

City of High Point

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



Meeting Minutes

Monday, April 16, 2012

4:45:00 PM

Council Chambers

*Rebecca R. Smothers, Mayor
M. Christopher Whitley, Mayor Pro Tem
Latimer B. Alexander, IV, James Corey,
Foster Douglas, A.B. Henley, III,
Britt W. Moore, Michael D. Pugh,
Bernita Sims, M. Christopher Whitley*

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

Present: Council Member Whitley, Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas and Council Member Corey
Absent: Council Member Pugh and Council Member Henley

APPROVAL OF THE MINUTES FROM PREVIOUS MEETINGS

The minutes of the following meetings were unanimously approved as submitted upon motion by Council Member Alexander and second by Council Member Corey.

Finance Committee; Monday, April 16th @ 3:30 p.m.
Combined Meeting; Monday, April 16th @ 4:45/5:30 p.m.
Planning, Economic Dev. & IT Committee; Tuesday, April 3rd @ 9:00 a.m.
Public Safety & Community Development Committee; Wednesday, April 4th @ 9:00 a.m.

FINAL ACTION TAKEN AT THIS MEETING

At the conclusion of the Committee of the Whole Session, and after all matters were heard by Council, **motion was made by Council Member Sims, seconded by Council Member Corey to suspend the rules in order to take final action on these matters at tonight's meeting. The motion carried unanimously. [6-0 vote] [Mayor Smothers and Council Members Henley and Pugh were absent]**

Motion was then made by Council Member Alexander, seconded by Council Member Sims that all Committee recommendations stand as final action regarding these matters. The motion carried unanimously. [6-0 vote] [Mayor Smothers and Council Members Henley and Pugh were absent]

This action cancels the meeting scheduled for Thursday, April 20th at 9:00 a.m.

PRESENTATION OF ITEMS**FINANCE COMMITTEE - Council Member Alexander, Chair**

Committee Members: Whitley, Smothers and Corey

(all were present)

Budget Ordinance Amendment - Underground Utilities & Intersection Improvements - Montlieu Avenue and North College Drive**120083**

Adoption of an ordinance amending the 2011-2012 Budget Ordinance to appropriate funding for underground utilities, intersection improvements and sidewalks along portions of Montlieu Avenue and North College Drive.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a

favorable recommendation.

Council Member Corey pointed out this was a 50/50 partnership between the City of High Point and High Point University and felt it was a win-win for both entities in the sense that HPU would be covering half the expenses.

Adopted Ordinance amending the 2011-2012 Budget Ordinance appropriating funding for underground utilities, intersection improvements and sidewalks along portions of Montlieu Avenue and North College Drive.

Ordinance No. 6907/12-24

Introduced 4/16/2012

Adopted 4/16/2012

Ordinance Book, Volume XVII, Page 98

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be adopted. The motion carried unanimously.

Budget Ordinance Amendment/NCDOT Supplemental Agreement - Environmental Study - I-74/US311 & NC 68 Interchange

120084

Adoption of an ordinance amending the 2011-2012 Budget Ordinance in the amount of \$200,000 for an environmental study for the replacement of the I-74/US 311 & NC 68 interchange replacement study; and authorize staff to execute the Supplemental Agreement with the North Carolina Department of Transportation.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted Ordinance amending the 2011-2012 Budget Ordinance in the amount of \$200,000 for an environmental study for the replacement of the I-74/US 311 & NC 68 interchange replacement study; and authorized staff to execute the Supplement Agreement with the North Carolina Department of Transportation.

Ordinance No. 6908/12-25

Introduced 4/16/2012

Adopted 4/16/2012

Ordinance Book, Volume XVII, Page 99

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be adopted. The motion carried unanimously.

Budget Ordinance Amendment - Depot Restoration Project

120085

Adoption of an ordinance amending the 2011-2012 Budget Ordinance in the amount of \$125,000 for repairs and general maintenance at the High Point Depot (train station).

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be approved. The motion carried unanimously.

Sole Source Authorization - Generator Repair -Westside WWTP

120088

Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of equipment by the Electric Utilities Department; and, approve the acquisition of the equipment and related services from Carolina Caterpillar in the amount of \$127,527.04.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of equipment by the Electric Utilities Department; and approved the acquisition of the equipment and related services from Carolina Caterpillar in the amount of \$127,527.04.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be approved. The motion carried unanimously.

Change Order - Forrest-Farriss Stormwater Project

120089

Council is requested to approve a change order to the Sealand Contractors Corporation contract in the amount of \$1,300,000 for the Forrest-Farriss Stormwater Project (aka Hamilton-Montlieu project).

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved a change order to the Sealand Contractors Corporation in the amount of \$1,300,000.00 for the Forrest-Farriss Stormwater Project (aka Hamilton-Montlieu Project).

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be approved. The motion carried unanimously.

Application for Transfer of Franchise - WCA of High Point to WI High Point Landfill, LLC - Second Reading

120090

Monday, April 16, 2012 is the date set for the 2nd reading of the transfer of the of the WCA of High Point Franchise to WI High Point Landfill, LLC for the operation of a construction and demolition waste reclamation pad located at 5830 Riverdale Drive. First reading was held Monday, April 2, 2012.

Chairman Alexander explained this was the scheduled date and time for the 2nd reading of the transfer of the WCA of High Point Franchise to WI High Point Landfill, LLC for the operation of a construction and demolition waste reclamation pad located

at 5830 Riverdale Drive.

There was no one present desiring to speak regarding this matter.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation for approval.

Approved the second and final reading for the transfer of the WCA of High Point Franchise to WI High Point Landfill, LLC.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried unanimously.

Resolution - Issuance of General Obligation Refunding Bonds

120102

Council is requested to authorize a resolution making certain findings of determinations and authorizing certain actions in connection with the issuance of Series 2012 General Obligation Refunding Bonds by the City of High Point.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted Resolution for the issuance of General Obligation Refunding Bonds.

Resolution No. 1217/12-18

Introduced 4/16/2012

Adopted 4/16/2012

Resolution Book, Volume XVII, Page 68

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be adopted. The motion carried unanimously.

Establish Public Hearing Date - Order Authorizing \$30,000,000 General Obligation Refunding Bonds

120103

Council is requested to introduce and adopt a bond order for Series 2012B General Obligation Refunding Bonds in tan amount not to exceed \$30,000,000.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be adopted. The motion carried unanimously.

Order Authorizing \$5,785,000 Downtown Improvement Bonds

120104 Council is requested to introduce and adopt on first reading (of two readings) a bond order for \$5,785,000 Series 2012A General Obligation Public Improvement Bonds.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved the introduction and adoption on the first of two readings for a bond order for \$5,785,000 Series 2012A General Obligation Public Improvement Bonds.

Resolution No. 1218/12-19

Introduced 4/16/2012

Adopted 4/16/2012

Resolution Book, Volume XVII, Page 69

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried unanimously.

Establish Public Hearing - Order Authorizing \$5,785,000 Downtown Improvement Bonds

120105 Council is requested to advertise and hold a public hearing on Monday, May 7, 2012 at 5:30 p.m. on the proposed Two-Thirds General Obligation Bonds in the amount of \$5,785,000 for Downtown Improvements.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Established a public hearing date on Monday, May 7, 2012 at 5:30 p.m. on the proposed Two-Thirds General Obligation Bonds in the amount of \$5,785,000 for downtown improvements.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried unanimously.

PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE - Council Member Sims, Chair

Committee Members: Alexander, Douglas and Corey

(all were present)

Ordinance - Vacate/Close Dwelling - 1014 Meredith Street**120079**

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1014 Meredith Street belonging to Joseph G and Bonita Brooks.

Chairwoman Sims asked if there was anyone in the audience who would like to speak regarding this housing case. There being none, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 104 Meredith Street.

Ordinance No. 6910/12-27**Introduced 4/16/2012****Adopted 4/16/2012****Ordinance Book, Volume XVII, Page 101**

A motion was made by Council Member Sims, seconded by Council Member Douglas, that this matter be adopted. The motion carried unanimously.

Ordinance - Vacate/Close Dwelling - 2806 E. Kivett Drive**120080**

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 2806 E. Kivett Drive belonging to Luan M. Ly.

Chairwoman Sims asked if there was anyone in the audience who would like to speak regarding this housing case. There being none, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 2806 E. Kivett Drive.

Ordinance No. 6911/12-28**Introduced 4/16/2012****Adopted 4/16/2012****Ordinance Book, Volume XVII, Page 102**

A motion was made by Council Member Sims, seconded by Council Member Douglas, that this matter be adopted. The motion carried unanimously.

Ordinance - Vacate/Close Dwelling - 1209 E. Green Drive**120081**

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1209 E. Green Drive belonging to Managing Investments, Inc.

Chairwoman Sims asked if there was anyone in the audience who would like to speak regarding this housing case. There being none, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1209 E. Green Drive.

Ordinance No. 6912/12-29 **Introduced 4/16/2012**
Adopted 4/16/2012
Ordinance Book, Volume XVII, Page 103

A motion was made by Council Member Sims, seconded by Council Member Douglas, that this matter be adopted. The motion carried unanimously.

Ordinance - Vacate/Close Dwelling - 4029 Pump Station Road

120082

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 4029 Pump Station Road belonging to Darrell K. Jackson.

Chairwoman Sims asked if there was anyone in the audience who would like to speak regarding this housing case. There being none, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 4029 Pump Station Road.

Ordinance No. 6913/12-30 **Introduced 4/16/2012**
Adopted 4/16/2012
Ordinance Book, Volume XVII, Page 104

A motion was made by Council Member Sims, seconded by Council Member Douglas, that this matter be adopted. The motion carried unanimously.

Resolution - 2012 Guilford County Solid Waste Management Plan Update

120091

Council is requested to adopt a resolution approving and endorsing the 2012 Guilford County Solid Waste Management Plan Update.

Chairwoman Sims asked staff to come forward and give an overview of the 2012 Guilford County Solid Waste Management Plan update and noted one of the primary goals is to educate the entire community about solid waste and recycling and to make solid waste disposal and recycling easy and accessible to everyone. The Solid Waste Plan is submitted in conjunction with Guilford County including the following municipalities: Archdale, Gibsonville, Greensboro, High Point, Jamestown, Oak Ridge, Pleasant Garden, Sedalia, Stokesdale, Summerfield and Whitsett.

Richard McMillan, Assistant Director of Public Services, explained the North Carolina Department of Environment and Natural Resources requires a plan to be adopted every three years and the 2012 plan updates the 2009 Solid Waste Plan. He noted a lot of the focus in the plan deals with waste reduction, recycling and education because people are going to generate a certain amount of solid waste from their homes/businesses and this is a way to get the word out and redirect a lot of that waste so we can recycle in an effort to extend the life of the landfills and to get some additional revenue from the material being disposed of.

Council Member Alexander asked about plans for the E-recycling program and if the city plans on affording another opportunity to the citizens in the near future to dispose of chemicals, electronic items, etc.... Mr. McMillan explained the E-recycling program takes place every other year in an effort to maximize the city's funds and efforts with another one scheduled for next year. He reported that residents can presently dispose of their electronic waste (i.e. old tvs, computers, laptops, phones, vacuum cleaners, etc...) at the MERF and noted the city would pick up paint cans as long as the paint is dried. Mayor Pro Tem Whitley asked if it would be possible to place a trailer at the Ingleside location for the next E-recycling day and Mr. McMillan replied that this would be difficult because of the way it all has to be packaged.

There being no further questions or discussion, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted a resolution approving and endorsing the 2012 Guilford County Solid Waste Management Plan Update.

Resolution No. 1223/12-24 Introduced 4/16/2012
Adopted 4/16/2012
Resolution Book, Volume XVII, Page 74

A motion was made by Council Member Sims, seconded by Council Member Douglas, that this matter be adopted. The motion carried unanimously.

Community Development - Relocation and Moving Expenses

120092

Council is requested to revise the Relocation and Moving Expense policy for families and individuals who are displaced by Minimum Housing Code Enforcement activities as administered by the Community Development Department.

Chairwoman Sims reported that the Public Safety & Community Development Committee met twice to discuss this issue, but due to limited participation by Council Members, the Committee is moving the matter forward to the full Council without a recommendation. She explained some Council Members have questioned whether the city should continue with the relocation assistance and some felt the funds could be better used elsewhere by Community Development.

Mike McNair, Director, Community Development & Housing, was present to address any questions/concerns.

For the sake of discussion, Chairwoman Sims moved to rescind the relocation assistance policy to do away with providing relocation funds, effective May 1, 2012. Mayor Pro Tem Whitley made a second to the motion.

For further discussion, Council Member Douglas questioned this and asked what accountability and responsibility would be placed on the landlords/property owners for renting out properties that don't meet the Minimum Housing Code. Council

Member Moore felt this determination would be better suited for the court system and not City Council.

Council Member Alexander agreed with Council Member Douglas and shared the weakest and most vulnerable citizens occupy many of these marginal properties and he could not support the motion if it meant turning individuals or families out in the street. He pointed out that although the dollars spent on the program so far have been small, the impact on the citizens have been great. Chairwoman Sims stated she finds it troublesome that the city continues to offer assistance to the same families time and time again, and agreed that there should be some responsibility to the landlord/property owner. She explained that she approached the city attorney and asked about possibly tapping into some of their unused security deposit dollars. City Attorney Fred Baggett explained the security deposit is pretty much protected and regulated by state law; however, the state law does allow cities, in their Minimum Housing Code enforcement, to assess the cost of enforcement against a property owner. Mayor Smothers expressed concerns and pointed out at times, there are cases that come up involving children or the elderly and she would hate for them to be placed in a situation with no resources because of it being a public safety issue.

Council Member Corey commented that the amount of money spent so far on the program has been very minimal and asked if it might be possible for the city to change the wording of the policy putting restrictions on a time frame on when they would be able to reapply. Council Member Douglas noted it was problematic because nothing is in place to hold the landlords accountable for the condition of these structures that do not meet the minimum housing standards. He felt it was incumbent on Council to put something in place to protect the low income residents of the city. Mayor Smothers pointed out that Chairwoman Sims attempted to do this through the Committee, but could not get the full Council to attend to talk about these issues. Council Member Moore noted it was a symptom of the larger economy and was not sure that it is the Council's responsibility. The Mayor pointed out that it is not only the cost of relocating household goods, but utility deposits tend to be extremely burdensome to some and maybe there could be some relief offered in this area.

The Mayor asked if the Community Development Department staff would continue to assist people in trying to find a place to live for those living in houses that have to be vacated. Mr. McNair replied that they would. Council Member Alexander noted that he could not support the motion. Mayor Pro Tem Whitley pointed out the Community Development staff has not complained about removal of the policy and staff has said they would be willing to proceed and help those who are actually in need and he would support the motion.

At this time, Mayor Smothers asked for a show of hands from those in support of the motion. [Mayor Smothers; Mayor Pro Tem Whitley; and Council Members Moore and Sims]

Those voting in opposition to the motion were Council Members Alexander, Corey, and Douglas.

The motion carried by a 4-3 vote. Following the vote, Mayor Smothers offered a

suggestion to those Council Members opposing the motion to come forward with another policy for consideration. Council Member Douglas pointed out the policy would include assisting the underprivileged. The Mayor noted there were other ways to offer assistance other than moving the tenants. Council Member Alexander mentioned Greensboro's policy that requires every rental unit to be inspected and it was noted that this was repealed by the State Legislature. Council Member Sims explained Greensboro was asking them to possibly reconsider that particular policy.

A motion was made by Council Member Sims, seconded by Mayor Pro Tem Whitley, that this matter be Rescind. The motion carried by the following vote:

Votes: Aye: Council Member Whitley, Mayor Smothers, Council Member Moore and Council Member Sims
Nay: Council Member Alexander, Council Member Douglas and Council Member Corey
Absent: Council Member Pugh and Council Member Henley

Pending Items

Ordinance - Demolition of Structure - 1315 Vernon Place

120032 Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1315 Vernon Place belonging to David L and Minnie L. Terry.

Note: This matter was initially heard before the City Council on February 20, 2012. At that time, the property owners appeared and asked for a 6-month extension which was granted to them. The matter is due back on or around August 20, 2012.

PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY COMMITTEE - Mayor Pro Tem Whitley, Chair Committee Members: Sims, Henley and Moore

(Henley was absent)

Resolution of Intent - Street Abandonment 12-02

120094 Approval of a Resolution of Intent that establishes a public hearing date of May 21, 2012 at 5:30 p.m. to consider a request to abandon a portion of Bellevue Drive and Old Winston Rd abutting 930 Old Winston Road (HP Fire Station) and 1003 Northside Court.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted Resolution of Intent establishing a public hearing date of May 21, 2012 at 5:30 p.m. to consider a request to abandon a portion of Bellevue Drive and Old Winston Road abutting 930 Old Winston Road (HP Fire Station) and 1003 Northside

Court.

Resolution No. 1219/12-20 **Introduced 4/16/2012**
Adopted 4/16/2012
Resolution Book, Volume XVII, Page 70

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Sims, that this matter be adopted. The motion carried unanimously.

Resolution of Intent - Street Abandonment 12-03

120095

Approval of a Resolution of Intent that establishes a public hearing date of May 21, 2012 at 5:30 p.m. to consider a request to abandon a portion of King Road (unimproved) located between East Springfield Road and Brentwood Street.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted Resolution of Intent establishing a public hearing date of May 21, 2012 at 5:30 p.m. to consider a request to abandon a portion of King Road (unimproved) located between East Springfield and Brentwood Street.

Resolution No. 1220/12-21 **Introduced 4/16/2012**
Adopted 4/16/2012
Resolution Book, Volume XVII, Page 71

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Sims, that this matter be adopted. The motion carried unanimously.

Resolution of Intent - Annexation Case 12-02 - 1910 Hickswood Road

120096

Approval of a Resolution of Intent that establishes a public hearing date of May 21, 2012 at 5:30 p.m. to consider a voluntary contiguous annexation of approximately 11.18 acres. The area to be annexed is lying along the south side of Hickswood Road, approximately 1,100 feet east of Deep River Road. The property is addressed as 1910 Hickswood Road, and is also known as Guilford County Tax Parcel 0193150.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted Resolution of Intent establishing a public hearing date of May 21, 2012 at 5:30 p.m. to consider a voluntary contiguous annexation of approximately 11.18 acres lying along the south side of Hickswood Road, approximately 1,100 feet east of Deep River Road.

Resolution No. 1221/12-22 **Introduced 4/16/2012**
Adopted 4/16/2012
Resolution Book, Volume XVII, Page 72

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Sims, that this matter be adopted. The motion carried unanimously.

Washington Street Mixed Use Center Overlay District Zoning Map Amendments

120097

Request to initiate zoning map amendments to change the boundary of the Washington Street Mixed Use Center Overlay District (WMX) and to change the underlying zoning to Central Business (CB) where applicable.

Andy Piper of Planning & Development gave an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. He noted the City Council is required to initiate the request since it is coming from the city. He mentioned that staff met with the Washington Street Business Association on March 8th and they did not express any concerns, but did ask for another meeting to include the churches.

Chairman Whitley asked if there were any questions of Council regarding this matter. There being none, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Initiated zoning map amendments to change the boundary of the Washington Street Mixed Use Center Overlay District (WMX) and to change the underlying zoning to Central Business (CB) where applicable.

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Alexander, that this matter be approved. The motion carried unanimously.

Pending Items

Reinstatement of Commission Member- Planning & Zoning Commission

120041

Consideration of the reinstatement or replacement of Keith McInnis, who lost voting status on the Planning & Zoning Commission due to non-compliance with the city's attendance requirement.

Council Member Douglas acknowledged that he did speak with Mr. McInnis and he was interested in being reinstated to the Planning & Zoning Commission.

Approved the reinstatement of Keith McInnis to the Planning & Zoning Commission.

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Douglas, that this matter be approved. The motion carried unanimously.

PUBLIC HEARINGS ON ITEMS 5:30 p.m.

Prior to the public hearings being held, Mayor Smothers asked Council if she could be excused from the meeting and explained that she had a procedure done on her eye earlier in the day.

Council Member Alexander moved to excuse Mayor Smothers from the

remainder of the meeting with Mayor Pro Tem Whitley making a second. The motion carried unanimously.

In the absence of Mayor Smothers, Mayor Pro Tem Whitley presided over the remainder of the meeting and he asked Council Member Sims to chair the Planning, Economic Development & Information Technology Committee public hearing items.

Public Safety & Community Development Committee - Council Member Sims

Public Hearing - 2012-13 Annual Action Plan for the City of High Point Community Development and Housing Department

120093

Monday, April 16, 2012 at 5:30 p.m. is the date established to receive public comments on the 2012-13 Annual Action Plan for the City of High Point Community Development and Housing Department.

The public hearing for this matter was held on Monday, April 16, 2012 at 5:30 p.m.

Chairwoman Sims asked staff to come forward to present the 2012-2013 Annual Action Plan which is hereby attached in Legistar as a permanent part of these proceedings.

Mike McNair proceeded to give a brief overview of the Annual Action Plan and explained that all programs contained in the Action Plan are a result of input from several sources. He pointed out the plan does provide some funding to assist the Housing Authority with some property acquisition in the Park Terrace area.

Chairwoman Sims asked staff if anyone approached the Citizens Advisory Council regarding a program for ex-offenders. Mr. McNair replied they did not, but staff is in discussions with the Police Department regarding a new program that is coming out that is very similar to the old Weed and Seed program.

Mr. McNair noted staff met with the Housing Authority and they provided the city with a priority list of properties they would like to see acquired and it would cost a few hundred thousand dollars to extend Grimes Avenue. Council Member Alexander asked the city manager to take a look at the 2004 street improvement bonds to see if there might be any money that could possibly be appropriated to Community Development. Mr. Boynton agreed that staff would take a look at it.

Council Member Douglas asked what programs have been eliminated in this year's Plan that were included in previous years. Mr. McNair explained that most of the programs are on-going and it is more a matter of scale with the Lead Safe Program being a real big driver.

Chairwoman Sims asked if there were any additional questions from Council regarding the Annual Action Plan as presented by staff. There being none, she opened the floor for comments from the public. There being no one present to offer comments, the Committee recommended this matter be placed on Thursday's agenda

with a favorable recommendation.

Approved the submittal of the 2012-2013 Annual Action Plan for the City of High Point Community Development and Housing Department to HUD.

A motion was made by Council Member Sims, seconded by Council Member Alexander, that this matter be approved. The motion carried by the following vote:

Votes: Aye: Council Member Whitley, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas and Council Member Corey
Absent: Mayor Smothers, Council Member Pugh and Council Member Henley

Planning ,Economic Development & Information Technology Committee - Mayor Pro Tem Whitley, Chair

Ordinance - Text Amendment 12-01 - Horace G. Ilderton, LLC re Freestanding Signs

120098

A request by Horace G. Ilderton, LLC to amend Table 5-16-2 (Specification of Accessory Freestanding Signs Requiring a Permit) of the Development Ordinance pertaining to freestanding signs in Sub-Area - C of the Main Street (MS) District. The applicant is requesting to increase the allowable height of freestanding signs from 6 feet to 8 feet.

The public hearing for this matter was held on Monday, April 16, 2012 at 5:30 p.m.

Doug Loveland of Planning & Development provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. The applicant is proposing to raise the maximum sign height which is currently 6 foot maximum to an 8 foot maximum.

Following the presentation of the staff report, Council Member Alexander pointed out the sign up the street at the Atrium is significantly higher and asked what triggers the sign regulations. Mr. Loveland explained there are several triggers, one of which is a building addition over a certain square footage.

At this time, Council Member Sims opened the floor for comments.

Tim Ilderton, representing the applicant, addressed Council in support of the request. He expressed excitement about their grand opening scheduled for May 5th. He explained Chrysler recommends an 8 foot sign that would be real clean looking, non-obtrusive and well lit. He asked for Council's positive consideration of their request.

Council Member Sims asked if there was anyone else in the audience desiring to speak in favor of or in opposition to the Ilderton's request. There being none, the public hearing was closed.

Following the conclusion of the public hearing, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted Ordinance amending the Development Ordinance pertaining to freestanding signs in Sub-Area C of the Main Street (MS) District to increase the allowable height

of freestanding signs from 6 to 8 feet based on consistency with the City's Land Use Plan and any other officially adopted plan that may be applicable and staff's findings as outlined in the staff report. Additionally, the City Council considers the action taken to be reasonable and in the public interest because: 1) the amendment would result in a maximum sign height that maintains a pedestrian scale and is in keeping with the maximum sign height permitted in adjacent zoning districts.

Ordinance No. 6914/12-31 **Introduced 4/16/2012**
Adopted 4/16/2012
Ordinance Book, Volume XVII, Page 105

A motion was made by Council Member Sims, seconded by Council Member Alexander, that this matter be adopted. The motion carried by the following vote:

Votes: Aye: Council Member Whitley, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas and Council Member Corey
Absent: Mayor Smothers, Council Member Pugh and Council Member Henley

Land Use Plan Amendment Case 12-01 - Carolina Investment Properties

120099

A request by Carolina Investment Properties to change the Land Use Map classification for approximately 11 acres from Low Density Residential to Light Industrial. The site is lying along the south side of Cedrow Drive, east of I-74. In addition, the Planning & Development Department is recommending the Land Use Map classification for an additional 5.5 acres, lying east of the applicant's request and west of N. Pendleton Street, be changed from Low Density Residential and Institutional to Light Industrial.

The joint public hearing for this matter and related matter, 120100 Ordinance-Rezoning Case 12-03- Carolina Investment Properties, was held on Monday, April 16th at 5:30 p.m.

Herb Shannon of Planning & Development gave an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. Under this current proposal, the applicant is requesting that a Conditional Zoning Light Industrial be established for this area. There are existing conditions for this portion of the site that is already in the industrial park. The applicant is proposing that those same conditions be expanded to also govern the area of the proposed expansion. In addition, the applicant has offered additional conditions pertaining to the landscaping, vehicle access and building setback from Cedrow Drive.

Council Member Sims asked staff to clarify the requirements for the 200 foot setback and buffers. Mr. Shannon explained that the ordinance would require a Type A planting yard (minimum of 50-foot wide planting yard) along this area (along the entire frontage where the two sites- residential and proposed light industrial- meet) with a higher street planting yard being required along the frontage. Council Member Sims asked if staff could elaborate on the access to Pendleton. Mr. Shannon pointed out the applicant could get into the specifics of the access requirements, but they have

offered a condition that only one access point is permitted and if that access point is installed, there would be a requirement for left and right turn lanes.

Council Member Alexander raised questions regarding the stormwater in the industrial park and Mr. Shannon noted this site is within the Oakdale reservoir and general watershed area and the applicant would be required to address on-site stormwater control devices on the site.

At this time, Council Member Sims opened the public hearing and asked if there was anyone present who would like to offer comments in support of the request.

Robin Team, representing the Carolina Investment Properties, addressed Council in support and noted their consultants with Davenport Engineering and other staff members were present to answer any concerns Council may have. Regarding the access to Pendleton, Mr. Team explained that although they are not exactly sure what type of facility will be going in the industrial park, they would work with the city's traffic department. He noted that they originally asked for two access points, but staff recommended only one. Council Member Sims asked if there has been any discussion about the quality of the road and the ability for it to handle an increase in large truck traffic. Mr. Team pointed out they would be improving the road and there would be both left and right turn lanes into their access route, so it would be a 3-lane access route. He noted they envision having internal circulation all the way around the facility and any new facility that would be built so their traffic engineer envisions 99.9% of the truck traffic going back out to Pendleton. He further explained their intent is to keep the truck traffic off Cedrow, but noted there might be an occasional emergency when trains might be parked across the crossing which would warrant them having to access Cedrow.

Council Member Sims asked if there were any additional comments in support of the request. There being none, she asked if there was anyone present who would like to speak.

Myrtle Garlington, who resides at 1434 Cedrow Drive, addressed Council and expressed concerns regarding the harmful emissions from the extra automobile traffic or truck traffic and asked how the noise pollution would affect them.

Council Member Sims asked if there were any additional comments. There being none, the public hearing was closed. Following the conclusion of the public hearing, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted resolution authorizing the change in the Land Use Map classification for approximately 11 acres from Low Density Residential to Light Industrial for property lying along the south side of Cedrow Drive, east of I-74 and a change in the Land Use Map classification for an additional 5.5 acres, lying east of the applicant's request and west of N. Pendleton Street from Low Density Residential and Institutional to Light Industrial based on consistency with the city's adopted plans and the findings as outlined in the staff report.

Resolution No. 1222/12-23

Introduced 4/16/2012

Adopted 4/16/2012

Resolution Book, Volume XVII, Page 73

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

Votes: Aye: Council Member Whitley, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas and Council Member Corey
Absent: Mayor Smothers, Council Member Pugh and Council Member Henley

Ordinance - Rezoning Case 12-03 - Carolina Investment Properties

120100

A request by Carolina Investment Properties to rezone approximately 25 acres from the Residential Single Family-9 (RS-9) District and Conditional Use Light Industrial (CU-LI) District to a Conditional Zoning Light Industrial (CZ-LI) District. The site is lying along the south side of Cedrow Drive, east of I-74.

The joint public hearing for this matter and related matter 120099 Land Use Plan Amendment Case 12-01- Carolina Investment Properties, was held on Monday, April 16, 2012 at 5:30 p.m.

For specific comments made at the public hearing regarding Rezoning Case 12-03, please refer to matter 120099 Land Use Plan Amendment Case 12-01- Carolina Investment Properties.

Following the conclusion of the presentation of the staff report and the public hearing, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted ordinance rezoning approximately 25 acres from the Residential Single Family-9 (RS-9) District and Conditional Use Light Industrial (CU-LI) District to a Conditional Zoning Light Industrial (CA-LI) District based on consistency with the city's adopted plans and the findings as outlined in the staff report.

Ordinance No. 6915/12-32

Introduced 4/16/2012

Adopted 4/16/2012

Ordinance Book, Volume XVII, Page 106

A motion was made by Council Member Sims, seconded by Member Moore, that this matter be adopted. The motion carried by the following vote:

Votes: Aye: Council Member Whitley, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas and Council Member Corey
Absent: Mayor Smothers, Council Member Pugh and Council Member Henley

Annexation Agreement between the City of High Point and the City of Archdale

120101

Consideration of an Annexation Agreement ordinance between the City of High Point and the City of Archdale and a joint resolution requesting the General Assembly to transfer incorporated property between the two jurisdictions.

The public hearing for this matter was duly held on Monday, April 16, 2012 at 5:30 p.m.

Heidi Galanti of Planning & Development provided an overview of Annexation Agreement between the City of High Point and the City of Archdale. The staff of Archdale and High Point have been working together to re-establish a new annexation agreement that indicates those areas that can be annexed into each city. The cities established an original agreement in 1995 and it expired in August of 2010. The proposed new agreement would expire in 2032. As a result of this agreement, the two cities have several incorporated areas that would need to transfer from one jurisdiction to the other to be consistent with the new agreement boundary. In order to transfer properties from one jurisdiction to another, the NC General Assembly must approve legislation authorizing the transfer of land from one city to the other. The local act will be introduced during this year's short session; the annexation agreement would be effective upon passage by the General Assembly. If it is not passed, the cities will have to renegotiate a new agreement.

Ms. Galanti shared that staff has fielded two phone calls overall regarding this matter from property owners in the affected transfer area and three other general calls from people who read the ad in the paper who just wanted to know what was going on with the annexation agreement. Council Member Moore asked if the calls were favorable in tone overall. Ms. Galanti explained that one of the calls was from a bank who recently acquired one of the properties through foreclosure and they were interested in what was going on. The other call was from a property owner, Mr. Jacobs, who wasn't excited about leaving Archdale, but did not appear to be overly upset. She mentioned the dates for the public hearings before the High Point City Council and the Archdale City Council to him and noted he was not present to offer any comments.

City Attorney Fred Baggett asked staff why Archdale got the properties on the west side and Lee Burnette, Director of Planning & Development replied that he did not have an answer, but would research it in the case that the question comes up in the future.

Council Member Sims asked if there were any other questions/discussion from Council. There being none, she opened the public hearing for comments. There being no comments received, the public hearing was declared closed. Following the conclusion of the public hearing, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted ordinance establishing an annexation agreement between the cities of Archdale and High Point, North Carolina and adopted a resolution supporting the transfer of incorporated areas between the cities of Archdale and High Point.

Ordinance No. 6916/12-33

Introduced 4/16/2012

Adopted 4/16/2012
Ordinance Book, Volume XVII, Page 107

Resolution No. 1224/12-25 **Introduced 4/16/2012**
Adopted 4/16/2012
Resolution Book, Volume XVII, Page 75

A motion was made by Council Member Sims, seconded by Council Member Alexander, that this matter be adopted. The motion carried by the following vote:

Votes: Aye: Council Member Whitley, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas and Council Member Corey
Absent: Mayor Smothers, Council Member Pugh and Council Member Henley

For Information Only:

Recognition of VITA Volunteers

Michelle McNair of Community Development & Housing recognized Veda Howell and Debra Patterson, who were in the audience to present awards and recognize the VITA Volunteers. They presented a letter of appreciation to the Mayor recognizing High Point's participation and commitment to the program. The work of the VITA volunteers has resulted in approximately \$39,000.

Jerry Mingo, VITA Coordinator/Scheduler, also assisted with the presentations and recognized the VITA Partners: Guilford Technical Community College; High Point Housing Authority; High Point University; Macedonia Family Resource Center; United Way of Greater High Point; and West End Ministries.

The VITA Volunteers were recognized as follows: Cathy Gray (Site Coordinator); Jerry Mingo (VITA Coordinator/Scheduler); Kirston Fitzgerald (Senior Quality Reviewer); Charrisse Jones (Senior Quality Reviewer); Susie Romanowski (Site Coordinator); and Volunteers Nathan Asamoah; Annie Baker; Fourerapou Boubacar; Carolyn Beale; Connecia Brown; Stephen Byrd; Zachary Croft; Sedalia Davis; Kelsie Deer; Chasen Demestre; Patrick Donahue; Ross McElwee; Kelly Fennimore; Adam Hardell; Ryan Henke; Passy Kabizo; Steve Lashine; Nicholas Lincoln; Dylan McNiff; Elizabeth Pierzchala; John Sherman; Dominic Tallario; Katlin Thompson; Vivian Washington; Tamika Whitworth.

Mayor Smothers expressed appreciation to them for their leadership and to everyone who participated in the VITA program.

Recognition- Tim Ilderton- Ilderton Dodge Chrysler Jeep Ram

Council Member Moore publicly congratulated Tim Ilderton, General Manager, Ilderton Dodge Chrysler Jeep Ram in High Point, for recently being named the 2012 TIME Dealer of the Year nominee. The TIME Dealer of the Year Award is the automobile industry's most prestigious and highly coveted award for car dealers. TIME Dealer of the Year nominees represent the nation's most successful dealers who hold a firm belief in community service and a dedication to supporting the industry.

REMINDER- NCLM Regional Legislative Update

Council Member Alexander encouraged Council to attend the 2012 NCLM Regional Legislative Update to be held in Kernersville at the Paddison Memorial Library on Wednesday, April 18th @ 4:30 p.m.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:30 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk