



**Special Meeting**  
**Prosperity & Livability Committee**  
***Members: Ewing, Hudson, Peters, and Golden***  
***Chaired by Council Member Ewing***  
**January 9, 2019 – 9:00 a.m.**  
**3<sup>rd</sup> Floor Lobby Conference Room**

**MINUTES**

**Present:**

Committee Chair Jason Ewing, Committee Member Wesley Hudson, and Committee Member Peters

**Absent:**

Committee Member Jeff Golden

**Staff Present:**

Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Terry Houk, Director of Public Services; Derrick Boone, Assistant Director of Public Services; Wendell Pickett, Water Superintendent; JoAnne Carlyle, City Attorney; and Lisa Vierling, City Clerk

**Others Present:**

Dorothy Darr, Executive Director, Southwest Renewal Foundation

**News Media:**

Pat Kimbrough, *High Point Enterprise*

*Note: The following information was distributed at the meeting and will be attached as a permanent part of these proceedings.*

- ***Water Tower as Public Art***
- ***Proposed Rendering of Ward Street Water Tower (i.e. GREGG Acorn Water Tower 1)***
- ***Proposed Rendering of Ward Street Water Tower (i.e. GREGG Acorn Water Tower 4)***

**(Exhibit Book, Volume XIII, Page 18)**

Chairman Ewing called the meeting to order and recognized Dorothy Darr with the Southwest Renewal Foundation to provide some brief comments and vision surrounding the request.

Ms. Darr explained the Southwest Renewal Foundation is a non-profit that works with community development in the southwest quadrant of inner-city High Point. She advised that the Ward Street area is in an "Opportunity Zone" and one of the most economically distressed Census Tracts in North Carolina. To help combat the extremely distressed area, she explained that two years ago an idea was borne by Pat Plexico to paint the decommissioned water tower on Ward Street to look like an acorn, which would depict a wonderful symbol of revitalization and renewal for the area due to its visibility from the southwest quadrant, including Oak Hill neighborhood.

She thanked Committee Member Peters for her assistance in getting a copy of the evaluation that was done by the engineering company from staff for the Ward Street Water Tank and noted that the city made the decision to decommission this water tower and commission another water tower at another location (Potts Avenue).

She advised that the Southwest Renewal Foundation is asking if they could have the Ward Street water tower inspected by the same company that did the inspection and evaluation eleven years ago for the city. The company has quoted a price of \$1,100 for a reinspection of the water tank and Ms. Darr felt it was worth further exploration. She believed the water tank depicting an acorn would be a piece of public art which could be very powerful for renewal in this area.

She asked that the Committee consider allowing them to have the tank evaluated and pointed out according to staff, the demolition cost alone for the water tower would be \$250,000. Ms. Darr questioned how long it would take the city to recoup the \$250,000 and what would be done with the tiny sliver of land that would be left.

Ms. Darr explained she had another commitment and apologized for having to leave the meeting. She reminded the Committee that this idea was brought to the city two years ago, but it was shelved and has not been brought back since that time. She thanked the Committee for allowing her to speak and departed the meeting at 9:27 a.m.

City Attorney JoAnne Carlyle pointed out when this was previously discussed, it was determined that whatever was painted on the water tower would be considered as the city's speech since the city owns the tower.

Deputy City Manager Randy McCaslin explained that engineers hired by the city did conduct an evaluation on the water tank several years ago due to the age of the water tower and they recommended that a new water tower be built and the old one taken out of service. As a result, the new water tower was built on Potts Avenue and the Ward Street Water Tower was removed from service in late 2018. Mr. McCaslin advised that the city has no further use for the water tower as far as it being part of the city's water system. He noted that there were some cellular antennae on top of the tank and due to the structural integrity of the water tower, the city required these antennae be removed using a crane and basket versus actually crawling on the tower itself due to the structural integrity of the tower.

Mr. McCaslin stated they do have a couple of companies that have offered to purchase leases from the city at this water tower location with one requesting additional information. He confirmed that staff is estimating it would cost around \$250,000 to take the old water tower down, but the exact cost would not be known until actual bids are received, and it would not be taken down until the City Council approves the bid.

Discussion ensued and some of the questions posed were:

1. How much would it cost to paint as an acorn?

Committee Member Peters believed Ms. Darr had received an estimate of \$50,000 to paint the water tower and suggested the possibility of the city doing a matching grant to encourage the arts groups to come together and raise funds on their own.

2. Would painting the water tower as an acorn (public art) be the highest and best use for the property?

Committee Member Peters felt it was rather insulting to question the design. Chairman Ewing stated he was not questioning the design, but he was questioning whether or not this would be the highest and best use. He felt from a visibility standpoint, a decision should be made as to if this is truly the message that is desired for the water tower in that area.

3. Whether or not to allow the tower to be painted as public art, or move forward and take it down.
4. Who would be responsible for the on-going maintenance if the city retains ownership?
5. If the city retains ownership, what would the liability exposure be?

City Attorney Carlyle advised that it may be easier if the city retains ownership of the property and noted if title is transferred, they need to be aware of safety issues because of the condition of the tower. In the spirit of exercising caution, she advised they could not do anything that would be in violation of the city's sign ordinance.

Committee Member Peters realized there may be some issues associated with liability as well as other considerations but felt making the tower into a piece of public art could bring the arts community together to do some fund-raising efforts. She reiterated that the water tank represents a lot of fond memories for folks in the southwest area and it may encourage people to invest and renovate some of the vacant buildings.

City Attorney Carlyle advised regardless of what the language is in any agreement, there is always an opportunity for a lawsuit.

Assistant City Manager Randy Hemann suggested the possibility of Ms. Darr contacting one of the cell phone companies that expressed an interest in leasing the property to see if they might agree to maintain the water tower as public art.

Discussion ensued as to whether the water tower would have to be painted as if it were still in operation, or if different standards might apply since it would be a non-functioning water tower that is no longer in service. Staff reported that the estimated cost they received for painting the water tower was \$600,000.

Due to the condition of the water tower, it was agreed that a current structural analysis would be required. Ms. Darr previously agreed that the Southwest Renewal Foundation would be willing to pay the estimated \$1,100 to obtain a current structural analysis from the company that performed the evaluation for the city eleven years ago. Committee Member Peters asked if it might be possible for the city to pay the \$1,100 for the inspection. Staff determined that a structural analysis was needed as well as a painting evaluation.

Chairman Ewing stated while he appreciates the good work that the Southwest Renewal Foundation does, he felt putting a lot of money into it would be cost prohibitive. He questioned how the water tower could be structurally repaired where it is safe for anyone to get on it to paint it. Committee Member Peters reiterated that the Southwest Renewal Foundation is willing to pay the \$1,100 for the structural and painting analysis to see if it would even be feasible.

The consensus of the Committee was to give the Southwest Foundation the authority to move forward and work with the engineering company to conduct another structural and painting evaluation/analysis in an effort to make a determination as to the feasibility of using the water tower as public art. It was noted that due to the condition of the water tower, the engineering company would have to supply a waiver of liability.

City Attorney Carlyle suggested that Ms. Darr get in touch with the city's Legal Department when they are ready to move forward.

### **Future Meeting Topics**

Chairman Ewing reported that PART would be meeting next week to discuss and consider a regional transportation study that would be inclusive for all of the Triad area. He suggested if PART reaches a consensus, he would like to place this on the February meeting of the Prosperity & Livability Committee to discuss.

There being no further business, the meeting adjourned at 10:17 a.m. upon motion duly made and seconded.

Respectfully Submitted,

---

Lisa B. Vierling, City Clerk

---

Jason P. Ewing, Chairman