

**HIGH POINT CITY COUNCIL
REGULAR MEETING
MARCH 18, 2019 – 5:30 P.M.
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING**

ROLL CALL, PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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

*Upon call of the roll, the following Council Members were **Present (7):***

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

*The following Council Members were **Absent (2):***

Council Member Britt Moore (At Large) and Council Member Wesley Hudson (Ward 4),

RECOGNITIONS AND PRESENTATIONS

2019-89

Proclamation - Arbor Day- Tree City USA Award

Mayor Wagner will read a proclamation declaring March 22, 2019 as Arbor Day in the City of High Point, and a representative from the NC Forest Service will present the City's 15th consecutive Tree City USA award.

Mayor Wagner read the proclamation into the record declaring March 22, 2019 as Arbor Day in the City of High Point and presented it to Andy Piper with the Planning & Development Department.

Prior to introducing the next speaker, Mr. Piper was provided an opportunity to share some comments regarding the Tree City USA award. He stated that being recognized as a Tree City USA means that the city and community understands that trees play an important, practical role in the city and shared the many benefits to planting trees. Fifteen years ago, the City of High Point adopted an ordinance to conserve and maintain trees on city-owned and controlled properties and created a staff level Urban Forestry Committee to oversee its implementation. He noted that although the provisions apply only to city trees, guidelines and standard practices were established that all property owners are encouraged to follow. The Urban Forestry Committee also accomplishes its mission through education about proper planting and maintenance by engaging volunteers to assist with tree-related projects, administering a memorial tree program, and working with local businesses and community groups to plant trees. Mr. Piper then recognized several volunteers that were present with the Keep High Point Beautiful group, who would be working this spring to plant a tree in honor of Arbor Day.

Following his comments, Mr. Piper introduced Mr. Kyle Smith with the NC Forest Service, who presented the 15th consecutive Tree City USA award to the City of High Point. Established in 1976, the Tree City USA program is sponsored by the National Arbor Day Foundation in cooperation with the National Association of State Foresters and recognizes the communities that make planting and caring for trees a priority. High Point is one of 86 cities/towns in North Carolina and one of over 3,400 nationwide to receive this recognition for 2018. Mr. Smith cited the criteria required for the award and also shared the many benefits of the roles that trees play.

[applause, photo opportunity]

2019-90

Proclamation - Guilford Creek Week

Mayor Wagner will read a proclamation declaring March 23-30, 2019 as Guilford Creek Week in the City of High Point, and Kelsie Burgess, City of High Point Stormwater Specialist will be here to receive the award.

Mayor Wagner read the proclamation into the record declaring March 23-30, 2019 as Guilford Creek Week and presented it to Kelsie Burgess, City of High Point Stormwater Specialist.

[applause, photo opportunity]

2019-109

Recognition - High Point WWW Treatment Plant - 2018 Operations & Maintenance Excellence Award

The Central Region of the NC Professional Wastewater Operators Committee has selected the City of High Point Westside Wastewater Treatment Plant for the 2018 Operations & Maintenance Excellence Award. Chris Belk with NC Professional Wastewater Operators Committee will be in attendance to present the award to High Point City employees Kevin Wood & Michael Swan.

Chris Belk a Board of Trustees member for the NC American Water Works Association and Water Environment Association (NCAWWA WEA) provided a brief history of the award. Over the past 96 years, they have recognized some of the most exceptional volunteers and best and brightest of North Carolina's water industry. He advised that the Wastewater Treatment Plant Operation of Maintenance Excellence awards are selected by the NC AWWA WEA Professional Wastewater Operators Committee and they recognize one organization from each region (eastern, western, and central) for outstanding plant operation of maintenance efforts according to the best use of the resources available to that facility. This year's winner for the central region is High Point's Westside Wastewater Treatment Plant.

Mr. Belk shared that the Westside Wastewater Treatment plant recently underwent an upgrade to add biological nutrient removal. Their staff includes ten operators and superintendents, all of whom are committed to reducing nitrogen and phosphorous discharges from the plant. Additionally, staff is encouraged to attain the highest level of certifications possible with all operators required to attain at least the Grade 2 Biological Operator's Certification and the NC AWWA WEA Maintenance Technologist Certification.

Following his comments Mr. Belk asked everyone to join him in congratulating the staff at High Point's Westside Wastewater Treatment Plant.

[applause, photo opportunity]

CONSENT AGENDA ITEMS

In the absence of Chairman Moore, Committee Member Ewing chaired the Finance Committee portion of the meeting.

Acting Chairman Ewing reported that the Finance Committee did meet as scheduled on Thursday, March 14, 2019 and placed all the Finance-related matters on the Consent Agenda with a favorable recommendation for approval with the exception of 2019-95 Contract- WK Dickson & Co- Ray Street/Hospital Area Stormwater Study & Preliminary Design, which was forwarded to the City Council without a recommendation from the Committee to be placed on the Regular Agenda for further discussion..

Mayor Pro Tem Ewing then made a motion, seconded by Council Member Jones to approve the finance-related items on the Consent Agenda. The motion carried unanimously by a unanimous 9-0 vote.

Note: Although one motion was made to approve/adopt these matters under the Finance Committee Consent Agenda, action on all of these matters will be reflected throughout the Consent Agenda portion of these minutes as being made and seconded by the same persons.

FINANCE COMMITTEE - Council Member Moore, Chair
Committee Members: Moore, Ewing, Hudson, and Jones

2019-91 Contract - Security Services for High Point Public Library - United American Security

City Council is requested to approve a three-year contract effective April 1, 2019 ending March 31, 2022 with United American Security in the amount of \$78,631.02 annually to ensure safety of staff and customers and assist in enforcing the library's code of conduct. Contract will have the option to renew for two additional one-year periods if terms and pricing are agreeable to both parties.

Approved a three-year contract effective April 1, 2019 ending March 31, 2022 with United American Security in the amount of \$78,631.02 annually to ensure safety of staff and customers and assist in enforcing the Library's code of conduct. Contract will have the option to renew for two additional one-year periods if terms and pricing are agreeable to both parties.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this contract be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

2019-92 Contract - Security Services for Municipal Operations Center (MOC) - United American Security

City Council is requested to approve a three-year contract effective April 1, 2019 ending March 31, 2022 with United American Security in the amount of \$82,049.76 annually for security services at the Municipal Operations Center (MOC). Contract will have the option to renew for two additional one-year periods if terms and pricing are agreeable to both parties.

Approved a three-year contract effective April 1, 2019 ending March 31, 2022 with United American Security in the amount of \$82,049.76 annually for security services at the Municipal Operations Center (MOC). Contract will have the option to renew for two additional one-year periods if terms and pricing are agreeable to both parties.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this contract be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

2019-93 Contract - Chemtrade Chemicals US - Liquid Aluminum Sulfate

City Council is requested to approve a three-year contract with Chemtrade Chemicals US, LLC in the amount of \$423,984.00 annually for the purchase of Liquid Aluminum Sulfate used at Ward Water Treatment Plant for coagulation; Eastside and Westside Wastewater Treatment plants used for phosphorous control.

Approved a three-year contract with Chemtrade Chemicals US, LLC in the amount of \$423,984.00 annually for the purchase of Liquid Aluminum Sulfate used at Ward Water Treatment Plant for coagulation; and used for phosphorous control at the Eastside and Westside Wastewater Treatment Plants.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this contract be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

2019-94 Change Order - Gatewood Avenue Utility Replacement-Samet Corporation

City Council is requested to approve a change order with Samet Corporation in the amount of \$648,194 to replace utility lines (water, sanitary sewer and storm water improvements) on Gatewood Avenue between N. Elm street and Lindsay Street).

Approved a change order with Samet Corporation in the amount of \$648,194 to replace utility lines (water, sanitary sewer and stormwater improvements) on Gatewood Avenue between N. Elm Street and Lindsay Street.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this change order with Samet Corporation be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

2019-96 Contract - Breece Enterprises, Inc. - Water & Sewer Mains Division Emergency Repair

City Council is requested to approve a change order to the Breece Enterprises Inc. contract in the amount of \$200,000.00 for water and sewer emergency repairs. Total contract amount after change order: \$602,360.00.

Approved a change order to the Breece Enterprises, Inc. contract in the amount of \$200,000.00 for water and sewer emergency repairs. Total contract amount after the change order will be \$602,360.00.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this change order to the Breece enterprises, Inc. contract be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

2019-97 Contract - Samet Corp - HPPD Headquarters

City Council is requested to approve a contract with Samet Corporation as the Construction Manager at Risk (CMAR) for the new HPPD Headquarters and Communications Center located at 1730 Westchester Drive and approval for the city to negotiate terms for this contract.

Approved a contract with Samet Corporation as the Construction Manager at Risk (CMAR) for the new High Point Police Department Headquarters and Communications Center located at 1730 Westchester Drive, and approved city staff to negotiate terms for this contract.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this contract be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

2019-98 Ordinance - Budget Amendment - High Point Theatre

City Council is requested to adopt an ordinance amending the 2018-2019 Budget Ordinance to appropriate funds from additional revenue for the High Point Theatre in the amount of \$60,000.00.

Adopted an ordinance amending the FY 2018-2019 Budget Ordinance to appropriate funds from additional revenue from the High Point Theatre in the amount of \$60,000.00.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this budget ordinance amendment be adopted. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

Ordinance No. 7507/19-24
Ordinance Book Volume XX, Page 136

2019-99 Budget Amendment - High Point Community Foundation- Pass Through Grant

City Council is requested to adopt an ordinance amending the 2018-2019 Budget Ordinance to appropriate funds in the amount of \$226,000 received from the High Point Community Foundation as a pass-through grant for High Point Baseball Inc.

Adopted an ordinance amending the FY 2018-2019 Budget Ordinance to appropriate funds in the amount of \$226,000.00 received from the High Point Community Foundation as a pass-through grant for High Point Baseball, Inc.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this budget ordinance amendment be adopted. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

Ordinance No. 7508/19-25
Ordinance Book Volume XX, Page 137

2019-100 Resolution - Sale of City Owned Property - 3806 Waterview Road

City Council is requested to adopt a resolution authorizing the sale of city owned property located at 3806 Waterview Road in the amount of \$110,000 through the upset bid procedure.

Adopted a resolution authorizing the sale of city-owned property located at 3806 Waterview Road in the amount of \$110,000.000 through the upset bid procedure.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this resolution be adopted. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

**Resolution No. 1828/19-15
Resolution Book Volume XX, Page 87**

2019-110 Authorization - HUD Settlement

City Council is requested to direct the City Attorney to proceed with preparation of all necessary documents to finalize the Housing and Urban Development (HUD) settlement and the execution of the same by the Mayor.

Directed the City Attorney to proceed with preparation of all necessary documents to finalize the Housing and Urban Development (HUD) settlement and the execution of the same by the Mayor.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

REGULAR AGENDA ITEMS- Finance Committee

2019-95 Contract - WK Dickson & Co. - Ray Street/Hospital Area Stormwater Study & Preliminary Design

City Council is requested to approve a contract with WK Dickson & Co. in the amount of \$690,189.00 for a stormwater improvement project study and preliminary design improvements to address excessive flooding at Ray Street and the hospital area.

Terry Houk, Director of Public Services, reported that this matter was discussed at the March 14, 2019 Finance Committee and the Committee returned it to Council without recommendation so that it could be further discussed by the City Council. Concerns were voiced at the Finance Committee about spending \$648,194.00 on a study that is not part of a competitive bid process.

Robby Stone, Assistant Director of Public Services, shared a presentation that was prepared that provided a brief overview and history for on-call services. He reported that 44 firms responded to the Request for Qualifications and submitted proposals; 27 of these firms were vetted and selected using an evaluation matrix (point criteria). Mr. Stone advised that the ability to move forward with on-call services is made possible by the Mini Brooks Act and noted that the selection process must be completed as a Request for Qualifications (RFQ) for

all design services (i.e. engineering, architect, and geo technical firms) that exceed \$50,000.00. He pointed out there is no cost for the specific projects until the firms are actually selected and the firms are evaluated based on their qualifications, not based on the actual cost to do the work.

The following benefits were identified for on-call services:

- ✓ Firm has been pre-qualified;
- ✓ Firm has been previously registered as a vendor with the city;
- ✓ Distribute projects to the most qualified and best fitting firm;
- ✓ Pricing has been established during the original selection process;
- ✓ Quicker services rendered.

Mr. Stone reiterated that having the on-call firms already selected helps staff get services quicker and advised that in March 2018 staff went through an on-call process and pulled other departments all across the city into it. Out of the forty-four firms that submitted proposals, 27 were selected and broken into the following disciplines/categories:

- ✓ Water and sewer
- ✓ Stormwater
- ✓ Roads and bridges
- ✓ electrical
- ✓ General Engineering
- ✓ Specialty- other categories

In addition, geotechnical firms were previously selected through a separate process.

These selections were reviewed by a team of staff members consisting of representatives from the following departments:

- ✓ Public Services
- ✓ Engineering
- ✓ Transportation
- ✓ Purchasing
- ✓ Electrical Department

Evaluation of these firms were based on specific criteria to ensure fairness in the process and these firms were thoroughly reviewed and vetted.

Regarding the actual Ray/Hospital area stormwater project, staff advised this was an area identified in 2004 that had issues with flooding. The engineering company at that time estimated the construction cost for this project to be around \$11 million with an additional cost of \$350,000 to do the actual study. Based on a 3% inflation rate, staff pointed out this construction cost has now crept up to nearly \$15 million based on this 2004 estimate. In 2017, Public Services pulled WK Dickson from the on-call listing for stormwater services and tasked them to do another study to look at modeling the existing conditions and provide alternative solutions. The anticipated construction costs based on these alternatives is about \$7.5 million. Staff went back and did some comparisons of the percentage of engineering

costs to the anticipated project costs which varied in the 8%-10% range and pointed out the Ray/Hospital area stormwater project is in the middle of the cost percentage at 9.2%.

Following staff's presentation, Mayor Pro Tem Ewing explained there was a lot of discussion during the Finance Committee on this matter and one of his concerns was the \$700,000 contract amount for services that would not actually be bid out but pointed out staff's presentation showed that the process was thoroughly vetted on the front end. He thanked staff for putting the information together and sharing the presentation.

Approved a contract with WK Dickson & Co., in the amount of \$690,189.00 for a stormwater project study and preliminary design improvements to address excessive flooding at Ray Street and the hospital area.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Williams, that this contract be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

2019-111 Contract - Cummins Sales and Service - Generator - Riverdale Pump Station

Council is requested to approve and emergency contract with Cummins Sales and Service in the amount of \$143,485.00 for the purchase of an emergency generator for the Riverdale Pump Station.

Acting Finance Committee Chairman Ewing referenced the addendum that was placed on the dais and moved to suspend the rules to add the Cummins Sales and Service contract to tonight's agenda for consideration. Council Member Williams made a second to the motion, which carried by a unanimous 7-0 vote.

Terry Houk, Director of Public Services that staff is in the process of upgrading and expanding the Riverdale Pump station that was damaged during Hurricane Florence and trying to take advantage of the repair by doing an expansion. In doing so, staff is recommending an accelerated process to pre-purchase materials in advance in order to meet a June/July deadline to bring this system on line. He further explained that the isolation valves that were damaged would not be shipped until June, so staff is trying to coordinate it all.

The emergency generator is on the National Cooperative Contract, so it can be acquired directly from Cummins Sales and Service. Staff did check to see if it was a competitive bid and determined that it was.

Approved an emergency contract with Cummins Sales and Service in the amount of \$143,485.00 for the purchase of an emergency generator for the Riverdale Pump Station.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this contract be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

PENDING ITEMS- Finance Committee

2018-169 Amendment to License Agreement - Cingular Wireless PSC, LLC (AT&T)

City Council is requested to approve an Amendment to the License Agreement with Cingular Wireless PCS, LLC (AT&T) which allows the location of communication equipment at the City's Ward Water Plant; and authorize the City Manager to execute the agreement.

Note: This matter was initially heard by City Council on May 21, 2018, at which time action was taken to refer it to the Finance Committee at the suggestion of City Attorney JoAnne Carlyle due to necessary clean-up on the contract in general as the company has changed hands and names.

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

Committee Members: Golden, Peters, Scarborough, and Williams

2019-101 Ordinance to Demolish - 1417 Wendell Avenue

City Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 1417 Wendell Avenue belonging to Dewarren Raymond Payne.

Lori Loosemore, Local Codes Enforcement Manager, advised this is a case from the previous software. Staff did a reinspection of the property on November 16, 2017. A hearing was held on January 22, 2018 that no one appeared for. An Ordinance to Repair or Demolish was issued on August 23, 2018 with a compliance date of September 25, 2018. Staff has not heard from the property owner and delinquent taxes are owed on the property for 2017 and 2018.

There was no one present to speak on behalf of this property.

Adopted an Ordinance ordering the building inspector to effectuate the demolition of a structure located at 1417 Wendell Avenue.

A motion was made by Council Member Golden, seconded by Council Member Williams, that this ordinance be adopted. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

Ordinance No. 7509/19-26**Ordinance Book Volume XX, Page 138****2019-102 Ordinance to Demolish - 1518 Furlough Avenue**

City Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 1518 Furlough Avenue belonging to Nicanot Torres Peralta.

Chairman Golden advised that staff is recommending this housing matter be placed in pending for 30 days due to a recent ownership change.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Ewing, that this matter be placed on the pending list and referred to the Community Housing, Neighborhood Development & Public Safety Committee, due back on or about 4/15/2019. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

2018-435 Ordinance - Demolition of Structure - 811 Willow Place

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 811 Willow Place belonging to Fredy Machuca and Raul Salagado. (This item was on the November 5th City Council Agenda and was placed on the pending list at that time.)

Lori Loosemore, Local Codes Enforcement Manager, explained this housing case was previously brought to Council on November 5, 2018 and shared some photographs taken by the inspector showing the lack of progress of the property.

The initial inspection was done on November 28, 2016. The hearing was held on December 19, 2016 and the Ordinance to Repair or Demolish was issued on December 19th with a compliance date of January 20, 2018. The property was purchased in 2011 by the current owner, Mr. Machuca, at which time it had a Minimum Housing case associated with it. Because staff did not have service in the previous system for the current property owner, a new case was started and it was placed on the November 5, 2018 City Council agenda. The owners did appear at this meeting and asked for additional time to make the repairs and advised that they did have the money to complete the repairs. Staff did meet with the property owners on November 6, 2018 and they agreed that the repairs would be made by March 20, 2019.

Ms. Loosemore advised that the property owner did apply for a building permit in 2017, but nothing had been done which prompted the inspector to try to reach out to Mr. Machuca. On March 26, 2018, the inspector did call and left a message and stopped by the property and left a business card asking him to contact him. However, no inspections have been requested or performed and Mr. Machuca never made contact with the city.

The pictures show that some siding was put up on the outside, as well as new windows and doors, but Ms. Loosemore advised that they have not done anything significant to the property that shows any progress. Council Member Williams hoped the windows and doors would be taken off and set aside prior to the demolition. City Attorney JoAnne Carlyle advised that the city does have an obligation to salvage whatever is needed anytime a structure is demolished.

There was no one present to speak on behalf of this property.

Adopted an Ordinance ordering the building inspector to effectuate the demolition of a structure located at 811 Willow Place.

A motion was made by Council Member Golden, seconded by Council Member Williams, that this ordinance be adopted. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

**Ordinance No. 7510/19-27
Ordinance Book Volume XX, Page 139
Introduced 11/5/2018; Adopted 3/18/2019**

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

2019-103 Request to Initiate Zoning Map Amendment - Airport Overlay (ARO)

City Council is requested to approve a request to initiate a Zoning Map Amendment to the Airport Overlay (ARO) District that changes approximately 227.67 acres from Zone 1 to Zone 3 and approximately 39.5 acres from Zone 1 to Zone 2 lying along the south side of Gallimore Dairy Road and the north side of Clinard Farms Road.

Lee Burnette, Director of Planning and Development, explained that the city has an Airport Overlay Zoning district that is applied to the northern part of the city's jurisdiction that regulates land use in that area in terms of protecting the area or property from impacts associated with aircraft noise on approaches as well as departures at the Piedmont Triad International Airport (PTIA). It consists of four zones:

- ✓ *Zone 1 (most restrictive- residential uses prohibited)*
- ✓ *Zone 2 (residential uses prohibited)*
- ✓ *Zone 3 (allows residential uses with design standards)*
- ✓ *Zone 4 (a notification area, as is the other three zones)*

He reported that staff was approached by a property owner that owns 80 acres south of the area of Clinard Farms Road regarding a change to the City's Airport Overlay (ARO) district and request that a portion of the district covering their property be changed to allow some residential uses in their proposed development.

Staff not only reviewed the area this property is located in, but reviewed surrounding areas to the north, south, east, and west to see what type of changes could be made in that area based on the noise metrics that are identified in the PART 150 study that was done by an FAA consultant for the PTIA. As a result of staff's review of these areas, they noted the boundaries could change, and the lines were drawn to allow for some variation in noise because of environmental features, etc..... In reviewing the maps, staff determined the following areas could be changed:

- 1. Approximately 227.67 acres from Zone 1 to Zone 3, and*
- 2. Approximately 39.5 acres from Zone 1 to Zone 2.*

He noted that PTIA is in the process of updating their PART 150 Study so they will have new information in the coming year on noise impacts. Based on staff's review of these areas and the noise metrics that were identified in 2009, staff feels this requested change could be supported by those noise metrics. Mr. Burnette also pointed out that a majority of this area is still designated by the City's plan for restricted industrial development which basically means that the City's plan still supports non-residential growth for the majority of the property in that area and not residential subdivisions. For the time being, staff does not see a change in policy for that area.

Mr. Burnette advised the proposed zone boundaries are based upon the noise impacts as provided by the PART 150 metrics, and physical features where possible. In addition, the proposed boundary changes were reviewed with PITA and they did not object, but did request an avigation easement be granted by the property owner to the PTIA, which can be addressed by the zoning of the property.

Staff is asking the City Council to initiate a map amendment to the City's Zoning Map which would allow for an expansion of the Airport Overlay Zone 3 in order to bring it forward at the time the applicant brings forward their 80-acre project.

Following the staff overview, Mr. Burnette entertained questions.

Mayor Pro Tem Ewing asked if any thought was given to possibly change Zone 2 from Sandy Ridge Road as it moves southeast. Mr. Burnette advised that staff did look at a much broader area to see what the possible maximum amount of change could be at this point and staff tried to make adjustments not just to accommodate this request, but to look at the larger area as well. Staff did find some areas that could be adjusted and tried to make as large of an area of adjustment that they felt could be made that would not change with the new study that would be coming forward in the next year.

Council Member Williams inquired about the time table for the PART 150 Study and Mr. Burnette explained that PTIA has started the process and he anticipates the study to possibly be completed by the end of 2019 or by the first of 2020.

Approved a request to initiate a Zoning Map Amendment to the Airport Overlay (ARO) District from Zone 1 to Zone 3 consisting of approximately 227.67 acres lying along the south side of Gallimore Dairy road and approximately 39.5 acres to the north side of Clinard Farms Road from Zone 1 to Zone 2.

A motion was made by Council Member Williams, seconded by Council Member Peters, that this matter be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

PUBLIC HEARINGS - Planning & Development Committee

2019-104 Ordinance - Annexation 19-01 - Renaissance Road Inc.

City Council is requested to adopt an ordinance providing for the voluntary annexation of an approximate 4.9-acre parcel along the north side of Harvey Road and approximately 700 feet west of Riverdale Road.

The joint public hearing for this matter and related matter 2019-105 Zoning Map Amendment ZA 19-01- Renaissance Road, Inc. was duly held as advertised on Monday, March 18, 2019 at 5:30 p.m.

Herb Shannon with the Planning and Development Department stated staff would do a combined presentation on both matters, but separate votes would be needed.

He provided an overview of the staff reports for both Annexation 19-01 and Zoning Map Amendment 19-01, which are hereby attached in Legistar as a permanent part of these proceedings.

Regarding Annexation 19-01, the property owner is requesting annexation of an approximate 4.9-acre parcel along the north side of Harvey Road, approximately 700 feet west of Riverdale Road to receive city services by connecting to adjacent city water and sewer lines. The property abuts the city limits and there are other areas to the north of the site near the intersection of Riverdale Road and Business-85 that have been annexed into the City of High Point. Mr. Shannon noted this voluntary annexation petition does represent a logical progression of the city's annexation policy for the area and the site is within the city's ETJ area. The annexation of this parcel would not negatively impact the city's ability to provide services in this area as the property does abut the city limits and city services and service vehicles are already established in the area.

Mr. Shannon advised that the site is currently developed with a 25,000 square foot industrial building that was constructed in the early 1970s and was used for industrial use for several decades prior to 2014, at which time the property changed hands and was converted to the current religious institution for a church use. The property is currently on well and septic and the septic, which was initially designed for the former industrial use.

Regarding Zoning Map Amendment 19-01, Mr. Shannon pointed out the property currently has a split zoning with a majority of the site zoned Light Industrial (LI) that is within the city's ETJ area, with a smaller portion of the site located on the northern boundary that is outside of the ETJ and is governed by Guilford County's zoning and has an RS-40 zoning.

Mr. Shannon provided a brief history of the area and noted this area was part of a wider area that significantly changed in the late 1990s. The area from Harvey Road to Dillon Road along the north side of E. Martin Luther King, Jr. Drive was initially proposed for industrial use due to its proximity to Business-85 and because it was part of a Foreign Trade Zone; however, nothing materialized for the industrial use and the City Council supported the rezoning of over 200 acres for residential which changed the character of this area. Since 2000, this area has been designated for a combination of medium and low-density residential uses.

As part of the corresponding annexation city zoning would need to be established and staff recommended that the applicant bring the zoning up to current standards. City policy only supports industrial zoning for those properties that abut Business-85 and all the surrounding area in the Land Use supports low density residential, so the applicant submitted an application for the entire site to be rezoned to the R-5 District. This will put the entire site under one zoning and it would be consistent with the current Land Use Plan for this area.

Staff recommends approval of the rezoning to establish an R-5 District over this 4.9-acre area. The Planning & Zoning Commission reviewed this application at their February public hearing and also recommended approval by a 7-0 vote. The Commission stated that the request is consistent with adopted policy guidance because the proposed R-5 District is consistent with the low-density residential Land Use Plan designation for this area and it does not conflict with any land use policies. Furthermore, the Commission stated the zoning site is surrounded by R-5 zoning and the existing religious institutional use on the site is permitted in that district.

Following staff's presentation, Chairman Williams opened the public hearing and asked if there was anyone present who would like to speak regarding Annexation 19-01 and/or Zoning Map Amendment 19-01.

Jason Goins, 3723 Apple Orchard Cove in High Point, and Pastor of the Renaissance Road Church, spoke in support of both the annexation and the rezoning and made himself available for any questions.

There being no questions, Chairman Williams closed the public hearing.

The following actions were taken:

ANNEXATION 19-01

Adopted an Ordinance providing for the voluntary annexation of an approximate 4.9-acre parcel along the north side of Harvey Road, approximately 700 feet west of Riverdale Road.

Motion was made by Council Member Williams, seconded by Council Member Peters to adopt the Ordinance providing for the annexation of this property. The motion carried by the following unanimous 7-0 vote:

Aye (7):

Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

Ordinance No. 7511/19-28
Ordinance Book Volume XX, Page 140

ZONING MAP AMENDMENT 19-01

Adopted an Ordinance approving Zoning Map Amendment 19-01 to rezone an approximate 4.9-acre parcel to the Residential Single Family-5 (R-5) District along the north side of Harvey Road, approximately 700 feet west of Riverdale Road

Council Member Williams moved to adopt the Ordinance approving Zoning Map Amendment 19-01 based on consistency with adopted policy guidance because the proposed R-5 District zoning is consistent with the low-density residential Land Use Plan designation for the area and does not conflict with any adopted land use policies, and the zoning site is surrounded by the R-5 District and the existing religious institution on-site is permitted in that district. Mayor Pro Tem Ewing made a second to the motion which carried by a unanimous 7-0 vote as follows.

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

Ordinance No. 7512/19-29
Ordinance Book Volume XX, Page 141

2019-105 Ordinance - Zoning Map Amendment ZA 19-01 - Renaissance Road Inc.

City Council is requested to adopt an ordinance approving a Zoning Map Amendment requested by Renaissance Road Inc. to rezone an approximate 4.9-acre parcel to the Residential Single Family-5 (R-5) District along the north side of Harvey Road and approximately 700 feet west of Riverdale Road.

*The joint public hearing for this matter and related matter **2019-105 Zoning Map Amendment 19-01** was held as duly advertised on Monday, March 17, 2019 at 5:30 p.m.*

*Note: For specific comments made during the public hearing, please refer to **2019-104 Annexation 19-01** above.*

Adopted an Ordinance approving Zoning Map Amendment 19-01 to rezone an approximate 4.9-acre parcel to the Residential Single Family-5 (R-5) District along the north side of Harvey Road, approximately 700 feet west of Riverdale Road

Council Member Williams moved to adopt the Ordinance approving Zoning Map Amendment 19-01 based on consistency with adopted policy guidance because the proposed R-5 District zoning is consistent with the low-density residential Land Use Plan designation for the area and does not conflict with any adopted land use policies, and the zoning site is surrounded by the R-5 District and the existing religious institution on-site is permitted in that district. Mayor Pro Tem Ewing made a second to the motion which carried by a unanimous 7-0 vote as follows.

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

Ordinance No. 7512/19-29

Ordinance Book Volume XX, Page 141

2019-106 Resolution - Street Abandonment 19-01 - Guilford Technical Community College (GTCC)

City Council is requested to adopt a resolution approving a request by Guilford Technical Community College (GTCC) to abandon a portion of Clay Avenue laying west of S. Centennial Street.

The public hearing for this matter was held as duly advertised on Monday, March 18, 2019 at 5:30 p.m.

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

This is a requested submitted by Guilford Technical Community College to abandon a portion of Clay Avenue lying west of S. Centennial Street. The right-of-way was formally known as Davis Street and is 40-feet wide and about 300 feet in length. It is currently paved with a 25-foot ribbon pavement. The street has historically served residential dwellings with structures located on both sides of Clay Avenue; however, the last of those structures were demolished in the mid-2000s and GTCC has purchased all the land on both sides of Clay Avenue, and abandonment of this right-of-way will not deprive any adjacent property owners reasonable access to the property.

Mr. Shannon reported that GTCC is proposing to establish a walking trail in this area that will connect their campus to the abutting Macedonia Park. TRC did review the request and voiced no objections; however, a 20-foot water line easement, 20-foot sewer line easement, and a 20-foot Piedmont Natural Gas line easement would have to be reserved. The abandonment of the public interest and the conveying of the right-of-way to the abutting property owner is found not to be contrary to the public's interest.

The Planning and Development Department is recommending approval of this request with the reservation of a 20-foot wide sewer easement, a separate 20-foot wide water easement, and a separate 20-foot wide Piedmont Natural Gas easement. This request was also reviewed by the Planning and Zoning Commission at their February meeting and they also recommended approval of Street Abandonment 19-01 by a vote of 7-0.

Following staff's presentation, Chairman Williams opened the public hearing and asked if there was anyone present to speak regarding Street Abandonment 19-01.

Mitchell Johnson, Vice President/Associate, Facility Ops & Safety with GTCC, 1601 E. Main Street in Jamestown, spoke in favor of the request and stated he was available to answer any questions. He advised the area from Main Street to S. Centennial Street is part of GTCC's

long-term master plan and pointed out it would be many years before it is built all the way out. Additionally, he shared that neighborhood people have been coming through and using this as a pathway. He noted that GTCC is acquiring property as it becomes available to basically close out this whole area.

Chairman Williams asked if there was anyone else present who would like to speak regarding Street Abandonment 19-01. There being none, the public hearing was closed.

Adopted a Resolution approving GTCC's request to abandon the portion of Clay Avenue laying west of S. Centennial Street.

A motion was made by Council Member Williams, seconded by Mayor Pro Tem Ewing, that this Resolution be adopted. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

**Resolution No. 1829/19-16
Resolution Book Volume XX, Page 88**

GENERAL BUSINESS AGENDA

2019-107 Resolution - Approving New Records Retention & Disposition Schedule

Council is requested to adopt a Resolution approving the new Records Retention and Disposition Schedule (General Schedule for Local Government Agencies) as published by the N.C. Department of Natural and Cultural Resources, Division of Archives and Records, Government Records Section on March 2019.

Adopted a Resolution approving the new Records Retention and Disposition Schedule as published in March 2019 by the N.C. Department of Natural and Cultural Resources, Division of Archives and Records, Government Records section.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Ewing, that this resolution be adopted. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

**Resolution No. 1830/1-17
Resolution Book Volume XX, Page 89**

2019-108 Minutes To Be Approved

1. Finance Committee Meeting, Thursday, February 28th 4:00 pm
2. City Council Special Meeting (Guilford County Delegation); Monday, March 4th 9:00 a.m.
3. City Council Special Meeting; Monday, March 4th 3:30 pm
4. City Council Regular Meeting; Monday, March 4th 5:30 pm
5. Community Housing and Neighborhood Development Committee; Tuesday, March 5th 10:00 am

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Williams, that the preceding minutes be approved. The motion carried by the following unanimous 7-0 vote:

Aye (7): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Jones, and Mayor Pro Tem Ewing

Absent (2): Council Member Moore, and Council Member Hudson

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:33 p.m. upon motion duly made by Mayor Pro Tem Ewing and second by Council Member Jones.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, City Clerk