

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 7, 2022 – 5:30 P.M.  
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

**MINUTES**

*NOTICE: Face coverings (face masks) are now required inside all public places/buildings throughout Guilford County. Please visit [www.guilfordcountync.gov](http://www.guilfordcountync.gov) for additional information.*

*The Guilford County Board of Commissioners, serving in the role of the Guilford County Board of Health has re-instated its Mandatory Mask Policy effective at 6:30 p.m. on Thursday, January 13, 2022 for all persons in Guilford County, regardless of their vaccination status. Pursuant to the Guilford County Board of Health rule, individuals must wear face coverings when indoors in all businesses, establishments and public places. Failure to comply with the re-instated mask rule could result in leveraged civil penalties.*

**ROLL CALL, MOMENT OF SILENCE, AND PLEDGE OF ALLEGIANCE**

*Mayor Wagner called the meeting to order at 5:30 p.m.*

*Upon call of the roll, the following Council Members were **Present (9)**:*

*Mayor Jay W. Wagner; Mayor Pro Tem Monica Peters, Ward 3; Council Member Britt W. Moore, At Large; Council Member Tyrone E. Johnson, At Large; Council Member Cyril A. Jefferson, Ward 1; Council Member Christopher Williams, Ward 2; Council Member S. Wesley Hudson, Ward 4; Council Member Victor A. Jones, Ward 5; and Council Member Michael A. Holmes, Ward 6.*

*Mayor Wagner called for a Moment of Silence. The Pledge of Allegiance followed.*

**RECOGNITIONS AND PRESENTATIONS**

**2022-50 Recognition- Benjamin D. London- Mr. HBCU 2022 Contestant**

Mayor Wagner will recognize High Point native, Mr. Benjamin D. London- Mr. HBCU contestant in St. Louis, MO.

*Mayor Wagner asked Mr. Benjamin D. London to come to the podium and share a little bit about his experience being a contestant in the Mr. HBCU 2022 competition in St. Louis, Missouri.*

*Mr. London shared that he earned the Mr. HBCU 2022 crown for being a true leader; for being ambitious; for being different; for proving he can persevere; for being a visionary; and for being able to shed light into his peers.*

*On behalf of the members of the High Point City Council, Mayor Wagner stated it was his privilege to congratulate Mr. London for his participation as a contestant in the 2022 Mr. HBCU conference in St. Louis, Missouri. He noted as a student at the Saint Augustus University, his commitment to the community is certainly worthy of recognition and thanked Mr. London for the honor he brings to the High Point community.*

*[applause, standing ovation, photo op]*

**2022-31**

**Recognition - 2022 Human Relations Commission Humanitarian Award**

Mayor Wagner and City Council will recognize the 2022 Human Relations Commission Humanitarian Award recipient.

*Rase McCray, Human Relations Manager, introduced Ms. Chase Clark and recognized her for her outstanding service to High Point and its residents. He spoke to Ms. Clark beginning her life's work at the young age of seven when she saw the many unmet needs in her community and decided to do something about it. She founded Chace's Chance, a 501 (c) (3) non-profit that seeks to empower local and international youth and pointed out through that organization, she has raised over \$100,000 in donated goods, service, and funding. Mr. McCray proceeded to describe two of her most recent projects: lap top giveaway program for Guilford County Schools that was made possible with the award of a \$10,000 grant from Eco Lab, a technology company; and Sustainable Essentials at Southwest Guilford High School to help address food insecurity and other basic needs among the students at Southwest Guilford High School where Ms. Chase is serving as senior class president.*

*In recognition of the many ways Ms. Clark has gone above and beyond to create equitable access to food, education, and technology, Mr. McCray proudly conveyed on her the Human Relations Commission 2022 Humanitarian award.*

*Mr. McCray then turned the floor over to Council Member Holmes to share a few words. Council Member Holmes added homecoming queen to Ms. Clark's long list of accomplishments and stated he was honored to be part of the Council to present her with this award. He spoke to Ms. Clark being part of his family and being his bonus daughter and how the work that she does is so inspiring to everyone. He proudly presented the award to Ms. Chase Clark.*

*[applause, standing ovation, photo op]*

*Ms. Clark took a moment to share some remarks and thanked everyone having a part in it for making it happen. She spoke to this recognition as being alien to her because there are so many other people that should be congratulated along beside her for all the work that has been done. She went on to thank and recognize her mom who was in the audience, her brother, her dad, her family, her church family, and everyone who is part of the broad group of people for always willing to jump in on any project and do whatever she asks.*

**2022-48**

**Proclamation - Guilford County Commissioner Carolyn Q. Coleman**

Mayor Wagner will read a proclamation in remembrance of Guilford County Commissioner Carolyn Q. Coleman.

*Mayor Wagner stated the next recognition is a proclamation in remembrance of Guilford County Commissioner Carolyn Coleman. He recognized Guilford County Commissioner Carlvena Foster who was in the audience and asked her to come forward and accept the proclamation on behalf of Ms. Coleman's family.*

*The Mayor proceeded to read the proclamation into the record and spoke to Ms. Coleman being a Civil Rights leader and public servant in Guilford County.*

*Commissioner Foster thanked Mayor Wagner and the High Point City Council for remembering the life of Commissioner Carolyn Coleman and spoke to Commissioner Coleman being a true icon in Guilford County, across the state, and across the country; how she worked tirelessly for civil rights and equal rights for all people; and for always being for the people; and this being a very befitting tribute to Commissioner Coleman.*

*[applause, photo op]*

**2022-49**

**Resolution - High Point Community Foundation - Founding Executive Committee Members**

Mayor Wagner will present a resolution to recognize the High Point Community Foundation Founding Executive Committee.

*Mayor Wagner recognized Mr. Jim Morgan and Mr. Paul Lesard and asked them to stand for the reading of the resolution. He then read the resolution recognizing the High Point Community Foundation Founding Executive Committee into the record and presented it to Mr. Morgan and Mr. Lesard.*

*The High Point Community Foundation was incorporated in 1990 and funded with a \$5 million unrestricted gift in 1998 from Jim and Jesse Millis, Sr. The resolution recognizes the following nine community leaders who came together to make the High Point Community Foundation such a great success: Jim Morgan, Founding Chairman; Jim Millis, Sr., Investment Chair; Bill McGuinn, Vice Chair; Bill Horney, Development Chair; Dr. Nido Qubein, Marketing Chair; Phil Phillips, Board Development Chair; George Erath, Grants Chair; Charlie Greene, Secretary; and Charles Odom, Treasurer.*

*Jim Morgan thanked Paul Lesard for coming on board and for his great leadership over the years and thanked all these board members and board members that came on afterward for all they do for High Point.*

*Paul Lesard also extended thanks; spoke to how he has had one of the best jobs in the community and the opportunity provided to him to stand on the shoulders of giants for the past 24 years; the importance of recognizing and remembering these nine men, four of which have passed already.*

*[applause, standing ovation, photo op]*

**STRATEGIC PLAN UPDATE- Blight Reduction and Marketing & Branding Initiative**

**2022-55**

**Strategic Plan Update**

*Council Member Chris Williams, Chairman of the Community Development Committee, will recognize staff to provide an update on the Strategic Plan regarding Blight Reduction. Council Member Michael Holmes, Chairman of the Marketing & Branding Task Force, will provide an update on the Marketing & Branding Initiative.*

**Blight Initiative**

*Councilman Williams, Chairman of the Community Development Committee, provided an update on the housing activities for the month of January 2022 as follows:*

Code Enforcement Activity	January 2022
Minimum Housing Complaints	32
Active Minimum Housing Cases	240
Cases before Council (demolition)	2
City demolished houses	0
Public Nuisance Complaints	34
Active Public Nuisance Cases	38
City Abated Public Nuisance Cases	5
Owner Abated Public Nuisance Cases	18
Zoning Complaints (vehicles, signs, etc..)	11
Active Zoning Cases	91
Signs Collected	421
Total Active Cases	369

*Lori Loosemore, Code Enforcement Manager, shared some before and after pictures of a home that was repaired. Inspectors originally inspected it in March and the property owner sold it and the new property owner immediately applied for the permit to start making the repairs.*

**Marketing & Branding Initiative**

*Council Member Michael Holmes, Marketing & Branding Task Force Chairman, reported that they have finalized the contractual agreements with CivicBrand, who was selected in a panel with members of the Marketing & Branding Task Force and staff. He noted that the agreement was placed on the regular agenda and would be heard later in the meeting.*

**PUBLIC COMMENT PERIOD**

The following individuals spoke during the Public Comment Period.

*Charles Hinsley: Good evening. My name is Charles Hinsley and I'm a resident of Jamestown and I'm also a member of the High Point NAACP Branch. One of your agenda items will address a resolution that has been put forth to establish a commission to study the issues of reparations for the AA citizens of High Point. Speaking as an AA, it is my sincere hope that this resolution receives favorable support from the council. It seems most fitting to me that your decision comes during a highly celebrated time for most AA in this country-that being Black History month and ironically, your decision will become a historic moment during this celebrated time that will forever be etched into the pages of this city's epic story.*

*A story that I hope will reflect your courage, your understanding, your willingness to commit toward ensuring fair and just treatment for the advancement of social and economic stability for a marginalized segment of the citizens of High Point. But, equally important, your story could be recorded as a moment when the City of High Point failed to rise to the moment, to uphold the high moral standard of equal justice for all its citizens. But rest assured, no matter which way you decide, you can be certain that your history will be recorded. And on that note, I will leave you with this quote from James Baldwin: "Not everything that is faced can be changed, but nothing can be changed until it is faced." Thank you.*

***Rev. Frank Thomas:** Good evening, Mr. Mayor. I'm Frank Thomas. I pastor Mt. Zion Baptist Church on Washington Street, 753. When he mentioned your resolution coming at Black History month, it reminded me of a little cartoon I saw on FaceBook. A little white boy and black boy walking together and the white boy said, 'I thought your people celebrated Black History month in February.' The little black boy said, 'Nope, that month is for y'all. We celebrate all year long.' Just thought I would share that with you.*

*The purpose of me being here today is to share a letter from Mr. Bryan Stricklin who couldn't be here tonight because he's coaching a basketball game.*

*"The MIND Group and DRL Tunes are proud to present the all new midnight basketball summer outreach campaign. Midnight basketball began nearly 20 years ago in partnership with High Point Police Department but began to gradually dissipate in 2017. The intent was to reduce, was to help reduce crime and violence as research proved that most incidents perpetuated by youth occurred between the hours of 8:00 p.m. and midnight. A meeting is scheduled for Thursday, February 10th, with High Point Parks & Rec to discuss the re-launch of midnight basketball at Morehead Recreation Center, the original host site. During this time, we will solidify a date and coordinate a plan that includes, but not limited to, take-aways from previous years. Implementation of new ideas and marketing management and promotion. From a financial perspective, our goal is to raise \$85,000. Included in the budget are funds for the homegrown music series summer kick-off concert, commercial advertising, and costs associated with hosting a week-long event. We are proud to partner with Patrick Harman and the Hayden-Harman Foundation, as well as Dr. Frank Thomas, who has agreed to speak in my absence. This is a tremendous opportunity for our youth and we hope that you will support. Thank you. Bryan D. Stricklin, Executive Director- The MIND Group, Inc."*

*I'd just like to offer and mention that we all talk about trying to reduce crime and the greatest opportunity for young people is during the summertime. We all know that the evening hours eight to midnight are spike hours. If we can figure out a way to help them channel their energy, maybe in this way I pray and I believe crime will be reduced and our young people will be enriched. So, I'm asking Council when it comes to you, I pray that you would throw your support behind it and when and where it's possible, Madam Manager would find some funds to help as well. Thank you.*

*Melody Smith Golden: Good evening. My name is Melody Smith Golden and I will not be taking off my mask due to my immune system. I am concerned about 515 Flynt Avenue. I have a support group called Inspired Women of Destiny. It's a domestic organization for young women who've been in domestic violence-related relationships.*

*I'm here tonight because I've spoken with Monica Peters several times. April 19, 2017, March 28, 2017, and on March 18, 2017, I sent out an email to Mr. McNair and never got a response back. On November 1, 2021, July 2, 2021, August 2, 2021, and July 26, 2021, I sent an email out to all the city councilmen. I have not got a response yet.*

*Over on the southside, we have a lot of prostitution that's going on. The High Point Police Department put up a digital traffic sign because we had some concerns about the speeding on Flynt Street. Between August 31st and September 9th, they had a total of 4,056 vehicles in that residential area*

*within those nine days. That's a total of about 400 and some odd cars coming through that area every day. We have a lot of prowlers at night. We have a lot of johns and what I mean by johns, that means that men that are picking up women. I was approached after I left here, I think it was like in July after I spoke, from a young gentleman about me bringing my concerns to you guys. I also sent out an email to you guys about a young man that approached that residence around 3:00 a.m. in the morning. In December, I had to go and register for a gun because of my safety. I've been dealing with cancer and I'm very small. So, I just want to know what are you guys going to do about this prostitution, these johns, and all this traffic? I mean I came to you guys before. I've sent out emails. I haven't gotten any response. I have spoken with Monica Peters several times and we still haven't got anything resolved. You know, we want our children in that area to be able to dream too. We not only want them to be able to dream and survive, but we want them to be able to get plaques and we want them to be able to be successful in life too. They can't get that over there if we've got the prostitution and the johns riding through and the people on drugs.*

*So, again, I want to know what can we do together to try to clean the area up?*

**Brad Lilley:** *Good evening, Mr. Mayor, Mayor Pro Tem Peters, City Manager Ford, and council members. I stand before you to speak also on the resolution for the One High Point Commission. I first want to tell you that my great, great grandfather was born in 1823 into slavery. He was 40 some years old when he was freed, him and his children and those who were born after slavery ended. His son, my great grandfather, and his brothers and siblings had acquired, through that process since the end of slavery, to own 50 acres of land. My great grandfather was killed holding on to that land. If you search the records in 1907, you'll find where nobody was arrested. No report was given. Only because in that time it was a white man trying to take land from my family. So, he died to hold on to that land and I'm proud to say that those 50 acres still remain in my family. That's my story. But the story of all is over 244 years, High Point profited off the backs of blacks and I want to say, as Martin Luther King said, "Now is the time." The injustice, cruelty, brutality, inhumanity of slavery and legal segregation has been brought to bear. Black people endured murder, rape, sodomy-crimes against nature, and assault against educational, financial and economic stability. The NAACP, on behalf of the Black community of High Point, advocates for housing solutions that mitigate displacement of our families; for the elimination of food deserts by creating food coops, mobile food markets, bus stops, farmer's markets, and employee-owned coop markets; for the promotion and increase in more academically qualified citizens with advanced degrees in our African-American community. Today, as Mr. Hinsley has already said, marks a historical moment, recorded in the annuals of history will be this decision today. And it is my pleasure to stand before you and to be in these times and a part of this effort. Thank you.*

*Mayor Wagner asked if there was anyone else in the audience who would like to speak during the Public Comment Period. Hearing and seeing none, we'll move forward.*

*Council Member Jones: Mayor, I've got a question.*

*Council Member Jones: the lady that spoke about the prostitution and stuff. It's unfortunate she left, but do we have her contact info because we literally had that Public Safety Committee meeting in response to that time she came in here. Monica and I worked closely on getting the Police Department to cover exactly what she came before Council. Now, she wasn't there which I told her she should be there, but we covered that. What our PD is doing to correct the issue, the monitoring, all of that information. I'd love to be able to get that to her and let her know that we heard her.*

*Mayor Pro Tem Peters: Absolutely, and I've got her contact information. I definitely understand her frustration because it's not something that we can fix overnight. It's very frustrating, I mean you know from the Public Safety Committee. She's a very strong advocate even though she's sick with cancer. She does so much in the community. It's almost like a little ministry because she'll go out and give the girls condoms and tries to talk to them. So, she's really been a huge advocate for that. But I will share her contact information.*

*Council Member Jones: Maybe we can get her the YouTube link of the audio so that she can actually listen to what was discussed and get some feedback from her and what was discussed.*

*Mayor Pro Tem Peters: I think the bottom line is she still keeps seeing it. It's hard to accept the answer that there's nothing we can do right now.*

*Council Member Jones: I think a lot of the people that come here and speak at public comment don't actually know that we did something about it and we did.*

*Mayor Pro Tem Peters: I know, but if you go down there....I'm sorry, I know what she sees every day. I drive in the neighborhood four times a week and I do not see anything that's changed and it's sad and it's unfair that those children that live in that neighborhood have to be exposed to that because it's right next to some parks. The main pick-up place is the park with the painted jigsaw puzzle. It's a playground. Every time I drive by there, I see at least one or two cars. I mean you would not believe it, what I see. My husband says stop driving down there. It's really sad and I wish that....hopefully this greenway and all the stuff that we're going to do in the southside area will help clean up that area and that's my prayer. But I will get with Melody and maybe you can meet her at some point, but she's a great person and a great advocate and a hardworking citizen that really cares.*

**FINANCE COMMITTEE** - Britt Moore, Chair  
Committee Members: Moore, Peters, Holmes, and Jones

### **CONSENT AGENDA ITEMS**

*Council Member Moore, Finance Committee Chairman, reported that the Finance Committee did meet on February 3, 2022 and recommended the matters under the Consent Agenda be forwarded to the City Council with a favorable recommendation for approval.*

Council Member Moore then moved approval of all matters on the Finance Committee Consent Agenda. Council Member Holmes made a second to the motion. The motion carried by the following 9-0 unanimous vote:

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-32**      **Contract - Sole Source - CI Technologies, Inc.--IAPRO & BlueTeam Software - High Point Police Department**

City Council is requested to award a sole source contract to CI Technologies, Inc in the amount of \$35,600 for the purchase of IAPRO & BlueTeam Software for the High Point Police Department.

**A motion was made by Council Member Moore, seconded by Council Member Holmes, that the sole source contract with CI Technologies, Inc. in the amount of \$35,600 be approved. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-33**      **Contract - American Process Group, LLC - Aluminum Sulfate Sludge Dewatering - North Lagoon Ward Water Treatment Plant**

City Council is requested to award a contract to American Process Group, LLC in the amount of \$733,991.00 to dredge and dewater the contents of the Ward Treatment Plant's alum sludge lagoon (north).

**A motion was made by Council Member Moore, seconded by Council Member Holmes, to approve the award of a contract to American Process Group, LLC in the amount of \$733,991.00 to dredge and dewater the contents of the Ward Water Treatment Plant's alum sludge lagoon (north). The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-35**      **Contract - Sole Source - Atlantic Technical Sales-Valmont Industries, Inc. - Traffic Signal Poles & Mast Arms - Qubein Avenue - Hamilton Street**

City Council is requested to award a sole source contract to Atlantic Technical Sales, representing manufacturer, Valmont Industries, Inc. in the amount of \$52,213.00 for the purchase of traffic signal poles and mast arms for the intersection upgrades at N. Hamilton Street and Qubein Avenue.

**A motion was made by Council Member Moore, seconded by Council Member Holmes, to award a sole source contract to Atlantic Technical Sales, representing manufacturer, Valmont Industries, Inc. in the amount of \$52,213.00 for the purchase of traffic signal poles**



**and mast arms for the intersection upgrades at N. Hamilton Street and Qubein Avenue. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-36 Community Development & Housing Department - New Position - Compliance Officer**

City Council is requested to approve the creation of a Compliance Officer position in the Community Development & Housing Department as recommended by an outside audit and

**A motion was made by Council Member Moore, seconded by Council Member Holmes, to approve the creation of a Compliance Officer position in the Community Development & Housing Department as recommended by an outside audit and that the necessary funding be appropriated for the position. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-37 Resolution - Condemnation - 302 Montlieu Avenue**

City Council is requested to adopt a resolution authorizing the City Attorney to give a 30 day Notice

of Condemnation to the property owner of 302 Montlieu Avenue, to file the necessary proceedings under Chapter 40A of the North Carolina General Statutes, and to authorize the Finance Director to issue a draft in the amount of \$541.00 to the Clerk of Superior Court as just compensation to the property owner.

**A motion was made by Council Member Moore, seconded by Council Member Holmes, to adopt a resolution authorizing the City Attorney to give a 30-day Notice of Condemnation to the property owner at 302 Montlieu Avenue, to file the necessary proceedings under Chapter 40A of the North Carolina General Statutes, and to authorize the Finance Director to issue a draft in the amount of \$541.00 to the Clerk of Superior Court as just compensation to the property owner. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**Resolution No. 2032/22-06  
Resolution Book, Volume XXI, Page 77**

**2022-38 Grant of Easement - Duke Energy - High Point City Lake**

City Council is requested to approve the dedication of an easement to construct electric and communication lines, which will be underground and located across a 20 foot strip of land in uniform width lying equidistant on both sides of a centerline, along with an area ten feet wide on all sides located at the High Point City Lake.

**A motion was made by Council Member Moore, seconded by Council Member Holmes, to approve the dedication of an easement to construct electric and communication lines, which will be underground and located across a 20-foot strip of land in uniform width lying equidistant on both sides of a centerline, along with an area ten-feet wide on all sides located at the High Point City Lake. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-45 Resolution - Elliott Sidewalk Communities (ESC)- Reimbursement Agreement -Elm Street Plaza/Appling Way - Capital Improvement Plan**

City Council is requested to adopt a resolution to approve a reimbursement agreement with Elliott Sidewalk Communities (ESC) and approve the addition of the project to the Capital Improvement Plan.

**A motion was made by Council Member Moore, seconded by Council Member Holmes, to adopt a resolution approving a reimbursement agreement with Elliott Sidewalk Communities (ESC) and to approve the addition of the project to the Capital Improvement Plan. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**Resolution No. 20322-07  
Resolution Book, Volume XXI, Page 78**

**REGULAR AGENDA ITEMS**

**FINANCE COMMITTEE** - *Britt Moore, Chair*  
*Committee Members: Moore, Peters, Holmes, and Jones*

**2022-34 Contract - Oltrin Solutions LLC - Sodium Hydroxide - Bulk Chemical Purchase-Piggyback Bid-Winston Salem/Forsyth County Utility Commission - Water & Wastewater Treatment Plants**

City Council is requested to approve authorization to piggyback off the Winston-Salem / Forsyth County Utility Commission's bid submitted by Oltrin Solutions LLC in the amount of \$265,540 for the bulk purchase of Sodium Hydroxide.

**Council Member Moore moved to suspend the rules to add this matter to tonight's agenda for consideration. Council Member Johnson made a second to the motion. The motion to suspend the rules to add this matter to the agenda carried by a 9-0 unanimous vote as follows:**

*Derrick Boone, Assistant Public Services Director, advised this is for the bulk purchase of sodium hydroxide (also known as caustic) which is used in the city's water and wastewater*

*treatment plants for pH adjustment and alkalinity addition. He explained that the contract for the purchase of the caustic was originally awarded to Oltrin Solutions LLC on March 4, 2021, but they have since notified the Purchasing Division that they will not be able to hold the current awarded price beyond March 31, 2022 due to market factors which have created a sharp increase in the price of sodium hydroxide. Oltrin Solutions has recommended that the city piggyback on the bids for sodium hydroxide that were received by the Winston-Salem/Forsyth County Utility Commission on December 2, 2021 at a price of \$748 per dry ton. The Public Services Department requests approval for Council's authorization to piggyback off the Winston-Salem/Forsyth County Utility Commission bid submitted by Oltrin Solutions, LLC which was awarded December 13, 2021. This will be a one-year contract for the annual amount of \$265,540 and the existing 3-year contract between the City of High Point and Oltrin Solutions, LLC will be terminated.*

**A motion was made by Council Member Jones, seconded by Council Member Johnson, to approve authorization to piggyback off the Winston-Salem/Forsyth County Utility Commission's bid submitted by Oltrin Solutions LLC in the amount of \$265,540 for the bulk purchase of Sodium Hydroxide. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-56 Settlement- Purchase of Property- 1928 Greenstone Place**

Council is requested to authorize the purchase of property located at 1928 Greenstone Place for the Foxwoode Meadows Stormwater Alternate Access Project.

**Council Member Moore moved to suspend the rules to add this matter to tonight's agenda for consideration. Council Member Johnson made a second to the motion. The motion to suspend the rules to add this matter to the agenda carried by a 9-0 unanimous vote as follows:**

*City Attorney JoAnne Carlyle advised this is an item which has come to Council before that involved imminent domain; however, the city has been able to come to an agreement for purchasing the property for the amount of \$205,000, so staff is asking for authorization to proceed with the sale of this property that is needed for the Foxwoode Meadows Stormwater Alternate Access Project.*

*Council Member Holmes felt the residents of Foxwoode Meadows greatly appreciate the efforts that Council has taken. He explained this area regularly undergoes massive flooding creating a public safety issue.*

**A motion was made by Council Member Moore, seconded by Council Member Holmes, to authorize the purchase of property located at 1928 Greenstone Place for the Foxwoode Meadows Stormwater Alternate Access Project. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**PROSPERITY & LIVABILITY COMMITTEE** - Council Member Hudson, Chair  
*Committee Members: Hudson, Holmes, Jefferson, and Peters*

**2022-46      Marketing & Branding Taskforce - CivicBrand Placemaking Agency-High Point Marketing & Rebranding**

The Marketing & Branding taskforce chair - Council Member Michael Holmes will present the taskforce recommendation of CivicBrand as the Placemaking Agency for the City of High Point marketing & rebranding project.

*Council Member Hudson, Prosperity & Livability Committee Chairman, turned the floor over to Council Member Holmes, Marketing & Branding Task Force Chairman.*

*Council Member Holmes advised that staff has made a favorable recommendation for the approval of CivicBrand as the vendor who will move the city forward in the marketing and branding efforts. He spoke to CivicBrand's proficiency of what they do and for submitting an extremely competitive bid and felt this would prove to be a generational change to marketing and how High Point is positioned in the future.*

*Council Member Moore asked if there was cross-coordination or discussion on what separates this branding piece from the others or collaborations. Council Member Holmes explained that CivicBrand's stock and trade is branding municipalities and it was their experience in branding municipalities that made them stand out. He noted they were also far more competitive in terms of cost than some of those companies who bid locally. To the point of cross-collaboration, Council Member Holmes pointed out they are open to using some of our local entities to cut down on travel time and they are willing to use any campaigns happening here because it cuts down on the travel time and saves some of the cost that we may need for them to travel here doing the research and data collection.*

*Mayor Pro Tem Peters noted that Council Member Holmes has done a great job and pointed out the folks from Visit High Point and all the various other entities are all on board and have been part of the discussions in the meetings that have taken place. Council Member Holmes added that most of the major stakeholders in terms of the city's brand were represented on the task force and pointed out they were involved in the selection of CivicBrand and fully in support.*

**A motion was made by Council Member Hudson, seconded by Council Member Holmes, to approve the selection of CivicBrand as the Placemaking Agency for the City of High Point marketing and rebranding project and to approve the Agreement for Services with The Modassic Group, LLC D.B.A. CivicBrand. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

2022-47

**Acknowledge Receipt of the One High Point Commission Resolution**

City Council is requested to acknowledge receipt of the One High Point Commission resolution for consideration.

\_\_\_\_\_ Transcript \_\_\_\_\_

*Council Member Hudson, Prosperity & Livability Chairman: I'll give you a little background/history on this. James Mayes is here tonight, who is the chairman of the local chapter of the NAACP. Jim and I have talked over the years and had conversations and those conversations have led to the NAACP presenting a resolution to the Prosperity & Livability Committee, which then came before the full Council. The full Council agreed to discuss this further. We've been discussing this ever since. Council Member Holmes is on that committee, there's two members from the city and there are members in the audience tonight. If you served on that committee, can you please stand up so that we can recognize you for your work? So, these are members of the community that also worked on this resolution. Thank you all so much.*

*So, what you have before you is an amended resolution that came from that committee and I'll turn it over to Jeron so that he can walk you through it. And what we're asking is simply for us to acknowledge that we've received it which gives us the authority to discuss it further.*

*Jeron Hollis, Managing Director: Good evening, Mr. Mayor and members of Council, Madam Manager. There's a lot to add. I think Council Member Hudson summarized some of our discussions. One thing that we would iterate is that on the work group that Council directed, we met on the 12th, the 19th of October and November 30th. The resolution was thoroughly discussed with the NAACP. There was lots of back and forth on engagement to the extent that Council Member Hudson was talking about. We also had the opportunity to work with Legal, thank you, Joanne, for the work they did to make sure that everything in line with this resolution was formatted and fitted into what a city resolution should look like.*

So, at this point, on behalf of the One High Point Commission work group, staff presents the completed document to the City Council as requested.

**Council Member Hudson:** Are there any questions from the dais for anyone? I want to make sure that everyone understands where we are with this.

**Council Member Moore:** When you say you're asking to accept the resolution so it can be discussed further, where do you....what's the discussion to be? To bring forward? What's the goal?

**Council Member Hudson:** Part of the resolution is how to actually set up the formal commission, so there is a separate committee that will be established with this resolution. That committee will interview citizens who would like to serve on the commission, so this committee that was formed was not the actual commission. This is simply to discuss the resolution coming to us. So, the resolution sets up a committee. That committee, through a process of application and interview, will actually pick the commission. That commission

will have a one-year term where they'll start working on some of the items in the resolution, at which time that resolution, the actual resolution comes back to us for further consideration. What we're considering in this resolution is the way that we proceed here creating the commission is what we're wanting to do.

**Joanne Carlyle**, City Attorney: You will have to actually adopt the resolution in order for the standing committee that you referenced, the appointing committee, which would then go ahead and appoint the committee members for the commission. All of the details and the process for that are set out in the resolution. So, I'm wondering, is it being presented tonight for the adoption or is it just being presented tonight for.....because the adoption of the resolution tonight will allow the process to begin.

**Council Member Moore**: That was my question.

**Council Member Holmes**: Madam Attorney, if I may. I think, if I can clarify what Council Member Hudson is asking. We are asking that the resolution tonight be adopted but open it up for any discussion or questions from anyone here. I think the resolution is here tonight to be voted on to enact.

**Mayor Pro Tem Peters**: I have a question. So, I remember at one point, it was going to go back to you for some amendments/changes because some of us had said some things. Would it not have to go back to P & L to do a recommendation to full Council? Because we had not even seen the changes until today. So, I don't know exactly....I'm kind of confused of what we're supposed to do today.

**JoAnne Carlyle**: I understand that completely. It was put on your agenda tonight and that's why I was having the question that I'm having right now.

**Council Member Hudson**: That's why I wanted to clarify that .....

**JoAnne Carlyle**: I thought it was you were interested in making a motion or making a determination as far as the adoption of the actual resolution tonight. That is completely Council's decision.

**Mayor Wagner**: I'm confused because what's on the agenda says that we are requested to acknowledge receipt.

**Joanne Carlyle**: It does. It does not ask for it to be adopted, which is why I wanted to ask and get some clarification because you're right, the request that's coming on the agenda memo from staff is just that you acknowledge receipt of it. We have, I will say that we worked very well together. We made a lot of edits for clarification, making sure there was a clear process set out within the resolution, very detailed, so that it could go ahead and move forward. But that, again, is completely up to Council.

**Mayor Pro Tem Peters**: May I say something?

**Mayor Wagner**: Yes.

**Mayor Pro Tem Peters:** *One thing that I remember saying. I think it was like in the full Council. I'm sure Lisa can find it in the minutes. I definitely the fact that our history is scarred deeply, but one of the things that it asks for in the resolution is a formal apology from the city. And I'm just going to tell you that we need to come to peace and I understand that....what happens is, when people say you have to apologize. What you're telling them is you are guilty and people don't want to accept guilt. That was our past and we didn't have any say in that and I just don't see that as a way moving forward to insist or demand an apology from the city. And that's the only part, other than that, I love the formation of a One Commission. I think it's a great idea to move forward with our city, but I just think we have to be very cautious of how we word things so that we create a bridge and not a division.*

**JoAnne Carlyle:** *Mayor Pro Tem Peters, currently the way it's worded in the resolution is that the commission would then go out and do an investigation, evaluate some, determine, basically, some recommendations that would come back to the City Council. Whether that will include a municipal apology or anything else that the commission might find through their studies. Given the fact, however, that it sounds like Council did not receive, all of you, all nine, did not receive a copy of this until the agenda. And I'm not sure, too, but the agenda memo just requests that it be accepted. I guess that decision needs to be made tonight. Mayor, I would look to you for some guidance.*

**Council Member Hudson:** *That was the request of why we're bringing it to you, simply as a receipt because if we receive it, it gives us the ability to discuss it and not have to discuss it right now on the dais with a lot of questions that could very easily be answered in an open forum. But it would take a lot of time here, so it's not that we want to discuss the resolution because it is involved. I do want to make sure that everyone understands what is in the resolution.*

**JoAnne Carlyle:** *Council Member Hudson, are you recommending that you would receive it tonight; there would be conversation, I presume, informally, because you'd have to have a public meeting?*

**Council Member Hudson:** *I would assume that it would come through as a manager's briefing at some point. That's always been my understanding. I thought we were voting to acknowledge it so that we could talk about it because we haven't discussed it yet.*

**Joanne Carlyle:** *And bring it back to Council for a vote.*

**Council Member Hudson:** *Right.*

**JoAnne Carlyle:** *Got you.*

**Mayor Wagner:** *I don't have a problem with the receipt of the resolution. I would agree with some of my colleagues and I think, also, that acknowledging receipt of it would also give time for the public to weigh in on it as well. This is a very important thing that we're considering, and I think it would be wise of us to put this out, I think, for public comment as well, for a period of time. Councilman Hudson and Holmes, along with some of the folks here, have done the heavy lifting on this. But I do think that it is something that's worthy of our time to make sure that we have a chance to discuss this, since I know that Britt had a problem with*

*his iPad and didn't even get to look at it before we came in here. So, I don't have a problem with acknowledging receipt of the resolution, but I'm not ready to move forward on a resolution of support for that item yet.*

**Council Member Jones:** *There's even stuff in the language that I just want to get clarification on like the member terms and how long their terms are. It says for the life of the commission. I know those are smaller matters, but just so we have an opportunity to ask those questions and make sure we know what's in there, whether we feel we can agree to it or have some suggestions or changes or whatever. I just got it and I'm not an attorney, I'm just a marine that's sitting up here, but I'd love to be able to have an opportunity to take some notes and ask those questions, you know, at a time when we have the time to really chop it up that way if we could. So, I don't have a problem with the receipt, but again, I want to have an opportunity to look at it and not be bombarded with it in ten minutes.*

**Council Member Holmes:** *Mr. Mayor, is it typical protocol to allow the public to weigh in on the adoption of a resolution?*

**Mayor Wagner:** *I think it depends on what you're doing. I mean we have, for a lot of thing, there's public comment, there's time set aside for public comment. And this will happen, if we've just received it tonight and we're going to take care of it. You know, we're going to talk about it and actually make a decision on it at a later time. I mean, in effect, we've created a time where the public can comment. I'm not saying that I want to hold this open for public comment until the second meeting in March. I'm not asking for that. I'm just saying that I think giving us the chance to really delve into it and you know, maybe go over it at a manager's briefing, or maybe we keep it in P & L, and have an opportunity for all of us to come together at a P & L meeting. It doesn't, the format of that really doesn't matter to me. But I think, too, by default, we don't meet again for two weeks. I think folks would have the opportunity to take a look at this and give some feedback.*

**Council Member Holmes:** *I hope that....there's been a lot of time and effort put into this both by the branch and by members of the Council and the community. We've bandied this back and forth [1:07:38] a lot and we've made a lot of revisions and a lot of changes. We've allowed outside opinions into this. I do not want to continue to belabor this. The people of High Point, the Branch, they deserve a decision. I hope that we could all commit here tonight to getting into this, reading it, understanding it, having questions, and discussing it. And if it is to come back, let it be sooner than later. I don't think that anyone is under the impression that we don't want to take this vote. We need to do this, but we need to commit to bringing this to the full Council and giving these people a vote. They've put a lot of work into this and they deserve to have that vote to recognize the work that they've done.*

**Council Member Jefferson:** *Mayor Wagner, I've got a couple of thoughts.*

**Mayor Wagner:** *Go ahead.*

**Council Member Jefferson:** *Yeah, I'm probably a little more curious, I think, than some of my peers on the dais, so I've got to ask a few questions. So, acknowledgement of receipt was the purpose of this item coming. I'm curious if there was a miscommunication for the purpose of this agenda item being up here tonight because it sounds like a number of folks who came this evening with the expectation that a decision was being made. And I think I'm curious*



*about that. I wasn't in the discussion, I'm not one of the council members who's been involved in this. I wasn't allowed in those meetings. So, I guess I've got a lot of curiosity because it seems like from the nodding of heads in the crowd there's a lot of people who thought this was being voted on tonight to be approved. I don't know....in my very short tenure on Council, if we've had an item that says acknowledgement of receipt of a resolution. I don't know that we've had that and I don't know if we've ever had a time where we said let's get public comment weigh-in.*

*I hear what we're saying about looking it over. I've got a couple of thoughts about that. Some of these are inquiries. Some of these are observations. I'm assuming this agenda came out Friday or Thursday as all agendas do and the attachment was in the agenda. And I know, I think it was mentioned that a council member having issues with an iPad, but that's happened, I think, to all of us at a certain point. I certainly, on a Friday, went to go look and said, oh crap, I've got to get my password updated. It just happens and there's been plenty of items when I come in on Monday and say I better do my best to try to learn as much as I can on Monday because it's being voted on tonight, especially if a delegation of Council has already looked at this a lot of times. And we've already discussed this on the dais.*

*This resolution has a lot of the same words that we, as a Council, already looked at and reviewed. This isn't new information that we're digesting within one hour's time. A lot of this is information that we've been reviewing for months and the only thing that this resolution talks about is forming the actual commission. The resolution doesn't mention that they will say that these are the recommendations. The resolution says that they want to do some studying to figure out what sort of recommendations could come as a result and how those recommendations might address various things like what might it look like to do some kind of apology. No one said that apology is going to come in that way. So, again, I've got inquiries and I've got observations because I've got a lot of curiosity here about how much time we need to look at something given that it was put on an agenda, just like every other item's put on an agenda for our review over the whole weekend. Given that we've looked at the item really for months now and kind of talked about it, that I don't know a precedent for acknowledgement of receipt of resolutions and I do not know a precedent for a public comment on resolutions. Really all they're asking to do is to form a commission that's quite frankly using some of the same tenets of every other commission and committee and working group that we have here at the city. So, that's all my curiosity and if folks want to address each one of those points, I mean that's fantastic, but I think after you get done addressing those, I'm going to make a motion to ask that we suspend the rules to add this to the agenda for consideration of approval and then when can vote tonight if folks want to approve it or not. But I'm going to be honest, I think I've got to appeal here for some reasoning because I just can't agree that folks are telling me this evening that you haven't had enough time to digest what it's like to form a commission. All they're talking about is how they're going to pick members and how it's going to exist.*

*So, the question of how long it lasts, it says it on the document. They'll get a report to you within twelve months and then with "x" amount of days after the report, the commission will dissolve. So, we're not talking about something that's going to exist until perpetuity. It's all there on the paper. It's all there on the paper and it is so familiar, the stuff that we've already been doing, and I have to be clear about something else. I've got to be clear about it because when we get to these items and we feel like folks are just kicking the can down the road, it*

*becomes really, really hard for the community to trust the government trying to do the right thing. It just, it becomes really hard because I've seen times, friends, that we've got incentives that we looked at, policies for incentives that we looked at on a Friday and because we wanted it in place for the fiscal year, we voted on it on Monday because we wanted to recruit businesses to our downtown. That's the precedent I've seen. I've not seen a precedent acknowledging a receipt. I've not seen a precedent of public comments on resolutions. I'm just trying to be honest. I'm not trying to be offensive, I'm not trying to be obtrusive, I'm not trying to be aggressive. If I'm passionate, that's it. I'm just being honest, though, because it feels like the can is being kicked down the road.*

*I remember on that night in September when we talked about this. You all know someone who essentially offered the compromise for us to get to this point which says let's just figure out how we're going to form this commission and that's really all the tenets of what this is.*

**Mayor Pro Tem Peters:** *If I may....thank you for saying all that you said and I agree with you. I went back down and I did notice and I apologize that I misread where it says....it doesn't say that the City of High Point must offer a formal apology, it says how the City of High Point may offer a formal apology. So, that reads a whole different way. So, is that what you all are thinking? You're just trying to figure it out and you just want the commission so you can just figure it out?*

**Council Member Holmes:** *Councilwoman Peters, we are not here tonight to get into the work of the full commission. We're here tonight to vote on the resolution to form the commission, how the commission will be formed. Whatever comes out of that will come out of it once the individuals who are going to serve on that are selected. This is not that. So, what apologies, programs, whatever may come out of that will come from the commission itself. This is not that. What this resolution does is it gives us authority for us to form a committee that will select those who will then do the work of the commission.*

**Mayor Pro Tem Peters:** *But you see where the misunderstanding is because it says....I'm okay with us voting, I'm just saying that it's....and I don't know how that happened, but it makes it look like we're just supposed to.....*

**Council Member Holmes:** *Well, that wording is simply to understand what we are forming a commission to do. It wasn't saying that this is what's going to come out of the commission. That's not what we're stating. What we're stating is this is just the scope of what the full commission will look at and address once it's formed.*

**Mayor Pro Tem Peters:** *Okay.*

**Mayor Wagner:** *I can probably speak and maybe the city attorney can back me up on this, I don't know. But there is some precedent for the city receiving reports, acknowledging the receipt of a report. We've done that, I think, in the past for different committees. I don't think this council has done it in the two years, roughly, that we've been up here. But I do recall that occurring at some point. Maybe Britt can remember that too. Where we received the report back of a committee on something and then we, then, able to study what that committee brought back before we took action on whatever their recommendations were. So, it's not, this is not something new that we're talking about tonight and I agree with you, this is something we started, I guess, back in September or October discussing. Personally, I would be in favor*

*of us acknowledging the receipt of this report and then having some more time to discuss the fine points of it so that maybe we can get to a point where everybody can support it. But if we're going to vote on the actual resolution tonight, then that's not something I can support tonight. I can support the acknowledgement of the receipt of the report, but at this point, it's not something that I can support.*

**Council Member Jones:** *Mr. Mayor, I will say that when I saw the agenda on Friday, I read it as a receipt of this and therefore, I was in no hurry to rush down here at 8:00 a.m. to get in JoAnne's office to ask questions. What does this mean and what does that mean. I just figured that because it was a receipt it would give us some time to still do that because I like to be as informed as anyone, as any of you guys are when making decisions that affect anything dealing with my neighbors here. So, based on that premise that I thought we were voting on, I did not get my questions answered or any of that stuff. We may have been talking about it since September, but we got it on Friday. So, I don't think Friday, Saturday, and Sunday and we've been here since 3:30 p.m. to discuss some other things, I haven't had a chance to really read through all of it. Well, I have read through all of it, but read through it and strike out stuff. So, I agree with you Mr. Mayor. I want to see this move forward, but I think we owe the citizens of High Point the do our due diligence or agree to the language, what this language says. Now, I'm not saying to kick this can down the road for months or something. I can do it at the next council meeting. I don't care. I just want a couple of days to make sure I'm knowledgeable about what we're agreeing to or not agreeing to.*

**Mayor Wagner:** *Yeah, I don't have a problem with continuing it to the next meeting. I think we can certainly get questions answered in two weeks.*

**Mayor Pro Tem Peters:** *But now I think, though, that they don't have the answers. That's why they're forming the commission so that they can come up with the answers. So, now that I understand a little bit more, I will be in support of it if anyone makes the motion.*

**Mayor Wagner:** *I hear what you're saying, but there's a lot of language in here that does talk about what the parameters of that commission will study and some of those things are still....even going back to September, we had this discussion. Some of the things, and I'll tell you that I have read this and I did take the time to go through it and underline some stuff and I still have very deep reservations about the ability of the city to have the legal authority to be able to do some of the things that are called for in this resolution. Among other reasons that I am very hesitant to support it. My worry, as I stated whenever it was in September or October, one of my biggest worries is that we're going to go through this process for a year and the commission is going to come back and ask us to do things that we do not have the legal authority to do and then it's going to really look like we're kicking the can and ignoring the concerns of the community when in reality what we're being asked to do is things that we don't have the legal authority to do. So, I have very big reservations about the parameters that are being created in this resolution and whether it's something that we should agree to do. I think if we've got two weeks to discuss that and we acknowledge receipt of it and we've got some time to discuss that, maybe we can get to the point where we feel like we've got something we can operate with that might actually work.*

**JoAnne Carlyle:** *And that was one of the purposes that I took upon the legal department in going over it when it came back to us, making sure that it was worded such that there are*

*opportunities for things to be studied and investigated, but they're not narrowing it down to things that are illegal or impossible. It was to broaden the scope so that they had options of things to come back. I will also agree that I've seen things come before Council including, perhaps, in the form of a resolution that Council just acknowledged receipt of and then ask for additional information on. If that's what Council wants to do tonight, and others want to have expedited decisions, perhaps, you want to consider going ahead and putting it into a committee or a manager's briefing or something. I heard another council member say that earlier. Council Member Jones and all of you, I'm very glad to go over the language that is in this and answer any questions that you have. The resolution is not coming from my department, however, so as far as the actual action and what you're looking at doing tonight.....*

**Council Member Moore:** *So the resolution has not been reviewed by legal as presented?*

**JoAnne Carlyle:** *It has been very reviewed and very amended by Legal because the original resolution contained a lot of wording and language that would not have been possible to accomplish because it would have been outside the perimeters of the law. So, it's been redrafted to, again, open up some options for the commission. And just like with the apology, there is no requirement for an apology. It simply states that they might consider bringing back an apology because it's something along the lines of they will investigate and look at different recommendations that they can bring back to City Council as to what they think might be right and one of those could be a municipal apology.*

**Council Member Johnson:** *I was going to ask the question in regards to Legal, you guys have already looked at it?*

**JoAnne Carlyle:** *Very much so.*

**Council Member Johnson:** *And the concern, I believe, that the mayor mentioned in regards to it may be dealing with something out of the parameters that we can't do. You've looked at that. Do you see anything like that?*

**JoAnne Carlyle:** *It depends on how much they stick to what is in there. Absolutely, there's going to be some bumpers, I believe, that need to be set up. But that will, in my opinion, come as the commission begins doing it's work and kind of feeling its way along. My department will stand ready, of course, to offer advice, to kind of serve as the bumper. I also clearly acknowledge if you guys just received this, it's a very important decision and if you want to go over and have it described as to how things will be set up and you know the timing of everything. I mean because it is a process, numerous processes that are set out within the resolution. But, again, that's completely up to Council and what your preference would be tonight.*

**Council Member Holmes:** *Madam Attorney, I want to clarify that we're not, we're speaking about two different sets of legal constraints here. I think the mayor is talking about the legal constraints of what the commission may return and we're able to do from those recommendations. I don't think there's any legal constraints on us forming the commission. This is something that we do every day. What we're doing tonight is adopting a resolution to form a commission. Which there's no legal constraints on that, correct?*

**JoAnne Carlyle:** *There are none.*

**Council Member Holmes:** *I just want to make it clear that when we talk about the legalities of this and what is possible for us to do, we're not even at this point yet. The point of addressing any legalities for anything that we may do will come from the work of the commission which may be a year from now.*

**JoAnne Carlyle:** *And this Council has the authority, definitely, to go ahead and adopt the resolution which would put the wheels in motion for the commission to begin.*

**Council Member Holmes:** *So, I just don't want us to conflate what we're talking about here. This is two separate issues of legality.*

**Mayor Wagner:** *I have no problem, no doubt that we have the legal authority to create the commission. That's not it. My concern is that we're going to spend a year waiting on this report to come back and that many of the things that this commission may bring back to us, may be things that we can't do. And I'm legitimately worried that if the commission brings us things that we cannot legally do, that is going to create an issue within the community that we're ignoring the concerns of the commission or that we are outright opposed to what the commission has brought back. I don't think that's a position that we ought to put the city in upfront and so, I mean, I have other reasons, philosophical reasons, but I am legitimately concerned about that when I read the parameters of what's in here. I mean there's discussions that this is justified based upon International Law. Well, we don't do International Law, you know. We do the law of the State of North Carolina and the U.S. Constitution here. We don't do International Law. There's things in here that, as an attorney and as a mayor, that I have a real problem with and I think that, you know, again, I don't have a problem with acknowledging receipt of this report, but I do have a problem with us voting to proceed on this tonight because I don't think this thing is ready at this point. And I don't have a problem with us coming back in two weeks. If we want to set two weeks as our deadline, let's set two weeks, let's have a manager's briefing on it or run it through P & L and we can ask questions. But if we're going to go for approval of this resolution tonight, that's not something that I'm in the position to support right now.*

**Council Member Holmes:** *Mayor Wagner, is it possible that we can get members of the Branch to weigh in on their preference on how we proceed tonight?*

**Mayor Wagner:** *I'll acknowledge it, yeah.*

**Bernita Sims:** *Good afternoon everyone. My name is Bernita Sims and I'm a resident of the City of High Point. I want to speak to where we are right now. When we left this meeting in September, it was with the understanding that there was some concern and confusion around the resolution as it was presented to this Council that night. I think one of the things, Mayor Wagner, that you pointedly had some concerns about was the make-up of the commission, what that would look like, and what the expectations of that would be. So, the charge was given for us to go back. You asked the city manager to form a working group, to go back in, look at the resolution, let's, you know, dig off into it to make sure that there was an understanding about what that commission would look like, what the work of that commission would be if it were formed; and then how we would proceed forward. So, as we*

*met as that working group, those were the auspices that we were working under. So, we believe at that point that we were meeting with city staff, we were meeting with two members of the City Council, we were meeting with four members of the NAACP, and we were going to dig off into that document and come back with a resolution that would be acceptable to this group. So, at that point, Legal worked with this. We worked with city staff who was responsible for convening and making sure that we all understood the language that was in there, and pretty much we stuck with the spirit of the document as we presented which is exactly what happened. So, when talking about what would be the responsibility of the city to this, it's only to do what it said it would do which was what you understood, the make-up of the commission which were the two, I guess, elements in this resolution that were unspoken at the time it was presented. That we would not be sitting here talking about somebody have to review it and make sure that it was whatever you thought you understood because you've had this resolution since September. The only new items added, other than the language changes that your legal department reviewed and said, we need to change these because there are things that the city cannot do or there are things that the city, in its position as the city, it's something that you cannot do. So, when you talk about International Law, your Legal Department looked at that and they didn't have an issue with it. Now, I understand that you're an attorney and I understand that when you look at this, you're looking at it with that eye. But what I would ask this council to do is do what you said you were going to do which is to adopt this document once it came back to you. So, at this point, we're sitting here and we're talking about the fact that I don't know if we can commit the city. I get it, but the city commits every day to things that we don't get to weigh in on. As citizens in this community, you don't ask us, you make a decision and you move on.*

*So, what I would ask...and if we can't get this done, then that taste that it leaves in the mouths of our citizens is worse than if you did nothing at all. So, what I would look at it and say Councilman Hudson was aware as well as Councilman Holmes and the two other individuals that are employees of your city as well as the city manager. I can't imagine at this point in time what would be in that document that scares you so much that you can't adopt it today, that it cannot be adopted for us to move forward with the establishment of that commission and let's chop it up. Let's talk about it. Let's see what it is that we need to do in High Point to create an equitable community for everybody. So, I agree with Councilman Jefferson. There is nothing in this that you should be afraid of, and I think that it would speak volumes for this community to say, hey, look we don't mind having conversations. And it doesn't hold you, commit you to anything other than to create a commission for the research and the discussion of how we might look at what has happened in the City of High Point and lift all of our citizens up. It's plain and simple. Thank you.*

**JoAnne Carlyle:** *If I could also address the International Law item. As Bernita Sims just commented, we did our best to maintain the spirit of the original resolution that came to us. In doing so, I made clear, through Jeron and his office, to the working group, that some of the things that the resolution that came to you guys stated as facts could not be adopted by this Council because when you adopt something as fact, it is based on something that's been investigated by your staff, etc....and brought back to you. And that would not have been the case with what was stated as fact in the resolution that came to you originally. So, those things, those items remained in what you have, but there is a phrase at the beginning that says that these are facts that they brought as stated by them. It does not say that they are facts as adopted by this Council. So, I just offer that for explanation, but, again, even as I say it and start explaining this to you, I mean we could go through the whole thing.*

**Council Member Jones:** *Madam Attorney, question for you. If I and individual council members voted yes on something, does that mean I'm agreeing with every single statement and fact in here? Because there's historical dates and all kinds of stuff. You know, every little thing in there, I haven't had a chance to review.*

**JoAnne Carlyle:** *Clearly, I could not sit before you and say you need to accept this as fact because I was not able to go out and research, etc...., right? So, it's worded such that these were statements that were brought to you and presented and I don't have it right in front of me, but I remember putting something in there that said basically that you are acknowledging that they appeared before you, that they brought a resolution, that that resolution contained "x," "y," "z," and then we take off from there and then go into the actual formal process in setting up the committee, the standing committee that does the appointment of the commission, and then the commission.*

**Council Member Jones:** *Just out of respect, I do a lot of business deals out there and I've never lost respect for somebody and said, hey, let me run this by my attorney or let me run this by my partner. Whatever. The constituents in Ward 5, it's comforting that Bernita said that Councilman Hudson has had a chance to read this, but my constituents didn't vote for Councilman Hudson. I owe them due diligence and had planned on meeting with you about this because as I said earlier, I wasn't planning to do anything other than to accept this. I'll be in your office tomorrow or Wednesday if I can. I just want to make sure that I'm clear. I think there's a common respect that we all have for each other. We don't try to force anything down each other. All I'm saying is I would like to go forward with what I sat down to do tonight which was to acknowledge this. Out of respect, give other council members that want a chance to get some questions answered about it. I'm okay with voting on this. I think this committee is going to be formed one way or the other, I really do. But there's a whole lot of information in there. There could be two plus two is five in there and I could have missed it and I'm agreeing to it. I mean I think we shouldn't change the intent of what the agenda said and say we sat down to vote on accepting something, let's change that on the other members of council. It's just a mutual act of respect to give us a chance to see what we're agreeing to and come back in two weeks and we'll vote on it.*

**Council Member Jefferson:** *Mayor Wagner, so, I've got another thought. That's that curiosity of mine. So, you know, we typically rely on partnerships with the community and we ask them to continue to believe in our processes. We ask them to continue to participate. We ask them to trust that this city in which they are loyal taxpayers, residents, and constituents of, that this city will collaborate the spirit of unity and the spirit of trying to just progress. I often think it very noble and very bold of residents when they take it upon themselves to take those strides and go through the process and be belabored for months upon months because they understand the due diligence, thoroughness, bureaucracy with which government has to move. I have appreciation for that and I get this thought that there are folks who have invested so much time and, you know, they were under the understanding that action would be taken for this to go ahead and get started. They were under that understanding. It's not lost on me that there were several members of Council on this dais this evening that when we saw the words acknowledgement of receipt or saw this agenda item, and when Chairman Hudson sort of explained what we were doing, we were kind of thrown off because we were like, wait, we were voting to discuss and consider it. It's like what's going on. I think if we were kind of confused, I have to be a little transparent to say that I would not be surprised at*

*the public when they saw that that ultimately what was happening was we were just voting to consider something. Like I didn't know that. And to the points of not reviewing what's in the agenda and not reviewing all the attachments, I respect that. We have a duty to review everything that's in the agenda and in the attachments. That is our duty whether it says acknowledgement, or it says whatever else. We have that duty because I would hope that you wouldn't acknowledge receipt without reviewing it either. I think that it is incumbent upon us that when folks make good on their partnership and collaboration with the city that we really just do the right thing in this case and say, hey, we're not committing to any recommendations. It's not some legal problem that we're stepping into. I appreciate that word, it just keeps getting used. Our legal folks here have already told us we're solid, so we don't have to say that part anymore I think really where we're at is are we willing to form a commission under the same tenants of every other commission that we ever formed. I mean it's essentially under that. And we've trusted our staff, our manager, the departments over it, our legal team and multiple members of council. We've trusted them to do that. That's what we asked them to do.*

*Really, I'm at the point now to make a **motion to suspend the rules** so that we can bring this to council to be voted on for acceptance and approval.*

**Mayor Wagner:** *There is a motion that has been made to suspend the rules to bring this item before Council for approval. Is there a second?*

**Council Member Johnson:** *Second.*

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

**Council Member Hudson:** *I will say that if we vote on this right now, we're going to get a split vote. That is not what I want. I want a unanimous vote for this and if you give us two weeks, I think you'll get a unanimous vote. I don't think any of us are opposed to this. You know, that's just the simple truth. I don't want this to be a split vote tomorrow in the newspaper. I want it to be a unanimous vote and I think it will be.*

**Mayor Pro Tem Peters:** *Well, I have a questions. I'm not exactly sure who's responsible for agendas and stuff, but my understanding is when something goes to committee, they research it and then they discuss it and they recommend either approval or not and we never had the opportunity to get the recommendation out of our committee. I mean because we....the Finance Committee meetings are always right before. We've got a P & L Committee meeting in two days. So, I mean, do you think.....I'm not sure how quickly you can change an agenda because there is a process. You know, I've been in situations a lot that I'm not doing the right process and I get kind of called down. So, I don't know if that's the answer. Let's do the process properly because we all got a little bit confused, or we move on tonight.*

**Council Member Jefferson:** *Mayor Pro Tem, I appreciate that. August 3, 2021, we went through that process in our committee, P & L voted unanimously to support this.*

**Mayor Pro Tem Peters:** *I've hoped for unanimous votes a lot and I have been disappointed, so you will just have to be disappointed.*



**Mayor Wagner:** *The motion is whether to suspend the rules. We're not actually discussing approval or disapproval. It's really just an agenda motion. So, all those in favor of.....let's do a show of hands please, all of those in favor of suspending the rules to consider the approval of the resolution, please raise your right hand. Okay, all those opposed? And that motion passes by a 5-4 vote.*

*[Aye: Holmes, Johnson, Peters, Williams, and Jefferson]*

*[Nay: Wagner, Moore, Hudson, and Jones]*

**Mayor Wagner:** *So we have two items on the agenda. We have one item to acknowledge receipt and the other item to consider the approval of the resolution. Chairman Hudson, it's still your floor.*

**Council Member Moore:** *Chairman Hudson, before you go, if I may, may I say a word? Because I think it needs to be said for this crowd and for the record. Because I know where that salvo was aimed. It has been mentioned that it's the responsibility of the elected council to read their attachments. It was also mentioned that earlier someone had trouble with their password. That somebody was me and due to some extraordinary circumstances and my family's health situation, I didn't open my agenda until this morning and when I opened it this morning, in the midst of trying to deal with that, and some fires at work and that kind of thing, I had trouble with my password. It required some IT help to get done, so I did not get a chance to read that. So, just for your clarification, that was me and I did not get a chance to review this. So, that's that.*

**Council Member Williams:** *If I may and I'll try to be brief with this. I lean to the point that we do have commissions created. We do lean on our colleagues. We lean on staff. We lean on the information that's given to us to help us.....in addition to the information given to us in our agenda, to make informed decisions on issues. I have read this. I get the heartburn on some of the items that was maybe mentioned by the mayor. But when it comes to things like this, the work was done by staff, by members. The other key piece is there are safeguards in here when it comes to what we do next. If those weren't in place, at least in my mind, if they weren't in place, I would say let's do that. But the idea of those safeguards in place, the work that was put in before, and, once again, I lean to something my colleague said before, this is the formation of the commission. The safeguards are also in the formation of the commission because two of the members of it are members of the Council. I can appreciate that too. So, that's the reason why I can support it. Like I said if those items weren't in place, I would have the same heartburn. I just wanted to kind of put that out there.*

**Council Member Hudson:** *I'd like to make the motion that we approve 2022-47.*

**Council Member Jefferson:** *Second.*

**Mayor Wagner:** *Okay, there's a motion and a second to approve 2022-47.*

**Council Member Jones:** *Just for clarification, for anyone listening, that motion is for 2022-47 Resolution- One High Point Commission. City Council is requested to acknowledge receipt of the One High Point Commission Resolution for consideration.*

**Mayor Wagner:** *That's correct.*

**Mayor Pro Tem Peters:** *Before we adopt the resolution.....*

**Council Member Jefferson:** *This is to acknowledge receipt.*

**Mayor Wagner:** *Any further discussion on that motion? [none] All those in favor, please signify by saying Aye. Is there anyone opposed? [none] [9-0 unanimous vote]*

*[Aye: Wagner, Holmes, Johnson, Moore, Peters, Williams, Hudson, Jones, and Jefferson]  
[Nay: None]*

**Council Member Jefferson:** *Mr. Mayor, I make a motion that we approve this resolution and adopt it in its current form.*

**Mayor Wagner:** *Okay, there's a motion for approval of the resolution. Is there a second?*

**Council Member Johnson:** *Second.*

**Council Member Jones:** *Is it too late to make a substitute motion?*

**Mayor Wagner:** *No.*

**Council Member Jones:** *I make a substitute motion that we table this until our next city council meeting.*

**Mayor Wagner:** *Okay, there's a substitute motion to table this until our next city council meeting. Is there a second? Hearing none, the substitute motion fails for the lack of a second.*

**Council Member Hudson:** *As I said, I would like for this to be a unanimous vote and out of respect for Council Member Moore and Council Member Jones, I will not be voting to accept this, simply out of respect which makes this a split vote. It's not what I want.*

**Mayor Wagner:** *Okay, any other comments or questions?*

**Council Member Jefferson:** *I do have to say that I appreciate the discourse that, as peers and colleagues on this dais, that we often take. I know we often do our best to lean in with our very best in terms of serving our constituents and representing well and Councilman Moore, I certainly appreciate your comments and can attest. I walked in as IT was getting you help, so I certainly appreciate and understand where you're coming from. And Councilman Hudson, I appreciate all your leadership and really helping this get to where it is and the arousing story that was shared last time when we considered this. You know, we almost voted it through that night as well. So, I certainly get all that, but look forward to us approving this tonight.*

**Mayor Wagner:** *Any other questions or comments? Okay, we'll do this again by the show of hands. All those in favor of the approval of the One High Point resolution, please signify by raising your right hand [Holmes, Johnson, Peters, Williams, and Jefferson]. Okay, all those opposed? [Moore, Wagner, Jones, and Hudson]. The vote is 5-4, so the resolution is adopted.*

**A motion was made by Council Member Jefferson, seconded by Council Member Johnson, to acknowledge receipt of the One High Point Commission Resolution. The motion to acknowledge receipt of the One High Point Commission Resolution carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-85 Resolution- One High Point Commission**

City Council is requested to adopt the One High Point Commission Resolution.

*Note: For specific discussion regarding this matter, please refer to 2022-47 Acknowledge Receipt of the One High Point Resolution.*

**A motion was made by Council Member Jefferson, seconded by Council Member Johnson, to adopt the One High Point Commission Resolution as presented. The motion carried by the following 9-0 unanimous vote:**

**Aye (5):** Mayor Pro Tem Peters, Council Member Johnson, Council Member Jefferson, Council Member Williams, and Council Member Holmes

**Nay (4):** Mayor Wagner, Council Member Moore, Council Member Hudson, and Council Member Jones.

**Resolution No. 2034-22-08  
Resolution Book, Volume XXI, Page 79**

**COMMUNITY DEVELOPMENT COMMITTEE - Council Member Williams, Chair**  
*Committee Members: Williams, Hudson, Jefferson, and Johnson*

**2022-40 Ordinance - Demolition of Dwelling - 218 Underhill Street**

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 218 Underhill Street belonging to the Heirs of Hattie Withers Cook.

*Lori Loosemore, Codes Enforcement Manager, reported that the inspectors observed the exterior of the property and requested an inspection; first inspection was performed on January 8, 2019; a hearing was held on October 28, 2021; for service purposes, this case had to be advertised in the newspaper; no one appeared for the hearing; an ordinance to repair or demolish was issued on October 29, 2021 with a compliance date of November 29, 2021; when this case originally started in 2020, staff received a call from Rose Holland on January 3, 2020; she stated she is the only living daughter, her mother did not have a will when she passed; she inquired about the Minimum Housing Code and the inspector explained the process; she expressed an interest in repairing the property but did not have the money; other heirs in the family wanted to buy the property but did not have money to get a deed; the inspector allowed her additional time to come up with a plan, however, Ms.*

*Holland explained to the inspector that she did not have the money to straighten out the deed or the money for the repairs, so the city could move forward with the process; a new hearing was held on October 28, 2021 which was noticed in the newspaper on October 20, 2021; Ms. Rosa reached out to the inspectors at that time and advised them that there are other heirs to the property but she had no way to contact them; property taxes are delinquent on the property in the amount of \$1,857 for 2018-2021.*

*Chairman Williams asked if there was anyone present who would like to speak regarding this housing case. Hearing and seeing none, he proceeded with the following motion.*

**A motion was made by Council Member Williams, seconded by Council Member Jefferson, to adopt an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 218 Underhill Street. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**Ordinance No. 7788/22-09  
Ordinance Book, Volume XXII, Page 105**

**2022-41 Ordinance - Demolition of Dwelling - 708 Habersham Road**

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 708 Habersham Road belonging to Evelyn C. & Andrew McConnell.

*Lori Loosemore, Code Enforcement Manager, reported that a complaint was received about this property through 911 communications; an inspection was performed on February 28, 2020; a hearing was held on February 18, 2021; staff had issues getting in touch with the property owners; no one appeared for the hearing; an order to repair or demolish was issued on August 18, 2021 with a compliance date of September 20, 2021; delinquent taxes in the amount of \$15,397 are owed on the property for 2014-2021; staff has not heard anything from the property owner.*

*Council Member Holmes inquired about the process for someone to purchase the property. Ms. Loosemore explained that because of the amount of delinquent taxes on the property, it would have to be resolved with Guilford County and the taxes paid. She stated the owners are local and they could agree to sell it, but they would have to work out the back taxes owed before it could be sold. She advised that when someone expresses an interest in selling property that is going through the demolition process, she brings them in for a meeting to find out when they plan to close, their expectations, their timeframe, and let's them know that an ordinance to demolish is already on record; they would be given time to fix it, but if a permit is pulled and they don't follow through with the repairs in a timely manner, then the city would move forward with the demolition.*

*Council Member Holmes asked if there is a way to advertise cases such as this one so the public could be made aware of the pending action because there could be a local investor who is willing to repair some of these properties. Ms. Loosemore explained the biggest thing is getting everybody to sign off on the property, and then the amount of delinquent property*

*taxes that might be owed on the property. She noted with this particular property, there are also some public nuisance liens associated with it, so oftentimes this deters buyers because they don't think it worth their investment. She stated staff was certainly open to any suggestions that Council may have.*

*Chairman Williams asked if there was anyone present who would like to speak regarding this housing case. Hearing and seeing none, he proceeded with the following motion.*

**A motion was made by Council Member Williams, seconded by Mayor Pro Tem Peters, to adopt an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 708 Habersham Road. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**Ordinance No. 7789/22-10  
Ordinance Book, Volume XXII, Page 106**

**2022-42      Ordinance - Demolition of Dwelling - 1601 E. Commerce Avenue**

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 1601 E. Commerce Avenue belonging to PLS Contracting Inc.

*Lori Loosemore, Code Enforcement Manager, reported this property was originally inspected in March 2019; observation of the conditions of the property prompted the inspection; a hearing was held on November 18, 2021; it was necessary to advertise it in the newspaper in order to get service for the owners; no one appeared for the hearing; an order to repair or demolish was issued on November 18, 2021 with a compliance date of December 20, 2021; delinquent property taxes are owed in the amount of \$12,093 for 2008-2021; staff has not heard from anyone regarding the property.*

*Chairman Williams asked if there was anyone in the audience who would like to speak regarding this housing case. Hearing and seeing none, he proceeded with the following motion.*

**A motion was made by Council Member Williams, seconded by Council Member Hudson, to adopt an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 1601 E. Commerce Avenue. The motion carried by the following unanimous 9-0 vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**Ordinance No. 7790/22-11  
Ordinance Book, Volume XXII, Page 107**

**PLANNING & DEVELOPMENT - Mayor Jay W. Wagner**  
**Pending Public Hearing (Continued from**

**2022-18      Covelli Enterprise-Zoning Map Amendment 21-31**

A request by Covelli Enterprise to rezone an approximate 0.9-acre parcel from a Conditional Use General Business (CU-GB) District to a Conditional Zoning General Business (CZ-GB) District. The site is located at the northwest corner of Eastchester Drive and Penny Road (2400 Penny Road).

*Note: The public hearing for this matter was initially held on January 18, 2022 and was continued at that time to Monday, February 7, 2022 at 5:30 p.m.*

*Herb Shannon, Senior Planner with the High Point Planning Department, advised this is a request to rezone a 0.9-acre parcel located at the northwest corner of Eastchester Drive and Penny Road (the location of the Panera Bread restaurant). This parcel was developed with a minor restaurant (a sit-down restaurant). The applicant desires to renovate this facility and convert it to a major restaurant (a restaurant with a drive-thru).*

*When this site was granted its current Conditional Use General Business zoning in 1998, this was one of the first commercial uses in this area, everything else remains rural farm lands. At that time, the Land Use Plan designated this area for office use. The Land Use Plan was also being updated at that time and the Eastchester Corridor was being established and there were many concerns from Council having a strip development along the Eastchester Corridor. There were specific nodes of commercial developments approved and this was one of the first nodes at the intersection of Eastchester Drive, Penny Road, and Skeet Club Road that a Conditional Use General Business zone was granted. The applicant has submitted this application to update this to a Conditional Zoning General Business District to update the conditions.*

*The application offered to remove the prohibition against drive-thru restaurants, but all other relevant conditions from 1998 that are not currently governed by the Development Ordinance are being carried forward. The primary change is to expand the commercial use to include that higher intensity commercial use. Over the proceeding years, the Shoppes at Deep River and the Paladium commercial plaza developed as a result of annexation and plan amendments that were approved. This created a situation with industrial developments from the north at Piedmont Centre extending southward and the area was left with this 13 acres at this intersection bounded by the east and south with commercial zoning and lands to the north and west were industrial.*

*In 2015, a proposal was brought forward for additional development and staff brought forward a plan amendment to update the Land Use Plan for this area and the office designation was changed to commercial. This allowed for expansion of the commercial node which has been looked at by staff through various plan amendments. The corner was changed in 2015 from Office to Community Regional Commercial to support higher density development. At that time, the abutting site, Kickback Jack's to the west of the site and Andy's Custard to the north was rezoned to Conditional Zoning General business specifically to support higher intensity commercial development including a major restaurant (with a drive-thru).*

*Key policies or observations from staff regarding this request are:*

**Compatibility with the surrounding area.** *Adjacent parcels are zoned to support and develop with higher intensity commercial uses. There are two abutting parcels to the north and parcels on the opposite side of Eastchester that allow higher intensity commercial uses, including a major restaurant.*

**Changes in the Land Use Policy for this area.** *Staff specifically evaluated this in 2015 and presented it to Council. The City Council changed the Land Use Policy for this area to support higher intensity commercial development. For that reason, the Planning and Development Department is recommending approval of this request to rezone this 0.9-acre parcel to a Conditional Zoning General Business District. This request was also reviewed by the Planning and Zoning Commission at their December public hearing and the Commission recommended approval stating that the request is consistent with adopted policy guidance because, as conditioned, the requested Conditional Zoning General Business District will align with adopted policy guidance documents established for this portion of the city's planning area. The Commission also determined that the request is reasonable and in the public interest citing similarity with previous zoning approvals granted in this area.*

*Following the presentation of the staff report, Mr. Shannon entertained any questions from Council.*

*Council Member Holmes asked if the three restaurants have been able to come up with any agreements regarding the shared drive. Mr. noted the representatives were present in the audience and they could expound on that. The key point that staff has noted to the various parties is that staff is focusing on this request to determine whether or not it is consistent with the Land Use policies that the City Council has established for this area and made the determination that it is consistent with the Land Use policies, so staff is recommending approval.*

*He explained that any private agreements are a separate issue to be addressed by the property owners and noted if this request is approved, the applicant would be required to submit plans for review by the Technical Review Committee and as long as the minimum requirements of the Development Ordinance are met, the request would be approved. He noted the key issue for Council's consideration is whether or not this is an appropriate location for a Conditional Zoning General Business District with the conditions offered by the applicant (mainly to allow a restaurant with a drive-thru).*

*Mayor Wagner asked if there were any additional questions/comments from Council. Hearing and seeing none, he noted the public hearing remains open and invited those who signed in to speak on this item.*

*Jennifer Fountain, an attorney in Greensboro representing T & J High Point, the owner of Kickback Jack's, reported that Mr. Tom Mincher, who is a member of T & J High Point could not be present tonight due to contracting COVID and was requesting a continuance. She relayed that he has been engaging in very frequent dialogue with the applicant in an effort to come up with a solution. She noted the reason for this is the property shares a shared access*

*drive that is located between Kickback Jack's and the Panera on the corner and also feeds into the Andy's in the rear.*

*She expressed concerns about the possibility of stacking and whether or not the drive-thru would be able to accommodate the stacking of the vehicles on its own site. She noted that no traffic study was conducted, although it was not required by the Development Ordinance, and expressed safety issue concerns of blocking the drive which could cause stacking into Penny Road which would prohibit patrons from coming in to access the other two businesses that are a part of the IMUD integrated development.*

*She informed Council that an agreement was reached on January 26th, but there has been some delay in getting it drafted by the applicant's attorney. She felt making a decision tonight would prove to be premature before the parties could come to an agreement about how to handle these potential issues. She requested another continuance to allow them to get the agreement nailed down and signed.*

*Council Member Holmes asked for confirmation that they are close to an agreement in spirit. Ms. Fountain replied in the affirmative and noted the agreement is actually on paper. She noted it was her understanding that the owner of the Andy's parcel has also seen the agreement and is in agreement, but it has not been presented for review by the applicant's landlord which will require additional time.*

*Mayor Wagner asked Ms. Fountain about the additional time needed and if a two-week continuance would help. Ms. Fountain felt two weeks would be sufficient.*

*Mayor Wagner then recognized Amy Dukat, who also signed up to speak on this matter.*

*Amy Dukat, representing Panera's, expressed agreement with everything said and confirmed that they do have a principle agreement on paper. She noted that while they have no problem with what has been agreed to, they have not spoken to the landlord about the agreement, so there is no guarantee that the landlord would agree and felt it could cause delay after delay. Regarding the stacking concerns, she pointed out there are never more than six cars which would only involve the distance of half of the building and felt it would not impact the driveway whatsoever. She advised that she was not aware that Andy's has agreed to the agreement, and it was uncertain as whether or not the landlord would agree because they would have to abide by the agreement for any future tenants.*

*Council Member Moore stated that Council would rather these types of things be worked out amongst good neighbors and asked Ms. Dukat if the two weeks would be acceptable. Ms. Dukat stated she had no problems with continuing for two more weeks, but reiterated her concerns that it might be delayed and delayed.*

*Mayor Wagner asked if there was anyone else in the audience desiring to speak. Hearing and seeing none, he proceeded with the following motion.*

**A motion was made by Mayor Wagner, seconded by Council Member Moore, to continue the public hearing for Zoning Map Amendment 21-31 until the February 21, 2022 Council Meeting @ 5:30 p.m. The motion carried by the following 9-0 unanimous vote:**



**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**GENERAL BUSINESS AGENDA**

**2022-43 Reappointments - Appointments - EDC Board**

City Council is requested to confirm the reappointment of the following members of the High Point EDC board, for a term beginning on the date of reappointment and ending on December 31, 2023.

- Beth Earnst, Akzo Nobel
- Chris Whitesell, New Path Digital
- Justin Thompson, Captivate Media
- Aaron Clinard, Clinard Consulting
- Scott Holbrook, Key Risk
- Brian Swierenga, Cambrex

**A motion was made by Mayor Wagner, seconded by Council Member Jefferson, that the preceding appointments/reappointments be approved. The motion carried by the following unanimous 9-0 vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**2022-44 Minutes To Be Approved**

- January 13, 2022 Finance Committee @ 4:00 p.m.
- January 18, 2022 Special Meeting of City Council @ 4:00 p.m.
- January 18, 2022 Regular Meeting of City Council @ 5:30 p.m.
- January 19, 2022 Public Safety Committee @ 4:00 p.m.

**A motion was made by Council Member Moore, seconded by Council Member Williams, that the preceding minutes be approved as submitted. The motion carried by the following 9-0 unanimous vote:**

**Aye (9):** Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, Council Member Jones, and Council Member Holmes

**ADJOURNMENT**

There being no further business to come before Council, the meeting adjourned at 7:43 p.m. upon motion duly made and seconded.

Respectfully Submitted,

\_\_\_\_\_  
Jay W. Wagner, Mayor

Attest:

\_\_\_\_\_  
Lisa B. Vierling, MMC  
City Clerk

DRAFT