

**HIGH POINT CITY COUNCIL
REGULAR MEETING
DECEMBER 18, 2017 – 5:30 P.M.
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING**

MINUTES

ROLL CALL and MOMENT OF SILENCE

Mayor Wagner called the meeting to order at 5:30 p.m. The Pledge of Allegiance followed a Moment of Silence.

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

Mayor Jay W. Wagner, Mayor Pro Tem Christopher Williams (Ward 2); Council Member Britt Moore (At Large), Council Member Donald Scarborough (At Large), Council Member Jeffrey Golden (Ward 1), Council Member Monica Peters (Ward 3), Council Member Wesley Hudson (Ward 4), Council Member Victor Jones (Ward 5), and Council Member Jason Ewing (Ward 6)

RECOGNITIONS AND PRESENTATIONS

- 170464 Resolutions - Miss High Point 2017 & Miss High Point's Outstanding Teen 2017**
Mayor Wagner will present a Resolution to Miss High Point 2018, Hannah Lee Welborn-Lewis, and to Miss High Point's Outstanding Teen 2018, Miss Grayson Hensley.

Travis Green, Executive Director with the Miss High Point Scholarship Association, Inc. introduced Stella Todd, Co-Director of the association; both are volunteers for the association. After a 43-year absence, the Miss High Point Scholarship Association brought the Miss High Point Pageant back to the city in 2016, and plans to do the same this year. Together, they recognized and introduced Hannah Leigh Welborn-Lewis, who captured the title of Miss High Point 2018, and Grayson Jana Hensley, who captured the title of Miss High Point's Outstanding Teen 2018.

Following the introductions, Mayor Wagner read a Resolution of congratulations into the record and presented a resolution to both Hannah and Grayson. [a photo op with the Mayor followed the presentations].

Hannah and Grayson were provided an opportunity to offer remarks.

- 170443 Humanitarian of the Year Award**
Members of the Human Relations Commission will be present to present the Humanitarian of the Year Award for 2017.

*Mayor Wagner presented the 2017 Human Relations Humanitarian of the Year award to **Dr. Burdell Knight**. Dr. Knight was recognized for her deep commitment to the citizens of High Point by supporting High Point Community Against Violence, spearheading Alpha Arts*

Scope, and volunteering rides to patrons of the Senior Resource Center to get to their medical appointments.

Mayor Wagner explained this award is usually given to one citizen per year, but because of the dedication of this agency in improving the lives of the citizens of High Point, the decision was made to expand the award category to also include recognition of an agency.

*The 2017 Agency Humanitarian of the Year award was presented to **The Declan Donoghue Foundation**. Nicole Donoghue was present to accept the award on behalf of the Foundation. Mrs. Donoghue and her husband started the foundation to honor the memory of their son, Declan, who passed away at the age of 2 with a rare immune genetic disorder, X-linked Chronic Granulomatous Disease, which was not diagnosed until after his death. The Foundation was founded in an effort to keep Declan's spirit alive and carry on his memory and the spirit of play by helping to fund and build places for play in North Carolina's Piedmont Triad area.*

In partnership with the City of High Point Parks and Recreation Department, the Declan Donoghue Foundation funded a new playground located in the Johnson Street Sports Complex in High Point that opened in November 2017. The foundation was recognized for the gift of giving children in High Point the opportunity to play, enjoy life, and make memories.

[applause, standing ovation, and photo op with the Mayor followed both presentations]

PUBLIC COMMENT PERIOD

170444

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 three (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.

Mayor Wagner opened the floor for comments.

Jonathan Seelig, 989 Thacker Road, Thomasville, NC, representing Homegrown Heroes, a farm to school nonprofit organization, addressed Council. He advised that the Homegrown Heroes has been selected as the Lead Agency for the region to host a large scale youth-led Global Youth Service Day (GYSD) that is scheduled for the weekend of April 20-22, 2018.

The purpose of the GYSD is to activate youth to acquire and develop 21st Century skills by solving real community problems. The theme for the GYSD will be "Pollinating the Food Deserts".

Mr. Seelig reported that one of our region's greatest challenges is food insecurity, especially among children, and that North Carolina has one of the highest percentages in the United States of children under 18 who are food insecure on a regular basis (nearly 1 in 4 children).

They are seeking to partner with local businesses and organizations to magnify the impact of the GYSD for the community and noted that as a stakeholder, the City Council's support and involvement would help highlight the importance of recognizing our youth and the benefits that their service-learning hours provide to the community. He asked City Council to sign their support letter and noted in doing so the Council would be advocating for their Global Youth Service Day and Pollinator Parade, as well as encouraging local businesses and organizations to join in their efforts to help pollinate the food deserts by planting several school and community gardens together.

He advised that he has obtained the signatures and support from the Guilford County Board of Education and would also like the High Point City Council to sign in support as well.

CONSENT AGENDA ITEMS

Finance Committee Chairman Moore reported that the Finance Committee did meet on December 13th and recommended all finance-related items be placed on the Consent Agenda with a favorable recommendation.

Council Member Moore then moved approval of the finance-related items on the Consent Agenda. Council Member Ewing 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 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 Britt Moore, Chair *Committee Members: Moore, Hudson, Ewing, and Jones*

170445

Contract Extension - Corrosion Inhibitor - WWTP

Council is requested to authorize an extension to the Sterling Water Technologies contract in the amount of \$95,964.00 for purchase of corrosion inhibitor which is used to protect the pipes in the distribution system from corrosion and to help keep lead and copper from leaching into the system.

Approved an extension to the Sterling Water Technologies contract in the amount of \$95,964.00 for the purchase of a corrosion inhibitor.

A motion was made by Council Member Moore, seconded by Council Member Ewing, that this contract extension to the Sterling Water Technologies contract be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

170446 Contract Extension - Biosolids Hauling and Disposal

Council is requested to authorize an extension to the McGill Environmental contract in the amount of \$1,132,326.00 for disposal of biosolids for a twelve (12) month period.

Authorized an extension to the McGill Environmental contract in the amount of \$1,132,326.00.

A motion was made by Council Member Moore, seconded by Council Member Ewing, that this contract extension to the McGill Environmental contract be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

170447 Ordinance - Budget Amendment - NC Trails Program Grant

Council is requested to adopt a budget ordinance amendment to appropriate funds in the amount of \$100,000 for the NC Trails Program grant received for the Deep River Greenway project.

Adopted a Budget Ordinance amendment amending the 2017-2018 Budget Ordinance appropriating funds in the amount of \$100,000 for the NC Trails Program grant received for the Deep River Greenway project.

A motion was made by Council Member Moore, seconded by Council Member Ewing, that to adopt this Budget Ordinance amendment. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

Ordinance No. 7367/17-110

Introduced 12/18/2017; Adopted 12/18/2017

Ordinance Book, Volume XIX, Page 249

170448 Contract - Eaglewood, Inc - Greenway Construction

Council is requested to approve contract with Eaglewood, Inc., in the amount of \$3,963,778.14 for the construction of the High Point Greenway from Deep River Road to Penny Road. This will finalize the connection of the High Point Greenway with the Bicentennial Greenway.

Approved a contract with Eaglewood, Inc. in the amount of \$3,963,778.14 for the construction of the High Point Greenway from Deep River Road to Penny Road.

A motion was made by Council Member Moore, seconded by Council Member Ewing, that this contract be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

REGULAR AGENDA ITEMS

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

Committee Members: Golden, Peters, Scarborough, and Williams

170449 Fire Department Request - Elimination of Secondary Fire Limits

Council is requested to approve the elimination of the secondary fire limits and the establishment of the new reduced primary fire limits within the City.

Fire Chief Tommy Reid provided some background information regarding this request. He explained that when the Fire Limits were originally put in place as required by State Statute, the existing Building Codes and enforcement procedures were not in place. He explained this creates an undue burden on people that are trying to build or develop property. Assistant Chief Mike Levins was available to address any questions.

Chairman Golden asked if there was anything that prompted this change. Chief Reid explained that staff has been reviewing the ordinances over the last several years and this actually came to light three years ago as a result of a request from someone desiring to make some improvements to the building on the corner of Russell/Elm. He pointed out that the modern Fire Code is now better than the statute was. The property owner was required to do some things in small buildings that were expected in a larger building, but because of the proximity to the fire limits, they had no choice than to make the improvements according to the regulations contained in the Fire Limits.

Council Member Ewing asked if it is still a requirement to have the fire limits and asked why it was recommended to be such a large area. He asked if it might be possible to condense it into a smaller area. Chief Reid stated that it was possible, but he recommended the Council go ahead and approve the elimination of the secondary fire limits and the establishment of the new reduced primary fire limits tonight.

Approved the elimination of the secondary fire limits and the establishment of the new reduced primary fire limits within the City.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Williams, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

170450 Ordinance - Demolition of Structure - 517 Amos Street

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 517 Amos Street belonging to James Graham (deceased).

Lori Loosemore, Local Codes Enforcement Supervisor, reported that staff received a complaint that the vacant property was in disrepair and visited the property for an inspection. After the inspection was made, violations were cited and staff held a hearing on August 10, 2017. A delay ensued due to the property owner being deceased, which required additional advertisements in the newspaper to ensure proper service for the hearings.

No one appeared for the hearing that was held on August 10th. It was determined at the hearing that there were multiple violations of the Minimum Housing Code and the repairs exceeded 65% of the value of the property. As a result, staff issued an Order to Repair or Demolish on August 30, 2017 with a compliance date of October 4, 2017. Since that time, staff did hear from the property owner's daughter, who stated that she was not aware that she was the owner of the property. Approximately \$6,000 in delinquent taxes are owed on the property and the property is pending foreclosure.

There was no one present representing the property owner.

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of a structure located at 517 Amos Street belonging to James Graham, who is deceased.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Williams, that this Demolition Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

Ordinance No. 7368/17-111

Introduced 12/18/2017; Adopted 12/18/2017

Ordinance Book, Volume XIX, Page 250

170451 Ordinance - Demolition of Structure - 412 Walnut Street

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 412 Walnut Street belonging to Nancy B. Hughes.

Lori Loosemore, Local Codes Enforcement Supervisor, advised that an inspection was made on this structure on July 20, 2017; a hearing was held on August 14th and no one appeared. At that time, the inspector determined that the estimated repairs exceeded 65% of the

property value and issued an Order to Repair or Demolish on September 22nd with a compliance date of October 23, 2017. Staff has not had any communication with the property owner.

Neither the property owner, nor the property owner's representative was present at tonight's meeting.

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of a structure located at 412 Walnut Street.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Williams, that this Demolition Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

**Ordinance No. 7369/17-112
Introduced 12/18/2017; Adopted 12/18/2017
Ordinance Book, Volume XIX, Page 251**

PLANNING & DEVELOPMENT COMMITTEE - Council Member Williams, Chair
Committee Members: Williams, Jones, Moore, and Scarborough

170452 Resolution of Intent - Street Abandonment 17-05

Approval of a Resolution of Intent that establishes a public hearing date of Tuesday, January 16, 2018, at 5:30 p.m. to consider a request by Hedgecock Road, LLC to abandon that portion of the proposed Westside Thoroughfare lying north of Hedgecock Road and west of the Phillips Soccer Complex.

Adopted a Resolution of Intent establishing a public hearing date of Tuesday, January 16, 2018, at 5:30 p.m. to consider a request by Hedgecock Road, LLC to abandon that portion of the proposed Westside Thoroughfare lying north of Hedgecock Road and west of the Phillips Soccer Complex.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jones, that this Resolution of Intent be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

**Resolution No. 1736/17-83
Introduced 12/18/2017; Adopted 12/18/2017
Resolution Book, XIX, Page 205**

170461 Resolution of Intent - Street Abandonment 17-06

Approval of a Resolution of Intent that establishes a public hearing date of Monday, February 5, 2018 at 5:30 p.m. to consider a request by High Point University to abandon that portion of the Barbee Avenue right-of-way lying east of the Willow Place right-of-way.

Adopted a Resolution of Intent establishing a public hearing date of Monday, February 5, 2018 at 5:30 p.m. to consider a request by High Point University to abandon that portion of the Barbee Avenue right-of-way lying east of the Willow Place right-of-way.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Golden, that this Resolution of Intent be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

**Resolution No. 1737/17-84
Introduced 12/18/2017; Adopted 12/18/2017
Resolution Book, XIX, page 206**

PUBLIC HEARINGS - Planning & Development Committee**170453 Ordinance - Tim Auman - Zoning Map Amendment 17-19**

A request by Tim Auman to rezone approximately 2.3 acres from the Residential Single Family-5 (R-5) District to a Conditional Zoning General Business (CZ-GB) District. The property is lying at the northeast corner of E. Fairfield Road and Belmont Drive (701, 705 and 707 E. Fairfield Road).

The public hearing for this matter was held on Monday, December 18, 2017 at 5:30 p.m.

Herb Shannon, Senior Planner 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.

The applicant is requesting the rezoning of approximately 2.3 acres located in the southeastern portion of the city off E. Fairfield Road be rezoned to the Conditional Zoning General Business (CZ-GB) District in order to allow for a major vehicle establishment on the property. The property owner is proposing a used car dealership to be located on this property.

The property is currently zoned Residential Single Family-5 (R-5). In conjunction with this application, the application has also submitted a Conditional Zoning Ordinance and has offered conditions to limit the allowable uses on this property as follows:

1. *They have offered conditions limiting the site to transitional office use (a lower, intensive office type use).*
2. *The only commercial use permitted would be the vehicle establishment use.*
3. *They have offered conditions for a lot combination and combined various parcels to form one large parcel.*
4. *Also offered is right-of-way dedication.*
5. *The applicant has agreed to limiting the number of access points to the site.*
6. *A higher perimeter landscaping buffer is being offered, and*
7. *The applicant has offered a condition restricting the manner in which vehicles can be displayed along the Belmont Drive portion of the property.*

Mr. Shannon reported on key issues regarding the site history of this property. This southeastern portion of the city was annexed in 1960 and was part of a large annexation (12,000+ acres), which basically tripled the size of the city at that time with no specific evaluation of specific, single parcels. According to the aerial photos and records at that time, there was an operating commercial use on the property at the time the property was annexed, the Brower Oil Company, that continued to operate there until 2013. In 2013, a home HVAC repair facility opened and operated until 2015. Because of this staff has determined that this is not a situation where commercial uses are being proposed for this property for the first time. The applicant owns an automotive repair facility across the street from this property, and desires to establish the additional vehicle establishment as a use on this property.

Staff evaluated the following key issues for this property as they conducted a standard zoning review for this request. Because the area is predominantly residential, staff also had to do an evaluation based on possible "spot zoning," a zoning that classifies a small area differently than the surrounding area. Mr. Shannon advised that "spot zoning" can be considered illegal unless the City Council establish a reasonable public policy statement for the amendment. Important key elements outlined in the staff report are as follows:

1. *Size of the tract. Typically, the smaller the tract, the more concerns about spot zoning. This site is a larger site due to the fact that the surrounding tracts are 10,000 square feet to one-half acre in size.*
2. *Compatibility with the city's adopted plans. Staff evaluated the Community Growth Vision Statement, Land Use Map, Land Use Plan Goals & Objectives, and the Development Ordinance. Staff feels the request is neither consistent or inconsistent with the Community Growth Vision Statement; however, it does address the objectives of the Land Use Plan. Additionally, it is important to note that the Development Ordinance considered the previous commercial use as a non-conforming use, meaning the use may have not been permitted by the zoning regulations, but it was previously established and allowed to continue.*
3. *Balance of the benefits and detriments. The site has been used for commercial use for over 60 years. Because it was an oil/fuel distribution facility for all these years, staff is not aware of any contamination, but feels it best not to develop the site for residential. Staff feels it is more beneficial to have this site used as a limited*

commercial use than to have it sit vacant and become a nuisance to the surrounding area as far as unkept buildings and the area not being maintained.

- 4. Relationships of the use. Staff feels it is important to note that the commercial use was there first, and then the surrounding residential area developed around the site.*

Based upon these reasons, staff has made the determination that this will not constitute "spot zoning."

In regards to the review factors, staff identified two items to touch upon as far as compatibility with the surrounding area:

- 1. Since this is a corner lot, the buffer of the street will help separate it from the adjacent residential use.*
- 2. The conditions that the applicant has offered will also help protect the adjacent residential uses. They have offered a 100-foot live undisturbed buffer to the north of the property. This area is basically wooded now and with this condition, it will remain as an undisturbed area to further protect those areas to the rear.*
- 3. Along Belmont Drive, the applicant has offered a condition that there would be no vehicle display in that area. This will also help protect the surrounding neighbors.*
- 4. The uses are restricted; office use and one commercial use.*

Staff also looked at the conditions offered by the applicant to dedicate right-of-way along the frontage for a future road improvement, as well as limiting access to the site. One access point will be permitted to E. Fairfield, and one access point to Belmont Avenue.

Based on these factors, staff has included in the staff report a consistency statement that the request is consistent with the adopted policy guidance based upon the fact that it has been used for commercial use for over 60 years and unlikely to be used for any type of residential use, and the use of it as limited commercial will ensure stability in the neighborhood by having an active tenant on the site.

Staff has also noted in the staff report that the request is reasonable and in the public interest based upon the size of the property and the conditions that the applicant has offered to mitigate the impact with the buffer areas. And that prior to the annexation, the property was used for a commercial use. Staff recommends approval of the applicant's request to establish a Conditional Zoning General Business District. The Planning & Zoning Commission reviewed this request at their December 14th meeting, and are also recommending approval.

Following Mr. Shannon's presentation of the staff report, he shared an aerial photo of the site showing that the site still contains the commercial buildings used by the former oil company. He then entertained questions from Council.

Council Member Golden asked if "spot zoning" is different with a corner lot versus being located in the middle of a block. Mr. Shannon explained that location does not really make a

difference, and noted that staff considers the whole neighborhood, along with the specific applicant's request, so all the issues are taken in context together.

Council Member Ewing asked if there are any plans to buffer the rear of the property where the residential properties back up to the cul-de-sac. Mr. Shannon pointed out there would be landscaping requirement: a minimum 25-foot landscaping buffer would be required. Additionally, there is a condition for a minimum 5-foot high opaque fence in this area, so the combination of the landscaping requirement and the fencing, would protect the adjacent neighbors.

At this time, Chairman Williams invited the applicant to speak.

***Tim Auman**, the applicant, informed Council that he was born and raised right across the street from this property. He noted that his father owns the garage down the road, opposite of the property. He reported that he has been given this opportunity and is ready to move forward with buying this property for a used car dealership.*

Chairman Williams asked Mr. Auman about his plans for lighting the property and wanted to make sure that the neighbors are protected from the glare of the lights. Mr. Auman explained that he would like to replace the existing light in the back with a light that beams downward for security reasons, but he does not have any immediate plans to put up lighting to illuminate the automobiles. He emphasized that he does want security lighting around the back of the building as a crime deterrent.

Council Member Ewing asked about the impervious surface and what the plans are for parking the vehicles. Mr. Auman noted that he is going to be removing some of the trees and putting in gravel so he can park the cars on the gravel, and that he plans on paving it as his finances allow.

Council Member Moore asked Mr. Auman about his plans for the structures already existing on the property. Mr. Auman stated he plans to use the existing office building as a showroom. He also noted that he plans on using the existing garage to do state vehicle inspections.

Council Member Jones inquired about other existing buildings adjacent to this property. Mr. Auman replied that Auman Motor Company is adjacent to the property, a business that his father built in 1953. To the right and to the immediate left of the property is a fork lift dealership.

At this time, Chairman Williams opened the public hearing and asked if there was anyone present to offer any comments. There being none, the public hearing was declared closed.

Adopted the Ordinance approving Zoning Map Amendment 17-19 based upon consistency with the city's adopted plans, and that the action is considered to be reasonable and in the public interest by adoption of the statements as outlined in the Staff Analysis section of the staff report.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Moore, that the Ordinance be adopted approving Zoning Map Amendment 17-19. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

Ordinance No. 7370/17-113

Introduced 12/18/2017; Adopted 12/18/2017

Ordinance Book, Volume XIX, Page 252

170454

Ordinance - Enzine Inc. - Zoning Map Amendment 17-23

A request by Enzine Inc. to rezone an approximate 0.89-acre parcel from a Conditional Use Central Business (CU-CB) District to the Central Business (CB) District. The site is lying along the south side of W. High Avenue, approximately 150 feet west of S. Lindsay Street (407 W. High Avenue).

The public hearing for this matter was held on Monday, December 18, 2017 at 5:30 p.m.

Herb Shannon, Senior Planner 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.

The applicant, Enzine, Inc., is requesting that an approximate 0.89-acre parcel be rezoned from a Conditional Use Central Business (CU-CB) District to the Central Business (CB) District. The site is lying along the south side of W. High Avenue, approximately 150 feet west of S. Lindsay Street, more specifically located at 407 W. High Avenue. The applicant is requesting this change in zoning classifications to remove previously imposed zoning conditions that were placed upon this site. The applicant is proposing to expand the existing bed and breakfast on the site, and they have included an event center so they can host events during market. The applicant is requesting rezoning to the CB District to remove the previous zoning conditions.

Mr. Shannon noted that when this site was granted the Conditional Use Central Business District zoning in 1994, this area was considered the edge of the downtown and conditions were imposed by the Council at that time that required the property owner to provide a minimum of 20 parking spaces and retain larger trees on the site.

Key things that warrant this request since the 1994 zoning:

- 1. The trees that were to be protected have since been removed. The reason the trees were removed is not known, but based upon review of the aerial photos available, the trees were removed in the late 1990s.*
- 2. Creation of the Market Authority in 2001. This centralized the bi-annual event; regional parking lots are now available, a shuttle transportation has also been implemented to eliminate the need for parking for market use in the downtown area.*

Staff has noted in the staff analysis consistency with the adopted policies guidance and feels the request is consistent with goals and objectives, and encouraging non-furniture related uses in the downtown area--especially ones that are linked with historic buildings.

In June 2017, the City Council granted zoning approval for the abutting site. The parcel on the corner that also revised the zoning to remove the zoning condition that required on-site parking. The request to remove non-relevant zoning conditions will establish an updated zoning of the property that would be consistent with the surrounding development pattern in this area, and consistent with previous council action in this area.

Staff is recommending approval of the request to rezone this site to the Central Business District. The Planning & Zoning Commission heard this request at their November 14th meeting and also recommend approval, as outlined in the staff report, staff has determined that the request is reasonable in the public interest, as it removes non-relevant zoning conditions attached to the property.

An unidentified gentleman stood up in the audience and stated that he was a representative of the owner, Enzine, Inc.. He offered to address any questions/concerns.

There being no questions, Chairman Williams opened the public hearing and asked if there was anyone present who would like to comment either in support of or in opposition to this request. There being none, the public hearing was closed.

Adopted an Ordinance providing for the rezoning of this property from the Conditional Use Central Business (CU-CB) District to the Central Business (CB) District based on consistency with the City's adopted plans, and that the action is reasonable and in the public interest based on statement in the Staff Analysis of the staff report.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this Ordinance be adopted approving Zoning Map Amendment 17-23. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

Ordinance No. 7371/17-114

Introduced 12/18/2017; Adopted 12/18/2017

Ordinance Book, Volume XIX, Page 253

170455

Ordinance - Debbie Tucker Roberson and Martin T. Tucker - Annexation 17-12

A request by Debbie Tucker Roberson and Martin T. Tucker to consider a voluntary non-contiguous annexation of approximately 8.787 acres lying along the south side National Service Road, approximately 500 feet west of Tyner Road. The property is addressed as 8017 National Service Road and is also known as Guilford County Tax Parcel 0169800.

*The public hearing for this matter and related matter **170456 Zoning Map Amendment 17-25** was held on Monday, December 18, 2018 at 5:30 p.m. However, the applicant's attorney requested a continuance of the public hearing.*

Amanda P. Hodierne, Attorney At Law, AICP, with Isaacson Isaacson Sheridan Fountain & Leftwich, LLP, requested a continuance of the public hearing until February 19, 2018 at 5:30 p.m. She explained that the property is subject to a bio-cell transaction and during the due diligence investigation, a stream delineation was discovered that would require additional time.

Continued the public hearing for this matter to Monday, February 19, 2018 at 5:30 p.m. at the request of the applicant's attorney.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this public hearing be continued to Monday, February 19, 2018 at 5:30 p.m. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

170456 Ordinance - Marsh Investments LLC - Zoning Map Amendment 17-25

A request by Marsh Investments LLC to rezone an approximate 8.7-acre parcel from the Residential Single Family-40 (RS-40) District, within Guilford County's jurisdiction, to the Employment Center (EC) District. The site is lying along the south side of National Service Road, approximately 500 feet west of Tyner Road (8017 National Service Road). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

*The joint public hearing for this matter and related matter **170455 Annexation 17-12** was held on Monday, December 18, 2017 at 5:30 p.m.; however, the applicant's attorney requested a continuance of the public hearing to Monday, February 19, 2018 at 5:30 p.m.*

Continued the public hearing for Zoning Map Amendment 17-25 to Monday, February 19, 2018 at 5:30 p.m. at the request of the applicant's attorney.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this public hearing be continued to Monday, February 19, 2018 at 5:30 p.m. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

GENERAL BUSINESS AGENDA**170457 Revisions to Article P - Traffic Control- Stop Intersections**

Consideration and approval of the following traffic control measures to be added to Article P, Schedule 8 as referenced in the City's Code of Ordinances (Title 10: Transportation and Traffic; Chapter 1- Traffic Regulations; Article H- Stop and Yield Intersections; Sec. 10-1-101- Stop Intersections).

1. 4-Way Stop at the intersection of Westover Drive and Ingleside Road
2. 4-Way Stop at the intersection of N. Elm Street and Gatewood Avenue

Matt Carpenter, Transportation Operations Engineer with the High Point Transportation Department, advised that staff is proposing two locations for four-way stops, which will require an amendment to Article P, Schedule 8 of the City's Code of Ordinances. The locations are as follows:

1. 4-Way Stop at the intersection of Westover Drive and Ingleside Road; and
2. 4-Way Stop at the intersection of N. Elm Street and Gatewood Avenue

Mr. Carpenter explained that both of these intersections have seen their fair share of crashes over the past few years and for that purpose, staff is proposing these 4-Way Stops be added to Article, Schedule 8 as referenced in the City's Code of Ordinances.

Council Member Moore asked when staff proposes to make these changes and if signage would accompany the 4-Way Stops when implemented. Mr. Carpenter replied that staff does plan on implementing these changes over the next month or so, depending on the weather, and confirmed that signage would be added.

Approved revisions to Article P, Schedule 8 of the City's Code of Ordinances adding the 4-Way Stops as referenced above.

A motion was made by Council Member Ewing, seconded by Mayor Pro Tem Williams, that this Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

170458 Resolution of Support - Intersection Improvements - Johnson Street and Sandy Ridge Road

Resolution of support for improvement of the existing intersection of Johnson Street (SR 1818) and Sandy Ridge Road (SR 1820) by realigning the existing intersection, adding turn lanes on both roads and installing a traffic signal at this location.

Greg Venable, Transportation Administrator with the High Point Transportation Department, advised that NCDOT issued a call for projects and this is one of the projects that the city is submitting in anticipation of funding. He explained there is some additional funding available through NCDOT, and as part of the application process, NCDOT requires

Council to adopt a Resolution of Support, which is required due to the cost estimate for the project exceeding \$250,000.

Council Member Moore inquired about the improvements to Johnson Street /Sandy Ridge Road/Barrow Road. Mr. Venable explained this is a current project in the Transportation Improvement Program, and the improvements to Johnson Street from Skeet Club Road to I-40 is scheduled for 2020 and plans include a four-lane, median divided street similar to what is currently being done on Skeet Club and Barrow Road. He noted this is a temporary fix due to development pressures, and stated that NCDOT would put this improvement in with anticipation of when the project comes on, they will approve the additional lanes, etc.... Mr. Venable explained that Kendale will be realigned and pointed out signal improvements would be part of this project.

Adopted a Resolution of Support for improvement of the existing intersection of Johnson Street (SR 1818) and Sandy Ridge Road (SR 1820) by realigning the existing intersection, adding turn lanes on both roads and installing a traffic signal at this location.

A motion was made by Council Member Ewing, seconded by Mayor Pro Tem Williams, that this public hearing be continued to Monday, February 19, 2018 at 5:30 p.m. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

**Resolution No. 1738/17-85
Introduced 12/18/2017; Adopted 12/18/2017
Resolution Book, XIX, Page 207**

170463 Reinstatement as Voting Board Members - BOA/HPC

Consideration of the reinstatement of members that lost voting status on the Board of Adjustment and Historic Preservation Commission due to noncompliance with the city's attendance requirement.

Lee Burnette, Director of Planning and Development, explained that the Planning & Zoning Commission, Historic Preservation Commission, and the Board of Adjustment all have attendance requirements. Members cannot miss more than one-third of the meetings, and the attendance is monitored annually. He explained that if they miss more than the allowable number of absences, it can result in a loss of status until reappointed or until they are reinstated.

He advised there are two Board of Adjustment members and one Historic Preservation Commission member that have lost their status this year due to unexcused absences and that all three situations were due to vacation or family-related incidents. He explained that he has talked with all three members and they do not foresee any conflicts with absences in the future and staff recommends they be reinstated.

Approved the reinstatement of Sandra Dunn and Matt Witmeyer to the Board of Adjustment and Janet Catania to the Historic Preservation Commission, who lost voting status on these boards due to noncompliance with the city's attendance requirement.

A motion was made by Council Member Ewing, seconded by Council Member Golden, that these members be reinstated. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

170459 Revisions to the Boards/Commissions Liaison Members

Council is requested to confirm the following appointments/revisions to the Boards/Commissions Liaison Members:

1. To appoint Jay Wagner, Mayor, as the City's appointed alternate representative to the North Carolina Municipal Power Agency1 (NCMPA1) Board of Commissioners replacing former Mayor, William S. Bencini, Jr.
2. To appoint Council Member Jason Ewing as liaison to the ABC Board
3. Remove Council Member Jason Ewing as the liaison to the CVB Board and add Victor Jones as the liaison to the CVB Board.

Approved the preceding revisions to the Boards and Commissions Liaison Members.

A motion was made by Council Member Ewing, seconded by Council Member Hudson, that these revisions be made to the Boards and Commissions Liaison Members. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

170462 Revision to the Standing Committees of City Council (2017-2019)

Due to a conflict with the date and time of the Economic Development Corporation meeting, Council Member Ewing is proposing a revision to the Standing Committees of the 2017-2019 Council as follows:

Finance Committee – Thursday preceding the 1st and 3rd Monday at 4:00 p.m.

A motion was made by Council Member Ewing, seconded by Mayor Pro Tem Williams, that these revisions be made to the 2017-2019 Standing Committees of City Council. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

Approved the Revision to the Standing Committees of City Council (2017-2019) changing the time for the Finance Committee to the Thursday preceding the 1st and 3rd Monday at 4:00 p.m.

170460 Minutes to Be Approved

Regular Meeting; Monday, December 4th @ 5:30 p.m.

Organizational Meeting; Monday, December 4th @ 6:00 p.m.

Special Meeting; Wednesday, December 6th @ 3:00 p.m.

Finance Committee Meeting; Wednesday, December 13th @ 4:00 p.m.

Approved the minutes of the preceding meetings as referenced above.

A motion was made by Council Member Golden, seconded by Council Member Ewing, that the preceding minutes be approved as submitted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner; Mayor Pro Tem Williams (Ward 2), and Council Member Moore (At Large), Council Member Scarborough (At Large), Council Member Golden (Ward 1), Council Member Peters (Ward 3), Council Member Hudson (Ward 4), Council Member Jones (Ward 5), and Council Member Ewing (Ward 6).

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:40 p.m. upon motion by Council Member Ewing and second by Mayor Pro Tem Williams.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk