

City of High Point

*Municipal Office Building
211 South Hamilton Street
High Point, NC 27261*



Minutes

Monday, April 21, 2014

5:30 PM

Council Chambers

City Council

*Bernita Sims, Mayor
James C. Davis, Mayor Pro Tem
Foster L. Douglas, Jason P. Ewing,
Jeffrey J. Golden, Judith P. Mendenhall,
Britt W. Moore, Rebecca R. Smothers,
Jay W. Wagner*

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Upon call of the roll, the following Council Members were present. Council Member Moore offered the invocation; the Pledge of Allegiance followed.

Present 8 - Mayor Bernita Sims, Council Member Foster Douglas, Council Member Jason Ewing, Council Member Jeffrey Golden, Council Member Rebecca Smothers, Council Member Jay Wagner, Council Member Britt Moore, and Mayor Pro Tem James Davis

Absent 1 - Council Member Judy Mendenhall

CONSENT AGENDA ITEMS**MISCELLANEOUS****SPECIAL RECOGNITION- ANDREWS RED RAIDER GIRLS BASKETBALL TEAM**

Mayor Sims publicly acknowledged the Andrews Red Raider Girls Basketball Team for capturing the North Carolina High School Athletic Association 2AA State Championship. Principal Rodney Wilds was present and introduced several players that were present (Monty Watkins, Bri Greer, Shamisha Farrabe), as well as Coach John Shearin.

[140113](#)**VITA Certificates**

A representative from the IRS will be in attendance to present certificates to all those who volunteered for the Volunteer Income Tax Assistance program.

Mike McNair, Director of Community Development & Housing, read a letter from the Department of the Treasury, Internal Revenue Service, into the record thanking the City of High Point and the VITA volunteers for eight years of continuous, outstanding service provided to taxpayers through the work of the High Point Volunteer Income Tax Assistance (VITA) Coalition.

Alisha Doulen, Community Resource Specialist, and Jerry Mingo, Chairman-Citizens Advisory Council, presented the certificates to the following individuals and partners who were recognized for the Volunteer Income Tax Assistance Program.

Partners: High Point University; Guilford Technical Community College; High Point Housing Authority; Macedonia Family Resource Center; United Way of Greater High Point; West End Ministries; and the High Point Coalition.

Volunteers: Natthan Asamoah, Ellen Barker, Emily Dunn, Christopher Hiers, Kirstton Fitzgerald, Garrett, Charrisse Jones, Tyler Littleton, Bridgett Mackolin, Fiona Nguyen, Payal Patter, Jose Rios, Anthony Satterfeld, Seth Spencer, Casey Stevenson,

Patricia Suchan, Andrew Tedford, and Jerry Mingo

Mayor Sims thanked the volunteers and agencies for their assistance and noted the community relies very heavily on the volunteer hours they expend helping individuals prepare income taxes

[140114](#)

Proclamation - National Community Development Week

Mike McNair, Director of the Community Development and Housing Department and staff will be present at the meeting to accept the proclamation for National Community Development Week.

Mayor Sims read the Proclamation into the record proclaiming the week of April 21-26, 2014 as "National Community Development Week." Michelle McNair of the Community Development and Housing Department, recognized representatives from the following Neighborhood Associations, who accepted the award on behalf of the Community Development & Housing Department: Jim Bronnert (Oakview Citizens Council); Jerry Mingo (Burnshill Neighborhood Association); and William Strickland (Cedrow Neighborhood Association).

Mr. Strickland shared some information on the events planned to commemorate the event with a "Grand Finale" on Saturday, April 26th at the Mendenhall Transportation Terminal.

[140115](#)

HP Regional Association of Realtors

The president of the High Point Regional Association of Realtors will be in attendance to make a presentation to City Council on the 1st Quarter of 2014 Real Estate Market.

Mark Lindsay, President, High Point Regional Association of Realtors, presented a report on the 1st Quarter of the 2014 Real Estate Market. He shared some statistics for the High Point area. The numbers indicate we are coming out of one of the worst economic times since the Great Depression and there seems to be quite a bit of resurgence in the High Point area. The stats show that there has been 14 consecutive months of double digit increases and home sales, which is 43% higher than March, which indicates growth patterns are on a path of sustainability. Mr. Lindsay also shared that on average in February of 2013, 50% of the homes on the market sold within 90 days, and in February of 2014, that same 50% sold in 60 days. The average sales price as of January 2013 was about \$143,000. He explained that the foreclosure sales tend to dilute some numbers and this needs to be taken into consideration. They remain very optimistic that the sales will remain strong over the next two to five years. He reported they are also seeing quite a bit of activity in the

rental market. The office vacancy rate is still lingering about 18%; industrial is at almost 42%; flex space is down from 24% to 14% with offices and warehouses in the same building; retail is up from 15% in 2013 to 16-17% right now in retail space that is available.

Mr. Lindsay thanked the City Council for responding to these market demands by creating the committee to review the commercial permitting process, allowing them to be part of the stakeholders review in an attempt to streamline the process.

Mayor Sims asked about the rental vacancy rates. Mr. Lindsay reported that the rental market is very strong and will continue to be strong for quite some time. Currently the occupancy rate is between 90-95% (combination of multi-family and single family), which indicates a need for additional rental property although they would like to see more permanent ownership.

Mayor Sims thanked Mr. Lindsay for sharing this information with Council.

140116

Keep America Beautiful - President's Circle Award

Keep High Point Beautiful is a recipient of the President's Circle Award for the year 2013. We received this award as an affiliate in good standing which means have met Keep America Beautiful's standards of merit by conducting an annual Community Appearance Index, calculating the affiliate's cost/benefit ratio, and administering activities in the areas of litter prevention, recycling and waste reduction, and beautification and community greening.

Rebecca Coplin, Environmental Programs Coordinator and Executive Director for Keep High Point Beautiful, presented a plaque to the City of High Point for receiving the President's Circle Award. She explained the award is given to those who follow through on reporting litter clean-up efforts and quantity of litter on the streets. She reported the last clean-up effort yielded approximately 4,000 pounds of trash that was cleaned up. Ms. Coplin thanked the Council for supporting the Keep High Point Beautiful program.

Following the presentation, a photo opportunity was provided for Mayor Sims and Ms. Coplin.

FINANCE COMMITTEE - Council Member Moore, Chair **Committee Members Wagner, Davis and Sims** **(all were present)**

140095

Contract Extension - Water and Sewer Maintenance Contract

Approval of extension of contract with Breece Engineering in the amount of \$350,902.00 to perform regular maintenance and emergency repairs on existing water and sewer mains in the City of High Point system.

Attachments: [Water and Sewer Maintenance - Contract Extension](#)

This matter was discussed during a Finance Committee meeting that was held at 4:30 p.m. prior to this meeting. The Committee moved this forward with a favorable recommendation.

Approved a contract extension with Breece Engineering in the amount of \$350,902.00 to perform regular maintenance and emergency repairs on existing water and sewer mains in the City of High Point system.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Davis, that this Contract Extension be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

140096

Contract - Bid No 51 - Sewer Line Root Control

Approval of contract awarding Bid No. 51 for Sewer Line Root Control. Purchasing and the Public Services Department recommends that contract be awarded to Municipal Sales, Inc. in the amount of \$110,500.00 which is the lowest responsive and responsible bid meeting specifications.

Attachments: [Bid No. 51 - Sewer Line Root Control](#)

This matter was discussed during a Finance Committee meeting that was held at 4:30 p.m. prior to this meeting. The Committee moved this forward with a favorable recommendation.

Approved contract with Municipal Sales, Inc. in the amount of \$110,500.00 which is the lowest responsive and responsible bid meeting specifications.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Davis, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

140097

Contract Extension - Bid No. 38 - Garbage and Roll Out Carts

Approval of contract extension for Bid No. 38 for the purchase of garbage and roll out carts for use by the Public Services Department. Purchasing and the Public Services Department recommend the extension of the contract Rehrig Pacific Company in the amount of \$280,500.00.

Attachments: [Bid No. 38 - Roll Out Carts - Contract Extension](#)

This matter was discussed during a Finance Committee meeting that was held at 4:30 p.m. prior to this meeting. The Committee moved this forward with a favorable recommendation.

Approved an extension to the Rehrig Pacific Company contract in the amount of \$280,500.00 for the purchase of garbage and roll out carts for use by the Public Services Department.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Davis, that this Contract Extension be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

[140098](#)**Contract - Bid No. 45- Mobile Air Truck Unit**

Approval contract for Bid No. 38 for the purchase of chassis body and related equipment for a new Mobile Air Truck Unit for the High Point Fire Department. Purchasing and the Fire Department recommends that contract be awarded to Atlantic Emergency Solutions in the amount of \$193,101.00 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: [Bid No. 45 - Mobile Air Unit - Fire Department](#)

This matter was discussed during a Finance Committee meeting that was held at 4:30 p.m. prior to this meeting. The Committee moved this forward with a favorable recommendation.

Approved contract with Atlantic Emergency Solutions in the amount of \$193,101.00 which is the lowest responsible, responsive bidder meeting specifications.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Davis, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

[140099](#)**Contract - McGladrey LLP - Annual Audit FY 2013-2014**

Council is requested to approve a contract with McGladrey LLP for financial and compliance audit for the FY July 1, 2013 - June 30, 2014 in an amount not to exceed \$72,200.00.

Attachments: [McGladrey - Audit Contract 2013-2014](#)

This matter was discussed during a Finance Committee meeting that was held at 4:30 p.m. prior to this meeting. The Committee moved this forward with a favorable recommendation.

Approved contract with McGladrey LLP for financial and compliance audit for FY July 1, 2013 - June 30, 2014 in an amount not to exceed \$72,200.00.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Davis, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

[140100](#)**Department of Transportation - Title VI Program**

Council is requested to authorize staff to submit an updated Title VI program as required by the Federal Transportation Administration (FTA) in accordance with the Department of Transportation 49 CFR Part 21.7 as a condition of receiving ongoing federal funds.

Attachments: [Title VI Program 2014](#)

This matter was discussed during a Finance Committee meeting that was held at 4:30 p.m. prior to this meeting. The Committee moved this forward with a favorable recommendation.

Authorized staff to submit an updated Title VI program as required by the

Federal Transportation Administration (FTA) in accordance with the Department of Transportation 49 CFR Part 21.7 as a condition of receiving ongoing federal funds.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Davis, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenehall was absent]

140101

Property Tax Early Payment Reduction

City Council is requested to ratify the reduction in the property tax early payment discount rate from 1.0% to 0.5%.

Attachments: [Change In Property Tax Discount Rate](#)

This matter was discussed during a Finance Committee meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be tabled at this time.

Action on this matter was tabled.

A motion was made by Council Member Moore, seconded by Mayor Pro Tem Davis, that the Property Tax Early Reduction be postponed to the City Council. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

REGULAR AGENDA ITEMS

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - **Council Member Douglas, Chair** **Committee Members: Mendenhall, Ewing and Golden** **(Mendenhall was absent)**

140103

Sidewalk Priorities - Two Thirds Bonds

Presentation of the recommendation from the Community Housing and Neighborhood Development Committee on the sidewalk priorities for the Two-Thirds bonds project.

Attachments: [Sidewalk Recommendations - Two - Thirds Bond Project](#)

Chairman Douglas reported the Community Housing & Neighborhood Development Committee met on April 15th and is recommending approval of the Sidewalk Priority List for the Two-thirds Bonds Project. The estimated cost of these improvements is \$984,356. The list also includes some sidewalk gap repairs, as well as new sidewalk construction.

[The list and map is hereby attached in Legistar as a permanent part of these proceedings]

Approved the Sidewalk Priorities for the Two-Thirds Bonds Project.

A motion was made by Council Member Douglas, seconded by Council Member Golden, to approve the Sidewalk Priorities for the Two=Thirds Bond Project. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

[140066](#)

Ordinance - Richard E. Idol, et al - Annexation Case ANX14-01

A request by Richard E. Idol, Toni Rae Idol, Sandra Idol Portaro, Michael W. Dull, Karen Idol Dull, Amy W. Dawkins and Carroll Welborn to consider a voluntary non-contiguous annexation of approximately 129.5 acres. The area to be annexed contains multiple parcels lying along the east side of NC Highway 66, between Moore Farm Drive and I-74. **At the request of the petitioner, Council is asked to defer action on this item to the April 21st 2014 meeting at 5:30 p.m.**

Attachments: [Annex 14-01 - Richard Idol](#)
[Annex 14-01 and Zoning Case 14-01 - Delay action](#)
[Annex 14-01 -Carolina Investment Properties \(Recorded copy\)](#)

Ordinance No. 1750/14-28

Introduced 3/17/2014; Adopted 4/21/2014

Ordinance Book, Volume XVIII, Page 82

Note: The joint public hearing regarding this matter and related matters 140067 Carolina Investment Properties, Inc. and City of High Point Land Use Plan Amendment Case 14-01 and 140068 Ordinance- Carolina Investment Properties, Inc.- Zoning Case 14-01 was held on Monday, March 17, 2014. At that time, at the request of the petitioner, action was taken to refer this matter to the Comprehensive Planning Committee to be placed on the April 7, 2014 City Council Agenda for action. At the April 7, 2014 City Council meeting, Land Use Plan Amendment Case 14-01 was approved, but the petitioner requested action be deferred on Annexation Case 14-01 and Zoning Case 14-01 until today's meeting (April 21, 2014).

Mayor Sims reminded Council that there are two members of Council that need to be recused from voting on this matter due to a possible conflict of interest.

Council Member Moore moved to recuse Council Members Davis and Wagner. Council Member Smothers made a second to the motion, which carried unanimously.

Chairwoman Smothers explained the public hearings have been held and comments received and recorded in the minutes regarding this matter. She asked if there were any questions for staff or Robin Team. There were none.

Adopted Ordinance approving the annexation of approximately 129.5 acres which contains multiple parcels lying along the east side of NC Highway 66, between Moore Farm Drive and I-74.

A motion was made by Council Member Smothers, seconded by Council Member Ewing, that this Ordinance be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

Aye: 6 - Mayor Sims, Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Smothers, and Council Member Moore

Absent: 1 - Council Member Mendenhall

Recused: 2 - Council Member Wagner, and Mayor Pro Tem Davis

[140068](#)**Ordinance - Carolina Investment Properties, Inc. - Zoning Case 14-01**

A request by Carolina Investment Properties, Inc. to rezone approximately 129.5 acres from the Residential Single Family-20 (RS-20) District, within Forsyth County's zoning jurisdiction, to a Conditional Zoning Light Industrial (CZ-LI) District. The property is generally lying along the east side of NC Highway 66, between Moore Farm Drive and I-74. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request. **At the request of the petitioner, Council is asked to defer action on this item to the April 21st 2014 meeting at 5:30 p.m.**

Attachments: [LUPA14-01 & Zoning 14-01 - Carolina Investment Properties](#)
[BENCINI Bill Comments \(Annex Case 14-01, Rezoning Case 14-01, LUPA 14-01\)](#)
[Cridlebaugh Comments Zoning Case 14-01](#)
[GIBSON Beverly Annex Case 14-01 Rezoning Case 14-01, LUPA 14-01 \(env
\[Annex 14-01 and Zoning Case 14-01 - Delay action\]\(#\)
\[01. Amended CZ Ordinance 14-01 \\(04-07-14\\)\]\(#\)
\[Rezoning Ordinance \\(Carolina Investment Properties\\)\]\(#\)
\[Dev. Ord. Agree. \\(Carolina Inv. Prop.\\) signed\]\(#\)
\[Development Agreement- Carolina Income Investment Properties \\(signed\\)\]\(#\)](#)

Ordinance No. 1751/14-29

Introduced 3/17/2014; Adopted 4/21/2014

Ordinance Book, Volume XVIII, Page 83

Note: The joint public hearing regarding this matter and related matters 140067 Carolina Investment Properties, Inc. and City of High Point Land Use Plan Amendment Case 14-01 and 140066 Ordinance- Richard E. Idol, et al- Annexation Case ANX 14-01 was held on Monday, March 17, 2014. At that time, at the request of the petitioner, action was taken to refer this matter to the Comprehensive Planning Committee to be placed on the April 7, 2014 City Council Agenda for action. At the April 7, 2014 City Council meeting, Land Use Plan Amendment Case 14-01 was approved, but the petitioner requested action be deferred on Annexation Case 14-01 and Zoning Case 14-01 until today's meeting (April 21, 2014).

For specific comments made at the public hearing, please refer to the March 17, 2014 minutes, matter 140066 Ordinance- Richard E. Idol, et al- Annexation Case ANX 14-01.

Council Member Moore moved to recuse Council Members Davis and Wagner. Council Member Smothers made a second to the motion, which carried unanimously.

Chairwoman Smothers explained the public hearings have been held and comments received and recorded in the minutes regarding this matter. She asked if there were any questions for staff or Robin Team. There were none.

Adopted Ordinance rezoning approximately 129.5 acres (lying along the east side of NC Highway 66 between Moore Farm Drive and I-74) from the Residential Single Family-20 (RS-20) District, within Forsyth County's zoning jurisdiction, to a Conditional Zoning Light Industrial (CA-LI) District.

A motion was made by Council Member Smothers, seconded by Council Member Golden, that this Ordinance be adopted. The motion carried by the following 6-0 vote:

Aye: 6 - Mayor Sims, Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Smothers, and Council Member Moore

Absent: 1 - Council Member Mendenhall

Recused: 2 - Council Member Wagner, and Mayor Pro Tem Davis

PUBLIC COMMENT PERIOD - 6:00 P.M.

Cindy Jarrell, Chair of the Carousel Theatre, one of five affiliates of the High Point Area Arts Council, addressed Council to request Council fully fund the High Point Area Arts Council to allow school children the opportunity to continue the experience and pleasure of live theatre. Ms. Jarrell shared the mission of the Carousel Theatre is to bring live, professional theatre to school-aged children at an affordable price and noted it has been their policy in the last few years to allow all Guilford County Third graders to attend their shows free, while others pay a minimal \$5. The Carousel Theatre rents space to hold their performances at the High Point Theatre. Ms. Jarrell shared that their funding comes exclusively from the High Point Area Arts Council and reduction in their funding would result in an increase in ticket prices and having to charge the Third graders.

Dawn Hudgins, who has been part of the High Point Community Theatre for several years, also addressed Council and encouraged them to fully fund the High Point Area Arts Council. She shared some of the benefits regarding arts for the community from an economic perspective, holistic perspective, etc.... She shared her involvement in the arts since 1975 has instilled in her a love for the theatre and it has also allowed her to speak more eloquently and have more self-confidence. She shared that they have tried to find many opportunities and as many ways as possible to help reduce the ticket costs, and try to find ways to fund their productions in the most fiscally responsible way and needed to have Council's support in these efforts as well. She urged Council to consider this and think of the holistic view of High Point.

Taylor West, who lives and works in Uptowne, stated he was present to speak about the Uptowne City Project. He pointed out he works in an industry with a lot of large manufacturers and works with other creative individuals from photographers, interior designers, structural designers, marketing individuals, most of whom do not live in High Point. He shared concerns that these young creative individuals are not wanting to move or stay in High Point because of the lack of creative things for them to do here. Council Member Moore asked Mr. West where most of these individuals reside and he noted most live in Winston and Greensboro and most choose not to live here because they are

looking for something unique and what they feel a creative town should have.

Janette McNeill, Vice Chair of the High Point Arts Council, addressed Council regarding fully funding the Arts Council. She shared that she has invested a lot of volunteer time and effort on the south side of High Point where GTCC is building a beautiful black box theatre that is going to be contributing to the arts in High Point and hopefully get a lot more into High Point where young people have a lot more things to see and do. She reminded Council that on April 16th, Mayor Sims issued a Proclamation declaring Arts Everywhere Day in High Point and re-read the proclamation, which highlights that the arts create vibrant communities where people live work and play, the arts are a growing creative industry that contribute to a healthy economy, etc.....

Carlos Olvera, a small business owner in High Point and a High Point Arts Council member, also asked Council to fully fund the Arts Council. He pointed out the High Point Arts Council directly impacts six organizations in High Point: Carousel Theatre, High Point Ballet, High Point Community Concerts, High Point Community Theatre, Piedmont Artists and various other programs put on by the Arts Council. The funding for the Arts Council comes through five different sources: the public sector (which includes the city, county and state), private individuals and organizations (currently have over 1,000 donors that donate to the United Arts Fund drive), various grants, fundraising events and other sources of revenue such as tuition and rental of Centennial Station. He explained a reduction in any of these sources of income would have a negative impact on all the organizations that support the arts. He pointed out the arts are essential to the well-being of any city and build communities by providing access to the arts for all people, all ages and all abilities with free and reduced cost programs that grow social capital. He noted the arts also create jobs (on and off the stage) and benefit employees in restaurants, hotels, retail stores, parking garages, and other businesses when residents and visitors attend art events. He concluded his comments by saying the arts are great for business in High Point and an investment in arts today will reap benefits for years to come.

Myra Clodfelter, a resident and business owner in Uptowne High Point, addressed Council regarding support of the city's funding for the City Project, its current structure, its current executive director and all past, present, and future efforts put forth by this project. She stated she does not support the personal agendas of some Council Members and the way they went about executing their proposal without any input from some very important people involved with the City Project. She accused certain members of the Council of working hard to change everything about the City Project's structure and funding because they felt the City Project has not partnered with the city. She felt this is wrong and noted the City Project has been the city's partner in all these efforts at the city's direction over the past seven years, which included a lot of work and volunteer hours. She encouraged Council to review the list of companies that have been contacted to bring their business to High Point. She

also expressed concerns about the person that is being considered to do the job that the Executive Director has been doing and questioned their qualifications for doing the job.

Sheila Collins, a High Point resident since 2006, addressed Council regarding litter, trash, cigarette butts and other small items thrown all over the streets. She felt everyone should do their part and be good stewards of the land that God gave us to take care of. She encouraged the elected officials to work together to make sure that the needs of the citizens are being taken care of and encouraged Council to lead, pray and listen to what the needs in the community are. She concluded by sharing a rap song that she wrote, "Let's Clean up the Land."

PUBLIC HEARINGS - 6:15 P.M.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Douglas, Chair

[140104](#)

Public Hearing - CDGB Funding - Annual Action Plan 2014-15

Monday, April 21, 2014 at 6:15 p.m. is the date and time established for the Public Hearing on the Community Development and Housing Department (CD&H) 2014-15 Annual Action Plan as required by the Department of Housing and Urban Development (HUD) on the CDBG funding.

Attachments: [Community Development - Public Hearing - Annual Action Plan](#)
[Community Development & Housing 2014-2014 Annual Action Plan](#)

The public hearing for this matter was duly held on Monday, April 21, 2014 at 6:15 p.m.

Mike McNair, Director of Community Development & Housing, gave a brief overview of the Community Development and Housing Department's 2014-2015 Annual Action Plan. [a copy of the plan is hereby attached in Legistar as a permanent part of these proceedings].

Mr. McNair shared that there are two primary funding sources: HOME Funds and CDBG. The HOME Funds tend to be more restrictive, while the CDBG funding is a more flexible funding source.

Mayor Sims inquired about how the income limits in High Point compare to surrounding communities. Mr. McNair responded by saying that High Point and Greensboro are the same and explained that High Point has about the third or fourth highest income levels in the state. He further explained that the

higher the numbers are, the more flexibility there is with potential of more people being served. Mayor Sims asked if there is a waiting list for residents seeking services under any of the city's programs. Mr. McNair explained the only waiting list consists of those residents desiring some type of repair services and noted the city has very limited resources and limited options to help them. Staff is projecting about \$4.6 million to be available with significant funding coming from other funding sources than CDBG and HOME combined which reflects the diversity of the program. He reported they are currently participating in a lot of different activities: (agreements with the Department of Justice, Shelter Plus Care Program, VITA Program, Lead Hazard Control Program, agreement underway with the N.C. Housing Finance Program, etc....). This reflects that 79% of the funding goes into the same type of housing activity and tends to be expensive due to it being capital intensive as compared to public services. Mr. McNair pointed out they are allowed to set aside a certain amount of funds for program administration (for CDBG it is 20% and for HOME it is 10%).

Regarding the CAC applications and allocations, Mr. McNair noted they were able to fund all applications received with the requests that came in and the dollars available. Mayor Sims asked if there is a process through this grant program to wean people off that seek funding. Mr. McNair explained if a recipient comes back with the same program the following year after receiving funding, there is a restriction that they can receive no more than 90% for the same activity the following year and this reduces 10% each additional year (if it is the same program).

Mr. McNair pointed out in the affordable housing arena, the Hartley Ridge multi-family development (84 units) is included and will be coming to the City Council for consideration on May 19th for action. This will be a \$10.5 million development; the city is proposing to loan another \$1.35 million and leverage another \$8.5 million. The rents will range from \$215 to \$565 a month. The developers plan to apply for funding for the tax credits. Council Member Smothers questioned inclusion of this multi-family housing development in the Annual Action Plan when it has not yet been approved by Council. Mr. McNair explained staff is anticipating approval of the project, but if it does not get approval, they will have to find another project to utilize those funds. He noted the city has until September 30, 2015 to draw funds from the Treasury for the Section 108/CDBG funds. Mayor Sims inquired about whether or not the Housing Authority intends to apply for tax credits again for Park Terrace and Mr. McNair explained they did not apply this year because they knew they would not qualify and would be penalized because of a change in application requirements that results in them losing points because there is not a grocery store within a mile of the area. Mayor Sims asked Loren Hill, President- High Point Economic Development Corporation, if he could possibly assist the Housing Authority in attracting a grocery store in this area.

Mayor Sims also questioned that the Meredith Street apartment renovations

were not addressed in the Annual Action Plan and asked if staff could provide an update. Mr. McNair explained the funding for the Meredith Street apartments was in last year's budget and staff anticipates the situation coming to a head as early as the end of the month. He noted because there are multiple entities involved, it is taking longer than expected because they want to make sure they have everything in order for the loan closing. Council Members Golden and Douglas asked if the apartments would be renovated all at one time and if they would have to close it off during construction. Mr. McNair stated he has advised them that they will need to come in and commit all the necessary resources to get it done in three to four months, and it is their expectation that the site will only be accessible by the construction crew while construction is in process. Mayor Sims felt it was incumbent upon staff, since it has lingered for a while, to make sure that residents and individuals understand what is happening with the renovations and know that the city is moving with all due speed towards getting the units back on the market and improving the neighborhood.

Mr. McNair also advised Council that they will have some funding available in the infill development fund line item that the city can utilize in concert with Council's plans to do some land banking in the Core City.

Chairman Douglas asked for a brief explanation and primary purpose of the Community Development Block Grant and how much is actually used for staff and administrative services. Mr. McNair replied that it is to create a more suitable living environment for low to moderate income people and pointed out it is a broad program that can take on a lot of different forms from housing repairs to slum and blight removal to property acquisition, land banking, to public services. Mr. McNair reported that approximately 90% is used for administration with additional funding of about \$100,000 in program income for repayment of loans, etc... Several Council Members expressed concerns about the high administrative costs and asked if the city is in line with spending 90% of the funding for administration of the program. Mr. McNair explained looking at the whole picture of funding of all sources, they have a budget of \$4.6 million and out of that \$4.6 million, about \$700,000 is actually going into salaries. Chairman Douglas felt this is something that requires further discussion during the budget process in an effort to take some dollars from the CDBG and find a way to use it more effectively in the community. Mayor Sims pointed out whatever money is not spent out of the budget would come out of the General Fund and wanted to make sure it was understood as to how the process works.

Mr. McNair encouraged Council to review the contents in the Annual Action Plan and noted it would come back to Council on May 5th for approval.

Chairman Douglas opened the public hearing and asked if there was anyone present who would like to speak regarding this matter.

Darryl Kosciak, Executive Director for Partners Ending Homelessness, and Dan Hodgson, from ACTS Ministries in High Point and a Board Member for Partners Ending Homelessness were present and addressed Council on this matter. Mr. Kosciak thanked Council for their partnership with Partners ending Homelessness for the past 20 years in working with them to end homeless. He pointed out the Guilford County Shelter Plus Care Grant is an example of the efforts that have been put forth receiving grant funds through Partners Ending Homelessness to help support housing and to help move the homeless from the streets into housing. He noted this is an excellent example of leveraging local and federal resources to help address the issue of homelessness. He formally asked Council to consider alternative ways of using the block grant funding in the future to help provide funding for the shelter and other emergency programs in the community in a means to further expand collective efforts to end homelessness.

Chairman Douglas asked if there were any additional comments. There being none, the public hearing was closed.

Acknowledgement that the public hearing was held and to place the Community Development & Housing Department 2014-2015 Annual Action Plan on the May 5, 2014 City Council Agenda for action.

A motion was made by Mayor Pro Tem Davis, seconded by Council Member Golden, to acknowledge that the public hearing was held regarding the 2014-2015 Annual Action Plan. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

[140105](#)

Ordinance - Development Agreement- Carolina Income Properties, XV, LLC (Advertised for 5:30 p.m.)

Monday, April 21, 2014 is the date established for the High Point City Council to consider an Ordinance authorizing the City of High Point to enter into a Development Agreement with Carolina Income Properties XV, LLC for the I-74 Corporate Park located in Forsyth County.

Attachments: [Development Agreement Ordinance - Carolina Income Investment Properties](#)
[Development Agreement- Carolina Income Investment Properties \(signed\)](#)
[Dev. Ord. Agree. \(Carolina Inv. Prop.\) signed](#)

Ordinance No. 1752/14-30
Introduced 4/21/2014; Adopted 4/21/2014
Ordinance Book, Volume XVIII, Page 84

The public hearing for this matter was held on Monday, April 21, 2014.

Chairwoman Smothers moved to recuse Council Members Davis and Wagner due to a conflict of interest. Council Member Moore made a second to the motion, which carried unanimously.

Chairwoman Smothers noted this agreement essentially follows what has already been discussed by Council regarding the associated annexation and development pattern from action that was taken earlier tonight. She explained this binds the developer to benchmarks that are consistent with economic development incentives. She asked if there were any questions from Council regarding the proposed Development Agreement. There being none, she opened the public hearing and asked if there was anyone present who would like to comment.

Robin Team, 16 S. Main Street in Lexington, explained this is basically a Development Agreement where the city is providing some infrastructure and they are providing some facilities that hopefully will result in lots of jobs and tax base.

Chairwoman Smothers asked if there were any additional comments. There being none, the public hearing was declared closed.

Adopted the Ordinance authorizing the City of High Point to enter into a Development Agreement with Carolina Income Properties XVI, LLC for the I-74 Corporate Park located in Forsyth County.

A motion was made by Council Member Smothers, seconded by Council Member Moore, to adopt the Ordinance authorizing the City of High Point to enter into a Development Agreement with Carolina Income Properties XV, LLC for the I-74 Corporate Park located in Forsyth County. The motion carried by the following 5-1 vote:

Aye: 5 - Mayor Sims, Council Member Ewing, Council Member Golden, Council Member Smothers, and Council Member Moore

Nay: 1 - Council Member Douglas

Absent: 1 - Council Member Mendenhall

Recused: 2 - Council Member Wagner, and Mayor Pro Tem Davis

[140106](#)

Amendment to Zoning Case 12-06 - High Point University

A request by High Point University to amend Conditional Zoning Case 12-06 to revise the transportation conditions. The site is bounded by Montlieu Avenue, N. College Drive and Boundary Avenue. (The petitioner is requesting that this item be delayed to a future council meeting) Petitioner is requesting that this item be withdrawn from the City Council Agenda.

Attachments: [02. HPU - Amend Zoning Case 12-06](#)

[LETTER RG-RM RE-Withdraw HPU Amndmt To Rezoning Case No 12-06](#)

Chairwoman Smothers noted that the petitioner has requested this matter be continued until the May 5, 2014 City Council Meeting. She opened the public

hearing and asked if there was anyone present at tonight's meeting desiring to speak. No one was present to speak.

Continued this public hearing to May 5, 2014 at 6:15 p.m.

A motion was made by Council Member Smothers, seconded by Council Member Douglas, that this public hearing be continued to May 5, 2014. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

[140107](#)

Ordinance - Zoning Case 14-02 - Mike Carr

A request by Mike Carr to rezone approximately 9.2 acres from a Conditional Use Planned Unit Development-Limited (CU-PDL) District to a Planned Unit Development-Limited (PDL) District. The site is located west of the intersection of Eastchester Drive and Lassiter Drive.

Attachments: [03.Mike Carr - Zoning Case 14-02](#)
[CZ14-02 adopted](#)

Ordinance No. 1753/14-31

Introduced 4/21/2014; Adopted 4/21/2014

Ordinance Book, Volume XVIII, Page 85

The public hearing for this matter was held on Monday, April 21, 2014 at 6:15 p.m.

Chairwoman Smothers explained the petitioner, Mike Carr, did call her to let her know he would not be in attendance because he would be out of town this evening.

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

Chairwoman Smothers pointed out access to this property is with the existing driveway cuts that are already there. She opened the public hearing and asked if there were any comments. There being none, the public hearing was closed.

Adopted Ordinance providing for the rezoning of approximately 9.2 acres located west of the intersection of Eastchester Drive and Lassiter Drive from a Conditional Use Planned Unit Development- Limited (CU-PDL) District to a Planned Unit Development- Limited (PDL) District.

A motion was made by Council Member Smothers, seconded by Council Member Wagner, that this Ordinance be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

[140108](#)

Ordinance - Annexation Case ANX14-02 - David Giardina

A request by David Giardina to consider a voluntary contiguous annexation of approximately 0.46 acres. The area to be annexed is lying on the west side of

Cosway Court, approximately 330 feet north of Saint Johns Street.

Attachments: [04. David Giardina - Annex 14-02](#)
 [Annex 14-02 - Giardina - recorded copy](#)

Ordinance No. 1754/14-32
Introduced 4/21/2014; Adopted 4/21/2014
Ordinance Book, Volume XVIII, Page 86

The joint public hearing for this matter and related matter 140109 Zoning Case 14-03 (David Giardina) was held on Monday, April 21, 2014 at 6:15 p.m.

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

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to comment. There being no comments, the public hearing was closed.

Adopted Ordinance providing for the 0.46 acres lying on the west side of Cosway Court, approximately 330 feet north of Saint Johns Street to be effective upon adoption.

A motion was made by Council Member Smothers, seconded by Council Member Moore, that this Ordinance be adopted. The motion PASSED by an 8-0 unanimous vote.[Council Member Mendenhall was absent]

[140109](#)

Ordinance - Zoning Case 14-03 - David Giardina

A request by David Giardina to rezone approximately 0.46 acres from the Residential Single Family-40 (RS-40) District, within Guilford County's zoning jurisdiction, to a Residential Single Family-9 (RS-9) District. The site is on the west side of Cosway Court, approximately 330 feet north of Saint Johns Street. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

Attachments: [05. David Giardina - Zoning Case 14-03](#)
 [Z14-03 Ordinance of adoption \(04-21-14\)](#)

Ordinance No. 1755/14-33
Introduced 4/21/2014; Adopted 4/21/2014
Ordinance Book, Volume XVIII, Page 87

The joint public hearing regarding this matter and related matter 140108 Annexation Case 14-02 (David Giardina) was duly held on Monday, April 21, 2014 at 6:15 p.m.

Please refer to matter 140108 Annexation Case 14-02 (David Giardina) for specific comments made at the public hearing regarding this matter.

Adopted Ordinance rezoning approximately 0.46 acres on the west side of Cosway Court, approximately 330 feet north of Saint Johns Street, from the Residential Single Family-40 (RS-40) District, within Guilford County's zoning jurisdiction to a Residential Single Family-9 (RS-9) District.

A motion was made by Council Member Smothers, seconded by Council Member Wagner, that Ordinance be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

140110

Ordinance - Annexation Case ANX14-03 - Michael & Tonya Curtis

A request by Michael & Tonya Curtis to consider a voluntary contiguous annexation of approximately 1.6 acres. The area to be annexed is lying along the south side of Tangle Lane, approximately 1,900 feet west of Penny Road. **The public hearing on this item was held Monday, April 21st and City Council delayed action at the May 5th meeting to allow the petitioner additional time to consider if he wanted to proceed with the request for annexation or withdrawal of the request.**

Attachments: [Michael Curtis - Annex 14-03](#)
[Curtis Annexation \(Tangle Lane\) Carl Wright handouts](#)
[Michael Curtis - Annex - 14-03 Additional Information](#)

The public hearing for this matter was duly held on Monday, April 21, 2014 at 6:15 p.m.

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

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to speak.

Carl Wright, attorney representing the property owners, Michael & Tonya Curtis, addressed Council on behalf of his client. He distributed a copy of a survey of the property and noted his client had purchased the property at 1132 Tangle Lane to build a home, but he had a few questions regarding the process. He explained when Mr. Curtis bought the property last year, he understood that it was possible to petition for double rates for water and sewer, but since that time he has found out that city policy requires him to petition for annexation to receive the city services. He pointed out there are some challenges that have come into play regarding additional drainage issues that have an effect on his property that were actually caused by the construction of the road. One a natural spring that he was aware of, and a second one dealing with the ground water run-off. He requested Council allow the Curtis' to pay the outside double rates for water and sewer instead of annexing the property, but if annexation is the only course, Mr. Curtis would like the city's cooperation in dealing with the second parallel drainage problem that was caused by the street, which was designed under the auspice of the city in 2005 when it was

built.

Chairwoman Smothers pointed out the Technical Review Committee made a determination that Mr. Curtis could change the drainage coming onto his lot. Mr. Curtis shared that he came to the city in May, 2013 when he was considering purchasing the property, to ask about his options regarding connecting to the city's water or sewer service at which time Scott Cherry advised him what it would cost to tie into the city's water and sewer system, and did not mention annexation. He noted he purchased this land with the intent of being in Guilford County, not the City of High Point. After purchasing the property and while working with developers, he noticed the water that was directed onto this property and then called Derek Boone with the city. He was told at that time by Mr. Boone that because the city had no jurisdiction to the street, the city could not help him. Mayor Pro Tem Davis felt Mr. Curtis should have done his due diligence prior to purchasing the property and pointed out the extra water on his property is a hardship that the city did not create.

Mr. Curtis reiterated that he did do his due diligence and did come to the city, but later found out he did not have any options per the city's policy that requires property located outside the city limits, to petition for annexation for city services. Mayor Pro Tem Davis asked Mr. Curtis what he would do for services if he is not annexed into the city and Mr. Curtis replied that Tangle Lane has its own garbage service, and the property owners in this area pay county taxes and get fire protection from Deep River Fire Department and the Guilford County Sheriff's Department.

A discussion followed regarding the street. JoAnne Carlyle, City Attorney, noted it appears that the street was inadvertently left out of a prior annexation. At this time, Lee Burnette, Director of Planning and Development, provided a brief history of the property. He explained the adjacent subdivision was annexed within the last decade and noted the property in the gray area is in the city's ETJ (in the city's zoning and subdivision jurisdiction). Prior to the subdivision being platted, Tangle Lane in its current form had a stub street to the north and a stub street to the south of the property and this right-of-way existed, so the subdivision came in and was platted to connect into this street right-of-way. The developer developed the streets under city design standards and was to install this segment under the city design standards, but the street is outside the city limits so the city cannot maintain it and cannot inspect it. the street was basically developed in a public right-of-way for connectivity purposes outside the subdivision. He clarified that Mr. Boone was correct in saying that the city does not have any jurisdiction to the street because it is outside the city limits. Chairwoman Smothers asked if the lot in question did not have some restriction recorded as to the proposed right-of-way through there and Mr. Burnette noted it was an existing right-of-way and pointed out there is a right-of-way to the north that is not open either. He noted the street is a public way that has been improved with no maintenance and further explained that this annexation would enable this property to be annexed. Mr. Burnette was

emphatic that the street was not left out, it could not be legally annexed and the best thing that could have been done was to connect this subdivision to Tangle Lane. He noted the lot has always existed separate from that right-of-way and when the subdivision was platted, this stub was platted as well as the stub between the two lots. Mayor Pro Tem Davis asked if the city's water and sewer lines run down this street. Scott Cherry, with the Public Services Department, confirmed that water and sewer service is available. He also mentioned that the city does have a storm water improvement program to assist City of High Point customers, but it must be an existing land owner with an existing home.

At this time, Mayor Sims asked Mr. Curtis about his preferences and he informed Council that he does not want to be annexed and would like to deal with his own issues regarding the zoning and drainage. Mr. Burnette pointed out if this is the route Council desires to take, it would require an amendment to the current policy that was adopted in 2002. He explained there are exceptions to the policy (one being that the property is prohibited to be annexed due to statutory or legal constraints; and two, if the city is effectively unable to deliver all services to the property). Neither exceptions are applicable to this property.

Chairwoman Smothers asked if there was anyone else present who would like to speak for or against this annexation request. There were none.

Continued the public hearing regarding this annexation request to the May 5, 2014 City Council Meeting to allow staff time to do more research and bring back the facts for a possible resolution.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Davis, that this public hearing be continued to May 5, 2014 at 6:15 p.m.. The motion PASSED by an 8-0 unanimous vote. [Council Member Mendenhall was absent]

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

140111 **Boards and Commissions - Vacancy Report**

Attached is the current list of vacancies for all Boards and Commissions.

Attachments: [Vacancy Report](#)

This information is attached for informational purposes only. No action is required on this item.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

140112 **Minutes to be approved**

Comprehensive Planning Committee; Tuesday, March 18th @ 4:00 p.m.

Adjourned Session; Thursday, March 20th @ 9:00 a.m.

Community Housing & Neighborhood Development Committee; Tuesday, March 25th @ 10:00 a.m.

Comprehensive Planning Committee; Wednesday, April 2nd @ 9:00 a.m.

Special Meeting (Closed Session); Thursday, April 3rd @ 11:00 a.m.

Finance Committee; Monday, April 7th @ 4:00 p.m.

High Point City Council Regular Meeting; Monday, April 7th @ 5:30 p.m.

Manager's Briefing Session; Thursday, April 10th @ 9:00 a.m.

Attachments: [March 18 2014 Comprehensive Planning Committee](#)
 [March 20 2014 Adjourned Session](#)
 [March 25 2014 Comm. Housing & Neighborhood Development Committee](#)
 [April 2 2014 Comprehensive Planning Committee](#)
 [April 3 2014 Special Meeting \(Closed Session\)](#)
 [April 7 2014 Finance Committee](#)
 [April 7 2014 High Point City Council](#)
 [April 10 2014 Briefing Session](#)

The minutes from the preceding meetings were unanimously approved as submitted.

A motion was made by Council Member Smothers, seconded by Council Member Douglas, that the preceding Minutes be approved as submitted. The motion PASSED by an 8-0 unanimous vote.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 7:50 p.m. upon motion duly made by Council Member Smothers and seconded by Council Member Wagner.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk