

**HIGH POINT CITY COUNCIL
REGULAR MEETING (VIRTUAL)
AUGUST 17, 2020 – 5:30 P.M.
COUNCIL CHAMBERS**

MINUTES

In order to maintain the health, safety, and well-being of our residents, staff, and the City Council, this meeting was conducted electronically. As part of the city of High Point's COVID-19 mitigation efforts, in-person attendance was not allowed at this meeting. Instead, the meeting was live-streamed and a link was provided to the public to listen to the meeting as it was being live-streamed.
www.HighPointNC.gov/VirtualPublicMeeting

VIRTUAL ROLL CALL, MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Williams called the virtual meeting to order at 5:30 p.m.

The recitation of the Pledge of Allegiance followed a Moment of Silence.

The Mayor Pro Tem then called for a virtual roll call for attendance. The following council members were present (8):

Mayor Pro Tem Christopher Williams- Ward 2 (physically present)
Council Member Tyrone Johnson- At Large (physically present)
Council Member Britt Moore- At Large (physically present)
Council Member Cyril Jefferson- Ward 1 (physically present)
Council Member Monica Peters- Ward 3 (physically present)
Council Member Wesley Hudson- Ward 4 (physically present)
Council Member Victor Jones- Ward 5 (physically present)
Council Member Michael Holmes- Ward 6 (physically present))

Absent (1)
Mayor Jay W. Wagner

The following staff members were **physically present**:

Randy McCaslin, Interim City Manager; Eric Olmedo, Assistant City Manager; Greg Ferguson, Assistant City Manager; JoAnne Carlyle, City Attorney; Lee Burnette, Director of Planning & Development; Herb Shannon, Planning & Development; Chris Andrews, Planning & Development; Michael McNair, Director of Community Development & Housing; Kim Thore, Right-of-Way Coordinator; Mary S. Brooks, Deputy City Clerk; and Lisa Vierling, City Clerk

Others Participating in the meeting **remotely** were:

Judy Stalder

FINANCE COMMITTEE - Council Member Moore, Chair

Committee Members: Moore, Holmes, Jones, and Peters

CONSENT AGENDA ITEMS

Council Member Britt Moore, Chairman of the Finance Committee, reported the Finance Committee did meet on as scheduled on Thursday, August 13, 2020, and recommended that all matters on the Finance Committee be placed on the Consent Agenda with a favorable recommendation for approval.

Council Member Jefferson asked were contracts measured for their use and participation of Minority/Women Business Enterprise's (M/WBEs). Council Member Moore replied yes; said it was staff's overall responsibility to get the most efficient and effective bid for the use of city funds; and that they do take M/WBE participation into consideration.

Council Member Jefferson stated for the record "in the last council meeting I made a motion that we would take this to a committee to look at the MWBE's, and I think I would be a remiss to not mention that the city's, I think we haven't yet gotten to where we've gotten that right, so every day that we approve spending funding, I do believe that we are spending that funding in lack of real policy and real process from assuring a competitive opportunity for our entire citizens and businesses that could serve the City of High Point"; said he was not speaking in opposition of approving the current contracts; and spoke to having a good alternative in a timely manner.

Council Member Moore asked Council Member Jefferson were the M/WBE numbers reported where he wanted them to be; and asked for clarification on what he thought 'was not right'.

Council Member Jefferson said a report was given two weeks ago with only 1% of the contracts going to businesses that were people of color; was looking at 10% as threshold/goal; and spoke to achieving that goal as a council.

Council Member Moore spoke to continuing to look at meeting M/WBE goals; and to discussing any suggestions.

Council Member Moore moved to approve all matters on the Finance Committee Consent Agenda. Council Member Holmes made a second to the motion. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 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

2020-303**Contract - KI Furniture - High Point Police Department**

City Council is requested to award a contract to KI Furniture in the amount of \$710,248.28 for the total comprehensive furnishings for the new High Point Police Department. KI is an approved North Carolina State Contract (420A) manufacturer and their proposal was submitted utilizing at or below state contract pricing.

Approved the contract to KI Furniture in the amount of \$710,248.28 for the total comprehensive furnishings for the new High Point Police Department.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this contract be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-304 Contract - Change Order - Sharpe Brothers - Cedrow Subdivision

City Council is asked to approve a change order with Sharpe Brothers, Inc. for the amount of \$18,556.78 to cover costs for clearing fifteen (15) trees, and for an additional 6" gate valve necessary for the installation and testing of the new waterline.

Approved the contract change order with Sharpe Brothers, Inc. for the amount of \$18,556.78 to cover costs for clearing fifteen (15) trees, and for an additional 6" gate valve necessary for the installation and testing of the new waterline.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this contract be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-305 Contract - Asplundh Tree Expert Co.

City Council is requested to continue a contract in the amount of \$1,161,800 utilizing Asplundh Tree Expert Co. to provide line clearance tree services (tree trimming) for the upcoming fiscal year.

Approved to continue a contract in the amount of \$1,161,800 utilizing Asplundh Tree Expert Co. to provide line clearance tree services (tree trimming) for the upcoming fiscal year.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this contract be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-306 Contract - James River Equipment - John Deere Wheel Loader

City Council is requested to award a contract to James River Equipment in the amount of \$196,503.70 for the purchase of a John Deere 624L wheel loader and to declare the old loader as surplus and disposing through the online auction process.

Approved contract to James River Equipment in the amount of \$196,503.70 for the purchase of a John Deere 624L wheel loader and to declare the old loader as surplus and disposing through the online auction process.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this contract be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-307 Contract - James River Equipment - John Deere Excavator

City Council is requested to award a contract to James River Equipment in the amount of \$255,124 for the purchase of a John Deere 300G excavator from James River Equipment and to declare the old excavator as surplus and disposing through the online auction process.

Approved contract to James River Equipment in the amount of \$255,124 for the purchase of a John Deere 300G excavator from James River Equipment and to declare the old excavator as surplus and disposing through the online auction process.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this contract be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-308 Contract - Alta Planning & Design - Greenway Master Plan

City Council is requested to award a contract to Alta Planning & Design for professional consulting services to assist in the development of a comprehensive Greenway Master Plan.

Approved contract to Alta Planning & Design for professional consulting services to assist in the development of a comprehensive Greenway Master Plan.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this contract be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-309 Contract - Spectrum Southeast LLC - Installation & Bulk Service Agreement - Cable Services - Oak Hollow Campground

City Council is requested to approve a Nonexclusive Installation and Bulk Service Agreement 10-year contract between Spectrum Southeast LLC and the City of High Point effective September 1, 2020.

Approved a Nonexclusive Installation and Bulk Service Agreement 10-year contract between Spectrum Southeast LLC and the City of High Point effective September 1, 2020.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this contract be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-310 Resolution - Sale of City Owned Property - 1114 Tipton Street

City Council is requested to adopt a resolution accepting the offer of \$22,000 and authorizing the sale of City owned property located at 1114 Tipton Street, Parcel No. 187490 through the upset bid procedure of N.C.G.S. 160A-269 and direct the City Clerk to publish a public notice of the proposed sale in accordance with N.C.G.S. 160A-269.

Adopted a resolution accepting the offer of \$22,000 and authorizing the sale of City owned property located at 1114 Tipton Street, Parcel No. 187490 through the upset bid procedure of N.C.G.S. 160A-269 and directed the City Clerk to publish a public notice of the proposed sale in accordance with N.C.G.S. 160A-269.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this resolution be adopted. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

Resolution No. 1932/20-21
Resolution Book, Volume XX, Page 161

2020-311 Resolution Approving Interlocal Agreement- Guilford County CARES Act Funding- COVID-19

City Council is requested to adopt a resolution approving an interlocal agreement between Guilford County and the City of High Point regarding CARES Act funding and authorize the appropriate city official to execute all necessary documents.

Adopted a resolution approving an interlocal agreement between Guilford County and the City of High Point regarding CARES Act funding and authorized the appropriate city official to execute all necessary documents.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this resolution be adopted. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

Resolution No. 1933/20-22
Resolution Book, Volume XX, Page 162

2020-312 Resolution Approving Interlocal Agreement - Forsyth County - COVID-19 Relief Funds

City Council is requested to adopt a resolution approving an interlocal agreement between Forsyth County and the City of High Point regarding the grant of Coronavirus Relief Funds and authorize the appropriate city official to execute all necessary documents.

Adopted a resolution approving an interlocal agreement between Forsyth County and the City of High Point regarding the grant of Coronavirus Relief Funds and authorize the appropriate city official to execute all necessary documents.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this resolution be adopted. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

Resolution No. 1934/20-23
Resolution Book, Volume XX, Page 163

2020-313 Resolution Approving Interlocal Agreement - Davidson County CARES Act Funding - COVID-19

City Council is requested to adopt a resolution approving an interlocal agreement between Davidson County and the City of High Point regarding CARES Act funding and authorize the appropriate city official to execute all necessary documents.

Adopted a resolution approving an interlocal agreement between Davidson County and the City of High Point regarding CARES Act funding and authorized the appropriate city official to execute all necessary documents.

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this resolution be adopted. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

Resolution No. 1935/20-24
Resolution Book, Volume XX, Page 164

2020-320 Ordinance - Economic Development Incentive Fund Budget Ordinance

City Council is requested to adopt an ordinance to appropriate a pass-through grant from the NC Department of Commerce's One North Carolina Fund. The Department of Commerce has notified the City that the requirements of the grant have been satisfied and the city has received \$160,000 to be passed through to Central Square (formerly Superior, LLC).

Adopted an ordinance to appropriate a pass-through grant from the NC Department of Commerce's One North Carolina Fund. The Department of Commerce has notified the City that the requirements of the grant have been satisfied and the city has received \$160,000 to be passed through to Central Square (formerly Superior, LLC).

A motion was made by Council Member Moore, seconded by Council Member Holmes, that this ordinance be adopted. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

Ordinance No. 7626/20-42**Ordinance Book, Volume XXI, Page 41**REGULAR AGENDA ITEMSCOMMUNITY DEVELOPMENT COMMITTEE - Mayor Pro Tem Williams, Chair

Committee Members: Williams, Hudson, Jefferson, and Johnson

2020-314 Ordinance - Demolition - 1519 Baker Road

City Council is requested to approve the demolition of the collapsed structure at 1519 Baker Road.

Reggie Hucks, Inspection Services Director said the process for demolition at 1519 Baker Road, started in 2019; initial concern for the structure was a collapsed roof; the owner promised a permit for demolition but it was never produced; said the structure was hazardous; the property was banked owned; and said the estimated cost for demolition was between \$125,000-\$130,000.

Mayor Pro Tem Williams inquired on the size of the property/lot. Mr. Hucks replied that he did not have that information at this moment; and guessed that the size of the property was approximately 4 acres.

Council Member Jefferson inquired on the approved 60-day extension; and the reason no change in actions were done by the owner at that time. Council Member Moore inquired on recouping the cost for demolition. Mr. Hucks replied that the bank requested more time before the demolition process started; and that a lien would be issued to the property to recoup money spent on demolition.

Mayor Pro Tem asked was there anyone to speak on this matter. Being none, council continued with a motion for demolition.

Adopted ordinance for the demolition of the collapsed structure at 1519 Baker Road.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jefferson, that this ordinance be adopted. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

Ordinance No. 7624/20-40**Ordinance Book, Volume XXI, Page 39**

2020-315 Delegation of Authority To Act As Certifying Officer - HUD

City Council is requested to approve the Delegation of Authority to Act as Certifying Officer and that the appropriate City official and/or employee be authorized to execute all necessary documents.

Michael McNair, Community Development Director said that Housing and Urban Development (HUD) required an up to date delegation of authority to reflect the current city manager.

Approved the Delegation of Authority to Act as Certifying Officer and that the appropriate City official and/or employee be authorized to execute all necessary.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jefferson, that this matter be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

PLANNING & DEVELOPMENT - Mayor Jay Wagner**2020-321 National Register Nomination- Melrose Hosiery Mill No. 1**

Council is requested to provide a recommendation to the NC National Register Advisory Committee that the former Melrose Hosiery Mill No. 1 complex located at 1533-1547 W. English Road and 105-109 S. West Point Avenue be listed on the National Register of Historic Places as the nomination meets the required criteria.

David Fencil, Senior Planner with the Planning Department reported The High Point Historic Preservation Commission determined that the National Register nomination application for the Melrose Hosiery Mill No. 1 met the National Register evaluation criteria and recommended the North Carolina National Register Advisory Committee approval of the National Register nomination; provided pictures of the said complex (variety of buildings and styles); this meeting fulfills the City's obligation under the State Historic Preservation Office's Certified Local Government (CLG) program to provide an opportunity for public comment on the nomination, and for Council to comment on the nomination. Mr. Fencil stated that being on the NC National Register status was considered an honorary designation that was valuable to business owners; and would allow them to make improvements to their businesses that would be eligible for tax credits.

Approved a recommendation to the NC National Register Advisory Committee that the former Melrose Hosiery Mill No. 1 complex located at 1533-1547 W. English Road and 105-109 S. West Point Avenue be listed on the National Register of Historic Places as the nomination meets the required criteria.

A motion was made by Council Member Moore, seconded by Council Member Jefferson, that this matter be approved. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

PUBLIC HEARINGS

Prior to the staff presentations on Planning & Development public hearing matters on the agenda, Mayor Pro Tem Williams explained that based on the legislation currently in place for remote meetings, the City Council cannot vote on these matters for a period of 24 hours after the public hearing is held. He advised that public comments regarding these matters could be submitted during the 24-hour period and Council would reconvene on Wednesday, August 19, 2020 at 5:30 p.m. to take action on the public hearing items.

PUBLIC HEARINGS

2020-316 George Pitts and Lala Pitts-Annexation 20-05

A request by George Pitts and Lala Pitts for a voluntary noncontiguous annexation of approximately 15.5 acres located along the south side of National Service Road, approximately 200 feet east of Sandy Ridge Road. The property is addressed as 8051 National Service Road and 2520 Sandy Ridge Road, and also known as Guilford County Tax Parcel Guilford County Tax Parcels 170819 and 170821.

The joint public hearing for this matter and related matter 2020-317 Zoning Map Amendment 20-13, was held on Monday, August 17, 2020 at 5:30 p.m. as duly advertised.

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

Mr. Shannon explained that staff would be doing a combined presentation on this matter and related matter 2020-317 Zoning Map Amendment 20-13; however, a separate vote on each matter would be required.

The applicant was requesting annexation to have access to City utilities to facilitate development of an industrial use. This property is situated in the northern portion of the City's planning area where there have been numerous annexation approvals since the 1990s to allow industrial uses. The proposed annexation site abuts the City's corporate limits along its northern property line where the Willard Tucker industrial subdivision was annexed and developed in 1997. Approximately 575 feet to the east is the Piedmont Corporate Park, which is a 120-acre industrial park that was annexed in 1997 and developed in the early 2000s. This annexation petition represents a logical progression of the City's annexation policy for this area as the proposed annexation site is generally surrounded by the City's corporate

limits and City services and service vehicles are already present in this area. The annexation of these parcels will not negatively impact the City's ability to provide services in this area.

For the zoning request 20-13 The applicant desires to develop a major industrial service use on this parcel for a specialty contractor facility. This use will include the outdoor storage of geotechnical drilling equipment, trailer storage and outdoor storage of other related equipment. In order to have access to City utilities, the applicant has requested annexation and to establish initial City zoning on the property. The applicant desires to develop a major industrial service use on this parcel for a specialty contractor facility. This use will include the outdoor storage of geotechnical drilling equipment, trailer storage and outdoor storage of other related equipment. In order to have access to City utilities, the applicant has requested annexation and to establish initial City zoning on the property. The proposed specialty contractor facility is considered a major industrial service use, which is not a permitted use in the Employment Center (EC) District. Furthermore, the applicant's outdoor storage activity will exceed the EC District standard. Therefore, the applicant has requested rezoning to the CZ-LI District and has submitted an associated Conditional Zoning Ordinance with development conditions to mitigate impacts and address policies of the Land Use Plan. The applicant has offered conditions to limit LI District uses, provide a higher perimeter landscape yard standard and to restrict the location of any outdoor storage activity.

The primary compatibility concern is the impact outdoor activity may have upon adjacent lands. The applicant has offered the following conditions to mitigate this concern:

- The only LI District use permitted is a major industrial service use. All other uses are restricted to those permitted in the EC District and are subject to all EC District standards.*
- Restricting outdoor storage to 20% of the site. Furthermore, the applicant has submitted a conditional zoning plan depicting that portion of the site where outdoor activity may be permitted.*
- Installation of a Type A perimeter landscape yard (average width 45 feet, or 35 feet with opaque fence) around the site.*

Taken in conjunction with the area of this site (15.5 acres) and its depth (more than 1,300 feet), these conditions will mitigate the impacts from outdoor activities that may occur on the site.

The applicant had offered conditions to limit the amount of outdoor storage activity, prohibit any outdoor storage from encroaching into perimeter landscape yard; and to screen outdoor activity of a major industrial service use from view of adjacent lots and public streets. The site is within the City Lake General Watershed Area and development is required to meet the watershed standards of the Development Ordinance. Furthermore, where the intermittent stream crosses the site, environmental standards of the Ordinance require a 100-foot wide stream buffer (50 feet on both sides of the stream) be maintained and limits land disturbance adjacent to this stream.

The Planning and Zoning Commission recommended approval of this request by a vote of 7-0 based on the following reasonableness and consistency statements.

Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 7-0 to approve the following statement: That Zoning Map Amendment 20-13 is consistent with the City's adopted policy guidance because as conditioned, the requested CZ-LI District meets objectives of the Community Growth Vision Statement and the Land Use Plan, specifically protecting the appearance of property along the Sand Ridge Road corridor. Furthermore, with use and site conditions, the requested CZ-LI District will mitigate visual impacts upon adjacent properties and will be similar to the previous light industrial zoning districts approved in this area.

Following staff's presentation, Mr. Shannon entertained questions.

Council Member Moore asked if outdoor and self-storage were considered the same thing. Mr. Shannon replied no; and that the industrial usage for storage would be outside.

Council Member Jefferson inquired on the size of the property seeing that the storage could not exceed 20% of the property. Mr. Shannon replied that the property was three acres; said the applicant proposed that they would have buildings in the back area, where it was measured, where storage was approved.

Mayor Pro Tem Williams opened the public hearing; and asked the Deputy City Clerk if there were any public comments received. Deputy City Clerk Mary S. Brooks responded no.

He then asked if the applicant or applicant's representative would like to speak.

Judy Stalder (participating remotely), 3735 Admiral Drive, stated that the applicant had a nearby property in Greensboro; and was ready to expand their business; during their due diligence they ran into some issues that would need to be researched further; and asked if the applicant could request that this matter be continued to the September, 21, 2020 meeting of council at 5:30 p.m.

JoAnne Carlyle, City Attorney advised that the public hearing would remain open until the September 21, 2020 meeting of City Council at 5:30 p.m.

A motion was made by Council Member Moore, seconded by Council Member Hudson, that the public hearing be continued to the September 21, 2020 City Council Meeting at 5:30 p.m. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-317 UMA Geotechnical Construction - Zoning Map Amendment 20-13

A request by UMA Geotechnical Construction to rezone approximate 15.5 acres from the Residential Single Family-40 (RS-40) District and the Agricultural (AG) District, both within Guilford County's zoning jurisdiction, to a Conditional Zoning Light Industrial (CZ-LI) District. The site is located along the south side of National Service Road, approximately 200

feet east of Sandy Ridge Road (8051 National Service Road and 2520 Sandy Ridge Road). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

The joint public hearing for this matter and related matter 2020-316 Annexation 20-5 was held on Monday August 17, 2020 at 5:30 p.m.

At that time the applicant requested the public hearing be continued to Monday, September 21, 2020 at 5:30 p.m.

Note: for specific comments made at the public hearing please refer to 2020-316 Annexation 20-5.

A motion was made by Council Member Moore, seconded by Council Member Hudson, that the public hearing be continued to the September 21, 2020 City Council Meeting at 5:30 p.m. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

2020-318 City of High Point - Zoning Map Amendment 20-14

A request by the High Point City Council to rezone 733 properties, totaling approximately 179 acres, as part of the Comprehensive Zoning Map Amendment project. The properties are located within the Saddlebrook Subdivision (Johnson Street), Fair Oaks at Bent Tree Townhome subdivision (Barrow Road), Orchard Knob Townhome subdivision (Skeet Club Road), St. Andrews Townhome subdivision (Skeet Club Road), Deerfield Townhome subdivision (Skeet Club Road), Heritage Ridge subdivision (Hedgecock Road), Ashebrook Place Subdivision (Hedgecock Road), Hedgecock Place Condominium (Hedgecock Road) and 130 Hedgecock Road.

The public hearing for this matter was held on Monday, August 17, 2020 at 5:30 p.m. as duly advertised.

Herb Shannon, Senior Planner with the Planning & 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 request by the High Point City Council to rezone 733 properties, totalling approximately 193 acres, as part of the Comprehensive Zoning Map Amendment project. This application focuses on evaluating various townhomes and multifamily developed lands in the northern and northwestern areas of the City.

The purpose of the Comprehensive Zoning Map Amendment project is to review and evaluate the zoning of land throughout the City, identify areas where the zoning is out of sync with the

existing use of land or is inconsistent with current land use policy, and propose appropriate changes in zoning for those areas. A primary goal of the project is to remove improper or obsolete zoning districts that may be acting as a barrier to development. The Comprehensive Zoning Map Amendment project was initiated in 2017. The City Council initiated this round of zoning evaluations associated with the project on October 7, 2019. The areas under consideration in this Zoning Map Amendment are part of a larger group of areas initiated by City Council to be evaluated.

The requested rezoning of these various residential developments is intended to remove outdated and obsolete zoning conditions. These developments were annexed and granted City of High Point zoning between 1995 to 2004 under the former Development Ordinance, which was replaced by the current Development Ordinance in 2017. Except for the undeveloped parcel at 130 Hedgecock Road, all of the lands associated with these developments were situated at the fringes of the City's corporate limits at the time of annexation and rezoning. The various zoning conditions, adopted as a part of conditional use zoning(CU) that is no longer allowed, were established to address land use policies, road improvements and to ensure compatibility with adjacent property. These subdivisions were completed and the various zoning conditions met upon completion of the developments.

Furthermore, these are no longer fringe areas as the City limits now extend northward to I-40 and westward into Davidson and Forsyth County to NC 66 (Horneytown Road). Also, during the preceding years, most of the adjacent rural or undeveloped lands near these developments were annexed by the City of High Point and developed with similar or higher intensity developments. The requested rezoning of these various residential developments removes outdated and obsolete zoning conditions, the outdated conditional use zoning, while maintaining the development's base zoning district. See attachments for details.

Staff is recommending the rezoning of the Fair Oaks at Bent Tree subdivision from the CU RM-5 District to a RM-5 District.

Orchard Knob and St. Andrews are both townhome developments that received zoning approval in 1999 and 2000, respectively. They are adjacent to each other along the Skeet Club Road corridor and were granted zoning approval with similar development conditions. The primary purpose of this rezoning is to remove the conditional use (CU) designation as development conditions from their zoning approvals were met upon completion of the developments.

Staff recommends rezoning the Orchard Knob development from the CU RM-5 District to a RM-5 District and rezoning the St. Andrews development from the CU RM-5 District to a RM-5 District.

Mr. Shannon mentioned that a last-minute inquiry from a citizen in reference to property along Kim Drive was received and they had questions on a sliver of land that had open space.

The Deerfield development received its current zoning approval in 1996 and developed as a townhome subdivision. The primary purpose of this rezoning is to remove the conditional use (CU) designation as development conditions from the 1996 zoning approval were met upon completion of the development. Staff recommends rezoning the Deerfield subdivisions from

the CU RM-5 to a RM-5 District based on the following consistency and reasonableness statements made by the Planning and Zoning Commission.

Consistency and Reasonableness Statements

That Zoning Map Amendment 20-14 is consistent with the City's adopted policy guidance because the proposed zoning map amendments are supported by the various land use designations for these areas as contained in the adopted Land Use Plan. Furthermore, the amendments are needed to remove unneeded restrictions on the properties and to remove the outdated conditional use zoning district.

Mr. Shannon said the HOA President reached out to the Planning Department with questions that have not been met in regards to the impact for the development; and that staff would reach out to him to answer any questions or concerns; and noted that around 85 comments were received which were primarily questions.

Council Member Moore said he was sure that staff would address the HOA President with their concerns and questions on the inner development.

Mayor Pro Tem Williams opened the public hearing; and it was noted for the record that four public comments were received.

- 1. Danny Van Camp, 662 Chas Ct.*
- 2. Mr. Runion (voicemail transcript)*
- 3. Ann Dawson, 4497 Orchard Knob Lane*
- 4. Michael E. Scott, President- Saddle Brook Master/Flats HOA*

Mayor Pro Tem Williams asked the Deputy City Clerk were there any additional public comments received. Deputy City Clerk Mary S. Brooks responded no.

Mayor Pro Tem Williams asked if there were any questions for the applicant and staff. Hearing none, he thanked the applicant for presenting and reminded everyone that the public hearing would remain open for 24 hours for additional public comments to be received on the request and noted the Council would take action on this request at a Recessed Meeting scheduled for Wednesday, August 19, 2020 at 5:30 p.m.

GENERAL BUSINESS AGENDA

2020-319 Minutes To Be Approved

Finance Committee; July 30th @ 4:00 p.m.

Special Meeting of City Council; August 3rd @ 3:00 p.m.

Regular Meeting of City Council; August 3rd @ 5:30 p.m.

Community Development Committee; August 4th @ 4:00 p.m.

Prosperity & Livability Committee; August 5th @ 11:00 a.m.

Adjourned Session of City Council; August 5th @ 5:30 p.m.

Approved the preceding minutes as submitted.

A motion was made by Council Member Hudson, seconded by Council Member Johnson, that this matter be approved. The motion carried by the following vote:

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

Absent (1): Mayor Wagner

Discussion-Street Murals

Prior to adjournment, Council Member Jefferson made a motion to suspend the rules to add a topic for discussion on a request received regarding street murals. The motion was seconded by Council Member Holmes. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

A motion was made then by Council Member Jefferson, seconded by Council Member Holmes, to send this to the Prosperity and Livability Committee for further discussion. Following a roll call vote by Mayor Pro Tem Williams, the motion carried by the following unanimous 8-0 vote.

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

Absent (1): Mayor Wagner

Council Member Jefferson spoke to other municipalities embracing the opportunity to do street murals in their cities in regard to the recent events; to the request received from citizens and leaders in the community; to having an governmental process considered for street murals; and to further discussing the request for street murals in the Prosperity and Livability Committee.

Council Member Hudson, being the Chair of the Prosperity and Livability Committee, advised Council Member Jefferson that a motion was not needed to add the "Street Mural-Discussion" topic to his committee.

Mayor Pro Tem Williams asked City Attorney Carlyle to address the current ordinance that was passed two years ago.

City Attorney Carlyle spoke to a discussion with Mayor Wagner and Mark McDonald, Transportation Director, in regards to painting residential streets/intersections; spoke to a separate policy for government speech (which would be considered); voiced the importance

of having a policy and procedure to assure fairness for everyone; and to assure whatever language was requested to be painted was considered free government speech.

Council Member Jefferson clarified his reason for his motion for consideration of street murals going to the Prosperity and Livability committee for discussion; spoke to discussing a process, outside of what was currently in place for the requirements; and to moving forward to assure everything was done the correct way.

City Attorney Carlyle spoke to how other cities have already painted murals without regards to future challenges that may come up because they did not have a process set up to do so.

Council Member Jefferson sated he would like to make a motion to set up the process for doing street murals outside of what they already had.

City Attorney Carlyle suggested wording the motion 'requesting that the process set up go to the Prosperity and Livability Committee for discussion to determine whether or not it would be time well spent by City Council to proceed in setting up a procedure for it'.

Council Member Hudson advised that it was the prerogative of the chair of the committee to add agenda items he would like discussed; and stated that the topic 'Discussion-Request for Street Murals' would be added to the Prosperity and Livability Committee's agenda; spoke to the current policy; said it specifically stated no language; for residential property only; for non-representational art that was not advertising; and said if we accepted some language, we would have to accept all language.

City Attorney Carlyle stated the language for the street mural would have to be deemed 100% government speech; and that it was a decision that council would have to make to assure it's vetted well.

Council Member Jefferson stated for the record he would like to withdraw his motion.

ADJOURNMENT

At 6:22 p.m., Council recessed this meeting until August 19, 2020 at 5:30 p.m. in order to take action on the public hearing items that were heard at tonight's meeting.

Respectfully Submitted,

Christopher Williams, Mayor

Attest:

Mary S. Brooks, Deputy City Clerk