

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
HIGH POINT THEATRE, GALLERY B  
AUGUST 7, 2017 – 5:30 P.M.**

**ROLL CALL, PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

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

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

**Present (9):** *Mayor William S. Bencini, Jr., Mayor Pro Tem Jay Wagner (Ward 4); 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).*

**RECOGNITIONS AND PRESENTATIONS**

**170239      High Point REALTOR® Association - Annual President's Report**

Ms. Joan Swift, President of the High Point REALTOR Association, will make the annual Market Status and Corporate Social Responsibility report to City Council.

*Joan Swift, 2017 President of the High Point Regional Association of Realtors, presented an overview of the 2017 Report to City Council on the High Point Region Real Estate Market & Social Responsibility Programs. [The Report in its entirety will be attached in Legistar as a permanent part of these proceedings].*

**STRATEGIC PLAN UPDATE**

**170240      Strategic Plan Update**

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, will provide an update on the status of the City's Strategic Plan.

**Code Enforcement/Blight**

*Community Housing, Neighborhood Development & Public Safety Committee Chair Jeff 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 July 2017 activities as follows:*

- ✓ 49 Minimum Housing Complaints
- ✓ 272 Active Minimum Housing cases
- ✓ 50 Active Backlog cases
- ✓ 178 Public Nuisance Complaints

- ✓ 235 Active Public Nuisance cases
- ✓ 22 Zoning Complaints (vehicles, signs, banners, etc....)
- ✓ 175 Signs collected

*Chairman Golden noted the backlog of minimum housing cases from the old system has dropped significantly from 270 in May 2016 to 50 in July 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.*

### **Connect HP**

*Prosperity & Livability Committee Chair Jason Ewing introduced Sarah Belle Tate, Chair, Connect HP to provide the update.*

*Ms. Tate reported that they would like to host another open forum meeting in October with a focus on the downtown development. They are also working on their 2nd Annual YP Summit that is scheduled in November. Over 150 young professionals attended last year's one-half day event.*

## **PUBLIC COMMENT PERIOD**

**170241**

### **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 persons spoke during the Public Comment Period:***

***Richard Becker, 4103 Aberdare Drive, addressed Council in opposition to the baseball/multi-purpose stadium. He shared the following concerns:***

- *Not in favor of using any public money to build the baseball/multi-purpose stadium. His objection centers on the fact that he feels using public money means that the city and attendee pays twice (once for the stadium; and again for the required ticket purchase to get into the stadium.*

- *The historical account for the drive for a new sports team shows that it drains \$2 million a year from public treasuries for the sake of private profit. Public money should be used to benefit taxpayers.*
- *There are many other projects and needs that High Point should undertake, such as the need for more sidewalks around the schools. Private profit should not drain public money from these other needs.*
- *Regarding the Atlantic League being the major tenant for the stadium, he asked how the city would make up for the loss of rental income in the case of dissolution of teams within the League and if public funds would be used.*
- *Strongly recommended reading a book, Field of Schemes, that is a detailed story of the way tax dollars end up in the pockets of sports team owners and players. He stated he would gladly provide a copy of the book to any of the council members for the ask.*

*James Adams, 1829 Chatfield Drive, also spoke in opposition to the baseball/multi-purpose stadium, as well as the process being used. He voiced the following concerns:*

- *Not allowing the taxpaying public to have a voice in the process is alarming.*
- *The financial risk and exposure to taxpayers is far too great.*
- *Asking that no public money be used and no decision be made to commit substantial public funds to this project until the University of North Carolina-School of Government has been consulted.*
- *It should be put to a referendum for the upcoming primary or general election. That the \$5 million facility be denied.*
- *Asked that the community, the stadium builder, the master developer, the City Council, Forward High Point, get in front of ensuring minority contractor participation as promised in various conversations that have taken place and also asked that they bring in the NC Institute of minority and Economic Development to facilitate and ensure utilization of diverse businesses.*

*Mr. Adams also questioned why the \$5 million was not part of the initial bid and mentioned a stadium that was built with public money in Connecticut that ended up costing twice as much. He asked where the spending of public money stops and noted with private money, they know where and when the last dime will be spent.*

*In closing, Mr. Adams pointed out there are citizens present in this meeting that live in the community that would like to be included and involved and the entire process should have been an exercise of inclusion from the beginning.*

*At the conclusion of Mr. Adams' comments, Council Member C. Davis wanted to make him aware that there are two separate items on tonight's agenda for consideration.*

*Louis Thibodeaux, 1241 Kensington Drive, addressed Council in opposition to the matter on the agenda that would change the hours allowing the serving and selling of alcohol from 12 Noon to 10:00 a.m. on Sundays. He also found it odd that the city wants to solicit input on what to build around a stadium, but not ask, by a vote of the people, if they want one. He also asked if it might be possible to change the public hearing date on the Mixed-Use District that is scheduled for November 20th before the City Council. He suggested that maybe November 6th or December 4th might be better due to the Thanksgiving holiday and people being out of town. Mr. Thibodeaux concluded his remarks by stating that he would like to see a city park for families in the center of town, possibly three or more acres.*

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

### **CONSENT AGENDA ITEMS**

*Finance Committee Chairman J. Davis reported that the Finance Committee did meet on August 2nd and recommended all finance-related items be placed on the Consent Agenda with a favorable recommendation. However, Council Member C. Davis did ask that item #170245 Temporary Services Contract for the Material Recovery Facility (MRF) be pulled for further discussion.*

**Council Member J. Davis then MOVED to APPROVE the remaining items. Council Member C. Davis made a second, 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.*

#### **170242      Resolution - Contract - Guilford County Board of Education - SRO Program**

Council is requested to adopt a resolution authorizing the city manager to execute a contract with the Guilford County Board of Education to provide for eight (8) School Resource Officers (SROs) for FY 2017-2018.

Adopted a resolution authorizing the city manager to execute a contract with the Guilford County Board of Education to provide for eight (8) School Resource Officers (SROs) for FY 2017-2018.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this resolution be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**Resolution No. 1684/17-31**  
**Introduced 8/7/2017; Adopted 8/7/2017**  
**Resolution Book, XIX, Page 153**

**170243      Contract - Purchase of Mini Excavator**

Council is requested to approve award of a contract to Kubota Tractor Corporation through our local supplier Sink Farm Equipment in the amount of \$106,228.06 for the purchase of a new mini excavator for use by the Water and Sewer Mains Division of Public Services Department; and declare the old mini excavator as surplus and disposing through the online auction process.

Approved award of a contract to Kubota Tractor Corporation through local supplier, Sink Farm Equipment, in the amount of \$106,228.06 for the purchase of a new mini-excavator, and declared the old mini-excavator as surplus to be disposed of through the online auction process.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170244      Contract - Purchase of Paver**

Council is requested to approve the award of a contract to Carolina Caterpillar in the amount of \$176,692.50 for the purchase of a 2017 Leeboy 8515E Paver for use by the Streets Division of the Public Services Department; and declare the old paver as surplus and disposing through the online auction process.

Approved award of a contract to Carolina Caterpillar in the amount of \$176,692.50 for the purchase of a 2017 Leeboy 8515E Paver, and declared the old paver as surplus to be disposed of through the online auction process.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170246      Contract - Ingleside Compost Facility - Trommel Screener**

Council is requested to approve a contract with Powerscreen Mid-Atlantic Inc., in the amount of \$304,868.59 for the purchase of a Trommel Screener for the Ingleside Compost Facility to provide a clean processed material to the customer base.

Approved a contract with Powerscreen Mid-Atlantic, Inc. in the amount of \$304,868.59 for the purchase of a Trommel Screener.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170247      Contract - Ingleside Compost Facility - Spare Parts for Trommel Screener**

Council is requested to approve a contract with Powerscreen Mid-Atlantic, Inc., in the amount of \$44,913.62 for the purchase of spare parts for the Trommel Screener used at the Ingleside Compost Facility.

Approved a contract with Powerscreen Mid-Atlantic, Inc. in the amount of \$4,913.62 for the purchase of spare parts for the Trommel Screener.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170248      Contract - Sole Source for a Magnadrive - Sandy Ridge Pump Station**

Council is requested to award a sole source contract to Perkinson Co., Inc. in the amount of \$55,505.00 for the purchase of an additional Magnadrive adjustable speed coupling (APC) for a second pump at the Sandy Ridge Pump Station.

Approved award of a sole source contract to Perkinson Co., Inc. in the amount of \$55,505.00 for the purchase of an additional Magnadrive adjustable speed coupling (APC) for a second pump at the Sandy Ridge Pump Station.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170249      Contract - Pavement Condition Survey**

Council is requested to approve a Professional Engineering Services contract with WitherRavenel, Inc., in the amount of \$110,000.00 to conduct a pavement condition survey that will assist in better maintaining the street infrastructure while expanding the

maintenance activities with available funding. This project will provide a complete evaluation of the street network.

Approved a professional engineering services contract with WitherRavenel, Inc. in the amount of \$110,000 to conduct a pavement condition survey.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170250      Acknowledge Receipt of 2016-2017 Surplus Equipment Disposal**

Council is requested to acknowledge receipt of the FY 2016-2017 Surplus Equipment Disposal report.

Acknowledged receipt of the FY 2016-2017 Surplus Equipment Disposal report.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, to acknowledge receipt of the 2016-2017 Surplus Equipment Disposal Report. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**REGULAR AGENDA ITEMS**

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

**170245      Contract - Temporary Services - Material Recovery Facility**

Council is requested to approve a contract with People Ready in the amount of \$140,000.00 to provide temporary service employees at the Material Recovery Facility (MRF) until scheduled upgrades are complete.

*Deputy City Manager Randy McCaslin advised that the city has been using temp staff at the MRF because of the uncertainty of the total manpower needed. He reported that bids were received through the RFP process and the bid notice was advertised in the local newspaper.*

*Council Member C. Davis asked the following two questions relating to the contract for the temp employees at the MRF.*

- 1. Should the city consider having businesses in High Point bid because some of the local businesses were not aware of the bids being received.*

2. *Does the city not have the ability to hire part-time employees, rather than splurge on temp agencies?*

*Mr. McCaslin advised that the city did follow State law throughout the bid process and explained it was against the law for the City Council to give preference for a local company over another unless there is a good reason compelling it to do so. He reiterated that the city did follow the requirements in the State statutes for the bidding process.*

*Council Member C. Davis advised that her question was not whether the city followed State law, but more about working with the businesses in High Point to make sure they are aware there is a way to register their business through the city's Finance Department because those she talked to were not aware they had to register in order to get an electronic bid notification. Mr. McCaslin clarified that businesses are not required to register, but can ask to be added to the list that is kept by the Purchasing Department to receive bid notifications. Council Member C. Davis pointed out that she got conflicting information from the staff and that is why she wanted to ask the question.*

Approved the contract with People Ready in the amount of \$140,000.00 to provide temporary service employees at the Material Recovery Facility (MRF) until scheduled upgrades are complete.

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

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

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

**170251      Urgent Repair Policies - 2017-2018**

Council is requested to approve the Procurement and Disbursement Policy 2017 Urgent Repair Program and the Urgent Repair Program 2017 Cycle as required by the North Carolina Housing Finance Agency.

*Mike McNair, Director of Community Housing & Development advised that the city is required to annually submit policies for the Urgent Repair Program to the State as required by the North Carolina Housing Finance Agency.*

Approved the Procurement and Disbursement Policy for the 2017 Urgent Repair Program and the Urgent Repair Assistance Policy.



**A motion was made by Council Member Golden, seconded by Council Member Alexander, that the 2017-2018 Urgent Repair Policies be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170252      Resolutions - Property Transfer to Core City CDC**

Council is requested to adopt resolutions authorizing the City Attorney's office to proceed with the transfer of the following properties to the Core City CDC - 505 Arlington Street, 2305 Little Avenue, 2309 Little Avenue, 1608 Boundary Avenue, 909 Howard Place, 723 Bridges Drive, 725 Bridges Drive and 611 Bridges Drive

*Deputy City Manager Randy McCaslin advised that the city has acquired these eight (8) properties through the annually appropriated blight reduction funds and would like to transfer these properties to the Core City CDC. These lots will be used to clear up blight by restoring and providing affordable housing to our citizens.*

Adopted the Resolutions authorizing the City Attorney's office to proceed with the transfer of these properties to the Core City CDC.

**A motion was made by Council Member Golden, seconded by Council Member Alexander, that these Resolutions be adopted authorizing the city to proceed with the transfer of the following properties to the Core City CDC: 505 Arlington Street; 2305 Little Avenue; 2309 Little Avenue; 1608 Boundary Avenue; 909 Howard Place; 723 Bridges Drive; 725 Bridges Drive and 611 Bridges Drive. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**Resolution Nos.**

**1685/17-32 page 154**

**1686/17-33 page 155**

**1687/17-34 page 156**

**1688/17-35 page 157**

**1689/17-36 page 158**

**1690/17-37 page 159**

**1691/17-38 page 160**

**Resolution Book XIX**

**Introduced 8/7/2017; Adopted 8/7/2017**

**170253      Ordinance - Demolition of Structure - 117 Briggs Place**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 117 Briggs Place belonging to Thomas V. Hoth.

*Lori Loosemore, Local Codes Enforcement Supervisor, reported that the property was originally inspected on January 26, 2017 and a hearing was held on February 14, 2017, but no one appeared for the hearing. Staff then issued an Order to Repair or Demolish with an expiration date of March 15, 2017, but staff has not heard from the property owner since that time.*

*There was no one present to speak regarding this housing case.*

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of the structure at 117 Briggs Place.

**A motion was made by Council Member Golden, seconded by Council Member Williams, that this Ordinance be adopted ordering the housing inspector to effectuate the demolition of a structure located at 117 Briggs Place. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**Ordinance No. 7323/17-65  
Introduced 8/7/2017; Adopted 8/7/2017  
Ordinance Book, XIX, Page 205**

**170254      Ordinance - Demolition of Structure - 205 Friendly Avenue**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 205 Friendly Avenue belonging to Jeffrey & Elizabeth Smith.

*Lori Loosemore, Local Codes Enforcement Supervisor, reported this property was originally inspected on August 29, 2016 with a hearing on January 11, 2017. The property owner did not attend the hearing, but did call and let the inspector know that he could not make the hearing, but did plan on making repairs to the house. She advised that an Order to Repair or Demolish was issued on January 11, 2017 with a compliance date of February 16, 2017. The last contact staff had with the property owner was on June 13th and at that time, the property owner stated that he planned to start making the repairs to the property and would start pulling permits, but never did. Ms. Loosemore advised that he did call this afternoon and asked for additional time to start making the repairs and pulling the permits. To date the repairs have not been made, nor have any permits been pulled.*

*At this time, Chairman Golden asked if there was anyone present to speak regarding this housing case.*

*Delores Riley, who resides at 301 Friendly Avenue, representing the Hickory Chapel Neighborhood Watch Group, spoke in support of Council taking action to demolish the structure at 201 Friendly Avenue. She advised that the property has been deteriorating for the past eight years and that the property was unsafe because there are children in the neighborhood that go in and out of the property.*

*There was no one else present desiring to speak on this matter.*

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of a structure located at 201 Friendly Avenue.

**A motion was made by Council Member Golden, seconded by Council Member C. Davis, that this Ordinance be adopted ordering the housing inspector to effectuate the demolition of a structure located at 205 Friendly Avenue. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**Ordinance No. 7324/17-66  
Introduced 8/7/2017; Adopted 8/7/2017  
Ordinance Book, XIX, Page 206**

**170255      Ordinance - Demolition of Structure - 1013 Johnson Street**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1013 Johnson Street belonging to Don G. Angell Trust.

*Lori Loosemore, Local Codes Enforcement Supervisor, advised that due to an ownership change for the property, staff is requesting that this matter be placed on the Pending List for the Community Housing Neighborhood Development & Public Safety Committee.*

**A motion was made by Council Member Golden, seconded by Council Member Davis, that this matter be deferred to the Community Housing Neighborhood Development & Public Safety Committee and placed on the Pending list. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170256      Ordinance - Demolition of Structure - 1441 Madison Street**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1441 Madison Street belonging to the McLaughlin Family.

*Lori Loosemore, Local Codes Enforcement Supervisor, reported this property was inspected on March 21, 2017 with a hearing on April 19, 2017. The owner did not appear for the hearing, but did call the inspector on April 8th and explained she could not attend due to her age and the distance she would have to travel. The property owner requested additional time (60 days) so she could sell the property. At that time, the inspector did inform the property owner that if she could not find a buyer within the*

*60 days, no additional time could be granted. An Order to Repair or Demolish was issued on April 19, 2017 with a compliance date of June 19, 2017 and to date, nothing has been done. Ms. Loosemore advised that she did talk to the property owner on July 28th and was told by the property owner that she did have two previous buyers, but the deals fell through. She did note that she had someone else interested in the property, but was not sure when they would close on it. In the meantime, staff learned that the property owner had reached out to a contractor about bids for demolition.*

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of the structure located at 205 Friendly Avenue.

**A motion was made by Council Member Golden, seconded by Council Member Williams, that the Ordinance be adopted ordering the housing inspector to effectuate the demolition of a structure located at 1441 Madison Street. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**Ordinance No. 7325/17-67  
Introduced 8/7/2017; Adopted 8/7/2017  
Ordinance Book, XIX, Page 207**

**PROSPERITY & LIVABILITY COMMITTEE** - Council Member Ewing, Chair  
Committee Members: Ewing, Hill, Wagner and Williams

**170263      City of High Point Downtown Multi-Modal Vision Plan**

Council is requested to approve the City of High Point Downtown Multi-modal Vision Plan. This plan was review by the Prosperity & Livability Committee at the August 2nd meeting and the Committee recommended approval by the City Council.

*Prosperity & Livability Committee Chairman Jason Ewing prefaced the discussion by stating that the consultants made a presentation to the Committee last week and voted to forward the Multi-Modal Vision Plan to the Council with a unanimous favorable recommendation for adoption.*

**Greg Venable**, Transportation Administrator, advised that the High Point MPO started the process about two years ago at the request of the City and applied for a Federal grant to conduct a Vision study for the area around the Depot and the High Point Transit facility. The plan considered connectivity, mainly the pedestrian/bicycle combination and also looked at transit (rail and automobile traffic). He then introduced **Adam Martin** with LandDesign, who would be making the presentation.

*Mr. Martin reiterated that the overall goals of the project were to assess transit opportunities with pedestrian/bike facilities to increase downtown traffic and look at opportunities for place making things and downtown redevelopment, essentially how*

*can public/private investment create a more vibrant downtown. Approximately 136 acres in the downtown was assessed and consideration was given to current plans/documents which were used to pull ideas to push forward in the plan.*

*Mr. Martin pointed out that 36% of the site area is public right-of-way and this is a tremendous asset that the city has control over, which allows opportunity to give some of the right-of-way back to pedestrians and bicyclists to create better connections downtown. Several public outreach sessions, stakeholder and steering committee meetings were held and they presented priority projects and allowed people to vote.*

They started out with three scenarios that were presented to the public:

- 1. "Main Street Moment" (creating gateway experiences for a sense of arrival into downtown)*
- 2. Uptowne "Rail to River" (connecting market areas around downtown)*
- 3. "Institutional Connections" (connecting neighborhoods to downtown)*

*The guiding principles were established that were used to aid in selecting the priority projects, with the first being "Downtown Area is the Heart" because all the projects need to connect back to downtown and create safe opportunities for connections, increase a sense of culture in the community, and to also take into account the redevelopment in and around downtown.*

*The following six projects were identified through that process:*

**1. Pedestrianize Main Street**

**Opportunities:**

- *Increase the street scape, give comfort to pedestrians, provide opportunities for people on bikes to get out and come downtown.*
- *Use angled parking to create more parking for shop owners and increase the viability of commercial uses downtown.*
- *Also provide the following alternates such as parallel parking, bike lanes that can be separated, and improve sidewalk experience with plantings and furnishings of that nature.*

**2. Main Street Gateway Features**

- *To create a sense of arrival downtown.*
- *Create some art opportunities within the downtown buildings to pull the creativity from the inside of the buildings to the outside.*
- *Adopt some sort of mechanism to give some control to the large buildings*
- *Other opportunities to consider: streetscape improvements, intersections, redevelopment along Main Street.*

3. ***Elm Street Upgrade***

- *To provide a framework and a vision of what Elm Street could look like as far as future redevelopment and its relationship to the multi-use stadium.*
- *Reiterated the significance of the excess right-of-way on Elm Street and focused on the possibility that some of the excess right-of-way could be used to provide things such as bike lanes and converting one of the center lanes to a turn lane and under some conditions there could be some on-street parking and separated bike lanes.*

4. ***String and Splinter Heritage Trail***

- *Capitalizing on the Southwest Greenway Plan and focusing on some of those ideas and possibly overlapping the projects to stretch the dollars for improvements to Elm Street.*

5. ***Railroad Esplanade***

- *Railroad does not create a lot of barriers downtown, making it easy to move across relatively freely.*
- *Clear up some sight lines because the railroad is not very visible, creating a better pedestrian experience around the railroad.*
- *Railroad is definitely an asset to be celebrated.*
- *Opportunities where terraces could be provided along the Esplanade to encourage more of a sense of community where people can sit and enjoy the artwork.*
- *Identified a trailhead at the Broad Avenue parking deck and provided some options for organizing it.*

6. ***Redevelopment Opportunities***

- *Looked at redevelopment opportunities for the PIT, which could be a combination of retail, maker space, multi-family as it relates to the transit hub being in close proximity.*
- *Looked at site east of the multi-use stadium that could support development such as office, retail, hotel, multi-family, etc....*

*Mr. Martin concluded his presentation and entertained questions.*

*Council Member Williams expressed concerns about the Suites at Market Square, 124 S. Elm and trucks having difficulty backing in at the dock past the corner of the building. He also asked if they asked for any input from the Market Authority or any of the other market properties regarding the plan. Greg Venable, Transportation Administrator, clarified that they did get some input from Tammy Nagem with the Market Authority. He further advised that they are pretty much staying out of the Market District and pointed out it would basically go down to High Street and stop there to accommodate trucks, etc... in that section.*

*Council Member Alexander questioned the suggestion for the vegetative medians through the middle of Main Street and expressed concerns about what impact that could possibly have on the annual Christmas Parade and any other downtown activities such*

*as the bike races. Mr. Venable reiterated that these are merely recommendations and the recommendations would certainly require further study, so the Council would not be endorsing one recommendation or another.*

*Council Member J. Davis interjected and pointed out the agenda does say that Council is requested to "approve" the Vision Plan. He asked if it would be better to table the Vision Plan for further study until the final plan is brought back.*

*The Mayor advised against deferring action on the Vision Plan and explained it is not the final plan, but actually the beginning of starting the process as to how it relates and anticipation of the newly revitalized downtown. He explained it is much like all the related plans that came about as a result of the Core City Plan, which included many studies, much public participation and took years to bring the final plan to fruition. Council Member J. Davis stated he did not see why the plan could not be put back in Committee to be further discussed to try to alleviate some of the concerns. Mayor Pro Tem Wagner reiterated that it is just a vision plan and does not commit this Council or any future Councils to do anything.*

*Council Member C. Davis agreed with Council Member J. Davis and mentioned that the previous Council did receive petitions containing several hundred names from people who did not want to see Main Street dieted. She believed it was premature for Council to vote on the Vision Plan tonight and felt it should be referred to Committee for further discussion.*

*Approved the City of High Point Downtown Multi-Modal Vision Plan.*

**At this time, Council Member Ewing MOVED to APPROVE the Multi-Modal Vision Plan that was presented before Council. Mayor Pro Tem Wagner made a SECOND to the MOTION, which 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

**170265      Resolution - Design-Build Criteria**

Council is requested to adopt a Resolution approving design-build method of contracting for the construction of a multi-use stadium.

\_\_\_\_\_ Transcript \_\_\_\_\_

**Chairman Ewing:** *The next item we have is a resolution approving the Design-Build method of contracting for the construction of a multi-use stadium. I will read the resolution for the benefit of those that might not have it. Randy Hemann will answer any questions.*

**RESOLUTION OF HIGH POINT CITY COUNCIL APPROVING DESIGN-BUILD  
METHOD OF CONTRACTING  
FOR THE CONSTRUCTION OF A MULTI-USE STADIUM**

**WHEREAS**, the City Council of the City of High Point has authorized the pursuit of a catalyst project in the downtown area, with the goal of increasing commercial activity, tax base, jobs, and further economic development, and

**WHEREAS**, a key element of the catalyst project will be a multi-use stadium, with the goal of activating the private development of retail, commercial and entertainment businesses in the area, and

**WHEREAS**, the construction of a multi-use stadium requires complex agreements with team owners and leagues, and timing the construction and opening of the stadium to coincide with the beginning of a multi-use season is critical to the first-year success of the project.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT** makes the following facts and draw the following conclusions with regard to the use of a design-build contract for the multi-use stadium:

1. The project requirements can be adequately and thoroughly defined for a design-build contract for a multi-use stadium based on the building elements in similar sized stadiums in other American communities, and by following the specifications required by governing bodies for the stadiums utilized by teams in their leagues. Public record documents detailing the projects proposed and constructed by other cities and counties are available to the City of High Point for reference in defining the scope and elements of the High Point project.

2. The ability to begin construction of the multi-use stadium no later than the spring of 2018, and have it completed no later than the start of the 2019 baseball season, is critical to the economic projections supporting the project. Delay in completing construction past the start of the 2019 baseball season would subject the parties to additional costs for an alternate venue for staging baseball games, or the loss of the ability to play in the 2019 season, and the potential increase in construction costs for waiting an extra year to begin construction. These time constraints dictate a fast track design and construction schedule that is best accomplished through use of a design-build contract.

3. The City will utilize the services of an experienced design-build team, along with close inspection of the project by qualified professionals on City staff, to ensure delivery of a quality design and quality construction of the multi-use stadium. City staff is experienced at the management of major public construction projects, and the appropriate staff will be assigned to the management and inspection of this project. The assembled project team for the multi-use stadium will also include outside consultants with significant relevant experience in large



public/private partnership projects similar to the catalyst projects the City envisions with the stadium and surrounding development. Staff has been in the process of reviewing the credentials of development consultants and are aware of specialized consultants that are able to assist the City in these projects and they bring experience with both public/private collaborations and design build construction projects.

4. City will require the design-build team to make a good faith effort to comply with N.C.G.S. §143-128.2, N.C.G.S. §143-128.4 and to recruit and select small business entities to participate in the stadium project. The City will publicize the project and the small business opportunities that may be available for participation, and will monitor the selected design-build contractor's performance in selecting and utilizing small business entities in the project.

5. The professional staff of the City, in conjunction with outside consultants, have reviewed the advantages and disadvantages of using the design-build method of construction for the multi-use stadium project, and have compared those factors to the construction bid methods identified in subdivisions (1), (2), and (4) of N.C.G.S. §143-128 (a1), and have concluded that because of the time pressure on the design phase of this project, and the specific deadline for construction completion and occupancy of the facility by a baseball team by the start of the 2019 baseball season, design-build is the most effective and efficient method of delivering the project on time and on budget.

**THEREFORE**, based on the above Findings and Conclusions, the City Council of the City of High Point finds that using the design-build method of contracting for the construction of a multi-use stadium incorporated into the Catalyst Projects for the downtown area is the most effective and efficient contracting method for this project.

**ADOPTED** this the 7th day of August, 2017.

Mayor William S. Bencini, Jr.

Attested to:

Lisa B. Vierling, City Clerk

[end of resolution]

**Chairman Ewing: I so MOVE APPROVAL of the Design-Build Resolution.**

***Council Member Alexander: SECOND.***

**Council Member J. Davis:** *This Design-Build resolution, does this bring transparency to a process that a lot of people in the city feels has not been very transparent from the beginning?*

*And second, I'm assuming that we have a contract, so I'd like to know how far along we are in that contract. And I'd also like to know if our city attorney and her Legal team have taken the lead to protect the citizens of this city in this contract, or are we using outside counsel for this?*

**City Attorney JoAnne Carlyle:** *Well, I guess I'll try to comment on all three of those. The manager may want to weigh in especially on the transparency part of it. But from my perspective, this does create some transparency. The Design-Build Construction method has not been available to cities very long. I think it was 2013 that it first came about and before that it required a local act in order to proceed with that method of construction. So when that came through the General Assembly, they established a statute that requires what you just read in that resolution there. There are six prongs that have to be covered and I drafted it. There's only five, but all six are covered within that. I think it is increasing the transparency in addition because even in the resolution that's before you tonight, it's not required to come before Council. So we're kind of taking an extra step to bring it to you tonight and reading it into the record as well. With this being such a sizeable project, I think it was a better idea and a better way to handle it as well. Staff had made an effort to draft something prior and it just kind of needed tweaking to make sure we did it right.*

*Contract.....this doesn't represent the contract. This is just what the city has to do in order to proceed with the design build method. So that will be forthcoming. I'm under the impression that some negotiations have begun between the managers and other parties. My department just got involved week before last, but I feel comfortable that we can manage everything and do whatever we need to do to put the design-build contract into place and others as necessary.*

**Council Member C. Davis:** *I also had some things I would like to say. I want to make sure that I'm very careful in what I say to those of you that are present here tonight because there has been a huge assumption that I am against the stadium. I want to make it very clear, I am not against the stadium. I am against the method that is being used and the lack of transparency up to this point. You have now asked someone to clean a window that was muddied and dirty and people did not have a voice or a say in the process. I was elected to be that voice and to ensure that they have that say. So, for me, this evening the majority of the citizens didn't even know about the project. Their voices weren't heard. They had no voice at all in order to take on the debt. The funding is still questionable. I still cannot get a list of how much it's going to cost for demolition. It was told to me at our last manager's briefing that the city will pay for all demos for the stadium and any properties that may be secured around the stadium.*

*It was also told to me at the last manager's briefing that we would not be selling the properties for what we purchased them and the investment that the taxpayers have made into those parcels. That those properties could, in fact, be given over to developers to build on without having to purchase the ground when they compare the potential tax-based revenue that could come from their development. I don't know anybody that doesn't have to pay for land to build their house on or other people that have been given such a free ride on taxpayer*

*dollars. And that is taxpayer dollars because we will have to increase when we do the water, the sewer, your electrical underground-all of that will come back to taxpayers in higher fees. It may not be taxes, but it will be higher fees. The infrastructure, the road improvements, those will also be taxpayer paid. Those are the concerns that I have about this project. Would I like to see a stadium downtown? Yes, I would. I would like to see it privately funded and the risk removed from the taxpayers of this community. I think that there is a lot of money in this city that could fund and do this project the way they would like to have it done, but without holding the taxpayers and citizens of this city hostage to something that they had no say in.*

*Now if that offends someone in this room, I'm sorry, but I have come to understand through my short life because many of you are much older and I'm sure much wiser. For me, when I took bookkeeping 101 and Business 101, a Business Plan includes from top to bottom. You're not going to go out and buy a restaurant and not know what it's going to cost you to furnish that restaurant, so we're asking taxpayers to pay for your water, your sewer, your electric, your staffing, consultant fees and operational costs well beyond. In addition to all the things I said, I just don't understand why we have to rush through and divide the city who had no voice in this process because basically it's ramrodding constituents and I think it's wrong.*

**Mayor Bencini:** *Thank you, Ms. Davis. Any other discussion? [none]*

*All those in favor, say Aye.*

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

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

[end of transcript]

**A motion was made by Council Member Ewing, seconded by Council Member Alexander, to adopt a Resolution approving the design-build method of contracting for the construction of a multi-use stadium. is matter be adopted. 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

## **170257 Public Hearing - Resolution - Acquisition of Properties - Catalyst Project**

Monday, August 7, 2017 at 5:30 p.m. is the date established for the adoption of a Resolution providing for the acquisition of properties in accordance with NCGS§158-7.1 as part of the Downtown Catalyst Project.

**Chairman Ewing:** *The final agenda item in the P & L Committee is a public hearing for the Resolution Providing for the Acquisition of Properties in accordance with the Downtown Catalyst Project. I will read that resolution identifying those properties that we will be authorizing this evening and holding the public hearing.*

**RESOLUTION AUTHORIZING THE MAYOR, CITY ATTORNEY, CITY MANAGER, OR HIS DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS ASSOCIATED WITH THE ACQUISITION OF PROPERTIES PURSUANT TO THE PROVISIONS OF N.C.G.S. 158-7.1**

**WHEREAS**, on April 3, 2017 City Council adopted the implementation of procedures relating to the Downtown Catalyst Project (“Project”) which included the purchase of land, site and multi-use stadium design at a cost not to exceed \$15,000,000; and

**WHEREAS**, the Project requires the acquisition of multiple properties and the City Council desires to acquire said properties located in the downtown area in accordance with the provisions of N.C.G.S. 158-7.1; and

**WHEREAS**, City staff has negotiated Offers to Purchase fee simple interests for the following properties:

<u>PROPERTIES</u>	<u>PURCHASE PRICE</u>	<u>PROPERTIES</u>	<u>PURCHASE PRICE</u>
210 Church Ave.		206 Church Ave.	\$60,000
211 Gatewood Ave.			
215 Gatewood Ave.	\$1,200,000	504 W. English Rd.	\$575,000
213 Gatewood Ave.		500 W. English Rd.	
207 Gatewood Ave.		207 Pine St.	
307 N. Elm St.		209 Pine St.	
305 N. Elm St.		211 Pine St.	
217 Gatewood Ave.	\$1,250,000	216 Pine St.	\$350,000
308 Pine St.			
214 Lindsay St.	\$150,000		
204 N. Lindsay St.	\$510,000	215 Church Ave.	\$980,000
516 W. English Rd.			

**THEREFORE, THE HIGH POINT CITY COUNCIL RESOLVES THAT** the Mayor, City Attorney, City Manager, or his designee, execute any and all documents necessary in order to effectuate the City’s acquisition of the properties identified above at a purchase price totaling \$5,075,000.

ADOPTED this the 7th day of August, 2017.

Mayor William S. Bencini, Jr.

Attested to:

Lisa Vierling, City Clerk

[end of resolution]

*I will open up the public hearing at this time.*

**City Attorney JoAnne Carlyle:** Council Member Ewing, if I could for clarification sake, the way it's listed you really can't tell, but there's a combination of where you mentioned the 215. That's actually seven properties. I just wanted to make that clear. Sorry there wasn't some kind of way to put that in the column, but that price of \$1.2 million includes 210 Church, 211 Gatewood, 215 Gatewood, 213 Gatewood, 207 Gatewood, 307 and 305 N. Elm.

**Brian Gavigan:** I'll defer to Mr. Early.

**Doyle Early:** I didn't want to take any of Hemann's thunder here. I am Doyle Early. I am Chair of Forward High Point, Inc. and Forward High Point Foundation and in my spare time I practice law with Wyatt, Early, Harris & Wheeler. I did want to address one thing about the transparency. This idea of a stadium came about at a CVB planning meeting in 2015 and shortly after that at our annual meeting, we showed pictures of the downtown stadium. After that, Mayor Bencini came to me and talked about forming a task force, a public-private task force to explore the idea. The CVB had funded a feasibility study that completely vetted not only the project, but the team and everything else and came back positive. That was CS&L out of Plano, Texas. They're owned by the Steinbrenner and Jerry Jones family. And they're some of the top consultants in these types of projects. So what we did is after we formed the task force, shortly thereafter and interestingly enough in July of last year, we formed Forward High Point, Inc. and the Forward High Point Foundation and began work. Shortly thereafter, in September, we hired Ray Gibbs for our Executive Director. Ray started Downtown Greensboro, had experience with stadiums and other development in other areas and has turned out to be the perfect person for us at this time and has done a great job. Now, again, he's been on the job less than a year. Now, during that period of time, we had acquired or got contracts on these properties. We have like 90% of all the property under the stadium under contract and we have agreements on the remainder that we're working out.

There was a certain amount of necessity for lack of transparency. These properties were not for sale. None of them were listed, well there was one that was listed. So what we had to do was go out and begin to talk to landowners. And as we began to talk to the landowners.....we had two other sites that we explored. As we moved through those different sites, we found that this site was probably the best of the three, least expensive. And yet, fit perfectly in what we wanted to do between the Market and the Hospital. When we were able to get a contract on the Enterprise building, that changed everything because that's over three acres out of the five acres we needed for the stadium. So once we got that under contract, then we were sure where we wanted to put the stadium and we began to buy the properties around that. With all due respect, there has to be some amount of discretion in how much you publicize which property you might want to have. If anybody has checked the listing prices of properties around the stadium in the last two months, it's been rather dramatic. We wanted to avoid that as best we could and we've done a pretty good job. We've got good values on these properties and we're ready to move forward.

Now, as far as transparency, you know April 3rd is when we made our presentation to Council and the Council approved the project. There were meetings before where we provided information. Mostly with information from the CS&L report. Odell was our

*architect. Samet was the contractor that gave us information and we put all of that together to bring to Council and Council approved that. It was an 8-1 vote.*

*Now since then, what we've been trying to do is to add other properties and we noticed there was criticism. Dick Becker who goes to my church, he left and I did not have a chance to talk to Dick about this. I need to bend his ear because, again, he talked about public money going into this project without a vote. From my little bit of research there's a couple hundred minor league stadiums in the United States and less than five privately built. There are 30 independent leagues. This league was started by Cal Ripkin. It's been very successful. Yes, there are teams that have come and gone, but they've been very successful. They had somebody that signed for \$50 million and he is actually the starting pitcher for the Yankees now. Forty percent of their players are top quality. They're either rehabbing and dealing with injuries or whatever, but it was amazing. Not only has Mayor Bencini talked to me, but Rick White with the Atlantic League called me out of the blue because he had seen something in a publication that we were interested in a stadium. That's how we got on to the Atlantic League and we're close to finalizing that deal.*

*And in terms of the Atlantic League and the baseball team, something Mr. Becker would not have known and I understand that, but he talked about the Field of Schemes, and how the team owners make so much money off these fields. Everybody needs to understand clearly that the amenities being formed for the events center, the children's museum, and for ownership of the team, they are a 501(c) 3 charitable organization. The investors and the owners of the membership right, the Atlantic League, will not make one penny off this deal. That's pretty important.*

*And I think when Dr. Qubein put this together, I think he had in mind....this is going to be a gift to the city, to the people of High Point, and to the City of High Point. We had asked him to put together ownership of the team and put together naming rights. He readily accepted that moving forward. That was talking about \$6,000,000-\$7,000,000 and he had no idea that he was going to multiply that times six or seven and come back with a \$38,000,000 commitment.*

*This is one of the most amazing things that's happened in High Point. I've been here since 1949. I don't know about the wisdom, but I've got you in age. I've been here a long time and I've never seen anything like this. We're going to do it. It's going to be done right. It's going to be the catalyst project that we need for economic development downtown to produce jobs, to bring residents downtown. We're talking about 200-300 apartments. We're talking about commercial, retail and now that Dr. Qubein's group is involved, that whole section-that four-block section there that we're talking about is going to be absolutely amazing and your families and your children and grandchildren are going to be so pleased to be able to enjoy what you folks have started. And I just want to thank you because you have supported us in the past and I know you're going to support us in the future. Yes, it's bold. Yes, there can be problems. But, you know, if you don't try and you don't give it your best effort, you'll never know. And this has been highly vetted as anything that I've ever been involved with. And anybody that wants to know anything about this, call Ray Gibbs, call Randy Hemann, call Greg Demko, call me, and I'll be more than happy to give you any information about this project. There's nothing being hidden. It's all out there. And by the way, I want to thank David Briggs for anticipating this presentation by decorating this place*

*with all that beautiful art about baseball. I don't know how he knew, but it's wonderful. [laughter]*

*So, I didn't mean to take so much time, but I just wanted to let you know that the doors are open. This thing about transparency, I'm sorry, if you don't ask I can't tell you. Just ask. We'll tell you anything that you want to know about this project. Anything.*

*Thank you very much. [applause]*

**Chairman Ewing:** *Would anyone else like to speak either for or against the resolution providing for the acquisition of properties for the Catalyst Project?*

**Brian Gavigan:** *I'm Brian Gavigan. I'm on the Executive Committee for Business High Point. On behalf of Business High Point, which is approximately 800 businesses—small, medium, large. We are very much in favor of what you're doing and we support the resolution.*

**Chairman Ewing:** *Is there anyone else that would like to speak?*

**Patrick Harman:** *Good evening, Council. I'm Patrick Harman, 1214 Woodland Place here in High Point. I'm speaking in favor of this Catalyst Project because the Core City of High Point has seen a drift for a while outside the showroom district and that's why you had a plan in 2005. The Core City plan is 2017, right. So the need was recognized a long time ago by adjusting the Core City tax values because even the downtown there's blight, vacant property and lots of things to work on. That's why our foundation has been in the Washington Street neighborhood for seven years and doing the Urban AG thing in east central High Point. Dorothy Darr is working in the Southwest area. The Unity Festival highlights some needs in the southside area this past month. So there really needs to be a major infusion of something that's going to bring about additional tax revenues. We all need a little more taxes in town. I don't like paying property taxes any more than anybody else. The fact is outside the showroom area, there's an immediate drop off and it's exemplified most with the Enterprise property that has a tax value of \$2.7 million, 3 acres, and it sold for \$400,000. They basically gave it away. That's right downtown, two blocks from the showroom and didn't support anything. That was on the market for four years and that's why we need this project.*

**Chairman Ewing:** *Would anyone else like to speak? [none] I will close the public hearing and to kick off Council's conversation, I'd like to **MAKE A MOTION TO ADOPT THE RESOLUTION FOR THE ACQUISITION OF PROPERTIES.***

**Council Member Alexander:** **SECOND.**

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

**Council Member J. Davis:** *I'd like to ask a couple of questions. This \$5,075,000 is it in addition to the \$15 million that the manager has been authorized to spend, or is this included in the \$15 million?*

**Assistant City Manager Randy Hemann:** I'd like to address that. It is included in the \$15 million and more than likely if you'll recall at the July 17th Manager's Briefing I mentioned that we'd have to have a public hearing in order to purchase this property under the General Statute 158. We'll likely be doing this in two separate public meetings. As Mr. Early mentioned, there's some property that we're close to finishing up, but it's not quite there. So there will likely be two separate meetings and this is part of the \$15 million that was approved. We hope to not spend all of that \$15 million quite frankly.

**Council Member J. Davis:** Well, in that same meeting you said that you had already acquired the other 95% I think it was.

**Assistant City Manager Randy Hemann:** that we had under option or under control.

**Council Member J. Davis:** So you've spent or already closed on \$10.9 million.....

**Assistant City Manager Randy Hemann:** No, I did not say that. I said we had it under control or under option. We've only closed on one piece of property.

**Council Member J. Davis:** Alright, so this \$5,075,000 is in those properties that you have under your control?

**Assistant City Manager Randy Hemann:** Correct. Yes Sir.

**Council Member C. Davis:** And I would like to go ahead. I have a question for you, Mr. Hemann and I would like to address Mr. Early if you don't mind.

For me, Mr. Early, I am very used to being left in the dark by my colleagues on many things. The one thing that I can say, though, is that when we did the Library project, the Library project was put out numerous times for public input, comment, and transparency. When the presentation was made to this body on April 3rd, we weren't-I wasn't prepared to make a decision based on something that I hadn't even been able to discuss by one previous closed session conversation. So, for the citizens not to even see the project at all, and we have a Channel 8 that you can see all of our lovely faces on, to have a presentation put out there where the general public could see what it was, to come in and express concerns, thoughts, opinions. Contribute to the conversation. It's my understanding that a majority of the people that saw this thing were invited to CVB, the Chamber of Commerce, Forward High Point, Connect High Point, and some luncheons-a few luncheons at the Country Club that most people in this city don't even get an invitation to. So, it's not about the lack of transparency in regards to the purchase of the property. That's common sense. You can't tip your hand, but I hope you can understand my position as an elected official to walk into a meeting, to get a presentation, have no time to ask or vet any questions that the constituents would have me to ask, as well as some of the ones that I would have on my own. So, I hope that you can appreciate that because this is a job that I take very seriously and far too many people in this room, sadly, seem to think it's Ms. Davis' position. Ms. Davis represents constituents across the city, just like Mr. Alexander and our Mayor and I would appreciate the respect for doing my job that it entails because it is a difficult job. Do you think it's easy for me to sit here and vote against my colleagues? They would probably think it is, but it's



*not. But I promised I would be the voice of those that are left out of conversation and they were clearly left out of conversation.*

**Mayor Bencini:** *Thank you, Ms. Davis. Anyone else? [none]*

*All in favor, say Aye.*

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

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

**Mayor Bencini:** **That MOTION CARRIES. [8-1 vote]**

**A motion was made by Council Member Ewing, seconded by Council Member Alexander, to adopt a Resolution providing for the acquisition of properties in accordance with NCGS§158-7.1 as part of the Downtown Catalyst Project. 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

**PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Wagner, Chair**

***Committee Members: Wagner, J. Davis, C. Davis and Golden?????***

**170258      Resolution of Intent - Street Abandonment 17-03**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, September 18, 2017 at 5:30 p.m., to consider a request by Thomas Built Buses to abandon the northern portion (approximately 250 feet) of the Joshua Circle right-of-way, lying south of Courtesy Road.

Adopted Resolution of Intent establishing a public hearing date of September 18, 2017 at 5:30 p.m. to consider a request by Thomas Built Buses to abandon the northern portion (approximately 250 feet) of the Joshua Circle right-of-way, lying south of Courtesy Road.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Williams, that this Resolution of Intent be adopted establishing a public hearing date of Monday, September 18, 2017 at 5:30 p.m. as the date and time to consider public comment regarding this Street Abandonment request by Thomas Built Buses.**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**Resolution No. 1694/17-41  
Introduced 8/7/2017; Adopted 8/7/2017  
Resolution Book, XIX, Page 163**

**PUBLIC HEARINGS****170259      Resolution - High Point University - Street Abandonment 17-02**

A request by High Point University to abandon the eastern portion (approximately 845 feet) of the E. Farriss Avenue right-of-way, specifically the southern segment of the right-of-way lying between N. Centennial Street and Panther Drive (a private drive). In addition, the Planning & Development Department amended the request to also abandon that portion of the Fifth Street right-of-way lying between the northern and southern segment of the E. Farriss Avenue right-of-way.

*The public hearing for this matter was held on Monday, August 7, 2017 at 5:30 p.m. as duly advertised.*

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

*Street Abandonment Case 17-02 is a request by High Point University (HPU) to abandon a portion of E. Farriss Avenue lying east of N. Centennial Street. Mr. Shannon advised that this portion of E. Farriss Avenue has a unique configuration: a northern two-way section, a southern two-way section, with a park and greenway in between. The applicant is requesting abandonment of approximately 845 feet of the southern two-way section of the eastern half.*

*Mr. Shannon reported that the university's footprint has significantly expanded in this area over the past two decades and most of the expansion consisted of the university purchasing all properties in the city block. Once they determined that no individual property owner would be denied access, they are requesting abandonment of the abutting public streets. HPU owns all the property along the southside of this roadway with the exception of 806 and 810 E. Farriss Avenue. The area proposed to be abandoned does not impact these two property owners and the area between N. Centennial Street eastward would remain open as a public street, which will provide access to a public street.*

*To facilitate the abandonment, the applicant has proposed the construction of a turn-around where the public street ends to facilitate and accommodate school buses, delivery trucks, garbage trucks, etc.... so they can continue servicing these two remaining properties.*

*Mr. Shannon advised that the Planning staff amended the request to also abandon that portion of Fifth Street abutting this area. He pointed out the "street" is not visible and is referred to as a "paper street" because it was never constructed and just exists on the original subdivision plat.*

*This request was reviewed by the Technical Review Committee. No objections were voiced, but they did identify several utilities in this area: stormwater, water lines, sewer lines, electric lines and a Piedmont Natural Gas line in portions of the right-of-way proposed for abandonment. These easements will be retained for on-going maintenance of these public and private utility lines. The Planning & Zoning Commission reviewed this request at their July 25th meeting and also recommend approval.*

*Staff is recommending approval of the request to abandon this right-of-way as the abandonment will not deprive any abutting property owner of access. Approval will be subject to the retention of a 20-foot wide stormwater easement, a 20-foot wide electric easement, a 20-foot wide water and sewer easement and a 20-foot wide Piedmont Natural Gas easement.*

*At the conclusion of Mr. Shannon's presentation, he shared some photos of the area where the right-of-way is proposed to be abandoned and entertained questions.*

*Council Member C. Davis asked if this abandonment would close off access to any part of the Greenway because she heard a rumor that the university may put up a fence with a keypad from daylight to sundown. Mr. Shannon replied that the abandonment in no way impacts the Greenway and noted the only intent is to abandon the public interest in that portion of the right-of-way.*

*At this time, Planning & Development Committee Chairman Wagner opened the public hearing and asked the applicant to come forward, then public comments would follow.*

*Barry Kitley, 4114 Ponce DeLeon, representing High Point University, spoke in favor of the request as the request is consistent with the private roads already on campus and would help improve the traffic pattern on campus. He shared that he did meet with two homeowners that had questions and information they requested was provided to them.*

*Chairman Wagner asked if there was anyone present who would like to speak in favor of or in opposition to the request. There being no further comments, the public hearing was closed.*

*Adopted the Resolution approving Street Abandonment 17-02 authorizing the abandonment of the eastern portion (approximately 845 feet) of the E. Farriss Avenue right-of-way, specifically the southern segment of the right-of-way lying between N. Centennial and Panther Drive (a private road), and authorizing the abandonment of that portion of the Fifth Street right-of-way lying between the northern and southern segment of the E. Farriss Avenue right-of-way with retention of the following easements:*

- 1. A 20-foot wide stormwater/drainage easement*
- 2. A 20-foot wide electrical easement*
- 3. A 20-foot wide sewer line easement*
- 4. A 20-foot wide water line easement*
- 5. A 20-foot wide Piedmont Natural Gas easement*

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member J. Davis, to adopt a Resolution approving Street Abandonment 17-02 as requested by High Point University. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**Resolution No. 1695/17-42**

**Introduced 8/7/2017; Adopted 8/7/2017  
Resolution Book, XIX, Page 164**

**GENERAL BUSINESS AGENDA**

**170260      Application -Certificate of Public Convenience and Necessity (Taxi Cab Service)  
- 2nd Reading**

Monday, August 7, 2017 at 5:30 p.m. is the date established for the 2nd and final reading concerning the issuance of Certificate of Public Convenience and Necessity for David Nyalimo to operate a taxi company in the City of High Point. (First reading was held and approved on Monday, July 17, 2017 at 5:30 p.m.)

*Deputy City Manager Randy McCaslin explained this is a franchise agreement, which takes two readings. He advised this is the 2nd required reading for the Issuance of Certificate of Public Convenience and Necessity (PCN) as requested by David Nyalimo to operate a taxi company in the City of High Point. The public hearing for this request was held on Monday, July 17th and it was approved at the 1st Reading.*

Approved the second and final reading for the issuance of the Certificate of Public convenience and Necessity as requested by David Nyalimo to operate a taxi cab in the City of High Point.

**A motion was made by Council Member Alexander, seconded by Council Member Ewing, to approve the issuance of Certificate of Public Convenience and Necessity as requested by David Nyalimo. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170264      Ordinance - Senate Bill 155 - Alcoholic Beverage Sales 10:00 A.M. on Sunday**

Ordinance to enact Chapter 10, section 11-10-1 of the City of High Point Code of Ordinances - Alcoholic Beverage Sales beginning at 10:00 a.m. on Sunday.

*City Attorney JoAnne Carlyle provided a brief overview of Senate Bill 155 that was also discussed during a Manager's Briefing Session today prior to this meeting. She advised that the State has adopted some legislation that allows local governments to adopt an ordinance that changes the time for selling alcoholic beverages from Noon to 10:00 a.m. on Sundays. She explained as with any other ordinance, in order for this to become effective on the date of introduction, it would require a 2/3 vote of Council (six votes).*

Adopted the Ordinance to enact Chapter 10, Section 11-10-1 of the City of High Point Code of Ordinances- Alcoholic Beverage Sales beginning at 10:00 a.m. on Sunday.

**A motion was made by Council Member Alexander, seconded by Council Member Williams, that this Ordinance be adopted. 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

**Ordinance No. 7326/17-68**  
**Introduced 8/7/2017; Adopted 8/7/2017**  
**Ordinance Book, XIX, Page 208**

**170266      Resolution of Support - House Bill 205 - Electronic Legal Advertising**

Adoption of a Resolution supporting House Bill 205 to modernize publication of legal advertisements and notices; to allow Guilford county and any municipality in Guilford County to use electronic means to provide public notice in lieu of publications.

Adopted a Resolution of Support for House Bill 205 pertaining to electronic legal advertising.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Alexander, that the Resolution supporting House Bill 205 (modernize publication of legal advertisements and notices) be adopted. 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

**Resolution No. 1696/17-43**  
**Introduced 8/7/2017; Adopted 8/7/2017**  
**Resolution Book, XIX, Page 165**

**170261      Appointments/Reappointments - Boards & Commissions**

Council is requested to confirm the following appointments/reappointments to the following Board and Commissions:

- *Reappointment* of **Gloria Halstead** to the Parks and Recreation Commission as Council Member Alexander's at-large appointment. Reappointment to be effective immediately and will expire July 1, 2020.
- *Reappointment* of **David Horne** and **Richard Andrews** to the Board of Adjustment. Reappointments to be effective immediately and will expire July 1, 2020.
- *Appointment* of **Annette Cox** to the Historic Preservation Commission as Mayor Bencini's appointment. Appointment to be effective immediately and will expire July 1, 2019.

Approved the preceding appointments/reappointments to the Parks & Recreation Commission, Board of Adjustment, and the Historic Preservation Commission.

**A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Wagner, that the preceding appointments/reappointments be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170267      Appointment - High Point Housing Authority**

Mayor Bencini is requesting that City Council confirm the appointment of Ms. Meredith Boger to fill the unexpired term of Jim Gdrich who has resigned. Appointment will be effective September 1, 2017 and will expire December 22, 2021.

**Council Member Williams moved to suspend the rules so this matter could be placed on tonight's agenda for consideration. Council Member Alexander made a second. The motion to suspend the rules carried by a unanimous 9-0 vote.**

Approved the appointment of Meredith Boger to the High Point Housing Authority.

**A motion was made by Council Member C. Davis, seconded by Council Member Ewing, that this appointment be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**170262      Minutes to Be Approved**

1. Finance Committee; Wednesday, July 12th @ 4:00 p.m.
2. Manager's Briefing; Monday, July 17th @ 4:00 p.m.
3. Special Meeting (Closed Session); Monday, July 17th @ 5:00 p.m.
4. Regular Council Meeting; Monday, July 17th @ 5:30 p.m.

Approved the preceding minutes as submitted by the City Clerk.

**A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Wagner, that the preceding minutes be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member C. Davis, and Council Member J. Davis

**ADJOURNMENT**

There being no further business to come before Council, the meeting adjourned at 7:10 p.m. upon motion duly made by Council Member Alexander and seconded by Mayor Pro Tem Wagner.

Respectfully Submitted,

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William S. Bencini, Jr., Mayor

Attest:

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Lisa B. Vierling, MMC  
City Clerk

DRAFT