



**MANAGER'S BRIEFING SESSION
HIGH POINT MUNICIPAL BUILDING
NOVEMBER 21, 2016 – 3:30 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

Present:

Mayor William S. Bencini, Jr.; Mayor Pro Tem Golden (Ward 1); and Council Members Latimer Alexander (At-Large); Cynthia Davis (At-Large); Jason Ewing (Ward 6); Alyce Hill (Ward 3); and Chris Williams (Ward 2)

Absent: Council Members Jay Wagner (Ward 4) and Jim Davis (Ward 5)

Staff Present:

Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Jeron Hollis, Director of Communications & Public Engagement; Loren Hill, President- High Point Economic Development Corporation; Heidi Galanti, Planning Administrator; Keith Pugh, Engineering Services Director; Lee Burnette, Planning Director; Andy Piper, Senior Planner; Maria Smith, Deputy City Clerk; and Lisa Vierling, City Clerk

Others Present:

Eric Stacey, Fairway Outdoor Advertising

News Media:

Pat Kimbrough, High Point Enterprise

Handouts: *Text Amendments to the May 16, 2016 Development Ordinance*

Note: *These handouts will be attached as a permanent part of these proceedings.*

Randy McCaslin, Deputy City Manager, explained this went to the Planning & Zoning Commission in October, but they did not have a quorum, so Lee Burnette, Director of Planning, is looking for direction from Council as to where to go with it and instructions on taking the issue further.

Update on Discussions Regarding Billboards

Mr. Burnette introduced Eric Stacey with Fairway Outdoor Advertising. Mr. Burnette reminded Council how Fairway Advertising approached the previous City Council on the possibility of exploring new areas for outdoor advertising signs and billboards throughout the city. He reviewed where the billboards are currently located for outdoor advertising signs such as: Interstate-74 corridor, Business 85 corridor as the green indicate conforming to current regulations and red dot are non-conforming. The circles indicate a spatial radius in terms of the current standard terms of separation. He mentioned how previous Council directed staff to focus efforts on three areas to consider allowing new outdoor advertising signs:

1. Along the Interstate-74 corridor
2. Along the Business 85 corridor
3. Downtown Central Business District

There was no consensus from the prior Council to explore any other areas. In addition, Council directed staff to explore a system to incentivize the removal of the older signs and particularly the older signs so the southwest portion of the jurisdiction. This was referred to as a “cap and replace” approach.

Mayor Bencini had a question as to how it would work to incentivize the removal of the existing, older signs assuming that the market place would be open to any advertising company—not just Fairway. Mr. Burnette responded that the interesting part in High Point would be that they have approximately 48 signs in the jurisdiction and Fairway owns all those signs with the exception of seven. He added because of the way they are dispersed and located, Fairway does control the market. Mayor Bencini suggested it would appear that the City might be changing ordinances for one outdoor advertising company and could appear to look like a negotiation between the city and this company. Mr. Burnette explained it started when Fairway approached City Council and asked the staff to look into this issue and he pointed out that if it does not work for them, it probably would not work for any other two companies either. With respect to Fairway, Council Member Alexander pointed out the city's negotiation with them was to take down three and put one back. Mr. Stacey advised that it was actually a 4:1 ratio depending on static versus digital signs.

Mr. Burnette noted this would be a regulatory change whereby the number of signs would be capped based upon Council's decision as to the ratio. Mayor Bencini inquired about how it would work if another sign company wanted to put up a sign because other signs owned by Fairway would have to be taken down in order for this to happen. Mr. Burnette replied that they would have to approach Fairway or the other two sign companies to acquire the signs to pick them up. He advised this is a complex issue due to the Federal and State laws that regulate and control the signs. He stated they met with the Planning and Development Committee in May 2016 to reaffirm the direction that the previous Council gave staff and have presented these findings to Council.

He reported how the City allows outdoor advertising signs in its Heavy Industrial zoning district. Mayor Bencini wanted to know how long that had been a policy and Mr. Burnette responded that it had been since 1985. Then Mayor Bencini asked if there had been a long-term trend away from outdoor advertising, and Mr. Burnette agreed that there had been a consistent approach. Council Member Ewing suggested up to Business-85 industrial area was very utilized, so there would be value in that investment. Mayor Bencini added how the policy had never wavered regardless from the usage way past Business-85 and still had a busy West Green.

Council Member Alexander felt the purpose of outdoor advertising signs should be considered and in all reality, on the south end of town, there were not many economic drivers that would warrant putting up a profitable sign. As a result of that, the signs end up being public service announcement signs. He suggested it was Council's responsibility to drive commerce to businesses within the city and the question was if retailers or service providers would benefit from this form of advertising. If not, he suggested to do away with the signs.

Council Member C. Davis reported that back in May Council was in support of the 4:1 cap and replace ratio. She asked if there were any regulations in the current ordinance that would require the owner of signs in disarray remove the signs. Mr. Burnette replied there is a very general provision that they have to be maintained, but as long as they keep it in use and there is no structural deficiency they meet that criteria. Mr. Stacey noted the State could revoke permits for signs located on State highways that fall into that category. Council Member C. Davis inquired about the State regulations for billboards. Mr. Stacey reported that sometimes you will see vinyl coming off of it, but it would have to be a sound structure.

Council Member C. Davis asked if it might be possible to address some of the red dots on the map if the signs were not well-maintained and not utilized on a regular basis. She asked if these could be replaced at the 4:1 ratio with the cap and replace system. Mr. Burnette added that each one would have to be a separate enforcement action and reported that there was a lot of State and Federal control that limited the ability of the cities to remove them unless it was an unsafe situation and all this would have to be documented.

Additionally, Mr. Burnette mentioned that they are only allowed in the HI district now and the city has historically had a policy to shape where these signs are not allowed, particularly along gateway corridors. Mayor Bencini wanted to know when the corridor plans were done and he was not aware of one corridor where the city allowed or encouraged these signs. Mr. Burnette commented that the Business-85 corridor was the only one that he had recalled that recognized the outdoor advertising signs. He also noted that the State and Federal Government historically have had outdoor advertisement signs on the interstates, primary roads or state roads within 660 feet. The State has jurisdiction that supersedes the cities' with the exception that the State requires they be in a commercial or industrial zoned area.

He proceeded to review the three receiving zones and corridors.

- Yellow – Residential Zoning
- Orange - Residential Zoning
- Red and Purple – Industrial and Commercial Zoning

He pointed out from a regulatory standpoint that there were locations for additional signage along the corridors and met with the Committee in May. He advised the next step would be to meet with Fairway to determine the feasibility for signs in those locations and pointed out before they met with Fairway to identify additional approaches that could help incentivize the removal of the non-conforming billboards. This could be done through the existing outdoor advertising signs that are static and converted to digital.

From a market feasibility standpoint, Mr. Burnette reported they would determine if the Interstate-74 corridor could support two more signs, one on the northern end and one on the southern end. Mayor Bencini questioned the use of the word "support" and asked for clarification. Mr. Burnette replied from a market feasibility standpoint that they felt they could eventually have two other static locations along this corridor and they would have clients available that could utilize the signage. He reported along the Business-85 corridor, they noted how overwhelmed that area was already and pointed out there was not a lot of opportunity along that corridor for new signs. They noticed the same thing for the downtown area for outdoor advertising. Mayor Bencini inquired about Forsyth County's and Winston Salem's policy for I-74. Council Member Alexander noted that they do not allow outdoor advertising signs. The Mayor stated he was not aware of one billboard on I-74 from the I-40 split back to I-85 in that stretch and he actually talked to some visitors from out of State that bragged about how incredibly beautiful this stretch of road was without any signs. He found it hard to imagine that outdoor advertising signs drive folks more than Social Media does.

Council Member Ewing noted it does drive brand awareness for local companies and helps drive benefits to mail advertising. Mayor Bencini disagreed with the concept that local retailers build local advertising. Council Member C. Davis brought up the Convention & Visitors, High Point Theatre as well as the Market Authority and noted they have expressed an interest in some form of advertising for the festivals, shows, to direct the travelers along the corridor to the venues. Council Member Ewing also mentioned beyond the I-74 corridor, another location off Wendover and/or Eastchester was mentioned a couple of years ago to help get the information out about things happening in the Core City/Downtown area.

Mayor Bencini stated if Council proceeds in this direction, it would be taking a real turn for what has been done thus far to protect the corridors.

Mr. Burnette explained that Fairway reviewed the three areas that were suggested. They stated because of the substantial upfront cost that they would have in terms of taking down the existing outdoor signs in order to get new ones, that there really was not enough of feasible areas within the current corridors to make it a viable approach. They did note one location in South Main that was feasible to convert from static to digital. They propose the following areas:

- North Main Street (from Westchester to Bell Avenue)
- Eastchester Drive (Westchester to Ambassador Court)
- Eastchester Drive (Meadowlark either way)
- Wendover Avenue

He reported that opening up these other areas along the corridor could allow more or a larger number of older signs being removed. He added this was not the direction that previous Council gave staff to look for those three areas and there was not even consensus from prior Council to look beyond those three areas. Mr. Burnette asked if Council wanted staff to pursue looking at these areas, or look at new areas.

Council Member C. Davis asked if there is a distance requirement in the ordinance for the signs and Mr. Burnette replied that there is, but suggested not to worry about the standards since they cannot go beyond looking at industrial or commercial areas. Council Member C. Davis asked if we could limit the number that we allow on a certain stretch of road. Mr. Burnette replied that we could, but stressed that staff needs direction from Council the desired locations where they feel signage should be allowed.

Council Member Alexander suggested that Council engage the business community in the process to gauge if there is any interest in a possible change. He asked if some discussion could occur between the city, Forward High Point, the Chamber of Commerce, etc.... on local travel/local commerce. Council Member C. Davis agreed, but also felt it would be necessary to include the Theatre, Convention & Visitors Bureau, Market Authority, etc....because of the interest they have shown. Council Member C. Davis suggested to also look at it in regards to the catalyst project being pushed/proposed for downtown High Point in the future. Council Member Alexander agreed and stated he would like to find a way to poll the business community. Mayor Bencini thought it was an excellent idea.

Mr. McCaslin suggested to speak to the Chamber of Commerce to see what they would be willing to do. Mayor Bencini suggested to put together a group that could possibly be led by the Chamber and let them come up with some ideas as to their opinion, taking some history and policies that are in place into consideration. Mr. McCaslin pointed out businesses in the Eastchester scenic corridor have been held to certain standards over the years as to what could be built and expressed concerns that this might open up the city for future challenges in the corridors. Mr. Burnette advised it is a difficult area to approach because of the history of the sign regulations and the current standards. He also noted that some of those businesses along Wendover Avenue were developed under a PUD where they have their own written-out conditions for zoning and even if Council said tomorrow that they allowed it, they owners would have to change their PUD regulations.

Council Member Alexander mentioned that they would have a traffic count. Council Member C. Davis advised that would be a traffic count for just today and the catalyst project goes through and that is developed and then those numbers would drastically change so should we anticipate those numbers and an increase in traffic for the catalyst projects that we are being considered. She pointed out that if you just consider those figures now and you do the catalyst project, then you are only hitting the current traffic numbers you have to anticipate the increase based on what is you are expecting to market downtown.

Mayor Bencini mentioned if there were any true expenses for those locations to be maintained in southwest industrial High Point, Fairway would have already taken them down. Mr. Stacey pointed out that there is

a borrowing value for each one and to take it down would be like taking money out of the bank for them. He had proposed that they take 18 locations down with a total of 32 phases, and then for the exchange to be able to put four phases up in the blue areas. He explained that most of the activity is on the north end and pointed out the population is shifting towards Interstate-40.

Mr. McCaslin asked Mr. Burnette if that could be done on a case-by-case basis and Mr. Burnette confirmed it would be done on a uniform basis by district or area. Mr. McCaslin emphasized if Council is willing to open up these three areas for electronic signs, then the staff could move forward with the next steps and try to work with the Chamber. Council Member Alexander stated he would rather be market-place driven and ask the market place if this would be a platform that they would feel would enhance their opportunities in High Point. Mr. McCaslin reported that the billboard industry had identified these three areas as to where they would like to put them, and if we are not talking about the same areas, then we may not be doing anything.

Council Member C. Davis wanted to make sure we would be sending this to the Chamber for totality as to the interests. She also added that they would want to know if Council would be in support of conversation with the Chamber regarding the blue areas. Council Member Hill asked if the business community had an interest in billboard placement in the blue area. Mayor Pro Tem Golden suggested viewing the surveys along with the questionnaires first before making a decision.

Council Member Ewing mentioned a couple of years it was digital that was proposed which was eight slides and one was for community. He felt that was important when you go to the business community and are talking about a static sign which is one, or a digital with eight slides. Council Member Alexander felt this should be included in the survey. Mayor Bencini also agreed with Council Member Alexander, but also felt that there should be some communication with the business community as to what the restraints are in the corridors.

Council Member C. Davis encouraged staff and Council to keep future plans for the city in the forefront because of all the talk around town as to what is being proposed for downtown and felt this would be a great way to advertise that.

Mr. Burnette suggested that not every location is appropriate for digital or static and it would ultimately be a decision that Council needs to make.

Mr. McCaslin recapped the discussion and noted they do want to survey and to work with the Chamber. Mayor Bencini agreed to have a conversation with the Chamber to see if there is any interest from them to organize a group. Council Member C. Davis asked, again, that the "business community" also include the Theatre, Convention & Visitors Bureau and Market Authority in the process. Council Member Ewing believed this is the purpose of Council opening up dialogue with the Chamber in order to gage their interest. Mr. McCaslin agreed that staff would reach out to them.

Mayor Pro Tem Golden asked if another company desiring to put up a sign would be required to go through Fairway. Mr. Stacey responded as how Wilmington's ordinance has a cap and replace and basically every sign company is required to register each sign and no other sign is allowed to be erected unless one is taken down. He mentioned they also do the 4:1 cap and replace ratio and it has to be a registered qualified sign the day the ordinance was put into place. Mr. Burnette added that anyone coming in with an interest in putting up a sign could do so in the pink areas and that Fairway would not be involved in that process.

Council Member Alexander pointed out that anyone could come in today and in any of those purple areas and apply for a permit and put up a sign. Heidi Galanti, Planning Administrator, responded as long as they

could meet the standards. Mayor Bencini wanted to know when the last sign that went up in those pink, areas and Mr. Burnette responded about 10 years ago.

To follow up on the cap and replace, Council Member Hill noted that no new company could come in and put a sign in the blue area unless one is removed elsewhere. Mr. Burnette clarified that it is basically where the receiving zone is and the only way to accomplish this would be through the cap and replace method.

Council Member Ewing suggested an 8:1 cap and replace in an effort to be more aggressive. Mayor Bencini believed beyond that area, Council needs to consider two other things:

1. if those areas are in corridors, and asked
2. if we are designing a policy and almost exclusively with a specific sign company

Council Member Ewing mentioned the non-conforming signs and asked at what point are they required to be removed. Mr. Burnette advised at the point the sign is considered to be unsafe or is evident that it is not being maintained. Council Member C. Davis shared that she learned from Mr. Stacey that the State inspects theirs every six months and if the advertisement has started to peel or if something does not look right they send out a notice.

Discussion Regarding Proposed Amendments to the New Development Ordinance.

Heidi Galanti with Planning and Development briefly reviewed the text amendments. She noted that since the ordinance was adopted last May 16, 2016, staff has been working with the Development Ordinance and has identified some errors and omissions.

She noted this would result in 34 text amendments with one map amendment that would be necessary. She indicated that the bold/underlined text would be the new text and the strikethrough is what is being proposed for removal. It also includes a page number for the draft of the ordinance for a quick reference. She advised that staff did review this with TREBIC a couple of weeks and a draft was distributed to them for feedback.

She pointed out that there are three text amendments that staff will be suggesting:

1. Removing the term limits for the Board of Adjustment, Planning & Zoning Commission, and the Historic Preservation Commission
2. Allowing gravel parking for uses in the Agricultural District, and
3. Exempting water tanks from sign regulations

Council Member C. Davis wanted to know who suggested the removal of the term limits from the ordinance. Ms. Galanti advised that came from the City Manager's office.

Ms. Galanti reported that they are proposing to take these to the Planning and Zoning Commission on December 13th and then come before Council on January 17th for a public hearing. She reminded Council that this is a new ordinance and it would not be the last time that Council would see changes/amendments.

Council Member Alexander mentioned that he had a contractor at his office today who complimented the city and staff on the positive change that has been made to the permitting process and felt things are now working great. Council Member Williams shared the same thing and felt it has been a game changer. Mr. McCaslin noted that management is also hearing good reports and things are moving in the right direction.

Project Updates

Mr. McCaslin asked staff to provide a brief update on two high profile projects:

- North Main Street Project
- Water Shed Buffer

Engineering Services Director Keith Pugh shared that as of now, the sanitary sewer lines are in the ground from Westwood almost to Montlieu (65%-70% complete). He explained they put a temporary patch back in the trench to allow them to continue work on other projects. He explained the sanitary sewer line and the duct bank were critical time pieces because of their depth. He noted that they have not started installing the duct banks yet, but the vault for the duct banks are in place. They are still waiting on one piece of material to be delivered that assists in aligning the pipes.

He mentioned there were some noise complaints made and the noise was being caused by a piece of equipment they are using (a packer) and the noise could not be avoided. Mr. Pugh advised that they did run into one issue and that was they hit "dirty dirt" past the Exxon/Kangaroo station. He explained that some diesel fuel and gasoline made its way into the soil and since it was discovered, they would be required to quantify, treat and dispose of the soil on the property. He wasn't sure about the cost, but they would bring any changes back to the City Council as this is quantified. Mr. McCaslin pointed out that it would be in the form of a change order to the contract.

Council Member C. Davis inquired about a broken gas line in the project area. Mr. Pugh reported that they did hit a gas line on Ray Street where it was part of their bump around for the sanitary line as they were taking one out of service and putting another one right back in the same trench. He pointed out the gas line was not marked and noted that Sumela did lose gas for an evening.

Council Member Alexander asked the depth of the asphalt and milling it down. Mr. Pugh explained they would have to get near Ray before running into a crown problem and it would likely be 8+ inches.

Regarding the "dirty dirt," Council Member C. Davis asked if there was any way to determine if there could be a leak at the current gas station that is there. Mr. Pugh advised that once the "dirty dirt" was found that Kangaroo had a testing agency come in and conducted pressure tests on their tanks, all of which passed. Council Member C. Davis wanted to know if the crews were only doing day work, and Mr. Pugh confirmed that they were and were planning to work this Friday and Saturday. He reiterated that they would only shut down for major holidays which would include: Thanksgiving Day, but he was not sure what they would be doing for Christmas or New Years since they fall on a weekend.

Director of Communications & Public Engagement Jeron Hollis gave an update on the efforts of working with the merchants. Mr. Hollis reported with a project of this size and the businesses involved, there would be comments made. He applauded the work of his staff, the Transportation and Engineering staff, and the Chamber of Commerce for all being an integral part in helping make sure that daily contact is made with the businesses. He advised that staff would personally visit the businesses and be available to answer any questions and to see what their needs might be. He mentioned how they have a project page on the City's website with weekly updates being posted.

- 19 way finding signs in the area with name of business and directional information
- Received feedback from businesses that they wanted the signs to be more visible
 - Would be creating orange markers that would go on tops and bottoms to make more visible
- 4-foot signage that would have the name of the businesses

- Some businesses said it has been good as it has ever been
- Some business said they were behind 30-40 percent due to the project
- There was a nail shop where there was a sign in the window stating they were closed.

Mr. Hollis reported that the High Point Enterprise ran ads in support of businesses and small business Saturday. There will also be an article that will run in Yes Weekly. He advised that staff continues with an on-going dialogue with the businesses and is pleased with the level of cooperation they have received thus far from the businesses.

Council Member C. Davis shared the following:

1. She suggested to have the blue signs by the library beyond Elm and Sunset moved forward to the red light because the signs are not visible at the current location until after motorists pass them.
 - a. Mr. Hollis advised this issue was identified from feedback received last week.
2. People are getting bottle-necked from Elm coming up from Sunset and not allowing traffic to stay on the right hand turn and while some people are trying to come into that area to shop, motorists are taking up both lanes, which is causing a bottleneck as they get to the kidney. She noted this is happening during heavy traffic hours (8 a.m., 11 a.m. and 5 p.m.) and the red light gets backed up for as long as ten minutes. She advised that someone suggested to her that the city change the timing and speed up the red light.
 - a. Mr. Hollis explained another area was Westwood and they would look at the bottlenecking and the timing and try to stay on top of it.

Council Member C. Davis also suggested putting up signage to let motorists know that they can also utilize Lindsay to access some of the businesses. She felt this would eliminate some of the congestion. Council Member Ewing noted some of the problem might be when motorists get to the detour signs on Martin Luther King, Boulevard, it is not clear. He suggested possibly shutting down one of the lanes on Main Street might deter motorists from using Westwood. Staff will look into these issues.

Lake Buffer Regulations

Mr. McCaslin asked Mr. Burnette to discuss the two drop in meetings that staff held regarding the Lake Buffer regulations.

Mr. Burnette provided a quick overview of the drop-in meetings that were held with the residents who own property abutting the city's lake buffers. He proceeded to give clarity that the City owns land that goes beyond the shore line around both lakes, City Lake and Oak Hollow Lake, and property owners were notified of the meeting with two separate meetings held for each lake. He shared that some good feedback was received as a result of these meetings and the property owners were given an opportunity to submit comments to the city's public information office. Those comments will be shared with the consultant to be reviewed for consistencies, opportunities and additional suggestions that can possibly be explored. They will get back with staff as to their findings to see what adjustments may be needed moving forward. He advised that revisions would probably be needed as far as the recommendations before they are presented to the City Council and he expects this to be done sometime after the first of the year. He advised there is still quite a bit of confusion and wanted to clarify that the focus has been on the city's property, not on private property.

Mr. McCaslin added that these are not new regulations and pointed out the ordinance has been in place since the 1990s. He advised that the city has not done a good job enforcing these regulations over the past

ten years and clarified that the city is not making any changes, they are focusing on city-owned property. He advised as a result, property owners have been accustomed to doing what they want with the property as it abuts their property.

Council Member Alexander asked if the city has any unique rules or if the city was merely responding to the Division of Water Quality (DWQ) and Federal and environmental laws. Mr. Burnette explained that the city has unique rules as compared to State regulations as a whole, but ours are similar to those in Greensboro, Jamestown and Guilford County. These were adopted prior to the State coming out with their rules years ago. Mr. Burnette added that High Point, Greensboro and Guilford County were ahead of the state in 1986 looking at watershed protection as an issue and put some regulations in place. Then the state came along with a mandate of which the city made some adjustments to meet the state requirements, but the tier system currently in place is a local or Guilford County designed approach. He noted that when the Randleman rules went into effect in 1999, there was an alternate high density option that was allowed and the city looked at trading development rights, etc... of which the city agreed it would not develop the area to the south and would not extend sewer to the area around the lake for purposes of development. This in turn implemented the system of regulation and the trade-off was to be able to increase the amount of impervious surface in the downtown area.

Discussion followed regarding whether or not new property owners are required by the lending agency to get a survey done when purchasing property and if this was information that should be on the deed. Council Member Ewing explained that sometimes the property is platted, but oftentimes it is not explained. He felt there is a communications breakdown between the purchaser, seller, realtors involved, closing attorney, etc.... Council Member Alexander mentioned the Airport Overlay Noise zones and if disclosure could be required with something similar to this. Mr. Burnette explained in whatever way it is approached, it really has to do with educating people that they basically about the city's property. He noted that part of another issue is when city crews go to deal with an issue, they are also uncertain where the property lines are. He advised there is information that the city needs to know to better manage its property, as well as information that the property owners need to know in order not to encroach on the city's property.

Council Member Ewing noted development buffers are comparable to the noise cones, and are material facts that should have been disclosed since 1993. He advised that the noise cone area properties require disclosure and over the last couple years he has looked at disclosures attached to MLS properties, but not a single one had a disclosure.

Mr. Burnette mentioned that there is a limitation on development in the lake buffer areas and noted there are about a dozen lots left that are undeveloped that would fall into this category to be developed at some point in time in the future. He advised that the city could not deny them the ability to build on the property, but there are a dozen lots left that are undeveloped that would fall under that category and the City could not deny them the ability to build on the property. The applications for development are reviewed by Planning, Public Services and Engineering Services and they look at the property relative to the watershed regulations and there is a requirement to have erosion control during construction.

Council Member Alexander wanted to know if we have made our local real estate body aware of the disclosure requirements so they can share with their members. Council Member Ewing shared that last week he attended the High Point Realtors Association, Governmental Affairs Committee meeting and spoke with them about it and Ed Terry, President, sent a blast out to all the Brokers. He advised that he would also be speaking to the membership in December at one of the association meetings about the importance of material fact disclosure. He mentioned how it is sort of specific to this case, but more specific to the lack of material fact disclosure in general. so to the lack of material fact disclosure in general. He noted smaller properties are completely exempt under the regulations, but they still have to meet erosion control, etc.....

Mr. McCaslin advised that there are still some modifications to be done with the consultants and staff would be coming back to Council with some suggested amendments. Then the city would have to file a watershed protection plan with the state and more than likely some surveying work would need to be done to identify where the actual property lines are.

The meeting adjourned at 5:11 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Maria A. Smith
Deputy City Clerk