

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING  
November 7, 2016 – 5:30 P.M.**

**ROLL CALL AND MOMENT OF SILENCE**

*Mayor Bencini called the meeting to order and asked for a moment of silence, which was followed by the Pledge of Allegiance.*

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

**Present:**

*Mayor William S. Bencini, Jr., Mayor Pro Tem Jeffrey Golden (Ward 1); and Council Members Cynthia Y. Davis (At-Large), Latimer Alexander (At-Large); Christopher Williams (Ward 2), Alyce Hill (Ward 3), Jay Wagner (Ward 4), James C. Davis (Ward 5) and Jason Ewing (Ward 6).*

**RECOGNITIONS AND PRESENTATIONS**

**160346      Presentation- Business High Point**

*Scott Tilley, Chairman, Business High Point, Inc., Patrick Chapin, CEO, Business High Point, Inc. and Chris Dunbar with Blueridge Development presented a check in the amount of \$90,000 for the Lexington Avenue gateway study. Mayor Bencini expressed appreciation to them for the contribution.*

*A photo opportunity followed the presentation of the check.*

**STRATEGIC PLAN UPDATE**

**160322      Strategic Plan Update**

**Blight & Housing**

*Mayor Pro Tem Golden advised that he was very pleased with the results recently received from the Center for Community Progress. He proceeded to provide a summary of the Code Enforcement Activity Report for October:*

- 146 active minimum housing cases
- 152 public nuisance complaints
- 112 signs removed

*The last Code Enforcement officer position has been filled as of today.*

*Staff continues to move forward in making the Accela Public Access portal more user-friendly.*

**Millennial Task Force Update**

*Council Member Ewing advised that the Millennial Task Force is now called Connect HP and recognized Sarah Belle Tate, the current chair of Connect HP.*

*Sarah Belle Tate recognized Megan Oglesby, who is currently serving as the Vice-Chair for connect HP. She proceeded to report on their last two meetings held on September 16th and October 16th. At the September 16th meeting, they heard a brief presentation on Forward High Point and discussed two upcoming events: Plant the Greenway Day (scheduled for October 16th). This successful event was organized by Ralph Soviero, a Connect HP task force member. The second event they discussed was their upcoming Young Professionals Summit that will be held on November 17th.*

*For the Plant the Greenway event, they had over 40 volunteers to come out that day to help improve the greenway. They planted native flowers to NC, Paw Paw trees and blueberry bushes. She advised when the trees/bushes bloom, it can help with the food desert problem currently facing the community.*

*At the September meeting, they also identified four sub-committees to begin in 2017 that will further create, engage and include more people in addition to those that are currently serving on the task force. These four sub-committees are themed based on what the task force decided was an engaged citizen.*

- You live here
- You work here
- You play here
- You serve here

*At their October 21st meeting, they heard a more detailed presentation about Forward High Point and continuing to establish that relationship from Forward High Point's President and CEO, Ray Gibbs. They also heard a second presentation by Reggie Hucks, who is new at the city and he enlightened them on the permitting process for businesses. They also scheduled a mini winter retreat, which will be held on December 4th.*

*Ms. Tate then gave a little more detail surrounding the Young Professionals Summit (YP Summit) that is scheduled for November 17th with the target age range of 18-40. It will be hosted at the High Point Elks Lodge and City Manager Greg Demko will be their keynote speaker. she advised that initially they anticipated 75-100 attendees, but when they opened registration, they had over 100 in a month that registered for this event. They then went back to the venue location to see what the maximum number of people would be allowed. They were told it was 150 and Ms. Tate pointed out just nine days before the event, they had 153 slots that were already filled.*

*Council Member Ewing thanked Ms. Tate, Ms. Oglesby and Connect HP for their vision. He stated he was overly impressed with Connect HP and how they have run with the initiatives and how they were taking Council's strategic goals and putting them on steroids. Mayor Bencini also thanked them for their participation and leadership.*

## PUBLIC COMMENT PERIOD

### **160323      Public Comment Period**

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

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

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

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

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

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

*Letishia Bahena, 1414 R. C. Baldwin Avenue, addressed Council regarding concerns in her neighborhood. Ms. Bahena also shared that she is currently serving as a High Point Human Relations Commissioner and serves on the Greater High Point Food Alliance Executive Committee.*

*She shared that her neighborhood is drug infested and she has been attempting to get some help for a very long time. She shared an incident that occurred in 2014 that unnerved her when the FBI came to her house with guns drawn, but had the wrong home. She pointed out there is a daycare located within 100 feet of where drugs are being sold. Ms. Bahena stated she has repeatedly called police, crime stoppers, councilmen and pleaded that something be done, but to no avail and gave an emotional plea for the city to do something.*

*Mayor Bencini asked the city manager to get with law enforcement and direct some attention to address Ms. Bahena's concerns.*

There being no one else present to speak, the Public Comment Period was closed.

## **CONSENT AGENDA ITEMS**

*Chairman J. Davis reported that the Finance Committee met on November 3rd and recommended approval of the following finance items. He recommended that these be rolled all into one motion for approval.*

**At this time, Chairman J. Davis MOVED to approve all finance-related matters on the Consent Agenda. Council Member Williams made a second to the motion, which carried unanimously. [9-0 vote]**

*Note: Although one motion was made to approve/adopt these matters under the Finance Committee Consent Agenda, action on all of these matters will be reflected throughout the*

*Consent Agenda portion of these minutes as being made and seconded by the same persons.*

**FINANCE COMMITTEE - Council Member J. Davis, Chair**  
*Committee Members: J. Davis, C. Davis, Alexander and Hill*

(all were present)

**160324      Contract - Everbridge Notification System**

Council is requested to adopt a Resolution authorizing a Memorandum of Agreement (MOA) between the City of Greensboro, City of High Point and Guilford County for the shared use of community notification system.

Adopted a Resolution authorizing a Memorandum of Agreement (MOA) between the City of Greensboro, City of High Point and Guilford County for the shared use of community notification system.

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

**Resolution No. 1651/16-51  
Introduced 11/7/2016; Adopted 11/7/2016  
Resolution Book, Volume XIX, Page 121**

**160325      Agreement- Level 3 Communications, LLC**

Council is requested to approve a Pole Attachment Agreement with Level 3 Communications which will allow attachment of their lines/equipment to the City's overhead distribution system.

Approved a Pole Attachment Agreement with Level 3 Communications.

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Agreement be approved. The motion PASSED by a 9-0 unanimous vote.**

**160326      Supplemental Agreement - HDR - E. Lexington Avenue Phase I Feasibility Study**

Council is requested to approve a Supplemental Agreement with HDR for a transportation study to determine the feasibility of proposed improvements for the E. Lexington Avenue / Greensboro Road corridor, between I-74/US311 and N. Centennial Street, Phase I.

Approved a Supplemental Agreement with HDR for a transportation study to determine the feasibility of proposed improvements for the E. Lexington Avenue/Greensboro Road corridor, between I-74/US 311 and N. Centennial Street, Phase I.

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Agreement be approved. The motion PASSED by a 9-0 unanimous vote.**

**160327      Budget Ordinance Amendment - E. Lexington Avenue Phase I Feasibility Study**

Council is requested to adopt an ordinance amending the 2016-2017 Annual ordinance to appropriate funds in the amount of \$135,511 for the East Lexington Avenue Phase I Feasibility Study.

Adopted an Ordinance amending the 2016-2017 Annual Budget Ordinance to appropriate funds in the amount of \$135,511 for the East Lexington Avenue Phase I Feasibility Study.

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7241/16-61**

**Introduced 11/7/2016; Adopted 11/7/2016**

**Ordinance Book, Volume XIX, Page 124**

**160344      New Cingular (Crown Castle) License Agreement Fourth Amendment**

Council is requested to approve an amendment to the original license agreement held with New Cingular (Crown Castle) allowing installation of a backup generator at the Ward Water plant tower site.

Approved an amendment to the original license agreement held with New Cingular (Crown Castle) allowing installation of a backup generator at the Ward Water Plant tower site.

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Agreement be approved. The motion PASSED by a 9-0 unanimous vote.**

**160345      Cry Wolf - False Alarm Reduction Program**

Council is requested to approve the contract with Cry Wolf for the administration of the City's False Alarm Reduction Program.

Approved the contract with Cry Wolf for the administration of the City's False Alarm Reduction Program.

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

**REGULAR AGENDA ITEMS**

**FINANCE COMMITTEE** - *Council Member J. Davis, Chair*

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

(all were present)

**160329      Learn to Swim Program - High Point Students - Guilford County Schools**

Ed Price, Guilford County School Board Member, will be make a presentation to City Council on the "Learn to Swim" program for second graders in the Guilford County Schools.

*Ed Price, who has been serving as High Point's representative on the Guilford County Board of Education, but did not seek re-election, was present to make a request for a \$10,000 contribution from the City of High Point for High Point's "Learn to Swim" program for second graders in the Guilford County Schools. He recognized Dianne Bellamy-Small, the soon-to-be incoming Guilford County School Board Member who will be representing High*

*Point in District 1. Ms. Bellamy-Small was instrumental in getting the swim program started in Greensboro. Mr. Price advised it is their goal to teach every second grader in the City of High Point how to swim. The program will be carried out in conjunction with a partnership with the High Point YMCA, Wesleyan Christian Center and the Aquatics Center in Greensboro. There are 14 elementary schools in High Point and approximately 1,100 students in the second grade. He explained that the High Point Swim Club already has a similar program in place for 3rd graders. He reported that Greensboro has experienced a tremendous success rate for their program.*

*Mr. Price stated it is their intent to do Fairview Elementary, Kirkman Park, Montlieu, Oakview, Parkview, Shadybrook and Johnson Street this year and the second half of the year they plan on picking up Northwood, Oak Hill and Triangle Lake. He advised there are four elementary schools that will be left out due to the availability of funding, but they do plan on picking them up in the coming year.*

*On a side note, Mr. Price pointed out 40% of the schools in Guilford County are located in High Point in the western region (which is twice any other region). He stated he realized it is not the city's obligation, but highly urged Council to step up in years to come for after school and reading programs because there are some major issues confronting High Point.*

*Following Mr. Price's remarks, Ms. Bellamy-Small distributed some literature on the swim program. She advised that she has been a volunteer since the inception of the program in Greensboro and shared some stories of her experience with the children. She stated after Greensboro's "Learn to Swim" program graduation in June, she and the Greensboro Aquatics director talked out the possibility of their staff going to High Point if High Point could come up with locations that have facilities with indoor pools in High Point. In September, an announcement was made that two locations for the program were confirmed in High Point (the YMCA on Hartley and the Wesleyan School). Ms. Bellamy-Small reported that their curriculum mirrors the state approved curriculum in the area of health and fitness. Regarding the cost, she advised that it costs approximately \$4,000 per school for the "Learn to Swim" Program which includes transportation, swim clothes, towels, instructors, etc...). Following her comments, she urged Council to make a decision to pave the future for these students.*

*Council Member J. Davis felt this provides a perfect example of city hall, schools and the community working together for the betterment of the children.*

**At this time, Council Member Wagner moved to suspend the rules to add this matter to tonight's agenda for consideration. Council Member Ewing made a second to the motion, which carried unanimously.**

**Council Member J. Davis then moved to instruct the city manager to find \$10,000 in the city budget to contribute to the "Learn to Swim" Program. Mayor Pro Tem Golden made a second to the motion.**

*For further discussion, Council Member C. Davis commented that this builds the morale for children at a very young age and gives them a sense of success early on in their school experience and this was important to her.*

*Council Member Alexander stated he would like to make sure this funding request gets into the city's annual non-profit funding requests and felt it should be a line item in the budget for the non-profit funding.*

*Serving as a YMCA board member, Council Member Wagner expressed excitement for them to be able to partner with the other groups involved to help make sure kids learn to swim. He felt it was a great example of government and the private sector working together to do something that's right for the kids.*

*Prior to the vote being taken on this matter, Mayor Bencini expressed his appreciation to Mr. Price for his service to the Guilford County Board of Education and also thanked Diane Bellamy-Small for her service.*

**There being no further discussion, the motion carried unanimously. [9-0 vote]**

**Approved \$10,000 in the city's budget to contribute to the "Learn to Swim" Program.**

**160328**

**Comprehensive Fee Schedule FY 2016-2017 for the City of High Point**

Council is requested to adopt the Comprehensive Fee Schedule for FY 2016-2017 for the City of High Point. Newly proposed fees and changes to existing fees will be effective January 1, 2017.

***Note: This matter was discussed during the Finance Committee Meeting on November 3rd. The Finance Committee took action to forward the Comprehensive Fee Schedule FY 2016-2017 minus the Public Services fees to the City Council. The Public Services portion of the fee schedule will remain in the Finance Committee for further review/discussion.***

***Chairman J. Davis:*** Our next item on the regular agenda is a comprehensive fee schedule. Council is asked to adopt it which will be effective in January 2017. There is note at the bottom if you'll look at that. We did separate the public services portion out of it. We had some questions about some of the water taps and meter prices, etc.... from the community, so we left that in committee. I guess Eric is going to tell us about it.

***Eric Olmedo:*** I'll just tell you briefly. Mayor and Council, before you is a comprehensive fee schedule. There's really two parts to this. The majority of the document (about 80 pages) are fees and charges that have already been approved by Council through other actions and we're not asking you to do anything but affirm the comprehensive nature of the document. There were two pages at the beginning of the document that showed either new fees for a change to an existing fee and those were highlighted as Mr. Davis said. The Public Services fees, the Finance Committee asked for those to be held until a future date, but there is a one- page document of development fees that we are asking you to adopt in conjunction with the comprehensive fee schedule.

***Chairman J. Davis:*** Does anybody have any questions or comments for Eric?

***Council Member Alexander:*** How were the fees for Public Services, water tap fees and that kind of thing? How were these fees derived?

**Eric Olmedo:** *They were derived from a combination of benchmarking with other cities. The Public Services Department worked on those directly and provided those to the Budget Department. But that is one of the things I believe the Finance Committee asked for us to do was to go back and do a little bit more work on that to clarify how those fees were derived.*

**Council Member Alexander:** *So, has for instance, a one-inch water tap we're currently charging \$1,040 and the proposed fee is \$1,610. What would be our real cost in providing that? I mean is that factored into your fee schedule?*

**Eric Olmedo:** *I'll let Mr. Houk address that.*

**Terry Houk, Public Services Director:** *We calculated those costs on our true costs for personnel and equipment and that's how we derived at those numbers. The numbers have not been adjusted since the late 90s I believe.*

**Council Member Alexander:** *Okay, so to install a one-inch water tap it's approximately \$1,610?*

**Terry Houk:** *Based on the cost of the meter and the manpower involved and the equipment.*

**Mayor Bencini:** *Say it's been roughly twenty years since it increased?*

**Terry Houk:** *Yeah, roughly.*

**Chairman J. Davis:** *I will say that being a builder in the development community and being chair of this committee, I did have a lot of calls especially from plumbers and people in that area. Because if you look at the numbers, a water and sewer tap and a water meter is currently \$2,100 and it goes to \$3,610. Some of the concerns were some of these projects have already been bid out, you know, at the old prices and they were surprised that we put it back in Committee.*

**Mayor Bencini:** *So we're not being asked to deal with those tonight.*

**Chairman J. Davis:** *Correct.*

**Council Member Alexander:** *Well, how far out do people give bid prices? I mean this was effective January 1st, which you know that's 60 days.*

**Chairman J. Davis:** *That was just one of the concerns. What we asked was just to give us a comparison of what other cities around us are charging and other information and staff agreed to do that. We'll review it maybe as early as next Finance Committee meeting. I don't know.*

**Mayor Bencini:** *Mr. Davis, is there a motion for the remaining portion of the fee schedule?*

**Chairman J. Davis:** **I will MOVE TO APPROVE ITEM #160328, THE SEPARATION OF THE TWO FEE SCHEDULES.**

**Mayor Bencini:** *We have a MOTION. Do we have a SECOND?*



**Council Member Wagner:** SECOND.

**Mayor Bencini:** We have a SECOND. Any further discussion?

**Council Member C. Davis:** Yes. After the Finance meeting, or during the Finance meeting when we were looking at the totality of this document, I asked staff a couple of questions. Well I asked one question and it got two statements. I asked the question in regards to the public information fee structure that we set up, if someone were to come in from the audience that was less fortunate and couldn't afford the fee structure as laid out here, whether or not we would be willing to give them the information. And the response was that we were looking at ways to prove that they would have a hardship. I don't think that's something that we should be doing. And then I was also told with the same question that they could sit at city hall and go through the information. And then I spoke with a colleague who expressed some concern after I shared that particular part of the conversation.

The other part was a question or subject matter which I did not raise, but I will raise it now. It was added to that they were also....staff was also looking at a way that if someone said they needed printed copies due to, for instance a learning disability, and they said they needed a copy because that's how they learn, that's how they retain, that a doctor's note could be required. And I think that's a bit much also. Especially for our citizenry and certainly for me should this Council go forward with their implementation and conversation in regards to charging elected officials for information once that comes off the table. So I want to disclose, yet again, during this meeting that I am dyslexic. This is the only job that I've ever had at 47 years of age that anyone has dared to challenge that and where a doctor note confirming that was done back in the 1970s is insulting and belittling at best. \

So I would ask that we look at this in regards because this is for the public and it's not for council members thus far, but that has been tabled for further discussion. I think if there are a lot of individuals within our community that may suffer from the same learning disability that I suffer from as well as other disabilities that may require them to ask for information in print and asking them to obtain a note from their doctor to verify such a disability is insulting to them also. So I would like to see us table this or have further discussion before we move forward. The copies where it says black and white and color, we don't have a specific number of pages that we could consider giving to the public seeing how they are, in fact, our employers. That there may be a reasonable amount of pages that a person could receive from their employees, which we all are, for their review and not cause them a burden. And that's what I am putting before you for consideration during this conversation and/or discussion. I would really appreciate some feedback and not just a dismissiveness of the fact that I've said what I needed to say. I'd really like for some of you to respond to what I've said.

**Council Member Ewing:** I'll respond to the first part, Ms. Davis. I think we saw in our early presentation in regards to property taxes and how many are delinquent and the percent of people that when a tax lien is forced actually come forward and pay that work the system. I don't think it is inappropriate pertaining to hardship to ask for some sort of evidence of hardship.

**Council Member C. Davis:** What would that look like, Mr. Ewing?

**Mayor Bencini:** *I don't think....we're not going to get in a back and forth on this. Thank you for your comments Ms. Davis and Mr. Ewing. Does anybody else want to comment?*

**Council Member Alexander:** *I call the question.*

**Mayor Bencini:** *You called the question. All those in favor, say Aye.*

**Mayor Bencini, Mayor Pro Tem Golden, and Council Members Alexander, Hill, Wagner, J. Davis and Ewing:** **AYE.**

**Mayor Bencini:** *Those opposed, say NO.*

**Council Members C. Davis and Williams:** **No.**

**Mayor Bencini:** *That motion CARRIES.*

*[end of transcript]*

Adopted the Comprehensive Fee Schedule for FY 2016-2017 containing the following fees and changes to existing fees will be effective January 1, 2017: City Clerk's Office; Electric; High Point Transit; Library; Parks & Recreation; and Planning and Development.

**Note:** *The proposed fees for Public Services were removed from the adopted FY 2016-2017 Comprehensive Fee Schedule and will be discussed and considered at a future date.*

A motion was made by Council Member J. Davis, seconded by Council Member Wagner, to adopt the Comprehensive Fee Schedule for FY 2016-2017 to be effective January 1, 2016 minus the portion for the proposed Public Services fees, which will remain in the Finance Committee for further review/discussion. The motion carried by the following 8-1 vote:

Aye (7): Council Member Hill, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member Davis

Nay (2): Council Member Williams, and Council Member Davis

**160370**      **Comprehensive Fee Schedule - Public Services Department**

Consideration of the proposed Comprehensive Fee Schedule for the Public Services Department of the City of High Point.

The proposed fees for Public Services were removed from the adopted FY 2016-2017 Comprehensive Fee Schedule (160328) and will be discussed and considered at a future date.

**This matter was referred back to the Finance Committee for further discussion.**

**160348**      **Release of Liens- 524 Radford**

Council is requested to acknowledge release of liens on the 524 Radford property.

Council Member Alexander moved to suspend the rules so this matter could be placed on tonight's agenda for consideration. Council Member Williams made a second, which carried unanimously.

**Council Member J. Davis moved that Council acknowledge the waiver and release all claims of liens on 524 Radford Street and authorize the city attorney to execute any documents necessary for the effectuation of the same. Council Member C. Davis made a second, which carried unanimously. [9-0 vote]**

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Mayor Pro Tem

*Golden, Chair*

*Committee Members: Golden, Alexander, Ewing and Williams*

(all were present)

**160330      Ordinance - Demolition of Structure - 512 Hines Street**

Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 512 Hines Street belonging to Eliseo Zavala. (At the November 7, 2016 meeting this item was deferred to the December 5, 2016 Council Meeting.)

*Lori Loosemore, Local Codes Enforcement Supervisor, provided an overview of the staff report for this housing case, which is hereby attached in Legistar as a permanent part of these proceedings.*

*Ms. Loosemore reported that there were several major violations due to a fire that occurred in the structure in 2009. The property owner did not appear for the hearing, but did contact staff afterwards about their plans to make repairs to the property. They came to obtain permits last week, but were turned down. She noted that a building permit was obtained in 2010, but that permit has since expired.*

*Eliseo Zavala, owner of the property at 512 Hines Street, who currently resides at 2050 E. Sprague Street in Winston Salem, addressed Council. He explained that due to financial problems, he had to leave the country, but he now has a steady job and is trying to save money for repairs. He shared that he has some friends who are contractors and he plans on trading some work with them. He asked for additional time in order for him to make the necessary repairs and noted that he does plan on living there.*

*Council Member J. Davis asked if the estimated repairs were more than \$30,000. Ms. Loosemore noted the inspectors came up with a \$25,500 estimate for the cost of repairs so the property owner would not be required to get a general contractor to make the repairs. There were some questions as to why the property owner was denied a permit.*

*Council Member Alexander inquired as to if the property owner would be able to financially make the repairs. Ms. Loosemore stated if Council does not uphold the order, then the property owner could go back and try to obtain a permit. Council Member Alexander asked if the city would work with the property owner if he is able to obtain a permit. Ms. Loosemore replied that if Council adopts the ordinance for demolition, the staff would work with him if the 60-75% of the work is done within the next 30 days. Mr. Zavala assured Council that he had the means to make these improvements to his property due to money that he has already set aside and materials that he has already purchased to make the necessary*

repairs. Ms. Loosemore confirmed that the inspectors would work with Mr. Zavala based on the progress and repairs made to the property.

Council Member J. Davis inquired about any other nuisances that have been documented in the neighborhood. Ms. Loosemore believed there may have been one public nuisance in the neighborhood earlier in the summer. Chairman Golden noted he was familiar with the neighborhood and there was some blight, but not as bad as some of the other areas. He questioned the property owners' hardship, as well as the lack of communication between the property owner and the staff for the action that is before Council tonight.

Council Member J. Davis stated he would like to work with the property owner since he is trying to make significant improvements to the property and if this does not happen, then Council can always revisit it and move forward with the demolition order. Council Member C. Davis asked for confirmation that Council was previously advised by the City Attorney that the Council should either vote up or down or table these matters. City Attorney JoAnne Carlye noted that her advice was for Council to try to resist granting additional time to property owners and to refrain from giving one individual or property owner a certain amount and another a different amount. She trusted the inspector's opinion and expertise.

Council Member Ewing expected from previous conversations that Council should vote it up or down as has been instructed in the past. Council Member Alexander hoped that the property owner would make every effort to make the repairs quickly and felt Council needed to support the inspectors and move through the process. Mr. Zavala, the property owner, admitted that he would have to work day and night and get his friends involved to help him with making the repairs and agreed to keep the inspectors apprised of the progress.

City Attorney Carlye advised if there is any question as to whether or not the property owner has been denied a permit, then that would set this case apart from other cases. She felt it might be worthwhile to at least investigate the reason why Mr. Zavala was denied a permit.

**Chairman Golden then moved to table this matter until the first meeting in December, which would be December 5th. Council Member Williams made a second to the motion, which carried unanimously. [9-0 vote]**

**160331**

**Ordinance - Demolition of Structure - 1208 Pearson Street**

Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 1208 Pearson Street belonging to Katherine Phelps.

Lori Loosemore, Local Codes Enforcement Supervisor, provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. She reported that an inspection was done on May 15, 2013 and no one appeared for the hearing. She pointed out this was actually heir property because Katherine Phelps is deceased. No one appeared before the hearing. The heirs did contact the inspector and said they plan to make repairs. Ms. Loosemore noted the property was in such bad condition that staff did not go in due to safety concerns and pointed out the property owners is eight year's delinquent on the property taxes.

There was no one present to speak on behalf of the property owner,

*Adopted Ordinance requiring the building inspector to effectuate the demolition of a structure located at 1208 Pearson Street.*

**A motion was made by Mayor Pro Tem Golden, seconded by Council Member Williams, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7242/16-62**

**Introduced 11/7/2016; Adopted 11/7/2016**

**Ordinance Book, Volume XIX, Page 125**

**PROSPERITY & LIVABILITY COMMITTEE** - Council Member Ewing, Chair

*Committee Members: Ewing, Williams, Hill and Wagner  
(all were present)*

**160347      Ratification of Connect HP (formerly known as Millennial Task Force)**

Council is requested to ratify the Connect HP (formerly known as Millennial Task Force). Council Member Alexander moved to suspend the rules so this matter could be placed on tonight's agenda for consideration. Council Member Williams made a second, which carried unanimously.

*City Attorney JoAnne Carlyle advised that on March 22, 2016, Council voted to develop a Millennial Task Force within the next 90 days and quarterly reports be provided to Council thereafter. The Task Force was created and reports have been provided to Council; however, the City Council did not formally ratify the Task Force's formation and Council should take action to that effect.*

**Council Member Ewing moved that Council ratify the formation of the Millennial Task Force, named Connect HP and continue to receive reports on a quarterly basis. Council Member C. Davis made a second to the motion, which carried unanimously. [9-0 vote]**

**PLANNING & DEVELOPMENT COMMITTEE** - Council Member Wagner, Chair

*Committee Members: Wagner, C. Davis, J. Davis and Golden  
(all were present)*

**160332      Resolution of Intent - Annexation 16-07**

Approval of a Resolution of Intent that establishes a public hearing date of November 21, 2016, to consider a voluntary contiguous annexation of approximately 1.84 acres lying along the south side of Sandy Ridge Road, approximately 570 feet west of Legacy Drive. The property is also known as Guilford County Tax Parcel 0169220.

Adopted Resolution of Intent establishing a public hearing date of November 21, 2016, to consider a voluntary contiguous annexation of approximately 1.84 acres lying along the south side of Sandy Ridge Road, approximately 570 feet west of Legacy Drive.

**A motion was made by Council Member Wagner, seconded by Council Member Ewing, that this Resolution of Intent be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Resolution No. 1652/16-52**  
**Introduced 11/7/2016; Adopted 11/7/2016**  
**Resolution Book, Volume XIX, Page 122**

**160333      Initiation of Zoning Map Amendments**

A request by the Planning and Development Department to initiate a zoning map amendment to rezone the City of High Point Mechanics Bay located at 213 Fisher Avenue from the new Residential Single Family-5 (RS-5) District to the Office Institutional (OI) District.

*Heidi Galanti with Planning & Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. Ms. Galanti explained that Mechanics Bay located at 213 Fisher Avenue will be a nonconforming use in the new Residential Single Family-5 (RS-5) District that goes into effect on January 1, 2017. Staff is requesting that the City Council initiate a rezoning of this property to the Office Institutional (OI) so that it will be a conforming use.*

Approved the request by the Planning & Development Department to initiate a zoning map amendment to rezone the City of High Point Mechanics Bay located at 213 Fisher Avenue from the Residential Single Family

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this matter be approved. The motion PASSED by an 9-0 unanimous vote.**

**160343      Acceptance of Guilford County Appointees to the Planning & Zoning Commission and the Board of Adjustment**

Council is requested to endorse the appointment of Mr. John McKenzie to the Planning & Zoning Commission as the Extraterritorial Member and Ms. Sandra Dunn to the Board of Adjustment as the Extraterritorial Member.

Approved the endorsement of the appointment of John McKenzie to the Planning & Zoning Commission as the ETJ member and the appointment of Sandra Dunn to the Board of Adjustment as the ETJ member.

**A motion was made by Council Member Wagner, seconded by Council Member Davis, to endorse the preceding ETJ appointments as requested by the Guilford County Board of Commissioners. The motion PASSED by a 9-0 unanimous vote.**

**PUBLIC HEARINGS**

**160334      Resolution - High Point University - Street Abandonment 16-02**

*A request by High Point University to abandon the eastern portion (approximately 72 feet) of the North Avenue right-of-way. The portion of North Avenue to be abandoned is lying west of N. Centennial Street.*

*Note: The staff report will be attached in Legistar as a permanent part of these proceedings.*

**Herb Shannon:** *Herb Shannon with the Planning & Development Department. A little bit of history on this request. Street Abandonment Case 16-02 is a request by High Point University. They have submitted an application to abandon the eastern portion, approximately 72 feet of the North Avenue right-of-way line opposite of the university campus. Just to orient everyone, this is N. Centennial Street. To the east, you have High Point University campus. To the west is a residential neighborhood and this area that's cross-hatched is the portion of North Avenue that the university has requested abandonment.*

*A little bit of history. This request was initially reviewed by the Planning & Zoning Commission at their March public hearing. By a vote of 6-1, the Commission recommended denial. It was initially scheduled for City Council review in April and that was postponed to your June meeting. At the June meeting, the applicant requested the item be referred back to the Planning & Zoning Commission for additional information to be submitted. At the July 26th Planning & Zoning Commission meeting, the Commission, once again, reconsidered and reheard this item. And they again recommended denial by a vote of 7-1. This would be your public hearing for the Council's consideration of this request.*

*The university owns the abutting parcel to the north and to the south. The fact that they own those abutting parcels, they have submitted a request to abandon this portion of this public right-of-way. This is a little bit different from some of the other street abandonments that you have reviewed. Previously most of those requests have been what we call "paper streets" where it's been platted, but it's never been approved. In this situation, this portion of North Avenue is a paved, improved public right-of-way and used by the motoring public. It provides access to the abutting neighborhood and extends about two blocks west from Centennial Street. High Point University has proposed abandonment in which they would remove the pavement, seed that area and make it part of the perimeter landscaping or grass area that you see along that portion of Centennial Street that is outside of the campus.*

*This is a four-way intersection within the core city. This is not an unusual situation in the core city where you have four-way intersections and there have been no identified public safety issues from this intersection as evaluated by the Transportation Department.*

*As far as findings and recommendations, the university early this year or late last year did submit a conceptual plan to TRC just for review and comment in which they proposed to install a cul-de-sac at this location. They would still remove the pavement, install the cul-de-sac at that location. In order to eliminate situations if it is approved of having trucks having to back up. However, the installation of a cul-de-sac cannot be a condition of a right-of-way abandonment. No conditions can be a part of the abandonment. The only thing that Council can do is reserve easements if there are utility easements. When we've had several situations, the applicant would go ahead and submit for official TRC approval, pull permits and then submit to Council for abandonment with the permits in hand. To date, no approval or permits for that road improvement has been issued.*

*The TRC did evaluate this and noted that there are several utility lines in this area. If abandoned, easements would either be retained. We would need to retain a 20-foot wide sanitary sewer easement, a 15-foot wide water easement, a 30-foot wide Piedmont Natural Gas easement, and a 20-foot wide NorthState Communications easement.*

*As previously noted, the P & Z did reconsider this. Key points from their evaluation was:*

- 1. The applicant at that meeting submitted two police reports or accidents. The Commission noted that the two accidents had nothing to do with North Avenue. One*
- 2. was for vehicles traveling along North Centennial in this location near the street. The other was for a vehicle on the opposite side exiting out of the university from Alumni Drive onto North Centennial. So they noted there were no specific evidence of traffic accidents dealing with vehicles exiting North Avenue.*
- 3. The second thing that the Commission noted is the applicant noted that they are going to be looking at quite a bit of an expansion in the future and with that, there will be more traffic. The Commission noted that with the university expansion and just development in the city in general, there would be more traffic over time. However, there's been no evidence of any public safety issues and the Commission reaffirmed with the Transportation Department that there's been no identified public safety issues at this intersection.*
- 4. Finally, the university expressed concern that the university would continue to request closing public streets outside of the campus along the perimeter where there are no public safety issues. They also expressed concerns that other applicants could use this as a precedent to justify the closing of a street when there are no public safety issues.*

*Those are the reasons the Planning & Zoning Commission submitted a recommendation to you for denial. That's just a brief summary. I don't know if you have any questions of staff at this time.*

*Bob, if you could just scroll very briefly through the pictures. This is just an aerial photo of that area. This is a shot taken from North Avenue towards the university campus. The final pictures are from the campus looking towards North Avenue. I believe there are two more pictures on the next page.*

*Are there any questions of staff at this time?*

**Council Member C. Davis:** *Herb, I have a question. When this was brought before Planning & Zoning both times that it was brought forward, it was due to public safety concerns that they wanted the street closed. Is that correct?*

**Herb Shannon:** *That was one of the reasons the applicant had noted I believe. When they do their presentation, they can go into more detail on it.*

**Council Member C. Davis:** *Thank you.*

**Chairman Wagner:** *Any other questions for Mr. Shannon? Is there anyone here from the university to speak to this?*

**Barry Kitley:** *Barry Kitley, 4114 Ponce De Leon Drive High Point. Just to speak briefly, we can go back through the points in the file folder. I've got James Pritchett from Jamestown Engineering and Royal Hinshaw here who are with Davenport Traffic Engineering. I just*



wanted to sum up the request in two points. And the first point goes back to the safety issue. We've got 3,300 student trips coming out of Alumni Avenue every day. So when that vehicle stops at Alumni Avenue, they look to the left. They look at the turn lane; they look at the left-hand traffic. They look at thru-traffic on North Avenue. They look right. They look at the right turn signal again. Then go back and do it all over again before you actually make your move and come out. That's what I'm trying to eliminate. I'm trying to eliminate two of those conflict points: looking straight across and North Avenue. There was just another accident last week. I'm not saying that closing North Avenue could prevent those accidents. What I'm saying is the intersection is congested and I want to eliminate several of those conflicts. Right now as it exists, there are 32 conflict points. By eliminating North Avenue, it goes down to nine conflict points.

So that's the issue that I'm trying to say is I'm going to make it safer. That's the second point. No one can argue that what we're trying to do does not make the intersection safer. I'm not saying there's an issue now. I'm saying what we propose to do will definitely make the intersection safer by increasing the level of service from a four-leg to a three-leg intersection. That can be wrapped in these two points.

**Chairman Wagner:** Does anyone have any questions for the applicant? [none] Thank you, Mr. Kitley. There was a Constance Gathings that signed up to speak.

[public hearing was opened at this time]

**Constance Gathings:** Good evening Council Members. I thank you for the opportunity to express my approval for High Point University's request to close, well not to just close, but to make North Avenue a cul-de-sac. So I am in approval of that. My address is 478 Stafford Park, Winston Salem, North Carolina and I am the property owner at 406 North Avenue.

**Chairman Wagner:** Thank you very much. Is there anyone else present who would like to speak on this matter? Okay, I will close the public hearing on that item. I just want to ask our attorney to clarify, since this is not a zoning case, it's a street abandonment case, what are the required number of votes for passage?

**City Attorney JoAnne Carlyle:** You have findings in the statute that you must adhere to. One is that it not be contrary to the public interest. And the other is whether or not the property owners would be denied ingress and egress from the property.

**Council Member J. Davis:** That actually makes it worst for me.

**Chairman Wagner:** Well, I mean, it's the opinion of staff. We'll deal with number two first, that will be the easier of the two. I mean is it the opinion of staff that anyone is being denied reasonable access? It doesn't seem to be because you can come from the west and still get to your property. So really question number one is the only question as to whether it's in the public interest not to do it. The floor is open. We determine what the public interest is so, the floor is open to you guys.

**Council Member Williams:** Well I can tell you that I canvassed that road from the corner of Denny and North going onto Centennial. I spoke with constituents. Actually they contacted me first, to ask for approval to say that they wanted this. I can count there were one, two,

*three, four, five houses that are on the left that if you are facing east. They called me directly and I went over there myself and asked questions to a couple of the ones that I couldn't reach by phone. To them, they wanted it. That's the reason why I brought the information back up when it came before Council. It was the constituents that started that.*

**Mayor Bencini:** *So the neighborhood residents, their desires are consistent with the desires of the university?*

**Council Member Williams:** *Yes.*

**Council Member C. Davis:** *Not the ones that I spoke with Councilman Williams. There were a couple that I spoke with. One at length at McDonalds for about a two-hour conversation twice. The only reason that he would even consider, although at this point he's not sure that he even wants to consider, is that the university had promised to purchase his property upon the contingency that the street was closed. I think that the university, in my opinion, can if they want to mitigate the traffic on Alumni coming out onto Centennial. They own the property on Alumni. They can put a cul-de-sac there and re-route their students through the campus. The university has made it very clear to this community by putting up guard houses and fences that they don't want to be accessed by the community. So that is a resolution to their problem without cutting off an access to the property owners that may or may not be selling to the university. That is a street that the city has maintained and paved. There are residents that live there and the ones that I've spoken to, the sale of their homes is contingent upon whether or not we close this. I think that based on the original request it was about safety and I think the university has the power and the ability to mitigate the problem from their side.*

**Mayor Bencini:** *Mr. Wagner, is there a motion on the floor?*

**Chairman Wagner:** *I'm willing to make a motion, but I wanted to clarify again with the attorney, because there was a negative recommendation out of Planning & Zoning, but this is not a zoning case.*

**City Attorney Carlyle:** *The Planning & Zoning vote doesn't affect Council's vote in this case because it is a street abandonment-not a zoning case.*

**Council Member J. Davis:** *Was the public re-notified that we were going to talk about this tonight?*

**Council Member Alexander:** *Yes, it has the advertised date in the packet information. They advertised it four times.*

**Chairman Wagner:** *Okay, for the sake of keeping things moving, I will make a motion for approval of this item.*

**Mayor Bencini:** *There's a motion. Is there a second?*

**Council Member Ewing:** **Second.**

**City Attorney Carlyle:** *You will need to add the retention of the utilities to your motion.*

**Chairman Wagner:** *Yes, just what she said. I will adopt her statement.*

**Mayor Bencini:** *We have a motion. Is there a second?*

**Council Member Williams:** *Second.*

**Mayor Bencini:** *Motion and a second, any further discussion?*

**Council Member C. Davis:** *Yes, I'd like to say to Councilman Davis that even though citizens aren't here, it's my understanding that many of them feel that this is a done deal so they didn't bother to come, simply because they felt the appetite of this body was to do what is asked by them even though the Planning & Zoning had heard the case twice and voted twice with the same numbers.*

**Council Member J. Davis:** *Well, in my opinion if they were here, that would make a good argument. You have a council member that represents the area saying that they want it.*

**Council Member C. Davis:** *I also represent that area Councilman Davis, as an At-Large representative.*

**Council Member J. Davis:** *I understand that.*

**Council Member Alexander:** *You're not the only one. Call the question.*

**Mayor Bencini:** *Call the question. All those in favor, say Aye.*

**Mayor Bencini, Mayor Pro Tem Golden and Council Members Alexander, Williams, Hill, Wagner, J. Davis and Ewing:** *Aye.*

**Mayor Bencini:** *Opposed?*

**Council Member C. Davis:** *No.*

**Mayor Bencini:** *That motion carries.*

[end of transcript]

Adopted Resolution authorizing the abandonment of the eastern portion (approximately 72 feet) of the North Avenue right-of-way with the following easements being retained:

- 1) A 20-foot wide sanitary sewer line easement, centered over existing sewer lines within and crossing the right-of-way;
- 2) A 15-foot wide potable water line easement, centered over all existing water lines within and crossing the right-of-way;
- 3) A 30-foot Piedmont Natural Gas easement, centered over all existing gas lines within and crossing the right-of-way;
- 4) A 20-foot wide NorthState Communications easement, centered over all of their existing lines and underground facilities within and crossing the right-of-way.

**A motion was made by Council Member Wagner, seconded by Council Member Williams, that this matter be adopted. The motion carried by the following 8-1 vote:**

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

Nay (1): Council Member C. Davis

**Resolution No. 1652/16-52**

**Introduced 11/7/2016; Adopted 11/7/2016**

**Resolution Book, Volume XIX, Page 122**

**160335 Ordinance - Gallimore Partners, LLC - Annexation 16-04**

A request by Gallimore Partners, LLC to consider a voluntary non-contiguous annexation of approximately 30 acres, lying along the north side of Gallimore Dairy Road, approximately 805 feet west of Pegg Road. The property is also known as Guilford County Tax Parcel 0169750.

The joint public hearing for this matter and related matter **160336 Crown Mark, Inc.- Zoning Map Amendment 16-18** was held on Monday, November 7, 2016 at 5:30 p.m.

*Herb Shannon of Planning & Development provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. He explained that although staff would be combining the presentation on both matters, separate votes would be required.*

*Regarding the annexation request, the applicant is requesting that Council annex an approximate 30-acre parcel in order to have access to city utilities to facilitate the development of a 425,000 square-foot distribution/warehouse facility. Staff reported that this annexation petition represents a logical progression of the City's annexation policy for this area and the proposed annexation site is surrounded by the City's corporate limits. there have been numerous annexation requests approved in this portion of the City's Planning area since the 1990s. Mr. Shannon also pointed out that City service and service vehicles are already present in this area and the annexation of this parcel would not negatively impact the City's ability to provide services to the area.*

*Regarding Zoning Map Amendment 16-18, the applicant is requesting approval of the rezoning of approximately 30 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning Corporate Park (CZ-CP) District. The applicant is also requesting annexation and establishment of City zoning in order for them to connect to City utilities and to develop an approximate 425,000 square-foot distribution/warehouse facility on the property. The property is within the northern portion of the City's planning area, which is designated for Restricted Industrial uses. As with the annexation, there have been a number of similar zoning requests approved in this portion of the City's Planning area since the 1990s. Additionally, the site is located in Zone 1 of the Airport Overlay District, which only allows nonresidential uses. The applicant has requested a Conditional Zoning Corporate Park (CZ-CP) District on the site and has offered transportation-related conditions pertaining to right-of-way dedication, vehicular access and road improvements.*

*Staff recommends approval of both the annexation and the zoning map amendment request. The Planning & Zoning Commission heard these matters at their September 7th meeting and also recommended approval by a vote of 7-0.*

*Following the presentation of the staff reports for Annexation 16-04 and Zoning Map Amendment 16-18, Chairman Wagner invited the applicant to come forward.*

*Henry H. Isaacson, attorney with Isaacson, Isaacson, Sheridan, Fountain & Leftwich, LLP, 804 Green Valley Road, Suite 200, Greensboro, who is representing the applicant/owner of the property and the developer of the property, spoke in favor. He distributed a handout to Council detailing an overview of the proposed development. Included in the handout was a map of the subject property to be rezoned, details of the proposed zoning conditions (right-of-way dedication, access, improvements, and other transportation conditions), aerial photography of the buildings in close proximity to the rezoning site, as well as a letter that was mailed to nearby property owners regarding Crown Mark's history in the area and their proposed plans to construct a distribution facility on the property.*

*Mr. Isaacson advised that Gallimore Partners and Crown Mark have a contract for the sale of the property to Crown Mark should the property be rezoned and annexed. He provided a brief history of Crown Mark and noted they are no stranger to High Point. Crown Mark now leases warehouse space currently on Eagle Hill Drive in High Point. They also own a showroom building for the High Point Markets at 200 E. Green Drive. He stated if the subject property is rezoned as requested, Crown Mark proposes to build a distribution warehouse of approximately 425,000 square feet on the subject property. He then introduced those present with him this evening: Mr. Tim McGee, consultant for Crown Mark with Carolina Commercial Realty; and Mrs. Amanda Hoderne of his law firm.*

*Included in Mr. Isaacson's presentation was an illustrative sketch and he pointed out this is not what the actual building would look like, but he wanted to share it because it represents a building of approximately the same size which may very well be built on the subject property if it were to be rezoned and the property annexed as requested.*

*Summing up his presentation, Mr. Isaacson read the following section from the staff report that sums up what the zoning request is all about:*

*"In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because:*

- 1. the request is consistent with the Land Use Plan;*
- 2. The applicant has offered transportation-related conditions to mitigate impacts for the development of a distribution facility that will exceed 400,000 square feet; and*
- 3. Development standards of the Corporate Park District pertaining to location, loading areas, outdoor storage, and prohibiting certain outdoor activity will ensure that development will be compatible with the character of the surrounding development."*

*In conclusion, Mr. Isaacson entertained any questions.*

*Council Member Alexander pointed out there is a great need for road improvements on Gallimore Dairy Road due to the activity/development in this area and noted in the very near future the City might be looking at some road improvements. He asked if the applicant might be willing to put the sidewalk monies into a fee in lieu of so that those monies could be banked for when the road improvements are made, then those dollars could be used to build a sidewalk because there was nothing else in the area to make any connectivity with the sidewalk. On behalf of the applicant, Mr. Isaacson gave an affirmative answer of "yes." He advised that he has discussed this with Crown Mark and they are willing to do that.*

*Chairman Wagner then opened the public hearing and asked if there were any comments. There was no one present to speak from the public regarding this matter. The public hearing was declared closed.*

*Adopted Ordinance authorizing the annexation of an approximate 30-acre parcel (effective upon adoption); and*

*Adopted Ordinance rezoning approximately 30 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning Corporate Park (CZ-CP) District based on staff's statements outlined in the staff report, consistency with the City's adopted plans, and that the request is considered to be reasonable and in the public interest.*

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7243/16-63**

**Introduced 11/7/2016; Adopted 11/7/2016**

**Ordinance Book Volume XIX, Page 126**

**160336**

**Ordinance - Crown Mark, Inc. - Zoning Map Amendment 16-18**

A request by Crown Mark, Inc. to rezone approximately 30 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning Corporate Park (CZ-CP) District. The site is lying along the north side of Gallimore Dairy Road, approximately 805 feet west of Pegg Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

*The joint public hearing for this matter and related matter **160335 Annexation 16-04** was held on Monday, November 7, 2016 at 5:30 p.m.*

*Herb Shannon of Planning & Development provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. He explained that although staff would be combining the presentation on both matters, separate votes would be required.*

*For specific comments made at the public hearing regarding Zoning Map Amendment 16-18, please refer to Matter **160335 Annexation 16-04**.*

*Adopted Ordinance rezoning approximately 30 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning Corporate Park (CZ-CP) District based on staff's statements outlined in the staff report, consistency with the City's adopted plans, and that the request is considered to be reasonable and in the public interest.*

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Zoning Map Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7244/16-64**

**Introduced 11/7/2016; Adopted 11/7/2016**

**Ordinance Book Volume XIX, Page 127**

**160337**

**Ordinance - High Point Healthcare Properties Inc. and Annexation 16-05 - Pruitt Properties Inc.**

A request by High Point Healthcare Properties Inc. and Pruitt Properties Inc. to consider a voluntary non-contiguous annexation of approximately 6.4 acres, and lying along the north side of N. Main Street, approximately 1,700 feet west of Skeet Club Road. The property is addressed as 3826 & 3830 N. Main Street and also known as Forsyth County Tax Parcels 6892-06-3137.00 and 6892-05-1743.00.

*The joint public hearing for this matter and related matter **160338 Zoning Map Amendment 16-19** was held on Monday, November 7, 2016 at 5:30 p.m.*

*Herb Shannon of Planning and Development provided an overview of the staff report for both the annexation and the zoning map amendment, which is hereby attached in Legistar as a permanent part of these proceedings.*

*Regarding the annexation request from High Point Healthcare Properties, Inc. and Pruitt Properties, the applicant has requested voluntary annexation to obtain access to city utilities. The site is currently developed with an approximate 27,900 square-foot nursing facility. They are experiencing operational problems with a private sanitary sewer facility on the property and for this reason the applicant desires to connect to the City of High Point's sanitary sewer system. If approved, the applicant is proposing to extend the existing 12-inch City sewer line to the subject property, connect to the City's sewer system and remove the current failing on-site private sewer system.*

*Staff reported that the annexation petition does represent a logical progression of the City's annexation policy based on the following:*

*Adopted annexation agreement with adjacent municipalities. Annexation agreements have been established between High Point and the Town of Kernersville and based on this agreement, the City's Planning area extends westward to include the land area associated with this request.*

*Proximity to existing High Point corporate limits. Although this would be a satellite annexation, this 6.4-acre parcel is approximately 1,400 feet from the primary city limits.*

*Additionally, there have been annexations of more than 74 acres west of the site near the intersection of N. Main Street and Horneytown Road (NC Highway 66 south).*

*Proximity to city utilities and services. City service vehicles already pass this site to serve a residential development within the City limits lying west of the site. Additionally, the applicant's proposal to extend City sewer lines to serve this site will open additional acreage for development in this portion of the City's Planning Area.*

*Regarding the associated Zoning Map Amendment 16-19, Mr. Shannon reported that the Planning & Zoning Commission heard this matter at their September 27, 2016 meeting and recommended approval by a vote of 7-0.*

*The subject site is located within the western portion of the City of High Point's Planning Area and it is currently developed with an approximate 27,900 square-foot, 99-person nursing facility. There is a private sanitary sewer facility on the site that has been experiencing operational problems and the applicant desires to connect to the City's sanitary sewer system. The City's Water & Sewer Extension Policy requires the property to be annexed, and as a part of that process the establishment of City zoning. The applicant is proposing to continue to use the property as a nursing home facility and has submitted this zoning map amendment application to establish a General Office-Moderate Intensity (GO-M) District zoning on the property. The requested district will act as a transition zone between commercial zoning to the east and residential zoning to the west.*

*Council Member Alexander inquired if this was just a sewer request and Mr. Shannon replied it was because the property is currently being served by Davidson Water. Council Member Alexander asked at some point if staff could provide a map identifying the location of the City of High Point's water lines and Davidson's water lines. He pointed out that Davidson does not have a looped system and because of this, there is poor water service in that area.*

*Chairman Wagner asked if the applicant would like to come forward.*

*Eddie Kalis, Regional Consultant for Coastal East Pruitt Health, stated it appears they are meeting all of the requirements that are in place and it would be of great benefit to them. He advised that they would cover all the expenses.*

*Following the applicant's comments, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to comment regarding this matter. There being no one present to speak, the public hearing was closed.*

*Adopted Ordinance providing for the annexation of approximately 6.4 acres, lying along the north side of N. Main Street, approximately 1,700 feet west of Skeet Club Road; and*

*Adopted Ordinance to rezone approximately 6.4 acres from the Residential Single Family (RS-20) District, within Forsyth County's zoning jurisdiction, to the General Office-Moderate Intensity (GO-M) District based on staff's statements as outlined in the staff report and consistency with the City's adopted plans and that the request is considered to be reasonable and in the public interest.*



**A motion was made by Council Member Wagner, seconded by Council Member J. Davis, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7245/16-65**

**Introduced 11/7/2016; Adopted 11/7/2016**

**Ordinance Book Volume XIX, Page 128**

**160338      Ordinance - High Point Healthcare Properties, Inc. - Zoning Map Amendment 16-19**

A request by High Point Healthcare Properties, Inc. to rezone approximately 6.4 acres from the Residential Single Family (RS-20) District, within Forsyth County's zoning jurisdiction, to the General Office-Moderate Intensity (GO-M) District. The site is lying along the north side of N. Main Street, approximately 1,700 feet west of Skeet Club Road (3826 & 3830 N. Main Street).

*The joint public hearing for this matter and related matter 160337 Annexation 16-05 was held on Monday, November 7, 2016 at 5:30 p.m.*

*Herb Shannon of Planning & Development provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. He explained that although staff would be combining the presentation on both matters, separate votes would be required.*

*For specific comments made at the public hearing regarding Zoning Map Amendment 16-19, please refer to Matter 160337 Annexation 16-05.*

*Adopted Ordinance to rezone approximately 6.4 acres from the Residential Single Family (RS-20) District, within Forsyth County's zoning jurisdiction, to the General Office-Moderate Intensity (GO-M) District based on staff's statements as outlined in the staff report and consistency with the City's adopted plans and that the request is considered to be reasonable and in the public interest.*

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Zoning Map Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7246/16-66**

**Introduced 11/7/2016; Adopted 11/7/2016**

**Ordinance Book Volume XIX, Page 129**

**160339      Ordinance - City of High Point - Annexation 16-06**

A request by the City of High Point to consider a voluntary contiguous annexation of approximately 1.29 acres lying along the south side of E. Martin Luther King Jr. Drive, approximately 400 feet east of Triangle Lake Road. The property is also known as Guilford County Tax Parcel 0161160 & 161157.

*The public hearing for this matter was held on Monday, November 7, 2016 at 5:30 p.m.*

*Herb Shannon of Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.*

*This is a request by the City of High Point for consideration of a voluntary contiguous annexation of an approximately 1.29 acres lying along the south side of E. Martin Luther King, Jr. Drive, approximately 400 feet east of Triangle Lake Road. The city is pursuing annexation of approximately 1.29 acres, consisting of two parcels, in order for these parcels to be added to the abutting City maintenance facility. The City's corporate limits are lying along the north side of E. Martin Luther King Drive and abuts the site to the west and south. This annexation represents a logical progression of the City's annexation policy for this area as the property is within the City's ETJ and it is surrounded by the City limits on three sides. City services and service vehicles are already present in this area; therefore, the annexation of this property will not negatively impact the City's ability to provide services in this area.*

*Following the presentation of the staff report, Chairman Wagner opened the public hearing and asked if there was anyone present that would like to speak. There being no comments offered, the public hearing was closed.*

Adopted Ordinance providing for the annexation of this property lying along the south side of E. Martin Luther King, Jr. Drive, approximately 400 feet east of Triangle Lake Road.

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance 7247/16-67**

**Introduced 11/7/2016; Adopted 11/7/2016**

**Ordinance Book Volume XIX, Page 130**

**160340**

**Ordinance - City of High Point - Zoning Map Amendment 16-20**

*A request by the City Council to rezone 25 properties totaling approximately 164 acres to implement the new Development Ordinance that goes into effect on January 1, 2017*

*The public hearing for this matter was held on Monday, November 7, 2016 at 5:30 p.m.*

*Heidi Galanti of Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.*

*Ms. Galanti advised this is the third and final group of zoning map amendments that will need to take place prior to the effective date of the new Development Ordinance, which is January 1, 2017. This group contains 13 separate areas involving 25 properties and 16 religious institutions. The current Development Ordinance has 38 zoning districts, which will be consolidated to 28 zoning districts. As a result, some zoning districts will no longer exist and some properties must be rezoned to the most appropriate district available in the new Development Ordinance. The areas affected are identified in the staff report. A summary of the zoning map amendments is as follows:*

- 6 areas are being rezoned from Public and Institutional (PI) to Residential Single Family-3 (R-3);
- 3 areas are being rezoned from Public and Institutional (PI) to Residential Single Family-5 (R-5)
- 2 areas are being rezoned from Public and Institutional (PI) to Residential Multifamily-16 (RM-16)
- 1 area is being rezoned from Public and Institutional (PI) to Transitional Office (TO); and
- 1 area is being rezoned from Public and Institutional (PI) to Office Institutional (OI)

*Following the conclusion of the staff report, Chairman Wagner opened the public hearing.*

*Gregory Sias, representing the Church of Christ located at 934 Eastchester Drive, inquired as to if this would affect the status of their church. Staff replied it would not. He specifically asked about the parsonage and if it would be considered residential. Ms. Galanti explained the parsonage would be considered an accessory use and would be allowed.*

*There being no one else present to speak, the public hearing was closed.*

Adopted Ordinance rezoning 25 properties totaling approximately 164 acres to implement the new Development Ordinance that goes into effect on January 1, 2017, based on staff's statements as outlined in the staff report, consistency with the City's adopted plans and that the request is reasonable and in the public interest.

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Zoning Map Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7248/16-68  
introduced 11/7/2016; Adopted 11/7/2016  
Ordinance Book Volume XIX, Page 131**

#### GENERAL BUSINESS AGENDA

#### **160341 Say Yes Guilford - Appointment - Community Leadership Council**

Council is requested to confirm the appointment of Council Member Cynthia Davis to the Say Yes Guilford Community Leadership Council (CLC).

*Mayor Bencini advised that Council Member C. Davis has agreed to serve as the Council's liaison to the Say Yes Guilford Community Leadership Council (CLC).*

Approved the confirmation of the appointment of Council Member C. Davis to the Say Yes Guilford Community Leadership Council (CLC).

**A motion was made by Council Member Alexander, seconded by Council Member Ewing, that this appointment be approved. The motion PASSED by a 9-0 unanimous vote.**

**160349      Appointment to Planning & Zoning Commission**

Council Member Jay Wagner is requesting the appointment of RAY Wheatley to the Planning & Zoning Commission as his Ward 4 appointment. Appointment to be effective immediately and will expire 7/1/2019.

**Motion by Council Member Wagner to suspend the rules so this matter could be placed on tonight's agenda for consideration. Council Member C. Davis made a second to the motion, which carried unanimously.**

Approved the appointment of Ray Wheatley to the Planning and Zoning Commission.

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this appointment be approved. The motion PASSED by a 9-0 unanimous vote.**

**160342      Minutes to be approved**

- Finance Committee Meeting - September 28th @ 4:00 p.m.
- Special Meeting (Closed Session) - October 3rd @ 2:30 p.m.
- Manager's Briefing - October 3rd @ 4:00 p.m.
- Regular Council Meeting - October 3rd @ 5:30 p.m.
- Planning & Development Committee Meeting, Tuesday, October 4th @ 4:00 p.m. (no quorum)

Approved the preceding minutes as submitted.

**A motion was made by Council Member Alexander, seconded by Council Member Wagner, that the preceding minutes be approved. The motion PASSED by a 9-0 unanimous vote.**

**Closed Session****160350      Closed Session- Economic Development**

Council is requested to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(4) for the purpose of being briefed on economic development projects.

**At 7:31 p.m., Council Member Alexander moved to go into Closed Session to discuss economic development projects, pursuant to N.C. General Statute 143-318.11(a)(4). Council Member Ewing made a second, which carried unanimously.**

*Upon reconvening into Open Session at 7:51 p.m., Mayor Bencini announced there would be no action taken as a result of the Closed Session.*

**ADJOURNMENT**

The meeting adjourned at 7:51 p.m. upon motion duly made and seconded.

Respectfully Submitted,

\_\_\_\_\_  
William S. Bencini, Jr., Mayor

Attest:

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