HIGH POINT CITY COUNCIL REGULAR MEETING FEBRUARY 17, 2020- 5:30 P.M. COUNCIL CHAMBERS

MINUTES

ROLL CALL, PLEDGE OF ALLEGIANCE, AND MOMENT OF SILENCE

Mayor Wagner called the meeting to order at 5:30 p.m.

Upon call of the roll, the following Council Members were **Present** (8):

Mayor Jay W. Wagner, Mayor Pro Tem Chris Williams (Ward 2); Council Member Britt Moore (At Large), Council Member Tyrone E. Johnson (At Large), Council Member Cyril A. Jefferson (Ward 1), Council Member S. Wesley Hudson (Ward 4), Council Member Victor A. Jones (Ward 5), and Council Member Michael A. Holmes (Ward 6)

The following Council Members were Absent (1):

Council Member Monica L. Peters (Ward 3)

Mayor Wagner recognized Lawrence Graves who passed away; and expressed condolences and prayers to his family.

Mayor Wagner called for a Moment of Silence. The Pledge of Allegiance followed.

REGULAR AGENDA ITEMS

<u>FINANCE COMMITTEE -</u> *Council Member Moore, Chair Committee Members: Moore, Holmes, Jones, and Peters*

2020-60 <u>Contract - WatchGuard - Police Vehicle Cameras</u>

City Council is requested to award a sole source contract to WatchGuard in the amount of \$16,410 for the purchase of (3) three police vehicle camera systems and for future orders until June 30, 2020.

Eric Olmedo, Assistant City Manager; reported that WatchGuard was the only vendor that made the requested police vehicle cameras; and was requesting approval in the amount of \$16,410 for the purchase of three police vehicle camera systems; and for future orders until June 30, 2020.

Approved contract to WatchGuard in the amount of \$16,410 for the purchase of (3) three police vehicle camera systems and for future orders until June 30, 2020.

A motion was made by Council Member Moore, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

2020-61 <u>Contract - Smith Gardner, Inc. - Kersey Valley Landfill</u>

City Council is requested to approve a professional engineering services agreement with Smith Gardner, Inc. in the amount of \$122,000 for future expansion and upgrades at the Kersey Valley Landfill.

Robbie Stone, Public Services Assistant Director, reported that the proposed life expectancy of the landfill is anticipated to extend to 2035. The Permit to Construct will consist of engineering and environmental services that would allow construction and expansion of the landfill remaining acres; and was requesting approval in the amount of \$122,000 for the agreement with Smith Gardner, Inc.

Approved professional engineering services agreement with Smith Gardner, Inc. in the amount of \$122,000 for future expansion and upgrades at the Kersey Valley Landfill.

A motion was made by Council Member Moore, seconded by Council Member Hudson, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

2020-62 Acceptance of Land Donation - 4556 Leake Drive City Council is requested to approve an acceptance of a parcel of land donation located at 4556 R2 Leake Drive, Parcel No. 223567 consisting of (.93 acre) 40,448 square feet, owned by Investors Land Services, LLC.

Kim Thore, Right of Way Coordinator, reported that Parcel No. 223567, located at 4556 Leake Drive was dedicated to the city; and staff was requesting approval to accept this land donation; and said it would not have an impact on the budget.

A motion was made by Council Member Moore, seconded by Council Member Hudson, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

2020-63 <u>Contract - Samet Corporation - Stadium Bridge</u>

City Council is requested to award a contract to Samet Corporation in the amount of \$94,698.00 for the demolition and replacement of cast-in-place concrete bridge spanning between the main concourse and the outfield concourse. This project has been declared a "Pressing Need" by the Purchasing Manager due to unforeseen circumstances and limited time frame to complete the project prior to Rockers opening day.

Greg Ferguson, Assistant City Manager; requested the contract was for demolition and replacement of cast-in-place concrete bridge spanning between the main concourse and the outfield concourse in the amount of \$94,698.00 be approved. This project has been declared a "Pressing Need" by the Purchasing Manager due to unforeseen circumstances and limited time frame to complete the project prior to Rockers opening day.

Approved contract with Samet Corporation in the amount of \$94,698 for the demolition and replacement of cast-in-place concrete bridge spanning between the main concourse and the outfield concourse.

A motion was made by Council Member Moore, seconded by Council Member Jefferson, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

2020-65 Ordinance - Budget Amendment - Mast Arm Insurance Proceeds

City Council is requested to approve a budget amendment in the amount of \$28,463.72 in insurance claim proceeds received for replacement of a mast arm damaged at the intersection of E. Lexington Avenue and University Parkway.

Laura Altizer, Senior Budget Analyst, reported that the budget amendment requested was to appropriate funds received from insurance proceeds for a damaged mast arm at the intersection of E. Lexington Avenue and University Parkway in the amount of \$28,463.72.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Williams, that the ordinance be adopted. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

Ordinance No. 7595/20-11 Ordinance Book, Volume XXI, Page 11

2020-66 <u>Set Public Hearing - Issuance of Series 2020 Limited Obligation Bonds</u>

City Council is requested to set a public hearing on March 2, 2020 at 5:30pm to receive public comment on the Issuance of 2020 Limited Obligation Bonds to fund the construction of the new High Point Police Headquarters and Communications Center.

Bobby Fitzjohn, Financial Services Director, requested to establish a public hearing date of March 2, 2020 at 5:30 p.m. for the purpose of receiving public comments on the issuance of up to \$18.25 million Limited Obligation Bonds to fund the construction of the Police Department Headquarters and Communications Center; and informed council that he would bring more information and brief the Finance Committee prior to the public hearing.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Williams, to establish a public hearing date of March 2, 2020 at 5:30 p.m. for the purpose of receiving public comments on the issuance of up to \$18.25 million Limited Obligation Bonds to fund the construction of the Police Department Headquarters and Communication Center. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

PENDING ITEMS

2019-548 <u>Public Hearing – Lease of Property - 201 W. English Road</u> This is the data and time actablished for City Council to hold a public hear

This is the date and time established for City Council to hold a public hearing on December 16, 2019 at 5:30 p.m. for consideration of a lease for the property located at 201 West English Road. At the request of the company, the public hearing was continued to the January 21, 2020 Council Meeting. Due to a scheduling conflict, the company is requesting that the public hearing be continued to the Monday, February 17, 2020 Council Meeting.

A motion was made by Council Member Moore, seconded by Council Member Holmes, to pull this matter out of pending and remove it from the agenda. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

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. City Attorney Carlyle said that Meghan Mcguire, Assistant City Attorney, would request a deadline, however, there was nothing in writing as of yet.

<u>COMMUNITY DEVELOPMENT COMMITTEE -</u> Mayor Pro Tem Williams, Chair Committee Members: Williams, Hudson, Jefferson, and Johnson

2020-67 Ordinance - Demolition of Dwelling - 302 Ennis Street

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 302 Ennis Street belonging to Floyd Harrington, Jr.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jones, that the Ordinance to demolish the structure located at 302 Ennis Street be deferred. The motion carried by the following 8-0 unanimous vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

2020-68 Ordinance - Demolition of Dwelling - 603 Cross Street

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 603 Cross Street belonging to TKE & Associates LLC f/k/a TKE Properties LLC.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jones, that the Ordinance to demolish the structure located at 603 Cross Street be deferred. The motion carried by the following 8-0 unanimous vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

2020-69 Ordinance - Order to Rescind- 1700 Edmondson Place

Council is requested to rescind the ordinance adopted at the January 7, 2019 Regular Meeting ordering the demolition of the dwelling located at 1700 Edmondson Place belonging to Charles D. Robbins.

Lori Loosemore, Code Enforcement Manager, reported the said property meets the minimum codes since repairs have been made; and was asking council to rescind the ordinance that was adopted at the January 7, 2019 Regular Meeting that ordered the demolition for the dwelling located at 1700 Edmondson Place.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Holmes, that the Ordinance to demolish the structure located at 1700 Edmondson Place be rescinded. The motion carried by the following 8-0 unanimous vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

PROSPERITY & LIVABILITY COMMITTEE - Council Member Hudson, Chair

2020-70 Resolution - Lease of City Owned Properties - Hayden Harman

City Council is requested to approve a resolution renewing a three-year lease agreement with Hayden-Harman Foundation for community garden projects located within the City; and that the appropriate City official and/or employee be authorized to execute all necessary documents. (This item was discussed in the Prosperity and Livability Committee on February 5, 2020 and favorably recommended for approval by City Council.)

Michael McNair, Community Development Director, requested council to approve the renewal of a three-year lease agreement with Hayden-Harman Foundation for community garden projects located within the city; said this request was presented to the Prosperity and Livability Committee at their February 5, 2020 meeting; and recognized Patrick Harman, with the Hayden-Harman Foundation to speak and or answer any questions.

Patrick Harman, Hayden-Harman Foundation, spoke to working with community groups to obtain liability for their lots; to starting the food alliance; to opening a food hub; and said he was looking forward to continuing collaboration with the City of High Point over the next three years.

Council Member Hudson voiced appreciation to everyone for their hard work.

A motion was made by Council Member Hudson, seconded by Council Member Holmes, to approve a resolution renewing a three-year lease agreement with Hayden-Harman Foundation. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

Resolution No. 1914/20-03 Ordinance Book, Volume XX, Page 143

PLANNING & DEVELOPMENT - Mayor Jay Wagner

2020-71 <u>Request for Driveway - Environmental Air Systems (EAS)</u>

City Council is requested to approve a request by Environmental Air Systems (EAS) for a fourth driveway at their facility on Swathmore Avenue.

Matt Carpenter, Senior Transportation Engineer, reported that a traffic study was conducted which resulted in no negative impact for this request; and requested council to approve the request by Environmental Air Systems (EAS) for a fourth driveway at their facility on Swathmore Avenue.

A motion was made by Mayor Wagner, seconded by Mayor Pro Tem Williams, to approve a request by Environmental Air Systems (EAS) for a fourth driveway at their facility on Swathmore Avenue. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

PUBLIC HEARINGS

2020-72 Ordinance - Epic Commercial Group, LLC. - Zoning Map Amendment 19-26 A request by Epic Commercial Group, LLC to rezone an approximately 0.4-acre parcel from the Residential Multifamily-16 (RM-16) District to the General Business (GB) District. The site is located along the east side of Ingleside Drive, approximately 700 feet north of Belle Avenue (3024 Ingleside Drive).

The joint public hearing for this matter **2020-72 Zoning Map Amendment 19-26** was duly held as advertised on Tuesday, January 28, 2020 at 5:30 p.m.

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

Mr. Shannon advised this was a request from Epic Commercial Group, LLC; to rezone a 0.4acre parcel so that it may be incorporated into an abutting commercial development fronting along N. Main Street. The zoning site fronts along Ingleside Drive and has a Residential Multifamily-16 (RM-16) District zoning designation. The zoning site abuts an existing commercial development along its eastern and southern property lines that is developed with a retail use (Aaron's Rental) and an existing external self-storage warehouse facility. The applicant, Epic Commercial Group, LLC, owns this abutting commercial development and has recently purchased the zoning site. They desire to incorporate this 0.4-acre parcel into their existing commercial development to construct a storage building for the Aaron's Rental establishment. The existing N. Main Street access drive serving the commercial

development will continue to be used as the primary access point. The Planning and Development Department recommends approval of the request to rezone this 0.4 acre parcel

to the GB District. The requested GB District will be compatible with the surrounding area and in conformance with adopted plans.

Following the conclusion of the staff report on Zoning Map Amendment 19-26, Mayor Wagner opened the public hearing.

Jonathan Garry Roy (Applicant), 3021 N. Main St., High Point, spoke in favor of the request; and that he would answer any questions, if any, from the Mayor and City Council.

Council Member Moore inquired if the request was to help facilitate Aaron's Rental. Mr. Roy replied that he owned the building that Aaron's Rental was in; and that they rented that space from him; and said he had not established a desired business for the metal storage building that sat behind Aaron's Rental.

Joseph Levine, 3028 Ingleside Drive, High Point, spoke in opposition of the request; voiced concerns on the impact of changing the zoning from residential to commercial corridor would have on his neighborhood; and said it was a busy corridor (N. Main Street).

Mayor Wagner asked if there was anyone else present who would like to speak in support of or in opposition to either the Annexation request or the rezoning request. There being no further comments, the public hearing was declared closed.

Adopted an Ordinance approving Zoning Map Amendment 19-26 to rezone an approximately 0.4-acre parcel from the Residential Multifamily-16 (RM-16) District to the General Business (GB) District. The site is located along the east side of Ingleside Drive, approximately 700 feet north of Belle Avenue (3024 Ingleside Drive) based on the following:

Consistency and Reasonableness Statements

The request is consistent with the City's adopted policy guidance because the GB District has been similarly approved for property in the N. Main street corridor where development is oriented toward N. Main Street. Furthermore, the request is reasonable and in the public interest because it abuts property, with similar characteristics, that was rezoned to the GB District in 2019.

A motion was made by Mayor Wagner, seconded by Council Member Moore, that this ordinance be adopted approving Zoning Map Amendment 19-26. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

Ordinance No. 7593/20-09 Ordinance Book, Volume XXI, Page 9 **2020-73** Ordinance - P.A.C. Capital Holdings, LLC - Zoning Map Amendment 19-27 A request by P.A.C. Capital Holdings, LLC to rezone an approximately 32-acre parcel from the Residential Single Family-3 (R-3) District to a Conditional Zoning Residential Single Family-5 (CZ R-5) District. The site lies at the western terminus of Corvair Drive and the northern terminus of Courtland Street.

The joint public hearing for this matter **2020-73 Zoning Map Amendment 19-27** was duly held as advertised on Tuesday, January 28, 2020 at 5:30 p.m.

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

Mr. Shannon advised this is a request by P.A.C. Capital Holdings, LLC; to rezone an approximate 32-acre parcel from the Residential Single Family - 3 (R3) District to a Conditional Zoning Residential Single Family - 5 (CZ R-5) District. The applicant desires to develop a residential subdivision on this site via an extension of Corvair Drive. Both the R-3 and R-5 zoning districts are primarily intended for single family dwellings served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed. Included with this application is a conditional zoning ordinance in which the applicant has offered a condition to restrict development of the 32-acre parcel reduced from 45 to 40 dwelling units 1.25 units per acre (Note: Applicant submitted revisions; applicant can always ask for an amendment that must be submitted in writing 2 days before the public hearing; the applicant did submit request in time). The Planning and Development Department recommends approval of the request to rezone this 32-acre parcel to the CZ R-5. This Zoning Map Amendment will be compatible with the surrounding area and in conformance with adopted plans.

Council Member Moore Britt inquired on the 1.4 units per acre on the proposal. Mr. Shannon replied it was based upon the 45 units on the original proposal; and on the amended request it was reduced to 40 units that changed it to 1.25 units per acre.

Following the conclusion of the staff report on Zoning Map Amendment 19-27, Mayor Wagner opened the public hearing.

Judy Stadler, 665 No. Main Street, High Point, recognized the applicants (P.A.C. Capital Holdings, LLC) in attendance that she was representing. Ms. Stalder said the plan showed the area for low density residential; with the amended conditions we're down to 1.25 units per acre, which were lower than any typical city area; it was a classic opportunity for infill development; it has environmentally sensitive areas and transmission line crossing it; said that 64 homes could be built on this property, but they limited it to 40 homes with the new conditions; the tradeoff would be a CZ R5 zoning; they also to preserved 24 acres of undisturbed acres; the twin homes were not adjacent to the single family homes in site plan; said the cost of the new homes would range from \$250 to \$350 thousand dollars. Ms. Stalder said based on the Citizen Information Meeting and Planning & Zoning meetings, the neighbors' concerns was traffic; said because of the low impact, the request did require a traffic study; said there would less than 40 single-family homes; and that the impact was considered minimum; and the property to north was owned by one partnership. Another

concern was environmental; said the roads to the southern part of the property could not be extended; because there were no other outlets. Another concern was flooding; limiting the

number of houses and staying out of environmental areas addressed this issue. The plan would be reviewed by the Technical Review Committee for compliance with local state and federal requirements. The last concern was wildlife; they are preserving 2/3 of the property in its current state. A neighbor had asked to purchase lot next to their property; which they would give an offer price to the owner at fair market value. This request was a land use plan; the numbers of homes to be built on property was reduced; and was asking for approval from council.

Council Member Hudson asked was the property to the north owned by the same developer. Ms. Stalder replied that it was owned by another developer.

Council Member Moore inquired on the concern for an inconsistent development pattern. Ms. Stalder replied that the density was the same or less; the homes would be of higher value; and that they were more consistent with county development than urban development.

Council Member Jones mentioned a main concern at the Planning & Zoning meeting on the site map was the number of units per acre; and asked that it be brought down to 40 units; and that no more properties could be developed on this property.

Mayor Wagner asked if there was anyone else present who would like to speak in support of or in opposition to either the Annexation request or the Rezoning request. There being no further comments, the public hearing was declared closed.

Adopted an Ordinance approving Zoning Map Amendment 19-27 to rezone an approximately 32-acre parcel from the Residential Single Family-3 (R-3) District to a Conditional Zoning Residential Single Family-5 (CZ R-5) District. The site lies at the western terminus of Corvair Drive and the northern terminus of Courtland Street based on the following:

Consistency and Reasonableness Statements

That Zoning Map Amendment 19-27 is consistent with the City's adopted policy guidance because the R-5 District is supported by the Low-Density Residential designation and the goals and objectives of the Land Use Plan. Furthermore, the request is reasonable and in the public interest because standards of the watershed regulations and the density condition offered by the applicant will ensure development intensity is compatible with adjacent residences.

A motion was made by Mayor Wagner, seconded by Council Member Hudson, that this ordinance be adopted approving Zoning Map Amendment 19-27. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

Ordinance No. 7594/20-10 Ordinance Book, Volume XXI, Page 10

PENDING ITEMS

2020-27 <u>Consideration of Board Member Reinstatements</u>

To consider the reinstatement of board members that lost status as voting members due to unapproved absences, in accordance with attendance requirements of the City's Development Ordinance.

Note: At the January 21, 2020 High Point City Council meeting, action was taken to defer this matter and place it in pending.

GENERAL BUSINESS AGENDA

2020-74 <u>Minutes To Be Approved</u>

Special Meeting of Council; Wednesday, January 29, 2020 3:00 p.m. Finance Committee Meeting; Thursday, January 30, 2020 4:00 p.m. Special Meeting of Council; Monday, February 3, 2020 4:00 p.m. Regular Meeting of Council; Monday, February 3, 2020 5:30 p.m. Community Development Committee; Tuesday, February 4, 2020 4:00 p.m. Prosperity & Livability Committee Meeting; Wednesday, February 5, 2020 9:00 a.m.

A motion was made by Council Member Moore, seconded by Council Member Jones, that the preceding minutes be approved. The motion carried by the following unanimous 8-0 vote:

- Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones
- Absent (1): Council Member Peters

MAYOR AND COUNCIL COMMENTS;

Council Member Hudson recognized and congratulated Cindy Smith, who was named "Person of the Year" at her church.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:15 p.m. upon motion duly made by Council Member Jones and seconded by Mayor Pro Tem Williams.

Respectfully submitted,

Jay W. Wagner

Attest:

Mary S. Brooks, Deputy City Clerk