

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
JANUARY 17, 2017 – 3:30 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

MINUTES

Present:

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

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; JoAnne Carlyle, City Attorney; Eric Olmedo, Budget and Performance Manager; Jeron Hollis, Director of Communications & Public Engagement; Loren Hill, President- High Point Economic Development Corporation; Sandy Dunbeck, Vice President- High Point Economic Development Corporation; Marshall Yandle, High Point Economic Development Corporation; Herb Shannon, Senior Planner; Lee Burnette, Director of Planning and Development; Police Chief; Major Kenneth Shultz; Maria Smith, Deputy City Clerk; and Lisa Vierling, City Clerk

Others Present:

Judy Stalder (TREBIC)

News Media:

Pat Kimbrough, *High Point Enterprise*

Mayor Bencini called the meeting to order.

Note: The following handouts that were distributed during the meeting will be attached to these minutes as a permanent part of the record:

- ✓ Lee Burnette's presentation on the New Development Ordinance
- ✓ 2016 High Point Police Department Statistical Review

Update from staff on the New Development Ordinance

Lee Burnette, Director of Planning and Development, reviewed how to access the ordinance via www.buildhighpoint.com and through The Point on the City's website. Council Member C. Davis asked if this was compatible with the city-issued iPads and Mr. Burnette confirmed it was.

He did note that there is a PDF version of the New Development Ordinance on the city's website, as well as an interactive version. Council Member C. Davis asked if the PDF version would automatically be updated when changes are made or if it would require changing wanted to know when there is an update to the ordinance would the PDF automatically be updated when the one above it gets updated or would it require two different changes. Mr. Burnette responded that it would require two different changes, but fairly close together. He noted that there was an option to sign up for any changes that are made.

The objectives for the new Development Ordinance were to:

- Make it more user-friendly
- Make it more customer friendly
- Implement the Core City Plan
- Protect and revitalize the neighborhoods and gateways
- Promote livable and sustainable development in greenfield areas; and
- Create additional flexibility and incentives

Mr. Burnette continued to review the following:

Transition:

- Prior violations continue
- Completed development applications received before 1/1/2017 are being reviewed and decided under the old Development Ordinance, unless the applicant requests the application to be reviewed under the new Ordinance.
- For a period of one year (2017), the ordinance of adoption allows an applicant to request in writing to utilize the old zoning standards. No other part of the old Development Ordinance can be utilized.
- Prior approved Conditional Use Zoning remains valid, but cannot be amended and must be “rezoned” to new district for any amendments (current).
- Prior approved Conditional Zoning translates to the new zoning district and conditions remain valid
- Prior approved PUDs and TN Districts remain valid and will follow the approved master plan and approved standards.

The Development Review Table:

- Gives a brief review of what each of the different processes are that goes on and shows the customer what the process is that is involved in the decision making.

New procedures:

- Beneficial use determination
- Reasonable accommodation
- Administrative adjustments (Type I & II)
 - Type I (decided by the Planning and Development Director)
 - Type II (decided by TRC)

Codified several procedures already in use by the city:

- Right-of-Way encroachment
- Easement reconveyance
- Exclusion map
- Development agreement

Mr. Burnette explained the Development Review Authorities describe powers, duties, composition, and rules of procedures for the following:

- ✓ City Council
- ✓ Planning and Zoning Commission
- ✓ Board of Adjustment
- ✓ Historic Preservation Commission
- ✓ Technical Review Committee

- ✓ Urban Forestry Committee
- ✓ Planning & Development Director
- ✓ Engineering Service Director
- ✓ Public Services Director
- ✓ Transportation Director

He referred to the Public Notification Timing Requirements chart which identifies whether it is a rezoning or special use permit etc...

Zoning districts:

- Highway Business and General Business have been combined together as General Business
- Two sets of standards within each district. General Business outside of the Core City and a General Business requirement inside the Core City

Council Member Alexander asked what the options would be for a developer that wanted to exceed building height. Mr. Burnette explained there would be a couple of options: One would be an administrative adjustment. He further explained that some districts have eliminated building heights. Other options would be incentives, going before the Board of Adjustment, or a text amendment. He advised that in some zoning districts height limits were increased and setbacks to the street were lowered making districts more flexible. He pointed out that the City Council always has the option to make changes to the ordinance.

Residential Use Classification:

- Reduced the total or specified use types from 400 down to 100. (i.e. in the old ordinance, it was specifically spelled out such as “drug store, grocery store, department store, etc...,” however, the new ordinance identifies these and regulates it as “retail store” with the only difference being the size of the store.

Mr. Burnette advised that the zoning districts are currently divided up into five categories:

1. Residential Districts
2. Business Districts
3. Special Districts
4. Planned Development Districts
5. Overlay Districts

The Principal Use Table 4.1.9 contains Use Classification; Use Categories; Use Types; Use Standards. There are five general Use Classifications:

1. Agricultural
2. Residential
3. Institutional
4. Commercial
5. Industrial

Mr. Burnette pointed out the Principal Use Table was reduced from 15 to 9 pages. A wider variety of uses are now permitted in the various districts with many more uses allowed by right instead of as a special use.

Council Member Alexander asked about the difference between a manufactured home and a modular home. Mr. Burnette explained the only way to make this determination would be to find out whether the home was built according to HUD standards (mobile homes) or the NC Building Code. He further explained that a modular home is inspected in the same manner as construction of a house, but only site set ups are

inspected on manufactured dwellings (mobile homes). Manufactured dwellings have a HUD certificate (a sticker) attached to it which states it was built in a factory according to HUD standards.

CHAPTER 5 (Development Standards)

- Some flexibility added
- Much of the parking standards have been greatly reduced and much less than previously
- Large retail and pocket neighborhoods and corner retail with districts
- Sustainability of the ordinance which gives the developer some options or opportunity, density, building height or reduction in parking or signing area which is purely voluntarily. Then in turn, they would get bonus rates which is something new and in part with the HUD Grant.

CHAPTER 6 (No changes)

- Environmental standards
- Watershed
- Public Tree
- Soil Erosion control etc...

CHAPTER 7 (Subdivision Standards) No changes

- Any private street when allowed, it must meet the public street standards.

CHAPTER 8 (Nonconformities)

CHAPTER 9 (Enforcement)

CHAPTER 10 (General rules)

- Measurements
- Definitions

Since Council Member J. Davis is in the construction business, Council Member Alexander asked how comfortable builders are with the new Development Ordinance. Council Member J. Davis felt most were fine with it and pointed out that it has been vetted in the community and that he relies on feedback from TREBIC. Council Member C. Davis pointed out that Judy Stalder with TREBIC was part of the committee that worked on the Development Ordinance rewrite. Ms. Stalder stated she was aware that things would certainly come up and changes would need to be made. She felt things look promising and pointed out the new Development Ordinance would add flexibility for developers and would be helpful.

Mr. Burnette reiterated that Council would periodically see amendments because changes would be expected. Likewise, as part of the process, staff also identified some map amendments that need to be made as well. He advised that no ordinance/map change could be done without City Council initiation.

Mr. Burnette strongly encouraged Council to let him know if they hear reports that things are not working properly on the website so they could address the issues as soon as possible.

City Manager Greg Demko noted over five years of dedication went into this task and expressed appreciation for all the hard work staff and consultants put into the rewrite project. He shared the end result was to simplify the process, making it fair, and encourage more investment in High Point.

Over the five years of dedication, City Manager Greg Demko expressed his appreciation for all the hard work and with the end result to simplify and try to make it fair and to do investments in High Point with the continued effort.

Update- 2016 Crime Statistics Report

Chief Shultz reported on the following crime statistics for the year compared to 2015:

- Violent crimes are up +13%

- Part I Crime up +8%
- Property crime up +7%
- Aggravated assault showed the biggest increase in Part I Crime at +15%
- Gun crime up +32%
- Heroin overdoses up +148%

Chief Shultz advised that High Point ranks fourth safest among ten cities in NC for rate per 100,000 and is lower than the average for those ten cities in every crime type and crime rate.

Focused Deterrence: The High Point Focused Deterrence initiative has both short and long term goals. The short-term goal is to reduce violent crime through strategic prosecution, and to deter others by notifications. The long-term goal is to bring all “players” to the table and address, through strategic planning, the underlying issues that contribute to violent behavior.

- 33 Violent Crime Task Force (VCTF) persons notified at call-in
- 9 domestic violence offenders notified at call-in
- 157 people had custom notification
- 19 community/neighborhood flyer responses
- 14 threat assessments addressed
- 18% recidivism rate for violent crime offenders (2008-2016)

High Point Indexed Violent Crime: Per 100,000:

- During 1996 VCTF Partnership was developed, they were able to drive down crime with a 56% decrease in crime while the population has increased 47%
- For the past three years, violent crimes have been on the rise

1980 – 2016 Violent and Property Part I Crime Indexed per 100,000:

- In 1996 spiked out with over 10,000 violent crimes
- 3,500 for the past year

The Part I Crime Rate Maps:

- Consists of Rape (37), Robbery (219), Homicide (7), Aggravated Assault (347)
- Property crimes include burglary, larceny (excluding shoplifting) and motor vehicle theft
- The highest violent crime rate for the city is the area north of E. Green Street, west of Brentwood St., east of Main Street and south of Dr. Martin Luther King, Jr. Drive

According to the FBI Stats, for the first half of 2016, crime increased in “all of the offenses in the violent crime category.” Violent crime increased in all city groupings, based on 13,366 law enforcement agencies that submitted data to the FBI. Violent crime increased in all four national regions, Midwest and South (5.9), West (6.4) and Northeast (1.2).

Chief Shultz expressed concerns regarding the number of incidents involving guns in violent crimes (increase of 32% from 2015). Council Member C. Davis asked if this could be associated with the heroine epidemic. Chief Shultz responded that much of the drugs could be related, but does not know if it is specifically heroin related. He reported that there are a lot of the crimes, home invasions and shootings that are going to be drug-related, as well as robberies. He pointed out that many of the drug dealers and robbers are robbing each other.

Council Member Alexander wanted a breakdown for the guns registered versus the ones not registered. Chief Shultz stated he did not have this information available, but could retrieve it. Council Member

Alexander shared many years ago there used to be check points set up where they asked if there were any guns in the vehicle and if they were registered. Chief Shultz reminded Council that they have to be careful not to violate any rights and felt the most beneficial way to get this information would be to look at people that already have criminal records.

Drug market intervention areas:

Chief Shultz reported that the open area drug has changed due to the technology that has changed it. He specified that the heroin has changed due to the patterns that have been developed almost like a taxi where people can meet at a location. He shared stats on the following violent crime areas:

- West End down almost 30%
- Daniel Brooks up 40%
- Southside down 13%
- East Central up 30%
- Washington Drive up 21%.

He reviewed the Calls for Service:

- West End down 10%
 - Daniel Brooks up almost 50%
 - Southside up almost 24%
 - East Central up 60%
 - Washington up 65%
- (He noted much of this is due to the blight in those areas.)*

Arrests – 8,141:

- Breakdown for over 18 and under 18 years
- What the specific charges were

2002-2016 Violent Crimes Clearance Rates:

- High Point Police Department's clearance rate for 2015 was 89%
- 2016 at 86% clearance rate

2002-2016 Property Crimes Clearance Rates:

- Still at 60% for 2016 second best clearance rate for that time period

Chief Shultz mentioned the Crime Stoppers partnership and advised they just got permission to get them back into the school system.

Traffic:

- Since 2000, they have had the most traffic accidents that they have responded to with almost 5,000 accidents with 10 fatalities and the majority were not wearing seat belts.
- Most due to distracted drivers

Citations – 18,299:

- Over 18,000 citations were issued
- 2015 was a tough year with many officers around the country being killed. Many officers are worried about having to get out of their patrol cars. The High Point Police Department actually wrote more citations and are progressive continuing to get out and stop cars for traffic violations.
- Up from 49,000 to 53,000 calls for service

Heroin Overdoses – 191

- Had nine deaths in 2016 which was up over 14 and the numbers had 150% increase from 2014 in a National trend
- He noted that they are seeing the same trend from 18-65 year-olds with a majority being 20-30 year-olds.
- 114 of these people came from outside of High Point while getting the drugs and overdosing here.
- 191 since 2014 with 77 overdoses this past year. This represents about a 150% increase from 2014.
- Chief Shultz reviewed a map identifying the locations for heroin overdoses happening in High Point.
- High Point Police Department is working the DA and federal agencies to try to address the heroine sources

Council Member Alexander asked about the **Police Department's force level** as to what has been authorized. Chief Shultz stated he did not have that number, but explained the department continues to be short-staffed and is down by 12 people. He mentioned that the city just received a federal grant for 8 position and they are actively trying to fill these positions, but it takes a while for them to go through BLET and field training before they can become sworn, productive officers.

Council Member C. Davis inquired about the status of the **over-crowded space at the current Police Department** on Leonard. Chief Shultz remarked that numbers continue to grow, but the space does not and this continues to be a huge challenge for them.

Chief Shultz reported they recently moved the **Victim's Justice Center** from Taylor Avenue at the Southside Recreation Center to the Family Services building on Long Street. He explained the move allowed them use of a computer system where they can now do over the internet requests for protective orders. He mentioned how they can combine their resources for the victims' advocates and are still working closely with them. He advised that they are still working with Greensboro and Guilford County in hopes of bringing a Justice Center to High Point that replicates what they have done in Greensboro.

City Manager Demko asked Chief Shultz to elaborate on the staffing levels in regards to **Academy enrollments**. Chief Shultz indicated that Academy enrollments are down drastically in all the 100 North Carolina counties and this seems to be the trend

The Chief mentioned that he has been talking with Dr. Sharon Contreras, Superintendent for the Guilford County Schools, and she seems to be really excited about looking to see how Guilford County Schools can work to support the communities. A need that Dr. Contreras assessed was how to turn young people on to become first responders (i.e. police, fire, EMS, etc...). He shared that she actually started a school for first responders in Syracuse and she was interested in seeing what opportunities are in High Point.

Council Member Golden stated while traveling to other parts of the State, he rarely sees police on the highways, but he always sees **High Point Police on 311 in High Point**. He asked if the police are targeting people for speeding and if this was normal procedure. He questioned why it was High Point Police and not the NC Highway Patrol patrolling the interstate. Chief Shultz explained that the High Point Police Department is responsible for responding to everything in the city, and sometimes even in rural areas because of mutual aid. He shared the objective is for them to really focus on where the problems are, where the accidents are, where the violations are happening, and prioritizing intersections and to have police officers in the areas where the data dictates they should be.

Council Member J. Davis brought up the subject of **alarm permits** and pointed out that some Council members are receiving emails due to citizens not knowing what they are supposed to do to register their alarms. Chief Shultz noted that much of the information can be found on the city's website and users can log in, fill out the application and submit it online. He advised that he has been working on this with Jeron Hollis, Director of Communications & Public Engagement. Council Member J. Davis suggested putting some type of notification in the utility bills. Mr. Hollis noted the information was sent out to the news media, which prompted the article and the intended purpose was to make people aware that permits are required. Chief Shultz pointed out the purpose of the alarm ordinance is to try to keep people from having repeat false alarms because that ties the officers up when they should be out in the community taking care of other stuff. Council Member J. Davis felt the city could do a better job in communicating and letting the public know about the process and requirements.

Chief Shultz provided a quick update on the officer that was recently injured when dragged by a vehicle that he stopped. He let Council and staff know that the officer is doing okay and waiting for follow-up with medical provider/specialists. Another officer hurt his knee in the same incident and should be okay.

Closed Session- Economic Development

Mayor Bencini stated there was a need for Council to go into Closed Session to be briefed by staff regarding proposed economic development projects.

At 4:47 p.m., Council Member Wagner moved to go into Closed Session for the purpose of economic development, pursuant to N.C. General Statute 143-318.11(a)(4). Council Member Alexander made a second to the motion, which carried unanimously.

Upon reconvening into Open Session at 5:02 p.m., Mayor Bencini announced there would be no action taken as a result of the Closed Session.

The meeting adjourned at 5:02 p.m. upon motion duly made and seconded.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Maria A. Smith
Deputy City Clerk