

**HIGH POINT CITY COUNCIL
REGULAR MEETING
October 7, 2024 – 5:30 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING
211 South Hamilton Street**

ROLL CALL, MOMENT OF SILENCE, AND PLEDGE OF ALLEGIANCE

Mayor Jefferson called the Regular Meeting of the High Point City Council to order at 5:30 p.m. and stated all members of City Council were present. He called for a Moment of Silence; the Pledge of Allegiance followed.

Present: Mayor Cyril Jefferson, Mayor Pro Tem Michael Holmes, Ward 6; At-Large Council Member Britt Moore, At-Large Council Member Amanda Cook, Council Member Vickie McKiver, Ward 1; Council Member Tyrone Johnson, Ward 2; Council Member Monica Peters, Ward 3; Council Member Patrick Harman, Ward 4 and Council Member Tim Andrew, Ward 5

ADOPTION OF AGENDA

A motion was made by Mayor Pro Tempore Holmes, seconded by Council Member Andrew, to adopt the agenda as presented.

Motion carried with the following vote:

Aye: Mayor Jefferson, Mayor Pro Tem Holmes, At-Large Council Member Moore, At-Large Council Member Cook, Council Member McKiver, Council Member Johnson, Council Member Peters, Council Member Harman, and Council Member Andrew

RECOGNITIONS AND PRESENTATIONS

2024-393 Proclamation-City of High Point - Domestic Violence Awareness Month

Mayor Jefferson will present a proclamation recognizing the month of October 2024 as Domestic Violence Awareness Month.

Mayor Jefferson read the proclamation and photos were taken.

Ms. Johnson thanked the Mayor and City Council for their continued support. She stated just today the center helped 52 people and since 2018 has helped approximately 28,000 people. She stated the success has been because of the collaboration with partners and noted she is extremely grateful to the High Point Police Department. She remembered Sgt. Dale Nix, officer for the Greensboro Police Department, and spoke on his dedication to the center and said he was the first to come and help support High Point. She expressed appreciation for the Greensboro Police Department, High Point Police Department, and the Guilford County Sheriff's Office.

Council Member Peters expressed gratitude for the center and noted that former Council Member Chris Williams had a heart for the center and helping with domestic violence issues.

For Information Only

PUBLIC COMMENT PERIOD

2024-390 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.

Don Chiarello, - 522 E. Farris spoke to the City of High Point developing a Climate Action Plan and provided information regarding what other cities have implemented and the benefits those cities are receiving.

Camden Vaughn -1402 Country Club Dr. stated his comments were for the Special Use Permit that is on the agenda.

Mayor Jefferson informed Mr. Vaughn that the agenda item would be a Quasi-Judicial hearing and comments would need to be made during that portion of the meeting.

Vickie Alston - 713 Scarborough Rd. spoke to the High Point Police Departments use of force regarding past events as well as a recent event of a video circulating on social media.

Former Mayor Bernita Sims - 825 Rosecrest Dr. stated High Point Police Chief Curtis Cheeks is doing a great job; spoke to the High Point Police Departments use of force regarding a recent video circulating on social media and spoke to possible training opportunities for officer's and providing resources to help with citizens suffering from mental health issues.

Joseph Alston - 1713 Scarborough Rd. - spoke to the Manager's Briefing regarding the One High Point Commission report recommendations, thanked the consultant, and the NIMED staff, noted he was Chairman of the One High Point Commission and expressed his discontent regarding the Council's results of a poll taken regarding priorities of the City Council concerning the apology from the City of High Point was listed last. He thanked Chief Cheeks for a round table discussion regarding public safety but noted there are segments of the community that are not being reached.

Eugene Little - 901 Newland Pl. - spoke to an incident occurring on August 19th regarding the High Point Police Department turning a trespassing charge into an assault charge and spoke to his discontent regarding the conduct of some High Point officers as well as the use of excess force.

Floyd Caulkin - 508 Forrest St. - noted he was the husband of Kiana Caulkin the subject of the August 19th incident and spoke to his discontent regarding the excessive use of force by the High Point Police Department and the charges filed against Ms. Caulkin as well as her bond amount.

Mayor Jefferson asked if there was anyone else that wished to speak during the public comment period. Seeing none, he closed the public comment period.

CONSENT AGENDA ITEMS

A motion was made by Council Member Britt Moore, seconded by Mayor Pro Tempore Holmes, to approve the consent agenda.

Motion carried with the following vote:

Aye: Mayor Jefferson, Mayor Pro Tem Holmes, At-Large Council Member Moore, At-Large Council Member Cook, Council Member McKiver, Council Member Johnson, Council Member Peters, Council Member Harman, and Council Member Andrew

2024-383 Consideration of Funding for Outside Non-profit Organizations - High Point Community Foundation

City Council is requested to consider the allocation of ARPA-enabled funds to the High Point Community Foundation, approve a budget ordinance amendment, and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-384 **Consideration of a Resolution Authorizing an Agreement with North Carolina Department of Transportation (NCDOT)**

City Council is requested to consider a Resolution for an agreement with NCDOT to provide funding for the FY2025 Furniture Market transportation services and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-385 **Consideration of a Contract with Workforce Unlimited LLC**

City Council is requested to consider a contract with Workforce Unlimited LLC in the amount of \$180,000 for temporary employee services for the Transit Division and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-386 **Consideration of a Contract with GMV Syncromatics**

City Council is requested to consider a contract with GMV Syncromatics in the amount of \$298,079 for a real-time information system and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-387 **Consideration of a Contract with Yates Construction, Inc.**

City Council is requested to consider a contract with Yates Construction, Inc. in the amount of \$6,554,229.50 for the Burton Avenue Roadway Improvements project and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-388 **Consideration of a Contract with Bar Construction Company**

City Council is requested to consider a contract with Bar Construction Company in the amount of \$999,000 for the replacement of the HVAC units and roof for the High Point Museum building, approve the budget amendment ordinance, and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-389 **Consideration of Sale of City Owned Property - 516 White Oak Street**

City Council is requested to consider the sale of 516 White Oak Street in the amount of \$23,000 to Sterling Real Estate Development of North Carolina, LLC and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-391 Consideration for Land Acquisition for Future Fire Station and Radio Communications Tower - 2711 Highway 66 South 7.14 acres

City Council is requested to consider the purchase of approximately 7.14 acres of land at 2711 Highway 66 South in the amount of \$678,900 for a future fire station and radio tower site, approve the budget amendment, and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-396 Consideration of a Contract with North State Security Group

City Council is requested to consider a contract with North State Security Group in the amount of \$119,891.20 annually for security services for the High Point Public Library and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by the Finance Committee)

Approved by the consent vote.

2024-395 Consideration of Approval of Minutes

City Council is requested to approve the following minutes:

Community Development Committee Minutes - September 10, 2024, at 4:00 p.m.

Prosperity, Livability & Safety Committee Minutes - September 12, 2024, at 9:00 a.m.

Finance Committee Minutes - September 12, 2024, at 4:00 p.m.

Special Meeting of the High Point City Council Minutes - September 16, 2024, at 4:00 p.m.

Regular Meeting of the High Point City Council Minutes - September 16, 2024, at 5:30 p.m.

Approved by the consent vote.

GENERAL BUSINESS AGENDA

2024-382 Quasi-Judicial Evidentiary Hearing - High Point Family Worship Center, Special Use 24-02

A request by High Point Family Worship Center to consider a Special Use Permit (SUP) request to allow a Major and Minor School use type, as listed in Principal Use Table 4.1.9 of the Development Ordinance, in the Residential Single Family - 3 (R-3) District. The site is located at the northwest corner of Kensington Drive and Country Club Drive (1207 Kensington Drive).

Mayor Jefferson stated City Council would now consider the General Agenda and stated agenda item 2024-382 is a Quasi-Judicial Evidentiary Hearing for High Point Family Worship Center.

Megan Maguire, City Attorney, provided information regarding Quasi-Judicial decisions and Special Use Permits. She explained the process of the hearing, noting that these proceedings were similar to a court hearing and that state law sets specific procedures and rules concerning how City Council must make its decision on the Special Use Permit.

She explained that City Council's discretion is limited, and it must base its decision upon competent, material, and substantial evidence presented during the hearing. She noted that though this is a public hearing, participation in a quasi-judicial evidentiary hearing is limited, and only parties with standing have the right to participate fully. Parties may present evidence, call witnesses, and make legal arguments. Parties are limited to first, the people or entities with an ownership or lease interest in the property; second, the applicant; third, the City of High Point Staff; and fourth any individuals who can show they will suffer special damages distinct from the rest of the community as a result of the decision. For certain topics, the City Council may only hear opinion testimony from expert witnesses. Individuals providing expert opinion must be qualified as experts and must provide the factual evidence upon which they base their expert opinion. She explained, only experts may testify on certain matters, including but not limited to property values, traffic impact, and anything else that an expert would be required to testify on. She noted at its discretion, the City Council may allow other non-party testimony so long as it is competent material and substantial evidence that is not repetitive. Non-party testimony should be limited to facts and should be relevant. She emphasized that it is not the time or place to offer opinion, policy suggestions, conjecture, speculation, and anything else irrelevant to whether the matter under consideration meets the development ordinance.

She stated, as provided in Section 2.4.12.C. of the Development Ordinance, a special use must be approved upon finding that the applicant demonstrates the proposed special use:

- 1. Will not materially endanger the public health or safety of if located where proposed;*
- 2. Complies with all required standards, conditions, and specifications of the Development Ordinance;*
- 3. Will not substantially injure the value of the abutting land;*
- 4. Will be in harmony with the area in which it is to be located; and*
- 5. Is in general conformity with the City's adopted policy guidance.*

Attorney Maguire noted that the applicant has the burden of showing that the Special Use Permit request meets each of the five standards.

Mayor Jefferson opened the hearing for application SUP-24-02 and asked for any conflicts of interest or ex parte communications. He explained the parties to this case are entitled to impartial City Council Members. A City Council Member may not participate in this hearing if they have a fixed opinion prior to the hearing that is not susceptible to change, a financial interest in the outcome of the matter, or a close familial or business relationship with an affected person. Additionally, City Council Members must disclose any ex parte communications. Ex parte communications are any communications about the case outside of this hearing that may include site visits as well as conversations with parties, staff, or the general public.

Mayor Jefferson offered for the record that over the weekend the entire City Council received an email from Ms. Kay Barrier regarding this matter. He asked if any City Council Member has any partiality, conflict of interest, or ex parte communication to disclose? Hearing none, he proceeded with the hearing and asked if there were individuals aside from the staff and the applicant that wished to participate as a party in this case.

Camden Vaughn, 1402 Country Club Drive, High Point NC, stated he is a resident of the community and would like to be considered an expert witness.

In response to Attorney Maguire, Mr. Vaughn stated that he owns property in the affected area but cannot show himself to have special damages distinct from all the community in the general public due to the ownership of property. He explained that in regard to being considered an expert, he noted that he has worked for Goldman Sachs Credit Suisse as a financial analysis for the past 13 years. He explained regarding the permit and finances of the school, even though the school has stated that years three through four is when they would anticipate going up to 50 students which is what the Special Use Permit would allow, the finances tell a different story. The finances state that the school is planning to exceed that 50-student limit and stated his goal is to essentially to go on record not to necessarily oppose the 50-student permit that is being requested today, but rather build a case that this is not financially feasible and their looking to exceed that 50 students limit at a later date and time.

Attorney Maguire reminded the City Council that the determination for allowing party and non-party testimony is their decision.

Mayor Jefferson reminded the City Council what classifies as a party verses non-party.

In response to Council Member Moore, Mayor Jefferson stated that if City Council determines that Mr. Vaughn is not allowed to provide party testimony, Mr. Vaughn could be allowed to provide non-party testimony.

*Mayor Pro Tempore Holmes stated from what Mr. Vaughn presented he does not think it meets the guidelines for being party testimony and **made a motion to deny Mr. Vaughn's request to provide testimony as a party.***

Council Member Johnson seconded the motion.

Council Member Peters explained this is a unique situation and this type of case does not come before the governing body often and it is crucial for the City Council to follow the legal opinion of the City Attorney.

Motion carried with the following vote:

Aye: Mayor Jefferson, Mayor Pro Tem Holmes, At-Large Council Member Moore, At-Large Council Member Cook, Council Member McKiver, Council Member Johnson, Council Member Peters, Council Member Harman, and Council Member Andrew

Mayor Jefferson asked if anyone else wished to be considered as a party. Seeing none, he asked the City Clerk to administer the oath noting only those who are sworn in will be allowed to address the City Council.

In response to Mayor Jefferson, Attorney Maguire stated anyone who intends to present testimony as a party and non-party should be sworn in.

Sandra Keeney, City Clerk administered the oath.

Mayor Jefferson stated for the record that five individuals were sworn in.

Nick Tosco, Attorney for the City of High Point Staff, stated he spoke with the attorney for the applicant, and they have agreed to waive opening arguments.

Mayor Jefferson stated with no opening statements, we will transition to staff testimony.

Herb Shannon, Senior City Planner, City of High Point Planning Department, confirmed he was sworn in. Mr. Shannon provided a summary of the staff report. He explained this request is for a Special Use Permit to allow a major and minor use type in the residential single family -3(R-3) district located in the central western portion of the city. He stated this is a 6.5-acre parcel situated on the outer edge of the subdivision and the site currently has a 21,300 square foot building that is used as a church. He provided aerial and street photos of the building and stated the current Development Ordinance allows major and minor schools in certain zoning districts noting it is allowed in most commercial districts as a use permitted by right. He explained it is also permitted in all residential zoning district subject to obtaining Special Use Permit approval from City Council. He clarified that a major school is any high school and any middle school that has a building design capacity that exceeds 800 students. A minor school is an elementary school or a middle school with a capacity of less than 800 students. He explained because the proposal is for grades K-12 which includes high school students it is being designated a major and minor school use. In section 4.3.3.C of the Development Ordinance requires the use to have street frontage and gain primary access on a street classified higher than a residential local street and have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street. He noted this site fronts along Kensington Drive which is classified as a collective street. He provided a city zoning map and said the zoning of the property is not being changed with this request and that the applicant has submitted for a building permit application which will be used to provide how the building will sit on the site and how the buildings are being used. He provided a plat map that shows how the building sits on the site and how it is set back from the abutting residential properties.

Mr. Shannon provided a summary of the conditions and noted that if the applicant would like to exceed 50 students, they would need to apply for a new Special Use Permit. He explained that the applicant offered conditions which are not to expand the building, that all activities must take place within the existing structure excluding playground equipment, picnic shelters or other accessory recreational equipment, there will not be an

additional vehicle access point, and the applicant will provide upgrades to landscaping. He explained that the staff has provided details regarding the standards that City Council will consider which are in the staff report. Mr. Shannon stated that Staff is recommending approval of this request.

In response to Council Member Peters, Greg Venable, Transportation Director, stated the Transportation Department would review the signal light at the corner of Westchester and Country Club regarding signal times and extend them if necessary. Mr. Venable confirmed that he had been sworn in.

In response to Council Member Harman, Mr. Shannon stated that the applicant would provide information regarding how the number of students was reported to the state.

In response to Mayor Pro Tempore Holmes, Mr. Shannon stated that the applicant would provide information regarding their reporting standards.

Mayor Jefferson stated the applicant would now present evidence and legal arguments.

Ronnie Ingle, Attorney for the Applicant, Stokesdale NC - Attorney Ingle stated he represents Kensington Christian Academy, High Point Family Worship Center, and Reverend Bart Adkins. He stated that the school is Kensington Christian Academy and High Point Family Worship Center owns the property. He noted this is a request for a Special Use Permit to allow the property to be used for major and minor school use. He provided a site plan and explained that the proposed school will operate within the existing 21,300 plus institutional structure on the property, no building expansion is being proposed, and the northern portion of the structure will house the classroom and offices on both upper and lower floors. He said the northern portion of the structure contains two-building stories with approximately 3,400 square feet of floor area at each level that will house classrooms, offices, and restrooms for the school. The structure also contains a 5,000 plus square foot multipurpose room with a kitchen that the school will use for special events, physical education, or as a cafeteria. He provided a site plan that provided an outline of the schools' upper and lower levels. He stated the church contracted the services of a North Carolina Certified Real Estate Appraiser to assess any potential effect on surrounding property values of a major/minor school use in an R-3 zoning district and use historical property value data to determine said effect, if one existed. He explained the appraiser's report evaluated three recently constructed schools in Guilford County and their impact upon adjacent single family residential property values. The average home sales values within one mile of the schools were assessed during this time period, to coincide with the school openings, to date. He provided information regarding several school openings and the effect of property value and stated the report concludes that the building of these school did not have a negative impact on the values of single-family residential homes sales within the immediate markets and home sales averages rose steadily in R-3 zoning districts with schools during the period 2015-2024.

Attorney Ingles spoke to the effect of traffic flow for the school noting the student drop-off and pick-up for the proposed school will be from the circular one-way entrance drive at the front of the subject property which is the driveway access from Kensington Drive. He provided a photo noting the proposed striping and traffic flow and stated that the church has offered a condition to the Special Use Permit to revise the circulation pattern of the circular access drive in front of their facility from a one-way single lane to a one-way dual lane circulation pattern noting with this configuration it will permit an onsite dual stacking area for approximately 15 cars in order to accommodate a school of 50 students.

Attorney Ingles stated approximately half of the land area of the subject property is undeveloped and the current institutional structure lies on the subject property in such a manner that is not closer than 79 feet from the nearest residential property line. He said no treelines/green buffer zones will be removed or diminished in an effort to maintain the privacy of all residents surrounding the subject property and to meet City of High Point's policy guidance. He explained the structure should not be expanded beyond the building footprint and will not preclude the installation of fencing, playground equipment, picnic shelters, or other accessory recreational equipment which shall be placed within the perimeter landscaping yards. He said a street yard should be installed and maintained along the entire Kensington Drive frontage of the property, a type B semi opaque landscape yard shall be installed and maintained along the entire perimeter of the property, and existing vegetation may be used to meet the planting yard conditions. He noted that no additional vehicular access point shall be permitted, and the church shall convert the existing circle drive to a dual lane queuing and drop-off area.

Attorney Ingles stated that in reviewing the guidelines for approval of this item he concludes that the church has satisfied and met the standards to obtain a Special Use Permit.

Mayor Jefferson opened the floor for questions from City Council.

Council Member Harman questioned the traffic flow regarding pick-up and drop-off of students.

Bart Adkins, 600 Wentworth Drive, Winston-Salem, Pastor of High Point Family Worship Center, confirmed he was sworn in and stated the City of High Point provided the information regarding traffic flow and numbers.

In response to Council Member Cook, Mr. Adkins stated for grades K-12 there is no separation in pick-up and drop-off times because there are only between 13-20 students but offered to review times and adjust if needed.

In response to Council Member Harman, Mr. Adkins noted that students that drive will have the back and lower parking lots available and noted there are entrances at the back of the building and at the lower lot.

Mr. Venable stated that staff utilized the Municipal Student Transportation Assistance Guidance which calculates the queueing of pick-up and drop-off and the amount being considered is well within the range.

In response to Council Member Moore, Mr. Adkins stated that there are no extracurricular activities at this time, and this was not a request that was submitted with the Special Use Permit. He noted the multipurpose room would be utilized as a gym and the current lots would be utilized for outdoor play. He stated the Academy is fully accredited through the Abeka Academy in Florida and it is nationally accredited at state and national levels.

In response to Council Member Cook, Mr. Adkins stated as a private school, reports will be sent to the Division of Non-Public Education and the report would contain data such as students' names and addresses and the facility could be site checked as many as four times a year or more if necessary.

In response to Council Member Holmes, Mr. Adkins stated the initial report is performed on an annual basis at the beginning of the year enrollment and the Division of Non-Public Education produces a report that is online normally in September. Mr. Adkins noted that if instructed by the City Council, he would agree to more reporting if necessary, regarding the number of students enrolled.

City Attorney Maguire stated that school reporting is outside of the scope of standards that are presented tonight, noting that if the school enrolled above 50 students that would be an issue for code enforcement as well as the state accreditation.

Chris Howard, Residential Certified Appraiser for North Carolina, confirmed he was sworn in and stated he is an expert with 18 years of experience. He stated regarding the applicants slide regarding the building of various schools the data was meant to show that there were no negative impacts regarding the building of those schools. He noted that he reviewed multiple years, and that the real estate market has been very robust for the last several years. He stated in his research there was nothing that would indicate that the creation of the schools had a negative impact on single family residences that were within the market area.

In response to Council Member Harman, Mr. Howard explained his methodology regarding his research.

In response to Council Member Moore, Mr. Howard stated that he has not been asked to give consideration in a case like this before noting he does 700 to 1000 appraisals a year for single family residential which all are in the triad area and this data is a part of that analysis.

Mayor Jefferson stated for the record that Mr. Howard is considered as an expert for these proceedings.

City Attorney Maguire noted that the Staff's attorney is in agreement that Mr. Howard is considered an expert.

Mayor Jefferson asked if there were any other witnesses for the applicant. Seeing none, he asked if there was anyone else that intends to offer testimony regarding this case to please come forward.

Camden Vaughn, 1402 Country Club Drive High Point NC, confirmed he was sworn in. Mr. Vaughn provided information regarding his research concerning the enrollment of students, noting the school does not have plans to stay at the permitted enrollment. He provided financial findings for the school staff and students and noted his data surmises that the school will not stay at the capacity of 50 students in the future as it is not financially sound for them to do so.

Attorney Ingles objected to the entire testimony of Mr. Vaughn, noting Mr. Vaughn's testimony is speculation and not relevant to what is before the City Council tonight which is a Special Use Permit capping the school at 50 students. He stated to hypothesize of the math and the finances is outside of the scope of what City Council can consider tonight.

Council Member Moore stated that City Council is considering a Special Use Permit which has five standards that must be considered. He noted he appreciates the work of Mr. Vaughn, but it is not relevant to the Special Use Permit standards.

In response to Mayor Pro Tempore Holmes, Mr. Vaughn stated he is arguing that the school is trying to build a base case and at a later date apply for a permit for an excess of 50 students. He noted that 50 students would not impact him now but when they apply for a permit that will exceed the 50-student limit then that would impact him.

Mayor Jefferson asked if City Council, the applicant, or staff have any questions for the witness.

Seeing none, Mayor Jefferson asked if the applicant or staff would like to call any rebuttal witnesses. Hearing none, he asked that the record reflect that both applicant and staff have opted to not call any rebuttal witnesses. He asked if the applicant had a closing statement.

Attorney Ingles stated in summary the applicant has met the burden of proof in applying for the Special Use Permit and noted the required findings have been met and explained.

Attorney Tosco stated nothing has been presented during this hearing to change the City Staff decision to recommend approval and he noted the five standards have been met.

Mayor Jefferson asked if anyone had any questions. Hearing no additional questions, he noted that City Council will begin deliberation. Mayor Jefferson reminded everyone that the decision will need to be based on the evidence presented during the hearing.

Council Member Moore stated he believes the burden of proof has been met and made a motion to approve the Special Use Permit SUP -24-01-02 and adopt the proposed written decision in the staff report.

Council Member Andrew seconded the motion.

Mayor Pro Tempore Holmes stated that he appreciated Mr. Vaughn's testimony and research, but the City Council cannot rule on potential future violations of the Special Use Permit and thanked Mr. Vaughn for his testimony.

Mayor Jefferson stated what has been heard and presented by staff as evidence, it would appear that the applicant complies with all standards, conditions, and specifications of the Development Ordinance noting that all five standards have been met.

Council Member Peters stated she is confident the Transportation staff will help with issues if they arise.

Motion carried with the following vote:

Aye: Mayor Jefferson, Mayor Pro Tem Holmes, At-Large Council Member Moore, At-Large Council Member Cook, Council Member McKiver, Council Member Johnson, Council Member Peters, Council Member Harman, and Council Member Andrew

Mayor Jefferson stated by a vote of 9-0, the Special Use Permit request for Application SUP-24-02 is hereby approved. Staff will finalize the written decision approved by the City Council today, including the evidence and considerations from today's hearing, and will sign it. This written decision will be provided to the Applicant and any other party with a right to the decision as required by law. Aggrieved parties will have the right to appeal the decision as provided in the Development Ordinance and North Carolina State Law. He closed the Public Hearing for Application SUP-24-02.

2024-392 Consideration of a Resolution Supporting Guilford County Board of Commissioners Sales Tax Referendum

City Council is requested to consider a Resolution in support of the Guilford County Board of Commissioners sales tax referendum to increase wages for teachers and front-line workers.

Mayor Jefferson presented the item. He noted requests were made by the public asking that the Council support the referendum and said that supporting it would be great for the residents of the city. He pointed out that although the City government does not have authority over schools, the referendum impacts every single one of the residents of High Point, regardless of whether they have children in Guilford County schools or not. He emphasized the importance of great schools in local communities and said it was important to show support for citizens on the front lines of education.

Council Member Andrew emphasized he was in support of teachers, but was concerned about the precedent the Resolution in support would set. He said using the gravitas of the

City Council to affect a ballot initiative was dangerous and that City Council should stay neutral and allow the public to decide how they will vote. He said he did not feel like the Council should weigh in and pointed out the City Council did not show support for Guilford County initiatives in the past, like the school bond and sales tax initiatives.

Mayor Jefferson pointed out that the City Council has supported other ballot initiatives in the past and used the example of bond support in 2019. He said that in cases where the initiative will positively affect the community, it can be in the purview of the City Council. He said he thinks the Resolution of Support is consistent with what the government has supported in the past.

Council Member Peters said she understood the point Council Member Andrew was trying to make and asked if the Council had supported School Board decisions in the past. Mayor Jefferson said he would need to investigate that and get back to her with an answer. Council Member Peters indicated she supported teachers but wanted to know how the money was being spent to improve the infrastructure of High Point schools. She said she did not think the City Council should weigh in on this referendum and that the decision should be up to the taxpayers.

Mayor Jefferson noted that the school bond funding only covered infrastructure and had no effect on teacher pay. He pointed out that North Carolina was still last in the country regarding teacher pay. He said the sales tax referendum would not apply to items like fuel, groceries, or prescription drugs. He noted that the visitor economy in the County would help pay for the sales tax initiative.

Council Member Moore spoke on his long history of supporting schools and pointed out that he advocated in the past for the schools to stay local and not move to the County. He spoke on the County sales tax and bond initiatives and said that the good business decision by the County would have been for neither one of them to pass if they did not both pass together. He asked about the statistics stated by Mayor Jefferson regarding North Carolina teacher pay.

Council Member Cook said North Carolina was behind regarding teacher pay, but that Guilford County Schools were above average.

Council Member Moore said that there needed to be a realization that money does not solve every problem, and other factors needed to be considered regarding education. He said he did not disagree with Mayor Jefferson's reasoning for supporting the initiative, but said he had a problem with not having any say in how High Point schools were funded. He pointed out this sales tax referendum had been on the ballot in Guilford County several times and explained that he had an issue on how it was presented.

Council Member Cook spoke on her career as a teacher and how she spent her first eight years at beginning teacher pay because of restrictions and limitations imposed by the state. She said it meant a great deal for the City Council to show support for the initiative and pointed out that the support of the City Council did not bind any citizen to vote one

way or the other. She spoke on how showing support for this referendum would be meaningful to the thousands of front-line school workers in the community.

Mayor Pro Tempore Holmes emphasized the ballot initiative was not specific to only teacher pay, but also included operational roles, like bus drivers, groundskeepers, and custodians. He said the cost would not just be borne by the citizens of Guilford County, but by the tourists and other visitors to Guilford County.

Mayor Jefferson said he liked the idea of visitors paying for it as opposed to the money coming out of property tax.

Council Member Andrew said he wanted to state for the record that he was not against raising teacher pay but opposed the resolution in support.

Council Member Moore said City Council should not have been put in this position.

Council Member Peters said the City should hold the County accountable and make sure High Point schools are supported.

Council Member Johnson pointed out that they were only voting on whether to support the referendum and stated that he did support it.

A motion was made by Mayor Jefferson, seconded by Council Member Cook, to approve agenda item 2024-392.

Motion carried with the following vote:

Aye: Mayor Jefferson, Mayor Pro Tem Holmes, At-Large Council Member Moore, At-Large Council Member Cook, Council Member McKiver, Council Member Johnson, Council Member Peters, and Council Member Harman

Nay: Council Member Andrew

2024-394 Consideration of an Appointment to the Historic Preservation Commission

City Council is requested to confirm the appointment of John Maze to the Historic Preservation Commission; term effective immediately and expiring on June 30, 2025.

A motion was made by Mayor Pro Tempore Holmes, seconded by Council Member Cook, to approve agenda item 2024-394.

Motion carried with the following vote:

Aye: Mayor Jefferson, Mayor Pro Tem Holmes, At-Large Council Member Moore, At-Large Council Member Cook, Council Member McKiver, Council Member Johnson, Council Member Peters, Council Member Harman, and Council Member Andrew

2024-397 Consideration of a Reappointment to the Library Board of Trustees

City Council is requested to confirm the reappointment of Rick Cornwell to the Library Board of Trustees; term effective immediately and expiring on October 31, 2026.

A motion made by Mayor Pro Tempore Holmes, seconded by Council Member Peters, to approve agenda item 2024-397.

Motion carried with the following vote:

Aye: Mayor Jefferson, Mayor Pro Tem Holmes, At-Large Council Member Moore, At-Large Council Member Cook, Council Member McKiver, Council Member Johnson, Council Member Peters, Council Member Harman, and Council Member Andrew

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:43 p.m.

Respectfully Submitted,

Cyril Jefferson, Mayor

Attest:

Sandra Keeney, City Clerk