

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
April 3, 2017 – 5:30 P.M.**

ROLL CALL AND MOMENT OF SILENCE

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

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

Mayor Bencini called the meeting to order; a Moment of Silence followed.

He recognized members of Cub Scout Pack #16 (Immaculate Heart of Mary), who led the Pledge of Allegiance.

RECOGNITIONS AND PRESENTATIONS

170092 Libby Rush - Certified Local Government Purchasing Officer

Jeff Moore, Director of Financial Services, would like to recognize Ms. Libby Rush who recently received her Certified Local Government Purchasing Officer status.

Jeff Moore, Director of Financial Services, recognized Libby Rush, who recently received her Certified Local Government Purchasing Officer status. The city now has three purchasing officers that are certified. Mitzi Meyers in the Purchasing Office has also begun the credentialing process. [applause] [photo opportunity followed the presentation]

170094 Award - 2016 Sustained Professional Purchasing Award

Jeff Moore, Director of Financial Services, would like to recognize the City of High Point Purchasing Division for recently receiving the 2016 Sustained Professional Purchasing Award (SPPA). The City of High Point is one of fifteen agencies throughout the association to receive this award.

Jeff Moore, Director of Financial Services recognized the High Point Purchasing Division for recently receiving the 2016 Sustained Professional Purchasing Award (SPPA) and presented it to Erik Conti, Purchasing Manager, Mitzi Myers and Libby Rush with the Purchasing Office. [applause] [photo opportunity followed the presentation]

170112 Proclamation - National Community Development Week

Representatives from the City Community Development and Housing Department will be present to accept a Proclamation proclaiming April 17-22, 2017 as "National Community Development Week" in the City of High Point.

Mayor Bencini read the proclamation into the record proclaiming April 17 - 22, 2017 as "National Community Development Week." Lauren Atwell-Bass with Community Development was present and accepted the proclamation on behalf of the Community Development Department. Following acceptance of the award, Ms. Atwell-Bass shared information about "National Community Development Week" and reported on some of the activities that they have planned to celebrate the occasion. [applause] [photo opportunity followed the presentation]

170115 Proclamation - Fair Housing Month

Ms. Fanta Dorley, Human Relations Manager, will be present to accept a Proclamation proclaiming the month of April 2017 as "Fair Housing Month" in the City of High Point.

Mayor Bencini read the Proclamation into the record declaring the month of April 2017 as "Fair Housing Month" in the City of High Point and presented it to Fanta Dorley, Human Relations Manager. [applause] [photo opportunity followed the presentation]

170113 Proclamation - Child Abuse Prevention Month

Ms. Sue Spidell from Family Services of the Piedmont will be in attendance to receive a Proclamation proclaiming the month of April 2017 as "Child Abuse Prevention Month in the City of High Point.

Mayor Bencini read the Proclamation into the record proclaiming the month of April 2017 as "Child Abuse Prevention Month" in the City of High Point and presented it to Sue Spidell, representing Family Services of the Piedmont.

Following the presentation, Ms. Spidell shared some comments and statistics regarding child abuse. She distributed some "Pinwheel Garden" stickers as a reminder that every child deserves to have a safe and healthy home.

[applause] [photo opportunity followed the presentation]

170114 Resolution - Supporting the High Point Police Department

Mayor Bencini will present Police Chief Ken Shultz a Resolution on behalf of the High Point City Council supporting the public safety efforts of our High Point Police Department.

Mayor Bencini read a Resolution into the record supporting the public safety efforts of the High Point Police Department and presented it to Assistant Chief Ken Steele. [applause] [photo opportunity followed the presentation]

STRATEGIC PLAN UPDATE**170095 Council will receive an update on the Strategic Plan from Council**

Council Member Jeff Golden, Chair of the Community Housing, Neighborhood Development and Public Safety Committee and Council Member Jason Ewing, Chair of the Prosperity & Livability Committee.

Code Enforcement/Blight

Community Housing, Neighborhood Development & Public Safety Committee Chair Council Member Golden provided an update on some numbers as they relate to the Code Enforcement efforts regarding blight in the city. He then shared numbers for the March 2017 activities as follows:

- ✓ 54 Minimum Housing Complaints
- ✓ 231 Active Minimum Housing cases
- ✓ 90 Active Backlog cases
- ✓ 52 Public Nuisance Complaints
- ✓ 149 Active Public Nuisance cases
- ✓ 26 Zoning Complaints (vehicles, signs, banners, etc....)
- ✓ 355 Signs collected

Chairman Golden noted the backlog of minimum housing cases from the old system has dropped significantly from 270 in May 2016 to 90 in March 2017. The city's application for a second round of the Technical Assistance Scholarship Program (TASP) was approved. As a result, the City of High Point was awarded an additional 75 hours of consulting time from the Center for Community Progress. The additional technical assistance will help the city be more proactive in housing and building code enforcement in targeted areas that support the needs of vulnerable residents.

Lori Loosemore, Local Codes Enforcement Supervisor, shared some before and after photographs of some of the public nuisance and demolition cases that staff has been working on (1208 Pearson Street; 513 White Oak Street; 101 Charles Street).

Connect HP

Prosperity & Livability Committee Chairman Council Member Ewing recognized Sarah Belle Tate, Chair- Connect HP, and asked her to provide an update.

Ms. Tate provided a brief update on the happenings of Connect HP and shared some of the highlights reported from their March 17th meeting as follows:

They will start doing an E-newsletter beginning in April 2017 (format will focus on their four focus areas: live, work, play and serve). They are also currently working on building a list of young professionals' email addresses and solicited help identifying additional email addresses.

Social Media. They now have admin rights to the High Point Young Professionals Facebook page and will be posting frequently.

Open Meetings/Focus Groups. They will be focusing on urban living due to the interest that has been shown for this topic.

Ms. Tate concluded her presentation and welcomed Council's feedback, ideas and suggestions. Their email address is connecthptaskforce@gmail.com

PUBLIC COMMENT PERIOD

170096

Public Comment Period

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

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

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

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

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

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

Don Webb, a resident at 2209 Timberlake Avenue, addressed Council regarding a fire that occurred on February 5th at 212 Maple Place, Apartment O, that displaced his legally blind son. He arranged to have the apartment secured by working directly with the contractor with no assistance from the building management. Mr. Webb reported to this date, there has been nothing done to repair any of the damage done to the property. He advised that five weeks after the fire, there was a heavy rainfall, which caused the roof to leak and it came through the HVAC system and put about two inches of water on the floor. Other residents were also displaced as a result.

Mr. Webb reported that Fowler & Fowler is the Building Management company looking after the property and although it has been reported to the manager, Amy Hedgecock, she has been unresponsive. This was complete unacceptable to Mr. Webb. He found the unresponsiveness from Ms. Hedgecock to be illegal and discriminatory. Mr. Webb added that the city has been very responsive and he was not asking for a solution from the City Council, but he did want to raise awareness of the situation.

Angela Roberson, a resident at 1452 Cantwell Court in High Point and Pastor of Congregational United Church of Christ at 401 Gordon Street, reported that she met with the Baha'i faith community in late January to see if they would be interested in helping her plan a National Day of Prayer event in High Point and they agreed. This will be a multi-faith National Day of Prayer event with an expression of community, unity and peace. Two separate events are planned; one for 7:00 a.m. and the other at 7:00 p.m. on May 4th at the High Point Library Amphitheater. She issued a personal invitation to Council and the community to attend and help them pray for the city, the nation and the region.

Rev. Frank Thomas, a resident at 693 Mallard Landing Blvd. in Clemmons, and Pastor of Mt. Zion Baptist Church, publicly thanked the City of High Point for the donation of the computers for their Community Writing Center. The Writing Center is a partnership between Kirkman Park Elementary School and High Point University housed at Mt. Zion Baptist Church. He shared his vision to one day increase the Community Writing Center to add the following programs:

- ✓ Adult Literacy Program
- ✓ English as a Second Language
- ✓ Resume' Writing
- ✓ Tax Preparation Assistance

He noted they have already been in contact with "Say Yes to Education" who will be using their computer lab for FAFSA workshops.

CONSENT AGENDA ITEMS

Chairman J. Davis reported that the Finance Committee met on March 29th and recommended approval of the following finance items. He recommended that these matters be rolled into one motion for approval.

At this time, Chairman J. Davis moved to approve all finance-related matters on the Consent Agenda. Council Member Alexander made a second to the motion, which carried unanimously.

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, Hill and Alexander
(all were present)

170097 Contract - Sodium Hydroxide

Council is requested to award a contract to JCI Jones Chemicals in the amount of \$171,360.00 for the purchase of Sodium Hydroxide to be used at the city's water and wastewater treatment facilities.

Approved award of the contract to JCI Jones Chemicals in the amount of \$171,360.00.

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

170098 Contract - Asphalt Supplier - City Wide

Council is requested to renew the contract with APAC Thompson Arthur, Inc., in the amount of \$548,300.00 for asphalt to be used by city crews when performing maintenance functions that require different types of asphalt.

Approved the renewal to the contract with APAC Thompson Arthur, Inc. in the amount of \$548,300.00.

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

170099 Professional Services Engineering Services - Ray/Hospital Stormwater Study & Preliminary Design

Council is requested to approve a professional engineering services agreement to WK Dickson & Co., Inc. in the amount of \$254,710.00 for the West Ray / Hospital Stormwater Study & Preliminary Design.

Approved a professional engineering services agreement with WK Dickson & Co., Inc. in the amount of \$254,710.00.

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

170100 Change Order No. 4 - Yates Construction Company - North Main Street Underground Utilities Project

Council is requested to approve Change Order No. 4 to the Yates Construction Company contract in the amount of \$185,000.00 for the North Main Street Underground Utilities Project. Total contract amount including this change order will be \$5,616,537.99.

Approved Change Order No. 4 to the Yates Construction Company contract in the amount of \$185,000.00.

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

170101 Contract - Furniture Market Transportation Services

Council is requested to approve a contract with McLaurin Transportation and Parking Company for services associated with the biannual High Point Furniture Market. The contract period is scheduled to begin July 1, 2017, with an initial term of three years, covering the Fall 2017-Spring 2020 markets, with options for two one-year extensions.

Approved a contract with McLaurin Transportation and Parking Company for a contract period to begin July 1, 2017 with an initial term of three years, covering the Fall 2017 through Spring 2020 markets, with options for two, one-year extensions.

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

REGULAR AGENDA ITEMS

COMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT AND PUBLIC SAFETY COMMITTEE - Council Member Golden, Chair

Committee Members: Golden, Alexander, Ewing and Williams

(all were present)

170102 Ordinance - Demolition of Structure - 1310 Ragan Avenue

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 1310 Ragan Avenue belonging to Elly's Place LLC.

Lori Loosemore, Local Codes Enforcement Supervisor, reported this property was a backlog case that was restarted. The case was initially started in 2009 and the new case was started in July of 2016. A hearing was held by staff on December 2, 2106, but no one appeared. During the hearing, staff determined that there were multiple structure violations and deemed the structure to be unsafe. The repairs exceeded 50% of the value of the structure. Staff issued an Order to Repair or Demolish with an expiration date of January 13, 2017.

Ms. Loosemore advised that she did speak with the property owner on Friday and was told that they plan to take out a demolition permit and demolish the property. However, as of today, no permits or applications for repair/demolition have been submitted.

Chairman Golden asked if there was anyone present who would like to speak regarding this housing case. There being no one present, he proceeded with the motion.

Adopted an ordinance ordering the inspector to effectuate the demolition of a structure located at 1310 Ragan Avenue.

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

**Ordinance No. 7283/17-25
Introduced 4/3/2017; Adopted 4/3/2017
Ordinance Book, Volume XIX, Page 166**

170103 Ordinance - Demolition of Structure - 613 Manley Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 613 Manley Street belonging to Joshua and Sarah Stahl.

Lori Loosemore, Local Codes Enforcement Supervisor, explained that after talking with the property owner today on several different occasions, she more than likely would be amending staff's original recommendation for demolition of this property. She advised that the property owner plans to have all the overgrown trees/bushes removed from around the house within the next 30 days; repair/paint the house or put up siding and gutters; remove and replace the rotted wood flooring in the kitchen; and pay for two years of the four years they owe in delinquent taxes. The property owner agrees to do these things, make these repairs and plans to have the property completely ready for occupancy by mid-June. The property owner is aware that if it is not done within 30 days, staff will bring it back before Council.

Placed this matter in pending until further notice from the inspector.

A motion was made by Council Member Golden, seconded by Council Member C. Davis, that this matter be deferred and placed on the pending list for the Community Housing & Neighborhood Development. The motion PASSED by a 9-0 unanimous vote.

170104**Ordinance - Demolition of Structure - 262 Dorothy Street**

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 262 Dorothy Street belonging to High Point Christian Center.

Lori Loosemore, Local Codes Enforcement Supervisor, reported this property was originally inspected on January 23, 2017 and several violations of the Minimum Housing Code were cited (damaged rafters, damaged piers, ceiling joists, chimney, etc....). Staff held a hearing on February 3, 2017 and both Mr. Simpson Baker and Cathy Gray attended the hearing. At that time, staff determined there were numerous violations of the Minimum Housing Code, as well as a lot of structural damage. Mr. Simpson and Ms. Gray did indicate that they would like to repair the structure at 2690 Dorothy Street that shares the same lot, but agreed that the structure at 262 Dorothy Street was beyond repair. The structure does exceed 50% of the tax value and staff issued an Order to Repair or Demolish on February 3, 2017 with an expiration date of March 8, 2017. Ms. Loosemore advised that she did speak with Mr. Baker on Friday and he was present at tonight's meeting. To date, no permits have been applied for.

Chairman Golden asked if the property owner was present.

Simpson Baker, Jr., a resident at 4415 Willow Road, and owner of the property at 262 Dorothy Street, informed Council that he had been talking with the Fire Department regarding the possibility of them burning the structure, but due to asbestos in the walls, they would not be able to burn it. He advised that he was in the process of getting someone to tear it down, but would like to have about 30 additional days to get it done.

Ms. Loosemore explained that once the ordinance for demolition is adopted, the property owner would still have 30 days to get it down and since the property owner was already going through the process to have it demolished, staff could wait for them to demolish it and would not move forward yet.

Adopted an ordinance ordering the inspector to effectuate the demolition of a structure at 262 Dorothy Street.

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

Ordinance No. 7284/17-26

Introduced 4/3/2017; Adopted 4/3/2017

Ordinance Book, Volume XIX, Page 167

170105**Resolutions-Transfer of Property - Core City CDC**

Council is requested to adopted resolutions authorizing the transfer of property located at 1210 Kimery Drive, 306 Morgan Place, 308 Morgan Place and 1002 Gordon Street to the

newly incorporated Core City CDC for the purpose of construction of new affordable housing.

Deputy City Manager Randy McCaslin advised that the city has formally established and set up the non-profit Community Development Corporation (CDC) for the purpose of accepting properties that the city is acquiring through the blight reduction program. There are four properties that need to be transferred to the CDC: 1210 Kimery Drive; 301 Morgan Place; 308 Morgan Place, and 1002 Gordon Street. Once the CDC receives these properties, they would work with various groups to continue the city's infill program.

Council Member C. Davis asked if the city currently owns these properties and Mr. McCaslin advised that the city does own all of them.

For further clarification, City Attorney JoAnne Carlyle advised that the transfer of these properties would be advertised and her staff would get the ad out in the next day or two. She pointed out ten days from that advertisement date, the transfer would be final.

Adopted resolutions authorizing the transfer of property located at 1210 Kimery Drive, 306 Morgan Place, 308 Morgan Place and 1002 Gordon Street to the newly incorporated Core City CDC for the purpose of construction of new affordable housing.

A motion was made by Council Member Golden, seconded by Council Member C. Davis, that the Resolution authorizing the transfer of these properties be adopted. The motion PASSED by a 9-0 unanimous vote.

170106

Community Development and Housing Department 2017-2018 Annual Action Plan

Monday, April 3, 2017 at 5:30 p.m. is the date and time established to receive public comments on the Community Development and Housing Department 2017-18 Annual Action Plan. The plan was approved by the Citizens Advisory Council at their meeting on Thursday, March 23, 2017.

Mike McNair, Director of Community Development & Housing, provided a broad overview of the 2017-2018 Annual Action Plan, which will be attached in Legistar as a permanent part of these proceedings.

Mr. McNair reported on the following information that is contained in the Annual Action Plan:

- *Community Development Staff (18 full-time employees)*
- ***Four Divisions:*** *Affordable Housing; Community & Neighborhood Development; Administration; Code Enforcement Strategies to Strengthen Neighborhoods (mitigate blighting influences; diversity incomes; maintain community partnerships)*
- ***Annual Funding Sources*** *(CDBG and HOME Program funds)*
- ***HUD 2016 Income Guidelines.*** *These help staff determine eligibility for individual applicants.*

- **Budget** (totals about \$4.3 million)
- **Housing Services.** Involved in the development of multi-family housing. Partnering with two non-profits: Habitat and Community Housing Solutions.
- **Community Oriented Services.** Includes a wide range of activities and numerous partnerships to strengthen neighborhoods.
- **Public Service Grant Applicants.** Received 15 with \$55,000 available for planning purposes. CAC has reviewed the applications and heard presentations from the applicants.
- **Code Enforcement Activities.** Staff has implemented new Code Enforcement Zones which will assign specific inspectors to specific areas for continuity and accountability.

Mr. McNair explained that due to the anticipated pending expiration of the continuing resolution, there is a high probability that staff will need to come back in July with different numbers. To meet the statutory deadline, staff had to go through the process to develop and submit an Annual Action Plan to HUD and because of the requirement for matching allocations and the uncertainty of what and how much would actually be included in Congress' budget, these numbers are subject to change. This could also result in some programs being delayed.

Mr. McNair mentioned Operation In As Much (OIAM), a program where volunteers go out into designated communities that require urgent repair work. and going into communities that require urgent repair work. Two events are planned per year with anticipation of starting an off-cycle In As Much working with other agencies and churches to assist people in between the two OIAM events per year. The next OIAM event is scheduled for May 6th in the Highland Mills neighborhood.

- **Core City Homebuyer Incentive Program.** Now up to 47 applications and 41 closings. This program has been very successful with anticipation that it will be continued.
 - ✓ Leveraging Resources
 - ✓ Kirkwood Crossing (anticipated completion in June)
 - ✓ Harley Ridge (will get underway this summer)
 - ✓ Highland Creek Apartments. Located in South High Point. Proposing a loan of \$325,000 similar to other loans done in the past. The developer for this project will submit his application pending Council approval in mid-May with some kind of determination being made in August as to whether or not it receives approval.

Mr. McNair advised that the Annual Action Plan was unanimously approved by the CAC and the planning process met all HUD regulatory requirements. The Annual Action Plan will be submitted to HUD by May 15th for approval. Council was asked to review the Plan that will come back to Council for a vote on May 1st.

At this time, Mr. McNair introduced Elizabeth Dennis, the current Vice Chair of the Citizens Advisory Council.

Ms. Dennis explained the role of the CAC is to hear the requests and concerns of the citizens of High Point and to report those concerns to Council. They are specifically tasked with providing the citizens of High Point the opportunity to participate in the development of community housing programs that benefit low to moderate income areas of the city, to provide decent housing, to improve living conditions and to expand economic conditions for individuals in those areas.

She advised that the CAC members have been attending the neighborhood association meetings throughout the months of February and March in anticipation of receiving the Action Plan. They have been talking to the leaders and members of these neighborhood associations and listening to the challenges and concerns that they face in their respective communities.

She also reiterated that the CAC did review the 15 Public Service Grant applications that were received. These applications have been scored and rated by the CAC, but they are in the process of continuing to evaluate them to see how to fund the projects that have been requested. The CAC is recommending Council's approval of the Annual Action Plan as submitted.

Chairman Golden asked if there was anyone present who would like to speak regarding the proposed Annual Action Plan. There being no one present to comment, he advised that the Annual Action Plan will be on Council's May 1st Agenda for approval, then it will be submitted to HUD for their approval by May 15th.

Acknowledged receipt of the Annual Action Plan and held the required public comment period.

PENDING ITEMS

- 170077 Ordinance - Demolition of Structure - 901 East Green Street**
Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 901 East Green Street belonging to AR-MEL Investments.
- 170078 Ordinance - Demolition of Structure - 903 East Green Street**
Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 903 East Green Street belonging to AR-MEL Investments.
- 170079 Ordinance - Demolition of Structure - 905 East Green Street**
Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 905 East Green Street belonging to AR-MEL Investments.
- 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. At the December 5, 2016 Council Meeting, Council deferred this item for 60 days or until the February 6, 2017 Council Meeting. At the February 6, 2017 meeting this item was placed back on the pending list).*

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Wagner, Chair

PUBLIC HEARINGS

Committee Members Wagner, J. Davis, C. Davis and Golden

170107 Ordinance - High Point University - Zoning Map Amendment 17-02

A request by High Point University to rezone approximately 3.47 acres from the Residential Single Family-5 (R-5) District to a Conditional Zoning Institutional (CZ-I) District. The property is bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Denny Street.

The public hearing for this matter was held on Monday, April 3, 2017 at 5:30 p.m.

Herb Shannon of Planning and Development provided an overview of the staff report for Zoning Map Amendment 17-02, which is hereby attached in Legistar as a permanent part of these proceedings.

The applicant, High Point University, is requesting that Council rezone approximately 3.47 acres from the Residential Single Family-5 (R-5) District to a Conditional Zoning Institutional (CZ-I) District. The property is currently developed with several one and two story buildings from a former private school and a church. The applicant is requesting reestablishment of institutional uses on the property. Along with their zoning application, the applicant is considering a Conditional Zoning Ordinance in which they have offered conditions related to access and landscaping.

Regarding the access conditions, the applicant is proposing there will only be one access point to the site from Montlieu Avenue for primary access. However, a secondary gated access for emergency purposes only will be established to Barbee Avenue. All access or traffic will be directed in and out of Montlieu Avenue, which is a thoroughfare street, with a signalized intersection.

As for the landscaping, the applicant is offering a condition to increase the required 8-foot wide street yard to 15-feet and has offered to increase the amount of planting material that will be installed in the planting yard, including provision for a higher standard of evergreen shrubs.

Staff finds the request to be consistent with adopted policies and notes that although the site has a low-density residential land use map classification, institutional uses are not necessarily inconsistent because it is not unusual to find schools or institutional type uses within residential areas. Staff also finds that the higher landscaping standards that the

applicant has offered mitigates any negative impact due to the proximity of the site and access from Montlieu Avenue, which is a thoroughfare street.

Mr. Shannon pointed out that higher standards for perimeter landscaping/parking and evergreen plantings is now required in the New Development Ordinance that became effective on January 1, 2017. This will filter any headlights and the New Development Ordinance also includes standards for exterior lighting to limit an exterior impact on adjacent residential property owners. These standards will also ensure rezoning of the site will be compatible with the adjacent property.

Staff has noted this would be an orderly expansion of the university taking into account the following:

- ✓ *Development pattern*
- ✓ *Signalized intersection of two thoroughfares (Montlieu Avenue and North Centennial)*
- ✓ *Next to the western primary entrance to the campus*
- ✓ *It encompasses and entire block*

Staff suggests that approval of the request is consistent and reasonable as the request is consistent with the Land Use Plan. Landscaping and access conditions will mitigate any impact to adjacent property owners and the intensity of the development would be limited. The location of the property to a major signalized thoroughfare also speaks of consistency.

Staff is recommending approval of the request. The Planning & Zoning Commission reviewed the request at their March meeting and also recommended approval by a 6-0 vote.

At this time, Chairman Wagner invited the applicant to come forward to speak.

***Barry Kitley**, Director of Community Relations with High Point University, concurred with the information shared by staff. He added that they held a public meeting on March 9th at 6:00 p.m. and as customary, they made themselves available by phone, on campus or by special invitation off campus to those wishing to discuss it further. He reported that they had five people to show up for the meeting and three phone calls, but no one expressed any opposition to their request.*

At this time, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak in favor of or against this request. There was no one present to offer comment.

Adopted ordinance authorizing the rezoning of this property from the Residential Single Family-5 (R-5) District to a Conditional Zoning Institutional (CZ-I) District based on consistency with the city's adopted plans and that the request is reasonable in the public interest for the reasons identified in the staff report.

A motion was made by Mayor Pro Tem Wagner, seconded by Council Member J. Davis, that the Ordinance authorizing Zoning Map Amendment 17-02 be adopted. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7285/17-27
Introduced 4/3/2017; Adopted 4/3/2017
Ordinance Book, Volume XIX, Page 168

170108 Ordinance - JLA Furniture - Text Amendment 17-01

A request by Doug Walton Architect, PLLC on behalf of JLA Furniture, to amend the Development Ordinance, Section 5.7. *Signage*, to permit freestanding video signs for market showrooms in the CB District, subject to specific standards.

The public hearing for this matter was held on Monday, April 3, 2017 at 5:30 p.m.

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

Mr. Robbins explained this is a proposal to permit freestanding video signs for market showrooms in the Central Business District, subject to specific standards that are the subject of the amendment. JLA is upfitting the old post office building located at 100 E. Green Drive. Also included in this upfit is the construction of an outdoor patio or plaza that would wrap around three sides of the building. The design of the patio includes several large video monitors, each one fastened on its own pedestal foundation to be located along the street lines facing the properties (E. Green, S. Main and S. Wrenn).

Mr. Robbins advised that the current sign regulations in the Development Ordinance do not permit freestanding video signs; however, in 2014, Council did approve a text amendment allowing a video sign to be placed on an exterior wall of a building used as a market showroom in the CB District only. He pointed out the sign that was the subject of this text amendment is visible above the doors on the E. Commerce side of the IHFC building under the Transportation canopy.

The proposed ordinance would:

- ✓ *Allow up to six freestanding video signs per zoning lot.*
- ✓ *The maximum number allowed would be determined by the number of street frontages of the property and the linear footage of the street frontages.*
- ✓ *No more than two such signs would be allowed per street frontage regardless of the amount of frontage.*
- ✓ *No freestanding video sign will be permitted if the street frontage is less than 50 linear feet.*
- ✓ *The area of each sign is proposed not to exceed 32 square feet.*
- ✓ *The height is not to exceed eight feet from ground level.*
- ✓ *Brightness would be capped at 2,500 nits during the day and 500 nits at night*
- ✓ *All such signs shall be oriented parallel to the street and cannot be within 25 feet of the intersection of street rights-of-way, or the signs can be faced inward so as not to be readily visible from the street.*
- ✓ *No regular freestanding signs will be permitted if there are any freestanding video signs on the property.*
- ✓ *Freestanding video signs will be limited to twice a year, encompassing two weeks prior to two weeks after each semi-annual market.*

- ✓ *Other times of the year, the signs must be securely covered or removed and stored the remainder of the year (they cannot be left in a usable state during that time).*

Mr. Robbins noted the area height orientation and brightness limitations of the proposed amendment are meant to keep the focus of these signs on pedestrians and not on vehicular traffic, limiting the use of the freestanding video signs to the CB District and Market showroom properties, where there would only be limited impact on other business during market times. Staff is supportive of the proposed text amendment because they feel these video signs have the ability to advertise many different products, promotions, events and as a result they would be especially effective during market when there is a high level of pedestrian traffic and a limited amount of time for companies to relay their messages to the pedestrians.

Mr. Robbins pointed out there are some housekeeping type changes that appear in Sections 1 and 3 of the draft and solicited any questions regarding these changes. He reminded Council that they must place in the record a statement of consistency with the city's Land Use Plan. Staff is suggesting that this amendment is neither specifically consistent, nor is it inconsistent with the plan as it does not clearly address the subject matter of the amendment. If approved, the Council is also required to explain why the action taken is reasonable in the public interest.

Council Member C. Davis made an inquiry regarding the discussion at the Planning & Zoning Commission meeting. Mr. Robbins explained that they met and reviewed this request at their March meeting and voted unanimously to support it.

Council Member Ewing asked how this concept is different than previous discussions surrounding digital billboards in that area. Mr. Robbins replied that the main difference is mainly the size of the signs (these are a lot smaller and less bright) and also limited in usage. Unlike billboards, the owners are not able to advertise off-site products or off-site services; the message must remain tied to the property and its occupants/products. Mr. Robbins pointed out these signs would be considered permanent signs and would require a regular sign permit so staff could monitor the length of service of the signs and to ensure that they are using the signs within the time period allowed. Council Member Williams asked if staff had addressed the content of the language on the signs. Mr. Robbins reiterated that the only thing stated in the text amendment is that any advertising must be related to the business on the site.

Council Member C. Davis expressed grave concerns about the possible unsightliness of the signs when not in use, or required to be covered/removed. Mr. Robbins shared that the applicant has designed a cover that will drop down over the monitors so that they are protected during the times they are not being used. Council Member C. Davis pointed out there was no guarantee that others will do the same. Mr. Robbins clarified that either way, they would be required to remove the signs when not in use or cover them.

At this time, Chairman Wagner asked the applicant to come forward.

Ryan Kronbetter, Senior Associate at the firm of Doug Walton Architect PLLC, 4810 University Avenue, Las Vegas, NV, addressed Council in support of the request. He recognized Rusty Ortiz, who was also present representing JLA Furniture. Mr. Kronbetter

advised the primary reason that they went with these video signs was they wanted to bring the building back to its original state and glory and keep Wifi devices and cameras off the building. They felt the monitors would accomplish this by keeping them off the building.

Chairman Wagner then opened the public hearing and asked if there was anyone present who would like to speak regarding this request. There being no comments, the public hearing was declared closed.

Adopted the Amendment to the Development Ordinance, Section 5.7 Signage, to permit freestanding video signs for market showrooms in the CB District, subject to specific standards, based on the approval of the applicant's request being reasonable and in the public interest because:

- 1) The sign regulations already allow video signs affixed to a building wall with many similar restrictions;*
- 2) Limiting use of freestanding video signs to twice a year during Market will minimize the potential impacts associated with them;*
- 3) The provisions of the amendment require the signage to be pedestrian oriented, thereby addressing traffic safety concerns.*

A motion was made by Mayor Pro Tem Wagner, seconded by Council Member J. Davis, to adopt the Ordinance authorizing the approval of Text Amendment 17-01. The motion carried by the 8-1 following vote:

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

Nay (1): Council Member Davis

Ordinance No. 7286/17-28
Introduced 4/3/2017; Adopted 4/3/2017
Ordinance Book, Volume XIX, Page 169

170109 Ordinance - City of High Point - Text Amendment 17-02

A request by the Planning & Development Department to amend the Development Ordinance to remove street design standards, remove Type II Administrative Adjustments, and correct various errors and omissions.

The public hearing for this matter was held on Monday, April 3, 2017 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 a request initiated by the City of High Point to amend the Development Ordinance by removing street sign standards (for added flexibility) and Type II Administrative Adjustments, and to correct various errors and omissions. There are thirteen amendments that are needed to correct minor errors and omissions.

The following three amendments are changes based on the need to remove street design standards from the Development Ordinance to allow added flexibility in the standards:

- 1. To remove the street design standards from Chapter 6 and place them in the High Point Design Standards Manual. The current Development Ordinance limits the ability to modify these standards to between 10-20% and this is often not enough of a modification to make a project work.*
- 2. To remove the Type II Administrative Adjustments because they are all related to the street standards. Once the street standards are removed, there is no need for the Type II Administrative Adjustment; and*
- 3. To remove all other references to the Type II Administrative Adjustments throughout the ordinance.*

Staff suggests that the text amendment is reasonable and in the public interest because it fixes errors and omissions, provides clarity and consistency in the text and allows for greater flexibility in the use of the street design standards. The Planning & Zoning Commission met on March 28th to review the request and recommended approval of Text Amendment 17-02 by a vote of 6-0.

Council Member J. Davis asked if it might be possible to hear from Judy Stalder regarding her concerns voiced at the Planning and Zoning Commission meeting; she felt an opportunity should be afforded to allow the public to speak if there are future amendments to the Transportation Department Policy Manual. He felt Ms. Stalder's request merits consideration. Ms. Galanti explained that the request would have to be reviewed by the Transportation and Engineering staff and thought Ms. Stalder's concerns involved requesting a public comment period for any future amendments to the street standards that would be included in the manual. Council Member J. Davis stated it makes sense to him to allow the stakeholders (developers and builders) an opportunity to comment because of the potential impacts this could have on development.

Ms. Galanti clarified that the idea was to give the developer some added flexibility in street design because the Engineering Department has said the radius' are too big and they were open to allowing changes to those to look at them in greater detail and make some changes that would bring them more in line with the desired street standards of today.

At this time, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak regarding this text amendment.

***Judy Stalder**, representing the Triad Real Estate Building Industry Coalition (TREBIC), 115 S. Westgate Drive in Greensboro, addressed Council. She stated that TREBIC completely supports adding flexibility by moving those standards out of the Development Ordinance into a policy manual, but they would like a provision in the policy that requires a public comment period for any amendments to the street standards that will be placed in the Policy Manual.*

Chairman Wagner asked if there were any additional comments. There being none, the public hearing was closed.

Chairman Wagner then MOVED adoption of the ordinance approving Text Amendment 17-02 based on consistency with the city's Land Use Plan and other plans and that the request is reasonable in the public interest for the reasons stated in the staff report.

Council Member Alexander made a SECOND to the motion.

Council Member J. Davis then offered a SUBSTITUTE MOTION to also include the requirement for a public comment period for any future amendments to the street standards in the Policy Manual. Council Member C. Davis made a SECOND to the SUBSTITUTE MOTION.

Mayor Bencini asked if there was any further discussion. There being none, he called for a vote on the SUBSTITUTE MOTION, which **PASSED by a 9-0 UNANIMOUS vote.**

**Ordinance No. 7287/17-29
Introduced 4/3/2017; Adopted 4/3/2017
Ordinance Book, Volume XIX, Page 170**

GENERAL BUSINESS AGENDA

170116 Budget Ordinance Amendment - Downtown Catalyst Project

Council is requested to adopt a budget ordinance amending the 2016-2017 Budget Ordinance in the amount of \$15 million to appropriate funds for the purchase of land, site design and multi-purpose stadium design related to the downtown Catalyst Project.

Note: A copy of the presentation will be attached in Legistar as a permanent part of these proceedings.

City Manager Greg Demko: Mayor and Council, tonight's presentation may look a little familiar to you. It is the information that staff reviewed with City Council at the March 6, 2017 closed session. Tonight, Assistant Manager Randy Hemann, Budget Director Eric Olmedo, and Mr. Sims Hinds will publicly present the status of High Point's catalyst project and the next steps to advance the proposed project. Mr. Hemann....

Assistant City Manager Randy Hemann: Mayor and Council, I am thrilled to be here to be able to present tonight to you your catalyst project. In March of 2016, to be real honest with you on my 30th anniversary, March 22nd last year, you passed a City Council goal to create a downtown catalyst project that produces 500 private sector jobs, 15-20 new restaurants and shops, 250 additional residential housing units, and a centralized gathering place. You had a short-term goal to receive a sports and entertainment facility report, accept and approve, and determine ownership and financing. And that is what we're here to talk about today.

I want to point out, though, that your focus from the beginning was not to produce a stadium. It was to produce a catalyst project that would help make some other things happen in our downtown. This is about development and it's about our future. It's always been development driven. In fact, during the process of the development we actually spoke to all of these developers and asked them if we build in the downtown would you be interested in

building around this, knowing that that was your focus. We received some very positive comments in that regard.

As a staff, our goal was to have a project that pays for itself over time through project income and increased tax base. To have a project that jumpstarts our core city economy, to help spur the creation of a vibrant downtown. A project that creates a downtown with 365-day-a-year activity and a project that includes all the elements required for success when it's presented to you. I hope that you will agree that we have done that today. What we needed we felt like for success was an experienced development team and I will tell you that from your manager on down, your manager has been involved in several projects like this over the years. You have that team.

I'm also going to talk about our downtown development corporation, a team partnership. Sims is going to cover that. We'll also talk about the CSL Report which you have received in the past and I'm going to talk a little bit about site control and Eric and I will cover financing.

So this is our lead agency. We have a group of very capable folks that are helping carry out this vision. This is our Forward High Point Board and staff. I'll point out that Ray Gibbs is in the audience. Ray has been in downtown development for 30+ years and Ray has done projects like this many times in the past. I also want to point out that Sims is here in his capacity as Vice Chair of this board. He also happens to be with Dilworth Advisers. He's not being paid to assist. He's volunteering all of his time on this project, but he is also with Dilworth Advisors which is a group that consults on projects like this and he does this all over the country. I was told all over the world actually, that he's been consulting in several countries. So we appreciate having him on the team as well. I'm going to let Sims talk a little bit about potential team partnership.

Sims Hinds: *Mayor and Council, it is great to be presenting with y'all tonight. This is what you're going to see as a result of two years of a lot of work and we're really proud as to where we are right now. So from a stadium point of view in terms of operation, viability, some of the things that CSL looked at so we could come back and give you a very viable proposal were three things.*

Number one is an anchor tenant. Someone who could fill up a large number of dates throughout the year because that's how you sell naming rights, that's how you lease luxury suites, sell sponsorships. And more importantly to this project, the catalyst project, gives the developers the comfort that there's going to be a lot of feet on the street in downtown High Point. That's what generates the need for apartment residences, restaurants, retail, office buildings, hotels. So we needed to find the main tenant.

What Randy has given you is a Letter of Intent from the President of the Atlantic League, which is the most successful and oldest independent minor league professional league in the United States of their desire to bring a team to High Point. We have secured a local ownership entity that is well along in their discussions with the Atlantic League and is anxious to get into discussions with the City of High Point about a long-term operating lease as well.

If you don't know about the Atlantic League. They are eight teams. They are going to be expanding up to twelve in the next few years. It's mostly Mid-Atlantic, Northeast League. One team in Houston, they want to come south with a team in Virginia and a team in High Point. You will see in a minute when we get into our projections that we have been very conservative in terms of what we're forecasting as attendance, but we've been in great discussions with the League. The President of the League has been to High Point. Members of a perspective ownership entity have visited two Atlantic League ballparks and met with League ownership within the last couple of weeks and are eager to move forward.

Working with CSL, when you just look at our forecast focusing on the Atlantic League attendance, CSL wanted to take the conservative course. That's the direction that we gave them. They estimated 2,500 people per game. Just a quick piece of information, the lowest drawing team in the Atlantic League draws just a hair under 3,000 people a game and the League averages over 3,900 people a game. We forecasted a great mix of concerts, other sports events. This is a true multi-purpose stadium. It can host high school football, Lacrosse, soccer, big city festivals, religious convocations, concerts. In fact, you may not know it, we discussed it in closed session, the nation's largest promoter of Christian concerns, Premier Productions, is headquartered right here in High Point. They produce over 450 Christian concerts a year all around the United States, but they've never promoted a single show in High Point because there's never been a venue to host one in. And they're very anxious to start producing a Christian music series in your new stadium should you move forward with the project.

Our market is easily big enough to support an Atlantic League team. We asked CSL to come up with what would be our baseball drawing market, factoring in that we have the Grasshoppers to our northeast and the Dash to the northwest. CSL created a market that kind of rings the northern edge of High Point, loops south down through Thomasville and Lexington, which gives us a population of about 230,000 people, which is right in the middle of what the minor league markets are around the United States. We compared ourselves to two of the teams that we visited in the Atlantic League two weeks ago, which are York and Lancaster, Pennsylvania. Their market is similar in size to ours. They also share our market with two other traditional affiliated minor league teams and three major league teams. Both of those teams draw much more substantial attendance projections than we're forecasting in our study. And there's the actual results.

Capacity. *We're looking for a modest sized stadium. A little bit smaller than Greensboro and a little bit smaller than Winston Salem, but nicer than both of them. We follow the rule that less is more, it's especially good when you give the fans great amenities, a great detailing. This will give us plenty of flexibility, both for baseball and other events as well. We'll get up to about 7,500 for concerns, 6,500 for high school football and other events. It'll give us a great range of purposes, a great range of event types that we could host in your ballpark. But we've also included a very conservative mixture of club seats, luxury seats. Based on this program, we worked with Odell, the architectural firm that designed the ballpark in Charlotte and Samet has built the ballpark both in Winston Salem and Greensboro, to come up with what we believe are very solid estimates. Now these are not based on full drawings, these are based on what Samet has seen of our plans. They've given us an estimate of just a little over \$30,000,000 assuming that we start construction this year.*

Ancillary development assumptions. Now, this is really the key as to why you're considering the catalyst project. Yes it's great that we have a stadium or will have a stadium that will fill up the venue every month and week and year with thousands of people, but the key is what type of development can this venue being in downtown High Point create? Throughout the course of Phase II, we met with eleven different developers. We met with most of them five or six times. Talked about the general site area for the ballpark and what would they expect to go around the stadium. Immediately the developers said we'd like to put apartments downtown. We want to be close to the hospital. We want to be close to downtown. We want to be close to HPU. And what you're seeing are the most conservative projections in terms of apartment building that we heard from any of them. Most of them said that they would build a minimum of 80-100 apartment units pretty much the day that we break ground on the multi-purpose stadium. That would give us a vibrancy to downtown High Point that we haven't seen in a long time. Once you get the people living downtown and you get the breweries, you get the restaurants, you get some of the stores to follow, hotel, office building....all of a sudden we have a great downtown development.

I want to point out one thing that's not on the slide, what we are doing is a tried and proven way to redevelop downtown. Look at Durham. Look at Charlotte. Look at what's happening in Greensboro right now and look at what's about ready to start this summer in Winston Salem with over \$100 billion dollars' worth of construction taking place. Also, only about two months ahead of us in their respective processes, Fayetteville, Kannapolis and Gastonia are all redeveloping their downtowns built around a catalyst project that happens to be a multi-purpose stadium.

Financing is going to be a mixture of public and private that's being proposed now. We worked very closely with both CSL and Davenport to come up with a plan that distributes the financial burden of responsibility to different parties. The team owner, the team operator would contribute substantially to the stadium through a long-term lease and also the procurement of naming rights, which has been done. We have a Letter of Intent from a Fortune 500 company to put their name on High Point's ballpark should one come into existence.

There will also be what's called user fees. People that choose to come to the stadium for a concert or a ballgame or a festival would have a small surcharge placed on their ticket that would go directly towards the financing of the ballpark. And then most importantly, the long-term tax base increase that would come from the stadium is fairly dramatical. Randy will get into it a little bit more in a minute, but we're estimating about \$99 million in the first ten years of ancillary development from the catalyst project. The operator/team owner will also be responsible for operating subsidy. So you, as a Council, will not be faced with any annual operating subsidy requests on any given year. That will be the responsibility of the long-term tenant in the building. Randy....

Assistant City Manager Randy Hemann: The assumptions for revenue as Sims said are for \$99 million and I'll show you in more detail how we expect to get there. But that would occur within this targeted area. So it's a little bit broader than the downtown. It's mainly the Central Business District. We would expect values to increase from \$805 million to \$904 million and quite frankly we believe those are conservative numbers too and I'll show you why in just a second.

This is the way that would work. The key thing to remember is when we look at this revenue, this is money that we do not have. It's money that we will not get unless we build a catalyst which creates the additional tax base. So, you know, as taxpayers we can't sit there and say I would like to have that, but not build the stadium. It doesn't work that way. Without the stadium, we will not get the development. So we're expecting, as I said, \$99 million from that and I'm going to go into more detail in a minute. But I do want to tell you that Eric's going to come up and talk quickly about the project plan of finance.

Budget & Administrative Director Eric Olmedo: *Folks, as you know since 2004 we have worked with Davenport and Company for all of our strategic financing and long-term goals and the working group of the management team and with Sims and with our Finance Budget Department have worked up the following goals and objectives. Our goal was to identify a viable and cost effective funding mechanism for the project. We wanted to demonstrate the city's ability to maintain the existing financial policies that you all have had in place for a number of years. We wanted to maintain our strong, consistent credit profile. We also wanted to preserve future debt capacity and debt affordability and we wanted to demonstrate that the project debt funding could be done without a tax rate adjustment.*

On the following page, you'll note at the top it's a 20-year financing plan for \$35 million, which is a little more than we had in other areas in the document. But trying to be conservative, we overestimated a little bit there and what we have done is from the fees and charges that Sims outlined, we have graphed that. So the bottom area here indicates the annual lease payment that the team would pay and then the lighter green and the darker green next to it are an estimate of the facility fees and the parking fees that will be paid per ticket. And then we estimated ten years of naming rights there. We didn't go beyond ten years just to be conservative, although we feel that those would continue past ten years. And then the dark blue indicates the additional revenue, property tax revenue, that we would receive from the increased property value. That's the city value and the lighter blue is the county value. Then the red line indicates our debt service on the \$35 million, 20-year note. That's about \$2.8 million a year. We've got about a year and a half there at the beginning that is during construction and so our financial model shows that although we would have to subsidize a bit in the first few years, over time the stadium and all the other non-tax revenues or just the additional TIF revenues would pay for that debt service over the 20 years.

Assistant City Manager Randy Hemann: *We looked at a total of three sites. I think as we mentioned in closed session when we briefed you last time about this. We did option property on all three sites and tried to get control as much as we could of those sites. Some sites were more difficult to assemble quite frankly, and more costly. We did look from a site selection standpoint at what was the potential development around that as well as the availability of parcels and I will reiterate that this was a continual discussion with the development community-the folks that were interested in developing to see do you like this site. Would you develop around this site. So that conversation continued as we looked at various sites.*

Our preferred site includes land for the stadium, as well as some of the anticipated development. It is about a ten-acre site. We currently have about 80% of it under control at this point and you can see the location here. It is, in essence, between Gatewood and English. The multi-use stadium is marked in red there. That does include, as I mentioned, about ten acres. About five acres would be used for the stadium itself and about five acres

would be available for development. One of the things that we really like about this site is it's close to your anchor institution, the hospital. We did hear that over and over again from developers. We like being in that location. Being a little bit further north than the first site that we looked at, I think helped as far as staying away from the Furniture Market. The availability of property was much less expensive at this site than it was, quite frankly, at the first site that we looked at which was closer to the Market. We really ran into some issues there.

What we anticipate, and as I mentioned earlier, we would need to get to \$99 million worth of development to help pay for this. The properties that you see here in green, we either have it under control, or hopefully will soon have under control in negotiations with folks. You've got some property up on Main Street that I'm going to show you a picture of in just a second that we have some property under option. You've also got showplace West, which we have talked to IMC about and hope to have an agreement soon with them. And also down at the bottom here, the \$41-\$51 million. That would be the development that would occur around the stadium. To arrive at these numbers we took the footprints, removed what would be needed for parking. In essence we looked at what would the footprint of the building produce. A lot of these are four to five story buildings because you can do stick built and some may be larger. But these numbers were based on these specific parcels and as you can see, we would expect the ones that we have under control to develop somewhere between \$70 and \$91 million.

The things that you see in gold here, there's a lot of private property out there that we think could be redeveloped if this occurred, that it would spur additional development. And you can see some of those sites. There's a few of these sites that are actually listed for sale that there would be people I'm sure out assembling sites that would be around the stadium.

This is the Main Street Station just to give you an example. This started out as an option on the really kind of unsightly looking gas station up in the 600 block of Main Street. And we don't have this whole parcel under control, but we have portions of it and we're working on portions and it's going to grow some. So we anticipate somewhere between \$16.5 and \$22 million of development from that site.

The CSL Report gave the stadium economic impact that was a one-time net, new construction spending obviously of \$30 million and that's the cost of the stadium. Construction would create 137 new full-time equivalent jobs with \$6 million in personal earnings. Over 30 years, the stadium will generate an estimated \$708 million in total consumer spending and those operations would support 708 new full-time equivalent jobs in the Core City. These would be everything around the stadium. These are the restaurants. These are all the other businesses that would be coming in. These new jobs are estimated to generate personal earnings of \$267 million and net present value dollars over a ten-year period. This would not just affect the core area of the downtown, this would affect our neighborhoods. We need jobs. We need jobs of all levels. We need service jobs and restaurants. We need all kinds of jobs. And you can see that we anticipate that this would really get that done for us.

It was your goal to have the 500 private sector jobs, the restaurants and shops and residential units. We feel like this project will certainly achieve that goal and more and the most exciting thing is we feel like we can do it without a tax increase because of the additional revenue and the stream of sources that we have laid out. And I'll point out and I

think Sims may have said this, but when you see a parking surcharge on a ticket, that's a very miniscule amount of money. Quite frankly, this is something that we talked about earlier. For a family of four, you're talking about the same price to go to a ballgame as you are a movie and that includes the surcharges for the stadium use and the parking. It is very affordable entertainment.

So where are we in the middle of this road? If you look at, and I'm sorry I know you can't read this. I hope those of you in the audience have a copy and can actually see it, but if you go all the way back to March 2015, you know this came as an idea out of a Convention & Visitors Bureau meeting back in March of 2015. In March of 2017, you can see that you were briefed on it. We began, we reformed Forward High Point. We began to really look at this and here we are today right in the middle, which is April 2017. I show this just to say that there are a lot of steps left, but when you see a letter from the commissioner of the Atlantic League. When you hear that there's a commitment from the business community to put the money forth to buy a team. When you see that the land is assembled, we're halfway there, but I think we have really leaped the hurdle here if you choose to move forward with this.

The next steps that we would like you to consider are to approve a budget amendment for use of reserves and internal loan, to proceed with the land purchases, site design and multi-use stadium design with a total cost not to exceed \$15 million. And that is for the land and design of the stadium and I'll let Eric if he wants to talk in more detail about that.

Budget & Administrative Director Eric Olmedo: *As we discussed with you previously, Council, we do have some opportunities within various funds to appropriate fund balance and reserves that we feel like that we are above our policy on. So you see in the left hand column we have what we're calling an investment. It's a total of \$7 million; \$4 million from the Electric Fund; \$1 million from the Economic Development and Incentive Fund; and \$2 million from the General Fund to be appropriated towards this investment.*

Then, on the right hand column we have an internal loan scenario similar to what we've done in the past. I know Mayor Bencini and Council Member Alexander remember when we purchased the Piedmont Natural Gas building, we did a similar internal loan. But an internal loan from our Electric Fund, our Landfill Reserve Fund, and our Internal Service Fund of \$8 million and it would be an annual debt service of about \$440,000 over a 20-year term on that.

So as Randy said, our next step is consideration of a budget amendment and that has been placed in your packet for consideration.

Council Member Ewing: *Mr. Mayor, I'd like to go ahead and make a MOTION to APPROVE the proposed Budget Amendment that's in the presentation for the use of reserves and internal loans to proceed with land purchase, site design and multi-use stadium design with a total cost not to exceed \$15 million.*

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

Council Member Alexander: **SECOND.**

Mayor Bencini: Any further discussion?

Council Member J. Davis: I've got a question I'd like to ask Randy. Is the preferred site Gatewood Avenue/Lindsay Street? Is that what I'm hearing?

Randy Hemann: Yes.

Council Member J. Davis: So we're approving this \$15 million for the purchase of that property, not a different site?

Assistant City Manager Randy Hemann: That is correct.

Council Member J. Davis: Alright. In the last 90 days, there's a holding company that's bought seven properties on Gatewood Avenue, Church Street and Elm Street. Are we purchasing any of those properties from this holding company?

Assistant City Manager Randy Hemann: I don't know the name of that holding company.

Council Member J. Davis: It's D. J. Worldwide.

Assistant City Manager Randy Hemann: No.

Council Member J. Davis: I have the address. We are? You see that makes me wonder because they purchased seven properties for \$400,000 and I'd like to know what our purchase price of those properties are because on the surface it looks like insider information and how do we answer to the public if somebody pays \$400,000 and we pay several million for something within 90 days?

Assistant City Manager Randy Hemann: No, the folks that have been out on our behalf....we're paying exactly what they have those properties optioned for.

Council Member J. Davis: Well that's not answering my question. These people bought this for \$400,000. Are we paying \$400,000 for these properties that we're buying from D. J. Worldwide, or are we paying more than \$400,000?

Assistant City Manager Randy Hemann: If that was the Enterprise, yeah, that's the seven parcels that.....

Council Member J. Davis: Well, I don't know what they are. The Tax Department sent them to me today. Let's see if I can give you the addresses real quick.

Council Member C. Davis: 215 Gatewood Avenue, 213 Gatewood Avenue, 211 Gatewood Avenue, 207 Gatewood Avenue, 307 N. Elm Street, 210 Church Street and 305 N. Elm.

Assistant City Manager Randy Hemann: That's the Enterprise properties. Is that correct?

Council Member J. Davis: I don't know.

Assistant City Manager Randy Hemann: *That's the ones that he purchased. He purchased that not on our behalf.*

Council Member J. Davis: *My question is are we purchasing this property back from DJ Worldwide because within 90 days they have bought seven properties for a total of \$400,000 according to the tax department. I don't have a problem if we're purchasing that property for \$400,000, but I have a problem if we're purchasing it for millions.*

Assistant City Manager Randy Hemann: *We'll be purchasing that for more. It would be in the \$1.2 million range is what Forward High Point received that for, which is substantially more than what he purchased, but we did not buy that. That was an arms-length transaction.*

Council Member J. Davis: *Well, the heartburn I'm having over this is, you know I want to support this, but how do I answer to the citizens of this city when you have an LLC corporation that has automatically bought up property? They got extremely lucky in the last 90 days to buy this property? Or did they have some kind of insider information that this is going to happen?*

Assistant City Manager Randy Hemann: *He was already purchasing that for development, so it was neither. He purchased that directly from the Enterprise. He purchased that for development. We're repurchasing from him. It is....even at \$1.2 million, the tax value on that was about \$2.7 million. I will tell you that did cause heartburn for us, but when we looked at all the other sites and we looked at especially the site to the south of this, we would have ended up paying much, much more for property. So I understand your concerns.*

Council Member J. Davis: *You see where I'm having heartburn, you know, because it was brought to my attention.*

Assistant City Manager Randy Hemann: *I understand that completely.*

Council Member J. Davis: *Because I didn't know anything about it and I reached out to the Tax Department to get the information.*

Mayor Bencini: *It's hard to beat the speculators, Jim, and you know that.*

Council Member J. Davis: *Yeah, but you know we went into closed session and we signed a non-disclosure that we would not....we didn't even know the site.*

Mayor Bencini: *That happened before....*

Council Member Alexander: *That happened way before it came to us. We didn't know the site.*

Assistant City Manager Randy Hemann: *I will tell you that....*

Council Member J. Davis: *Yeah but this has been done since January 13th and it's now April 3rd.*

Assistant City Manager Randy Hemann: *I will tell you that he was doing due diligence on that site months and months and months in advance, long before we even looked at it because he was part of our Brownfields Program. So at the time that he contracted to purchase that site, we weren't even looking at this site, quite frankly. So I can say that 100% and guarantee you that we were not looking at this site at the time that he started the purchase, but he did go through a long process of brownfields and had testing done, Phase I and Phase II.*

Council Member J. Davis: *Well you see where I'm coming from. People are going to have some heartburn over this. On the surface, that's what it looks like that somebody knew something.*

Assistant City Manager Randy Hemann: *But it's still well below tax value and we were not in discussion with him at the time that he bought that.*

Council Member C. Davis: *I have some additional concerns. We did have a confidential meeting and it was on March 20th if I'm correct. Somebody else said March 6th and then just four days later in the Triad Business Journal, members who were in that confidential meeting talked to the media and disclosed those figures and during our retreat, we were told that we have facility needs and this \$15 million could go towards meeting some of those facility needs.*

It's very troublesome for me that when we had the meeting, we were told that we couldn't have access to the information. The information wasn't included in our packet for further review, so that we could see it as well as the citizens that we represent could see it. There's been conversation in the community that there's going to be an ask from Guilford County Commissioners for a synthetic TIF. Citizens are very concerned that they're being excluded from the project and not being talked to about the project. During our retreat, I asked staff, why isn't it in the agenda packet so that we could see it so that the citizens could see it. Basically I was told that the presentation had been shown numerous times to different people. Well, it should be posted on our site, in my opinion.

And I would like to make a **SUBSTITUTE MOTION that we delay the approval of the project until May 1st to allow the information that has been released tonight to the general public to review and to know what they are being asked to do, so that we can receive comment or input from those who have not been a special invite to the presentation.**

I cannot in good faith move forward knowing that they are not going to go to the ballot and vote. We've removed that through the ask that you're asking tonight. But we can send them back to the ballot to pay for a facility, which we already have dollars to do.

Mayor Bencini: *Is that part of your motion?*

Council Member C. Davis: *Yes, it is.*

Mayor Bencini: *Alright, we have a **SUBSTITUTE MOTION**. Is there a **SECOND**?*

Council Member C. Davis: *Mayor, I'm not finished speaking. If you don't mind, Sir.*

Mayor Bencini: *You can advocate after we've got a motion on the floor. Is there a **SECOND** to the **MOTION**?*

Council Member C. Davis: *I wanted to make sure that I got everything in the **MOTION**.*

Mayor Bencini: *Is there a **SECOND** to the **MOTION**?*

Council Member J. Davis: *Is the **MOTION** just to delay it to May 1st?*

Council Member C. Davis: *I'm asking that we delay it until May 1st so that the citizens of this community can review the information prior to Council making the decision of the \$15 million.*

Mayor Bencini: *Is there a **SECOND**?*

Council Member J. Davis: *I'll **SECOND** that.*

Mayor Bencini: **MOTION** and a **SECOND**. Any further discussion? [none] All those in favor, say **AYE**.

Council Members C. Davis and J. Davis: *Aye.*

Mayor Bencini: *Opposed?*

Mayor Bencini, and Council Members Alexander, Golden, Williams, Hill, Wagner, and Ewing: *No.*

Mayor Bencini: **MOTION FAILS.** [2-7 vote]

Council Member C. Davis: *Thank you. I'm still going to finish, Mayor.*

Mayor Bencini: *Back to the **original MOTION**.*

Council Member C. Davis: *I was still talking, Mayor. I'm sorry. Does the project fall in one of the city's MSDs is one of the other questions that a constituent asked me. And if it does, in fact, fall in an MSD District, have the individuals been made aware that they are going to be at the subject of Council's decision to add an additional tax within that MSD.*

Assistant City Manager Randy Hemann: *We have not even discussed and don't plan to add an MSD tax to help pay for this. So that's not been part of the discussion. It's not in any of the funding formulas that you saw earlier.*

Council Member C. Davis: *Again, it's part of my job to ask the questions that my constituents ask me. So I want to make sure I do that while I'm on the floor and have the floor currently. Many of those that I represent feel that this is a business venture that should be paid for by private dollars. The city should not do anything above water, sewer, electric and assisting with roads for the project. That, alone, will take millions of dollars. And that*

is for the record. For those who would like to discuss what's being shared with me, I'll be glad to do that and this is the time for that.

Council Member Alexander: *I call the question.*

Mayor Bencini: *The question has been called.*

Council Member J. Davis: *There's one lady here that keeps....*

Mayor Bencini: *All those in favor, say AYE.*

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

Mayor Bencini: *Opposed?*

Council Member C. Davis: *No.*

Mayor Bencini: *Mr. Davis, did you vote Yes?*

Council Member J. Davis: *Yes.*

Mayor Bencini: **That MOTION CARRIES by an 8-1 VOTE as follows:**

Aye (8): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, and Council Member J. Davis
Nay (1): Council Member C. Davis

Ordinance No. 7288/17-30
Introduced 4/3/2017; Adopted 4/3/2017
Ordinance Book XIX, Page 171

170117 Purchase of Property - Downtown Catalyst Project - Multi-Purpose Stadium

Council is requested to authorize the Manager to proceed with land purchase, site design and Multi Use Stadium design as part of the Catalyst Project with a total cost not to exceed \$15 million

Note: This matter is related to 170116 Budget Ordinance Amendment- Downtown Catalyst Project and 170110 Catalyst Project. Please refer to 170116 Budget Ordinance Amendment- Downtown Catalyst Project for specific comments made regarding these matters.

Authorized the Manager to proceed with land purchase, site design and Multi-Use Stadium design as part of the Catalyst Project with a total cost not to exceed \$15 million.

A motion was made by Council Member Ewing, seconded by Council Member Alexander, that this matter be approved. The motion carried by the following 8-1 vote:

- Aye (8): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, and Council Member J. Davis
- Nay (1): Council Member C. Davis

170110 Catalyst Project

Council is requested to adopt the recommendations presented by staff on the proposed downtown catalyst project as outlined in the presentation and outline below.

1. Authorize the Manager to seek County participation regarding increased tax base.
2. Authorize the Manager to proceed with development of Multi Use Stadium financing plan.
3. Authorize the Manager to develop an Agreement with Forward High Point regarding their coordination of design and private development for the site.
4. Authorize Forward High Point to finalize Team Ownership and Naming Rights for Multi Use Stadium.

*Note: This matter is related to **170116 Budget Ordinance Amendment- Downtown Catalyst Project** and **170117 Purchase of Property- Downtown Catalyst Project- Multi-Purpose Stadium**. Please refer to **170116** for specific comments made regarding these matters.*

Adopted the preceding recommendations presented by staff on the proposed Downtown Catalyst Project.

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

- Aye (8): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, and Council Member J. Davis
- Nay (1): Council Member C. Davis

170118 Appointment to the High Point Housing Authority

Mayor Bencini is recommending the appointment of Charity Bunting to the High Point Housing Authority to fill the unexpired term of Laura Wiley, who has resigned effective 4/30/2017. Ms. Bunting's appointment will be effective on 5/1/2017 and will expire 12/22/2021.

Motion by Council Member Alexander, second by Mayor Pro Tem Wagner to suspend the rules to place this matter on tonight's Agenda for consideration. The motion to suspend the rules carried unanimously.

Confirmed the appointment of Charity Bunting to the High Point Housing Authority.

A motion was made by Council Member Alexander, seconded by Council Member Williams, that this appointment be approved effective 5/1/2017 with an expiration date of 12/22/2021. The motion PASSED by a 9-0 unanimous vote.

170111 Minutes to Be Approved

Manager's Briefing Session; Monday, March 20th @ 4:00 p.m.

Regular Council Meeting; Monday, March 20th @ 5:30 p.m.

Approved the preceding minutes as submitted.

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

CLOSED SESSION- LITIGATION AND ECONOMIC DEVELOPMENT

At 7:35 p.m. Council Member C. Davis moved to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(3) to discuss litigation regarding Seaboard Chemical and pursuant to N.C. General Statute 143-318.11(a)(4) to discuss potential economic development projects.

ADJOURNMENT

Upon reconvening into Open Session at 8:05 p.m., with an announcement that there was no action taken as a result of the Closed Session, the meeting adjourned.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk