City of High Point

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

Minutes

Monday, March 18, 2013

4:45 PM

Council Chambers

City Council

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

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

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

Present 9 - Mayor Bernita Sims, Mayor Pro Tem Britt Moore, Council Member James Davis, Council Member Foster Douglas, Council Member Jason Ewing, Council Member Jeffrey Golden, Council Member Judy Mendenhall, Council Member Rebecca Smothers, and Council Member Jay Wagner

Special Acknowledgements/Presentations

Sustained Professional Purchasing Award for 2012

Jeff Moore, Director of Financial Services, announced that the city's purchasing division was recently presented with the Sustained Professional Purchasing Award for 2012 and this is the ninth year that the purchasing division has earned the award. He also offered congratulations to the city's warehouse supervisor, Joshua Williams, for passing and completing his North Carolina Certified Local Government Purchasing Officer credentials and noted Tracey Adams has also passed the test although she still has a few more credits left. Mr. Moore also introduced Michelle Kiefer, the newest addition to the purchasing department staff.

Mayor Sims offered congratulations to these employees for their accomplishments and expressed appreciation for all the time and effort that staff takes to become proficient at what they do to bring professionalism to the job.

READING CONNECTIONS

Sian Erskine, High Point Student Services Coordinator for Reading Connections, addressed Council. She explained this group works out of the High Point Public Library and is an adult literacy agency that has a special class, Leadership Fellows Class. This class focuses on leadership skills, while trying to connect people back to their community. Ms. Erskine introduced other staff members/volunteers who were present.

REGULAR MEETING ITEMS

FINANCE ITEMS (Mayor Pro Tem Moore, Chair)
Committee Members: Wagner, Davis and Sims

(all were present)

Chairman Moore announced that the following Finance-related matters were discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting with all matters received favorable recommendations for approval and/or adoption. Matter **130079 Resolution- DMP Engineering-Professional Services** was recommended for removal from the agenda.

130075 **Contract - Bid No. 26 - East Parris Avenue Repair and Resurfacing Recommendation**

Award of contract for Bid No. 16 for East Parris Avenue repair and resurfacing of various city streets. Purchasing and Public Services recommends that contract be awarded to Sharpe Brothers for a total contract amount of $900,780.61 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: Bid No. 26 - E. Parris Repair and Resurfacing

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval of this contract.

Approved contract with Sharpe Brothers for a total contract amount of $900,780.61 which is the lowest responsible, responsive bidder.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Contract be approved. The motion PASSED by an unanimous vote.

130076 **Contract - Bid No. 28 - Crack Sealing on City Streets**

Award of contract for Bid No. 28 for the sealing of cracks on various city streets. Purchasing and Public Services recommends that contract be awarded to Remac, Inc., in the amount of $113,980.00 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: Bid No. 28 - Crack Sealing on City Streets

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval of this contract.

Approved contract with Remac, Inc. in the amount of $113,980.00 which is the lowest responsible, responsive bidder meeting specifications.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Contract be approved. The motion PASSED by an unanimous vote.

130077 **Contract - Bid No. 30 - 750 MCM Underground Cable**

Award of contract for Bid No. 30 for the purchase of 750 MCM Underground Cable for use by the Electric Department. Purchasing and the Electric Department recommends that contract be awarded to Irby, Inc. in the amount of $322,000.00 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: Bid No. 30 - 750 MCM Underground Cable

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval of this contract.

Approved contract with Irby, Inc. in the amount of $322,000.00 which is the lowest responsible, responsive bidder meeting specifications.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Contract be approved. The motion PASSED by an unanimous vote.

130078 **Contract - Sole Source Authorization - Trojan UV Equipment**

Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of Trojan UV Equipment for the Public Services Department from EW2 Environmental in the amount of $37,128.00.

Attachments: Sole Source Recommendation - UV Equipment

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval of this contract.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of Trojan UV Equipment for the Public Services Department from EW2 Environmental in the amount of $37,128.00.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Contract be approved. The motion PASSED by an unanimous vote.

130079 **Resolution - DMP Engineering - Professional Services - NC Highway 66 South Project**

Adoption of a Resolution providing an exemption to the qualifications based selection process for the purchase of services by the Public Services Department; and approval of contract for engineering and design services with DMP Engineering, LLC for professional services related to the NC Highway 66 South project for a total amount of $230,000.00.

Attachments: Resolution - DMP Engineering - Professional Servcies - Highway 66 South P

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. At the recommendation from staff, the Committee recommended this matter be removed from the agenda at this time.

Removed matter from the agenda.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Resolution be removed. The motion PASSED by an unanimous vote.

130080 **Contract Extension - The Ferguson Group**

Council is requested to approve a one-year extension to the city's agreement with The Ferguson Group. Contract will be effective April 1, 2013 - March 31, 2014 in the annual amount of $120,000.

Attachments: The Ferguson Group - Contract Extension

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval of this contract extension.

Approved a one-year extension to the city's agreement with The Ferguson Group contract in the annual amount of $120,000 to be effective April 1, 2013 - March 31, 2014.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Contract be approved. The motion PASSED by an unanimous vote.

130081 **Revised Fee Schedule - Parks and Recreation Department**

Council is requested to approve a revised fees and charges schedule for the High Point Parks and Recreation Department. This fee schedule has been approved by the Parks and Recreation Commission.

Attachments: Revised Fees and Charges - Parks and Recreation Department

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval of this matter.

Approved a revised fees and charges schedule for the High Point Parks and Recreation Department to be effective July 1, 2013.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130082 **Westchester Park Master Plan**

Council is requested to approve a contract with Site Solutions of Charlotte, NC in the amount of $45,500.00 to complete the Master Plan for the Westchester Park.

Attachments: Westchester Park Master Plan

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended approval of this contract.

Approved contract with Site Solutions of Charlotte, NC in the amount of $45,500.00 to complete the Master Plan for the Westchester Park.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130083 **Resolution - Allowing Swimming Portions of Triathlons in City Reservoirs**

Council is requested to adopt a Resolution allowing the swimming portion of triathlons in either of the City’s reservoirs.

Attachments: Resolution - Triathlons - Swimming in City Reservoirs

Resolution No. 1289/13-12
Introduced 3/18/2013; Adopted 3/18/2013
Resolution Book, Volume XVIII, Page 12

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended adoption of this resolution.

Adopted Resolution allowing the swimming portion of triathlons in either of the City's reservoirs.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Resolution be adopted. The motion PASSED by an unanimous vote.

130091 **Resolution - Memorandum of Understanding - DNA Samples**

Council is requested to adopt a Resolution authorizing the Police Chief to enter into a Memorandum of Understanding (MOU) with current and future police agency partners for the purpose of contracting with private DNA laboratory for the analysis of DNA samples.

Attachments: Resolution - DNA Samples

Resolution No. 1290/13-13
Introduced 3/18/2013; Adopted 3/18/2013
Resolution Book, Volume XVIII, Page 13

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended adoption of this resolution.

Adopted Resolution authorizing the Police Chief to enter into a Memorandum of Understanding (MOU) with current and future police agency partners for the purpose of contracting with private DNA laboratory for the analysis of DNA samples.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Resolution be adopted. The motion PASSED by an unanimous vote.

130092 **Resolution - Opposing Workforce Development Reforms**

Council is requested to adopt a resolution opposing Workforce Development Reforms contained in House Joint Resolution 55 and Senate Joint Resolution 147.

Attachments: Resolution Opposing Workforce Development Reforms 2013

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting. The Committee recommended adoption of this resolution.

Adopted Resolution opposing Workforce Development Reforms contained in House Joint Resolution 55 and Senate Joint Resolution 147.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Golden, that this Resolution be adopted. The motion PASSED by an unanimous vote.

COMPREHENSIVE PLANNING COMMITTEE (Council Member Smothers, Chair)

130084 **Waterleaf Property Management, LLC - ROW Encroachment Case 13-01**

A request by Waterleaf Property Management, LLC to allow below grade installation of a fiber optic line to encroach into the Waterleaf Court right-of-way.

Attachments: 02. Staff Report RE13-01

Chairman Smothers asked if staff wanted to present any additional information regarding this matter. Doug Loveland of the Planning and Development Department, added that the matter did go before the Technical Review Committee and no concerns were identified.

Chairman Smothers asked if there was anyone present to speak regarding the matter.

Jack Brown, representing Graphic Visual Solutions, addressed Council. He introduced Mike Pate, who will be working with the company doing an installation of the fiber connection which will exist between two buildings they own on Waterleaf Court between 4301 Waterleaf Court and 4320 Waterleaf Court that involves a $15 million expansion that would allow them to connect these two buildings with data and voice communications.

Approved the request by Waterleaf Property Management, LLC to allow below grade installation of a fiber optic line to encroach into the Waterleaf Court right-of-way.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Agreement be approved. The motion PASSED by an unanimous vote.

130085 **Resolution of Intent - Street Abandonment Case 13-01**

Approval of a Resolution of Intent that establishes a public hearing date of April 15, 2013 to consider the following street abandonment requests from the Technical Review Committee:

a. Abandon an unimproved right-of-way lying along the east side of Hodgin Street, approximately 410 feet north of Elgin Avenue.
b. Abandon a portion of an unimproved right-of-way lying along the north side of Elgin Avenue, between Hodgin Street and Westchester Drive.

Attachments: 03. ROI Street Abandomnet 13-01

Resolution No. 1292/13-15

Introduced 3/18/2013; Adopted 3/18/2013
Resolution Book, Volume XVIII, Page 15

Adopted Resolution of Intent establishing a public hearing date of April 15, 2013 at 5:30 p.m. to consider the preceding street abandonment requests from the Technical Review Committee.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an unanimous vote.

130086 **Resolution of Intent - Annexation Case ANX13-01**

Approval of a Resolution of Intent that establishes a public hearing date of April 15, 2013 to consider a voluntary non-contiguous annexation of approximately 79 acres lying along the west side of Sandy Ridge Road, approximately 375 feet south of National Service Road.

Attachments: 04. ROI Annexation Case 13-01

Resolution No. 1293/13-16
Introduced 3/18/2013; Adopted 3/18/2013
Resolution Book, Volume XVIII, Page 16

Adopted Resolution of Intent establishing a public hearing date of April 15, 2013 at 5:30 p.m. to consider a voluntary non-contiguous annexation of approximately 79 acres lying along the west side of Sandy Ridge Road, approximately 375 feet south of National Service Road.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an unanimous vote.

130087 **Extension to Agreement - 350 South Development**

Consideration of extending the “350 Development Agreement” completion date from March 31, 2013 to April 15, 2013.

Attachments: Extension to Development Agreement - 350 South Development

Chairwoman Smothers asked the city manager if he wanted to add anything further regarding this matter. Mr. Boynton explained he and staff met with Tom Terrell, who is very close on coming up with a draft of the development ordinance which would include a Synthetic TIF and asked that this be extended until April.

Because of the nature of this development, Mayor Sims asked if staff could provide additional information in order to have some dialogue around Synthetic TIFs before a vote is scheduled on this matter. Mr. Boynton explained this is part of the reason for the extension and plans are to have the whole document ordinance agreement ready for review as well as how the Synthetic TIFs work. Chairwoman Smothers suggested it might be possible to discuss this matter when the Comprehensive Planning Committee meets in two weeks.

Council Member Douglas asked about the estimated city's cost of the infrastructure for this project and how the city plans to pay for it. Mr. Boynton explained the rough estimate for the water/sewer improvements for Phase I could be in the $1 million to $1.5 million range and noted the cost of the road improvements would be borne by the developer. He further explained they have the additional land that they are in the process of annexing and this would allow them to get the numbers a little closer. It was noted that according to the initial discussion, the estimate in the $10 million range was tossed out that included water/sewer and road improvements. Mr. Boynton reiterated that all this is no longer on the table because the developer will be taking care of the road improvements with the city doing some of the water/sewer improvements in Phase I. He informed Council that they are still working on those details so they could be brought to City Council for review and consideration.

Chairwoman Smothers pointed out when this matter initially came before Council, at that time although the annexation was approved to be effective the end of June, it was suggested that the Development Agreement be brought back to Council in March. Since that time, there have been a number of developments such as the additional land that is now part of the overall project and staff has been working with the petitioner to finalize the Development Agreement which has changed considerably in substance because of the 79 acres of additional land in the project. She pointed out because it is a new approach for the city, it is taking some time to get the details worked out.

Approved an extension to the 350 South Development agreement extending the completion date from March 31, 2013 - April 15, 2013.

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

Aye: 8 - Mayor Sims, Mayor Pro Tem Moore, Council Member Davis, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Wagner

Nay: 1 - Council Member Douglas

MISCELLANEOUS - CITY COUNCIL

130093 Resolution - Supporting a Referendum - RE: Method of Election

City Council is requested to adopt a resolution supporting a Referendum concerning changing the High Point Municipal Election.

Attachments: Resolution - Method of election - Referendum

Resolution No. 1294/13-17
Introduced 3/18/2013; Adopted 3/18/2013
Resolution Book, Volume XVIII, Page 17

Transcript

Mayor Sims: Okay. We do have one other item that is not on the agenda that needs to be addressed and it has to do with an addendum to the actual agenda, but the resolution supporting a referendum and our method of elections. So at this point in time, **I will entertain a motion to suspend the rules.**

Council Member Ewing: **So moved.**

Council Member Mendenhall: **Second.**

Mayor Sims: We have a motion and a second to suspend the rules to consider a resolution to support the referendum involving the method of election. All those in favor, signify by saying Aye. Aye. Any opposed? [none[[9-0 vote]

Earlier in our Finance Committee meeting, you all were given copies of the proposed resolution and this came about as a result of the last meeting that we had where council voted to change our method of election to an odd year and a primary. At the time that this was taken before our Guilford Delegation, the delegation decided they in all consciousness that they could not proceed with this or did not feel that it would be favorable to them if this was brought before the General Assembly. As a result of that, we came back with…..it was suggested to us that we do a referendum asking the voters to determine whether or not this was something that they wanted to see happen. So, as a result of that, and I believe we do have consensus on the part of this council that we could support a referendum going on the ballot asking the voters to consider the change in our election method and what that would entail. So before you, you have the suggested language for the resolution requesting that in 2014 in the General Election that would be in November, that we would put on the ballot a request to have the voters vote on an act to change our elections from even year to odd year and institute a primary system. We can read this resolution in its entirety and that probably would be best for the folks who are sitting in the audience. It reads as follows:

A RESOLUTION OF THE HIGH POINT CITY COUNCIL SUPPORTING A REFENDUM CONCERNING CHANGING THE METHOD OF ELECTION

WHEREAS, the High Point City Council desires to hold a referendum of High Point voters to determine whether the method of election of the mayor and city council members should be changed to the primary and election system in odd numbered years; and

WHEREAS, a referendum and the change in method of election requires a legislative act;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT THAT:

The Guilford County delegation to the North Carolina General Assembly is requested to introduce and support a local act6 which would establish a referendum in High Point on the

November, 2014 general election date for the voters to approve or reject implementing the primary and election method pursuant to G.S. 163-294, to be effective for the election in 2017 for High Point mayor and city council members, and that if the referendum is approved then the terms of the mayor and council members elected in 2014 will expire after the election in 2017.

[end of resolution]

Mayor Sims: I'm going to open up the floor for discussion by council members and hopefully we can reach a consensus on the resolution that's been placed before you. Any discussion?

Council Member Smothers: I think the only thing that was questioned was the actual date of the resolution. I think Council had pretty much indicated support that I had heard. I mean I had read yours in the paper so you certainly support the referendum, but it was a matter of determining when and you have, you know, offered the November date. I don't have any big problem with either one other than I do think the May date would allow for the Department of Justice clearance by the time the election occurred and that matter would be behind us. I understand from your comments that the city would incur some costs to have the election on that date and I think that's one we all, you know, we have some concerns about cost. Period. So I just want us to have a primary. If this is the only way we can have a primary, then we have a primary in November.

Council Member Mendenhall: Madam Mayor, would you like a motion?

Mayor Sims: If all discussion is done. I don't want to cut this discussion off. If we're done with that….

Council Member Mendenhall: I just thought if we had a motion then we could continue discussion.

Mayor Sims: Absolutely, Ms. Mendenhall.

Council Member Mendenhall: Alright, I would move that this resolution be adopted.

Mayor Sims: Is there a second?

Council Member Smothers: Second.

Mayor Sims: I have a motion and a second to adopt the resolution as presented. Is there any further discussion on this matter?

Council Member Douglas: Yes, Madam Mayor. I didn't agree with the primary process, I felt that the plurality of the vote was sufficient and I still think so. But one of the things that I take issue with is now we want to put it on a referendum to go back to the voters when we could have done that to start with. The first vote we had was to leave the public out of it and just steamroll it anyway. But it gets down to the General Assembly and they kick it back when the first process should have been going to the people to start with. So my real issue is, you know, I mean we are going through this when they're actually….

Council Member Smothers: Well why didn't you make that motion, Mr. Douglas?

Council Member Douglas: ….when actually….I'll answer that when I finish….when actually we should have, before I was interrupted, gone to the public to start with and when we was discussing it before that was not part of a motion because it was tossed around in so many different ways. I mean we have seventeen different cities that has a plurality of vote already and I'm pretty sure….I don't know how they got to that point, but, you know, we all are where we are. And I think the first part of that….the first step should have been going to the public to start with. I agree with it now going to the public which it should have been done to start with. I guess my comment is, you know, we want to steamroll over the people to start with and now we need their input.

Council Member Smothers: I don't think it was a steamroll. I guess we just lacked your wisdom since you knew that all along and never said anything. You just voted no.

Council Member Douglas: Well I voted against it to start with. I voted against it because I didn't think…..evidently the General Assembly didn't think it was a good idea either.

Council Member Smothers: The General Assembly didn't think it was unanimous-which it was not. Had you and two other members of Council voted for it, it would be down there right now.

Council Member Douglas: Well and I going to vote for something I don't agree with? So what are you saying?

Council Member Smothers: I don't know. You were talking about why they didn't submit it. They didn't submit it because there was local opposition namely three members of this sitting Council-which three members of this Council knew when they voted that way. But rather than offer the option for a referendum, that did not occur. So I'm glad now that you can support it.

Mayor Sims: Is there any further discussion?

Council Member Ewing: Just for clarification, the resolution as it's written puts the primary on the General Election in November is that correct JoAnne?

City Attorney JoAnne Carlyle: Yes.

Council Member Wagner: The referendum, not the primary the referendum is on the ballot.

Council Member Ewing: The November ballot.

Council Member Mendenhall: The issue of a primary will be a referendum.

Council Member Wagner: Then it's up to the State Legislature, though, to tell us when our primary's going to be and all that right?

Council Member Smothers: No, it's by statute.

Council Member Ewing: But the referendum itself will be voted on by the people according to this in November and not May.

City Attorney JoAnne Carlyle: Correct.

Mayor Sims: Is there any further discussion? I have a motion and a second to approve the resolution that is before you as it was read. All those in favor, please signify by saying Aye.

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

Mayor Sims: Any opposed? [none] The resolution passes-**the motion passes.** [9-0 vote]

[end of transcript]

Adopted Resolution supporting a referendum concerning changing the method of election.

A motion was made by Council Member Mendenhall, seconded by Council Member Smothers, that this Resolution be adopted. The motion PASSED by an unanimous vote.

PUBLIC HEARINGS - 5:30 P.M.

Comprehensive Planning Committee (Council Member Smothers, Chair)

130088 **Cambridge Oaks, LLC - Amendment to Zoning Case 11-14**

A request by Cambridge Oaks, LLC. to amend Conditional Zoning Case 11-14 (CZ11-14) to:

a. Add approximately 7 acres, located in the southwestern portion of the Cambridge Oaks subdivision, along Renaissance Lane.
b. Rezone 7 acres from Conditional Use Residential Multifamily Family-5 (CU RM-5) District to a Conditional Zoning Residential Multifamily-8 (CZ RM-8) District.

Attachments: 05. CZ11-14
Adopted Ordinance (CZ11-14)

Ordinance No. 6984/13-16
Introduced 3/18/2013; Adopted 3/18/2013
Ordinance Book Volume XVIII, Page 16

The public hearing regarding this matter was held on Monday, March 18, 2013 at 5:30 p.m. Herb Shannon of Planning and Development provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings.

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

Mark Walsh, the applicant, explained the present housing market is not good for townhome sales/construction and they could basically sell more single family houses than townhomes.

Judy Stalder, 1400 Eastchester Drive, consultant representing the developer, explained they are still asking for the same thing as when they came to Council for the original zoning which is a mixture of townhomes and single family homes built in one subdivision. She reminded Council that last year they asked for more single family homes along Amelia Court and this year they are riding the wave of single family home sales and the lack of townhome sales, so they are, again, asking for more single family homes on Renaissance Lane. She pointed out the developer has shown that he can build a quality product with both single family and townhomes and the neighbors who own single family and townhomes have all joined together in one Home Owner's Association.

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

Adopted Ordinance amending Conditional Zoning Case 11-14 (CZ11-14) to add approximately 7 acres located in the southwestern portion of the Cambridge Oaks subdivision, along Renaissance Lane and to rezone 7 acres from Conditional Use Residential Multifamily-5 (CU RM-5) District to a Conditional Zoning Residential Multifamily-9 (CZ RM-8) based on consistency with the city's adopted plans. Additionally, the City Council finds this action to be reasonable and in the public interest based on the findings identified in the staff report.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Amendment be adopted. The motion PASSED by an unanimous vote.

130089 **Blue Ridge Companies - Amendment to Zoning Case 12-14**

A request by Blue Ridge Companies to amend Conditional Zoning Case 12-14 (CZ12-14) to:

a. Rezone 4.45 acres from Conditional Use Light Industrial (CU-LI) District to a Planned Unit Development Mixed (PDM) District.
b. Add approximately 4.45 acres to Tract B (multifamily section). The area to be added to Tract B is lying approximately 150 feet north of Pallas Way.
c. Amend the PUD Master Plan.

Attachments: 06. CZ12-14

Ordinance No. 6985/13-17
Introduced 3/18/2013; Adopted 3/18/2013
Ordinance Book Volume XVIII, Page 17

The public hearing for this matter was held on Monday, March 18, 2013 at 5:30 p.m. Herb Shannon of Planning and Development provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings.

Mayor Sims asked if the 900 units approved originally is still the maximum or if it would be 900 plus these 96. Mr. Shannon explained 900 was the maximum, but that was assuming that all of this area which is now retail was going to be all multi-family and since this has changed, they would not be able to reach that 900.

Following the conclusion of the staff report, Chairwoman Smothers opened the public hearing for comments.

Mr. Jim Girdich, representing the applicant, 5826 Samet Drive, Suite 105, explained they are trying to add the 96 additional units to the Palladium apartment community, but Tract D could go either multi-family or GO-H or SC. He agreed that there would be no way they could get to the 900 units and noted this was based on calculations when the whole development came in in 2003.

Council Member Ewing as Mr. Girdich if they had considered the idea of using a mixed use with retail and multi-family. Mr. Girdich responded that they have, but that model is tough to accomplish and is cost prohibitive.

Mr. Girdich explained they are requesting this 4.45 acres of the CIBA property into the Palladium-Deep River Tract B which would allow for for an expansion of the Palladium Park apartment community, and Part 2 of the request is to make some minor adjustments to the boundary lines of TRacts C, D and E of the Palladium retail to accommodate their current site development plans. He noted this request would not change the existing land use pattern or any existing PUD development requirements and additionally, this request would reinforce existing mixed use area, utilize existing infrastructure and more efficiently use the city's land resource by encouraging infill. He asked for Council's favorable vote.

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

Adopted Ordinance approving the amendment to Zoning Case 12-14 by rezoning 4.45 acres from Conditional Use Light Industrial (CU LI) District to a Planned Unit Development Mixed (PDM) District and adding approximately 4.45 acres to Tract B (multifamily section), and amended the PUD Master Plan based on consistency with the city's adopted plans. Additionally, the City Council finds this action to be reasonable and in the public interest based on the findings as identified in the staff report.

A motion was made by Council Member Smothers, seconded by Council Member Ewing, that this Amendment be adopted. The motion PASSED by an unanimous vote.

Reports from Council

MOORE
Mayor Pro Tem Moore congratulated his daughter on her 18th birthday.

He also thanked Mayor Sims for the opportunity for him to step in on her behalf to announce the OFS expansion and to read a Proclamation at the Arbor Day ceremony.

WAGNER
Council Member Wagner extended an invitation to attend the Furniture Land Rotary Lunch at the String & Splinter on Monday, March 25th at Noon, to hear Bill Kalkof, President of Downtown Durham, Inc., who will be presenting information about the implementation of their downtown master plan. Mr. Kalkof will also be making a presentation before The City Project Board at 1:30 p.m. the same day.

He also extended an invitation to attend the Hartley Drive YMCA Annual Lentin & Prayer Breakfast on Wednesday, March 27th at 7:30 a.m.

Council Member Wagner also encouraged people to attend the upcoming SoSi planning charrette at GTCC. Council Member Mendenhall provided some details on the timing and added the morning session will begin at 8:30 a.m. with breakfast and will go until 12:30 p.m. with the evening session starting at 5:30 p.m. with a lighter dinner and it will go until about 8:00 p.m. There will be wrap up session on Wednesday starting at 11:30 a.m. (lunch will be served) at which time they will present their findings and talk about potential uses and a design concept for the vacant tract of land across from GTCC.

EWING
Council Member Ewing shared that he and Council Member Davis held a joint Town Hall meeting last week and had about 30 attendees. The next Town Hall meeting is being planned for April 9th, 7-8:30 p.m. at the Deep River Rec Center.

MENDENHALL
Council Member Mendenhall noted there would also be a neighborhood meeting on Monday, April 8th in the Allen Jay area at Allen Jay Baptist Church

at 7:00 p.m. and everyone was invited to attend this meeting as well.

She also shared that the SoSi International Festival is being planned for May 11th and she would provide more details on this event later.

Council Member Mendenhall reported that the Arts Council will have a gathering beginning on the 3rd Thursday starting in April from 5:00 p.m. to 7:00 p.m. with music and food. She noted they have also been really pleased with he bookings they have gotten for the use of their new facility and this would help a great deal in their overhead for their general operating expenses.

She encouraged patrons using the Library to go through the new checkouts they have instituted.

DAVIS
As Council liaison to the Parks & Recreation Commission, Council Member Davis reminded Council that there are a couple of appointments that need to be made, as well as some appointments that need to be made on the Board of Adjustment.

SMOTHERS
Council Member Smothers reported that she had an opportunity to talk with a leadership group and mentioned there are some Easter basket creations for sale at the Library.

GOLDEN
Council Member Golden shared that there are several appointments that will need to be made on the Human Relations Commission and asked Council to let him know if they know of anyone that might be interested in serving. Mayor Sims pointed out some of the positions on the Human Relations Commission represent special interest groups and encouraged Council Member Golden to get with Al Heggins.

DOUGLAS
Council Member Douglas noted he came across some information on ElectriCities that had Latimer Alexander listed as a currently seated Council Member. Mayor Sims noted that Mr. Boynton would be attending an ElectriCities Board meeting tomorrow and asked him to get it corrected. Mr. Boynton agreed to get it corrected and noted although he is not a sitting Council Member, he is a member of the ElectriCities Board of Directors.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130090 **Approval of the following Minutes:**
Committee of the Whole Briefing Finance Meeting held Monday, March 4 @ 4:00 p.m.
High Point City Council Regular Meeting held Monday, March 4 @ 4:45/5:30 p.m.

Attachments: March 4 2013 Committee of the Whole Finance Meeting

March 4 2013 High Point City Council

Approved the preceding minutes as submitted.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

120229 **Boards and Commissions - Vacancies**

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

Attachments: term expirations 2013 (April 15 2013 agenda).pdf

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

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 5:48 p.m. upon motion duly made and seconded.

Respectfully Submitted,

____

Bernita Sims, Mayor

Attest:

____

Lisa Vierling, MMC
City Clerk