

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
March 21, 2018 – 3:30 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

MINUTES

Present:

Council Member Donald Scarborough (At Large), Council Member Britt Moore (At Large) [departed the meeting at 5:09 p.m.], Council Member Jeffrey Golden Ward 1), Council Member Monica Peters (Ward 3), Council Member Wesley Hudson (Ward 4) [arrived at 3:35 p.m.], Council Member Victor Jones (Ward 5), and Council Member Jason Ewing (Ward 6) [arrived at 4:00 p.m.]

Absent:

Mayor Jay Wagner; Mayor Pro Tem Chris Williams (Ward 2)

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Eric Olmedo, Budget and Administrative Director; Roslyn McNeill, Budget Analyst; Lee Burnette, Director of Planning and Development; Heidi Galanti, Planning Administrator; Bob Robbins, Planning Administrator; David Briggs, Theatre Director; and Lisa Vierling, City Clerk

News Media:

No News Media Present

Note: The following presentations will be attached and incorporated as a permanent part of these proceedings.

- ✓ Planning & Development Department Power Point Presentation (**Exhibit Book, Volume XIII, Page 1**)
- ✓ Theatre PowerPoint Presentation (**Exhibit Book, Volume XIII, Page 2**)

1. Presentation- Planning & Development Department

Lee Burnette, Director of Planning & Development, provided an overview of his department. This department is one of the smaller ones and has 12 employees. The department has two different divisions: Planning Services Division, and Development Review. He recognized Heidi Galanti, Planning Administrator for the Planning Services Division, who is responsible for handling comprehensive planning and information management. He also introduced Bob Robbins, who heads up the Development Services Division and handles development review and information management.

The four main responsibilities of the Planning & Development Department are:

1. Policy Advisory
2. Regulatory
3. Development Review. The department is responsible for ensuring that the land development projects that come in for review, that they meet the policies that the City Council has adopted, as well as meet the land development regulations.
4. Information Resource

This is done through three programs:

1. Comprehensive Planning
2. Development Review, and
3. Information Management

The four areas of focus in **Comprehensive Planning** are:

1. **Growth Management.** Developing policies to help guide the city in its growth and to create a sustainable urban pattern. It involves a variety of different planning elements such as the department's growth and vision statement, the Land Use Plan, annexation agreements, etc..., and focuses on the city as a whole.
2. **Area Planning (small area planning).** These are areas where plans have been developed to help guide or maintain, approve, or revitalize certain small areas. The Core City and the Core City Area Plan is an example. It also includes corridor plans such as the Eastchester Corridor, as well as the Mixed-Use Area Plan. The plans that the City Council has adopted over time are listed on the department's website.
3. **Resource Conservation Planning.** This tends to be more specific areas and more specific aspects of the community where staff deals with historic resource planning, water supply/watershed protection planning, Urban Forestry, etc....
4. **System Planning.** This is where the department takes a secondary role or an assistance role to other departments/agencies that do more detailed plans and link to the different systems for the city. Examples are the water system, wastewater system, Parks and Recreation system, transportation system, etc....

The **Development Review** function focuses on the following three areas:

1. **Ordinance Administration.** This includes ordinance updates/revisions and determinations. Updates are sometimes required based on legal requirements due to actions taken by the General Assembly.

Council Member Moore asked how much autonomy the Planning Department has in development versus what the department is overseeing that has to be regulated by the State. Mr. Burnette explained that the city has less autonomy than it did five to ten years ago because of changes that have been made by the Legislature and noted they have taken away local authority for local jurisdictions to develop their own standards, which affects the

entire State. He provided an example of what the General Assembly did with precluding municipalities from annexing State rights-of-way.

Mr. Burnette advised another reason ordinance updates and revisions are necessary has to do with error corrections, as well as enhancements in the ordinance because staff is constantly striving to improve the process/standards.

2. **Board Action.** This includes any kind of board submittal that requires some level of approval by either the City Council or the city's appointed planning boards such as the Planning & Zoning Commission, the Historic Preservation Commission, or the Board of Adjustment.

Mr. Burnette noted the Board of Adjustment is responsible for reviewing Appeals, Reasonable Use Accommodation, and Variances. Appeals from decisions made by the Board of Adjustment are made to the Clerk of Superior Court.

Historic Preservation Commission (HPC). There are three historic districts (Johnson Street, Sherrod Park, and West High Avenue. The HPC has the responsibility of issuing Certificates of Appropriateness (COAs) and they basically review and approve certain types of exterior work to properties located in the historic districts.

Council Member Hudson asked about the jurisdiction that the HPC has and if they can issue fines for violations. Mr. Burnette explained that the HPC does have the responsibility to do any kind of approval or any kind of denial of a project that comes before them and they basically review it according to approved guidelines. Decisions made by the HPC are made to the Board of Adjustment. Mr. Burnette noted that fines can be imposed and it is treated as an enforcement action.

Regarding the **Planning & Zoning Commission**, Mr. Burnette pointed out that this board serves as an advisory board and makes recommendations to the City Council. The Planning & Zoning Commission only has one submittal that they have the authority to approve, and that is street name changes. There are a number of things that the Commission does in conjunction with the City Council such as Development Agreements, Plan Amendments, Special Use, Text Amendments, Vested Rights Certificate, and Zoning Map Amendments (most common). There are four types of Zoning Map Amendments: General Use Zoning Amendments; Conditional Zoning; Planned Unit Development (i.e. an example is the Palladium development); and Overlay Zone (i.e. an example is the Eastchester Overlay, the Airport Overlay).

Mr. Burnette advised there are some cases that go directly to the City Council that do not require a recommendation by the Planning & Zoning Commission. Some examples of these are right-of-way encroachment, wireless facility, a voluntary annexation. He further explained that any request or petition from a property owner to annex into the City of High Point is often associated with a Zoning Map Amendment because the city has to zone the property within so many days after it is annexed. Regarding Watershed Major Variances, Mr. Burnette advised that the City Council does not actually make the final decision

because it has to be submitted to the State Environmental Management and they make the final decision as to whether to approve the request or not.

Mr. Burnette reported that in 2017, staff processed 72 board cases.

3. **Land Development Approvals.** Mr. Burnette advised his staff processed 872 land development records overall last year; 403 of those were zoning compliance records; 220 were sign plans; and about 82 were site plans. He further advised that Land Development deals with administrative approvals that are done by staff based upon the standards that are identified in the Development Ordinance. There are certain approvals that the Technical Review Committee (TRC) can do. The TRC is comprised primarily of four departments: Engineering, Public Services, Transportation, and Planning & Development. Other departments such as the Fire Department, Police Department, Inspections, and Electric Departments are sometimes called in to review the applications and provide comments or advice. The TRC has the authority to approve two types of Land Development submittals: preliminary subdivisions and right-of-way encroachments below ground. Right-of-way encroachments above ground require City Council's approval. The TRC can also approve site plans for development; street and utility plans, watershed minor variances; however, watershed major variances require City Council approval.

The department also has an **Urban Forestry Committee (UFC)**. This board has the responsibility of making decisions regarding trees as it relates to any city-owned or city-controlled properties. The UFC is comprised of representatives from the Electric Department, Public Services Department, as well as Parks & Recreation. Andy Piper, a Senior Planner with the Planning & Development Department, coordinates the UFC. They make decisions on making sure that the right trees are put in the right locations to ensure there are no conflicts with water/sewer lines, overhead utility lines, etc... Any type of project that requires planting of trees or removal of trees requires a public tree certificate that is issued by the UFC.

Council Member Hudson asked who is affected by decisions made by the UFC. Mr. Burnette noted that it applies primarily to city-owned property and rights-of-way. He provided an example of the Red Maple trees that were planted on Johnson Street about twenty years ago in conjunction with the road project and the issue at hand was whether or not the right tree is being planted in the right place. He provided another example was when Hartley Drive was done between Johnson Street and Main Street and trees were planted in the median by NCDOT. He pointed out the Parks & Recreation Department was not aware that they were going to be responsible for maintaining the trees until after the fact, and it would have been a good thing for them to have been involved beforehand because it would have made it a lot easier for them to maintain in terms of spacing of the trees and the types of trees.

The Planning & Development Department also has a number of responsibilities that they review and make decisions on based on the standards in the Development Ordinance (i.e.

address assignments, administrative adjustments, design review, exclusion maps, final subdivision plans, minor Certificates of Appropriateness, signs, zoning compliance, etc....

Council Member Peters inquired about the Mainline Electrical Service property located on Main Street and asked how they could continue to get by with keeping all the junk on their property. Mr. Burnette explained that the property has been in this condition for years and noted that because it is grandfathered, there is not really anything that can be done because it is an outside storage area that is associated with their business. Deputy City Manager Randy McCaslin advised that it would not be allowed under today's Development Ordinance. Mr. Burnette further explained that because it is an existing, grand-fathered business, it is difficult to approach and deal with it from a land regulatory approach. He noted that certain aspects of it could possibly be dealt with under the Public Nuisance Abatement Ordinance. He reiterated outdoor storage would not be allowed under the current Development Ordinance unless it meets the screening requirements. He also pointed out that it is very difficult to go back and correct problems such as this because a change in the regulations would not affect the property due to it being grandfathered.

Mr. Burnette concluded his presentation with a brief explanation of **Information Management**. His department is responsible for data collection and analysis, program information, and record maintenance. He advised that his department does annual population estimates for the city and noted the next one would be released in April. Additionally, they do population projections every five years in between Censuses. He reported that the city has already started working with the US Census Bureau on the 2020 Census and will provide information and support to them on a regular basis. He stressed the importance of getting accurate counts in the Census because it translates into dollars back to the city. His department also provides information to the NC State Budget and Management, which helps in revenue sharing, and revenue coming back to the city from the state—all of which is based upon population.

He reported that his department also created the City Profile report, which is a snapshot of the city in terms of demographic or geographic development and includes a variety of different types of activities. All the demographic/population information can be found on the department's website.

He advised that his department maintains two websites: one for the Planning and Development Department, and another for Build High Point. Citizens can subscribe to notifications through his department for updates. He strongly encouraged Council to peruse their website and look at Build High Point, as well as the Accela Citizens Access. He pointed out over 90% of the city's submittals are now made online versus walking in.

Regarding Record Maintenance, he mentioned that the city has developed an interactive map, The Point, that contains all kinds of information on properties in High Point, as well as contains helpful links to a plethora of other information.

They are currently working on some aerial photography updates, which should be available to the public by the end of the year.

[Council Member Peters departed the meeting at 4:20 p.m. to attend the Library Board of Trustees Meeting]

2. Presentation- Theatre Department

David Briggs, Theatre Director, shared the upcoming shows that have been booked at the Theatre for the remainder of FY 2017-2018 and encouraged Council to take advantage of the shows. He then reviewed the economic impact that the shows have had on the community and shared the gross ticket sales, total number of performances, off-site performances selling tickets through the Theatre Box Office, tickets sold, tickets sold online, sales tax collected, etc.... He pointed out \$94,131.78 has been returned to clients after rental invoicing. He shared that they have had two sellouts and two near sellouts at the Theatre so far for this fiscal year. He noted they have stayed active and shared room and show packages for the 27 events that were booked, hotel rooms sold, tickets sold and the estimated 3,500+ hotel room nights that the High Point Theatre brought to High Point. Regarding the Venue/Theatre use, Mr. Briggs reported that taking into consideration the number of events held at the Theater and the total hours/days utilized, it averages out to about 10 hours per day that the Theatre is utilized.

Mr. Briggs then shared the 2018/2019 Passport to Entertainment Series and the artists that have booked. The 2018/2019 year will feature the following performers:

- ✓ The Sauce Boss
- ✓ Tannahill Weavers
- ✓ Aubrey Logan
- ✓ Raleigh Ringers
- ✓ Sons of Serendip
- ✓ The Manhattan Transfer
- ✓ Peter Noone's Christmas
- ✓ High Point Ballet's Nutcracker
- ✓ Koresh Dance Ensemble
- ✓ Christian Howes
- ✓ Branford Marsalis Quartet
- ✓ Gina Chavez
- ✓ Yakov Smirnoff
- ✓ Billy 'Crash' Craddock

Mr. Briggs identified some of the partnerships that they enjoy with the following agencies:

- ✓ High Point Community Concert Association
- ✓ High Point Ballet
- ✓ High Point Community Theatre
- ✓ High Point Arts Council
- ✓ Theatre Art Galleries (TAG)
- ✓ High Point Market Authority

- ✓ High Point Convention & Visitors Bureau
- ✓ GTCC
- ✓ High Point Public Library, Parks & Recreation Department, and their city departments
- ✓ NC Triad Theatre League & the NC Presenters Consortium

Mr. Briggs noted their goal is to return 50% of the operational budget to the citizens of High Point. Last year, the net return was 30%. For 2017, the net rental income reported was \$227,069; net concession income was \$24,546; net ticket income was \$388,610; and the total net income was \$640,225.

The immediate needs that Mr. Briggs identified for the Theatre are....

- ✓ Renovation of the public restrooms at an estimated cost of \$225,000-\$240,000 (capital)
- ✓ Replace carpet at an estimated cost of \$60,000-\$75,000 (capital)
- ✓ Increase Box Office staffing hours at an estimated cost of \$18,200 (operations/personnel)
- ✓ Increase marketing/advertising at an estimated cost of \$15,700 (operations)
- ✓ Programming to include a film series at an estimated cost of \$9,000 (operations)
- ✓ Event staffing and services at an estimated cost of \$20,750 (operations)
- ✓ Increase inventory for resale at an estimated \$1,20 (operations)

He advised the total operational request above the existing allocation is \$64,92. The target number for FY 2018-2019 is \$1,368,930 and with the additional requested operational expenses would be \$1,433,850, which is less than a 5% increase.

Mr. Briggs reported that the High Point Theatre provides entertainment, meeting, and gallery space and has become a popular destination to hold a dance recital, competition or special event. He pointed out their rental rates are competitive, ticket prices are reasonable, and approximately 1124 residents took advantage of the City Resident discount.

At the conclusion of his presentation, Mr. Briggs entertained questions.

Council Member Ewing asked Mr. Briggs about the opportunity to rent the Theatre out in situations where they cannot currently because of an event that has already been booked at the Mendenhall Transportation Terminal. Mr. Briggs admitted it does present challenges, but there are not a lot of events that occur at the Terminal. He added that there have been requests for events that he has had to turn away in the Terminal because of events already booked in the Theatre and vice versa.

Council Member Ewing noted that four years ago, the City Council made a substantial increase in the budget to assist them in booking better acts and bumped the budget from \$65,000 to \$150,000. He asked if this was an adequate amount. Mr. Briggs replied it was, but he would be requesting a slight increase in the upcoming budget to bring in additional artists and a film series.

City Manager Demko asked Mr. Briggs if he felt the Theatre is the right venue to bring people to downtown High Point. Mr. Briggs advised that the Theatre is not in an ideal location and pointed out the problem is there is no place to walk for a meal after the show and this is a critical need. He noted that although the current location of the Theatre is not optimal, they have tried to keep ticket prices reasonable and comparable to other venues.

Council Member Jones asked about the process that staff goes through to book these acts. Mr. Briggs noted he generally takes care of this. Council Member Jones suggested adding more events that would entice more millennials and suggested possibly mixing it up with some comedy. Mr. Briggs advised that reaching millennials is one of their most difficult challenges.

Mr. Demko advised the other piece is the Theatre has some maintenance needs and will require major ADA compliance. Mr. Briggs noted that High Point University hosts “free” concerts and events on a regular basis and shared that it is hard to compete with these “free” events. Council Member Jones suggested there might be some local acts that they could get to come in.

Regarding the concession income/revenue, Council Member Ewing asked if they had looked at the possibility of the Brown Truck coming on-site for some of their events. Mr. Briggs explained they have, but the Brown Truck can only do tap, and they do not do the bottled beer. He pointed out another challenge with that is the seats in the Theatre do not have cup holders. e noted they have also talked to Rickety Bridge regarding wine selections.

Mr. Briggs reminded Council that they do offer discounted tickets to city residents, employees, and the City Council.

Additionally, he advised if they stay in this venue , they will need new seats for the Theatre at an estimated cost of \$221,000; a new stage lift at a cost of \$500,000; and a new elevator at a cost of \$145,000. He shared that he brought in a architect friend to look at raising the bowl, and it was determined that it would not be feasible due to the \$5 million estimate.

There being no further discussion, the meeting adjourned at 5:15 p.m. upon motion duly made and seconded.

Lisa B. Vierling, MMC
City Clerk