared. an Order to repair/demolish was issued with a compliance date of March 24, 2017. Staff has had no communication from the owner and no permits have been pulled; repairs have not been completed.

No one was present at tonight's meeting to speak regarding this housing case.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 408 Vine Street.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Wagner, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 408 Vine Street be adopted. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis
Absent (1): Council Member Williams

**Ordinance No. 7289/17-33
Introduced 5/1/2017; Adopted 5/1/2017
Ordinance Book, Volume XIX, Page 174**

PENDING ITEMS

170077 Ordinance - Demolition of Structure - 901 East Green Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 901 East Green Street belonging to AR-MEL Investments.

This matter originally appeared on the March 20, 2017 High Point City Council Agenda, but at the advice of City Attorney JoAnne Carlyle, it was pulled from the agenda, but would be brought back for consideration.

Staff is requesting the ordinance to demolish this property be adopted. Reggie Hucks, Inspections Administrator, confirmed that staff sent out notices to all associated parties, publicly noticed the building and ran an ad in the paper concerning the condemnation hearing. Staff held the hearing and determined that the buildings should be demolished because they are unsafe. Mr. Hucks then shared some photos of the building's current condition.

There was no one present to speak regarding this matter.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 901 East Green Street.

A motion was made by Council Member Golden, seconded by Council Member Alexander, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 901 E. Green Street be adopted. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis
Absent (1): Council Member Williams

**Ordinance No. 7292/17-34
Introduced 3/20/2017; Adopted 5/1/2017
Ordinance Book, Volume XIX, Page 175**

170078 Ordinance - Demolition of Structure - 903 East Green Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 903 East Green Street belonging to AR-MEL Investments.

This matter originally appeared on the March 20, 2017 High Point City Council Agenda, but at the advice of City Attorney JoAnne Carlyle, it was pulled from the agenda, but would be brought back for consideration.

Staff is requesting the ordinance to demolish this property be adopted. Reggie Hucks, Inspections Administrator, confirmed that staff sent out notices to all associated parties, publicly noticed the building and ran an ad in the paper concerning the condemnation hearing. Staff held the hearing and determined that the buildings should be demolished because they are unsafe. Mr. Hucks then shared some photos of the building's current condition.

There was no one present to speak regarding this matter.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 903 East Green Street.

A motion was made by Council Member Golden, seconded by Council Member Alexander, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 903 E. Green Street be adopted. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

Ordinance No. 7293/17-35

Introduced 3/20/2017; Adopted 5/1/2017

Ordinance Book Volume XIX, Page 176

170079 Ordinance - Demolition of Structure - 905 East Green Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 905 East Green Street belonging to AR-MEL Investments.

This matter originally appeared on the March 20, 2017 High Point City Council Agenda, but at the advice of City Attorney JoAnne Carlyle, it was pulled from the agenda, but would be brought back for consideration.

Staff is requesting the ordinance to demolish this property be adopted. Reggie Hucks, Inspections Administrator, confirmed that staff sent out notices to all associated parties, publicly noticed the building and ran an ad in the paper concerning the condemnation hearing. Staff held the hearing and determined that the buildings should be demolished because they are unsafe. Mr. Hucks then shared some photos of the building's current condition.

There was no one present to speak regarding this matter.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 905 East Green Street.

A motion was made by Council Member Golden, seconded by Council Member Alexander, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 905 E. Green Street be adopted. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

Ordinance No. 7294/17-36

Introduced 3/20/2017; Adopted 5/1/2017

Ordinance Book, XIX, Page 177

160330

Ordinance - Demolition of Structure - 512 Hines Street

Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 512 Hines Street belonging to Eliseo Zavala. (At the November 7, 2016 meeting this item was deferred to the December 5, 2016 Council Meeting. At the December 5, 2016 Council Meeting, Council deferred this item for 60 days or until the February 6, 2017 Council Meeting. At the February 6, 2017 meeting this item was placed back on the pending list. At the May 1st Council Meeting this item was discussed and deferred for two weeks or until the May 15th meeting.

_____Transcript: May 1, 2017_____

Lori Loosemore: *This property was originally heard before Council on November 7, 2016. It was continued until December 5, 2016 and then heard again on February 6, 2017.*

The reason I decided to go ahead and bring it back before City Council is during that time when the owner was here, he stated that he would have the repairs completed and he had the ability to get it done and the knowledge of friends to get the work completed. Since then, a significant or substantial amount of work has not taken place. He did call in for some inspections and they all had failed for various reasons until this past week, he called in an inspection and was passed on the 27th. He passed his partial floor framing and his footing on the 27th, which I believe was last Thursday.

But I do have some pictures from when it was heard originally. This is the way the house looked on the exterior on October 28, 2016 and that's an exterior taken on April 20, 2017.

This was an interior picture that was made on October 12, 2016. He has gone in and what he just had passed last week was the framing of this floor and the piers underneath that had to be added. So, that's what it looked like previously and this is what it looked like when we were there this past week. So, everything is still exposed and no electrical, plumbing, mechanical, anything else has taken place. So, it appears after I sent the notification that it would be coming back before Council, that's when Mr. Zavala called to get these most recent inspections taken care of. They did pass, which was great. But we're kind of at a quandary

because enough repairs really have not been completed and moved forward as previously promised.

Mr. Zavala is here.

Chairman Golden: *We'll hear from him.*

Eliseo Zavala: *Can I proceed and give you these pictures?*

You can see in the pictures the reason I haven't made a lot of progress is because I've been fighting with the weather and little things like I can't get my inspections done because of the weather. Second, I missed 16 nails on the floor joist for the entire house. Last time when I came here, the inspector told me I had to put 4 more nails under the layer. So, I nailed the whole house and I missed 16 nails and when I went to the inspector and asked if I could put in those 16 nails, he told me no. He said you will have to recall for an inspection. And that's what I did. But then I asked what about the footing? It has to be between 10-12 inches and I measured every single one because he made me dig it out so he could see it. So, I went back and dugged every single one. By the time the inspector came it was raining all the time and my job has gone 7-5:30. When it's not raining, I go over, but it's still wet with water and you see in the basement there's a lot of water too. So, I couldn't call for an inspection. I called Ms. Lori and the first time she don't answer the phone, the next week I called and left her a message and told her the situation why I can't get the inspections for the footings. She returned my call the next week and I asked her why I had this letter to bring it back to Council and she said because you haven't made any progress on the house. I explained what the situation was with the weather. And little things like the inspector went on vacation and then I wait another week and I called to see if I could get it inspected and they sent me a different inspector. When that inspector came.... well they set up the inspection for the date and the inspector never verified to call me with the time. I had to leave my work to meet him at the house. So, I called around 2:00 p.m. and he said it was too late, so he wanted me to cancel the inspection and reschedule within the next three days. That's what I did again. Then when I got back over there, you know, he said he had some notes on his computer saying that all the footings had to be inspected. So, I say that's not what I thought, he said only the ones that he wanted every six feet that I missed. And he said no, well you might have to wait for him to come back from his vacation. I said okay and rescheduled the inspection and waited for him to come back. When he came back it was raining again and we met at the house and three holes had water. He said I can't inspect it, I have to wait for it to dry out. So, we waited until next week and it's still wet. He said why don't you call for framing, did you get done with the framing and I said yes. I called for framing, it was inspected and there were 16 nails missing on the floor joists. I said I can't put more nails in that because it's going to break the wood. He said when you put hangars, you have to put four nails on both sides and four nails in the front. I said Okay I'll do it. I said do you want me to do it right now, I'll do it right now. He said no, call for another inspection. I called for another inspection and it passed after I put in the 16 nails. I take pictures just in case, the footings are dry now and I said can you pass it and he said okay and he passed it again. My footings passed and partial framing passed. Then I said can I start working now in the house and he said get the leaks in the roof fixed and you can put in your insulation. So, I went in advance and put some wire underneath the house, that way I don't have to pull my insulation from the bottom so I can just lay my insulation and I don't have to worry about it so I can move fast

and I went ahead and start doing my plumbing. After I finished pulling the wire all around the house underneath, then I want to put in the plumbing. That way I don't have to go underneath. I will call him tomorrow for him to come take a look at the roof and inspect it to make sure there are no leaks, so I can lay my insulation in my floors because I've already got the insulation and I've already got the floors. That's all. I've been trying to do it as fast as I can. I fight with the winter too. I try to communicate with Ms. Lori as much as I can, but I can't keep calling her and say I can't do this or this. I'm going to call her when I say okay I passed inspections and she just babysits me about why I can't do this or I can't do that and that's the reason I have been moving a little bit slow.

Chairman Golden: *Lori, what was the first date that we gave him for compliance?*

Lori Loosemore: *Originally, it was heard on November 7th and he came back in December, then again it was continued to February 6th.*

Chairman Golden: *And he was supposed to be complete by the 6th. I do remember when someone asked if he had the time and the resources to comply with what we were asking and he said yes. Is my memory, right?*

Lori Loosemore: *Yes.*

Chairman Golden: *Anybody else got anything to say?*

Council Member J. Davis: *Lori, since he has pulled a permit and he has passed two inspections. You know the way the state looks at that is that if he gets an inspection within a year of the issue of that permit, that permit is still good. I don't think as a body, now that he has pulled a permit and has passed two inspections that we have the authority to issue a Stop Work Order and demolish his property. Only the inspector can issue a Stop Work Order for workmanship or quality of materials.*

So personally, I don't think that.... he may not be moving in a timely manner, but I don't think that we really have any authority. And the other thing that bothers me is that we want to revitalize our core and here we have a gentleman coming to us every time and he's trying to make an effort. He's at least pulled a permit and he's getting inspections and I'm very familiar with Herman Hoffner and it will be a very thorough inspection. So, I don't know how you want to handle this, Jeff.

Lori Loosemore: *And it's my understanding and I don't know if Ms. Carlyle has any other knowledge of it, but it's my understanding that when someone pulls a permit, it does not mean that the minimum housing process stops because people would pull permits to work around that.*

Council Member J. Davis: *I know that, but he's actually got two inspections that passed.*

Lori Loosemore: *Right and that's since the last time he got a notice.*

Council Member J. Davis: *So, he has time and he can move on.*

Lori Loosemore: *I'm open to suggestions.*

Council Member J. Davis: *If we issue an order for demolish tonight, then my advice would be to call the NC Department of Insurance and sue us.*

Council Member C. Davis: *It's somebody that's really trying to put forth an effort. He's putting forth the effort. He can't control the rain. He can't control vacation. He can't control availability of staff, but he has shown that he is willing to make the repairs and he is trying. Whereas, as Councilman Davis said, we've got people that don't even show up in the previous cases. But this is the part that concerns me with the process that we're dealing with in the blight, although I support the blight part and taking care of the blight within the city, we also have to be friendly enough that when we've got somebody that's trying, you do have to stay in contact with her so she can babysit you through the process to make sure it gets done because it has to get done. Okay? And you have to make sure that you're in continuous contact with her so you don't have to dig something out and you don't have to undo something you've already done. That way, you can move forward. I just see somebody in front of us that's trying to put forth a good effort. I know that over on southside on Friday I rode around with an individual over there and there were several houses that were horrendous, but looked like mansions over on southside. And if the time and care is done and you're able to do the work and get your inspections in a timely fashion and don't quit the work.*

Council Member J. Davis: *I think if the inspector determines that the quality of workmanship or he don't have the knowledge or the materials or if it's not proper or this and that, he can issue a Stop Work Order. Then it becomes a different animal.*

City Attorney JoAnne Carlyle: *And that's what I was going to say. I mean that may be something that Lori has information on. I don't know what procedure would be available. I totally agree with your inspector because people could just come and get the permit and we would be around and around and around. Another thing, you know, that I think is most regretful, Council Member Golden is correct. The gentleman gave you a timetable and he promised a time and did say that he had the manpower and the resources and really the evidence is in yours and your inspector's decision. She's come to you and Lori I don't want to put words in your mouth, but I think she's coming to you tonight and saying look I don't think this is going to happen. I don't see the manpower; I don't see the resources. He's not stood by what he has presented to you as his agreement for the extension of time. I don't know. You and Lori I would have to defer to the process, but to correct what you were referring to a while ago from the city getting into trouble, yeah Lori could possibly do a Stop Work Order. I just don't know enough about the facts to say that.*

Council Member J. Davis: *The thing is there are certain things required before you get to the next inspection. We were told he hasn't pulled the electrical, hasn't had a plumbing inspection. Well he can't get those unless he gets a footing inspection, which he got on Thursday. So, you know, he can't even do that.*

City Attorney Carlyle: *I guess I'm taking it somewhat out of.... because this is a legislative decision for you guys. It's not quasi-judicial, so you've got a lot more leeway. So, I guess my other question to you is do you have any heartburn or do you mind discussing how you feel about it? It does look like the reason he did what he did was because he knew another hearing before you guys was coming up.*

Council Member J. Davis: Well my personal feelings is we have so many other houses that need demolishing outside of this one. I think that if he's willing to work. We keep revisiting this thing and if it gets to the point where the inspectors issue a Stop Work Order because it will get to that point one of these days if nothing progresses. That's when we take action.

Council Member Ewing: For me, if I remember right, I believe it was in February. We went November, December, February, correct? And February was when we set this date and I recall in this case making the statement that if you didn't feel that you could get this work done on your own by May 1st, you needed to hire somebody who could get it done by May 1st. And, you know, if somebody wants to build a house one board at a time, they can do that but it's going to take them 20 some years to do it. So, we can let this continue to go on and on and on, but I think we did that a few years ago with an apartment complex over on Meredith and that turned out to be a huge problem and set a major precedent and I think we need to reverse that precedent. We've given ample time, in my opinion, to either get it fixed or hire somebody to fix it and it hasn't been substantial improvement. So, with that, I MOVE THAT WE AUTHORIZE DEMOLITION.

Mayor Bencini: We have a MOTION. Is there a SECOND?

Chairman Golden: I'm going to say this.

Mayor Pro Tem Wagner: I'll SECOND IT.

Chairman Golden: My fear is what it was last time. I would hate to see him invest a whole lot of money in this property and we end up tearing it down anyway and I said that then. That's why I'm so strict on maintaining these timelines.

Council Member Ewing: That's specifically why I said if you can't get it done by May 1, you've got to hire somebody to do it.

Council Member J. Davis: I'm going to go on record and vote NO.

Mayor Bencini: We're not voting yet.

Council Member J. Davis: I'm just saying. If he contacts the NC Department of Insurance because they govern the board of general contractors and the permitting process, they'll have a different ruling than what this body is doing.

Mayor Bencini: So I guess the question, Madam Attorney, is do we have the authority to enact the ordinance to demolish or not?

City Attorney Carlyle: I believe you do. Yes, I believe you do. Whether there's some exposure as Council Member J. Davis has referenced, I apologize I don't know enough about that area of law. There is some additional information that your inspector may want to share with you. It's right along the lines with what Council Member Ewing already mentioned and those are the deadlines where there's clearly a record where he's been directed to do and it looks like there's no response there..

Council Member C. Davis: *I would like to say that, you know, this particular case is one of the reasons I'm having such a hard time with an item we have later on in the evening. We have somebody that's actually trying and showing up for the meetings. The Meredith Street apartments, we had representatives, but never really the owner. We've got the owner here and he is putting forth the effort and there may be properties that come up that are less blighted than this particular one where someone may not have the resources and need that additional time and I just think that if we're supposed to be a business-friendly city and I realize the deadlines have been there, but he has done what he said he was going to do in regards to making progress. Again, the roof is leaking. Do you want him to work in the rain? Would you work in the rain? I don't think you would, but he is trying. I can't in good conscience say that I would vote for this tonight on the Yes side because I clearly see somebody who is willing to try.*

Now I'm going to bat for you and mr. Davis is going to bat for you. There's insulation you said that you have. You said that you have flooring. All those things. You've got people batting for you, so you're going to have to make sure that if this Council decides to whatever they decide if it's in your favor, you're really going to have to man up and get her done.

City Attorney Carlyle: *Mayor, Council, I don't want to throw an extra wrinkle into it, but I don't feel that I can give you a really solid opinion based on what I've heard. And the wrinkle being that I, of all people, don't want to have to ask for additional time, but if you could possibly give me until the next meeting to do some research and see what solid footing we're on as far as the Stop Work Order.*

Council Member J. Davis: *I would feel more comfortable with that because I don't want to have to buy that property.*

City Attorney Carlyle: *It's just not my area of law, but I can certainly research it and get it back to you.*

Council Member C. Davis: *Then I'll make a SUBSTITUTE MOTION that we table the item two weeks.*

Mayor Bencini: *The implication is he's also got two weeks.*

City Attorney Carlyle: *That is true and I hate to throw the wrinkle out and me be the cause of it, but I would really like the opportunity to research it so I can give you something you can rely on.*

Council Member C. Davis: *Well the city attorney as asking for more time, so I said the two weeks in order to give the city attorney time to do her thing. The owner is making progress.*

Mayor Bencini: *Well we'll revisit what he is doing in two weeks along with what information she finds out statutorily about what we can and cannot do.*

Council Member C. Davis: *So you should have the flooring and your insulation in and another inspection in two weeks.*

City Attorney Carlyle: *Is that a MOTION?*

Council Member J. Davis: *Let's back track. He cannot have his insulation and flooring in.*

Mayor Bencini: *Well he said he could.*

Council Member J. Davis: *I'm just saying for our inspection department, by statute the next step he will have to do electrical, HVAC and plumbing. Get those inspections before insulation inspection.*

Mayor Bencini: *This is not.... I'm not trying to be facetious, but maybe we ought to give him another year. Where do we go with this?*

Council Member Alexander: *Well the problem is that we should have dealt with it the first time.*

Mayor Pro Tem Wagner: *The longer this goes and the farther he gets into it, the harder it is to do anything.*

Council Member Alexander: *This has got dug out. He's put in money. He's put in time and effort. I mean how fast can you sail this ship?*

Council Member C. Davis: *But it's his time and his money Mr. Alexander and he is making progress unlike some of the other houses that didn't even show up tonight. He is trying.*

Council Member Alexander: *But if you have property next to a boarded-up home, you're impacted.*

Council Member C. Davis: *I understand, but there's a lot of properties throughout the city in areas where there are nice homes that are boarded up and they aren't here. Just like the ones that we done earlier this evening. They didn't even bother to show. You've got a physical person in front of you who has gotten inspections that have passed and he's putting in the effort.*

Mayor Bencini: *The motion is to kick the can down the road two weeks. Any further discussion?*

Council Member Ewing: *If we do delay this two weeks, or can we take action if you find something as an alternate, can we reverse it in two weeks.*

City Attorney Carlyle: *I will give you plenty of information at that time, as much as I can from a legal standpoint so you will know legally what you can do and what your exposures are.*

Chairman Golden: *Do we have to move on that first motion, or do we just go straight to the SUBSTITUTE motion?*

Council Member J. Davis: *So what is the MOTION?*

Mayor Pro Tem Wagner: *To delay it two weeks.*

Council Member Alexander: *What is the tax value on the house?*

Lori Loosemore: *Appraised building value is \$100.*

Council Member Alexander: *That's your exposure.*

Council Member C. Davis: *Well that's the American Dream, though, Mr. Alexander. He has a dream and we don't have the right to take that from him.*

I call the question.

Mayor Bencini: *Anybody else? [none] Okay I would advise this, if you'd just keep an eye and see what else happens between now and two weeks from now. All those in favor, say Aye.*

The motion CARRIED on a 5-3 vote as follows:

Aye (5): Council Member Golden, Council Member Hill, Mayor Bencini, Council Member J. Davis, and Council Member C. Davis
Nay (3): Council Member Ewing, Mayor Pro Tem Wagner, and Council Member Alexander
Absent (1): Council Member Williams

170103 Ordinance - Demolition of Structure - 613 Manley Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 613 Manley Street belonging to Joshua and Sarah Stahl.

Note: This matter was heard by Council on April 3, 2017 and was placed on the Pending list at the request of the inspector. Matter is due back in 30 days.

PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing, Chair

Committee Members: Ewing, Williams, Hill and Wagner

170136 City of High Point Pedestrian Plan

Council is requested to approve a Pedestrian Plan for the City of High Point. This is required by the North Carolina Department of Transportation as part of the grant received by the NCDOT Division of Bicycle and Pedestrian Transportation. This plan was approved by the Prosperity & Livability Committee at their April 5, 2017.

Greg Venable, Transportation Planning Administrator for the City of High Point Department of Transportation, provided a brief history of the Pedestrian Plan. The city applied for a matching grant through NCDOT for a Pedestrian Plan. This plan was developed over the past year and a half, which included an extensive public comment period. He then introduced Jennifer Baldwin with Alta Planning+ Design, consultants for the project.

Ms. Baldwin provided an overview of the Pedestrian Plan presentation, which is hereby attached in Legistar as a permanent part of these proceedings.

She reported that the plan included an extensive public outreach and they actually went out into the community to hear from residents about where they are currently walking, where they want to be able to walk and where they are experiencing challenges such as crossing the streets or accessing transit. During this process, they created a website and had an on-line interactive map where people could draw routes and place dots on challenging locations. City staff also set up a lobby display in City Hall, which got a lot of attention and they received great feedback on their survey.

A lot of time was spent looking at existing programs and new programs that other cities in North Carolina and across the country have implemented in an effort to educate all users, all roadway users about the rules of the road, to yield to pedestrians in crosswalks, as well as encourage people to walk to venues of interest instead of driving everywhere.

The New Sidewalk recommendations are identified in the Plan (104 projects, 70 miles of proposed sidewalks). The Enhanced Corridors mentioned in the Plan are major thoroughfares that can benefit from arterial-level traffic calming (such as refuge islands, lane reductions, sidewalks, etc.) and improvement of pedestrian amenities (such as pedestrian scale lighting). Recommendations for the Enhanced Corridor category include 21 projects, 28 miles proposed). In these areas, Ms. Baldwin explained they are high traffic, high speed areas and in order to promote more use of sidewalks, more investment is needed such as street lights, better transit accommodations, separation from roadways, etc....

The Micro Gaps are short gaps of sidewalks 500 feet or less in the existing sidewalk network and consisting of a recommendation of 16 projects, 1.2 miles proposed. These are recognized in the Plan as opportunities to fill these gaps and treat them like a maintenance project that would not require as much investment as in some of the corridors that have more needs.

The Plan also includes identification of Intersection Improvements and looked at several corridors running through downtown and across the city. It identified intersections that do not have any type of pedestrian accommodations and consists of 183 proposed intersection improvements.

The final category in the Plan is the Limited Access Crossings. Ms. Baldwin explained these are where there is a lot of major DOT highways with limited access that cuts off communities and the only way to access services and get around is to cross these limited access highways so the bridges need to be accommodating to pedestrian access and travel. Approximately ten locations were inventoried and grouped depending on their implementation difficulties. Ms. Baldwin pointed out this will be helpful to the city and puts a process in place as NCDOT considers improvements to highways with bridge replacement projects. The Green Street/US 311 area was included as an example.

They looked at Transit Amenities to make the experience better for transit riders due to the importance of accessing transit and improving pedestrian access to transit, equitable access

as a priority of the Plan. some of the recommended improvements were: lighting, bus route information, shelter, bike parking, trash receptacle, bench, public art, etc....).

The consultants reviewed the Existing Prioritization Process that the city currently has and made a few tweaks and recommendations. The process was split into the following six main categories:

- 1. Demand*
- 2. Safety*
- 3. Equity*
- 4. Existing Speed Limits*
- 5. Micro Gap*
- 6. Transit Access*

This resulted in the prioritized project list. One of the highest priority sidewalk projects that was ranked at the top was Triangle Lake Road. Ms. Baldwin shared a photo of a simulation of this area to show what the sidewalks could look like if improvements are made. Another corridor that was repeatedly mentioned by residents was the Main Street area, which can oftentimes be very difficult to access and cross. She shared a drawing showing what these enhanced corridors could look like with the introduction of street elements such as a tree-lined median, better bus stop accommodations, a shelter, wayfinding to help show pedestrians how far it is to various amenities, etc....

The final phase of the plan identifies Implementation Strategies and it identifies the various available funding sources for local, statewide and federal funds that are available for pedestrian improvement projects. It also identifies the various stakeholders that could have a part in the Implementation Plan.

At the conclusion of Ms. Baldwin's presentation, she entertained questions.

Council Member J. Davis asked about the status of the Lexington Avenue/Main Street project that was identified by Council as a priority and authorized four years ago, but nothing has yet been done. Ms. Baldwin noted although she was not familiar with the history for this specific intersection, having an adopted plan and priority helps to elevate projects to receive more funding. Mark McDonald, Director of Transportation, explained it got tied up in the design/review process because state funds were involved to make the upgrades (i.e. new traffic signal, amenities, crosswalks, etc....). He noted initially the cost estimate for the project was \$140,000 from NCDOT with a match from the city, and since that time, the city has requested additional funding for this project. He clarified that the project has not fallen off the radar, it will just take longer.

Council Member Alexander expressed concerns about the situations in many neighborhoods involving conflict with residents who like to plant trees near sidewalks causing damage to the sidewalk due to the tree roots and asked if it might be possible to establish a policy dealing with these situations. Council Member Ewing suggested this could possibly be a topic for discussion by the Prosperity & Livability Committee. Council Member C. Davis questioned the policy being assigned to the Prosperity & Livability Committee instead of the Planning and Development Committee. Mayor Pro Tem Wagner noted it is really not about a zoning

issue, so he felt the assignment to the Prosperity & Livability Committee was appropriate. He felt it was mainly a design question and education on the types of trees that should be planted.

Ms. Baldwin agreed it is a design consideration and pointed out there are design guidelines in the Pedestrian Plan that deals with tree root coverage and clearance zone for building new sidewalks. She shared that even cities with robust policies still have these emotional discussions and there is no way to 100% avoid it. Council Member Alexander felt the right tools have to be in place in order to build a meaningful sidewalk system and was concerned that the city is spending tens of thousands of dollars annually in repairing sidewalks because of vegetative/root damage.

Council Member C. Davis shared that some in the community have voiced concerns to her regarding adopting the plan because of the diagrams/recommendations of some of the streets such as Main Street and asked if these were merely proposals or if they were absolutes because they were concerned Main Street might be dieted down. Council Member Ewing reiterated that this is just an illustrative plan that would show what the focus and expectations are and make it easier for NCDOT approval or other approvals/grant options and noted that any future projects would come to Council for review/approval.

Council Member Ewing then MOVED APPROVAL of the Pedestrian Plan. Council Member Wagner made a second.

For further discussion, Council Member C. Davis stated she would support the MOTION on the floor knowing that each project will come back to the Council before implementation.

The motion carried by a unanimous 8-0 vote.

A motion was made by Council Member Ewing, seconded by Council Member Alexander, that the City of High Point Pedestrian Plan be adopted. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

GENERAL BUSINESS AGENDA

170137 Presentation of the Proposed 2017-2018 City of High Point Annual Budget

The proposed 2017-2018 City of High Point Annual Budget will be presented to City Council and Council is requested to establish the date of Monday, May 15, 2017 at 5:30 p.m. to receive public comments on the proposed budget.

Eric Olmedo, Budget & Administrative Director, presented the City Manager's proposed FY 2017-2018 Budget. Following his presentation, he asked Council to establish May 15th at 5:30 p.m. as the date and time to receive public comment on the proposed budget.

The Policy Goals were reported as follows:

- ✓ Maintain current service levels
- ✓ Continue to address Council Strategic Plan initiatives
- ✓ Increase the population of active, engaged, and entrepreneurial and working millennials 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

The Proposed 2017-2018 Budget focuses on:

- ✓ Continuing the Police Officer Staffing Plan by adding an additional 8 police officer positions;
- ✓ Adds 1 crime analyst position for enhanced crime data analysis
- ✓ Upgrades police officer position to police supervisor, to focus on public information and will lead the
- ✓ Community Outreach unit
- ✓ Reduces deferred maintenance of city assets by addition of two facility maintenance technicians and upgrading of two existing positions.
- ✓ Adds an accountant position to address critical fiscal issues
- ✓ Adds 5 apprentice positions and 7 seasonable positions in Public Services
- ✓ Staffing realignments in Parks and Recreation and Library which will change the personnel complement, but revenue neutral
- ✓ 2018 Employee Pay for Performance program. A budgeted increase of 3% allows the continuation of a 0% - 4% increase based on merit
- ✓ Continued investment of \$500,000 funding for Core City Redevelopment efforts
- ✓ Continued support of Forward High Point- \$250,000
- ✓ Increases annual street resurfacing funding from \$2.315 million to \$2.45 million
- ✓ Continued support of Guilford County Economic Development Alliance- \$100,000
- ✓ Continues funding of \$100,000 for neighborhood traffic calming devices
- ✓ Continuation of Fire Department Station Alerting System for \$1 million, (funded through lease-purchase financing)
- ✓ Replaces \$4.15 million in vehicles and large equipment in Fleet Services utilizing pay-as-you go funding.

Mr. Olmedo identified the following pay-as-you go projects that are proposed to be funded through the General Fund:

- ✓ Expanded street resurfacing \$2,450,000
- ✓ Deferred maintenance fire station renovations \$500,000
- ✓ GIS Base Mapping (Annual) \$30,000
- ✓ P & R parking lot improvements (2nd year) \$490,000
- ✓ New dog park \$125,000
- ✓ Playground equipment (annual) \$50,000

- ✓ Tennis center improvements \$100,000
- ✓ Deferred maintenance athletic complex track resurfacing \$100,000
- ✓ Library Plaza alternate improvements \$200,000
- ✓ Mendenhall Terminal improvements \$150,000
- ✓ Signage for I-74 (2nd year funding) \$35,000
- ✓ Traffic storage building (2nd year funding) \$100,000
- ✓ City Hall electric system upgrade \$100,000
- ✓ General Fund TOTAL \$4,430,000

Other pay-as-you-go projects in the proposed budget are:

- ✓ Water & Sewer- Total \$5,639,550
- ✓ Electric Capital - Total \$9,206,300
- ✓ Landfill Capital- Total \$1,171,000
- ✓ Fleet Replacement Program \$4,150,000
- ✓ Computer system replacement \$300,000
- ✓ Stormwater projects \$75,000
- ✓ Radio system equipment \$55,000

Mr. Olmedo advised that the proposed budget was prepared using the current years approved tax rate of 64.75 cents and as required by law, the revenue neutral tax rate has been calculated as follows:

- ✓ The reappraisal of the Guilford County portion of the tax rate is \$9.1 billion (94.4% of the total tax base)
- ✓ Using the formula mandated by state law, the revenue neutral tax rate is 62.21 cents (-2.48 cents)
- ✓ A penny on the tax rate generates approximately \$947,000 in revenue
- ✓ The assessed value is an estimate and is subject to change
- ✓ The revenue neutral tax rate for residential properties is 63.21 cents (1.54 cents lower)
- ✓ The revenue neutral tax rate for commercial/industrial properties is 59.48 (5.27 cents lower)
- ✓ Commercial values due to new construction/additions was \$299.0 million in 2016
- ✓ Residential values due to new construction/additions was \$40.7 million in 2016

Other Revenue changes were noted as follows:

- ✓ Proposed 3% water/sewer rate increase effective October 1, 2017
- ✓ Continues long range financial strategy developed by staff and Davenport and Company to fund necessary investment in the water and sewer system
- ✓ Proposed tax rate increases keep our costs close to the median of 330 utility systems statewide

No other major revenue changes are proposed

Mr. Olmedo explained this continues the city's long range financial strategy and keeps the city close to the median cost for comparison purposes statewide. He shared a quick picture of the NC Water and Wastewater Rates Dashboard identifying rates as of January 1, 2017.

Mr. Olmedo proceeded to share the following budget preparation schedule:

- May 4th from 3:00 p.m. - 5:00 p.m. Budget Review
- May 15th Public Hearing on the Budget at 5:30 p.m.
- May 17th from 3:00 p.m. - 5:00 p.m. Budget Review
- May 18th from 3:00 p.m. - 5:00 p.m. Budget Review (if needed)
- June 5th adoption of the budget

Established the date of May 15th at 5:30 p.m. as the date and time to receive public comment on the proposed 2017-2018 budget.

A motion was made by Council Member Alexander, seconded by Council Member Ewing, to establish the date of Monday, May 15, 2017 at 5:30 p.m. to receive public comments on the proposed FY 2017-2018 budget. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

170138 Resolution - Establish Filing Fees for 2017 Municipal Election

Pursuant to N.C. General Statute 163-294.2(e), Council must set the filing fees for the upcoming municipal election to be held on Tuesday, November 7, 2017. The filing fee must be set no later than the first Thursday in July (the day before candidates are permitted to begin filing notices of candidacy). The filing period for the 2017 High Point Municipal Election will begin on Friday, July 7, 2017 at 12:00 Noon and will conclude on Friday July 21, 2017 at 12:00 Noon. The filing fee for the 2014 election was \$96.00.

Adopted Resolution setting the filing fees for the upcoming 2017 High Point Municipal Election at \$96.

A motion was made by Council Member C. Davis, seconded by Mayor Pro Tem Wagner, that the Resolution be adopted setting the filing fees for the upcoming election at \$96.00. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

Resolution No. 1664/17-11

Introduced 5/1/2017; Adopted 5/1/2017

Resolution Book, Volume XIX, Page 133

170140 Public Hearing - Resolution - Phoenix Academy - TEFRA Bonds

Council is requested to hold a public hearing to receive public input on behalf of Phoenix Academy for the issuance of Tax-Exempt Bonds (TEFRA Tax Equity and Fiscal Responsibility)

Act of 1982) in the amount of \$35,000,000.00 and adopt Resolution approving the issuance of the bonds.

Mayor Bencini opened the public hearing and asked if there was anyone present who would like to speak in favor of the TEFRA Bonds.

Brandon Lofton, Attorney with Robinson Bradshaw in Charlotte, addressed Council. He stated he was retained to work with Phoenix Academy on this matter. Phoenix Academy operates a school in High Point and they wish to finance acquisition and improvement of their facilities in High Point on a tax-exempt basis. In order to do so, the bonds have to be issued by a governmental issuer (Public Finance Authority of Wisconsin). The Public Finance Authority will issue the bonds, sell the bonds to investors and take the proceeds from the sale and loan money to Phoenix Academy and the Phoenix Academy Foundation, which is a non-profit supporting the school.

Mr. Lofton reiterated that one of the requirements for non-profits to access the tax-exempt market is they have to have a TEFRA hearing and another requirement is that the body with jurisdiction over the location of the project host the public hearing and approve the project and bonds. He stressed that approving the bonds and approving the project does not in any way obligate the city and it does not make the bonds the city's debt. The IRS has established an order to provide public input and since the issuer in this case is an issuer who is not here in this state.

Following the brief presentation, Mr. Lofton entertained questions.

Council Member C. Davis pointed out taking the distance between Wisconsin and North Carolina into consideration, she asked if it was also advertised in Wisconsin's newspaper that a public hearing would be held in High Point. Mr. Lofton explained there are actually two TEFRA hearings: one in High Point and one in Wisconsin, both of which were advertised in the relevant newspapers.

Mayor Bencini asked if there was anyone else present who would like to offer comment. There being no further comments, the public hearing was closed.

Adopted the Resolution approving the issuance of the TEFRA tax-exempt bonds on behalf of Phoenix Academy in the amount of \$35,000,000.00.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, to adopt the Resolution approving the issuance of the tax-exempt bonds in the amount of \$35,000,000.00 on behalf of Phoenix Academy. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis
Absent (1): Council Member Williams

**Resolution No. 1665/17-12
Introduced 5/1/2017; Adopted 5/1/2017
Resolution Book Volume XIX, Page 134**

170139 Minutes to Be Approved

- Finance Committee Meeting; Wednesday, March 29th @ 4:00 p.m.
- Special Meeting (Retreat); Friday, March 31st @ 8:30 a.m.
- Manager's Briefing; Monday, April 3rd @ 4:00 p.m.
- City Council Meeting; Monday, April 3rd @ 5:30 p.m.
- Community Housing, Neighborhood Development & Public Safety Committee; Tuesday, April 4th @ 10:00 a.m.
- Prosperity & Livability Committee Meeting - Wednesday, April 5th @ 9:00 a.m.

Approved the preceding minutes with the correction to the April 3, 2017 High Point City Council Meeting Minutes as recommended by Council Member C. Davis, clarifying that it was Council Member C. Davis that voted "No" and Council Member J. Davis voted "Yes" on the following matters: **170116 Budget Ordinance Amendment- Downtown Catalyst Project; 170117 Purchase of Property- Downtown Catalyst Project- Multi-Purpose Stadium; and 170110 Catalyst Project.**

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Wagner, that the preceding minutes be approved with the correction to the April 3rd High Point City Council Meeting Minutes as sent out in an email from the City Clerk to the City Council. The motion carried by the following 8-0 vote:

Aye (8): Council Member Golden, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member Davis, and Council Member Davis

Absent (1): Council Member Williams

CLOSED SESSION- ECONOMIC DEVELOPMENT

Pursuant to N.C. General Statute 143-318.11(a)(4), **Council Member Ewing moved to go into Closed Session at 7:58 p.m. to discuss a potential economic development project. Mayor Pro Tem Wagner made a second to the motion, which carried unanimously. [8-0 vote] [Council Member Williams was absent]**

ADJOURNMENT

Upon reconvening into Open Session at 8:10 p.m., no announcement was made as a result of the Closed Session.

The meeting adjourned at 8:10 p.m. upon motion duly made and seconded.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Public Hearing – Precision Design Machinery

From: Loren Hill, President, HPEDC
Sandy Dunbeck, Executive VP HPEDC

Meeting Date: May 15, 2017

Public Hearing: Yes

Advertising Date: May 5, 2017

Advertised By: HPE

Attachments: Legal Advertisement

PURPOSE:

City Council will consider a request from Precision Design Machinery to authorize up to \$32,000 in performance based incentives for the company's expansion.

BACKGROUND:

Precision Design Machinery

- South High Point company that designs and builds machinery for the packaging, flexible packaging and the corrugated container industry.
- Provides automated control systems for new and existing machinery
- The company has customers all over the world
- 10 employees currently

BUDGET IMPACT:

- If the company meets all the benchmarks outlined in its performance agreement, it could receive up to \$32,000 in installment payments. The source of that funding would be the City's Economic Development Incentive Fund, which is funded by general and electric revenues.

RECOMMENDATION / ACTION REQUESTED:

The High Point EDC staff recommends that the City Council:

- Authorize up to \$32,000 in performance based incentives for the Precision Design Machinery project and
- Authorize the City Manager to execute a performance agreement with the company containing benchmarks for the company to achieve and a schedule for the payment of such financial incentives.

Pursuant to N.C. General Statute 158-7.1, notice is hereby given that a public hearing will be held by the High Point City Council on Monday, May 15, 2017, at 5:30 p.m. in the Council Chambers, High Point Municipal Building, 211 S. Hamilton Street, High Point, NC, for the purpose of receiving public input on a funding request for a company which expects to expand at 1509 Bethel Drive and another south High Point location. The company proposes to create 40 full-time jobs. The High Point City Council will consider authorizing up to \$32,000. The source of funding would be the Economic Development Incentive Fund, which is funded by general and electric revenues. The City would be authorized to provide this financial assistance upon the company's job creation – pursuant to an incentive performance agreement containing benchmarks and schedule for the payment of such financial assistance. For further information, please call 336-883-3116.

CITY OF HIGH POINT

AGENDA ITEM



Title: Budget Amendment for Historical Society Funding To Relocate the Little Red School House

From: Eric Olmedo, Budget Director

Meeting Date: May 15, 2017

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Budget ordinance

PURPOSE:

A Budget Amendment is needed to appropriate funds for the Little Red School House relocation and restoration project.

BACKGROUND:

The Little Red Schoolhouse is owned and under the care of the City of High Point. Over time its HVAC unit has been stolen and other vandalism has occurred. It is overdue for painting and repair work is needed on the porch floor and the roof and flooring systems. It is a Guilford County Historical Landmark. The building was moved from its former location to the grounds of the High Point Museum on April 21, 2016. The total cost of for the moving and restoration is estimated at \$189,250. The city's share to move and stabilize the building is \$95,750, and those funds were appropriated by the City Council on January 4, 2016.

At that time, the High Point Historical Society has pledged to raise the remaining \$93,500 that will be needed to complete the restoration of the building once it has been moved. The High Point Historical Society raised over half of their pledge, and has given a check to the City of High Point in the amount of \$47,875. This check was deposited on May 22, 2016. The Historical Society has given an additional check to the City of High Point, in the amount of \$47,875, on April 25, 2017. This action will recognize these additional funds as grant revenue and appropriate the expenditure.

BUDGET IMPACT:

General Fund revenues and expenditures will be increased by \$47,875 in order to pay for a portion of restoration costs for the building.

RECOMMENDATION / ACTION REQUESTED:

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

“AN ORDINANCE AMENDING THE 2016-2017 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO RECOGNIZE HISTORICAL SOCIETY FUNDING FOR THE LITTLE RED SCHOOL HOUSE
RENOVATION PROJECT

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

Section 1. The City of High Point has received a donation in the amount of \$47,875 from the High Point Historical Society in order to move and restore the Little Red School House

Section 2. In order to recognize and appropriate these funds, the 2016-2017 Budget Ordinance of the City of High Point, should be amended as follows:

- | | | |
|-----|---|----------|
| (A) | That General Fund revenues be amended as follows: | |
| | Grant Revenues | \$47,875 |
| (B) | That General Fund expenditures be amended as follows: | |
| | Museum Expenditures | \$47,875 |

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 15, 2017

CITY OF HIGH POINT

AGENDA ITEM



Title: Budget Amendment and Construction and Access Agreement (MOU) for Courtesy Road Sidewalk Improvements

From: Eric Olmedo, Budget Director

Meeting Date: May 15, 2017

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Budget ordinance
Construction and Access Agreement

PURPOSE:

A Budget Amendment is needed to appropriate donated funds received for replacement of sidewalks on Courtesy Street adjacent to the Thomas Built Bus facility and approve a Construction and Access Agreement (MOU) for the project improvements to the Thomas Built Bus property.

BACKGROUND:

The City of High Point, in partnership with Thomas Built Bus, is replacing sidewalks adjacent to the Thomas Built Bus facility on Courtesy Road. Thomas Built Bus has pledged to pay up to \$454,270 for the improvements.

BUDGET IMPACT:

A budget amendment in the amount of \$454,270 is needed to recognize the portion of funds from Thomas Built Bus.

RECOMMENDATION / ACTION REQUESTED:

The Budget Department recommends and asks the Council to approve the budget amendment and the Construction and Access Agreement (MOU).

“AN ORDINANCE AMENDING THE 2016-2017 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO RECOGNIZE DONATED FUNDS FOR REPLACEMENT OF SIDEWALKS ON COURTESY ROAD

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

Section 1. The City of High Point is partnering with Thomas Built Bus to replace sidewalks on Courtesy Road adjacent to the Thomas Built Bus facility, and Thomas Built Bus has committed to pay up to \$454,270 of the total cost.

Section 2. In order to recognize and appropriate these funds, the 2016-2017 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That General Capital Projects Fund - Transportation revenues be amended as follows:
Donation Revenue \$454,270

(B) That General Capital Projects Fund – Transportation expenditures be amended as follows:
Construction \$454,270

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 15, 2017

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

**CONSTRUCTION AND ACCESS
AGREEMENT**

THIS CONSTRUCTION AND ACCESS AGREEMENT (“the Agreement”) is entered into this _____ day of _____, 2017, by and between the **CITY OF HIGH POINT**, a North Carolina municipal corporation with a mailing address of P.O. Box 230, High Point, North Carolina 27261 (“the City”), and **THOMAS BUILT BUSES, INC.**, a business corporation authorized to do business in the State of North Carolina, with its principal office at 1408 Courtesy Road, High Point, NC 27260 (“Owner”).

RECITALS:

WHEREAS, the City is scheduled to make sidewalk and other associated improvements along Courtesy Road, between Prospect Street and Tryon Avenue, consistent with the provisions of Bid # 51-051017 (“Bid”); and

WHEREAS, a portion of the work under the Bid shall be done on and around Owner’s business property located at 1408 Courtesy Road, High Point, NC 27260 (“Property”); and

WHEREAS, work on and around the Property shall include construction and/or repair of sidewalks, curb and gutter, driveways, American with Disabilities Act compliance access ramps, radius improvements, adjustments in utilities including relocations of facilities if necessary, resurfacing of streets if needed, installation of pavement markings, pedestrian crosswalks, and signage as needed, as well as any provisions specific to the Property and City rights-of way adjacent to the Property as set forth in the Bid. (“Project”); and

WHEREAS, the Project will provide a public benefit to the residents of High Point and the Owner will benefit directly from the Project improvements on their Property and as such has agreed to pay the costs of the Project improvements on their Property; and

NOW THEREFORE, the City and Owner, in consideration of their mutual covenants, agree as follows:

1. City and Owner’s Responsibility. The City shall complete all Project improvements set forth in the recitals above and incorporated into the Agreement here by reference. Owner shall, at their expense, remove and/or relocate existing fencing, guardrails, gates, private signs, and any other of Owner’s facilities on the Property or that are encroaching on public right-of-way that might hinder the Project construction or other work to be done under the Bid. Owner shall also be responsible for and bear all costs associated with any landscaping measures that they may desire on their Property. Any landscaping measures performed by Owner must not encroach up on the improvements to be made by the City or limit or restrict the visibility of motorists and pedestrians.

2. Owner's Project Cost. The Owner's cost of the Project shall be a reimbursed amount for improvements to the Property not to exceed \$454,269.39 and Owner shall not be responsible for any amounts invoiced greater than \$454,269.39. Payment by the Owner shall be made directly to the City of High Point, Accounts Payable and may be paid at any time after the execution of this Agreement, but shall be paid no later than July 31, 2017.

3. Term. The scheduled term of the Project work on the Property shall begin July 1, 2017 and end on July 8, 2017. The City shall work in good faith with its contractors, employees, or other agents to have the Project completed by July 8, 2017. Should access to the Property be needed after the July 8, 2017 date, the Owner shall allow City, their contractors, employees, or other agent's ability to complete the Project. City shall work to ensure that the Business operations of Owner are not unreasonably impeded if work is needed on or around the Property after the July 8, 2017 date.

4. Ownership and Maintenance. Upon completion of the Project, Owner shall take full control of improvements made to the Property. Any necessary measures, including but not limited to, maintenance, repair, and replacement, of the Project improvements made to any portion of the Property shall be the sole responsibility of the Owner.

5. Limitation of Liability. The Owner grants the City, its contractors, employees, and agents, the right to enter onto the Property for the purposes set forth in this Agreement. The Owner hereby waives any liability that may be attributed to the City by their presence on the Property or work on the Project and agrees to indemnify and hold harmless the City from any claims arising from the Project improvements to the Property and City's presence on the Property. The Owner's responsibility to indemnify and hold harmless the City for the Project improvements shall survive any term or termination provisions of this Agreement.

6. Notice. Any notice given pursuant to the Agreement shall be in writing and signed by a representative of the party giving such notice. Written notice may be: (a) hand-delivered; (b) sent by facsimile transmission; or (c) sent by overnight courier, messenger or registered or certified U.S. mail, postage prepaid, return receipt requested. Written notice shall be delivered to the City and the Owner at the following addresses:

Notice to the City:

The City of High Point
Engineering Department
211 South Hamilton Street
P.O. Box 230
High Point, NC 27261

Notice to the Owner:

Thomas Built Buses
c/o Registered Agent, CT Corporation System
160 Mine Lake Court, Suite 200
Raleigh, NC 27615-6417

7. Governing Law and Venue. The Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina (without giving effect to the principles thereof relating to conflicts of law). Any dispute or claim regarding this Agreement shall be brought exclusively in a Federal or State Court in Guilford County, North Carolina. Each Party hereby consents to personal jurisdiction in any legal action brought in any State or Federal court in Guilford County, North Carolina. Each Party further consents to the service of process in any such action or proceeding by the mailing of copies thereof by registered or certified U.S. mail, postage prepaid, to the Party at its notice address specified in this Agreement, or by such other method complying with the rules of procedures of such courts.

8. Successors and Assigns. The Agreement shall be binding upon the parties, their successors and permitted assigns. Neither the City nor the Owner shall assign, sublet or transfer any interest in the Agreement without the prior written consent of the other party, which shall not be unreasonably withheld.

9. Conflict. In case of a conflict between the provisions of the Agreement and the provisions of any attachment or other document referenced by or incorporated into the Agreement, the provisions of the Agreement shall prevail. Any terms and conditions or similar provisions submitted by the Owner shall not be part of the Agreement unless agreed upon in writing by the City. If such terms and conditions or other provisions are submitted by the Owner and agreed upon by the City, the provisions of the Agreement shall prevail in the event of a conflict between the provisions of the Agreement and the terms and conditions or other provisions submitted by the Owner.

10. Captions. The captions contained in the Agreement are for convenience and reference only, and do not define, describe, extend or limit the scope or intent of the Agreement or the scope or intent of any provision contained herein.

11. Severability. The invalidity of one or more phrases, sentences, clauses or sections in the Agreement shall not affect the validity of the remaining portions of the Agreement, so long as the material purpose of the Agreement can be determined and effectuated.

12. No Waiver. Any failure by either party to enforce any of the provisions of the Agreement or to require compliance with any of its terms at any time during the term of the Agreement shall in no way affect the validity of the Agreement, or any part hereof, and shall not be deemed a waiver of the right of such party thereafter to enforce any such provision.

13. Counterparts. The Agreement may be signed in any number of counterparts, and each counterpart shall represent a fully executed original as if signed by each of the parties. Facsimile signatures shall be deemed as effective as original signatures.

14. Complete Agreement. This Agreement represent the complete agreement of the parties. Any change, modification, or amendments to the terms of this Agreement shall be set forth in writing, signed by both parties.

15. Iran Divestment Act. All persons, groups, business entities, and government organizations conducting business with the City of High Point acknowledge and affirm that they are not listed and will not utilize a subcontractor listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147, Article 6E, Iran Divestment Act Certification.

IN WITNESS WHEREOF, the City and the Owner have caused this Agreement to be executed on the date first written above by their duly authorized representatives.

Signatures appear on following pages

OWNER

Thomas Built Buses, Inc.

BY: _____

TITLE: PRESIDENT/VICE PRESIDENT

ATTEST

In witness whereof, said corporation has caused this instrument to be executed by its President or Vice President and attested by its Secretary or Asst. Secretary this the _____ day of _____, 2017.

THOMAS BUILT BUSES, INC.
Corporate Name

(SEAL)

Attest: _____
Secretary/Asst. Secretary (Signature)

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is the Secretary/Asst. Secretary of THOMAS BUILT BUSES, INC., a business corporation authorized to do business in the state of North Carolina, and that by authority duly give and as the act of the company, the foregoing instrument was signed in its name.

Witness my hand and official seal, this the ____ day of _____, 2017.

(Notary Public)

My Commission Expires _____

CITY
City of High Point

BY: _____

TITLE: _____

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is the Deputy/Assistant City Manager of the City of High Point, a municipal corporation within the state of North Carolina, and that by authority duly give and as the act of the City, the foregoing instrument was signed in its name.

Witness my hand and official seal, this the ____ day of _____, 2017.

_____ (Notary Public)

My Commission Expires _____.

CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution of Intent (ROI) for Street Abandonment 17-01
(Mr. Ghulam Khan)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 15, 2017

Public Hearing: No

Advertising Date: Not applicable

Advertised By: N/A

Attachments: A. Resolution of Intent (ROI) for Street Abandonment 17-01
B. Map of right-of-way proposed to be abandoned

PURPOSE:

Approval of a Resolution of Intent that establishes a public hearing date to consider a request by Mr. Ghulam Khan to abandon excess right-of-way lying at the southwest corner of S. Main Street and Kendall Avenue.

BACKGROUND:

Resolution of Intent for Street Abandonment 17-01 is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council set a public hearing date of Monday, June 19, 2017 to hear this request.

Publish four (4) consecutive weeks: May 26, 2017 and June 2, 9 & 16, 2016

**RESOLUTION OF INTENT TO CONSIDER
STREET ABANDONMENT
(SA17-01)**

WHEREAS, the City Council has been petitioned by Mr. Ghulam Khan to abandon excess right-of-way lying at the southwest corner of S. Main Street and Kendall Avenue.

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to abandon the above right-of-way and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the right-of-way above described and sets Monday, June 19, 2017, at 5:30 p.m. as the date for said public hearing before the Council in the Council Chamber of the Municipal Building in High Point.

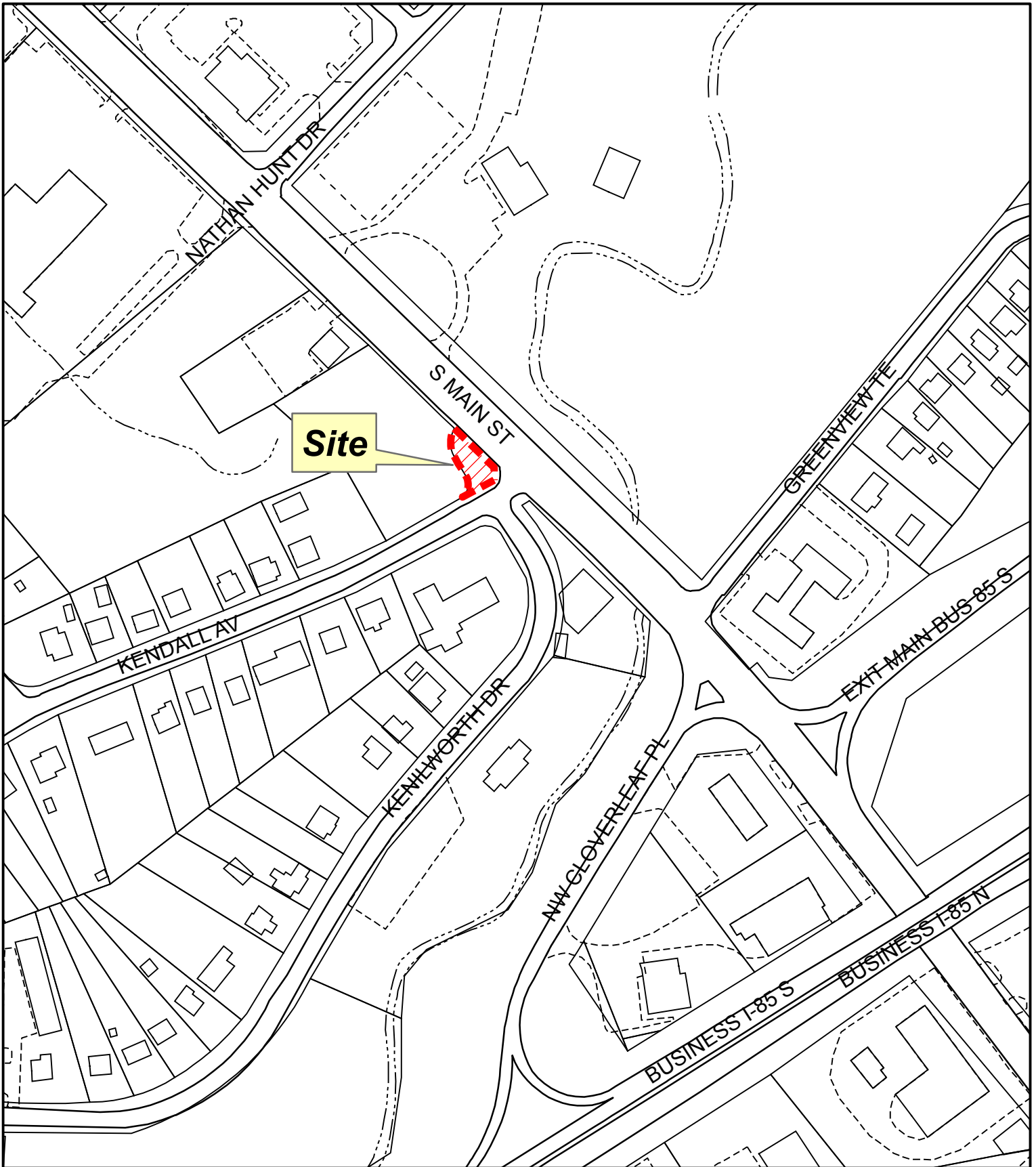
Persons wishing to be heard either for or against the said right-of-way abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or TDD# (336) 883-8517.

Further information pertaining to this request is available at the Planning and Development Department in Room 316 of the Municipal Office Building, 211 South Hamilton Street, High Point, North Carolina, (336) 883-3328 or FAX (336) 883-3056.

By Order of the City Council
This the 15th day of May, 2016.

Lisa B. Vierling, City Clerk

Petition Submitted by: Mr. Ghulam Khan



STREET ABANDONMENT SN-17-01

Applicant: Ghulam Khan
Area: 0.075 acres



Location of requested street abandonment

Planning & Development
Department

City of High Point

Date: May 5, 2017



Scale: 1"=200'

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2017\pz\sa17-01exh.mxd

CITY OF HIGH POINT

AGENDA ITEM



Title: Contract Award, Contract 2017-001 Courtesy Street Sidewalk Improvements

From: Keith Pugh, Engineering Services

Meeting Date:

May 15, 2017

Public Hearing: N/A

Advertising Date:

April 4, 2017 and May 1, 2017

Advertised By:

Purchasing Division

Attachments: Vicinity Map and Plan Sheet

PURPOSE:

City Council is asked to award a construction contract for Courtesy Road Sidewalk Improvements to ASJ WILSON CONSTRUCTION, LLC at the contract bid amount of \$454,269.39.

BACKGROUND:

The City of High Point is pursuing this project in partnership with Thomas Built Buses. The improvements to Courtesy Road will include new sidewalk, new driveways, new/repared curb and gutter, street resurfacing, new crosswalks and pavement markings. The project limits are from Prospect Street to Tryon Avenue. The timing of this project is critical in order to complete driveway improvements while the Thomas Built Buses plant is closed during July 4th week. These improvements will enhance vehicular and pedestrian safety through the corridor.

The original bid opening was scheduled for April 27, 2017. We re-advertised due to receiving an insufficient number of bids. On May 10, 2017, we received bids with the following results:

\$454,269.39 ASJ WILSON CONSTRUCTION, LLC

\$518,177.50 YATES CONSTRUCTION COMPANY INC

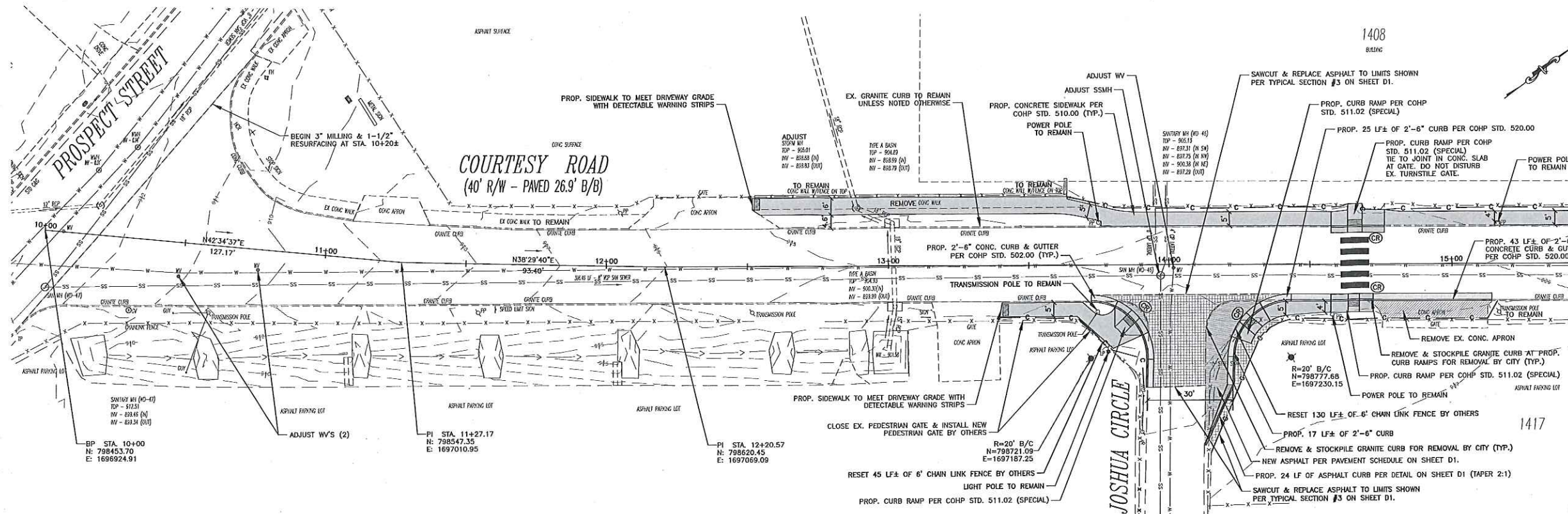
The contractor can begin work as soon as the contract documents are fully executed and the City issues a Notice to Proceed. The contractor will have 120 days to complete all contract work.

BUDGET IMPACT:

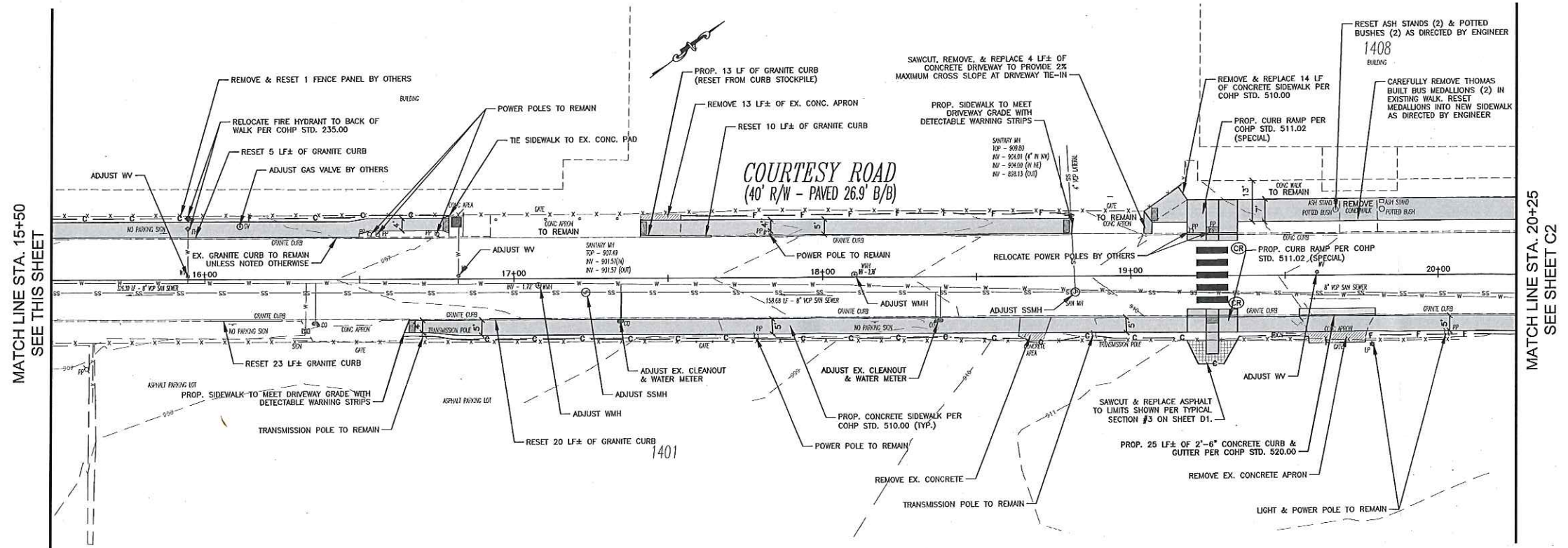
Funds are available through the agreement with Thomas Built Buses, the Capital Funds for New Sidewalk Construction, and 2004 Intersection Improvement Bond Funds.

RECOMMENDATION / ACTION REQUESTED:

The Engineering Services Department requests Council approval to award contract ENG2017-001 to ASJ WILSON CONSTRUCTION, LLC at the contract bid price of \$454,269.39.



MATCH LINE STA. 15+50
SEE THIS SHEET



MATCH LINE STA. 20+25
SEE SHEET C2

US INFRASTRUCTURE OF CAROLINA, INC.
9140 ARROWPOINT BLVD., SUITE 200
CHARLOTTE, NORTH CAROLINA 28273
NC LICENSE # C-1950

ROBERT E. WILSON
PROFESSIONAL ENGINEER
15903 3/15/2017

NO.	DATE	BY	DESCRIPTION

1"=20' SCALE

160208.01 JOB NO.

JMC PREPARED BY

REW APPROVED BY

REW CHECKED BY

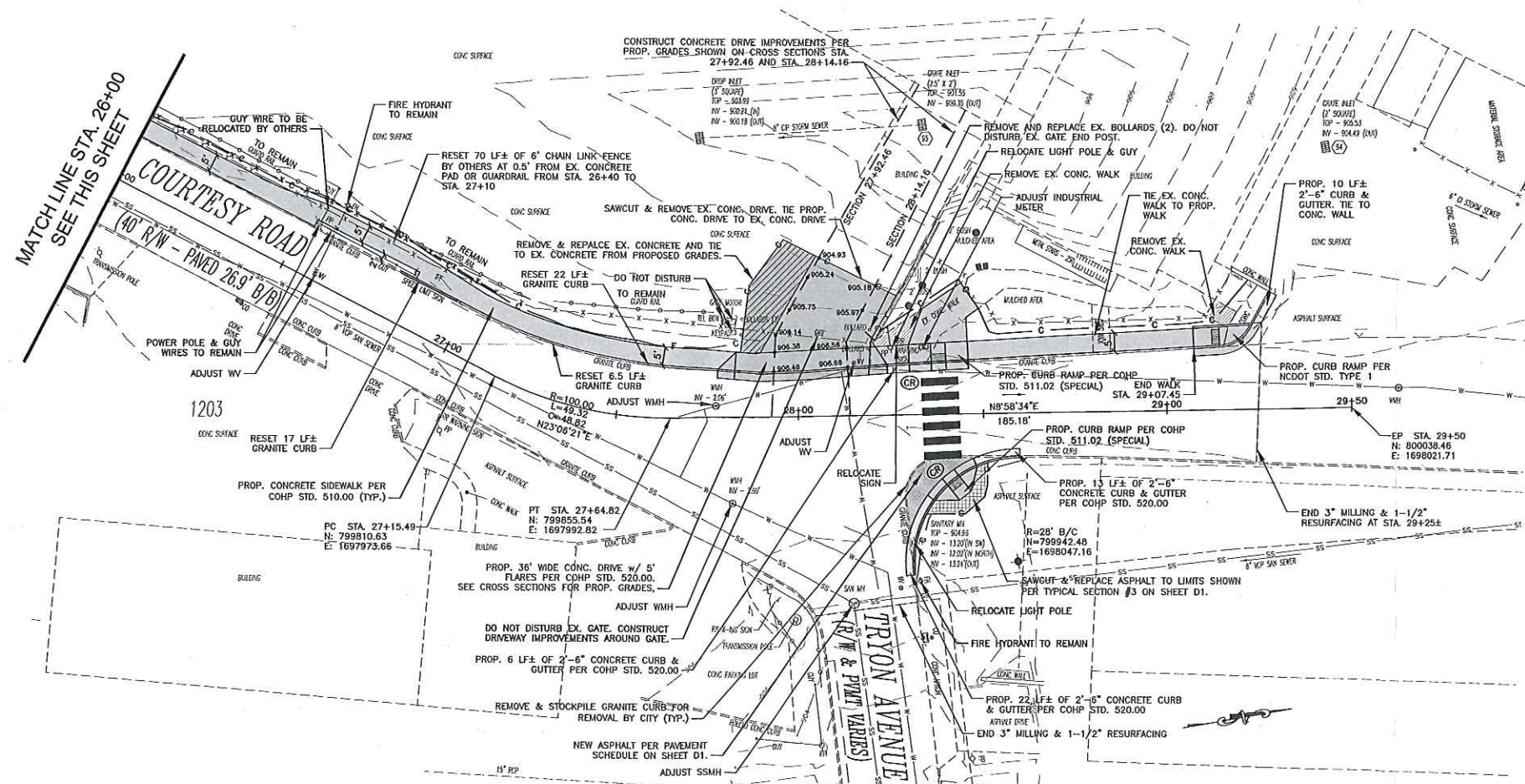
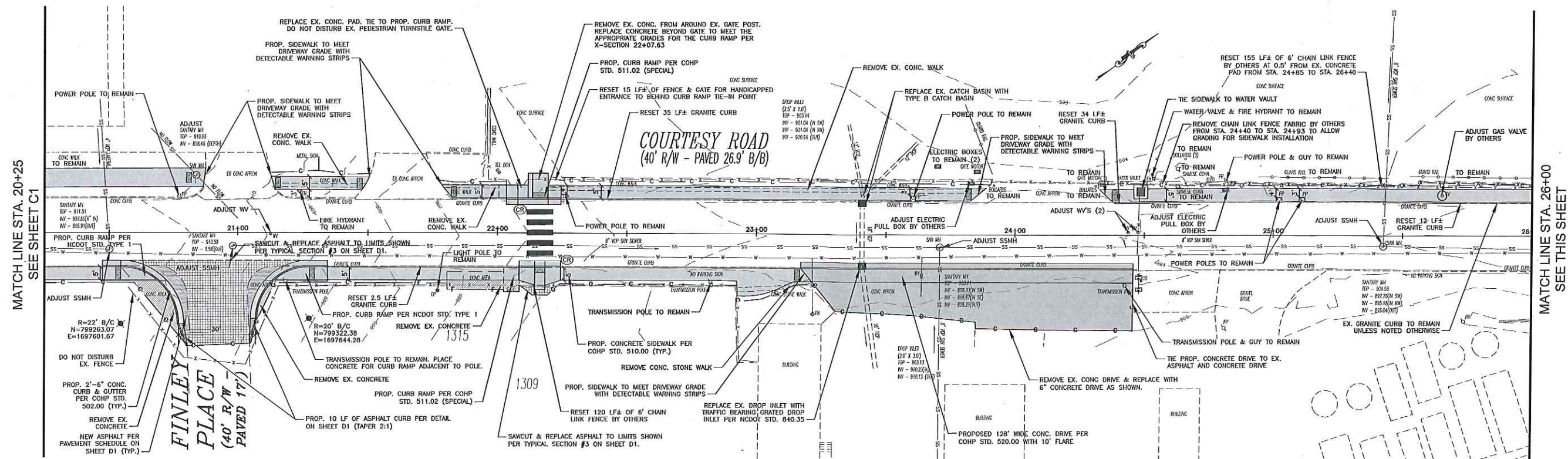
DATE 3.10.2017

HIGH POINT SIDEWALK IMPROVEMENTS

SHEET C1 OF C2

COURTESY ROAD

STA. 10+00 TO STA. 20+25



160208.01 JOB NO.	1" ²⁰ " SCALE
JMC PREPARED BY	REW CHECKED BY
REW APPROVED BY	3.10.2017 DATE

5/15/2017 HRC

ORDINANCE SUMMARY
REGULATION, REMOVAL AND DISPOSAL OF
JUNKED & ABANDONED VEHICLES

Prohibit Junked and Abandoned on:

- PUBLIC STREETS
- PUBLIC PROPERTY
- PRIVATE PROPERTY

May remove and dispose:

ABANDONED: (regardless of value)

- Left on street in violation of parking
- Left on City owned/operated property more than 24 hours
- Left on Private Property more than 2 hours w/o Owner, occupant or lessee consent
- Left of Public Street longer than 7 days or LE determines hazard

JUNKED: (ALL OF ABOVE -ABANDONED PLUS)

- Partially dismantled/wrecked
- Cannot be self-propelled in manner originally intended
- More than 5 years old and value less than \$500.
- No Current license plate displayed

*****ALL JUNKED ARE ABANDONED BUT NOT ALL ABANDONED ARE JUNKED*****

Private Property requires written request of O, occupant or lessee *unless council, inspector or LE declares to be health safety hazard*

If JUNKED, on Private Property written request required *unless council, inspector or LE find in writing that aesthetic benefits or removing outweigh burden imposed on private property (factors in statute must be considered)*

- Indemnification requirement of person requesting removal
- Notice and Probable Cause Hearing Procedures

ORDINANCE MUST INCLUDE PROHIBITION AGAINST REMOVING OR DISPOSING OF VEHICLES USED ON REG BASIS FOR BUSINESS OR PERSONAL USE

CITY OF HIGH POINT

AGENDA ITEM



Title: Council Appointment of Community
Member to Core City CDC

From: Randy Hemann, Assistant City Manager

Public Hearing: N/A

Attachments: Core City CDC

Meeting Date: May 15, 2017

Advertising Date: N/A

Advertised By: N/A

PURPOSE:

City Council is tasked with appointing a community member to the newly formed Core City Community Development Corporation. Staff is requesting Council make that appointment on May 15, 2017

BACKGROUND:

This Community Development Corporation is non-profit corporation which will receive donations of properties, purchase properties, stabilize, develop and build affordable housing and assist with development that will strengthen the core and surrounding neighborhoods in High Point. The Corporation has been formed and IRS paperwork is under way. City Council has one appointee and staff is requesting that the appointment of a community member be made at this time.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council appoint a community member to the Core City Community Development Corporation.

Core City CDC

Purpose: To receive donations of properties, purchase properties, stabilize, develop and build affordable housing and assist with development that will strengthen the core and surrounding neighborhoods in High Point.

The Core City CDC will work on problem properties with lien issues, estates with multiple owners. It will partner with existing not-for-profit and for profit entities that are creating affordable housing, jobs and redevelopment in and around the core area of High Point.

Service Area: City Limits of High Point NC with a primary concentration in the Core City Area.

Board of Directors:

Chair of City Council Community Housing & Neighborhood Development Committee

Community Foundation designee

Core City Neighborhood representative (appointed by the CDC)

Director of Community Development & Housing

City Manager or designee

Hayden-Harman Foundation designee

High Point Chamber of Commerce designee

High Point City Council designee (community member)

Funding: The CDC will seek seed funding from foundations as well as an appropriation from City funds set aside for blight reduction.

Staff:

No full time staff in immediate future

Consider contracting for part time services, legal, etc.

Consider VISTA and/or HPU Internship

Board Members will be expected to assist with specific projects...

CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution to Adopt and Implement the Regulation of Abandoned and Junked Motor Vehicles Ordinance

From: JoAnne Carlyle, City Attorney

Meeting Date: Monday, May 15, 2017

Public Hearing: No

Advertising Date:
Advertised By:

Attachments: Resolution & Abandoned & Junk Vehicle Ordinance

PURPOSE:

Council is requested to adopt a Resolution to adopt and implement the Regulation of Abandoned and Junked Motor Vehicles

BACKGROUND:

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

The City Attorney recommends adoption of the Resolution for implementation of the Regulation of Abandoned and Junked Motor Vehicles Ordinance to be effective May 15, 2017. This effective date requires a vote of two-thirds of council membership.

A RESOLUTION TO ADOPT AND IMPLEMENT THE
REGULATION OF ABANDONED AND JUNKED MOTOR VEHICLES ORDINANCE

WHEREAS, the High Point City Council desires to amend and update the City's Abandoned and Junked Vehicles Ordinance in order to better serve the community; and

WHEREAS, N.C.G.S. 160A-303 authorizes the city to prohibit the abandonment of motor vehicles and remove and dispose of junked or abandoned motor vehicles by the adoption of an ordinance; and

WHEREAS, N.C.G.S. 160A-303.2 authorizes the City to regulate, restrain or prohibit the abandonment of junked motor vehicles by the adoption of an ordinance; and

WHEREAS, N.C.G.S. 160A-75 provides for the adoption of an ordinance by city council by an affirmative vote equal to a majority and said ordinance may be finally adopted on the date on which it is introduced by an affirmative vote equal to or greater than two thirds of council membership.

NOW, THEREFORE, BE IT RESOLVED BY THE HIGH POINT CITY COUNCIL that Council hereby adopts and implement the Regulation of Abandoned and Junked Vehicles Ordinance to be effective upon this 15th day of May, 2017.

Mayor William S. Bencini, Jr.

ATTESTED TO:

Lisa Vierling, MMC
City Clerk

ARTICLE G – REGULATION OF ABANDONED AND JUNKED MOTOR VEHICLES

Sec. 9-11-161 –Purpose and Finding.

The purpose of this Article is to provide for the lawful regulation of abandoned and junked motor vehicles within the City's ordinance-making jurisdiction and to prohibit the abandonment of motor vehicles on public streets or on public or private property within the City, including the removal and disposal of junked or abandoned motor vehicles according to the procedures set forth herein; furthermore, the City Council here hereby finds and declares that the regulation, restraint or prohibition of the abandonment of junked motor vehicles on public grounds, and on private property within the City is necessary and desirable to promote or enhance community, neighborhood or area appearance and such enforcement may include the removal or disposal of junked motor vehicles according to the procedures set forth herein. Further objectives of this Article are as follows:

- (a) To ensure the public health, safety, and general welfare by providing controls on the removal and disposal of abandoned and junked motor vehicles.
- (b) To prohibit abandoned or junked motor vehicles from being disposed of by leaving them on public or private property.
- (c) To eliminate the present accumulation of abandoned and junked motor vehicles.
- (d) To prevent future accumulation of abandoned and junked motor vehicles.
- (e) To promote or enhance community, neighborhood or area appearance.

Sec. 9-11-162 –Definitions.

- (a) Motor vehicle. A machine designed or intended to travel over land or water by self-propulsion or while attached to any self-propelled vehicle.
- (b) City Official. Director of Community Housing & Development or his/or designee
- (c) Abandoned motor vehicle. A motor vehicle that:
 - (1) Has been left upon a street or highway in violation of a law or ordinance prohibiting parking; or
 - (2) Is left on property owned or operated by the City for longer than 24 hours; or
 - (3) Is left on private property without the consent of the owner, occupant, or lessee of the private property for longer than two hours; or
 - (4) Is left on any public street or highway for longer than seven days or is determined by law enforcement to be a hazard to the motoring public.

- (d) Health hazard. An abandoned or junked motor vehicle shall be declared by the City Official to be a health hazard when its condition is such that the motor vehicle can or does harbor diseases, furnish shelter and breeding places for mosquitoes and other insects, or become a breeding ground and harbor for rats and other pests.
- (e) Junked motor vehicle. An abandoned motor vehicle that also:
 - (1) Is partially dismantled or wrecked; or
 - (2) Cannot be self-propelled or moved in the manner in which it was originally intended to move; or
 - (3) Is more than five years old and worth less than five hundred dollars (\$500.00).
- (f) Nuisance vehicle. A motor vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:
 - (1) A breeding ground or harbor for mosquitoes or other insects or a breeding ground or harbor for rats or other pests; or
 - (2) A point of heavy growth of weeds or other noxious vegetation over eight inches in height; or
 - (3) A point of collection of pools or ponds of water; or
 - (4) A point of concentration of combustible items such as gasoline, oil, other flammable or explosive materials including but not limited to boxes, paper, old clothes, rags, refuse, or any other combustible materials or objects of a like nature; or
 - (5) One which has parts thereof which fall and injure members of the public or one which may have parts which fall or be closed and become an area of confinement which may not be released for opening from the inside; or
 - (6) One which is so situated and located that there is a danger of the vehicle falling, rolling, turning over, or creating an unsafe movement such as unattended, blocked or jacked vehicles; or
 - (7) One which is a point of collection of garbage, food waste, animal waste, or any other rotten or putrescible matter of any kind; or
 - (8) One which has parts thereof which are jagged or contain sharp edges of metal or glass; or
 - (9) Any other vehicle specifically declared a health and safety hazard and a public nuisance by the City Council.
- (g) Safety hazard. An abandoned or junked motor vehicle shall be declared to be a safety hazard when its condition is such that the motor vehicle's areas of

confinement which cannot be opened from the inside, such as trunk compartments and engine compartments and engine or glass, windows, or any exterior or interior fixtures present physical dangers to the safety and well-being of children or other persons.

Sec. 9-11-163

Jurisdiction. This Article shall govern the removal and disposal of abandoned or junked motor vehicles on public grounds and private property within the City unless specified below. However, this Article shall govern the removal and disposal of abandoned or junked motor vehicles on City-owned property wherever located.

Sec. 9-11-164

Complaints. Prior to an investigation to determine whether a motor vehicle is an abandoned or junked motor vehicle, a complaint must be submitted in writing with the appropriate City officer or employee. Nothing in this section or article shall preclude the City Official from initiating his/her own complaint without it being in writing.

Sec. 9-11-165 Abandoned motor vehicles.

- (a) Abandonment of motor vehicles prohibited. It shall be unlawful for any person to abandon a motor vehicle on city owned property and private property within the City and on City-owned property wherever located.
- (b) Removal of abandoned motor vehicles. The City may remove to a storage garage or area abandoned motor vehicles that are found to be in violation of this Article. An abandoned motor vehicle may not be removed from private property without the written request of the owner, lessee, or occupant of the premises unless the City Council or a duly authorized City official or employee has declared the vehicle to be a health or safety hazard. Appropriate City officers and employees may, upon presentation of proper credentials, enter on any premises within the City ordinance-making jurisdiction at any reasonable hour in order to determine if any vehicles are health or safety hazards. The City may require a person requesting the removal of an abandoned motor vehicle from private property to indemnify the city against any loss, expense, or liability incurred because of vehicle's removal, storage, or sale.
- (c) Notification and probable cause hearing.
 - 1. Whenever a vehicle with a valid registration plate or registration is towed, the City shall immediately notify the last known registered owner of the vehicle of the following:
 - (i) Notice that the vehicle has been towed, along with a description of the vehicle;
 - (ii) Address where the vehicle is stored;
 - (iii) The violation with which the owner is charged, if any;
 - (iv) The possible sale or other disposition of the vehicle;
 - (v) The procedure the owner must follow to have the vehicle returned to him/her; and

(vi) The procedure the owner must follow to request a probable cause hearing on the towing.

If the vehicle has a North Carolina registration plate or registration, notice shall be given to the owner within 24 hours; if the vehicle is not registered in NC, notice shall be given to the owner within 72 hours. Notice shall be mailed to the owner's last known address unless the owner waives this notice in writing. In addition to written notice by mail, and if feasible, additional notice shall be given by telephone. Whether, or not, the owner is reached by telephone, notice shall be mailed to his last known address unless he/she or his/her agent waives the notice in writing.

2. Whenever a vehicle with neither a valid registration plate nor registration is towed, the City shall make reasonable efforts, including checking the vehicle identification number (VIN), to determine the last known registered owner of the vehicle and notify the owner as required by this Article. Unless the owner has otherwise been given notice, it is presumed that the City has not made reasonable efforts, as required under this Article, unless notice that the vehicle would be towed was posted on the windshield or some other conspicuous place at the least ten days before the towing actually occurred; except, no pre-towing notice need be given if the vehicle impeded the flow of traffic or otherwise jeopardizing the public welfare so that immediate towing was necessary.
 3. The owner or any person entitled to claim possession of the vehicle may regain possession of the motor vehicle by paying to the City all reasonable costs incidental to the removal and storage.
 4. The owner or any person entitled to claim possession of the vehicle may request in writing a hearing to determine if probable cause existed for the towing. The request shall be filed with the magistrate's office in Guilford County. The magistrate shall set the hearing within 72 hours of his/her receiving the request. The owner, the City Official who requested the hearing if someone other than the owner, the tower, and the person who authorized the towing shall be notified of the time and place of the hearing. The rules of the General Statutes apply to any appeal.
- (d) Disposal of abandoned motor vehicles. After holding an abandoned motor vehicle for 30 days after the date of removal, the City may sell or dispose of the vehicle as follows:
1. If the vehicle appears to be worth less than \$500.00, the City may dispose of the vehicle as a junked motor vehicle as provided by Article. With the consent of the owner, the City may remove and dispose of a motor vehicle as a junked motor vehicle without regard to the value, condition or age of the vehicle and without holding it for a prescribed period of time.
 2. If the vehicle appears to be worth \$500.00 or more, the vehicle shall be sold at public auction. The City shall give 20 days' written notice of the sale to the registered owner at his last-known address, to each holder of a lien of record against the vehicle and to the state division of motor vehicles. Any person having an interest in the vehicle may redeem it at any time before the sale by paying all costs accrued to date. The proceeds of the sale shall be paid to the finance officer of the City, who shall pay to

the appropriate officers or persons the cost of removal, storage, investigation, sale and liens in that order. The remainder of the proceeds of sale, if any, shall be paid over to the registered owner, or held by the City for 60 days if the registered owner cannot be located with reasonable diligence. If the owner does not claim the remainder of the proceeds within 60 days after the day of the sale, the funds shall be deposited in the City's general fund and the owner's rights in the vehicle are extinguished.

(7) Exceptions. This Article does not apply to any vehicle in an enclosed building, to any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, or to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the city.

(8) Junked motor vehicles.

a. Abandonment of junked motor vehicles prohibited. It shall be unlawful for any person to abandon a junked motor vehicle on public grounds and on private property within the City or upon City-owned property wherever located.

b. Removal of junked motor vehicles. Junked motor vehicles found to be in violation of this Article may be removed to a storage garage or area, but no such vehicle shall be removed from private property without the written request of the owner, lessee, or occupant of the premises unless the City Council or a duly authorized City officer or employee finds in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood or area appearance. The following among other relevant factors, may be considered:

(i.) Protection of property values;

(ii.) Promotion of tourism and other economic development opportunities;

(iii.) Indirect protection of public health and safety;

(iv.) Preservation of the character and integrity of the community; and

(v.) Promotion of comfort, happiness, and emotional stability of area residents.

The City may require any person requesting the removal of junked motor vehicle from private property to indemnify the City against any loss, expense, or liability incurred because of the removal, storage or sale of the junked motor vehicle.

(c) Notification and probable cause hearing.

1. Whenever a vehicle with a valid registration plate or registration is towed, the City shall immediately notify the last known registered owner of the vehicle of following:

(i) A description of the vehicle;

(ii) The place where the vehicle is stored;

(iii) The violation with which the owner is charged, if any;

- (iv) The possible sale or other disposition of the vehicle; and
- (v) The procedure the owner must follow to request a probable cause hearing on the towing.

If the vehicle has a North Carolina registration plate or registration, notice shall be given to the owner within 24 hours; if the vehicle is not registered in this state, notice shall be given to the owner within 72 hours. This notice shall, if feasible, be given by telephone. Whether, or not, the owner is reached by telephone, notice shall be mailed to his last known address unless he/she or his/her agent waives the notice in writing.

2. Whenever a vehicle with neither a valid registration plate nor registration is towed, the City shall make reasonable efforts, including checking the vehicle identification number (VIN), to determine the last known registered owner of the vehicle and to notify him of the information as required by this Article. Unless the owner has otherwise been given notice, it is presumed that the City has not made reasonable efforts, as required under this Article, unless notice that the vehicle would be towed was posted on the windshield or some other conspicuous place at least ten days before the towing actually occurred; except, no pre-towing notice need be given if the vehicle impeded the flow of traffic or otherwise jeopardized the public welfare so that immediate towing was necessary.
 3. The owner or any other person entitled to claim possession of the vehicle may regain possession of the motor vehicle by paying to the City all reasonable costs incidental to the removal and storage.
 4. The owner or any person entitled to claim possession of the vehicle may request in writing a hearing to determine if probable cause existed for the towing. The request shall be filed with the magistrate's office in Guilford County. The magistrate shall set the hearing within 72 hours of his/her receiving the request. The owner, the person who requested the hearing if someone other than the owner, the tower, and the person who authorized the towing shall be notified of the time and place of the hearing. Any decision by the magistrate may be appealed by either party to district court.
- (d) Disposal of junked vehicles. After holding a junked motor vehicle for 15 days, the City may destroy it or sell it at private sale as junk. Within 15 days after the final disposition of a junked motor vehicle, the City shall notify the state division of motor vehicles that the vehicle has been determined to be a junked motor vehicle and disposed of as such. The notice shall contain as full accurate a description of the vehicle as can be reasonably determined. The full proceeds of the sale of the junked vehicle shall be paid to the finance officer of the City, who shall pay to the appropriate officers or persons the cost of removal, storage, investigation, sale and liens, in that order. The remainder of the proceeds of sale, if any, shall be held by the City for 30 days after the day the vehicle is disposed of, the funds shall be deposited in the City's general fund, and the owner's right in the vehicle are extinguished.
- (e) Disposal of vehicle without plates or identification numbers. If a junked motor vehicle does not display a current license plate and the vehicle identification numbers have been removed or defaced so as to be illegible, the City may dispose of a junked motor vehicle

under this Article. The City may destroy the vehicle or sell it at private sale, without regard to value, after having held the vehicle for 48 hours. The proceeds shall be placed in the City's general fund.

(f) Exceptions. This articles does not apply to the following:

1. Any motor vehicle in the process of repair or restoration on property under the control of the owner of the vehicle or property under the control of the person repairing or restoring the vehicle. Visible evidence of repair or restoration shall be apparent on a monthly basis.
2. Any motor vehicle that is used on a regular basis for business or personal transportation purposes.

(g) Nuisance vehicle unlawful; removal authorized.

1. It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.
2. Upon investigation, proper officials may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined in this ordinance, and order the vehicle removed in accordance with the provisions of this Article.

(h) Enforcement remedies authorized; penalties for violation.

1. The City may secure injunctions, abatement orders and other appropriate equitable remedies to further ensure compliance as provided in G.S. 160A-175.
2. The violation of this Article shall be a misdemeanor and in addition to, or lieu of, remedies authorized in this Article shall be punishable by a fine not to exceed \$500.00, or imprisonment for not more than 30 days.
3. Any act constituting a violation of this Article or a failure to comply with any of its requirements shall subject the offender to civil penalty of \$50.00 for each day the violation continues. If the offender fails to pay this penalty within 15 days after being cited for violation, the penalty may be recovered by the City in a civil action in the nature of debt.
4. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this ordinance.

BK: R 7936
PG: 2659-2663
RECORDED:
05-25-2017
10:32:00 AM
BY: JANE SCHULTZ
DEPUTY-HP



NC FEE \$26.00

58
RETURN TO: JoAnne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261

Prepared by: JoAnne Carlyle, City Attorney

NORTH CAROLINA
GUILFORD COUNTY

RIGHT OF WAY
ENCROACHMENT AGREEMENT
AND FENCE EASEMENT

NTC

THIS ENCROACHMENT AGREEMENT AND FENCE EASEMENT (Agreement) made this 15th day of May, 2017, between **THE CITY OF HIGH POINT**, a municipal corporation existing under the laws of the State of North Carolina (the "City") and **HIGH POINT UNIVERSITY**, a North Carolina nonprofit corporation, (the "University").

WITNESSETH

WHEREAS, the City owns the public right of ways known as N. Centennial Street, E. Farriss Ave., and a section of unimproved Fifth Street as shown on a map entitled "Plat No. 2, Sherwood Park" as recorded in Plat Book 11 Page 67 of the Guilford County Register of Deeds; and

WHEREAS, the City owns property lying between two 34-foot right of ways of the northern and southern margins of E. Farriss Ave., indicated as City Park on the above referenced "Plat No. 2, Sherwood Park", said City Park being transferred to the City of High Point in Deed Book 921 Page 518 of the Guilford County Register of Deeds; and

WHEREAS, the University desires, for its interest and convenience, to construct, maintain, and put in place a decorative fence and wall constructed of brick or metal, or a combination of the two materials, hereafter known as "Improvements", in said public rights of way, and in said City Park as described on attached Exhibit A; an

WHEREAS, the City under the terms and conditions herein set forth, is willing to allow the above described Improvements to be made, and allow the University to encroach upon the above-referenced City-owned right of ways, and grant an easement upon the above referenced City-owned park.

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt of which is hereby acknowledged, the University hereby covenants and agrees that:

1. The University is responsible for any and all expenditure of labor or materials required in the installation, erection, repair, maintenance or location of the above-referenced Improvements.

2. The University is responsible for any and all labor or expense, which results from any and all future maintenance and repair of such Improvements, and the removal or dismantling of the Improvements if and when the Improvements are removed.

3. The University is to be fully responsible for any and all property damage or injury to or death of any person which results from any and all negligence, omission, defect in design, maintenance or workmanship created by the University, its agents, employees, contractors or subcontractors in connection with the Improvements, or any cause of action arising out of the installation, maintenance, location, or existence of said Improvements or any other cause of action arising out of the planting, installation, maintenance, location, or existence of said Improvements (collectively, "Claims and Causes of Action").

4. The University agrees:

- (a) to hold the City, its officers, agents and employees harmless from any and all liability arising out of any such Claims and Causes of Action, and
- (b) to defend the City, its officers, agents and employees and pay all attorney fees in any and all actions brought as a result of such Claims and Causes of Action; and
- (c) indemnify the City, its officers, agents and employees against any and all loss sustained by reason of such Claims and Causes of Action.

5. The University, prior to construction of the Improvements, agrees to submit to the City detailed Construction Drawings and shall secure approval from the City of all permits required for the construction of the Improvements.

6. The University agrees to abide by all lawful statutes and ordinances governing installation of the Improvements as contemplated herein.

7. This Agreement shall not divest the City of any rights or interest in said rights of way or the City-owned Park.

8. The University shall contact "NC One Call Center" prior to excavation where and in the manner required by the NC One Call law.

9. This Agreement shall be binding upon and ensure to the benefit of all of the parties hereto and their heirs, personal representatives, grantees, successors, and assigns.

10. All matters relating to this Agreement shall be governed by laws of the State of North Carolina without regard to its choice of law provisions, and venue for any action related to the Agreement shall be Guilford County Superior Court or the United States District Court for the Middle District of North Carolina.

12. All notices required herein shall be deemed given by depositing such in the United States Mail, first class, and addressed as follows:

If to City:

City of High Point
Office of the City Manager
P.O. Box 230
High Point, NC 27261

If to University

High Point University
Attn: Barry Kitley
1 North University Parkway
High Point, NC 27268

NOW, THEREFORE, the City, for and in consideration of these promises and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the University, its successors and assigns, a revocable encroachment and easement for the Grantee's Improvements, as described in the attached Exhibit, for so long as the property and right of ways are not needed by the Grantor.

IN WITNESS WHEREOF, the City of High Point has caused this instrument to be signed by its Mayor and attested by its Clerk and its seal to be affixed by the duly-granted authority of its City Council, the day and year first above written.

CITY OF HIGH POINT

By: William S. Bencini
William S. Bencini, Mayor

ATTEST:

Maria Smith
Maria Smith
Deputy City Clerk



NORTH CAROLINA
GUILFORD COUNTY

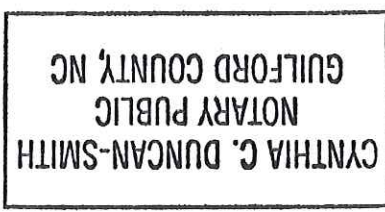
I, Cynthia C. Duncan-Smith, a Notary Public of said county and state do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that she personally appeared before me this date; and, that by authority duly given, and as the act of the said City of High Point, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal, and attested by herself as its clerk.

Maria Smith

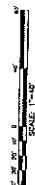
Witness my hand and official seal this the 24th day of May, 2017.

My commission Expires: 11/18/2020

Cynthia C. Duncan-Smith
Notary Public



E. FARRISS AVENUE, FIFTH ST., AND PARK AREAS
CITY OF HIGH POINT
GUILFORD COUNTY - NORTH CAROLINA



Approved by the Turbidity Review Committee for 2 years, subject to the approval of a separate long-stirring permit and/or erosion control plan, and may be extended in accordance with the provisions of Section 9-0-6(a).

153109

1. CONSTRUCTION OF ANY IMPROVEMENTS WITHIN THE AREA DESIGNATED AS ENCROACHMENT AREAS OR WITHIN ANY OTHER PUBLIC RIGHT OF WAY ARE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF HIGH POINT. THE CITY OF HIGH POINT WILL DETERMINE THE TYPE OF IMPROVEMENTS THAT ARE PERMITTED AND THE PERMITS THAT MUST BE OBTAINED PRIOR TO CONSTRUCTION. ACTIVITIES WILL BE INITIATED BY HIGH POINT UNLESS OTHERWISE NOTIFIED BY THE CITY OF HIGH POINT. PERMITS AND APPROVALS HAVE BEEN ISSUED BY APPROPRIATE CITY DEPARTMENTS.
2. FENCE IMPROVEMENTS SHALL BE EITHER HIGH POINT UNIVERSITY'S "SIGNATURE" STYLE ENCROACHMENT OR A COMBINATION OF THE TWO.
3. ENCROACHMENTS SHOWN ON THIS PLAN MUST BE APPROVED BY THE HIGH POINT CITY COUNCIL. THE APPROVAL OF THE ENCROACHMENTS WITHIN THE ENCROACHMENT OF THIS PLAN.
- CALL 1-800-338-4369 BEFORE DECIDING. CALL 910-826-4369 WHEN YOU ARE READY.



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.



BEFORE YOU DIE
CALL 1-800-832-4949
N.C. ONE-CALL CENTER

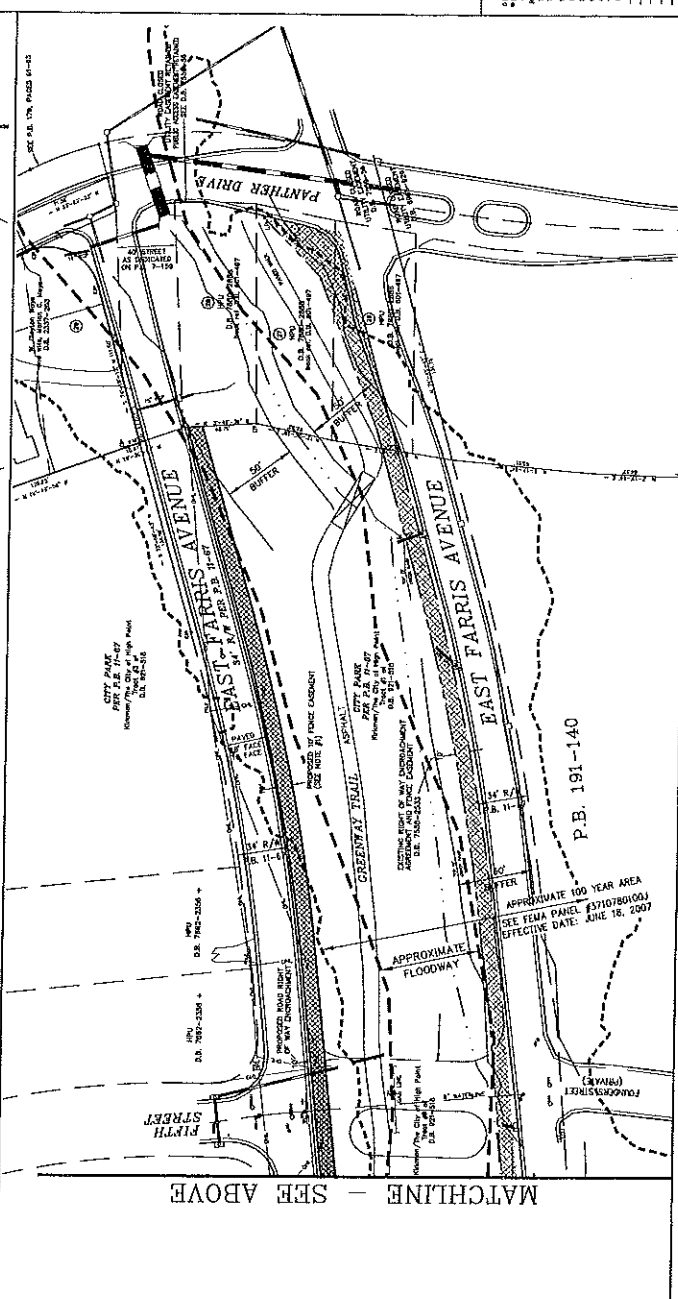
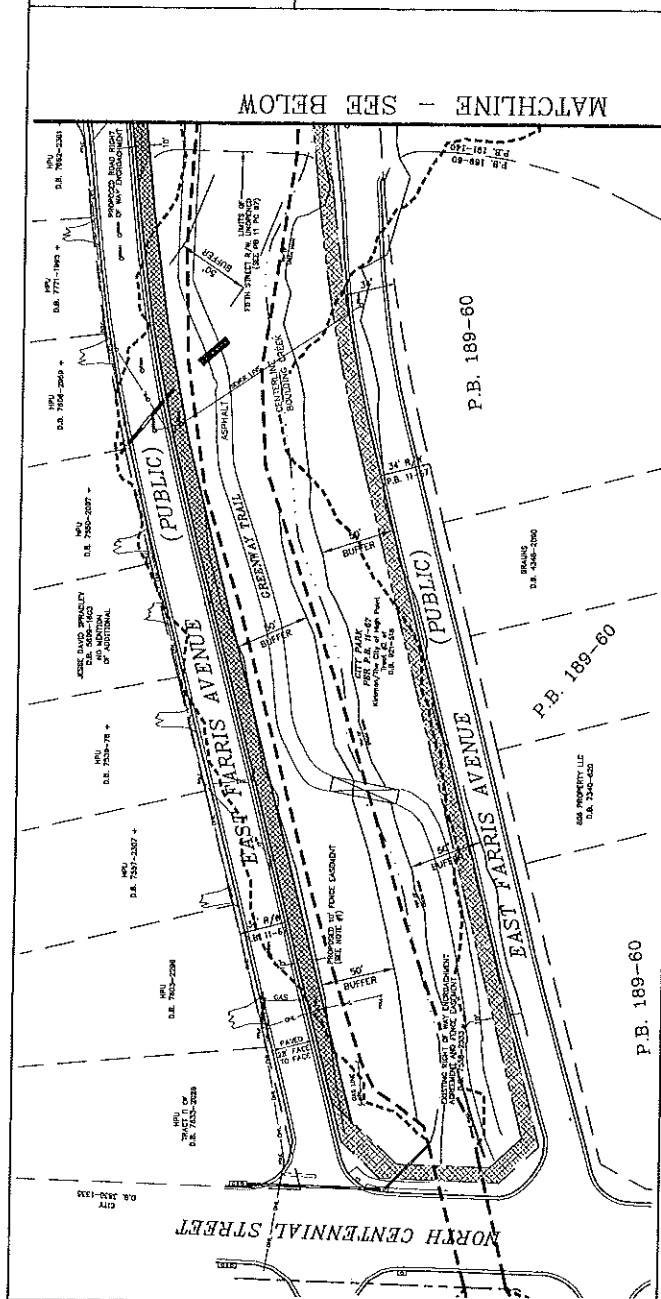
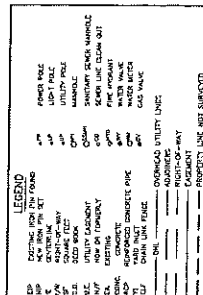
JAMESTOWN ENGINEERING GROUP, INC.
117 EAST MAIN STREET
C-0626

1117 EAST MAIN STREET
P.O. BOX 365
JAMESTOWN, N.C. 27282
Telephone (336) 886-5523

DATE JAN. 13, 2017 SOLR I=49
USE No. 2015-096

4.1.1. **История вопроса**

2016~096



CITY OF HIGH POINT

AGENDA ITEM



Title: Public Hearing- Proposed CHP Annual Budget FY 2017-2018

From: Greg Demko, City Manager

Meeting Date: May 15, 2017

Public Hearing: Yes

Advertising Date / May 3, 2017

Advertised By: Budget Office

Attachments: City Manager's Message
Legal Advertisement

PURPOSE:

To receive public comment on the proposed City of High Point 2017-2018 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 receive 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 1, 2017

Honorable Mayor and Members of the City Council
City of High Point, North Carolina

I am pleased to present the City's 2017-18 Annual Budget for your review and consideration. 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 I believe are expected by our citizens. The budget attempts to strike a balance between addressing the needs of today and providing flexibility to address the needs of the future.

The City Council adopted the following goals last fiscal year and reaffirmed these goals at the budget work session held on March 31 of this year:

1. Increase the population of active, engaged, and entrepreneurial and working millennials living in High Point by 25%
2. 100% proactive enforcement of codes
3. Create a downtown catalyst project that produces:
 - o 500 private sector jobs
 - o 15-20 new restaurants and shops
 - o 250 additional housing units
 - o A centralized gathering place

This budget continues to fund programs and initiatives related to these strategic goals and fiscal sustainability. Continued emphasis is being placed on code enforcement, blight removal, and redevelopment of the core city. Engaging the millennial population by supporting the work of the Connect HP task force continues to be a priority. Property acquisition, site planning and working with strategic partners are progressing well for the downtown catalyst project. Design and financing of the stadium and master development of the site will be the next step as we continue to fulfill this strategic goal.

In addition to reaffirming these goals, the City Council identified three more items for City Staff to focus on in the future. The items are:

1. How do we address underperforming schools?
2. How do we plan for and build around our catalyst project?
3. How can we utilize technology to communicate?

Work plans regarding how to address these challenges are being developed by staff, and will be presented to Council in the near future.

TOTAL FY 2017-18 BUDGET

The total FY 2017-18 budgeted expenditures for the City of High Point amount to \$377,513,076. This is an increase of \$2,222,631 or 0.6% from the FY 2016-17 Budget. Details of these increases are summarized later in this message.

Below is a chart of total 2017-18 budgeted revenues and expenditures compared to the 2016-17 Adopted Budget:

CITY OF HIGH POINT					
TOTAL BUDGET SUMMARY					
Sources and Uses of Funds	FY 2016 Actual	Original FY 2017 Budget	Proposed FY 2018 Budget	\$ Change Prop/Orig	% Change Prop/Orig
REVENUES					
Fund Balance	-	7,954,160	5,456,850	(2,497,310)	-31.4%
Property Tax	59,266,182	59,913,410	62,486,758	2,573,348	4.3%
Sales & Use Taxes	26,490,320	26,967,500	28,281,000	1,313,500	4.9%
Intergovernmental Revenues	18,035,575	17,518,741	16,203,181	(1,315,560)	-7.5%
Licenses & Permits	3,532,151	4,463,650	4,688,650	225,000	5.0%
Charges for Services	218,722,326	231,663,644	234,992,282	3,328,638	1.4%
Miscellaneous Revenues	7,462,266	10,035,756	9,019,662	(1,016,094)	-10.1%
Reimbursements	180,000	180,000	180,000	-	0.0%
Net Total Revenues	333,688,820	358,696,861	361,308,383	2,611,522	0.7%
Interfund Activities	16,753,278	16,593,584	16,204,693	(388,891)	-2.3%
Total Revenues	350,442,098	375,290,445	377,513,076	2,222,631	0.6%
EXPENDITURES					
Personnel Services	109,340,595	114,408,469	120,050,803	5,642,334	4.9%
Operating Expenditures	166,276,876	169,646,569	169,138,638	(507,931)	-0.3%
Capital Outlay	13,080,024	15,061,460	11,132,465	(3,928,995)	-26.1%
Debt Service	17,480,702	31,539,908	30,950,500	(589,408)	-1.9%
PayGo Capital	13,663,381	14,600,000	17,281,100	2,681,100	18.4%
Reimbursements	10,702,410	10,517,507	10,397,649	(119,858)	-1.1%
Contingency	-	3,566,518	3,464,128	(102,390)	-2.9%
SubTotal	330,543,988	359,340,431	362,415,283	3,074,852	0.9%
Interfund Activities	15,554,211	15,950,014	15,097,793	(852,221)	-5.3%
Total Uses of Funds	346,098,199	375,290,445	377,513,076	2,222,631	0.6%

FY 2017-18 MAJOR REVENUES HIGHLIGHTS

Total net revenues for FY 2017-18 are projected to increase \$361,308,383, which is a 0.7% increase from the FY 2016-17 Adopted Budget. The 2017-18 Budget proposes very few changes to our current revenue basis. The only significant rate increase is a proposed 3.0% water-sewer rate increase, effective October 1. This increase is consistent with the long range financial plan and is designed to fund future debt service needs for a planned FY 1017-18 revenue bond sale. Greater details are outlined within each fund on the following pages.

FY 2017-18 EXPENDITURE HIGHLIGHTS

This budget continues to address issues related to the strategic plan initiatives that were formulated last year.

Redevelopment and economic development continue to be important to the revitalization of High Point, and funding is included to address these priorities.

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 2017-18 Proposed Budget:

- The following personnel related items are being proposed:
 - o Eight Police Officer positions were added last year and funded in part through a \$1 million, 3 year Federal COPS grant. Eight additional Police Officer positions are included for this fiscal year.
 - o Also included are an additional Crime Analyst position, and the upgrade of an existing Police Officer position to a Police Supervisor position. This position will be the Supervisor over the Community Outreach Unit and will serve as the department's Public Information Officer.
 - o Includes an additional Accountant position for Financial Services to address critical fiscal issues.
 - o The addition of two positions and the upgrading of two existing positions in the Facility Maintenance Division to further focus efforts on maintaining and increasing proactive maintenance of our City assets.
 - o Public Services included the addition of 5 part time apprentice positions, in order to encourage younger people to gain knowledge about job opportunities in these areas. In addition, there are 2 seasonal workers in Stormwater and 5 seasonal workers in Streets included in the proposed budget.
 - o Due to the difficulty of finding part time staff, Parks and Recreation is proposing adding 6 full time positions and deleting 6 funded part time positions and 16 funded seasonal positions. Parks and Recreation is also proposing to delete 2 full time Custodian positions in order to contract out these services for the recreation centers. All these changes are revenue neutral.
 - o The Library is proposing to delete one part time position in order to upgrade another position from part time to full time. This change is revenue neutral.
 - o Continues the City's Pay for Performance Program with a 0% - 4% merit increase on eligible employees' anniversary date. 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 \$1,193,471 citywide. The cost by each major fund is: General Fund (\$836,156), Water/Sewer (\$95,151), Electric (\$124,339), all others (\$137,825).

- Continued funding of \$500,000 for redevelopment and blight removal efforts.
- Continued funding of the Forward High Point downtown development group in the amount of \$250,000.
- Increased funding for pay-as-we-go neighborhood street resurfacing from \$2.315 million to \$2.45 million.
- Replaces \$4.15 million in vehicles funded with pay-as-you-go funding from the Fleet division of the Central Services Fund. Planned replacements include two rear loader trucks, 1 front loader truck, and three automated trucks for Environmental Services, a street sweeper unit, 2 dump trucks, 9 marked and 6 unmarked police vehicles, and an assortment of mid-sized sedans and light duty pickup trucks.
- Plans the acquisition of three Fire apparatus for \$1,900,000. 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 \$1,000,000 for the replacement of the station alerting system at each fire station. Lease purchase financing will be used to fund the acquisition of this equipment.
- Pay-as-you-go projects of \$26.5 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.

2017-18 MAJOR FUND SUMMARIES

GENERAL FUND

The 2017-18 General Fund Budget of \$111,756,574 is \$5,303,516 or 5.0% more than the adopted 2016-17 budget of \$106,453,058. The 2017-18 General Fund Budget is balanced with current revenues of \$105,356,574, \$2,900,000 in lease purchase proceeds, and \$3,500,000 appropriated prior year fund balances.

General Fund revenues and expenditures are summarized below:

CITY OF HIGH POINT GENERAL FUND BUDGET SUMMARY						
Sources and Uses of Funds	FY 2016 Actual	Original FY 2017 Budget	FY 2017 Estimate	Proposed FY 2018 Budget	\$ Change Prop/Orig	% Change Prop/Orig
REVENUES						
Fund Balance	-	3,555,615	-	3,500,000	(55,615)	-1.6%
Property Tax	56,224,177	56,792,208	56,989,309	59,425,471	2,633,263	4.6%
Sales & Use Taxes	26,058,519	26,532,500	27,845,000	27,845,000	1,312,500	4.9%
Intergovernmental Revenues	10,182,845	9,846,723	9,795,008	9,847,116	393	0.0%
Licenses & Permits	1,515,115	2,448,650	2,610,300	2,673,650	225,000	9.2%
Charges for Services	4,717,111	4,562,362	4,725,948	4,678,087	115,725	2.5%
Miscellaneous Revenues	1,112,813	2,715,000	4,299,000	3,787,250	1,072,250	39.5%
Net Total Revenues	99,810,580	106,453,058	106,264,565	111,756,574	5,303,516	5.0%
EXPENDITURES						
Personnel Services	68,333,865	71,043,182	69,092,159	73,719,462	2,676,280	3.8%
Operating Expenditures	21,073,155	23,680,334	23,308,631	25,332,309	1,651,975	7.0%
Capital Outlay	2,684,689	2,600,739	2,500,000	5,250,800	2,650,061	101.9%
Debt Service	568,112	928,459	543,317	529,860	(398,599)	-42.9%
Contingency	-	400,000	-	400,000	-	0.0%
SubTotal	92,659,821	98,652,714	95,444,107	105,232,431	6,579,717	6.7%
Interfund Activities	8,315,063	7,800,344	7,800,344	6,524,143	(1,276,201)	-16.4%
Total Uses of Funds	100,974,884	106,453,058	103,244,451	111,756,574	5,303,516	5.0%

GENERAL FUND REVENUES

Below is a summary of major General Fund revenue changes:

- Property tax revenues represent 53.2% or \$59,425,471 of the total General Fund revenues. Property tax collections are projected to increase approximately \$2,633,263 or 4.6% due to an increase in assessed valuation stemming from reevaluation in Guilford and Forsyth County. The projected collections are based on continuing with a tax rate of 64.75 cents.
- Sales tax revenues represent about 25% of General Fund revenues and are projected to increase approximately \$1,312,500 or 4.9% 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 \$225,000 or 9.2% due primarily to increased building activity.
- Miscellaneous revenues are increasing approximately \$1,072,250 or 39.5% due to lease purchase proceeds related to fire truck and station alerting purchases.

GENERAL FUND EXPENDITURES

Below is a summary of major General Fund expenditure changes:

- Personnel services are increasing \$2.7 million or 3.8% to continue the pay for performance merit program, increased health insurance premiums, and the addition of 8 Police Officer positions, 1 Crime Analyst, 1 Accountant and 2 Building Maintenance Technician positions.
- Operating expenditures are increasing \$1.5 million or 6.2%. The majority of the increases are coming from increases to street resurfacing (\$135,000), equipment to outfit 8 new Police positions (\$181,200), increased software lease contracts (\$183,808), and various other increases.
- Capital outlay is increasing approximately \$870,061 or 33.5%. This is due primarily to the station alerting system, which is being lease – purchased for %\$1,000,000. Other capital outlay includes 8 police cruisers and 3 fire apparatus.
- Debt service is decreasing by \$523,599 or 57.1 due to several lease-purchase financing agreements that were paid off in the previous fiscal year.

ASSESSED PROPERTY VALUES

The combined total assessed valuation estimates from our four County taxing authorities is \$9,470,104,384 for 2017-18, for a 4.5% increase. The value of one cent in tax rate will produce approximately \$947,000 revenues. 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				
2005	3,437,991,396	2,467,140,893	961,955,850	6,867,088,139	1,353,571,796	111,464,661	8,332,124,596	-
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	1,910,440,163	1,018,606,564	7,278,714,107	1,587,787,369	140,281,138	9,006,782,614	0.9%
2017 (est)	4,365,873,203	2,081,487,839	932,088,017	7,379,449,059	1,535,936,592	147,295,195	9,062,680,846	0.6%
2018 (est)	4,471,945,033	2,301,454,600	978,692,418	7,752,092,051	1,560,406,474	157,605,859	9,470,104,384	4.5%

TAX RATE AND COLLECTIONS

The proposed FY 2017-18 tax rate is 64.75 cents, unchanged from the Fiscal Year 2016-17 rate. 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 \$61,717,727, the General Fund will receive \$58,476,950, and the General Debt Service Fund will receive \$3,240,776. 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.

REVENUE NEUTRAL TAX RATE CALCULATION

The general reappraisal of real property for the Guilford County portion of High Point occurs once every five years. The Guilford County parcels account for 94.4% of all assessed value in High Point. State law requires that units of local government publish a revenue-neutral tax rate in the budget immediately following the completion of the general reappraisal of real property. The purpose of the revenue-neutral tax rate is to provide citizens with comparative information.

The FY 2017-18 operating budget follows the general reappraisal of real property for the High Point. The revenue neutral tax rate, as defined by G.S. 159-11e, is the tax rate that is estimated to produce revenue for the next fiscal year equal to the revenue for the current fiscal year if no reappraisal had occurred. The rate is then adjusted by a growth factor equal to the average annual percentage increase in the tax base due to improvements since the last general reappraisal.

The reappraisal of the Guilford County portion of High Point produced a tax base \$9,076,068,995, and the growth factor since the last general reappraisal is 0.51%. Using the formula mandated by state law, the revenue neutral tax rate for High Point is 62.21 cents. The proposed tax rate for FY 2017-18 is 64.75 cents, which is unchanged from the property tax rate of 64.75 cents for FY 2016-17.

REVENUE NEUTRAL BY CATEGORY

Although it is not required by law to calculate a revenue neutral amount by individual category (i.e., residential and commercial), it is of interest to know what the revenue neutral rate would be for each category.

The estimated residential value of \$4.47 billion is an increase of just over \$100 million, or 2.4%. A tax rate of 63.21 cents (a decrease of 1.54 cents) would be needed to remain revenue neutral on just residential properties.

For commercial and industrial properties, the estimated value is \$3.3 billion, an increase of \$267 million or 8.8%. A tax rate of 59.49 cents (a decrease of 5.26 cents) would be needed to remain revenue neutral on just commercial and industrial properties.

This highlights the fact that residential properties are not increasing in value at the same rate as commercial and industrial properties, and highlights that investment of time and resources are needed to strengthen residential property values.

WATER AND SEWER FUND

The \$50,957,035 Water and Sewer Fund Budget for 2017-18 represents a 1.3% or \$685,166 decrease from the 2016-17 adopted budget, as summarized below:

CITY OF HIGH POINT WATER SEWER FUND BUDGET SUMMARY						
Sources and Uses of Funds	FY 2016 Actual	Original FY 2017 Budget	FY 2017 Estimate	Proposed FY 2018 Budget	\$ Change Prop/Orig	% Change Prop/Orig
REVENUES						
Fund Balance	-	2,262,066	-	294,000	(1,968,066)	-87.0%
Intergovernmental Revenues	407,166	435,000	406,079	435,000	-	0.0%
Charges for Services	46,734,041	48,663,135	48,770,657	49,948,035	1,284,900	2.6%
Miscellaneous Revenues	486,015	282,000	93,762	280,000	(2,000)	-0.7%
Net Total Revenues	47,627,222	51,642,201	49,270,498	50,957,035	(685,166)	-1.3%
EXPENDITURES						
Personnel Services	8,091,471	8,794,634	8,197,075	9,224,652	430,018	4.9%
Operating Expenditures	9,557,435	11,596,960	10,011,382	11,141,834	(455,126)	-3.9%
Debt Service	17,506,370	18,446,217	18,273,856	18,500,554	54,337	0.3%
PayGo Capital	4,582,370	6,350,000	6,350,000	5,757,050	(592,950)	-9.3%
Reimbursements	6,189,342	6,104,390	6,104,390	5,982,945	(121,445)	-2.0%
Contingency	-	300,000	-	300,000	-	0.0%
SubTotal	45,926,988	51,592,201	48,936,703	50,907,035	(685,166)	-1.3%
Interfund Activities	50,000	50,000	50,000	50,000	-	0.0%
Total Uses of Funds	45,976,988	51,642,201	48,986,703	50,957,035	(685,166)	-1.3%

WATER AND SEWER RATES

The 2017-18 Water and Sewer Fund includes a 3.0% water and sewer rate increase effective October 1, 2017. This increase is to fund the debt service on the approximately \$38 million in water and wastewater bonds that will be issued around the beginning of calendar year 2018. This budget includes \$5.7 million in pay-as-you-go project funding detailed later in this message.

This necessary 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:

CITY OF HIGH POINT HISTORIC ANNUAL WATER AND SEWER RATE INCREASES			
FISCAL YEAR	EFFECTIVE DATE	WATER % CHANGE	SEWER % CHANGE
FY 2001	7/1/2000	17.20%	15.70%
FY 2002	7/1/2001	5.00%	22.20%
FY 2003	7/1/2002	8.00%	15.00%
FY 2004	7/1/2003	6.30%	14.50%
FY 2005	10/1/2004	4.90%	4.90%
FY 2006	10/1/2005	4.90%	4.90%
FY 2007	10/1/2006	4.90%	4.90%
FY 2008	11/8/2007	4.85%	4.85%
FY 2009	10/1/2008	5.90%	5.90%
FY 2010	10/1/2009	5.00%	5.00%
FY 2011	10/1/2010	4.90%	4.90%
FY 2012	10/1/2011	4.90%	4.90%
FY 2013	no increase	0.00%	0.00%
FY 2014	no increase	0.00%	0.00%
FY 2015	7/1/2014	3.00%	3.00%
FY 2016	10/1/2016	3.50%	3.50%
FY 2017	10/1/2017	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 2017-18 Electric Fund Budget of \$132,667,110 represents a 0.5% or \$615,012 increase from the 2016-17 adopted budget. There is no change planned to the current rate structure. The increase in revenue this fiscal year is due to projected growth.

Wholesale power cost for FY 2017-18 is budgeted at \$99,700,000, which is the single largest expense in the Electric Fund and citywide budget. The budget continues to include \$100,000 for assistance to qualified low income customers, as well as \$9,206,300 in major capital projects. These routine capital investments are necessary to maintain efficient and ongoing operation of the Electric System.

CITY OF HIGH POINT ELECTRIC FUND BUDGET SUMMARY						
Sources and Uses of Funds	FY 2016 Actual	Original FY 2017 Budget	FY 2017 Estimate	Proposed FY 2018 Budget	\$ Change Prop/Orig	% Change Prop/Orig
REVENUES						
Fund Balance	-	200,000	-	-	(200,000)	-100.0%
Intergovernmental Revenues	1,260,225	-	-	-	-	0.0%
Charges for Services	126,199,652	131,613,098	132,090,871	132,428,110	815,012	0.6%
Miscellaneous Revenues	383,624	239,000	946,138	239,000	-	0.0%
Net Total Revenues	127,843,501	132,052,098	133,037,009	132,667,110	615,012	0.5%
Interfund Activities	-	-	-	-	-	0.0%
Total Revenues	127,843,501	132,052,098	133,037,009	132,667,110	615,012	0.5%
EXPENDITURES						
Personnel Services	8,023,579	8,170,352	8,154,314	9,499,425	1,329,073	16.3%
Operating Expenditures	8,083,157	7,512,622	5,667,838	7,089,731	(422,891)	-5.6%
Wholesale Power Cost	97,797,480	99,500,000	97,579,126	99,700,000	200,000	0.2%
Reimbursements	3,463,099	3,281,606	3,281,606	3,217,526	(64,080)	-2.0%
Electric Capital	4,349,460	9,531,000	7,101,350	9,206,300	(324,700)	-3.4%
Contingency	-	2,866,518	-	2,764,128	(102,390)	-3.6%
SubTotal	121,716,775	130,862,098	121,784,234	131,477,110	615,012	0.5%
Interfund Activities	1,110,000	1,190,000	1,190,000	1,190,000	-	0.0%
Total Uses of Funds	122,826,775	132,052,098	122,974,234	132,667,110	615,012	0.5%

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 and 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 fashion. 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 and meet and provide for future growth and development.

GENERAL OBLIGATION BONDS

General obligation bonds are a common type of municipal bond that is 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, except they cannot be issued to finance 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.

Through the years, two-thirds bonds have been used to improve and upgrade the Athletic Complex, Oak Hollow Campground, Washington Terrace swimming pool, City Lake dock and pier, Camp Ann restrooms, Lindsay Street utility and landscaping, sidewalk improvements, sidewalk and curb and gutter improvements on Cedrow Drive, improvements to Main Street, the Library Plaza project, a new fire training tower and site improvements at the fire training facility and other improvements. Current projects under design or construction using two-thirds bond money include completion of the greenway, railroad bank stabilization, and various sidewalk improvements.

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.

The City has invested more than \$276,790,000 in various major water and wastewater projects in the past seventeen years. This includes the 2014 sale of \$39.1 million for projects such as the Westside Wastewater Treatment Plant, incinerator rebuild and upgrades, water/sewer line expansion to NC66/I-74, and various other projects.

Over the next five years, staff has identified an estimated \$98 million in additional major water and wastewater bond projects. The upcoming bond issue includes approximately \$38 million in projects that were identified in the FY 2016-17 budget, but due to timing delays these bonds were not sold in the previous fiscal year. The projects for this bond sale include \$12,750,000 for the Westside Wastewater Treatment Plant Phase 3; \$8,000,000 for incinerator rehabilitation and emission improvements; \$6,300,000 for various outfall improvements, \$5,000,000 for utilities related to the widening of Skeet Club; \$2,100,000 for the replacement of the Ward Water Tank, and \$2,800,000 for the Ward Water Plant electrical rehabilitation; and others. These investments and the financing of these investments are included in our long-range business plan that has been developed in conjunction with Davenport and Company. Staff is will continue to evaluate the five year plan and make updates as appropriate.

This budget also anticipates issuing revenue bonds for the stormwater system. The amount of bonds have not been finalized. The previous years' budget included a \$1/month stormwater rate increase to pay the debt service on this bond issue.

BOND AGENCY RATINGS

The City's capacity to finance and pay for needed improvements are 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 enjoys highly favorable bond ratings from each agency, which in turn lowers our cost of borrowing. These favorable ratings were due to strong and conservative financial management practices and adherence to financial policies, Local Government Commission regulations and state laws. The chart below shows High Point's current ratings:

CITY OF HIGH POINT BOND RATING HISTORY			
	Moody's	Standard & Poor's	Fitch
GENERAL OBLIGATION BONDS	Aa1	AAA	AA+
REVENUE BONDS	Aa2	AAA	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 have for FY 2017-18 are budgeted at \$4,430,000. The pay-as-we-go investments in the General Fund include:

Street Resurfacing	\$2,450,000
Fire Station Renovations	500,000
GIS Base Mapping	30,000
Parks & Rec parking lot improvements	490,000
Dog Park	125,000
Playground Equipment	50,000
Athletic Complex Track Resurfacing	100,000
Tennis Center Improvements	100,000
Library Plaza alternate improvements	200,000
Mendenhall Terminal Improvements	150,000
I-74 Signing	35,000
Traffic Services Storage Building	100,000
City Hall electric system upgrade	<u>100,000</u>
General Fund Total	\$4,430,000

WATER AND SEWER PAY-AS-WE-GO

Water and Sewer pay-as-we-go capital reinvestments are budgeted at \$5,639,550. A list of 2017-18 Water and Sewer pay-as-we-go investments are shown below:

Replace Obsolete Neighborhood Water Lines	\$1,250,000
Replace Obsolete Neighborhood Sewer Lines	1,250,000
Waterview Pump Station	200,000
Developer reimbursements	100,000
Water Storage tank maintenance	100,000
Eastside Safety Equipment upgrades	340,000
SCADA system upgrades	200,000
Kendale Outfall	449,500
Alum Sludge Removal	300,000
NCDOT – TIP Program	100,000
Water Meter Change-out	1,150,000
Water System Improvements	100,000
Sewer System Improvements	<u>100,000</u>
Water & Sewer Total	\$5,639,550

ELECTRIC PAY-AS-WE-GO

The Electric pay-as-we-go projects are budgeted at \$9,206,300. Projects include:

Electric System Improvements	\$2,659,800
Automated Meter Reading	200,000
Outdoor Lighting	110,000
Linden Substation 100kv conversion	500,000
Hammer Substation	1,750,000
Downtown underground	200,000
Load Management	148,000
Street lighting	200,000
Breaker replacement	100,000
Oak Hollow second transformer	1,688,500
100kv breakers	150,000
SCADA upgrade	150,000
Overhead conversion	100,000
Russell to Burton conversion	1,000,000
Utility Software upgrade	<u>250,000</u>
Electric Capital Total	\$9,206,300

SOLID WASTE PAY-AS-WE-GO

The Solid Waste pay-as-we-go budget is \$1,171,000. The projects planned are:

Screener - Ingleside	\$350,000
Kersey Valley Road Relocation	250,000
Landfill land purchase	50,000
Collection cart replacement	300,000
Hazardous waste building	50,000
KV Phase I-IV reserve	<u>171,000</u>
Landfill Capital Total	\$1,171,000

OTHER PAY-AS-WE-GO

The \$3,742,121 in other 2017-18 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	\$4,400,000
Stormwater projects	75,000
Radio System Equipment	55,000
Computer System Replacements	<u>300,000</u>
Other Capital Total	\$ 4,830,000

FUND BALANCES/RETAINED EARNINGS

Fund balances and retained earnings are an absolutely critical, but often misunderstood and overlooked part of the Annual Budget. Fund balances and retained earnings consist of unencumbered and un-appropriated monies. They are essential for maintaining our strong bond ratings as well as to maintain 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, 2016:

FUND BALANCE AVAILABLE FOR APPROPRIATION									
FUND	ACTUAL JUNE 30, 2016	ESTIMATED BALANCE JUNE 30, 2017	APPROPRIATED FY 2017-18	ESTIMATED BALANCE JUNE 30, 2018	FUND BALANCE POLICY	FY 2017-18 PROPOSED EXPENDITURES	FUND BALANCE MINIMUM	RESERVE % OF EXPENDITURES	AMOUNT ABOVE MINIMUM FUND BALANCE
GENERAL	13,400,032	19,057,341	3,500,000	15,557,341	10%	110,756,574	11,075,657	14.0%	4,481,684
GENERAL DEBT	16,428,100	16,599,949	-	16,599,949	50%	8,394,206	4,197,103	197.8%	12,402,846
ECONOMIC DEV.	2,208,272	2,416,681	275,000	2,141,681	n/a	750,000	n/a	n/a	n/a
CENTRAL SERVICE	3,285,864	3,290,698	944,267	2,346,431	n/a	13,845,309	n/a	n/a	n/a
WATER & SEWER	30,521,399	30,805,194	294,000	30,511,194	50%	50,957,035	25,478,518	59.9%	5,032,676
ELECTRIC	24,605,356	28,605,356	-	28,605,356	10%	132,667,110	13,266,711	21.6%	15,338,645
MASS TRANSIT	393,961	450,696	-	450,696	10%	4,191,822	419,182	10.8%	31,514
PARKING	355,553	389,419	315,197	74,222	10%	579,897	57,990	12.8%	16,232
SOLID WASTE	1,791,435	3,016,089	128,386	2,887,703	10%	15,718,886	1,571,889	18.4%	1,315,814
STORMWATER	1,760,926	1,956,978	-	1,956,978	10%	5,195,804	519,580	37.7%	1,437,398
TOTAL	94,750,898	106,588,401	5,456,850	101,131,551		343,056,643	56,586,630	29.5%	40,056,809

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 2017-18 Budget is balanced, meets all statutory requirements, and addresses many of the critical issues that Council has expressed interest in addressing.

I want to thank the City Council and the community for their interest, engagement and assistance. The work we do cannot be successful 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,

A handwritten signature in black ink that reads "Greg Demko".

Greg Demko
City Manager

**PUBLIC NOTICE
CITY OF HIGH POINT
BUDGET HEARING**

Affidavit of Publication

STATE OF NORTH CAROLINA }
COUNTY OF } *Cumford* SS

Lisa Robertson, being duly sworn, says:

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

May 03, 2017

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

SIGNED:

Lisa Robertson
the billing clerk

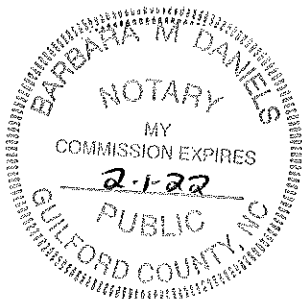
Subscribed to and sworn to me this 3rd day of May 2017.

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

My commission expires: February 01, 2022

30000567 30756188

HPE LEGAL ACCT
CITY OF HIGH POINT
PO BOX 230
HIGH POINT, NC 27261



The public will take notice that the Proposed Budget for the City of High Point for the Fiscal Year 2017-2018 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: WWW.HIGHPOINT-NC.GOV

One public hearing on the Proposed Budget will be held. The public hearing will be held on Monday, May 15, 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 3, 2017

CITY OF HIGH POINT

AGENDA ITEM



Title: Budget Amendment for Senior Center Bus

From: Eric Olmedo, Budget Director

Public Hearing: N/A

Attachments: Budget ordinance

Meeting Date: May 15, 2017

Advertising Date: N/A

Advertised By: N/A

PURPOSE:

A Budget Amendment is needed to appropriate donated funds received for replacement of the Senior Center bus.

BACKGROUND:

In January, 2017, former Mayor Roy Culler expressed an interest in donating funds to help pay a portion of the cost to replace the bus at the Roy B. Culler Senior Center. The current bus at the Senior Center is a 2004 model, and was scheduled to be replaced in FY 2018.

Bids were solicited, and the lowest bid was for a 28-passenger bus from Ilderton Dodge, at a cost of \$62,000. Mayor Culler made a donation in the amount of \$31,000 to pay for half the bus. It is recommended that the remaining \$31,000 be appropriated from available fund balance.

BUDGET IMPACT:

Central Services Fund – Fleet revenues and expenditures will be increased by \$62,000 in order to pay for a replacement Senior Center bus.

RECOMMENDATION / ACTION REQUESTED:

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

“AN ORDINANCE AMENDING THE 2016-2017 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO RECOGNIZE DONATED FUNDS FOR REPLACEMENT OF THE SENIOR CENTER BUS

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

Section 1. The City of High Point has received a donation in the amount of \$31,000 from former Mayor Roy Culler in order to replace the Senior Center bus. A fund balance appropriation for \$31,000 is also needed for the total bus cost of \$62,000.

Section 2. In order to recognize and appropriate these funds, the 2016-2017 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That Central Services Fund - Fleet revenues be amended as follows:

Donation Revenue	\$31,000
Fund Balance Appropriation	\$31,000

(B) That Central Services Fund – Fleet expenditures be amended as follows:

Capital Fleet Vehicles Expenditures	\$62,000
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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 15, 2017

**AN ORDINANCE REPEALING TITLE 9 – DEVELOPMENT, CHAPTER 2 –
INSPECTION REGULATIONS, ARTICLE G – ABANDONED AND JUNK
MOTOR VEHICLES IN ITS ENTIRETY AND ADOPTING TITLE 9, CHAPTER
2, ARTICLE G – ABANDONED AND JUNK MOTOR VEHICLES 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 9, Chapter 2, Article G – Abandoned and Junk Motor Vehicles is repealed in its entirety (Section 9-2-161 through and including 9-2-169 – 180 Reserved.) and Title 9, Chapter 2, Article G – Abandoned and Junk Motor Vehicles (Section 9-2-161 through and including 9-2-165) is hereby adopted.

ARTICLE G – REGULATION OF ABANDONED AND JUNKED MOTOR VEHICLES

Sec. 9-2-161 –Purpose and Finding.

The purpose of this Article is to provide for the lawful regulation of abandoned and junked motor vehicles within the City's ordinance-making jurisdiction and to prohibit the abandonment of motor vehicles on public streets or on public or private property within the City, including the removal and disposal of junked or abandoned motor vehicles according to the procedures set forth herein; furthermore, the City Council here hereby finds and declares that the regulation, restraint or prohibition of the abandonment of junked motor vehicles on public grounds, and on private property within the City is necessary and desirable to promote or enhance community, neighborhood or area appearance and such enforcement may include the removal or disposal of junked motor vehicles according to the procedures set forth herein. Further objectives of this Article are as follows:

- (a) To ensure the public health, safety, and general welfare by providing controls on the removal and disposal of abandoned and junked motor vehicles.
- (b) To prohibit abandoned or junked motor vehicles from being disposed of by leaving them on public or private property.
- (c) To eliminate the present accumulation of abandoned and junked motor vehicles.
- (d) To prevent future accumulation of abandoned and junked motor vehicles.
- (e) To promote or enhance community, neighborhood or area appearance.

Sec. 9-2-162 –Definitions.

- (a) Motor vehicle. A machine designed or intended to travel over land or water by self-propulsion or while attached to any self-propelled vehicle.
- (b) City Official. Director of Community Housing & Development or his or her designee
- (c) Abandoned motor vehicle. A motor vehicle that:
 - (1) Has been left upon a street or highway in violation of a law or ordinance prohibiting parking; or
 - (2) Is left on property owned or operated by the City for longer than 24 hours; or
 - (3) Is left on private property without the consent of the owner, occupant, or lessee of the private property for longer than two hours; or
 - (4) Is left on any public street or highway for longer than seven days or is determined by law enforcement to be a hazard to the motoring public.
- (d) Health hazard. An abandoned or junked motor vehicle shall be declared by the City Official to be a health hazard when its condition is such that the motor vehicle can or does harbor diseases, furnish shelter and breeding places for mosquitoes and other insects, or become a breeding ground and harbor for rats and other pests.
- (e) Safety hazard. An abandoned or junked motor vehicle shall be declared to be a safety hazard when its condition is such that the motor vehicle's areas of confinement which cannot be opened from the inside, such as trunk compartments and engine compartments and engine or glass, windows, or any exterior or interior fixtures present physical dangers to the safety and well-being of children or other persons.
- (f) Junked motor vehicle. An abandoned motor vehicle that also:
 - (1) Is partially dismantled or wrecked; or
 - (2) Cannot be self-propelled or moved in the manner in which it was originally intended to move; or

- (3) Is more than five years old and worth less than five hundred dollars (\$500.00).
- (g) Nuisance vehicle. A motor vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:
 - (1) A breeding ground or harbor for mosquitoes or other insects or a breeding ground or harbor for rats or other pests; or
 - (2) A point of heavy growth of weeds or other noxious vegetation over eight inches in height; or
 - (3) A point of collection of pools or ponds of water; or
 - (4) A point of concentration of combustible items such as gasoline, oil, other flammable or explosive materials including but not limited to boxes, paper, old clothes, rags, refuse, or any other combustible materials or objects of a like nature; or
 - (5) One which has parts thereof which fall and injure members of the public or one which may have parts which fall or be closed and become an area of confinement which may not be released for opening from the inside; or
 - (6) One which is so situated and located that there is a danger of the vehicle falling, rolling, turning over, or creating an unsafe movement such as unattended, blocked or jacked vehicles; or
 - (7) One which is a point of collection of garbage, food waste, animal waste, or any other rotten or putrescible matter of any kind; or
 - (8) One which has parts thereof which are jagged or contain sharp edges of metal or glass; or
 - (9) Any other vehicle specifically declared a health or safety hazard or a public nuisance by the City Council.

Sec. 9-2-163

Jurisdiction. This Article shall govern the removal and disposal of abandoned or junked motor vehicles on public grounds and private property within the City unless otherwise specified herein. However, this Article shall govern the removal and disposal of abandoned or junked motor vehicles on City-owned property wherever located.

Sec. 9-2-164

Complaints. Prior to an investigation to determine whether a motor vehicle is an abandoned or junked motor vehicle, a complaint must be submitted in writing with the

appropriate City officer or employee. Nothing in this section or article shall preclude the City Official from initiating his/her own complaint without it being in writing.

Sec. 9-2-165 Abandoned motor vehicles.

- (a) Abandonment of motor vehicles prohibited. It shall be unlawful for any person to abandon a motor vehicle on city owned property and private property within the City and on City-owned property wherever located.
- (b) Removal of abandoned motor vehicles. The City may remove to a storage garage or area abandoned motor vehicles that are found to be in violation of this Article. An abandoned motor vehicle may not be removed from private property without the written request of the owner, lessee, or occupant of the premises unless the City Council or a duly authorized City official or employee has declared the vehicle to be a health or safety hazard. Appropriate City officers and employees may, upon presentation of proper credentials, enter on any premises within the City ordinance-making jurisdiction at any reasonable hour in order to determine if any vehicles are health or safety hazards. The City may require a person requesting the removal of an abandoned motor vehicle from private property to indemnify the City against any loss, expense, or liability incurred because of vehicle's removal, storage, or sale.
- (c) Notification and probable cause hearing.
 - (1) Whenever a vehicle with a valid registration plate or registration is towed, the City shall immediately notify the last known registered owner of the vehicle of the following:
 - (i) Notice that the vehicle has been towed, along with a description of the vehicle;
 - (ii) Address where the vehicle is stored;
 - (iii) The violation with which the owner is charged, if any;
 - (iv) The possible sale or other disposition of the vehicle;
 - (v) The procedure the owner must follow to have the vehicle returned to him/her; and
 - (vi) The procedure the owner must follow to request a probable cause hearing on the towing.

If the vehicle has a North Carolina registration plate or registration, notice shall be given to the owner within 24 hours; if the vehicle is not registered in North Carolina, notice shall be given to the owner within 72 hours. Notice shall be mailed to the owner's last known address unless the owner waives this notice in writing. In addition to written notice by mail, and if feasible, additional notice shall be

given by telephone. Whether, or not, the owner is reached by telephone, notice shall be mailed to his last known address unless he/she or his/her agent waives the notice in writing.

- (2) Whenever a vehicle with neither a valid registration plate nor registration is towed, the City shall make reasonable efforts, including checking the vehicle identification number (VIN), to determine the last known registered owner of the vehicle and notify the owner as required by this Article. Unless the owner has otherwise been given notice, it is presumed that the City has not made reasonable efforts, as required under this Article, unless notice that the vehicle would be towed was posted on the windshield or some other conspicuous place at the least ten days before the towing actually occurred; except, no pre-towing notice need be given if the vehicle impeded the flow of traffic or otherwise jeopardizing the public welfare so that immediate towing was necessary.
 - (3) The owner or any person entitled to claim possession of the vehicle may regain possession of the motor vehicle by paying to the City all reasonable costs incidental to the removal and storage.
 - (4) The owner or any person entitled to claim possession of the vehicle may request in writing a hearing to determine if probable cause existed for the towing. The request shall be filed with the magistrate's office in Guilford County. The magistrate shall set the hearing within 72 hours of his/her receiving the request. The owner, the City Official who requested the hearing if someone other than the owner, the tower, and the person who authorized the towing shall be notified of the time and place of the hearing. The rules of the General Statutes apply to any appeal.
- (d) Disposal of abandoned motor vehicles. After holding an abandoned motor vehicle for 30 days after the date of removal, the City may sell or dispose of the vehicle as follows:
- (1) If the vehicle appears to be worth less than \$500.00, the City may dispose of the vehicle as a junked motor vehicle as provided by this Article. With the consent of the owner, the City may remove and dispose of a motor vehicle as a junked motor vehicle without regard to the value, condition or age of the vehicle and without holding it for a prescribed period of time.
 - (2) If the vehicle appears to be worth \$500.00 or more, the vehicle shall be sold at public auction. The City shall give 20 days' written notice of the sale to the registered owner at his last-known address,

to each holder of a lien of record against the vehicle and to the state division of motor vehicles. Any person having an interest in the vehicle may redeem it at any time before the sale by paying all costs accrued to date. The proceeds of the sale shall be paid to the finance officer of the City, who shall pay to the appropriate officers or persons the cost of removal, storage, investigation, sale and liens in that order. The remainder of the proceeds of sale, if any, shall be paid over to the registered owner, or held by the City for 60 days if the registered owner cannot be located with reasonable diligence. If the owner does not claim the remainder of the proceeds within 60 days after the day of the sale, the funds shall be deposited in the City's general fund and the owner's rights in the vehicle are extinguished.

- (e) Exceptions. This Article does not apply to any vehicle in an enclosed building, to any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, or to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the City.
- (f) Junked motor vehicles.
 - (1) Abandonment of junked motor vehicles prohibited. It shall be unlawful for any person to abandon a junked motor vehicle on public grounds and on private property within the City or upon City-owned property wherever located.
 - (2) Removal of junked motor vehicles. Junked motor vehicles found to be in violation of this Article may be removed to a storage garage or area, but no such vehicle shall be removed from private property without the written request of the owner, lessee, or occupant of the premises unless the City Council or a duly authorized City officer or employee finds in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood or area appearance. The following among other relevant factors, may be considered:
 - (i) Protection of property values;
 - (ii) Promotion of tourism and other economic development opportunities;
 - (iii) Indirect protection of public health and safety;

- (iv) Preservation of the character and integrity of the community; and
- (v) Promotion of comfort, happiness, and emotional stability of area residents.

The City may require any person requesting the removal of junked motor vehicle from private property to indemnify the City against any loss, expense, or liability incurred because of the removal, storage or sale of the junked motor vehicle.

(g) Notification and probable cause hearing.

- (1) Whenever a vehicle with a valid registration plate or registration is towed, the City shall immediately notify the last known registered owner of the vehicle of following:

- (i) A description of the vehicle;
- (ii) The place where the vehicle is stored;
- (iii) The violation with which the owner is charged, if any;
- (iv) The possible sale or other disposition of the vehicle; and
- (v) The procedure the owner must follow to request a probable cause hearing on the towing.

If the vehicle has a North Carolina registration plate or registration, notice shall be given to the owner within 24 hours; if the vehicle is not registered in this state, notice shall be given to the owner within 72 hours. This notice shall, if feasible, be given by telephone. Whether, or not, the owner is reached by telephone, notice shall be mailed to his last known address unless he/she or his/her agent waives the notice in writing.

- (2) Whenever a vehicle with neither a valid registration plate nor registration is towed, the City shall make reasonable efforts, including checking the vehicle identification number (VIN), to determine the last known registered owner of the vehicle and to notify him of the information as required by this Article. Unless the owner has otherwise been given notice, it is presumed that the City has not made reasonable efforts, as required under this Article, unless notice that the vehicle would be towed was posted on the windshield or some other conspicuous place at least ten days before the towing actually occurred; except, no pre-towing notice need be given if the vehicle impeded the flow of traffic or otherwise jeopardized the public welfare so that immediate towing was necessary.

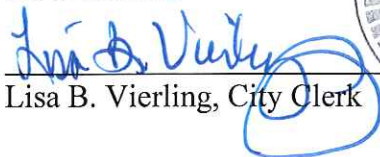
- (3) The owner or any other person entitled to claim possession of the vehicle may regain possession of the motor vehicle by paying to the City all reasonable costs incidental to the removal and storage.
- (4) The owner or any person entitled to claim possession of the vehicle may request in writing a hearing to determine if probable cause existed for the towing. The request shall be filed with the magistrate's office in Guilford County. The magistrate shall set the hearing within 72 hours of his/her receiving the request. The owner, the person who requested the hearing if someone other than the owner, the tower, and the person who authorized the towing shall be notified of the time and place of the hearing. Any decision by the magistrate may be appealed by either party to district court.
- (h) Disposal of junked vehicles. After holding a junked motor vehicle for 15 days, the City may destroy it or sell it at private sale as junk. Within 15 days after the final disposition of a junked motor vehicle, the City shall notify the state division of motor vehicles that the vehicle has been determined to be a junked motor vehicle and disposed of as such. The notice shall contain as full accurate a description of the vehicle as can be reasonably determined. The full proceeds of the sale of the junked vehicle shall be paid to the finance officer of the City, who shall pay to the appropriate officers or persons the cost of removal, storage, investigation, sale and liens, in that order. The remainder of the proceeds of sale, if any, shall be held by the City for 30 days after the day the vehicle is disposed of, the funds shall be deposited in the City's general fund, and the owner's right in the vehicle are extinguished.
- (i) Disposal of vehicle without plates or identification numbers. If a junked motor vehicle does not display a current license plate and the vehicle identification numbers have been removed or defaced so as to be illegible, the City may dispose of a junked motor vehicle under this Article. The City may destroy the vehicle or sell it at private sale, without regard to value, after having held the vehicle for 48 hours. The proceeds shall be placed in the City's general fund.
- (j) Exceptions. This articles does not apply to the following:
 - (1) Any motor vehicle in the process of repair or restoration on property under the control of the owner of the vehicle or property under the control of the person repairing or restoring the vehicle. Visible evidence of repair or restoration shall be apparent on a monthly basis.
 - (2) Any motor vehicle that is used on a regular basis for business or personal transportation purposes.

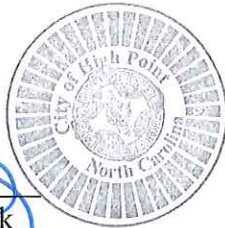
- (k) Nuisance vehicle unlawful; removal authorized.
- (1) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.
 - (2) Upon investigation, proper officials may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined in this ordinance, and order the vehicle removed in accordance with the provisions of this Article.
- (l) Enforcement remedies authorized; penalties for violation.
- (1) The City may secure injunctions, abatement orders and other appropriate equitable remedies to further ensure compliance as provided in G.S. 160A-175.
 - (2) The violation of this Article shall be a misdemeanor and in addition to, or lieu of, remedies authorized in this Article shall be punishable by a fine not to exceed \$500.00, or imprisonment for not more than 30 days.
 - (3) Any act constituting a violation of this Article or a failure to comply with any of its requirements shall subject the offender to civil penalty of \$50.00 for each day the violation continues. If the offender fails to pay this penalty within 15 days after being cited for violation, the penalty may be recovered by the City in a civil action in the nature of debt.
 - (4) Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this ordinance.

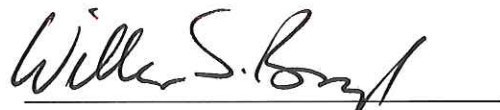
All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed. This ordinance shall become effective upon adoption.

Adopted the 15th day of May, 2017.

ATTESTED:


Lisa B. Vierling, City Clerk




Mayor William S. Bencini, Jr.

CITY OF HIGH POINT

AGENDA ITEM



Title: Text Amendment 17-03
(Ilderton Dodge-Chrysler-Jeep-Ram)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 15, 2017

Public Hearing: Yes

Advertising Date: May 4, 2017 and May 10, 2017

Advertised By: Planning & Development

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

PURPOSE:

A request by Ilderton Dodge-Chrysler-Jeep-Ram to amend the City of High Point Development Ordinance, Section 5.7. *Signage*, pertaining to freestanding signs in Sub-District C of the Main Street (MS) District.

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is 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 25, 2017, a public hearing was held before the Planning and Zoning Commission regarding Text Amendment 17-03. The Planning & Zoning Commission recommended ***approval*** of this request, by a vote of 5-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Ilderton Dodge-Chrysler-Jeep-Ram

Text Amendment 17-03

At its April 25, 2017, public hearing, the Planning and Zoning Commission reviewed a request to amend Section 5.7. *Signage*, of the Development Ordinance pertaining to freestanding signs in Sub-District C of the Main Street (MS) District. All members of the Commission were present except for members Jim Armstrong, Keith McInnis, John McKenzie and Ray Wheatley. Mr. Robert Robbins, Development Services Administrator, presented the 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 was the applicant, Mr. Tim Ilderton, president of Ilderton Dodge-Chrysler-Jeep-Ram, 701 S. Main Street, High Point, N.C. Mr. Ilderton asked the Commission to find favor with the request and made himself available to answer questions.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

The Planning & Zoning Commission recommended **approval** of this request, as recommended by staff, by a vote of 5-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Text Amendment 17-03 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because:

- 1) The changes would assist businesses; and
- 2) The changes are not unreasonable and match the height and area requirements of Sub-districts A and D of the MS District.

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

**STAFF REPORT
TEXT AMENDMENT CASE 17-03
April 25, 2017**

Request	
Applicant: Ilderton Dodge-Chrysler-Jeep-Ram	Affected Ordinance Sections: Section 5.7.9., Table 5.7.9.B. <i>Requirements For A Freestanding Sign Requiring A Sign Permit</i>
Proposal: To amend the City of High Point Development Ordinance, Section 5.7. <i>Signage</i> , pertaining to freestanding signs in Sub-district C of the Main Street (MS) District	

Background

The applicant owns and operates a new/used automobile dealership located at 701 S. Main Street. The property is within the Main Street zoning district, Sub-district C. Currently, the Development Ordinance permits freestanding signage at a rate of 1 sign per lot frontage, at a maximum height of 8 feet and a maximum area of 75 square feet. In addition, all freestanding signs must be monument type signs. The applicant desires additional height and size for freestanding signage in order to be more visible over display vehicles.

Details of Proposal

The proposed text amendment affects Table 5.7.9.B., which sets forth the dimensional requirements for freestanding signs by zoning districts. The applicant has requested changes to both the maximum height and the maximum area of freestanding signs in the MS-C district. These changes would increase the maximum height from 8 feet to 15 feet, and the maximum area from 75 square feet to 150 square feet per sign. The new maximums for Sub-district C would then be the same as for Sub-districts A and D in the Main Street district. Existing requirements for freestanding signs in Sub-district B would not be changed.

Analysis

Sub-district C of the Main Street zoning district is located along both sides of S. Main St. south of the Central Business (CB) district, beginning at Grimes Av. and continuing south to Market Center Dr. With the exception of the GTCC campus, this area contains a mixture of retail and service type uses which continue to be primarily auto oriented. There are also many nonconforming freestanding signs in this Sub-district that have been continually in use and that are in various states of repair. The 8-foot height maximum is not ideal for businesses such as car dealers because parked and displayed vehicles can obscure most of the sign from view.

The changes being proposed will result in sign height and area maximums for Sub-district C that are the same as for Sub-districts A and D, and therefore would not be unreasonable. The proposed 15-foot height would still be lower than freestanding signs in the GB, LI, HI, and RC districts, and the proposed maximum area would be less than most signs in those same districts. Finally, the requested changes are not in themselves contrary to the purposes of the Main Street district, the City's Land Use Plan or other adopted policy guidance.

Recommendation

Staff recommends approval.

The proposed text amendment may assist other businesses in the MS-C district as well as the applicant, and it is not unreasonable to adjust the height and area limits to equal those in the MS-A and MS-D Sub-districts.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with staff's findings, by adoption of its own statement.

City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, by adoption of its own statement.

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The changes would assist businesses; 2) The changes are not unreasonable and match the height and area requirements of Sub-districts A and D. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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

TEXT AMENDMENT 17-03

Ordinance #XXXX/17-XX

Applicant: Ilderton Dodge-Chrysler-Jeep-Ram

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, SECTION 5.7. *SIGNAGE*, PERTAINING TO FREESTANDING SIGNS IN SUB-DISTRICT “C” OF THE MAIN STREET (MS) DISTRICT.

WHEREAS, 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 25, 2017 and before the City Council on May 15, 2017 regarding Text Amendment 17-03; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on April 16, 2017 for the Planning and Zoning Commission public hearing, and on May 3, 2017 and May 10, 2017 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.

Section 5.7.9. *Freestanding Signs Requiring A Sign Permit*, Table 5.7.9.B. Requirements For A Freestanding Sign Requiring A Sign Permit, is hereby amended as shown in the row titled MS District in the section of the table reproduced below.

TEXT AMENDMENT 17-03

Ordinance #XXXX/17-XX

Applicant: Ilderton Dodge-Chrysler-Jeep-Ram

**TABLE 5.7.9.B: REQUIREMENTS FOR A FREESTANDING SIGN
REQUIRING A SIGN PERMIT**

ZONING DISTRICT OR SIGN TYPE		MAXIMUM NUMBER PER LOT FRONTAGE	AREA (SQ FT)		SETBACK FROM ROW (FEET)	MAX HEIGHT (FEET)	AREA COMPUTATION (SQUARE FEET PER EACH LINEAR FOOT OF LOT FRONTAGE)
			MAX	MIN [1]			
SIGN STANDARDS BY ZONING DISTRICT							
MS District	A, C & D sub-districts	1	150	50	n/a	15	1.0
	B & G sub-districts	1	75	50	n/a	6 in B 8 in G	1.0

Section 2.

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

Section 3.

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

Section 4.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 15th day of May, 2017
Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Right-Of-Way Encroachment RE-17-0003
(High Point University)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 15, 2017

Advertising Date: Not Applicable

Advertised By: Not Applicable

Public Hearing: No

Attachments: A. Staff Memo
B. Agreement
C. Location Map
D. Site Plan

PURPOSE:

A right-of-way encroachment request by High Point University for a proposed wrought-iron fence with brick columns that will encroach approximately 10 feet within an unopened section of the Fifth Street right-of-way.

BACKGROUND:

Staff memo and the Technical Review Committee's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. On April 26, 2017 the Technical Review Committee recommended approval of Right-Of-Way Encroachment RE-17-0003.

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

RIGHT-OF-WAY ENCROACHMENT

RE-17-0003

May 15, 2017

Request	
Applicant: High Point University	Proposal: Construct a wrought-iron fence with brick columns that will encroach approximately 10 feet within an unopened section of the Fifth Street right-of-way.

Adjacent Streets		
Name:	Classification:	R/W Width:
Fifth Street	Local	100 feet (divided with median)

Analysis

The applicant is requesting an encroachment agreement for a proposed a wrought-iron fence with brick columns, intruding approximately 10 feet into the street right-of-way along an unopened section of Fifth Street.

The Technical Review Committee reviewed this request on April 26, 2017 and determined that the proposed encroachment would not affect public safety or interfere with street or utility maintenance needs. Fifth Street is an unopened public right-of-way and is not maintained by the City.

The site plan for the proposed structure is attached depicting its approximate location and the associated encroachment.

Recommendation

Based upon TRC's review, the existing structure will not affect public safety or interfere with street or utility maintenance. Staff recommends approval of this requested right-of-way encroachment.

Report Preparation

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

RETURN TO: JoAnne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261

Prepared by: JoAnne Carlyle, City Attorney

NORTH CAROLINA
GUILFORD COUNTY

**RIGHT OF WAY
ENCROACHMENT AGREEMENT
AND FENCE EASEMENT**

NTC

THIS ENCROACHMENT AGREEMENT AND FENCE EASEMENT (Agreement) made this 15th day of May, 2017, between **THE CITY OF HIGH POINT**, a municipal corporation existing under the laws of the State of North Carolina (the "City") and **HIGH POINT UNIVERSITY**, a North Carolina nonprofit corporation, (the "University").

WITNESSETH

WHEREAS, the City owns the public right of ways known as N. Centennial Street, E. Farriss Ave., and a section of unimproved Fifth Street as shown on a map entitled "Plat No. 2, Sherwood Park" as recorded in Plat Book 11 Page 67 of the Guilford County Register of Deeds; and

WHEREAS, the City owns property lying between two 34-foot right of ways of the northern and southern margins of E. Farriss Ave., indicated as City Park on the above referenced "Plat No. 2, Sherwood Park", said City Park being transferred to the City of High Point in Deed Book 921 Page 518 of the Guilford County Register of Deeds; and

WHEREAS, the University desires, for its interest and convenience, to construct, maintain, and put in place a decorative fence and wall constructed of brick or metal, or a combination of the two materials, hereafter known as "Improvements", in said public rights of way, and in said City Park as described on attached Exhibit A; an

WHEREAS, the City under the terms and conditions herein set forth, is willing to allow the above described Improvements to be made, and allow the University to encroach upon the above-referenced City-owned right of ways, and grant an easement upon the above referenced City-owned park.

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt of which is hereby acknowledged, the University hereby covenants and agrees that:

1. The University is responsible for any and all expenditure of labor or materials required in the installation, erection, repair, maintenance or location of the above-referenced Improvements.

2. The University is responsible for any and all labor or expense, which results from any and all future maintenance and repair of such Improvements, and the removal or dismantling of the Improvements if and when the Improvements are removed.

3. The University is to be fully responsible for any and all property damage or injury to or death of any person which results from any and all negligence, omission, defect in design, maintenance or workmanship created by the University, its agents, employees, contractors or subcontractors in connection with the Improvements, or any cause of action arising out of the installation, maintenance, location, or existence of said Improvements or any other cause of action arising out of the planting, installation, maintenance, location, or existence of said Improvements (collectively, "Claims and Causes of Action").

4. The University agrees:

- (a) to hold the City, its officers, agents and employees harmless from any and all liability arising out of any such Claims and Causes of Action, and
- (b) to defend the City, its officers, agents and employees and pay all attorney fees in any and all actions brought as a result of such Claims and Causes of Action; and
- (c) indemnify the City, its officers, agents and employees against any and all loss sustained by reason of such Claims and Causes of Action.

5. The University, prior to construction of the Improvements, agrees to submit to the City detailed Construction Drawings and shall secure approval from the City of all permits required for the construction of the Improvements.

6. The University agrees to abide by all lawful statutes and ordinances governing installation of the Improvements as contemplated herein.

7. This Agreement shall not divest the City of any rights or interest in said rights of way or the City-owned Park.

8. The University shall contact "NC One Call Center" prior to excavation where and in the manner required by the NC One Call law.

9. This Agreement shall be binding upon and ensure to the benefit of all of the parties hereto and their heirs, personal representatives, grantees, successors, and assigns.

10. All matters relating to this Agreement shall be governed by laws of the State of North Carolina without regard to its choice of law provisions, and venue for any action related to the Agreement shall be Guilford County Superior Court or the United States District Court for the Middle District of North Carolina.

12. All notices required herein shall be deemed given by depositing such in the United States Mail, first class, and addressed as follows:

If to City:

City of High Point
Office of the City Manager
P.O. Box 230
High Point, NC 27261

If to University

High Point University
Attn: Barry Kitley
1 North University Parkway
High Point, NC 27268

NOW, THEREFORE, the City, for and in consideration of these promises and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the University, its successors and assigns, a revocable encroachment and easement for the Grantee's Improvements, as described in the attached Exhibit, for so long as the property and right of ways are not needed by the Grantor.

IN WITNESS WHEREOF, the City of High Point has caused this instrument to be signed by its Mayor and attested by its Clerk and its seal to be affixed by the duly-granted authority of its City Council, the day and year first above written.

APPROVED AS TO FORM BY:

CITY OF HIGH POINT

JoAnne Carlyle, City Attorney

By: _____
William S. Bencini, Mayor

ATTEST:

SEAL

Lisa B. Vierling
City Clerk

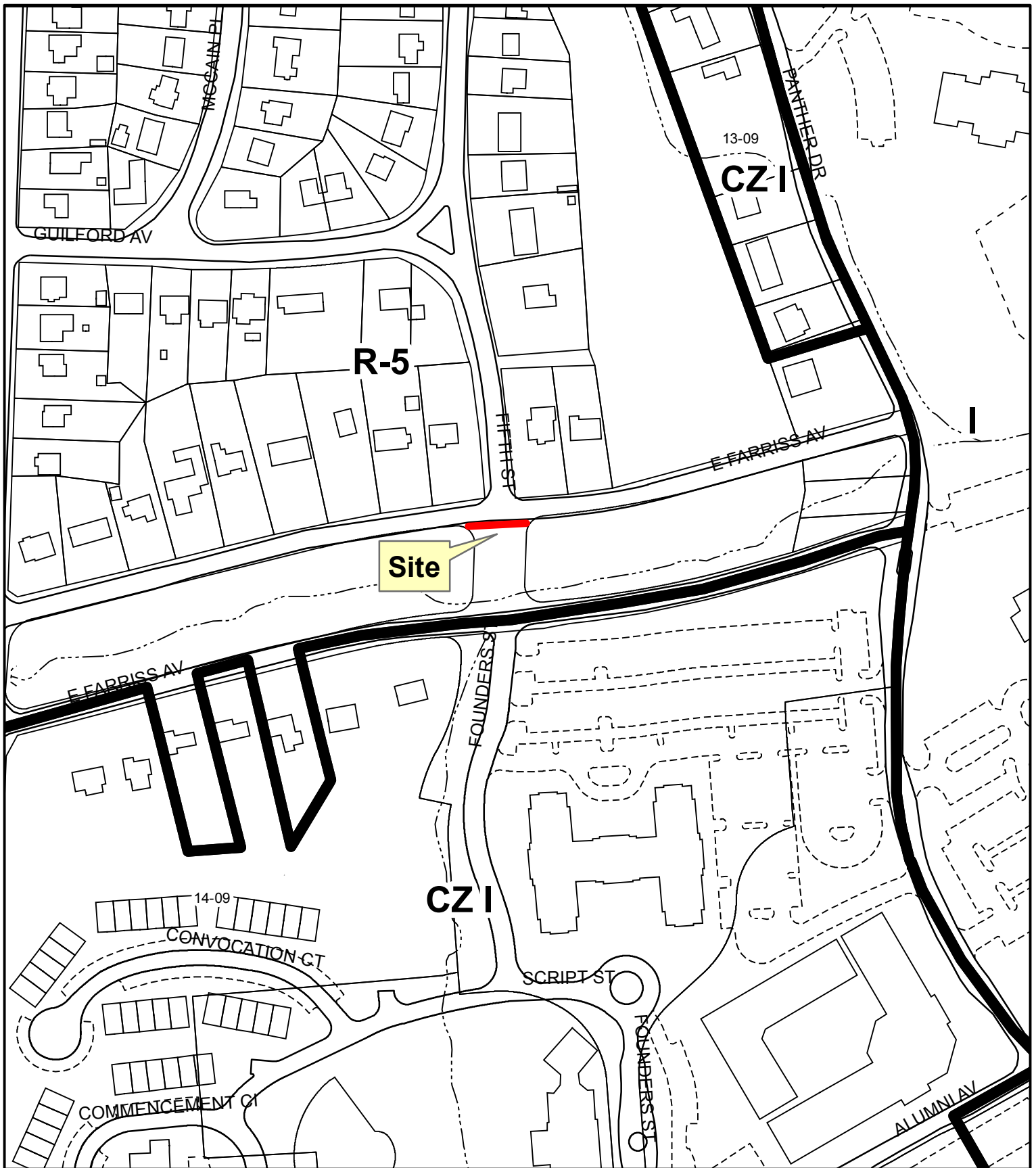
NORTH CAROLINA
GUILFORD COUNTY

I, Cynthia C. Duncan-Smith, a Notary Public of said county and state do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that she personally appeared before me this date; and, that by authority duly given, and as the act of the said City of High Point, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal, and attested by herself as its clerk.

Witness my hand and official seal this the _____ day of May, 2017.

My commission Expires: _____

Notary Public



RIGHT-OF-WAY ENCROACHMENT RE-17-0003

**High Point University
Fifth Street**

Existing Zoning Boundary
Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: May 15, 2017

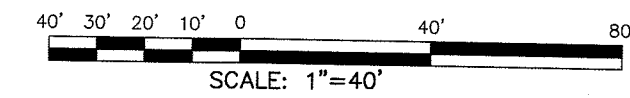


Scale: 1"=200'

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2017\pz\re17-0003.mxd

EXHIBIT A (Site Plan)

ENCROACHMENT AGREEMENT EXHIBIT FOR CITY OF HIGH POINT AND HIGH POINT UNIVERSITY FOR FENCE ENCROACHMENTS WITHIN E. FARRISS AVENUE, FIFTH ST., AND PARK AREAS CITY OF HIGH POINT GUILFORD COUNTY — NORTH CAROLINA



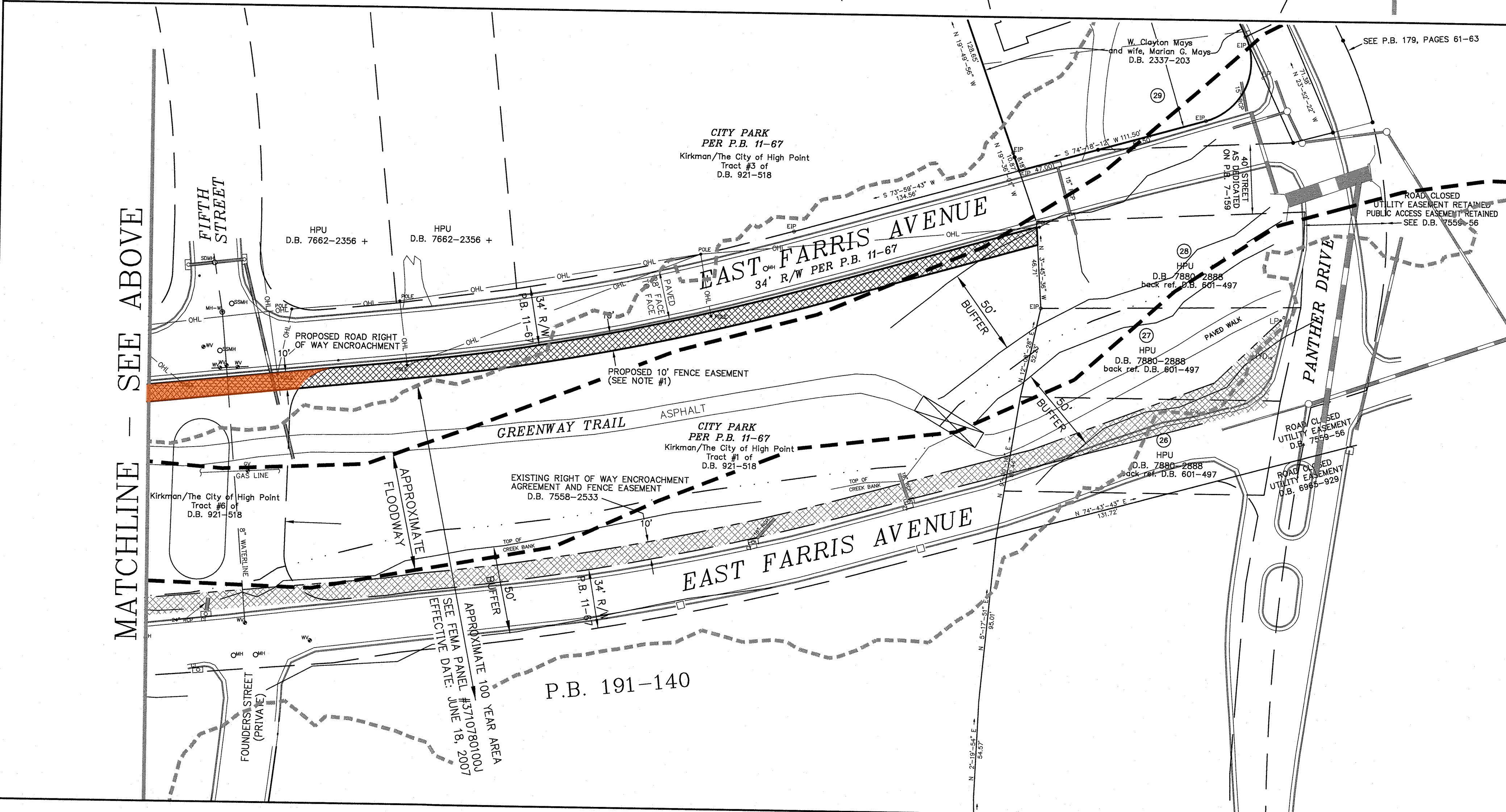
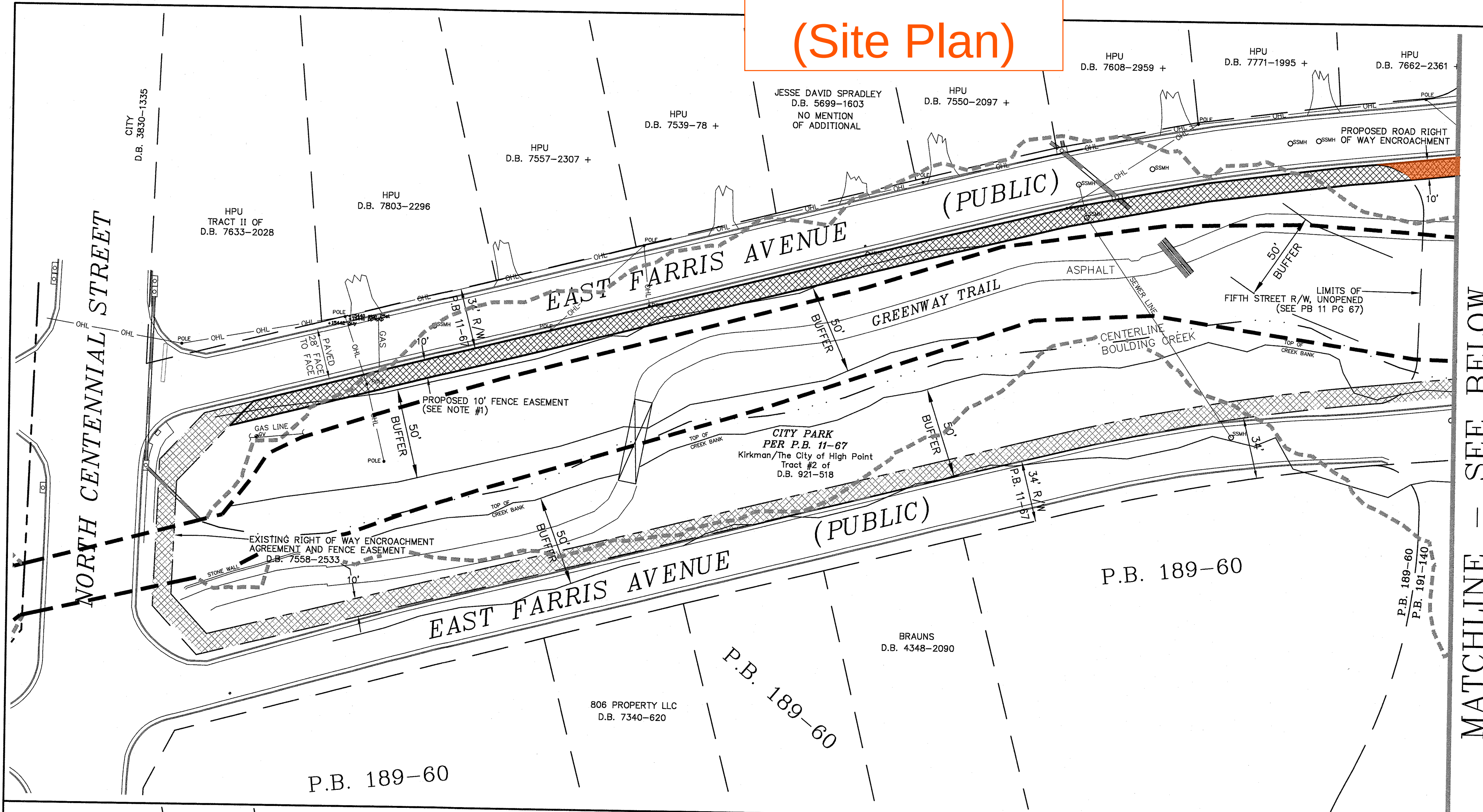
Approved by the Technical Review Committee for 2 years, subject to the approval of a separate land-disturbing permit and/or erosion control plan, and may be extended in accordance with the provisions of Section 9-6-6(e) of the High Point Development Ordinance.

Director of Planning and Development

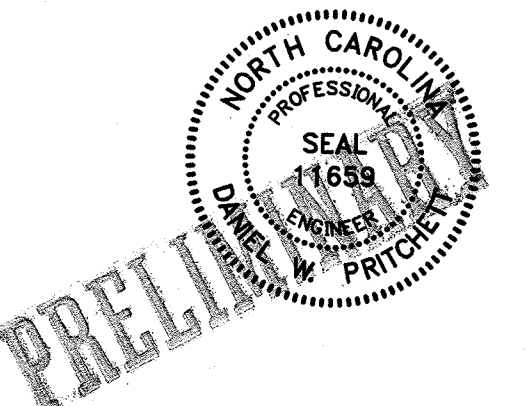
Date

NOTES:

1. CONSTRUCTION OF ANY IMPROVEMENTS WITHIN THE AREAS DESIGNATED AS ENCROACHMENT AREAS OR WITHIN ANY OTHER PUBLIC RIGHT OF WAY AREA ARE SUBJECT TO REVIEW AND APPROVAL OF CONSTRUCTION DOCUMENTS BY THE CITY OF HIGH POINT TO DETERMINE THEIR CONFORMANCE WITH THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE INCLUDING, BUT NOT LIMITED TO, ISSUANCE OF ALL REQUIRED PERMITS. NO CONSTRUCTION ACTIVITIES WILL BE INITIATED BY HIGH POINT UNIVERSITY UNTIL WHICH TIME ALL APPLICABLE PERMITS AND APPROVALS HAVE BEEN ISSUED BY APPROPRIATE CITY DEPARTMENTS.
2. FENCE IMPROVEMENTS SHALL BE EITHER HIGH POINT UNIVERSITY'S "SIGNATURE" STYLE, WROUGHT IRON, OR A COMBINATION OF THE TWO.
3. ENCROACHMENTS SHOWN ON THIS PLAN MUST BE APPROVED BY THE HIGH POINT CITY COUNCIL. TRC IS NOT GRANTING THE APPROVAL OF THE ENCROACHMENTS WITH THE ENDORSEMENT OF THIS PLAN.
4. CALL 1-800-632-4949 BEFORE DIGGING. GAS LINES ARE LOCATED WITHIN SUBJECT PROPERTY.



LEGEND			
○ EIP	EXISTING IRON PIN FOUND	● PP	POWER POLE
● NIP	NEW IRON PIN SET	● LP	LIGHT POLE
○ R/W	RIGHT-OF-WAY	● UP	UTILITY POLE
SF	SQUARE FEET	○ MH	MANHOLE
D.B.	DEED BOOK	○ SSMH	SANITARY SEWER MANHOLE
U.E.	UTILITY EASEMENT	○ CO	SEWER LINE CLEAN OUT
N/F	NOW OR FORMERLY	● HYD	FIRE HYDRANT
EX.	EXISTING	● WV	WATER VALVE
CONC.	CONCRETE	□ WM	WATER METER
ROP	REINFORCED CONCRETE PIPE	● GV	GAS VALVE
YI	YARD INLET		
CLF	CHAIN LINK FENCE		
— OHL —	OVERHEAD UTILITY LINES		
— ADJ —	ADJOINERS		
— R/O —	RIGHT-OF-WAY		
— EASE —	EASEMENT		
— — —	PROPERTY LINE NOT SURVEYED		



BEFORE YOU DIG!
CALL 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW!

JAMESTOWN ENGINEERING GROUP, INC.
117 EAST MAIN STREET
P.O. BOX 365
JAMESTOWN, N.C. 27282
Telephone (336) 886-5523



DATE JAN. 10, 2017 SCALE 1"=40'
JOB No. 2016-096
SURVEY BY J.T. PLATTED BY J.B.S.

CITY COUNCIL 2017-18 PROPOSED BUDGET

May 15, 2017

POLICY GOALS

- Maintain current service levels
- Continue to address Council Strategic Plan initiatives
 - Increase the population of active, engaged, and entrepreneurial and working millennials 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

TOTAL PROPOSED BUDGET

• General Fund	\$111.8 million
• Water/Sewer Fund	\$51.0 million
• Electric Fund	\$132.7 million
• Solid Waste Fund	\$15.7 million
• Stormwater Fund	\$5.2 million
• Other Funds	\$61.1 million
• Total Proposed Budget	\$377.5 million

PROPOSED 2018 BUDGET

- Staffing
 - Adds 8 Police Officer positions, 1 Crime Analyst and upgrade a Police Officer position to Police Supervisor, to focus on public information and lead the Community Outreach unit
 - Adds two Facility Maintenance Technician and upgrading two existing positions to address deferred maintenance
 - Adds an Accountant position to address critical fiscal issues
 - Adds five apprentice positions in Public Services

PROPOSED 2018 BUDGET

- 2018 Employee Pay for Performance program. A budgeted increase of 3% allows the continuation of a 0% to 4% increase based on merit

• General Fund	\$840,000
• Water/Sewer	\$95,000
• Electric Fund	\$125,000
• Other Funds	<u>\$133,000</u>
• Total -	\$1,193,000

PROPOSED 2018 BUDGET

- Continued investment of \$500,000 funding for Core City Redevelopment Programs
- Continued support of Forward High Point - \$250,000
- Increases annual Street Resurfacing funding from \$2.315 million to \$2.45 million
- Continued support of Guilford County Economic Development Alliance - \$100,000

PROPOSED 2018 BUDGET

- Continuation of Fire Department apparatus replacement program – lease purchase for \$1.9 million to replace 3 units
- Upgrade of the Fire Department Station Alerting System for \$1 million, which will be funded through lease-purchase financing
- Replaces \$4.15 million in vehicles and large equipment in Fleet Services utilizing pay-as-you-go funding

ANNUAL PAY AS YOU GO

• General Fund	\$4,430,000
• Water & Sewer Total	\$5,639,550
• Electric Capital Total	\$9,206,300
• Landfill Capital Total	\$1,171,000
• Fleet Replacement Program	\$4,150,000
• Computer System Replacements	\$300,000
• Stormwater projects	\$75,000
• Radio System Equipment	<u>\$55,000</u>
• Total	\$25,026,850

TAX RATE

- The Proposed Budget was prepared using the current years approved tax rate of 64.75 cents
- As required by law, the revenue neutral tax rate has been calculated
 - The reappraisal of the Guilford County portion of the tax rate is \$9.1 billion (94.4% of total tax base)
 - Using the formula mandated by state law, the revenue neutral tax rate is 62.21 cents (-2.48 cents)
 - A penny on the tax rate generates approximately \$947,000 in revenue
 - Assessed value is an estimate and is subject to change

OTHER REVENUES CHANGES

- Proposed 3% Water / Sewer rate increase effective October 1, 2017
- Continues long range financial strategy developed by staff and Davenport and Company to fund necessary investment in the water and sewer system
- Proposed rate increases keep our costs close to the median of 330 utility systems statewide
- No other major revenue changes are proposed

NEXT STEPS

- Wednesday, May 17 – Budget worksession, 3pm-5pm
(if needed)
- Thursday, May 18 – Budget worksession, 3pm-5pm
(if needed)
- Monday, June 5 – Council Consideration / Adoption of the
FY 2018 Budget at regularly scheduled City Council
Meeting



**MANAGER'S BRIEFING SESSION
HIGH POINT MUNICIPAL BUILDING
May 1, 2017 – 3:30 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

Present:

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

Absent: Council Member Chris Williams (Ward 2)

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Brent Cole, Assistant City Attorney; Loren Hill, President- High Point Economic Development Corporation; Jeff Moore, Director of Financial Services; Eric Olmedo, Budget and Performance Manager; Laura Altizer, Budget Analyst; Robby Stone, Assistant Director- Public Services; Heidi Galanti, Planning Administrator; Ryan Ferguson, Communications & Public Engagement Marketing Manager; Lee Burnette, Planning & Development Director; Angela Kirkwood, Human Resources Director; Maria Smith, Deputy City Clerk; and Lisa Vierling, City Clerk

Others Present:

Judy Stalder, TREBIC

News Media:

Pat Kimbrough, *High Point Enterprise*

Handouts: *Draft Central Business (CB) District Building Design Standards*
 Draft Central Business (CB) District Building Design Standards Meeting Schedules
 City of High Point, North Carolina – FY 2017-18 Annual Budget
 City Council 2017-18 Proposed Budget May 1, 2017

Note: *This handout will be attached as a permanent part of these proceedings.*

Greg Demko, City Manager, called the meeting to order at 3:30 p.m.

Update Moratorium Central Business District- CB Design Standards

Lee Burnette, Planning & Development Director, noted the moratorium would be up for consideration for June 5, 2017 would expire on the 6th as this is a document in progress.

Heidi Galanti, Planning Administrator, reviewed the revised version of the design standards and assessed the comments received from staff and public. She reported the "Drop in Session" on April 18, 2017 which had a low turnout. She did point out that some comments were still being received. She did indicate once

the document is finalized they would send it out to all the property owner within the (CB), will post the final version on the website and announce the public meetings. She reiterated the public hearing for Planning and Zoning Commission on May 23, 2017 and would be before Council on June 5, 2017 and the Moratorium would expire on June 6, 2017.

Council Member Alexander noted how they do not want any corrugated metal either horizontal or vertical. Ms. Galanti agreed either complete buildings as they would use as an accent material but they would not want a solid building for blank walls for pedestrian friendly. Mayor Pro Tem Wagner shared how it was about the mixture of materials and the articulation of the façade where the wall would not appear to be just flat. Council Member Alexander asked if there would be another other building that would be found to be non-compliant. Ms. Galanti suggested they would need to stay as if there were and the regulations stated if they were to expand or enlarge they would have to abide by these. Council Member Alexander asked what would happen if there was damage due to a wind storm. Mr. Burnette stated how it does address expansions of the building but not damage. He did state if they decided to address it more than 25% then they would have to comply with the standards with that new portion.

Council Member J. Davis wanted to know if there were certain proceedings or if they could not exceed for a certain type of material. As far as the corrugated metal, Mr. Burnette stated that it could not be sold nor the primary material. Council Member J. Davis had a problem with it being called corrugated metal versus in today's terminology it could be a proform of zetoxide-coded steel which would not be covered in the ordinance. As he also stated, that the corrugated metal would need to be defined as to what it looks like as there are many different forms. Ms. Galanti noted that with all design standards, there are interpretation that would also need to be made.

Presentation of FY 2017-2018 Budget

Mr. Demko discussed some of the highlights of the 2017-2018 proposed budget which also included different items and the books that were available to picked up in the Manager's office. He stated that there would be an overview included for Council. He reviewed the first worksessions:

- ✓ Thursday, May 4, 2017 from 3:00 – 5:00 p.m.

Mr. Demko recommended that we maintained our current service lines which are consistent to what we have done over the years to the Parks and Recreation programs, six different recreation centers, keeping the library operations and the hours and service that are being provided. He also pointed out the efforts that have shown in cleaning up the City with Code Enforcement and added how Council Member Golden's committee with the demolitions, Code Enforcements etc... with the City has gotten more aggressive to change the neighborhoods and the appearance. He emphasized the goal is how do we raise property levels and wealth. He added what was included in the budget was the continuation of how we addressed Council's strategic plan initiatives, increasing the population of active engaged millennials by 25% and to continue to work with Connect HP Group and try to expand their efforts and community. He commended the work performance of Lori Loosemore, Supervisor- Code Enforcement, and Mike McNair, Director of Community Development, in responding to the needs and being proactive while striving in the downtown catalyst project in producing 500 private sector jobs, restaurants and shops with additional housing units. He feels confident while establishing the catalyst project and the stadium goal would be realized within 5-10 years.

He mentioned the 2018 budget to increase of a total .6% which goes to \$377,513,076. He reviewed the key components which he shared:

- Adding eight additional Police Officers
- Adding a Crime Analyst
- Public Information is critical
- Continue to work to reduce deferred maintenance
- Data needs and looking to add a position to address critical needs

- Public Services being a key in critical area of experience in water/sewer operations – trying to engage the younger public earlier for this type of career opportunity
- Realignment staffing in Parks and Recreation Library which would change the personnel from part-time to full-time and vice versa
- Pay for Performance Program to keep it consistent and to keep the merit system we currently have between 0% - 4% increase.

Mr. Demko reviewed the total program highlights while recognizing the General Fund at \$893k and Eric Olmedo, Budget and Performance Manager, shared his corrected amount of a little over \$1.1 million.

- For two years \$500,000 was set aside for continued work for Core City issues
- Continues to support Forward High Point for downtown development
- Increasing the annual street resurfacing from \$2.315 million to \$2.45 million
- Continued support of our Economic Development Alliance with Guilford County and the City of Greensboro when our share was \$100,000
- Traffic calming and neighborhoods are looking to have speeding control or traffic control within the residential neighborhoods with another \$100,000 for 2018
- Fire Department (with 15 different fire stations) explained how to keep the apparatus current, how to keep in working order, and looking to have the lease purchase for three new units that total \$1.9 million.
- \$4.15 million for vehicles and large equipment for pay-as-you-go funding for fleet of the vehicles up to \$250,000
- Other pay-as-you-go funding as he mentioned they extended the street resurfacing
- Looking to set aside \$500,000 to set aside to take care of some needs at two fire stations that have single pane windows with very energy inefficient doors that do not operate well.
- GIS is base mapping is an annual fee is part of the data driven efforts to help operate and manage the City. Also, helps to make sure that our base maps our current and accurate as we move forward.
- The parking lot replacement at Parks and Recreation. He reported that last year we updated half of them (golf course at Oak Hollow, City Lake Park this year, several of the recreation centers) as a two-year program as a \$500,000 last year with \$500,000 again this year.
- Selected a new dog park
- Mentioned the playground equipment with an annual budget of \$50,000
- Tennis center improvements at \$100,000
- Preferred maintenance and the athletic complex \$100,000
- Library with alternate improvements and looking to do the extras, Randy Hemann, Assistant City Manager, added the electric the food trucks, lighting and the bands.
- Mendallhall Terminal improvements \$150,000
- Signage on I74 for the second year of funding for a traffic storage building at \$100,000
- Upgrading the Electrical system at City Hall for the total amount, Mr. Olmedo added \$400,000 original estimate and stated that Tim McKinney, Maintenance Operations Director, does not think it would not be enough.
- Water/Sewer pay-as-you-go setting \$2.7 million dollars' aside
- Electric Fund pay-as-you-go which would be over \$9 million of improvement while including the underground improvement which was approximately at \$200,000 a year for the downtown area for a five-year program with other areas to increase the underground areas.
- Solid waste with a little over \$1 million dollars in pay-as-you-go
- Other pay-as-you-go would be another \$6 million dollars to be invested into computer system replacements, stormwater projects, system upgrades.
- Stormwater fund, Mr. Olmedo reported that it was at \$375,000/year for pay-as-you-go for basis projects until they come forward with the revenue bond.

Mr. Demko request Council to consider stormwater fund since it was not included to have it built up to \$20 million and believes that it would satisfy half of the issues. He suggested to address this with bonds.

He also recommended to keep the tax rate at the current level. He noted that each General Fund area reduced their operating budgets by 2%.

Council Member J. Davis was disappointed that this budget was not revenue neutral. He spoke on behalf of north High Point which is whom he represents which has shared the biggest burden of property taxes and has seen this year of 8-10% in property values. He expressed how other areas did not see that. He shared how his home when up to \$39,000 and the property in High Point over \$250,000. He is concerned with this type of increase not only for him but for other citizens. He is curious as to what Winston-Salem and Greensboro's numbers are. Mr. Demko expressed how they struggled how to recommend to Council and how it has been a disconnect as they have studied how part of the city grows and how the other part declines. Mr. Demko suggests to improve the Core City and work on changing the values and increasing the wealth. Council Member J. Davis recognizes while the budget has grown every year while the City Manager Greg Demko has been here. Council Member J. Davis explained if Council would not be able to reduce the property tax rate on residential to make it revenue neutral then he would have to be a NO vote again this year for the budget.

Council Member J. Davis shared how many citizens also were concerns over the increase on the registration fee. He expressed how Council did not get the chance to meet as a group to discussed each other's thoughts. Mayor Bencini addressed that process and how it was generated by the Manager and initiated and discussed the Manager's proposed budget. Mayor Bencini advised when the meeting began today this is the proposed budget and if we discuss as a group here or outside this room that it is up to the individuals. Council Member J. Davis expressed this was not normal to him.

Council Member C. Davis wanted to know how many other items needed to be addressed and requested a list that are being deferred.

Council Member Golden wanted to know the dollar value for the 2% decrease on the operating budget. Mr. Olmedo will follow up on that. Council Member J. Davis requested to view Winston-Salem and Greensboro's taxes compared to High Point's.

Mr. Demko reviewed the Revenue Neutral just for residential to reduce the tax rate 1.54 cents and on the commercial industrial values 5.27 cents. He noted the commercial value on the new construction which would be included at \$299 million and the residential value in the construction value in construction 2016 was at \$40.7 million.

Council Member C. Davis wanted to know if Council budgeted for an increase for employee insurance. Mr. Demko confirmed that a 5% increase was budgeted for insurance and would not know the level of the plan or structure until later down the road. Council Member C. Davis asked about Catawba for any maintenance concerns or needs that Council may need to be responsible for. Council Member Alexander stated that Catawba is a top performing plant worldwide and the electric rates based on the studying analysis would be flat through 2021 which would mean that our citizens would enjoy more than seven years with no more electric rate increase. He also stated that the maintenance would be take care of. He did project with any major disaster, all bets are off but with that plant and current operations for capital operations and maintenance there would not be any increases until 2021 or later.

Council Member C. Davis also requested to the City Manager prior to her election, ElectraCities came at least once a year with a presentation and has requested to view the facility at Catawba. Council Member Alexander also suggested to visit the facility at Raleigh. He discussed how generating power and how it is handled, how it is managed and how the business is ran is another thing. He also expressed every four

seconds, 24/7 for 365 days, we are either buying or selling units of power and how it is an extremely complex machine.

Council Member C. Davis has requested a copy of what Catawba's maintenance has done over the last couple of years. Council Member Alexander would be able to provide that but stated that someone would need to help explain it. Council Member C. Davis agreed to make sure that she was forth coming and understood.

Mayor Pro Tem Wagner pointed out the figures on the revenue neutral tax rate for residential was closer to what was already being charged than what would be for the commercial. He then stated the growth was in commercial not in residential. He added if Council were to view the figures and how if they do not make investments to improve property values in the Core, that burden would continue to be shifted toward north High Point. As he stated, it would be in High Point's best interest to get the property value higher so that the burden of north High Point could go down. Council Member J. Davis shared how we went through a super recession and how we did not reduce the property tax rate during that time and we maintained consistent City services. He does not feel now is the time to raise property tax rates if we do not make the revenue neutral.

Mr. Olmedo compared the 330 utility statewide for a 5,000-gallon water/sewer bill with the current rates at \$68.05 and the median \$65.83 as we are slightly above the median. He stated if we were to assume the 3% rate increase that would push that up to \$70. Council Member Alexander share that we invested half a billion dollars in our water/sewer system in the last 20 years.

Both Council Members J. Davis and C. Davis would like to see a Revenue Neutral budget. Mayor Pro Tem Wagner is undecided.

Mr. Demko added that there were no other major revenue changes proposed. He stated the electric rates would continue at the current levels to put away funds for rate stabilization when the rates would increase.

In conclusion, Mr. Demko reviewed the upcoming worksessions:

- ✓ Thursday, May 4th Worksession to introduce to public and put into our records
- ✓ Monday, May 15th Budget public hearing scheduled at 5:30 p.m.
- ✓ Wednesday, May 17th Budget worksession from 3 – 5 p.m.
- ✓ Thursday, May 18th Budget worksession from 3 – 5 p.m. (if needed)
- ✓ Monday, June 5th Council consideration for budget

Mr. Demko concluded the Manager's Briefing discussion.

Council Member C. Davis had a final question on the handout on page MM-4, she did not see the Guilford County Economic Development Alliance for \$100,000. Mr. Olmedo confirmed it is on the budget but will confirm.

There being no further business to discuss, the meeting adjourned at 4:46 p.m.

Respectfully Submitted,

Maria A. Smith
Deputy City Clerk