



**Manager's Briefing Session  
3<sup>rd</sup> Floor Lobby Conference Room  
August 6, 2018 – 4:00 P.M.**

**Minutes**

**Present:**

Mayor Jay Wagner; Mayor Pro Tem Chris Williams [arrived at 4:11 p.m.]; and Council Members Britt Moore [arrived at 4:10 p.m.], Don Scarborough, Jeffrey Golden, Monica Peters, Wesley Hudson, Victor Jones, and Jason Ewing

**Staff Present:**

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Mark McDonald, Director of Transportation; Lee Burnette, Director of Planning; Kenneth Schultz, Police Chief; Mary Sizemore, Library Director; Jeff Moore, Director of Financial Services; Eric Olmedo, Budget & Administrative Director; Jeron Hollis, Director of Communications & Public Engagement; JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk; and Sandra Keeney, Deputy City Clerk

**Others Present:**

Ray Gibbs, Executive Director- Forward High Point  
Judy Stalder (TREBIC);  
Bob Boot (Atkins Global); Clint Morgan (Atkins Global); Eugene Tarascio (NCDOT);  
Laura Sutton (NCDOT); Jess Moskey (NCDOT Intern); Ed Lewis (NCDOT);

**News Media:**

Pat Kimbrough, *High Point Enterprise*

City Manager Greg Demko welcomed everyone in attendance and suggested that the NCDOT presentation on the Johnson/Sandy Ridge Road improvements be discussed first. He then recognized Mark McDonald, Director of Transportation.

Note: The following handouts were distributed during the meeting and will be incorporated as a permanent part of these proceedings.

- ✓ NCDOT Presentation: Widening of Johnson Street/Sandy Ridge Road (STIP U-4758)

- ✓ Public Meeting Information: Johnson Street/Sandy Ridge Road (STIP U-4758)
- ✓ Special Uses & Zoning Districts
- ✓ High Point Police Department Crime Statistics through week 31 (8/5/2018)
- ✓ Presentation: High Point Library Plaza Enhancements, Design Concept

## **1. Presentation on improvements to Johnson/Sandy Ridge Road**

Mark McDonald, Director of Transportation, introduced representatives from NCDOT that were present: Gene Tiraspol, Laura Sutton, Ted Lewis, and NCDOT Intern Jess Moskey, as well as Bob Boot and Clint Morgan with Atkins Global, consultants for the project.

Bob Boot, consultant with Atkins Global, provided a brief overview of the project. A public meeting for the Johnson Street/Sandy Ridge Road Widening Project (NCDOT STIP U-4758) has been scheduled for the project as follows:

Date: August 14, 2018

Time: 5:00 p.m. to 7:00 p.m.

Location: Deep River Community Center, 1525 Skeet Club Road

Mr. Boot reported that the newsletters have already been mailed out and the purpose of this meeting was to provide a brief background/history of the project; present an update on the project; and to review Public Meeting maps that will be displayed at the August 14, 2018 Public Meeting, as well as to address any concerns and answer any questions.

The location for the project is from Johnson Street (S.R. 1818) and Sandy Ridge Road (S.R. 1850) widening from Skeet Club Road (S.R. 1820) to I-40. The purpose of the project is to:

- ✓ Improve existing and projected traffic flow;
- ✓ Provide facilities for pedestrians and bicyclists
- ✓ Provide roadway lane widths and shoulders that meet NCDOT design standards.

Mr. Boot advised that this has been a vital corridor in High Point's northern planning area and an important focal point of development and growth opportunities for almost two decades. He provided a brief history of the project as follows:

- ✓ 2002: Johnson Street/Sandy Ridge Road Feasibility Study
- ✓ 2003: Johnson Street/Sandy Ridge Road Area Plan
- ✓ 2010: Comprehensive Transportation Plan (CTP)
- ✓ 2012: City of High Point project through federal grant from Federal Highway Administration
- ✓ 2016: Project transferred to NCDOT for management of the project.

Plans are to avoid any impacts to the Johnson Street Sports Complex and will include a construction easement for the new entrance. He further explained that because the property that is being improved was purchased Land Use conservation funds, it would require them to go through a 6F process because they will be crossing the river and the greenway.

Two alternatives were proposed for the project.

1. Alternative 1- Widen Existing Road
2. Alternative 2- Widen Existing/Part New Location.

Mr. Boot pointed out the biggest change for the project would be the change in the 17.5-foot median to a 23-foot median. NCDOT has engaged in the following for public involvement regarding the project:

- ✓ Community Advisory Committee
- ✓ Local Agency Steering Committee
- ✓ Public Meetings
- ✓ Group Meetings
- ✓ Website
- ✓ Facebook page

The preferred alternative is to widen the existing Johnson Street and Sandy Ridge Road; change the median width to 23-feet to meet NCDOT standards; Realignment of Norcross Road and Endicott Road; and make intersection improvements for sight distance standards to improve safety.

Mr. Boot then reviewed the maps that would be on display at the public meeting on August 14<sup>th</sup>. Clint Morgan with Atkins Global, provided an explanation for the color codes for the legends on the maps identifying sidewalks/multi-use paths; right-of-way currently owned by NCDOT; right-of-way to be acquired; temporary easements, construction easements for the project; utility easements (existing or future); existing pavement to be resurfaced; existing structures (i.e. typically bridges, culverts, etc.....

A map of the Wesleyan Academy property was shared, and Mr. Boot advised that they have been working with the Wesleyan Academy and the developer on some necessary realignment of Sandy Ridge Road to minimize impacts of the school/development. It was reported that the following roads would be reconfigured/realigned:

- ✓ Links Drive will have full access.
- ✓ Changes will be made to Kendale Road.
- ✓ Bame Road will be realigned into Sandy Ridge Road.
- ✓ Will maintain access to the Fire Station on Sandy Ridge Road.
- ✓ National Service Road will be realigned.
- ✓ Norcross Road will be reconfigured to align with the Farmer's Market Entrance.

The proximity of the cemetery at the church presented some challenges for the project, which required a special survey to confirm placement of the graves and to make sure there were no graves within the project area. Another challenge is the spacing between intersections with the interchange project possibly changing the ramps.

Council Member Ewing asked if the assumption is that the Skeet Club Road widening project would be completed before the Johnson Street/Sandy Ridge Road project starts. Mr. Boot replied that although they were running somewhat behind on the Skeet Club Road project, he thought they would be able to catch up.

Council Member Scarborough inquired about a completion date for the project once the project is approved and commences. Mr. Boot explained a complication to the construction is the maintenance of traffic because they do not want to shut Sandy Ridge Road completely down. As a result, they plan on building the project in two phases and anticipate a 3 to 4-year timeframe. Council Member Ewing asked about a timeframe for the project if traffic is interrupted and Sandy Ridge Road is completely shut down. Laura Sutton with NCDOT explained that it would probably cut the project completion time in half.

Mr. Boot concluded his presentation and shared the following Next Steps.

- ✓ Joint Agency Steering Committee (ASC) and Community Advisory Committee (CAC) Meeting- August 14, 2018
- ✓ Public Meeting- August 14, 2018
- ✓ Environmental document (September/October 2018)
- ✓ Final design and permits (2018-2019)
- ✓ Right-of-Way acquisition/utility relocations (2019-2021)
- ✓ Construction (2021)

## **2. Discussion regarding possible changes in procedures with Planning and Zoning Board**

Lee Burnette, Director of Planning and Development, provided information on the Special Use Permit process and the Planning & Zoning Commission's role in the decision-making process regarding Special Use Permits. He provided an explanation of Special Uses and the permit/application/hearing process. He further explained that the Planning & Zoning Commission has generally been involved in the process of special uses from the very beginning, which is probably around the late 1950s or early 1960s.

Mr. Burnette advised that Fred Baggett, Legal Counsel to the Planning & Zoning Commission, had shared a writing from Dave Owens at the UNC-CH School of Government regarding the Planning & Zoning Commission's role as it relates to special uses and the quasi-judicial process. At issue is the Planning & Zoning Commission's process. As it currently stands, when an applicant submits a request that goes to a hearing before the Planning & Zoning Commission, it is an advisory hearing because they are making a recommendation. The City Council holds the hearing and makes a

decision as to the issuance of a Special Use Permit, which must be based on competence establishing material evidence that is presented in a quasi-judicial hearing. He further emphasized that the decision could not be based on hearsay, public opinion or whether people are in favor of or against it, or whether Council believes it's a good project or not. He advised that the School of Government has said that it poses some legal dilemmas because what is said at the Planning & Zoning Commission hearing cannot be carried over to the quasi-judicial hearing before the City Council and the Planning & Zoning Commission could be basing some of their recommendations on evidence that is not presented to the City Council.

Mr. Burnette went on to explain any changes would require amendments to the Development Ordinance, as well as possible procedural changes with the Planning & Zoning Commission if they are going to continue in that role. He stated it basically comes down to two things as it relates to several variables.

1. Removing the Planning & Zoning Commission from the Special Use Permit Process. In this case, the case would go directly to the City Council and there would not be any kind of prior comment or review before it comes to Council; or
2. Adjust or change the Planning & Zoning Commission's role in the process.

Both options would require a Text Amendment and would require changes to the Planning & Zoning Commission's procedures, as well as the Chair remarks. Mr. Burnette reiterated that the Planning & Zoning Commission could not make a recommendation and the City Council would not be able to take a recommendation and act on it. He also pointed out that the City has special legislation that requires a 2/3 vote of the City Council to approve or a request if the Planning & Zoning Commission recommends denial of a zoning case. This special legislation also applies to special uses, which creates a legal quandary if they continue to make recommendations.

He further advised that the Planning & Zoning Commission felt a viable option might be for them to provide guidance to the applicant and neighbors to better prepare them for an evidentiary hearing.

Several questions were posed as to who Council members could refer calls to when neighbors call them seeking information. Mr. Burnette replied they could call the Planning & Zoning Commission, but suggested they be highly encouraged to attend the Commission meeting and voice their comments/concerns. He also pointed out that it is always a good idea to refer any calls and questions to the Planning staff.

Council Member Ewing questioned the redundancy of the Planning & Zoning Commission having a hearing when the City Council is required to have a hearing and is responsible for making the decision; Council Member Golden agreed.

Mayor Wagner advised that special uses do not typically come up a lot and his preference would be to take the Planning & Zoning Commission out of the process. He suggested that staff create a document explaining the Special Use process, what can be admissible as evidence during the process, procedures, etc..... so that it will better educate the

public. Another thing to consider is that the applicant is having to pay their attorney's fees and fees to the experts twice—one for the Planning & Zoning Commission meeting and again for meeting before the City Council and noted this can be an expensive proposition. He felt the bigger issue is making sure that the people are informed about the Special Use process. He went on further to say that it was pointless for the matter to go before the Planning & Zoning Commission when it has no legal meaning.

Council Member Moore asked if staff could provide Council with a copy of the materials that went out to the public for the last Special Use Permit hearing. Mr. Burnette agreed to provide a copy to the Council, as well as a copy of the written opinion from the School of Government on Special Uses. He advised that staff is looking at some things that may reduce the number of special use permits to some degree that are required and one is related to wireless communications and telecommunications because it is becoming more and more federally required where certain things must happen.

Mr. Burnette reiterated that staff is looking for direction from Council as to their preference in handling special uses. Mayor Wagner noted it appears that the consensus is to dispense of the Planning & Zoning Commission's role in the process, but suggested Council review and study the School of Government's written opinion on the matter and discuss it further in a subsequent Manager's Briefing.

Mr. Burnette advised that in the interim, the Planning & Zoning Commission would continue to make comments on any special use cases that come up but will not make any recommendations.

### **3. Presentation on year to date 2018 Crime Stats**

Chief Shultz reviewed some changes in the Police Department personnel due to retirements, promotions, and reassignments. The Chief reported that with the recent new hires, the department would be one employee short of being fully staffed. Additionally, he noted that he is aware of six pending retirements over the course of the upcoming year.

Regarding the Crime Stats, he advised that for 2018, the Part I Violent Crimes are down 20% as compared to the same time in 2017. Property Crimes are down 16%, which indicates they are moving in the right direction. Chief Shultz believed the focused deterrence and the department's efforts remain consistent.

Council Member Ewing asked how many of the Violent Crimes were related to drugs. Chief Shultz replied that he did bring those statistics with him but noted Violent Crimes such as homicides and domestic violence generally have to do with drug and/or gang-related.

Chief Shultz then reviewed the 5-year average that show they are headed in the right direction and he felt comfortable with the numbers.

Regarding the drug overdoses, the statistics show that the city has had 105 overdoses this year versus 224 for this time period last year, which indicates a major reduction in drug overdoses. Drug overdose deaths have also decreased (5 this year versus 12 last year). Chief Shultz pointed out the trends are looking very strong and explained from their enforcement efforts, they continue to focus on the people that are driving the drugs, those that are bringing them in, and dispersing them. He stated that the drug addiction treatment is imperative and should continue to be addressed.

#### **Upcoming Events**

Chief Shultz shared the following upcoming events:

National Night Out; August 7<sup>th</sup>; various locations throughout the city  
Notification/Call-In; August 21<sup>st</sup> @ 6:00 p.m.; Council Chambers  
Swearing-In & Promotional Ceremony; September 7<sup>th</sup> @ 3:00 p.m.

#### **4. Concepts for Improving Aesthetics of the High Point Library**

City Manager Greg Demko recognized Ray Gibbs, Executive Director, Forward High Point, and noted that Mr. Gibbs would be presenting a design concept for the Plaza enhancements at the High Point Library.

Mr. Gibbs advised the Council that he is also a Registered Landscape Architect licensed in North Carolina and three other states and was asked by the manager to come up with a design concept for the Plaza enhancements at the Library. He noted the current Plaza consists of a 1/3-acre area of scored concrete with some stamped concrete at the door and drive-thru lane. The needs in this area are: shade, color, and excitement for a place where people can interact and make the Entry Plaza Area the focus area at the Library.

Some suggestions for this area are:

- ✓ Fountain with sculptures and shade structure at the entrance.
- ✓ Structure, "Obelisk of Knowledge" which would have to do with the Library and functions.
- ✓ Shade structure with movable café seating, which could be used when Food Trucks are at the Library.
- ✓ Trees, but they would take several years to supply shade and shade structures can be used in the short term which would also add color.
- ✓ Granite memorial markers with flower urns. Donors can be recognized on these rather easily and it would add a lot of visual excitement.
- ✓ Rocking chairs.
- ✓ Tree planters for shade.
- ✓ Bike racks near the front door.
- ✓ Vertical art on outside walls.
- ✓ Temporary public art display area.

Mr. Gibbs explained this would be a great opportunity to have others in the community contribute in the rebirth of downtown on a smaller basis such as making donations for planters, sculptures, artwork, shade structures, etc....

Council Member Peters asked if there is an estimate for these enhancements. Mr. Gibbs explained that all this is brand new, so no estimates are yet available. He plans to start working on it this coming week and noted more than likely, these enhancements would be done in phases.

Mary Sizemore, Library Director, provided a quick update on the Farmer's Market that is held at the Library every Saturday. She stated they are extremely pleased with the attendance and the stalls are filled every Saturday, plus they have 7-8 tents they are using for additional vendors. Assistant City Manager Randy Hemann gave accolades for Ms. Sizemore going over and beyond her duties and for making the Farmer's Market such a great success.

Prior to adjournment of this meeting, Mayor Wagner announced that there was a need to schedule a Closed Session to conduct the annual reviews for the attorney, clerk, and manager. It was the consensus of Council to do the reviews on August 9<sup>th</sup> @ 2:30 p.m., which would require notice of a Special Meeting.

There being no further business to come before Council, the meeting adjourned at 5:30 p.m. upon motion duly made and seconded.

Respectfully Submitted,

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Lisa B. Vierling, MMC  
City Clerk