

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING  
May 1, 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); Alyce Hill (Ward 3), James C. Davis (Ward 5) and Jason Ewing (Ward 6).*

**Absent:** *Council Member Christopher Williams (Ward 2)*

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

**RECOGNITIONS AND PRESENTATIONS**

**170120      Proclamation - Real Estate Professionals Day**

Mayor Bencini will present a Proclamation to Joan Swift, President of the High Point Regional Association of REALTORS®, proclaiming “Real Estate Professionals Day” in the City of High Point.

*Mayor Bencini read the Proclamation into the record proclaiming the first Thursday of May as "Real Estate Professionals Day" in the City of High Point and presented the Proclamation to Ed Terry and Joan Swift, HPRAR President.*

**170121      Proclamation - A Day of Prayer**

Mayor Bencini will present a Proclamation to Fanta Dorley, Human Relations Manager, proclaiming “A Day of Prayer” in the City of High Point.

*Mayor Bencini read the Proclamation into the record proclaiming the first Thursday of May as "A Day of Prayer" in the City of High Point and presented the Proclamation to Fanta Dorley, Human Relations Manager and to Rev. Angela Roberson, 1452 Cantwell Court, Pastor of Congregational Church of Christ in High Point. Following the presentation, Rev. Roberson recognized those committee members that were present who helped organize the event. She noted there would be two separate events that would be held on Thursday, May 4th at the Library Amphitheatre at 7:00 a.m. and 7:00 p.m. and invited everyone to attend.*

**170142      Proclamation - Travel & Tourism Week**

Mayor Bencini will present a Proclamation to members of the High Point Convention & Visitors Bureau proclaiming May 1-7, 2017 as “Travel and Tourism Week” in the City of High Point.

*Mayor Bencini read a Proclamation into the record proclaiming May 13, 2017 as "National Travel and Tourism Week" in the City of High Point urging the citizens of High Point to join in this special observance with appropriate events and commemorations. The Proclamation was presented to Bruce Davis, Chairman, High Point Convention & Visitors Bureau (HPCVB). Following the presentation, Mr. Davis recognized members of the HPCVB and*

*asked them to stand. He noted that they would be hosting many activities at the Regional Activities Center and proceeded to share their accomplishments.*

## 170122 VITA Recognitions

Ms. Alisha Doulen, with the Community Development and Housing Department, will be present at the Council Meeting to present certificates to the volunteers who participated in the Volunteer Income Tax Assistance (VITA) program.

*Alisha Doulen and Lauren Atwell-Bass with the Community Development and Housing Department recognized and presented certificates to the volunteers who participated in the Volunteer Income Tax Assistance (VITA) program. She reported that the IRS representative could not be present to present the letter, and proceeded to read the letter from Steven Owens with the IRS into the record.*

*Those recognized were:*

**VITA Partners:** High Point University; GTCC; Macedonia Family Resource Center; Salvation Army Boys and Girls Club; West End Ministries; YWCA Latino Family Center; United Way of Greater High Point  
Family Service of the Piedmont/Consumer Credit Counseling

**VITA Volunteers:** Charisse Jones; Rob Purdie; Leon Spencer; Teta Moore; Sherry Huggins; Barbara McAdams; Yuliya Kraftchick; Andrea Picou; Kari Norris; Jeanne Lovette; Amber James; Krista Neelley; April Williams; Morgan Drucker; Robin Bryfogle; Lauren Batey; Brittany Whitlock; Mallory Bookser; Daniel Nimri; T'Keyah Johnson; Gregory Curry; Dakota Voelker; James Ensor; Dan Hurley; John Gibbons; Jerry Mingo; Maria Maora; and Juan Rvas.

*This is the 11th year the City of High Point has participated in the IRS VITA Program, which is comprised of community volunteers and provides free tax preparation for low to moderate income households. We are excited to recognize our 2017 VITA partners and volunteers. The average adjusted income of the clients served was \$20,000 this year. Some of the highlights making it a record-setting year were reported as follows:*

- ✓ Expanded locations from 4 sites to 6.
- ✓ Completed 66% more tax returns than the previous year (increase from 530 to 807 returns filed).
- ✓ Increased federal tax refunds from \$657,000 to over \$1 million in federal refunds, a 64% increase.
- ✓ Offered Spanish translation services for the first time through a new partnership with the YWCA Latino Family Center.
- ✓ Provided a new site at GTCC campus (first site located on a college campus).
- ✓ Provided clients with information on budgeting, credit repair and other financial management tools with the help of Family Service of the Piedmont's Consumer Credit Counseling.

**STRATEGIC PLAN UPDATE****170123      Council will receive an update on the Strategic Plan from 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 April 2017 activities as follows:*

- 40 Minimum Housing Complaints
- 252 Active Minimum Housing cases
- 78 Active Backlog cases
- 84 Public Nuisance Complaints
- 294 Active Public Nuisance cases
- 15 Zoning Complaints (vehicles, signs, banners, etc....)
- 112 Signs collected

*Chairman Golden noted the backlog of minimum housing cases from the old system has dropped significantly from 270 in May 2016 to 78 in April 2017.*

*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 (1022 Grace Street; 1009 Meredith Street).*

**Connect HP**

*Prosperity & Livability Committee Chairman Ewing reported that Connect HP had an open meeting on April 20th with approximately 30 young professionals attending. They are looking at having another young professionals open meeting in August or September. The Young Professionals Summit held in October of last year was a huge success and they are hoping to do another one in 2017. Chairman Ewing shared that Connect HP is looking to engage more and more people in these open meetings/forums and encouraged any young professionals wanting to get involved to contact him or Sara Belle Tate, Chair, Connect HP.*

**PUBLIC COMMENT PERIOD****170124      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.

*The following people addressed Council during the Public Comment Period.*

**Glenn Chavis**, 137 Orville Drive, addressed Council about the fire ant mounds in the city's right-of-way and asked about the plans to eradicate the infestation. He stated the fire ants pose a safety hazard and something should be done.

*The following persons/organizations/affiliates spoke on behalf of and in support of increased funding for the Arts Council:*

**Debbie Lumpkins**, Executive Director, High Point Arts Council

**Dottie O'Connor**, Piedmont Artists

**Lisa Taylor**, High Point Ballet

**Brandy Yokley**, High Point Community Theatre

**Myranda Polk**, High Point Community Concert Association (HPCCA)

*Each provided a brief history on their organization and the services they provide and expressed how critical the funding is they get from the Arts Council for continuing the programs/services they offer. Myranda Polk with HPCCA sang a "jingle" she made up to the tune of "Doe, a Deer."*

**Larry Diggs**, 1127 Biltmore Avenue, expressed concerns about the demolition of the old North State building and asked the City Council to consider finding some way to bring back a Greyhound bus station to High Point.

**Tony Graham** with Tigers football, Elite Performance Sports, a local non-profit in High Point, asked that the City Council consider approving \$5,000 in funding for them. He shared that they did submit an application, but did not receive any funds and heard that there was \$5,000 remaining from the outside agency funding that was not allocated.

*Also, speaking in support of funding for Elite Performance Sports, Tigers Football program, were the following:*

*Shawn Zimmerman, Shawn Roseboro, Joshua Roseboro, Sydney Roseboro, Darren Ragland, Shay Ragland, Dalys Ragland, Dee Brown, Dejuan Poston. These were coaches and youth who participate in the Tigers Football/Cheerleading Program.*

*Cathy Harless, 2907 Ingleside Drive, addressed Council and proposed that Council consider a referendum for the taxpayers to decide whether or not they want to pay for a baseball park in the city.*

*Following Ms. Harless' comments, Mayor Bencini announced that the public comment period had gone over the allotted 30-minute time period allowed to receive comments and Council would proceed with the business on the Agenda.*

### **CONSENT AGENDA ITEMS**

*Chairman J. Davis reported that the Finance Committee met on April 26th 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. Mayor Pro Tem Wagner 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, Alexander and Hill

#### **170125      Contract - WatchGuard - Vehicle In-Car Cameras**

Council is requested to award contract in the amount of \$45,818.00 to WatchGuard for the purchase of eight (8) in-car cameras for the Police Department.

Approved the contract with WatchGuard in the amount of \$45,818.00 for the purchase of in-car cameras for the Police Department.

**A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

#### **170126      Contract - Boundary Substation Equipment**

Council is requested to award contracts to S & C Electric Company in the amount of \$115,918.00 and AZZ, Inc. in the amount of \$367,202.00 for equipment for the new Boundary Street Substation.

Approved the contract with S & C Electric Company in the amount of \$115,918.00 and with AZZ, Inc. in the amount of \$367,202.00.

**A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**170127 Contract - Mast Arms for Downtown Intersections**

Consideration of a sole source purchase of new traffic signal poles and mast arms from Atlantic Technical Sales of Chantilly, Virginia, in the amount of \$49,068.00 for installation at the intersection of North Main Street and Montlieu Avenue/Sunset Drive.

Approved the sole source purchase contract with Atlantic Technical Sales in the amount of \$49,068.00.

**A motion was made by Council Member Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**170128 Contract - Kersey Valley Road Realignment Design**

Council is requested to approve a professional engineering services agreement with WithersRavenel, Inc., in the amount of \$384,500.00 for the design of the Kersey Valley Road realignment to allow the city to extend the life of the Kersey Valley Landfill.

Approved the professional services agreement with WithersRavenel, Inc. in the amount of \$384,500.00 for installation of traffic poles at the intersection of North Main Street and Montlieu Avenue/Sunset Drive.

**A motion was made by Council Member Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**170129 Contract Renewal - Concrete Supplier City Wide**

Council is requested to renew contract with Hartley Ready Mix in the amount of \$106,425.00 as the supplier for concrete to city crews when needed for maintenance functions that require concrete.

Approved the renewal of the Hartley Ready Mix contract in the amount of \$106,425.00.

**A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:**

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

**170130      Contract Extension - EZ-Go Golf Carts**

Council is requested to extend the Golf Cart Program Contract with EZ-Go for one additional 3-year replacement cycle at no additional cost to the City. The annual value of the contract extension is \$124,505.00 which is the same annualized value in the FY 2016-2017 Annual Budget.

Approved the extension to the Golf Cart Program Contract with EZ-Go for one additional 3-year replacement cycle at no additional cost to the city (annual value of the contract extension is \$124,505.00 which is the same annualized value in the FY 2016-2017 Annual Budget.

**A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following vote:**

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

**170131      Purchase of Property - 1310 Timberlane Drive**

Council is requested to authorize the City Attorney's office to proceed with the purchase of property located at 1310 Timberlane Drive in the amount of \$41,000.00. This property will be used for the expansion of the Oak Hollow Lake buffer area.

Authorized the City Attorney's office to proceed with the purchase of property located at 1310 Timberland Drive in the amount of \$41,000 for expansion of the Oak Hollow Lake buffer area.

**A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-0 vote:**

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

**REGULAR AGENDA ITEMS****FINANCE COMMITTEE** - Council Member J. Davis, Chair**170143      Elite Performance Sports NC, Inc. - Program Funding**

At the May 1, 2017 City Council Meeting, Council approved funding in the amount of \$5,000.00 for the Elite Performance Sports NC, Inc. (EPSNC, Inc.) for athletic programs and education enrichment activities for youth in the High Point community and surrounding area.

Approved \$5,000 in funding in the city's nonprofit allocation for Elite Performance Sports NC, Inc.

**Council Member J. Davis MOVED to suspend the rules to include funding for Elite Performance Sports NC, Inc. in the amount of \$5,000, which was seconded by Mayor Pro Tem Wagner and carried unanimously. [8-0 vote] [Council Member Williams was absent]**

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this matter be approved. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

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

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

**170132      Community Development and Housing Department 2017-2018 Annual Action Plan**

The Community Development and Housing Department is requesting City Council approval of the 2017-2018 Annual Action Plan. The plan was approved by the Citizens Advisory Council at their meeting on Thursday, March 23, 2017 and has been available for public review for 30 days.

*Mike McNair, Director of Community Housing & Development, advised that staff held the public hearing on the Annual Action Plan last month. Following any questions, he asked for Council's approval of the plan and to authorize the city manager to execute any necessary documents.*

*Council Member C. Davis asked Mr. McNair to state for the record that staff may have to bring the plan back for review by Council. Mr. McNair explained that staff would not know until another 30-60 days what the actual numbers are, but HUD requires the Annual Action Plan be submitted to them by May 15th to meet the statutory deadline. He further explained that the final plan has to match the numbers contained in the HUD letter. Once this information is received, staff will bring it back to Council for an amendment to the plan.*



*Chairman Golden asked if any feedback was received during the 30-day feedback/review period. Mr. McNair advised that staff did get a request to bring Operation In As Much (OIAM) to the Macedonia area, which they will take a look at it although an area has not yet been selected for the next OIAM event. He pointed out all comments received will be incorporated into the plan to be submitted to HUD.*

There being no further questions, Council approved the Annual Action Plan as submitted by staff and authorized the city manager to execute any necessary documents.

**A motion was made by Council Member Davis, seconded by Mayor Pro Tem Wagner, that the 2017-2018 Annual Actin Plan be approved and to authorize the city manager to execute any necessary documents associated with the Annual Action Plan. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

#### **170141      Public Hearing - Minimum Housing Ordinance**

Monday, May 1, 2017 is the date and time established to receive public comment on the City of High Point Minimum House Ordinance and at the close of the public hearing Council is requested to adopt the ordinance amending the City of High Point Minimum Housing Code. At the May 1st Council Meeting, this item was deferred to the June 5th Council Meeting.

*Chairman Golden stated this is the date and time to receive public comment regarding the proposed Minimum Housing Ordinance and opened the public hearing.*

**Judy Stalder**, addressed Council on behalf of TREBIC (Triad Real Estate Building and Industry Coalition). She advised that they have reviewed the Minimum Housing Ordinance as it is proposed and had the following concerns:

1. No provisions for "tiny houses" and they would like to ensure that the Minimum Housing Code and the current Development Ordinance can support such development.

2. The second concern was with the boarding up of homes after one year and the requirement that something has to be done with the structure. They want to make sure that if the boarding up is the election of the investor or owner, that this provision does not apply.

*Ms. Stalder explained that oftentimes investors buy several houses at once, board and secure them, take care of the lots, and need some additional time to determine whether or not they are going to rehab the houses or demolish them. She pointed out that this assessment sometimes takes longer than one year. City Attorney JoAnne Carlyle advised that she does not interpret the boarding up to apply in this manner and asked Lori Loosemore, Local Codes Enforcement Supervisor, to elaborate on the concerns regarding the "tiny houses."*

*Ms. Loosemore advised that she did not believe the "tiny houses" are yet allowed in North Carolina and are not regulated by the NC General Statutes, so there is no mention o fthe*

*"tiny houses" in the proposed Minimum Housing Ordinance. She added that revisions could be made to the Minimum Housing Code regulations if the State Statutes or the Building Code changes to permit the "tiny houses."*

*Council Member C. Davis pointed out Greensboro allows tiny houses and asked if the same statute would not apply to High Point. Ms. Stalder confirmed that there is a "tiny house" subdivision in Greensboro and they have recently changed their parking regulations to reduce the amount of parking required for the "tiny houses."*

*Council Member J. Davis asked if anyone from staff has reached out to the High Point Region Area Realtors because he understands they do have some questions. One regarding exterior painting and who makes the determination if there is peeling paint because there is no language in the ordinance as to who makes that determination. Ms. Loosemore replied that the inspector makes the determination. Council Member J. Davis expressed concerns because he felt it was subjective and a matter of interpretation. Ms. Loosemore advised that "peeling paint" would not be a violation of the Minimum Housing Code.*

*Council Member C. Davis stated she, too, heard from the realtors and they would like time to review the ordinance. She asked that action be delayed for two weeks until the next Council meeting to allow the HPRAR and its members to review the Minimum Housing Ordinance.*

*Chairman Golden suggested to delay it for 30 days.*

**Mayor Pro Tem Wagner then MOVED to delay adoption of this matter for 30 days and continue the public hearing until June 5th at 5:30 p.m. Council Member Ewing made a SECOND to the motion. The MOTION CARRIED unanimously. [8-0 vote]**

*Ms. Loosemore advised that she would be meeting with the realtors on June 13th, which would stretch beyond the 30-day delay. There were some concerns whether the 30-day delay would be adequate. Council Member Ewing stated their Governmental Affairs Committee would be meeting next Thursday, May 11<sup>th</sup> at 9:00 a.m., and this should be who Ms. Loosemore meets with.*

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Ewing, that this matter be deferred for 30 days and to continue the public hearing until June 5, 2017 at 5:30 p.m. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

### **170133 Ordinance - Demolition of Structure - 314 Model Farm Road**

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 314 Model Farm Road belonging to Sheikh Khalid Mehmood.

*Lori Loosemore, Local Codes Enforcement Supervisor, reported this case was opened due to complaints received from the neighbors that it was unsecured. It was originally inspected on December 13, 2016, at which time the following violations were cited:*

- ✓ *Roof sheathing/covering needed to be repaired/replaced;*
- ✓ *damaged floor joist beams*
- ✓ *Wall studs throughout the house should be repaired/replaced*
- ✓ *Sub-floor in need of repair throughout the house; and*
- ✓ *Exterior wall sheathing/covering needed to be repaired/replaced.*

*The hearing was held on January 20, 2017 and no one appeared for the hearing. At that time a determination was made that there were major code violations and the structure did not meet the Minimum Housing Standards. An Order to Repair or Demolish was issued with a compliance date of March 3, 2017, but no repairs have been made and no permits have been applied for. Ms. Loosemore pointed out over \$6,000 is owed for delinquent property taxes. The owner has moved back to Kuwait, but Ms. Loosemore did talk with the son. She explained that staff was directed to mail the notices to the 314 Model Farm Road address and they have been receiving their mail there.*

*At this time, Chairman Golden, asked if there was anyone present to speak regarding this housing case. There was not one present to speak.*

*Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 314 Model Farm Road.*

**A motion was made by Council Member Golden, seconded by Mayor Pro Tem Wagner, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 314 Model Farm Road be adopted. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**Ordinance No. 7289/17-31**  
**Introduced 5/1/2017; Adopted 5/1/2017**  
**Ordinance Book, Volume XIX, Page 172**

**170134      Ordinance - Demolition of Structure - 1206 E. Martin Luther King, Jr. Drive**  
Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 1206 E. Martin Luther King, Jr., Drive belonging to Paul & Frances Prock.

*Lori Loosemore, Local Codes Enforcement Supervisor, reported this property was originally inspected on November 14, 2016 and advised the roof is collapsing. The first inspection on November 14, 2016 revealed several violations:*

- ✓ *Repair/Replace entire roof, including rafters*
- ✓ *Repair/replace sheathing/covering*
- ✓ *Broken windows*
- ✓ *Missing plumbing fixtures*
- ✓ *Repair/replace rotten flooring throughout the house and interior steps*

*A hearing was held on January 10, 2017, but no one appeared for the hearing. Staff issued an Order to Repair or Demolish on February 14, 2017 with a compliance date of March 17, 2017, but the work has not been completed and no permits have been applied for.*

*No one was present at tonight's meeting to speak regarding this property.*

*Adopted an Ordinance ordering the inspector to effectuate the demolition of a structure located at 1206 E. Martin Luther King, Jr. Drive.*

**A motion was made by Council Member Golden, seconded by Mayor Pro Tem Wagner, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 1206 E. Martin Luther King, Jr. Drive be adopted. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**Ordinance No. 7290/17-32  
Introduced 5/1/2017; Adopted 5/1/2017  
Ordinance Book, Volume XIX, Page 173**

### **170135      Ordinance - Demolition of Structure - 408 Vine Street**

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 408 Vine Street belonging to Dennis Phillips.

*Lori Loosemore, Local Codes Enforcement Supervisor, reported staff originally inspected this property on January 26, 2017 and noted that this property was identified in the UNC-G study as one of the properties in need of attention.*

*An inspection of the property was held on January 26, 2017 with the following violations cited:*

- ✓ Repair/replace roof sheathing/covering
- ✓ Repair/replace damaged fly rafters and rafter tales
- ✓ Repair/replace porch, columns, ceiling supports and damaged ceiling material throughout the house
- ✓ Repair/replace damaged piers

*A hearing was held on February 20, 2017, but no one appeared. an Order to repair/demolish was issued with a compliance date of March 24, 2017. Staff has had no communication from the owner and no permits have been pulled; repairs have not been completed.*

*No one was present at tonight's meeting to speak regarding this housing case.*

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 408 Vine Street.

**A motion was made by Council Member Golden, seconded by Mayor Pro Tem Wagner, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 408 Vine Street be adopted. The motion carried by the following 8-0 vote:**

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

**Ordinance No. 7289/17-33  
Introduced 5/1/2017; Adopted 5/1/2017  
Ordinance Book, Volume XIX, Page 174**

## **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.

*This matter originally appeared on the March 20, 2017 High Point City Council Agenda, but at the advice of City Attorney JoAnne Carlyle, it was pulled from the agenda, but would be brought back for consideration.*

*Staff is requesting the ordinance to demolish this property be adopted. Reggie Hucks, Inspections Administrator, confirmed that staff sent out notices to all associated parties, publicly noticed the building and ran an ad in the paper concerning the condemnation hearing. Staff held the hearing and determined that the buildings should be demolished because they are unsafe. Mr. Hucks then shared some photos of the building's current condition.*

*There was no one present to speak regarding this matter.*

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 901 East Green Street.

**A motion was made by Council Member Golden, seconded by Council Member Alexander, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 901 E. Green Street be adopted. The motion carried by the following 8-0 vote:**

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

**Ordinance No. 7292/17-34  
Introduced 3/20/2017; Adopted 5/1/2017  
Ordinance Book, Volume XIX, Page 175**

**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.

*This matter originally appeared on the March 20, 2017 High Point City Council Agenda, but at the advice of City Attorney JoAnne Carlyle, it was pulled from the agenda, but would be brought back for consideration.*

*Staff is requesting the ordinance to demolish this property be adopted. Reggie Hucks, Inspections Administrator, confirmed that staff sent out notices to all associated parties, publicly noticed the building and ran an ad in the paper concerning the condemnation hearing. Staff held the hearing and determined that the buildings should be demolished because they are unsafe. Mr. Hucks then shared some photos of the building's current condition.*

*There was no one present to speak regarding this matter.*

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 903 East Green Street.

**A motion was made by Council Member Golden, seconded by Council Member Alexander, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 903 E. Green Street be adopted. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**Ordinance No. 7293/17-35**

**Introduced 3/20/2017; Adopted 5/1/2017**

**Ordinance Book Volume XIX, Page 176**

**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.

*This matter originally appeared on the March 20, 2017 High Point City Council Agenda, but at the advice of City Attorney JoAnne Carlyle, it was pulled from the agenda, but would be brought back for consideration.*

*Staff is requesting the ordinance to demolish this property be adopted. Reggie Hucks, Inspections Administrator, confirmed that staff sent out notices to all associated parties, publicly noticed the building and ran an ad in the paper concerning the condemnation hearing. Staff held the hearing and determined that the buildings should be demolished because they are unsafe. Mr. Hucks then shared some photos of the building's current condition.*

There was no one present to speak regarding this matter.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 905 East Green Street.

**A motion was made by Council Member Golden, seconded by Council Member Alexander, that the Ordinance ordering the inspector to effectuate the demolition of a structure located at 905 E. Green Street be adopted. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**Ordinance No. 7294/17-36**

**Introduced 3/20/2017; Adopted 5/1/2017**

**Ordinance Book, XIX, Page 177**

**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. At the May 1st Council Meeting this item was discussed and deferred for two weeks or until the May 15th meeting.

\_\_\_\_\_ Transcript: May 1, 2017 \_\_\_\_\_

***Lori Loosemore:** This property was originally heard before Council on November 7, 2016. It was continued until December 5, 2016 and then heard again on February 6, 2017.*

*The reason I decided to go ahead and bring it back before City Council is during that time when the owner was here, he stated that he would have the repairs completed and he had the ability to get it done and the knowledge of friends to get the work completed. Since then, a significant or substantial amount of work has not taken place. He did call in for some inspections and they all had failed for various reasons until this past week, he called in an inspection and was passed on the 27th. He passed his partial floor framing and his footing on the 27th, which I believe was last Thursday.*

*But I do have some pictures from when it was heard originally. This is the way the house looked on the exterior on October 28, 2016 and that's an exterior taken on April 20, 2017.*

*This was an interior picture that was made on October 12, 2016. He has gone in and what he just had passed last week was the framing of this floor and the piers underneath that had to be added. So, that's what it looked like previously and this is what it looked like when we were there this past week. So, everything is still exposed and no electrical, plumbing, mechanical, anything else has taken place. So, it appears after I sent the notification that it would be coming back before Council, that's when Mr. Zavala called to get these most recent inspections taken care of. They did pass, which was great. But we're kind of at a quandary*

*because enough repairs really have not been completed and moved forward as previously promised.*

*Mr. Zavala is here.*

**Chairman Golden:** *We'll hear from him.*

**Eliseo Zavala:** *Can I proceed and give you these pictures?*

*You can see in the pictures the reason I haven't made a lot of progress is because I've been fighting with the weather and little things like I can't get my inspections done because of the weather. Second, I missed 16 nails on the floor joist for the entire house. Last time when I came here, the inspector told me I had to put 4 more nails under the layer. So, I nailed the whole house and I missed 16 nails and when I went to the inspector and asked if I could put in those 16 nails, he told me no. He said you will have to recall for an inspection. And that's what I did. But then I asked what about the footing? It has to be between 10-12 inches and I measured every single one because he made me dig it out so he could see it. So, I went back and dugged every single one. By the time the inspector came it was raining all the time and my job has gone 7-5:30. When it's not raining, I go over, but it's still wet with water and you see in the basement there's a lot of water too. So, I couldn't call for an inspection. I called Ms. Lori and the first time she don't answer the phone, the next week I called and left her a message and told her the situation why I can't get the inspections for the footings. She returned my call the next week and I asked her why I had this letter to bring it back to Council and she said because you haven't made any progress on the house. I explained what the situation was with the weather. And little things like the inspector went on vacation and then I wait another week and I called to see if I could get it inspected and they sent me a different inspector. When that inspector came .... well they set up the inspection for the date and the inspector never verified to call me with the time. I had to leave my work to meet him at the house. So, I called around 2:00 p.m. and he said it was too late, so he wanted me to cancel the inspection and reschedule within the next three days. That's what I did again. Then when I got back over there, you know, he said he had some notes on his computer saying that all the footings had to be inspected. So, I say that's not what I thought, he said only the ones that he wanted every six feet that I missed. And he said no, well you might have to wait for him to come back from his vacation. I said okay and rescheduled the inspection and waited for him to come back. When he came back it was raining again and we met at the house and three holes had water. He said I can't inspect it, I have to wait for it to dry out. So, we waited until next week and it's still wet. He said why don't you call for framing, did you get done with the framing and I said yes. I called for framing, it was inspected and there were 16 nails missing on the floor joists. I said I can't put more nails in that because it's going to break the wood. He said when you put hangars, you have to put four nails on both sides and four nails in the front. I said Okay I'll do it. I said do you want me to do it right now, I'll do it right now. He said no, call for another inspection. I called for another inspection and it passed after I put in the 16 nails. I take pictures just in case, the footings are dry now and I said can you pass it and he said okay and he passed it again. My footings passed and partial framing passed. Then I said can I start working now in the house and he said get the leaks in the roof fixed and you can put in your insulation. So, I went in advance and put some wire underneath the house, that way I don't have to pull my insulation from the bottom so I can just lay my insulation and I don't have to worry about it so I can move fast*



*and I went ahead and start doing my plumbing. After I finished pulling the wire all around the house underneath, then I want to put in the plumbing. That way I don't have to go underneath. I will call him tomorrow for him to come take a look at the roof and inspect it to make sure there are no leaks, so I can lay my insulation in my floors because I've already got the insulation and I've already got the floors. That's all. I've been trying to do it as fast as I can. I fight with the winter too. I try to communicate with Ms. Lori as much as I can, but I can't keep calling her and say I can't do this or this. I'm going to call her when I say okay I passed inspections and she just babysits me about why I can't do this or I can't do that and that's the reason I have been moving a little bit slow.*

**Chairman Golden:** *Lori, what was the first date that we gave him for compliance?*

**Lori Loosemore:** *Originally, it was heard on November 7th and he came back in December, then again it was continued to February 6th.*

**Chairman Golden:** *And he was supposed to be complete by the 6th. I do remember when someone asked if he had the time and the resources to comply with what we were asking and he said yes. Is my memory, right?*

**Lori Loosemore:** *Yes.*

**Chairman Golden:** *Anybody else got anything to say?*

**Council Member J. Davis:** *Lori, since he has pulled a permit and he has passed two inspections. You know the way the state looks at that is that if he gets an inspection within a year of the issue of that permit, that permit is still good. I don't think as a body, now that he has pulled a permit and has passed two inspections that we have the authority to issue a Stop Work Order and demolish his property. Only the inspector can issue a Stop Work Order for workmanship or quality of materials.*

*So personally, I don't think that.... he may not be moving in a timely manner, but I don't think that we really have any authority. And the other thing that bothers me is that we want to revitalize our core and here we have a gentleman coming to us every time and he's trying to make an effort. He's at least pulled a permit and he's getting inspections and I'm very familiar with Herman Hoffner and it will be a very thorough inspection. So, I don't know how you want to handle this, Jeff.*

**Lori Loosemore:** *And it's my understanding and I don't know if Ms. Carlyle has any other knowledge of it, but it's my understanding that when someone pulls a permit, it does not mean that the minimum housing process stops because people would pull permits to work around that.*

**Council Member J. Davis:** *I know that, but he's actually got two inspections that passed.*

**Lori Loosemore:** *Right and that's since the last time he got a notice.*

**Council Member J. Davis:** *So, he has time and he can move on.*

**Lori Loosemore:** *I'm open to suggestions.*

**Council Member J. Davis:** *If we issue an order for demolish tonight, then my advice would be to call the NC Department of Insurance and sue us.*

**Council Member C. Davis:** *It's somebody that's really trying to put forth an effort. He's putting forth the effort. He can't control the rain. He can't control vacation. He can't control availability of staff, but he has shown that he is willing to make the repairs and he is trying. Whereas, as Councilman Davis said, we've got people that don't even show up in the previous cases. But this is the part that concerns me with the process that we're dealing with in the blight, although I support the blight part and taking care of the blight within the city, we also have to be friendly enough that when we've got somebody that's trying, you do have to stay in contact with her so she can babysit you through the process to make sure it gets done because it has to get done. Okay? And you have to make sure that you're in continuous contact with her so you don't have to dig something out and you don't have to undo something you've already done. That way, you can move forward. I just see somebody in front of us that's trying to put forth a good effort. I know that over on southside on Friday I rode around with an individual over there and there were several houses that were horrendous, but looked like mansions over on southside. And if the time and care is done and you're able to do the work and get your inspections in a timely fashion and don't quit the work.*

**Council Member J. Davis:** *I think if the inspector determines that the quality of workmanship or he don't have the knowledge or the materials or if it's not proper or this and that, he can issue a Stop Work Order. Then it becomes a different animal.*

**City Attorney JoAnne Carlyle:** *And that's what I was going to say. I mean that may be something that Lori has information on. I don't know what procedure would be available. I totally agree with your inspector because people could just come and get the permit and we would be around and around and around. Another thing, you know, that I think is most regretful, Council Member Golden is correct. The gentleman gave you a timetable and he promised a time and did say that he had the manpower and the resources and really the evidence is in yours and your inspector's decision. She's come to you and Lori I don't want to put words in your mouth, but I think she's coming to you tonight and saying look I don't think this is going to happen. I don't see the manpower; I don't see the resources. He's not stood by what he has presented to you as his agreement for the extension of time. I don't know. You and Lori I would have to defer to the process, but to correct what you were referring to a while ago from the city getting into trouble, yeah Lori could possibly do a Stop Work Order. I just don't know enough about the facts to say that.*

**Council Member J. Davis:** *The thing is there are certain things required before you get to the next inspection. We were told he hasn't pulled the electrical, hasn't had a plumbing inspection. Well he can't get those unless he gets a footing inspection, which he got on Thursday. So, you know, he can't even do that.*

**City Attorney Carlyle:** *I guess I'm taking it somewhat out of.... because this is a legislative decision for you guys. It's not quasi-judicial, so you've got a lot more leeway. So, I guess my other question to you is do you have any heartburn or do you mind discussing how you feel about it? It does look like the reason he did what he did was because he knew another hearing before you guys was coming up.*

**Council Member J. Davis:** Well my personal feelings is we have so many other houses that need demolishing outside of this one. I think that if he's willing to work. We keep revisiting this thing and if it gets to the point where the inspectors issue a Stop Work Order because it will get to that point one of these days if nothing progresses. That's when we take action.

**Council Member Ewing:** For me, if I remember right, I believe it was in February. We went November, December, February, correct? And February was when we set this date and I recall in this case making the statement that if you didn't feel that you could get this work done on your own by May 1st, you needed to hire somebody who could get it done by May 1st. And, you know, if somebody wants to build a house one board at a time, they can do that but it's going to take them 20 some years to do it. So, we can let this continue to go on and on and on, but I think we did that a few years ago with an apartment complex over on Meredith and that turned out to be a huge problem and set a major precedent and I think we need to reverse that precedent. We've given ample time, in my opinion, to either get it fixed or hire somebody to fix it and it hasn't been substantial improvement. So, with that, I MOVE THAT WE AUTHORIZE DEMOLITION.

**Mayor Bencini:** We have a MOTION. Is there a SECOND?

**Chairman Golden:** I'm going to say this.

**Mayor Pro Tem Wagner:** I'll SECOND IT.

**Chairman Golden:** My fear is what it was last time. I would hate to see him invest a whole lot of money in this property and we end up tearing it down anyway and I said that then. That's why I'm so strict on maintaining these timelines.

**Council Member Ewing:** That's specifically why I said if you can't get it done by May 1, you've got to hire somebody to do it.

**Council Member J. Davis:** I'm going to go on record and vote NO.

**Mayor Bencini:** We're not voting yet.

**Council Member J. Davis:** I'm just saying. If he contacts the NC Department of Insurance because they govern the board of general contractors and the permitting process, they'll have a different ruling than what this body is doing.

**Mayor Bencini:** So I guess the question, Madam Attorney, is do we have the authority to enact the ordinance to demolish or not?

**City Attorney Carlyle:** I believe you do. Yes, I believe you do. Whether there's some exposure as Council Member J. Davis has referenced, I apologize I don't know enough about that area of law. There is some additional information that your inspector may want to share with you. It's right along the lines with what Council Member Ewing already mentioned and those are the deadlines where there's clearly a record where he's been directed to do and it looks like there's no response there..

**Council Member C. Davis:** *I would like to say that, you know, this particular case is one of the reasons I'm having such a hard time with an item we have later on in the evening. We have somebody that's actually trying and showing up for the meetings. The Meredith Street apartments, we had representatives, but never really the owner. We've got the owner here and he is putting forth the effort and there may be properties that come up that are less blighted than this particular one where someone may not have the resources and need that additional time and I just think that if we're supposed to be a business-friendly city and I realize the deadlines have been there, but he has done what he said he was going to do in regards to making progress. Again, the roof is leaking. Do you want him to work in the rain? Would you work in the rain? I don't think you would, but he is trying. I can't in good conscience say that I would vote for this tonight on the Yes side because I clearly see somebody who is willing to try.*

*Now I'm going to bat for you and Mr. Davis is going to bat for you. There's insulation you said that you have. You said that you have flooring. All those things. You've got people batting for you, so you're going to have to make sure that if this Council decides to whatever they decide if it's in your favor, you're really going to have to man up and get her done.*

**City Attorney Carlyle:** *Mayor, Council, I don't want to throw an extra wrinkle into it, but I don't feel that I can give you a really solid opinion based on what I've heard. And the wrinkle being that I, of all people, don't want to have to ask for additional time, but if you could possibly give me until the next meeting to do some research and see what solid footing we're on as far as the Stop Work Order.*

**Council Member J. Davis:** *I would feel more comfortable with that because I don't want to have to buy that property.*

**City Attorney Carlyle:** *It's just not my area of law, but I can certainly research it and get it back to you.*

**Council Member C. Davis:** *Then I'll make a SUBSTITUTE MOTION that we table the item two weeks.*

**Mayor Bencini:** *The implication is he's also got two weeks.*

**City Attorney Carlyle:** *That is true and I hate to throw the wrinkle out and me be the cause of it, but I would really like the opportunity to research it so I can give you something you can rely on.*

**Council Member C. Davis:** *Well the city attorney is asking for more time, so I said the two weeks in order to give the city attorney time to do her thing. The owner is making progress.*

**Mayor Bencini:** *Well we'll revisit what he is doing in two weeks along with what information she finds out statutorily about what we can and cannot do.*

**Council Member C. Davis:** *So you should have the flooring and your insulation in and another inspection in two weeks.*

**City Attorney Carlyle:** *Is that a MOTION?*

**Council Member J. Davis:** *Let's back track. He cannot have his insulation and flooring in.*

**Mayor Bencini:** *Well he said he could.*

**Council Member J. Davis:** *I'm just saying for our inspection department, by statute the next step he will have to do electrical, HVAC and plumbing. Get those inspections before insulation inspection.*

**Mayor Bencini:** *This is not.... I'm not trying to be facetious, but maybe we ought to give him another year. Where do we go with this?*

**Council Member Alexander:** *Well the problem is that we should have dealt with it the first time.*

**Mayor Pro Tem Wagner:** *The longer this goes and the farther he gets into it, the harder it is to do anything.*

**Council Member Alexander:** *This has got dug out. He's put in money. He's put in time and effort. I mean how fast can you sail this ship?*

**Council Member C. Davis:** *But it's his time and his money Mr. Alexander and he is making progress unlike some of the other houses that didn't even show up tonight. He is trying.*

**Council Member Alexander:** *But if you have property next to a boarded-up home, you're impacted.*

**Council Member C. Davis:** *I understand, but there's a lot of properties throughout the city in areas where there are nice homes that are boarded up and they aren't here. Just like the ones that we done earlier this evening. They didn't even bother to show. You've got a physical person in front of you who has gotten inspections that have passed and he's putting in the effort.*

**Mayor Bencini:** *The motion is to kick the can down the road two weeks. Any further discussion?*

**Council Member Ewing:** *If we do delay this two weeks, or can we take action if you find something as an alternate, can we reverse it in two weeks.*

**City Attorney Carlyle:** *I will give you plenty of information at that time, as much as I can from a legal standpoint so you will know legally what you can do and what your exposures are.*

**Chairman Golden:** *Do we have to move on that first motion, or do we just go straight to the SUBSTITUTE motion?*

**Council Member J. Davis:** *So what is the MOTION?*

**Mayor Pro Tem Wagner:** *To delay it two weeks.*

**Council Member Alexander:** *What is the tax value on the house?*

**Lori Loosemore:** *Appraised building value is \$100.*

**Council Member Alexander:** *That's your exposure.*

**Council Member C. Davis:** *Well that's the American Dream, though, Mr. Alexander. He has a dream and we don't have the right to take that from him.*

*I call the question.*

**Mayor Bencini:** *Anybody else? [none] Okay I would advise this, if you'd just keep an eye and see what else happens between now and two weeks from now. All those in favor, say Aye.*

The motion CARRIED on a 5-3 vote as follows:

Aye (5): Council Member Golden, Council Member Hill, Mayor Bencini, Council Member J. Davis, and Council Member C. Davis  
Nay (3): Council Member Ewing, Mayor Pro Tem Wagner, and Council Member Alexander  
Absent (1): Council Member Williams

**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.

*Note: This matter was heard by Council on April 3, 2017 and was placed on the Pending list at the request of the inspector. Matter is due back in 30 days.*

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

*Committee Members: Ewing, Williams, Hill and Wagner*

**170136      City of High Point Pedestrian Plan**

Council is requested to approve a Pedestrian Plan for the City of High Point. This is required by the North Carolina Department of Transportation as part of the grant received by the NCDOT Division of Bicycle and Pedestrian Transportation. This plan was approved by the Prosperity & Livability Committee at their April 5, 2017.

*Greg Venable, Transportation Planning Administrator for the City of High Point Department of Transportation, provided a brief history of the Pedestrian Plan. The city applied for a matching grant through NCDOT for a Pedestrian Plan. This plan was developed over the past year and a half, which included an extensive public comment period. He then introduced Jennifer Baldwin with Alta Planning+ Design, consultants for the project.*

*Ms. Baldwin provided an overview of the Pedestrian Plan presentation, which is hereby attached in Legistar as a permanent part of these proceedings.*

*She reported that the plan included an extensive public outreach and they actually went out into the community to hear from residents about where they are currently walking, where they want to be able to walk and where they are experiencing challenges such as crossing the streets or accessing transit. During this process, they created a website and had an on-line interactive map where people could draw routes and place dots on challenging locations. City staff also set up a lobby display in City Hall, which got a lot of attention and they received great feedback on their survey.*

*A lot of time was spent looking at existing programs and new programs that other cities in North Carolina and across the country have implemented in an effort to educate all users, all roadway users about the rules of the road, to yield to pedestrians in crosswalks, as well as encourage people to walk to venues of interest instead of driving everywhere.*

*The New Sidewalk recommendations are identified in the Plan (104 projects, 70 miles of proposed sidewalks). The Enhanced Corridors mentioned in the Plan are major thoroughfares that can benefit from arterial-level traffic calming (such as refuge islands, lane reductions, sidewalks, etc.) and improvement of pedestrian amenities (such as pedestrian scale lighting). Recommendations for the Enhanced Corridor category include 21 projects, 28 miles proposed). In these areas, Ms. Baldwin explained they are high traffic, high speed areas and in order to promote more use of sidewalks, more investment is needed such as street lights, better transit accommodations, separation from roadways, etc....*

*The Micro Gaps are short gaps of sidewalks 500 feet or less in the existing sidewalk network and consisting of a recommendation of 16 projects, 1.2 miles proposed. These are recognized in the Plan as opportunities to fill these gaps and treat them like a maintenance project that would not require as much investment as in some of the corridors that have more needs.*

*The Plan also includes identification of Intersection Improvements and looked at several corridors running through downtown and across the city. It identified intersections that do not have any type of pedestrian accommodations and consists of 183 proposed intersection improvements.*

*The final category in the Plan is the Limited Access Crossings. Ms. Baldwin explained these are where there is a lot of major DOT highways with limited access that cuts off communities and the only way to access services and get around is to cross these limited access highways so the bridges need to be accommodating to pedestrian access and travel. Approximately ten locations were inventoried and grouped depending on their implementation difficulties. Ms. Baldwin pointed out this will be helpful to the city and puts a process in place as NCDOT considers improvements to highways with bridge replacement projects. The Green Street/US 311 area was included as an example.*

*They looked at Transit Amenities to make the experience better for transit riders due to the importance of accessing transit and improving pedestrian access to transit, equitable access*

*as a priority of the Plan. some of the recommended improvements were: lighting, bus route information, shelter, bike parking, trash receptacle, bench, public art, etc....).*

*The consultants reviewed the Existing Prioritization Process that the city currently has and made a few tweaks and recommendations. The process was split into the following six main categories:*

- 1. Demand*
- 2. Safety*
- 3. Equity*
- 4. Existing Speed Limits*
- 5. Micro Gap*
- 6. Transit Access*

*This resulted in the prioritized project list. One of the highest priority sidewalk projects that was ranked at the top was Triangle Lake Road. Ms. Baldwin shared a photo of a simulation of this area to show what the sidewalks could look like if improvements are made. Another corridor that was repeatedly mentioned by residents was the Main Street area, which can oftentimes be very difficult to access and cross. She shared a drawing showing what these enhanced corridors could look like with the introduction of street elements such as a tree-lined median, better bus stop accommodations, a shelter, wayfinding to help show pedestrians how far it is to various amenities, etc....*

*The final phase of the plan identifies Implementation Strategies and it identifies the various available funding sources for local, statewide and federal funds that are available for pedestrian improvement projects. It also identifies the various stakeholders that could have a part in the Implementation Plan.*

*At the conclusion of Ms. Baldwin's presentation, she entertained questions.*

*Council Member J. Davis asked about the status of the Lexington Avenue/Main Street project that was identified by Council as a priority and authorized four years ago, but nothing has yet been done. Ms. Baldwin noted although she was not familiar with the history for this specific intersection, having an adopted plan and priority helps to elevate projects to receive more funding. Mark McDonald, Director of Transportation, explained it got tied up in the design/review process because state funds were involved to make the upgrades (i.e. new traffic signal, amenities, crosswalks, etc....). He noted initially the cost estimate for the project was \$140,000 from NCDOT with a match from the city, and since that time, the city has requested additional funding for this project. He clarified that the project has not fallen off the radar, it will just take longer.*

*Council Member Alexander expressed concerns about the situations in many neighborhoods involving conflict with residents who like to plant trees near sidewalks causing damage to the sidewalk due to the tree roots and asked if it might be possible to establish a policy dealing with these situations. Council Member Ewing suggested this could possibly be a topic for discussion by the Prosperity & Livability Committee. Council Member C. Davis questioned the policy being assigned to the Prosperity & Livability Committee instead of the Planning and Development Committee. Mayor Pro Tem Wagner noted it is really not about a zoning*



*issue, so he felt the assignment to the Prosperity & Livability Committee was appropriate. He felt it was mainly a design question and education on the types of trees that should be planted.*

*Ms. Baldwin agreed it is a design consideration and pointed out there are design guidelines in the Pedestrian Plan that deals with tree root coverage and clearance zone for building new sidewalks. She shared that even cities with robust policies still have these emotional discussions and there is no way to 100% avoid it. Council Member Alexander felt the right tools have to be in place in order to build a meaningful sidewalk system and was concerned that the city is spending tens of thousands of dollars annually in repairing sidewalks because of vegetative/root damage.*

*Council Member C. Davis shared that some in the community have voiced concerns to her regarding adopting the plan because of the diagrams/recommendations of some of the streets such as Main Street and asked if these were merely proposals or if they were absolutes because they were concerned Main Street might be dieted down. Council Member Ewing reiterated that this is just an illustrative plan that would show what the focus and expectations are and make it easier for NCDOT approval or other approvals/grant options and noted that any future projects would come to Council for review/approval.*

**Council Member Ewing then MOVED APPROVAL of the Pedestrian Plan. Council Member Wagner made a second.**

*For further discussion, Council Member C. Davis stated she would support the MOTION on the floor knowing that each project will come back to the Council before implementation.*

*The motion carried by a unanimous 8-0 vote.*

**A motion was made by Council Member Ewing, seconded by Council Member Alexander, that the City of High Point Pedestrian Plan be adopted. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

## **GENERAL BUSINESS AGENDA**

### **170137 Presentation of the Proposed 2017-2018 City of High Point Annual Budget**

The proposed 2017-2018 City of High Point Annual Budget will be presented to City Council and Council is requested to establish the date of Monday, May 15, 2017 at 5:30 p.m. to receive public comments on the proposed budget.

*Eric Olmedo, Budget & Administrative Director, presented the City Manager's proposed FY 2017-2018 Budget. Following his presentation, he asked Council to establish May 15th at 5:30 p.m. as the date and time to receive public comment on the proposed budget.*

*The Policy Goals were reported as follows:*

- ✓ Maintain current service levels
- ✓ Continue to address Council Strategic Plan initiatives
- ✓ Increase the population of active, engaged, and entrepreneurial and working millennials by 25%
- ✓ 100% proactive enforcement of codes
- ✓ Create a downtown catalyst project that produces:
- ✓ 500 private sector jobs
- ✓ 15-20 new restaurants and shops
- ✓ 250 additional housing units
- ✓ A centralized gathering place

*The Proposed 2017-2018 Budget focuses on:*

- ✓ Continuing the Police Officer Staffing Plan by adding an additional 8 police officer positions;
- ✓ Adds 1 crime analyst position for enhanced crime data analysis
- ✓ Upgrades police officer position to police supervisor, to focus on public information and will lead the
- ✓ Community Outreach unit
- ✓ Reduces deferred maintenance of city assets by addition of two facility maintenance technicians and upgrading of two existing positions.
- ✓ Adds an accountant position to address critical fiscal issues
- ✓ Adds 5 apprentice positions and 7 seasonable positions in Public Services
- ✓ Staffing realignments in Parks and Recreation and Library which will change the personnel complement, but revenue neutral
- ✓ 2018 Employee Pay for Performance program. A budgeted increase of 3% allows the continuation of a 0% - 4% increase based on merit
- ✓ Continued investment of \$500,000 funding for Core City Redevelopment efforts
- ✓ Continued support of Forward High Point- \$250,000
- ✓ Increases annual street resurfacing funding from \$2.315 million to \$2.45 million
- ✓ Continued support of Guilford County Economic Development Alliance- \$100,000
- ✓ Continues funding of \$100,000 for neighborhood traffic calming devices
- ✓ Continuation of Fire Department Station Alerting System for \$1 million, (funded through lease-purchase financing)
- ✓ Replaces \$4.15 million in vehicles and large equipment in Fleet Services utilizing pay-as-you go funding.

*Mr. Olmedo identified the following pay-as-you go projects that are proposed to be funded through the General Fund:*

- ✓ Expanded street resurfacing \$2,450,000
- ✓ Deferred maintenance fire station renovations \$500,000
- ✓ GIS Base Mapping (Annual) \$30,000
- ✓ P & R parking lot improvements (2nd year) \$490,000
- ✓ New dog park \$125,000
- ✓ Playground equipment (annual) \$50,000

- ✓ Tennis center improvements \$100,000
- ✓ Deferred maintenance athletic complex track resurfacing \$100,000
- ✓ Library Plaza alternate improvements \$200,000
- ✓ Mendenhall Terminal improvements \$150,000
- ✓ Signage for I-74 (2nd year funding) \$35,000
- ✓ Traffic storage building (2nd year funding) \$100,000
- ✓ City Hall electric system upgrade \$100,000
- ✓ General Fund TOTAL \$4,430,000

*Other pay-as-you-go projects in the proposed budget are:*

- ✓ Water & Sewer- Total \$5,639,550
- ✓ Electric Capital - Total \$9,206,300
- ✓ Landfill Capital- Total \$1,171,000
- ✓ Fleet Replacement Program \$4,150,000
- ✓ Computer system replacement \$300,000
- ✓ Stormwater projects \$75,000
- ✓ Radio system equipment \$55,000

*Mr. Olmedo advised that the proposed budget was prepared using the current years approved tax rate of 64.75 cents and as required by law, the revenue neutral tax rate has been calculated as follows:*

- ✓ The reappraisal of the Guilford County portion of the tax rate is \$9.1 billion (94.4% of the total tax base)
- ✓ Using the formula mandated by state law, the revenue neutral tax rate is 62.21 cents (-2.48 cents)
- ✓ A penny on the tax rate generates approximately \$947,000 in revenue
- ✓ The assessed value is an estimate and is subject to change
- ✓ The revenue neutral tax rate for residential properties is 63.21 cents (1.54 cents lower)
- ✓ The revenue neutral tax rate for commercial/industrial properties is 59.48 (5.27 cents lower)
- ✓ Commercial values due to new construction/additions was \$299.0 million in 2016
- ✓ Residential values due to new construction/additions was \$40.7 million in 2016

*Other Revenue changes were noted as follows:*

- ✓ Proposed 3% water/sewer rate increase effective October 1, 2017
- ✓ Continues long range financial strategy developed by staff and Davenport and Company to fund necessary investment in the water and sewer system
- ✓ Proposed tax rate increases keep our costs close to the median of 330 utility systems statewide

*No other major revenue changes are proposed*

*Mr. Olmedo explained this continues the city's long range financial strategy and keeps the city close to the median cost for comparison purposes statewide. He shared a quick picture of the NC Water and Wastewater Rates Dashboard identifying rates as of January 1, 2017.*

*Mr. Olmedo proceeded to share the following budget preparation schedule:*

- May 4th from 3:00 p.m. - 5:00 p.m. Budget Review
- May 15th Public Hearing on the Budget at 5:30 p.m.
- May 17th from 3:00 p.m. - 5:00 p.m. Budget Review
- May 18th from 3:00 p.m. - 5:00 p.m. Budget Review (if needed)
- June 5th adoption of the budget

Established the date of May 15th at 5:30 p.m. as the date and time to receive public comment on the proposed 2017-2018 budget.

**A motion was made by Council Member Alexander, seconded by Council Member Ewing, to establish the date of Monday, May 15, 2017 at 5:30 p.m. to receive public comments on the proposed FY 2017-2018 budget. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**170138      Resolution - Establish Filing Fees for 2017 Municipal Election**

Pursuant to N.C. General Statute 163-294.2(e), Council must set the filing fees for the upcoming municipal election to be held on Tuesday, November 7, 2017. The filing fee must be set no later than the first Thursday in July (the day before candidates are permitted to begin filing notices of candidacy). The filing period for the 2017 High Point Municipal Election will begin on Friday, July 7, 2017 at 12:00 Noon and will conclude on Friday July 21, 2017 at 12:00 Noon. The filing fee for the 2014 election was \$96.00.

Adopted Resolution setting the filing fees for the upcoming 2017 High Point Municipal Election at \$96.

**A motion was made by Council Member C. Davis, seconded by Mayor Pro Tem Wagner, that the Resolution be adopted setting the filing fees for the upcoming election at \$96.00. The motion carried by the following 8-0 vote:**

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

Absent (1): Council Member Williams

**Resolution No. 1664/17-11  
Introduced 5/1/2017; Adopted 5/1/2017  
Resolution Book, Volume XIX, Page 133**

**170140      Public Hearing - Resolution - Phoenix Academy - TEFRA Bonds**

Council is requested to hold a public hearing to receive public input on behalf of Phoenix Academy for the issuance of Tax-Exempt Bonds (TEFRA Tax Equity and Fiscal Responsibility)

Act of 1982) in the amount of \$35,000,000.00 and adopt Resolution approving the issuance of the bonds.

*Mayor Bencini opened the public hearing and asked if there was anyone present who would like to speak in favor of the TEFRA Bonds.*

*Brandon Lofton, Attorney with Robinson Bradshaw in Charlotte, addressed Council. He stated he was retained to work with Phoenix Academy on this matter. Phoenix Academy operates a school in High Point and they wish to finance acquisition and improvement of their facilities in High Point on a tax-exempt basis. In order to do so, the bonds have to be issued by a governmental issuer (Public Finance Authority of Wisconsin). The Public Finance Authority will issue the bonds, sell the bonds to investors and take the proceeds from the sale and loan money to Phoenix Academy and the Phoenix Academy Foundation, which is a non-profit supporting the school.*

*Mr. Lofton reiterated that one of the requirements for non-profits to access the tax-exempt market is they have to have a TEFRA hearing and another requirement is that the body with jurisdiction over the location of the project host the public hearing and approve the project and bonds. He stressed that approving the bonds and approving the project does not in any way obligate the city and it does not make the bonds the city's debt. The IRS has established an order to provide public input and since the issuer in this case is an issuer who is not here in this state.*

*Following the brief presentation, Mr. Lofton entertained questions.*

*Council Member C. Davis pointed out taking the distance between Wisconsin and North Carolina into consideration, she asked if it was also advertised in Wisconsin's newspaper that a public hearing would be held in High Point. Mr. Lofton explained there are actually two TEFRA hearings: one in High Point and one in Wisconsin, both of which were advertised in the relevant newspapers.*

*Mayor Bencini asked if there was anyone else present who would like to offer comment. There being no further comments, the public hearing was closed.*

*Adopted the Resolution approving the issuance of the TEFRA tax-exempt bonds on behalf of Phoenix Academy in the amount of \$35,000,000.00.*

**A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, to adopt the Resolution approving the issuance of the tax-exempt bonds in the amount of \$35,000,000.00 on behalf of Phoenix Academy. The motion carried by the following 8-0 vote:**

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

**Resolution No. 1665/17-12  
Introduced 5/1/2017; Adopted 5/1/2017  
Resolution Book Volume XIX, Page 134**

**170139      Minutes to Be Approved**

- Finance Committee Meeting; Wednesday, March 29th @ 4:00 p.m.
- Special Meeting (Retreat); Friday, March 31st @ 8:30 a.m.
- Manager's Briefing; Monday, April 3rd @ 4:00 p.m.
- City Council Meeting; Monday, April 3rd @ 5:30 p.m.
- Community Housing, Neighborhood Development & Public Safety Committee; Tuesday, April 4th @ 10:00 a.m.
- Prosperity & Livability Committee Meeting - Wednesday, April 5th @ 9:00 a.m.

Approved the preceding minutes with the correction to the April 3, 2017 High Point City Council Meeting Minutes as recommended by Council Member C. Davis, clarifying that it was Council Member C. Davis that voted "No" and Council Member J. Davis voted "Yes" on the following matters: **170116 Budget Ordinance Amendment- Downtown Catalyst Project; 170117 Purchase of Property- Downtown Catalyst Project- Multi-Purpose Stadium; and 170110 Catalyst Project.**

**A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Wagner, that the preceding minutes be approved with the correction to the April 3rd High Point City Council Meeting Minutes as sent out in an email from the City Clerk to the City Council. The motion carried by the following 8-0 vote:**

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

Absent (1):        Council Member Williams

**CLOSED SESSION- ECONOMIC DEVELOPMENT**

Pursuant to N.C. General Statute 143-318.11(a)(4), **Council Member Ewing moved to go into Closed Session at 7:58 p.m. to discuss a potential economic development project. Mayor Pro Tem Wagner made a second to the motion, which carried unanimously. [8-0 vote] [Council Member Williams was absent]**

**ADJOURNMENT**

*Upon reconvening into Open Session at 8:10 p.m., no announcement was made as a result of the Closed Session.*

*The meeting adjourned at 8:10 p.m. upon motion duly made and seconded.*

Respectfully Submitted,

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William S. Bencini, Jr., Mayor

Attest:

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Lisa B. Vierling, MMC  
City Clerk