

# City of High Point

*Municipal Office Building  
211 S. Hamilton Street  
High Point, NC 27260*



## Minutes

**Monday, November 1, 2021**

**5:30 PM**

**Council Chambers**

## **City Council**

*Jay W. Wagner, Mayor*

*Britt W. Moore (At Large), Mayor Pro Tem*

*Tyrone Johnson (At Large), Cyril Jefferson (Ward 1), Christopher Williams (Ward 2),  
Monica L. Peters (Ward 3), S. Wesley Hudson (Ward 4), Victor Jones (Ward 5), and  
Michael Holmes (Ward 6)*

**ROLL CALL, MOMENT OF SILENCE, AND PLEDGE OF ALLEGIANCE**

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

*Upon call of the roll, the following Council Members were **Present (9)**:*

*Mayor Jay W. Wagner; Mayor Pro Tem Britt Moore, At Large; Council Member Tyrone E. Johnson, At Large; Council Member Cyril A. Jefferson, Ward 1; Council Member Christopher Williams, Ward 2; Council Member Monica L. Peters, Ward 3; Council Member S. Wesley Hudson, Ward 4; Council Member Victor A. Jones, Ward 5; and Council Member Michael A. Holmes, Ward 6.*

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

**Present** 9 - Mayor Pro Tem Britt Moore, Council Member Christopher Williams, Council Member Cyril Jefferson, Mayor Jay Wagner, Council Member Michael Holmes, Council Member Monica Peters, Council Member Tyrone Johnson, Council Member Victor Jones, and Council Member Wesley Hudson

**RECOGNITIONS AND PRESENTATIONS**

[2021-448](#)

**Recognition - Parks & Recreation - CAPRA Accreditation**

Michelle Wells with the North Carolina Recreation & Park Association (NCRPA) will recognize the High Point Parks & Recreation Department with the CAPRA Accreditation. Department Director, Lee Tillery and staff will be in attendance representing the department.

Mayor Wagner recognized Lee Tillery, Director of Parks & Recreation, for a presentation.

Lee Tillery introduced Michelle Wells, Executive Director of the North Carolina Recreation & Park Association.

Ms. Wells reported that the High Point Parks & Recreation Department has proudly joined the ranks of elite park and recreation agencies across the county by earning their accreditation through the Commission for Accreditation for Park & Recreation agencies (CAPRA), which is part of the National Recreation & Park Association. Only 14 Parks & Recreation Departments in North Carolina have achieved this accomplishment and only 102 in the United States; this puts High Point in the top 1% of Parks & Rec departments around the nation.

Ms. Wells then explained the accreditation process and pointed out that of the 154 standards that they look at, the High Point Parks & Recreation Department successfully achieved all 154, which is quite an accomplishment! She explained that accreditation demonstrates that a department is operating under the best practices for the Park & Recreation profession.

At this time, she invited the members of staff who were present and the Parks & Recreation Commission members present to come forward for the recognition. [applause] [standing ovation].

On behalf of the North Carolina Recreation & Park Association, the National Recreation & Park Association, and the Commission for Accreditation of Park & Recreation agencies, she presented this prestigious recognition to the High Point Parks & Recreation Department for being in the top 1% of Park & Recreation Agencies across the Nation for accreditation.

[photo op] [applause]

**Raburn "Rip" Jackson AWARD-RECOGNITION OF MARSHALL NEWSOME, CHAIR, HIGH POINT PARKS & RECREATION COMMISSION**

Ms. Wells recognized Marshall Newsome, Chair of the High Point Parks & Recreation Commission, for being the recipient of the 2021 Raburn "Rip" Jackson award. She advised that this award is presented to a member of a local parks and recreation advisory board who has enhanced their community's parks and recreation programs. She provided a background/history of the ward and shared that Mr. Newsome represents the interest of citizens with the highest level of commitment focusing on the entirety of the city's needs and best interests. Additionally, he has assisted the department with multiple planning processes; assisted in the passing of a bond referendum; is a hands-on leader/volunteer while leading by example and focusing on the involvement and commitment by his fellow commissioners; makes a sincere effort to get to know and engage with the Parks & Recreation staff; is aware of the Parks & Recreation impact on the community and involved in the decisions to support that. She concluded the presentation by sharing the following wording that was incorporated in his nomination for the award: "He is the most genuine, committed, and engaging of community leaders."

[standing ovation, applause, photo op]

**STRATEGIC PLAN UPDATE- Blight Reduction and Marketing & Branding Initiative**

[2021-481](#)

**Strategic Plan Update**

Council Member Chris Williams, Chairman of the Community Development Committee, will recognize staff to provide an update on the Strategic Plan regarding Blight Reduction. Council Member Michael Holmes, Chairman of the Marketing & Branding Task Force will provide an update on the Marketing & Branding Initiative.

**Attachments:** [Strategic Code Update October 2021.pdf](#)

**Blight Initiative**

Councilman Williams, Chairman of the Community Development Committee, provided an update on the housing activities for the month of October 2021 as follows:

Code Enforcement Activity	October 2021
Minimum Housing Complaints	24
Active Minimum Housing Cases	230
Cases before Council (demolition)	0
City demolished houses	1
Public Nuisance Complaints	59
Active Public Nuisance Cases	82
City Abated Public Nuisance Cases	35
Owner Abated Public Nuisance Cases	65
Zoning Complaints (vehicles, signs, etc..)	32
Active Zoning Cases	109
Signs Collected	314
	2

Lori Loosemore, Code Enforcement Manager, shared another success story of a house that was repaired that was scheduled for demolition at 607 Woodberry. She advised they just received their final Certificate of Occupancy and proceeded to show some before and after pictures.

#### **Marketing & Branding Initiative**

Council Member Holmes, Chairman of the Marketing & Branding Task Force, reported that the Request for Proposals was released; 23 total candidates applied around the country; staff whittled the number to the top five; on November 9th, those five will do presentations before the Marketing & Branding Task Force/staff; and post presentations, they anticipate choosing the firm that will lead the city's Marketing & Branding efforts moving forward.

**PUBLIC COMMENT PERIOD**[2021-485](#)**Public Comment Period**

A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.

Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.

Persons addressing City Council are asked to limit their comments to 3 minutes.

Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.

If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.

Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that detract the meeting.

The following individuals spoke during the Public Comment Period:

Linda Collestan, a resident at 1064 Canterling Road, representing the Baha'i Faith Community, presented a statement from the National Baha'i Faith Community on Racial Justice and invited Council to attend a Zoom meeting the Baha'i Faith Community would be hosting on November 22nd from 2:00 p.m. to 3:00 p.m. commemorating their Holy Week for their "Day of the Covenant." She explained the statement recognizes the fundamental principle that to address racial prejudice and to create racial justice in society, the first fundamental truth that must be understood and accepted is the "Oneness of Humanity." She spoke to how we are all one; that what affects one of us, affects all of us. She noted the statement does point out there will be times of protests, but the real question is what is done after the protests. She spoke to making a concerted effort; having a commitment in putting things in place to create, foster relationships, to have regard for one another, to have trust in one another, and to work together in order to reflect racial justice where we live.

Larry Diggs, a resident at 1127 Biltmore Avenue, addressed Council regarding a

troubling situation that recently occurred to him and some friends while riding in a van that involved someone on a dirt bike traumatizing them and caused damage to the vehicle traveling with them. He explained the incident was reported to the High Point Police Department, they came out and investigated, but the officer told them that the current policies in place do not allow them to give chase in situations such as this, unless it involves a felony. He questioned the policing policies in place and questioned why they could not make an arrest or detain the individual.

Theresa Peele, a resident at 700 E. Fairfield Road, addressed Council regarding the same incident. She reported that she was actually a passenger in the vehicle that Mr. Diggs spoke about earlier; that the individual on the dirt bike was close enough for her to touch; that he did cause damage to her mirror; that they were followed all the way to where one of the riders were dropped off; that she is a volunteer for the visually impaired with the High Point Lion's Club; that this was a traumatic incident and it scared her; how she has called the city on numerous occasions when similar incidents have happened in the past. She stated this is a real problem and asked the City Council to help.

Mayor Wagner replied that the Police Department is . He spoke to being aware of these situations and spoke to how it is a very difficult situation to fix, but offered assurances that the Police Department is working on a plan. Council Member Jones suggested the policing policies could be discussed at the next Public Safety Committee Meeting. City Manager Tasha Logan Ford agreed that the policy could certainly be reviewed at the next Public Safety Committee meeting. She explained that one of the reasons the policy is in place is to ensure that no further danger to the public is caused by engaging in a high speed chase.

Mayor Wagner encouraged residents that encounter situations such as this to get pictures or videos on their phones which might be helpful for the police to identify these individuals.

Maranatha Quick-Hope, 209 Randall Street, addressed Council regarding an incident that occurred involving her daughter and Council Member Peters. She reported the incident took place at Pro Nails in High Point on Fairfield Road; noted the police were called, but no criminal act was done. She accused Council Member Peters of harassing her daughter during a phone call that took place on October 26th (13 days after the incident). She noted that Ms. Peters interrogated her daughter and asked several personal questions regarding the incident/services provided, and although her daughter did try to offer an explanation, she claimed that Ms. Peters kept interrupting her. She shared that Ms. Peters indicated that she had talked to the business owner at Pro Nails that is in Ward 3, and was advised that her daughter did not pay for services that were performed. She accused Ms. Peters of making threats to her daughter because she was told that they were going to press charges against her and take out a restraining order, and that Ms. Peters suggested her daughter go back to Pro

Nails to pay, but since they trespassed her from the premises, she would be violating the law by doing that.

Mayor Wagner asked if there was anyone else in the audience who would like to speak during the Public Comment Period. Seeing none, he declared the Public Comment Period closed.

**FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair**  
**Committee Members: Moore, Holmes, Jones, and Peters**

**CONSENT AGENDA ITEMS**

Finance Committee Chair Britt Moore reported all finance items were discussed at the Finance Committee Meeting held on Thursday, October 28, 2021 at 4:00 p.m. and are being forwarded to City Council with a favorable recommendation.

**Motion by Council Member Moore, seconded by Council Member Holmes to approve all matters on the Finance Committee Consent Agenda. The motion carried by the following unanimous 9-0 vote.**

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

**2021-449**

**Contract - Breece Enterprises Inc. - Storm Water Maintenance**

City Council is requested to award a contract to Breece Enterprises Inc. in the amount of \$422,675.00 for personnel, equipment and materials to supplement the Storm Water Services Division in maintenance of existing storm water utilities and completing storm water improvement projects and that the appropriate City official and/or employee be authorized to execute all necessary documents.

**Attachments:**    [1. Contract - Breece Ent. Inc. - Storm Water Maintenance](#)  
[SIGNED Recommendation Form - Council Approval - Storm Water Maintainer](#)

**A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to award a contract to Breece Enterprises Inc. in the amount of \$422,675.00 for personnel, equipment and materials to supplement the Storm Water Services Division in maintenance of existing storm water utilities and completing storm water improvement projects, and that the appropriate City official and/or employee be authorized to execute all necessary documents. The motion carried by the following 9-0 unanimous vote:**

**Aye:**    9 -    Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

**2021-450**

**Contract - JSmith Civil, LLC - Montlieu Avenue Roadway & Utility Improvements -**

**High Point University (HPU) MOU**

City Council is requested to award a contract to JSmith Civil, LLC in the amount of \$7,416,040.00 for streetscape improvements including installation of new sidewalks, curb and gutter, and asphalt resurfacing along Montlieu Ave. from N. Main St. to N. Centennial St. including installation of an underground electric ductbank, and replacement of water and sewer utilities and that the appropriate City official and/or employee be authorized to execute all necessary documents.

**Attachments:**    [2. Contract -JSmith Civil, LLC - Montlieu Ave Roadway and Utility Improvem](#)  
[SIGNED Recommendation - Montlieu Ave Roadway and Utility Imp 2](#)

**A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to approve the award of a contract to JSmith Civil LLC in the amount of \$7,416,040.00 for streetscape improvements including installation of new sidewalks, curb and gutter, and asphalt resurfacing along Montlieu Avenue from N. Main Street to N. Centennial Street including installation of an underground electric ductbank, and replacement of water and sewer utilities, and that the appropriate City official and/or employee be authorized to execute all necessary documents. The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

[2021-451](#)**Capital Project Ordinance - Montlieu Avenue Roadway and Utility Improvements Project**

City Council is requested to adopt an ordinance to appropriate \$3,708,020 for the Montlieu Avenue Roadway and Utility Improvements project.

**Attachments:**    [2a. Ordinance - Capital Project - Montlieu Ave Roadway and Utility Improver](#)  
[ORD Capital Project Montlieu Ave Roadway](#)

**Ordinance No. 7756/21-73  
Ordinance Book, Volume XXII, Page 73**

**A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to adopt a Capital Project Ordinance appropriating \$3,708,020.00 for the Montlieu Avenue Roadway and Utility Improvements project. The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

[2021-452](#)**Contract - Piedmont Truck Center - Altec Bucket Truck - NC State Contract 070A**

City Council is requested to award a contract to Piedmont Truck Center in the amount of \$129,115.80 using NC State Contract 070A, for the purchase of one (1) 2022 Ford F550 truck with an Altec AT40G 40' bucket for the Electric Department and declare the old truck as surplus and disposing through the online auction process.



**Attachments:**    [3. Contract - Piedmont Truck Center - Altec Bucket Truck](#)  
[SIGNED Rec Form 2062 altec bucket2](#)

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to award a NC State Contract to Piedmont Truck Center in the amount of \$129,115.80, using NC State Contract 070A, for the purchase of one (1) 2022 Ford F550 truck with an Altec AT40G 40' bucket for the Electric Department, and to declare the old truck as surplus to be disposed of through the online auction process. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-453](#)

**Contract - Terex Utilities Inc. - Freightliner Terex Commander 5048 Digger Truck - Sourcewell Contract# 12418TER**

City Council is requested to award a contract to Terex Utilities Inc. in the amount of \$349,563.00 using Sourcewell Contract# 12418TER for the purchase of one (1) Freightliner truck with Terex Commander 5048 Digger Derrick for the Electric Department and declare the old truck as surplus and disposing through the online auction process.

**Attachments:**    [4. Contract - Terex Utilities Inc. - Freightliner Terex Commander 5048 Digger](#)  
[SIGNED 2024 terex digger derrick1 Rec](#)

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to award a contract to Terex Utilities Inc. in the amount of \$349,563.00 using Sourcewell Contract # 12418TER for the purchase of one (1) Freightliner truck with Terex Commander 5048 Digger Derrick for the Electric Department, and to declare the old truck as surplus to be disposed of through the online auction process. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-454](#)

**Resolution - Contract - Everbridge Emergency Notification System - City of High Point-City of Greensboro-Guilford County - Interlocal Agreement**

City Council is requested to adopt a resolution approving a Memorandum of Agreement with City of Greensboro and Guilford County to renew the three year agreement in the amount of \$40,834 for the Emergency Notification System and that the appropriate City official and/or employee be authorized to execute all necessary documents.

**Attachments:**    [5. Resolution- Contract - Everbridge Emergency Notification System-City of H](#)  
[Resolution MOA Notification System](#)

Resolution No. 2014/15-29  
Resolution Book No. XXI, Page 59

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to adopt a resolution approving a Memorandum of Agreement with the City of Greensboro

and Guilford County to renew the three-year agreement in the amount of \$40,834.00 for the Emergency Notification System, and that the appropriate City official and/or employee be authorized to execute all necessary documents. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-455](#)

##### **Contract Renewal - Microsoft Enterprise Agreement**

City Council is requested to approve the renewal of a three year contract in the amount of \$577,331.23 annually for the three year Microsoft Enterprise Agreement which includes the Office 365 component to efficiently provide email archival storage and take advantage of cloud based services and that the appropriate City official be authorized to execute all necessary documents.

**Attachments:** [6. Contract - Microsoft Enterprise Agreement](#)

[SIGNED\\_\\_ Microsoft Enterprise Agreement Recommendation Form - Council](#)

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to approve the renewal of a three-year contract in the amount of \$577,331.23 annually for the three-year Microsoft Enterprise Agreement which includes the Office 365 component, and that the appropriate City official be authorized to execute all necessary documents. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-456](#)

##### **Sole Source Contract - Penn Valley Pump, Co. Inc. - Eastside Wastewater Treatment Plant (WWTP) Primary Sludge Double Disc Pump**

City Council is requested to award a Sole Source contract to Penn Valley Pump Co. Inc. in the amount of \$33,840.00 for the purchase of an additional 6-inch Penn Valley Double Disc Pump for the Eastside Wastewater Treatment Plant (WWTP).

**Attachments:** [7. Contract - Penn Valley Pump, Co. Inc. - Eastside Wastewater Treatment P](#)

[SIGNED\\_\\_ PVP sole source \(002\)](#)

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to award a Sole Source contract to Penn Valley Pump Co., Inc. in the amount of \$33,840.00 for the purchase of an additional 6-inch Penn Valley Double Disc Pump for the Eastside Wastewater Treatment Plant (WWTP). The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-457](#)

##### **Contract - Oltrin Solutions-Trinity Mfg - Sodium Hypochlorite - Wastewater**

**Treatment**

City Council is requested to award a contract to Oltrin Solutions / Trinity Manufacturing Inc. in the amount of \$218,080.00 for the purchase of Sodium Hypochlorite supply for Ward Water Treatment Plant (WTP),

Eastside Wastewater Treatment Plant (WWTP) and Westside Wastewater Treatment Plant (WWTP).

**Attachments:** [9. Contract - Oltrin Solutions-Trinity Mfg - Sodium Hypochlorite - Wastewater](#)

**A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to award a contract to Oltrin Solutions/Trinity Manufacturing Inc. in the amount of \$218,080.00 for the purchase of Sodium Hypochlorite supply for the Ward Water Treatment Plant, Eastside Wastewater Treatment Plant, and Westside Wastewater Treatment Plant. The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

[2021-458](#)**Contract - Stantec Consulting Services Inc. - Westside Wastewater Treatment Plant Centrifuge Design**

City Council is requested to award a contract to Stantec Consulting Services Inc. in the amount of \$286,200.00 for professional engineering services for the final design of the Westside WWTP Sludge Dewatering System Improvements.

**Attachments:** [10. Contract - Stantec Consulting Services-Westside Wastewater Treatment](#)

**A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to award a contract to Stantec Consulting Services, Inc. in the amount of \$286,200.00 for professional engineering services for the final design of the Westside WWTP Sludge Dewatering System Improvements. The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

[2021-459](#)**Resolution - Triangle Lake Road - Street Abandonments - NCDOT**

City Council is requested to adopt a resolution acknowledging the City's acceptance of maintenance responsibilities for the listed road segments to be abandoned by the North Carolina Department of Transportation (NCDOT), effective July 1, 2023.

**Attachments:** [11. Resolution - Triangle Lake Road - Street Abandonments - NCDOT](#)  
[Resolution NCDOT Changes Corp Limits](#)

**Resolution No. 2015/21-60  
Resolution Book, Volume XXI, Page 60**

**A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to adopt a resolution acknowledging the city's acceptance of maintenance responsibilities for the listed road segments to be abandoned by the North Carolina Department of**

Transportation (NCDOT), effective July 1, 2023. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-460](#)

#### **Contract - Kimley-Horn & Associates, Inc. (KHA) - Triangle Lake Road Improvements Phase 2**

City Council is requested to award a contract in the amount of \$1,498,298.77 for professional engineering and design services related to proposed roadway and utility improvements on Triangle Lake Road, from True Lane to M.L. King, Jr. Drive.

**Attachments:** [12. Contract - Kimley-Horn & Assoc Design Services - Triangle Lake Road In](#)

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to award a contract in the amount of \$1,498,298.77 for professional engineering and design services related to proposed roadway and utility improvements on Triangle Lake Road from True Lane to M. L. King, Jr. Drive. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-461](#)

#### **Capital Project Ordinance - Triangle Lake Road Improvements Phase 2**

City Council is requested to approve a capital project ordinance to appropriate \$12,000,000 in 2019 voter approved general obligation bond funds for the Triangle Lake Road Improvements project.

**Attachments:** [12a. Ordinance - Capital Project - Triangle Lake Road Improvements Phase :](#)  
[ORD Amendment Triangle Lake Road Project](#)

**Ordinance No. 7757/21-74**

**Ordinance Book, Volume XXII, Page 74**

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to approve a Capital Project Ordinance appropriating \$12,000,000.00 in 2019 voter-approved General Obligation Bonds for the Triangle Lake Road Improvements project. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-462](#)

#### **Budget Ordinance - High Point Public Library - State Library of NC Adapts Grant**

City Council is requested to approve a budget ordinance to appropriate \$99,996.00 for the State Library of North Carolina Adapts grant for the High Point Public Library.

**Attachments:** [13. Budget Ordinance - High Point Public Library - State Library of NC Adapt: ORD Amend State Library of NC Grant](#)

Ordinance No. 7758//21-75  
Ordinance No. 7758//21-75  
Ordinance Book, Volume XXII, Page 75

Mayor Pro Tem Moore made a motion to adopt a Budget Ordinance Amendment to appropriate funding in the amount of \$99,996.00 for the State Library of North Carolina adapts grant for the High Point Public Library. Council Member Holmes made a second to the motion. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

### [2021-463](#)

#### **Resolution - Condemnation - 1928 Greenstone Place - Foxwoode Meadows Stormwater Alternate Access Project**

City Council is requested to adopt a resolution authorizing the City Attorney to give a 30 day Notice

of Condemnation to the property owner of 1928 Greenstone Place property, to file the necessary proceedings under Chapter 40A of the North Carolina General Statutes, and to authorize the Finance Director to issue a draft in the amount of \$190,000 to the Clerk of Superior Court as just compensation to the property owner.

**Attachments:** [14. Resolution-Condemnation 1928 Greenstone Place-Foxwoode Meadow: RES Condemnation Foxwoode Meadows Project](#)

Resolution No. 2016/21-61  
Resolution Book, Volume XXI, Page 61

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes, to adopt a resolution authorizing the City Attorney to give a 30-day Notice of Condemnation to the property owner of 1928 Greenstone Place property, to file the necessary proceedings under Chapter 40A of the North Carolina General Statutes, and to authorize the Finance Director to issue a draft in the amount of \$190,000.00 to the Clerk of Superior Court as just compensation to the property owner. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

### [2021-479](#)

#### **Resolution - Housing Authority of High Point Multifamily Housing Revenue Bonds for Daniel Brooks Phase I**

City Council is requested to adopt a resolution approving, for purposes of meeting the requirements of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Authority of the City of High Point in an aggregate amount of not to exceed \$11,000,000 of Multifamily Housing Revenue Bonds for Daniel Brooks Phase I.

**Attachments:**    [Resolution - Multifamily Housing Revenue Bonds for Daniel Brooks Phase I](#)  
[Resolution HPHA Daniel Brooks Revenue Bonds](#)

Resolution No. 2012/21-57  
Resolution Book, Volume XXI, Page 57

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Holmes to adopt a resolution approving, for purposes of meeting the requirements of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Authority of the City of High Point in an aggregate amount of not to exceed \$11,000,000.00 of Multifamily Housing Revenue Bonds for Daniel Brooks, Phase I. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

**COMMUNITY DEVELOPMENT COMMITTEE - Council Member Williams,**  
**Chair**  
**Committee Members: Williams, Hudson, Jefferson, and Johnson**

[2021-464](#)

**Ordinance - Demolition of Dwelling - 2206 Gable Way**

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 2206 Gable Way belonging to First Chandler Group, LLC.

**Attachments:**    [2206 Gable Way Council Packet1](#)  
[ORD Demo 2206 Gable Way](#)

Lori Loosemore, Code Enforcement Manager, advised that the property was originally inspected on October 1, 2019; a hearing was held on February 20, 21; no one appeared at the meeting; an order to repair or demolish was issued on January 21, 2021 with a compliance date of February 22, 2021; staff has only had contact through the property owner via an attorney in February 2021 inquiring about liens on the property due to a closing; the inspector requested that the new property owner make contact with the city; as of today, the same property owner is still on record as owning the property; no delinquent taxes are owed on the property.

Ordinance No. 7754/21-71  
Ordinance Book, Volume XXII, Page 71

A motion was made by Council Member Williams, seconded by Council Member Johnson, to adopt the Ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 2206 Gable Way. The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

[2021-465](#)**Ordinance - Demolition of Dwelling - 1206 Ragan Avenue**

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 1206 Ragan Avenue belonging to Heirs of Barry Glen Sturgues.

**Attachments:**    [1206 Ragan Council Packet1](#)  
[ORD Demo 1206 Ragan Avenue](#)

Lori Loosemore, Code Enforcement Manager, advised that staff was made aware of the condition of this property through the High Point Police Department; an inspection was conducted on January 2, 2021; a hearing was held on January 4, 2021; no one appeared for the hearing; an order to repair or demolish was issued on January 5, 2021 with a compliance date of February 15, 2021; the inspector did speak with both sons of the property owner but neither expressed an interest in repairing the property due to delinquent taxes and their father not having a will; both were advised about the Minimum Housing process and told that if the repairs were not made, the city would move forward with a request for an order to demolish the structure on the property; delinquent taxes in the amount of \$5,669.00 are owed for years 2011-2021.

**Ordinance No. 7755/21-72**  
**Ordinance Book, Volume XXII, Page 72**

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

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

**PROSPERITY & LIVABILITY COMMITTEE - Council Member Hudson,**  
**Chair****Committee Members: Hudson, Holmes, Jefferson, and Peters**

there were no items for consideration by the Prosperity & Livability Committee on the agenda.

**PLANNING & DEVELOPMENT - Mayor Jay W. Wagner****PUBLIC HEARINGS**[2021-466](#)**Ordinance - City of High Point - Text Amendment 21-05**

A request by the Engineering Services Department to amend Section 6.3.2. (*Soil Erosion and Sedimentation - Exemptions*) of the Development Ordinance, to add an exemption to the requirements of a Land Disturbance Permit.

**Attachments:**    [TA-21-05 Council Cover Memo and Staff Report](#)  
[ORD TA 21-05](#)

The public hearing for this matter was held on Monday, November 1, 2021 at 5:30 p.m. as duly advertised.

Chris Andrews, Interim Planning and Development Director, provided an overview of the staff report which is hereby attached in Legistar and incorporated as a permanent part of these proceedings.

Mr. Andrews advised this is a text amendment requested by the City of High Point, specifically by the Engineering Services Department, to amend Section 6.3.2 of the Development Ordinance to allow exemptions or add an exemption for the requirements of land disturbance permits. He recognized Travis Spencer, Director of Engineering Service, who was present to answer any questions. Mr. Andrews explained there are some activities that the city has exempted from requiring a land disturbing permit, which is a permit that is reviewed by Engineering Services. Those exemptions are listed with the Development Ordinance and this request basically adds an exemption for land disturbing activities related to an addition, an accessory building, an accessory dwelling unit, or accessory structure that does not exceed 1,000 sq. ft. of disturbed area.

Staff recommends approval of this request and notes that the request is neither consistent nor inconsistent with adopted policy guidance and the proposed amendment is reasonable and in the public interest in that it provides relief only to specific development activities which are minor in scope. Furthermore, the amendment allows the city to continue to monitor land disturbance activities at the level required by the State, but also reduce the erosion control permitting and plan reviews required for residential construction permits throughout the city. These amendments are intended to improve customer service related to residential construction permits.

The Planning & Zoning Commission held a public hearing on this matter on September 28, 2021 and also recommended approval by a vote of 6-0.

Mayor Wagner asked if there were any questions of staff regarding this proposed amendment. Hearing none, he opened the public hearing and asked if there was anyone present who would like to speak regarding this item.

**Ordinance No. 7749/21-66**  
**Ordinance Book, Volume XXII, Page 66**

**Hearing none, a motion was made by Mayor Wagner, seconded by Council Member Williams, to adopt an Ordinance approving Text Amendment 21-05 to amend Section 6.3.2 (Soil Erosion and Sedimentation - Exemptions) of the Development Ordinance adding an exemption to the requirements of a Land Disturbance Permit, and to adopt the following Consistency and Reasonableness Statement:**

**"That Text Amendment 21-05 is neither consistent nor inconsistent with adopted policy guidance."**



**"Furthermore, the request is reasonable and in the public interest because the proposed amendment provides relief only to specific development activities, which are minor in scope. Furthermore, this amendment allows the city to continue to monitor land disturbance activities at the level required by the State, but reduce the erosion control permitting and plan reviews required for all residential construction permit applications throughout the city. The amendment are intended to improve customer service related to residential construction permits."**

**The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

### [2021-467](#)

#### **Ordinance - City of High Point - Text Amendment 21-04**

A request by the Planning and Development Department to amend various sections of the City of High Point Development Ordinance to correct errors, provide consistency, and make revisions related to specific development standards.

**Attachments:** [TA-21-04 Council Cover Memo and Staff Report](#)  
[ORD TA 21-04](#)

The public hearing for this matter was held on Monday, November 1, 2021 at 5:30 p.m.

Chris Andrews, Interim Planning & Development Director, provided an overview of the staff report which is hereby attached in Legistar and incorporated as a permanent part of these proceedings.

Mr. Andrews explained this is a text amendment that is part of staff's general amendments that are done twice a year to bring suggestions to the Planning & Zoning Commission and to City Council that are intended to fix inconsistencies or errors which propose new standards, all of which come to staff's attention through the normal administration of the Development Ordinance.

Text Amendment 21-04 includes 18 different sections, grouped by topic, with a summary of each section included within the staff report. Many of these amendments provide clarity or attempt to provide a better description of specific topics within the Ordinance.

Mr. Andrews highlighted the following sections proposed to be amended:

Section 4: This is a proposed amendment to allow a commissary kitchen use type (a use type where food truck operators would turn or prepare meals or clean vehicles). This is a specific use type that was added through the City's Small Scale Manufacturing Task Force after hearing from constituents.

Mr. Andrews stressed that this does not propose any amendments to the

regulations involving the operation of food trucks.

Section 5: Establishes a recreational vehicle park use type (spurred from a request from the Prosperity & Livability Committee). As a result, staff researched similar standards for the Top 20 most populous cities around North Carolina. A draft ordinance was presented to the Prosperity & Livability Committee at their June 23rd meeting.

Mr. Andrews pointed out this is a use that is only proposed within one zoning district and also has a number of use standards that go along with it.

Section 7: Amends the maximum length of multifamily dwellings within the city (spurred by a request by developer, Barry Segal, several months ago with the approval of a Planned Unit Development resulting in adjustments to building length). Staff took a graduated approach to say that the less intense districts have shorter building lengths and the more intense districts could have a longer building length.

Staff recommends approval. Mr. Andrews pointed out these proposed amendments continue to staff's efforts to make the Development Ordinance more user-friendly; consistent in its formatting, language and terminology; and more error free and responsive to issues of circumstances observed through the zoning or land development process. Furthermore, these general amendments make the Development Ordinance more user-friendly, flexible, and supportive of the city's adopted policy guidance.

The Planning & Zoning Commission held a public hearing on the proposed Text Amendment 21-04 on September 28, 2021 and also recommended approval by a vote of 6-0.

At the conclusion of the staff presentation, Mr. Andrews entertained questions.

Mayor Wagner asked staff to provide additional background in Section 3 regarding removal of the CZ MS Districts. Mr. Andrews explained those districts were established through specific plans of the city, so they contain a greater number of specific or special standards much like in a mixed use area where there are no parking requirements. He noted that staff has not had any conditional zoning requests for those areas and, to his knowledge, it was never intended that those districts have conditional zoning ordinances with them.

Mayor Wagner asked if there were any additional questions for staff. Hearing none, he opened the public hearing and asked if there was anyone present who would like to speak on the matter.

**Ordinance No. 7750/21-67**

**Ordinance Book, Volume XXII, Page 67**

There being no one present to speak, Mayor Wagner moved adoption of the Ordinance approving Text Amendment 21-04, seconded by Council Member Williams, based on the adoption of the following Consistency and Reasonableness Statements:

"That Text Amendment 21-04 is consistent with the city's adopted policy guidance because these general amendments make the Ordinance more user-friendly and flexible, and supportive of the city's adopted policy guidance."

Furthermore, the request is reasonable and in the public interest because the proposed amendments to the Development Ordinance address necessary changes required to better clarify existing standards, expand allowable uses within the city and continue to provide consistent language and formatting."

The motion carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-468](#)

#### **Ordinance - COHAB - Zoning Map Amendment 21-17**

A request by COHAB to rezone approximately 3 acres from the Planned Development - Core City (PD-CC) District and a Heavy Industrial (HI) District to an amended Planned Development - Core City (PD-CC) District. The site is lying along the east side of W. English Drive, between S. West Point Avenue and Phillips Avenue.

**Attachments:** [Staff Report ZA-21-17](#)  
[ORD ZMA 21-17](#)

The public hearing for this matter was held as duly advertised on Monday, November 1, 2021 at 5:30 p.m.

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

This is a request by COHAB to amend a previously approved Planned Development District expanding the land area. The site is lying along the eastside of W. English Drive between S. West Point Avenue and Phillips Avenue. The site abuts the railroad tracks; surrounding uses consist of a mixture of industrial/commercial uses; the site is within the Core City area and the core City Plan specifically designates this area as a Mixed-Use area.

Mr. Shannon reported when initially approved in 2018, the site was approved as a "one-stop shop" for artisans and design professionals with the goal of providing amenities for a year-round facility and a hub of activity in the Core City area. Since that time, the project has taken off and the applicant is requesting rezoning to expand the land area to include the northern portion of this block. Staff is recommending approval of this request. The Planning & Zoning Commission held a public hearing on this matter on September 28, 2021 and also recommended

approval by a 6-0 vote based on the Consistency and Reasonableness Statements included in the staff report.

Mr. Shannon shared that a key point of consideration is that all previous conditions of 2018 are being carried forward, so the goals of having this as a year-round facility, limited market showroom will continue.

At the conclusion of the staff report, Mr. Shannon asked if there were any questions of staff.

Hearing none, Mayor Wagner opened the public hearing and asked if there was anyone who would like to speak for or against this matter. There being no one present to speak, he proceeded with the following motion.

**Ordinance No. 7751/21-68**  
**Ordinance Book, Volume XXII, Page 68**

**A motion was made by Mayor Wagner, seconded by Council Member Peters, to adopt an Ordinance approving Zoning Map Amendment 21-17 to rezone approximately three acres from the Planned Development - Core City (PD-CC) District and a Heavy Industrial (HI) District to an amended Planned Development - Core City (PD-CC) District, and to adopt the following Consistency and Reasonableness Statements associated with the request:**

**"That Zoning Map Amendment 21-17 is consistent with the city's adopted policy guidance because the expansion of this PD-CC District will continue the reuse of the historic structures in this area and is supported by the goals and objectives of the Community Growth Vision Statement and the Land Use Plan.**

**"Furthermore, the request is reasonable and in the public interest because the proposed expansion of this PD-CC District meets the ordinance standards and continues advancing city policy for redevelopment in this area as a mixed use center as envisioned by the Core City Plan."**

**The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

## [2021-469](#)

### **Resolution - Leoterra Development, Inc. - Plan Amendment 21-05**

A request by Leoterra Development, Inc. to change the Land Use Plan classification for approximately 70 acres from the Restricted Industrial and Low-Density Residential classifications to the Moderate-Density Residential classification. The site is located south of Cox Avenue and west of Jackson Lake Road.

**Attachments:** [PA-21-05 Final staff report with cover memo for 11-1-21 CC](#)  
[Petition Against ZMA 21-19 and PA 21-05 \(Leoterra\).pdf](#)  
[RES PA 21-05](#)

The joint public hearing for this matter and related matters 2021-471 Annexation

21-05, and 2021-472 Zoning Map Amendment 21-19 was on Monday, November 1, 2021 at 5:30 p.m. as duly advertised.

Heidi Galanti, Planning Services Administrator, advised that she would provide an overview of the Land Use Plan Amendment and Herb Shannon would follow with presentations on Annexation 21-05 and Zoning Map Amendment 21-19.

The staff presentations for these matters are hereby attached in Legistar and will be incorporated as a permanent part of these proceedings.

Regarding Plan Amendment 21-05, the applicant is proposing a single family detached dwelling unit development, limited to 7 dwelling units per acre; the proposed Moderate Density Residential classification supports this type of use. The request to amend the Land Use Plan is for approximately 70 acres located on the south side of Cox Avenue and west of Jackson Lake Road from Low Density Residential and Restricted Industrial to Moderate Density Residential, which allows between 5 and 8 dwelling units per acre.

Ms. Galanti then shared a Land Use Map identifying the subject property. Land uses in this area are as follows:

To the north are single family detached dwellings, a religious institution, and undeveloped parcels.

To the east and west are single family detached dwellings.

To the east is Jackson Lake Road.

to the south is Interstate 74 (I-74).

Ms. Galanti advised that the existing Low Density Residential classification supports single family detached dwellings up to 5 dwelling units per acre, and the Restricted Industrial classification supports office, warehouse, and light manufacturing uses. Cox Avenue is bordered primarily by residential single family detached dwellings and it serves as a collector street for other residential single family subdivisions between Baker Road and Jackson Lake Road. The proposal would add both single family and detached dwellings at a slightly higher density than what is currently allowed in the R-5 Zoning District. Staff pointed out there is a need for a variety of housing types such as townhomes and single family homes in this area and that the area has been designated as a combination of Low Density Residential and Restricted Industrial since the mid-1980s. The Employment Center District has been there since 1989, was put there prior to the construction of I-74, and has never developed.

Staff feels this would be an orderly growth of the city with the extension of water and sewer along with the development of Urban Density Residential and noted a change to Moderate Density Residential supports different housing styles at a slightly higher density which meets a growing need in the area.

Staff recommends approval of the request to change the future land use designation for approximately 70 acres to Moderate Density Residential as the request does meet the goals and objectives of the Land Use Plan, and it will be in harmony with the land use pattern of the surrounding area. The Planning & Zoning Commission met on September 28, 2021 and also recommended approval of the request by a vote of 6-0.

Following the staff presentation on Plan Amendment 21-05, Ms. Galanti asked if there were any questions before Mr. Shannon comes forward to provide the presentation on Annexation 21-05 and Zoning Map Amendment 21-19.

**Annexation 21-05:**

Herb Shannon, Senior Planner, advised that this site is located within the City of High Point Extraterritorial (ETJ) area. This is a designation for lands adjacent to the city limits where Guilford County has granted the City of High Point zoning and building permit authority. The ETJ for this portion of the city was established in 1966.

Mr. Shannon shared a map of the proposed Annexation area and noted that only the site highlighted in the Teal color is proposed to be annexed and that none of the surrounding areas would be annexed. The applicant is requesting annexation to have access to city utilities for development of a proposed residential subdivision. Staff feels this request for annexation is a logical progression of the city's Annexation Policy as the site is within the city's ETJ area, and based upon the size of the site and its proximity to the current city limits at about 1/4 mile, this is an appropriate expansion of the city limits. City services (water/sewer are available); a sewer line runs along the southern boundary of the site; a waterline within Baker Road; and there are city service vehicles already in the area. Staff recommends approval.

Mayor Wagner asked if there were any questions of staff before moving on to the zoning amendment portion of the request.

Mayor Pro Tem Moore asked if anything would need to be done to accommodate the property owners for access as the site is totally surrounded by Guilford County. Mr. Shannon replied in the affirmative and explained as part of any development approval, utility approval would be needed. He pointed out that sewer service is already on the site along the southern boundary and they would be looking at extending water lines along the Cox Avenue right-of-way. At this time, there was an outburst by an unidentified gentleman in the audience stating that the water lines were too small. Mayor Wagner announced that it was not yet time to talk and make comments.

There being no further questions regarding the annexation portion of the request,

Mr. Shannon proceeded with an overview of the staff report for Zoning Map Amendment 21-19.

Zoning Map Amendment 21-19:

Regarding the rezoning portion of this request, Mr. Shannon reported that the site currently has a zoning designation of Conditional Use Employment Center, which is an Industrial Zoning District, and a Residential Single Family 5 District. About 70 acres are proposed for rezoning to a Conditional Zoning Residential Multifamily-16 (CZ RM-16) District.

At this time, there was another outburst from a gentleman in the audience. The Mayor asked that staff not be interrupted during the presentation and reiterated there would be an opportunity to speak once the public hearing is opened.

Mr. Shannon advised that rezoning is proposed for a Mixed Residential development of approximately 420 units consisting of single family homes and townhomes. He noted in conjunction with this application, there is also a Conditional Zoning Ordinance where the applicant has offered conditions pertaining to allowable uses, restricted uses, development density, landscaping, and access. He pointed out that since the September Planning & Zoning Commission meeting, the applicant has amended their request with the changes noted within the Conditional Zoning Ordinance that can be found in the agenda packet. The applicant has agreed or offered to:

Reduce the density from 6.5 units per acres to 6 units per acre (a reduction from 455 units to 420 units).

Clarification that any townhome dwellings are not to abut any of the single family homes along Cox Avenue.

Condition that any type of townhome use has to be a at least 400 feet south of Cox Avenue.

Condition added for the installation of an opaque fence along the northwestern boundary of the site.

Mr. Shannon noted that anytime there is a request for residential development that staff, as a courtesy, does contact Guilford County Schools. The information from the school district as to the impact of the development on area schools has been included in the staff report, as well as the required Traffic Impact Analysis that was reviewed by the High Point Transportation Department.

Mr. Shannon shared one of the key points regarding this request is that it lies adjacent to the I-74 corridor. He noted when the corridor was being designed in the late 1980s, there was some speculation that an interchange would be placed at the intersection of the I-74 corridor and Jackson Lake Road and a request was approved to rezone the property to allow industrial use; however, when the I-74 corridor was completed in 2011, there was no interchange installed at this location

and the site remains undeveloped. The applicant has requested to rezone this property to a Conditional Use Residential Multifamily-16 District as no industrial proposals have come forward.

As far as compatibility with the surrounding area, the applicant has offered a condition to prohibit multifamily uses and to restrict the overall density. They have also offered conditions to limit residential development to single family adjacent to Jackson Lake Road. The existing single family homes along Cox Avenue would not abut any of the proposed townhomes, they will only abut single family homes.

Another finding that staff reviewed was mitigating any adverse impacts. To mitigate the traffic impact, the applicant has offered conditions to limit the number of access points to Cox Avenue and to install improvements (turn lanes) at those access points.

The site is within the Randleman Lake Watershed area and they would have to meet the Watershed Ordinance requirements. Mr. Shannon noted there is a perennial stream running through the middle of the site and stressed that any development would have to meet the City of High Point environmental standards and stream buffers (a minimum 100-foot wide buffer would be required atop the banks on both sides of the stream).

Regarding supporting the change in the area, staff notes that the site could be developed as an industrial use; however, due to the lack of direct access to I-74, industrial trucks would have to travel through Cox Avenue coming to and from the site. Mr. Shannon pointed out the steep topography that exists along the Jackson Lake Road frontage of the site, so there would be limited access in that area and staff considered that as it is currently zoned, the site could be developed with large box, industrial uses while most of Cox Avenue is developed with residential uses. Staff is supporting the rezoning of this property, as conditioned, to residential as it will be more in line with other development in the area; the residential use is more in line with the character of the development along Cox Avenue.

The Planning & Zoning Commission reviewed this request at their September 28, 2021 meeting and also recommended approval by a vote of 6-0 based on adoption of the Consistency and Reasonableness Statements included in the staff report.

At the conclusion of the staff reports for these related matters, Mr. Shannon asked if there were any questions for staff before turning the floor over to the applicant's representative.

Hearing no questions, Mayor Wagner invited the applicant or applicant's representative forward to speak.



Tom Terrell, 529 W. Parkway Avenue, attorney with Fox Rothschild LLC, representing the applicant, Leoterra Development, spoke in favor of the request. He introduced Kye Bunker with Leoterra Development and Eddie MacEldowney, Civil Engineer, Davis Martin Powell, and noted they were in the audience to assist with any questions.

Mr. Terrell stressed that it is a key point that this property is situated against an interstate; that the property has been slated for industrial growth; that the property would not be industrially developed; the property is surrounded by the city on many sides; the property is an ideal location for people who need a place to live and have access to jobs outside of the immediate community; the actual density is about 5.5 units per acre (so, from a standpoint of gross density, it is not that dense); that the price point for the homes was included in the presentation in response to many questions being asked by the neighbors.

Mr. Terrell noted that staff is recommending approval; the Planning & Zoning Commission also recommended approval by a vote of 6-0; and the applicant has added a few new conditions after continued discussions with the neighbors.

Mr. Terrell shared a map of the property showing its proximity to the city's municipal boundaries (logical growth expansion); noted that many of the people living in High Point don't work in High Point with an in-migration of employees in High Point from people living in Davidson, Forsyth, Alamance Counties; stated that interstate connections are vital to the economy of the region; noted the area is conducive to having homes to reach those different parts of employment; they agreed to offer a condition that only single family can be adjacent to single family and that it was more appropriate that the townhomes be placed back against the interstate; they offered a condition to the neighbor immediately to the west for a six-foot opaque fence at least 200 feet from Cox Avenue.

Regarding the transportation concerns, Mr. Terrell advised that it was a topic of enough conversation at the first neighborhood meeting that they held a second neighborhood meeting on traffic concerns to provide more information and details. He spoke to the neighbors being surprised when learning that, according to NCDOT, Cox Avenue only operates at about 7-8% of its maximum capacity; and the conditions that prohibit access to Jackson Lake Road; that there would be three points of dispersed access to Cox Avenue with several dedicated turn lanes to assist with traffic; shared several level of service charts that indicate minimal delays and impact to traffic once the development is built out; that most approaches indicate a Level of Service A upon build out of the development and Level of Service A as it stands right now, which is outstanding.

Following the conclusion of his presentation, Mr. Terrell requested City Council's positive vote on all three matters (Plan Amendment 21-05, Annexation 21-05, and Zoning Map Amendment 21-19).

Mayor Wagner asked if Council had any questions for staff.

Committee Member Holmes inquired about the price point for the homes the developer is proposing and consistency with the residential home values in the area. Mr. Terrell replied it is substantially above.

Mayor Wagner asked if there were any additional questions. Hearing none, he thanked Mr. Terrell for his presentation and opened the public hearings for the Plan Amendment 21-05, Annexation 21-05, and Zoning Map Amendment 21-19. He invited anyone present who would like to speak to come to the lectern.

Katie Caudill, a resident at 1308 and 1310 Cox Avenue, spokesperson representing the Cox Avenue neighbors, addressed Council in opposition to the requests. She acknowledged several of the neighbors that were also present to show their opposition to the requests. She referenced a petition of opposition containing 104 signatures of community members that was presented at the Planning & Zoning Commission meeting. She spoke to the Cox Avenue community being far from ignorant country folks that are resistant to progress; they are a neighborhood of many professions; they have had community members who have served on the High Point City Planning & Zoning Commission, Board of Adjustment, and campaign manager for former 14-year City Councilman Pete Rowe; how they are a very diverse community; that most of them live on one acre of land or more; how they have generational and first hand knowledge of the lay of the land in question, etc....

Ms. Caudill shared that the neighbors are gravely concerned about the irrevocable, negative impact that this development and annexation would have on their community and surrounding area and they wanted to share those concerns with the City Council at the suggestion of their attorney. The concerns cited were as follows:

The intense density of the proposed development and its incongruence with the surrounding community;  
Increase from low to moderate density and up zoning to CZ RM-16- a stark contrast to the current residential per acre presentation;  
Questioned how this is an appropriate location for such density, given it is a vast jump in zoning designation and is incongruent with surrounding properties;  
Lack of topography issues and geo technical data at these present locations;  
These factors make Baker Road a more appropriate area for such rezoning;  
Questioned how this proposed development enhances or serves their established neighborhood;  
Questioned if the development is appropriate to the location within the Cox Avenue community;  
questioned the marketing price of these new proposed homes at

\$300,000.00-\$350,000.00, which they feel is not a socio-economic level supported by current retail, schools, entertainment amenities, or residential patterns in their community as prices of their homes currently range from \$45,000.00 to about \$200,000.00.;

Conflicting and lack of data used for Traffic Impact Analysis, algorithm calculations, and relating traffic impacts;

Questioned the data used from the Jackson Lake Road from NCDOT and felt it is not an accurate presentation of traffic for Cox Avenue (this data is almost three years old);

the TIA is lacking data regarding the property across Cox Avenue from the rezoning application properties;

the TIA is not an accurate representation of how the development would impact future traffic for Cox Avenue;

Increase in traffic will create a more difficult and safe entry onto Cox Avenue close to the proposed turn lanes into the development locations and current blind curves;

Increase in traffic will seriously limit neighbors at both ends of Cox Avenue from exiting their driveways during peak hours since there drives are so close to the intersections of either Baker Road or Jackson Lake Road;

Inadequate infrastructure of surrounding retail, business, school, and entertainment dynamics to support such socio-economic up leveling with \$300,000 - \$350,000 homes and the already negative impacts on already burdened area schools that the proposed development density would present;

The impact the proposed development will have on the already low performing and low graded schools in the area, and school crowding;

The proposed development may negatively impact the area school capacity levels;

the proximity of the development to environmentally sensitive locations such as the city land fill, Eastside WWTP, and the Martin Marietta Quarry;

Lack of infrastructure desired by consumers in the socio-economic standings relative to homes in the \$300,000 - \$350,000 range;

Inadequate infrastructure of the land to support intense development density;

The negative impact of such things as heavy blasting and the effects it would have on delicate infrastructure, the aquafor system which current supports the community water supply, impacts to adjacent homes, foundations, footings, and septic systems;

Impact of increased noise and air pollution;

Runoff from the Randleman Lake Watershed;

Increased flooding issues at the end of Moats Court;

The property has a moderate to severe slope and is blanketed by a variety of wetland delineations (more than indicated on the maps presented);

The wet saturated soil sits on shallow, dense bedrock;

Discrepancies in the findings regarding the soil testing that was conducted by geo hydro engineers regarding seismic findings;

Geo Technical engineers indicated that they hit bedrock only 15 feet down which typically means more rock lies beneath;

Concerns about the impact that any blasting would have on property foundations, septic systems, and wells;

Questioned who would be liable for such damages;

Asked if the City of High Point would assume liability for the irrevocable conditions Leoterra will leave in the surrounding community once the development is complete and properties are sold;

Asked if they could get assurances that they will be compensated for any damages to properties, wells or septic due to conditions created should this development proceed;

Burden to the sewer system from the proposed development at a critical juncture in High Point city's sewer system and the close proximity to the treatment plant;

Leak that was discovered by Davis Martin Powell in the newer line running in the property near I-74. City employees had a difficult time locating the leak despite GPS coordinates and specific location details;

The leaked wastewater that was running out from underneath an aerial pipe coming out of the ground;

Although the city did respond, the city took water samples, it was determined that the water was a new spring and they disagreed with this analysis;

Questioned if the City Council wants to gamble with whether the addition of this densely proposed development would jeopardize the integrity and function of the city's sewer system;

The development as proposed brings too many incongruent situations with the city's Land Use Plan, needing adjustment to align more closely with its goals and objectives;

Need for a Traffic Impact Analysis with complete and accurate data and a more realistic analysis of applicable traffic impact for residents exiting near key intersections and blind curves with hazard identification, and a safety risk assessment of Cox Avenue;

Any development of the properties proposed for rezoning lacks the appropriate land infrastructure to support such dense development, so the amendments are not warranted;

The Cox Avenue community does not want to be left with incongruent zoning, once Leoterra discovers the severity of the land prep necessary for development;

The community does not want to be left with empty homes because the retail market, socio-economic, and school infrastructure cannot support a \$300,000-\$350,000 housing market;

Neither do they want to be left with empty houses that would decrease their property values;

Questioned who would be responsible when intense blasting impacts their community's water supply, septic tanks, housing, footing, foundations, etc....;

They do not want the development to be "rubber stamped" and stressed the importance of considering all evidence, data, and concerns before making a decision so that litigation does not become necessary.

At the conclusion of Ms. Caudill's presentation, she distributed/shared some

pictures with City Council of the stream and bedrock.

Mayor Wagner recognized the next speaker.

Debora Saunt, property owner at 1436, 1433, and 1435 Moats Court, addressed Council in opposition to the request. She expressed concerns regarding the following:

Immense flooding on their property that has been ongoing for years;  
How her sight-impaired, totally blind daughter will be able to utilize Cox Avenue with the improvements/growth, basically how her daughter is going to navigate four lanes of traffic.

Ms. Saunt mentioned an incident that occurred on their property three years ago that involved them calling 911 due to a person trespassing and hunting on their property. She noted 911 was unsure of who to page to respond the call at that time and believes this will be even more of an issue with the development, the homes, and all the additional people. She questioned what this development will do to their community; noted this development does not replicate any part of their community or the size; questioned the density of the development and putting 6 homes on a lot; and felt Cox Road would not be able to handle all the additional traffic that will increase over time.

Mayor Wagner asked if there was anyone else present who would like to speak.

Coleen Archer, property owner at 1327 and 1317 Cox Avenue, also addressed Council in opposition to the request. She stated she has heard Leoterra say several times that this new development would be comparable to what the community already has and felt that is absolutely not true. She noted that she has one house on three acres and the proposed development, if approved, would be equivalent to putting 18 houses on her property. She shared that she has owned this property four years, bought it to get out of the city, to get out of the hustle and bustle, to get more privacy and more space, and felt this development would basically turn it back into the city.

Mayor Wagner recognized anyone else wanting to speak.

Mike Ritch, property owner at 1509 Cox Court, inquired about the number of people this development would have once developed at maximum capacity. Mayor Wagner noted the developer could possibly answer the question.

Mayor Wagner asked if there was anyone else who would like to speak. Seeing no one, he provided Tom Terrell, the applicant's representative, an opportunity to respond to the concerns.

Mr. Terrell replied that many of the concerns raised are engineering issues, not land issues, and these are all addressed by the city's very competent staff. He stated to his knowledge, having been involved in all the conversations, they have never said "comparable," but have used the term "compatible." He pointed out that the City of High Point has determined that residential density in this range is compatible with other residential densities of similar ranges.

Mayor Wagner thanked Mr. Terrell and posed a question for the transportation staff. He asked staff if they were satisfied with the Traffic Impact Analysis received and if they had any questions as to the accuracy or any issues with the report.

Matt Carpenter, Traffic Operation Engineer with the High Point Transportation Department, replied that Engineering staff adequately responded to their questions; they have no issues with the data provided in the report; and they agree with the findings in the study.

Mayor Wagner asked if there were any additional questions.

Council Member Peters noted someone mentioned six houses per acre and asked how many houses they are planning with the development. Mr. Terrell replied that 420 is the maximum that can be done, but six units per acre is actually what they offered as a cap. He noted that at 5.5 units per acre, it is only one-half unit above what the current zoning is in the broader residential area. Mayor Wagner pointed out they could do five units per acre on the large portion of this property without a rezoning.

Council Member Peters felt the proposed price range per home of \$300,000-\$350,000 would be good socio-economically and asked staff if this could possibly help in getting a Harris Teeter or some of the better amenities to come to the S. Main Street area. Mr. Shannon responded and explained that rezoning requests are reviewed by staff based upon the policies that City Council asks them to evaluate a request in order to determine consistency with Land Use policies. He pointed out this would be getting into market studies that do take into account the number of roof tops, etc.... in making their evaluations.

Council Member Holmes asked Mr. Terrell if he or the applicant has thought about doing any of these types of studies to show the viability of future development around this type of housing. Mr. Terrell referred to Kye Bunker to address the viability issue.

Kye Bunker with Leoterra Development advised that Leoterra has built a few storage units; they strictly do residential development; and noted they have not looked into any feasibility studies for Harris Teeters, etc.....

Mayor Wagner asked if there were any additional questions or anyone else who would like to comment. Hearing none, he declared the public hearing closed.

Mayor Wagner then moved to adopt a resolution approving Plan Amendment 21-05 to change the Land Use Plan classification for approximately 70 acres from the Restricted Industrial and Low-Density Residential classifications to the Moderate-Density Residential classification on the site located south of Cox avenue and west of Jackson Lake Road. Council Member Jones made a second to the motion.

For further discussion, Council Member Jones stated that with or without a feasibility study, it is known that retail follows rooftops and he felt this is an area that would be improved by more amenities. For clarification, he advised that Council can only deny an application if it is going to be a detriment to the city or an area, based on certain factors with traffic being one of them; however, he did not see where traffic was established as a negative thing. He also noted that Council would not support a rezoning that would be detrimental to property values and added that from his real estate experience, homes in the price range of \$300,000-\$350,000 would actually increase property values. He advised that the city has to look at the highest and best use of the 55 square miles that Council governs and that is why he seconded the motion. He felt this would be a good development, and as far as the watershed issues are concerned, it would be up to the engineers to mitigate those.

Council Member Jefferson asked about the level of impact during construction and if there are any plans or considerations as to the time of day, location, or method, etc.... to try to alleviate some of the potential negative impact from the construction side of things. Mr. Terrell advised those considerations are always made and noted that Leoterra does have a very good track record and they do reach out, maintain contact with neighbors and listen to their concerns.

Council Member Holmes mentioned the infrastructure/sewage issues that were raised and asked if there is a report from staff on what the schedule for replacement of the sewer pipes would be. Derrick Boone, Assistant Director of Public Services, believed Ms. Caudill was referring to the Richland Creek Outfall and noted there are currently 16 aerial crossing under contract; however, the delay on the project has been due to not being able to procure the materials, so the plan is to issue the Notice to Proceed to get all the materials in and begin construction of the project after the new year.

Council Member Holmes asked staff if there is a possibility that these issues can probably be solved. Mr. Boone advised the area that Ms. Caudill mentioned is different from the Richland Creek Outfall line. Regarding the area where the leak was discovered, the City was notified by the State about it; staff did check it out; it appeared to be clear; after running multiple analyses on it, staff felt it was

groundwater; and noted if any additional areas are discovered, staff would like to be notified so it could be checked immediately.

Council Member Holmes asked if the leak has been taken care of. Mr. Boone replied in the affirmative and noted the leak was groundwater, and not sewage.

Mayor Wagner asked if there were any additional questions/comments. Hearing none, he then called for a vote on the motion to approve Plan Amendment 21-05. The motion carried by the following 9-0 unanimous vote:

Resolution No. 2011/21-56  
Resolution Book, Volume XXI, Page 56

Following the vote on Plan Amendment 21-05, Mayor Wagner then moved approval of Annexation 21-05. Council Member Jefferson made a second to the motion. The motion carried by the following 9-0 unanimous vote:

Ordinance No. 7752/21-69  
Ordinance Book, Volume XXII, Page 69

Following the vote on Plan Amendment 21-05 and Annexation 21-05, Mayor Wagner then moved to adopt an ordinance approving Zoning Map Amendment 21-19 to rezone approximately 70 acres from the Conditional Use Employment Center (CU-EC) and Residential Single Family-5 (R-5) Districts within the City of High Point's Extraterritorial Jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ RM-16) District for the site located south of Cox Avenue and west of Triangle Lake Road, and adopted the following Consistency and Reasonable Statements associated with this action:

"That Zoning Map Amendment 21-19 is consistent with the City's adopted policy guidance because, subject to approval of a Plan Amendment to establish a Moderate-Density Residential land use classification for this area, and based upon conditions offered by the applicant, the proposed CZ RM-16 District is supported by the goals and policies of the Community Growth Vision Statement and the Land Use Plan. Furthermore, the requested CU RM-16 District will support development similar to the surrounding area."

The motion carried by a 9-0 unanimous vote as follows:

Ordinance No. 7753/21-70  
Ordinance Book, Volume XXII, Page 70

Following the votes on these matters, Mayor Wagner thanked everyone for attending the meeting and expressing their opinions. He noted that many of the concerns mentioned tonight would be handled during the permitting process; that



the city does have strong water/sewer, surface water run-off regulations; that typically when developments occur, runoff issues tend to get better as a result of the development; that the school system is the entity that generally makes decisions about placing children in schools where there is capacity; that the developer will have to go through a very extensive technical review with staff to

**A motion was made by Mayor Wagner, seconded by Council Member Jones, that this matter be adopted. The motion carried by the following vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-471](#)

#### **Ordinance - Jay Patrick Short and Dawn M. Short - Annexation 21-05**

A request by Jay Patrick Short and Dawn M. Short for a voluntary noncontiguous annexation of approximately 73.8 acres located along the north and south sides of Cox Avenue and west of Jackson Lake Road. The property is known as Guilford County Tax Parcels 161559 and 157930.

**Attachments:** [Staff Report AN-21-05](#)

[ORD ANNEX 21-05](#)

The joint public hearing for this matter and related matters 2021-469 Plan Amendment 21-05 and 2021-472 Zoning Map Amendment 21-19 was held on Monday, November 1, 2021 at 5:30 p.m. as duly advertised.

Note: For discussion and specific comments made at the public hearings for these related matters, please refer to 2021-469 Plan Amendment.

**Following the vote on Plan Amendment 21-05, Mayor Wagner then moved approval of Annexation 21-05. Council Member Jefferson made a second to the motion. The motion carried by the following 9-0 unanimous vote:**

**Ordinance No. 7752/21-69**

**Ordinance Book, Volume XXII, Page 69**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-472](#)

#### **Ordinance - Leoterra Development, Inc. - Zoning Map Amendment 21-19**

A request by Leoterra Development, Inc. to rezone approximately 70 acres from the Conditional Use Employment Center (CU-EC) and Residential Single Family - 5 (R-5) Districts, within the City of High Point's Extraterritorial Jurisdiction, to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District. The site is located south of Cox Avenue and west of Jackson Lake Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

**Attachments:**    [Staff Report ZA-21-19](#)  
                              [Petition Against ZMA 21-19 and PA 21-05 \(Leoterra\).pdf](#)  
                              [ORD ZMA 21-19](#)

The joint public hearing for this matter and related matters 2021-469 Plan Amendment 21-05 and 2021-471 Annexation 21-05 was held on Monday, November 1, 2021 at 5:30 p.m. as duly advertised.

Note: For discussion and specific comments made at the public hearings for these related matters, please refer to 2021-469 Plan Amendment.

Following the vote on Plan Amendment 21-05 and Annexation 21-05, Mayor Wagner then moved to adopt an ordinance approving Zoning Map Amendment 21-19 to rezone approximately 70 acres from the Conditional Use Employment Center (CU-EC) and Residential Single Family-5 (R-5) Districts within the City of High Point's Extraterritorial Jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ RM-16) District for the site located south of Cox Avenue and west of Triangle lake Road, and adopted the following Consistence and Reasonable Statements associated with this action:

"That Zoning Map Amendment 21-19 is consistent with the City's adopted policy guidance because, subject to approval of a Plan Amendment to establish a Moderate-Density Residential land use classification for this area, and based upon conditions offered by the applicant, the proposed CZ RM-16 District is supported by the goals and policies of the Community Growth Vision Statement and the Land Use Plan. Furthermore, the requested CU RM-16 District will support development similar to the surrounding area."

The motion carried by a 9-0 unanimous vote as follows:

**Ordinance No. 7753/21-70**  
**Ordinance Book, Volume XXII, Page 70**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

**Note:**

The representative for Shamrock Petey, LLC has requested postponement of his applications for this matter, 2021-473 Plan Amendment 21-06, and related matters 2021-474 Annexation 21-06, and 2021-475 Zoning Map Amendment 21-20 scheduled for the 11-1-2021 City Council meeting to the 11-15-2021 City Council meeting at 5:30 pm.

**[2021-473](#)**

**Resolution - Shamrock Petey, LLC and City of High Point - Plan Amendment 21-06**

A request by Shamrock Petey, LLC and the City of High Point to change the Land Use Plan classification for approximately 41 acres from the Office and Medium Density Residential classifications to the Community/Regional Commercial classification. The site is located at the southeast corner of W. Wendover Avenue and Penny Road.

*Note: This matter was continued from the November 1, 2021 City Council Meeting to the November 15, 2021 Meeting @ 5:30 p.m. at the request of the applicant.*

**Attachments:** [PA-21-06 Final Staff report and CC fwd for 11-1-21 CC mtg \\_ver2](#)

A motion was made by Mayor Wagner, seconded by Council Member Holmes, to continue the public hearing on this matter and related matters 2021-474 Annexation 21-06 and 2021-475 Zoning Map Amendment 21-20 to the November 15, 2021 City Council Meeting at 5:30 p.m. The motion to continue the public hearing carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-474](#)

#### **Ordinance - Maria T. Montoya-Couch et al. - Annexation 21-06**

A request by Maria T. Montoya-Couch, SV LIM Holdings, LLC, Steven Lim, Barbara M. Jordan, Darrin R. Jordan, NorthState Telephone LLC and KTK for a voluntary contiguous annexation of approximately 27.2 acres, located at the southeast corner of W. Wendover Avenue and Penny Road. The property is known as Guilford County Tax Parcels 196671, 196672, 170002, 170004, 170005 and 170006.

***Note: This matter was continued from the November 1, 2021 City Council Meeting to the November 15, 2021 Meeting @ 5:30 p.m. at the request of the applicant.***

**Attachments:** [02. Staff Report AN-21-06 \(Council\).pdf](#)

A motion was made by Mayor Wagner, seconded by Council Member Holmes, to continue the public hearing on this matter and related matters 2021-473 Plan Amendment 21-06 and 2021-75 Zoning Map Amendment 21-20 to the November 15, 2021 City Council Meeting at 5:30 p.m. The motion to continue the public hearing carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### [2021-475](#)

#### **Ordinance - Shamrock Petey, LLC - Zoning Map Amendment 21-20**

***Note: This matter was continued from the November 1, 2021 City Council Meeting to the November 15, 2021 Meeting @ 5:30 p.m. at the request of the applicant.***

***However, staff will be requesting that this matter be withdrawn from the agenda. The request has now been merged into 2021-506 Zoning Map Amendment 21-23 which is on tonight's agenda for public hearing.***

A request by Shamrock Petey, LLC to rezone approximately 25.5 acres from the Agricultural (AG) District, Residential Single Family - 40 (RS-40) District and General Office-Moderate Intensity (GO-M) District all within Guilford County's zoning jurisdiction, to a Conditional Zoning Retail Center (CZ-RC) District. The site is located at the southeast corner of W. Wendover Avenue and Penny Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

**Attachments:** [Staff Report ZA-21-20 ver2](#)

**A motion was made by Mayor Wagner, seconded by Council Member Holmes, to continue the public hearing on this matter and related matters 2021-474 Annexation 21-06 and 2021-474 Annexation 21-06 to the November 15, 2021 City Council Meeting at 5:30 p.m. The motion to continue the public hearing carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

## **GENERAL BUSINESS AGENDA**

### **2021-480**

#### **Appointment of Trustee - Environmental Remedial Trust - Seaboard Chemical Corporation/Riverdale Drive Landfill**

City Council is requested to accept the resignation of Terry Houk as City Trustee and appoint Robby Stone, Deputy Director of Public Services as City Trustee of the Seaboard Chemical Corporation/Riverdale Drive Landfill Remedial Action Trust Fund Agreement.

**Attachments:** [Appointment of Robby Stone - City Trustee-Seaboard Chemical Corp-Riverdale](#)  
[APPT Robby Stone Seaboard Chemical Corp](#)

City Attorney JoAnne Carlyle advised that previously the City appointed Terry Houk, Director of Public Services as City Trustee of the Seaboard Chemical Corporation/Riverdale Drive Landfill Remediation Trust Fund Agreement ("Seaboard Trust") and due to Mr. Houk's upcoming retirement from the City, Council is requested to accept the resignation of Mr. Houk as City Trustee and appoint Robby Stone, Deputy Director of Public Services as the City Trustee of the Seaboard Trust.

**A motion was made by Mayor Wagner, seconded by Mayor Pro Tem Moore, to accept the resignation of Terry Houk as the City Trustee and appoint Robby Stone, Deputy Director of Public Services as City Trustee of the Seaboard Chemical Corporation/Riverdale Drive Landfill Remedial Action Trust Fund Agreement. The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

### **2021-476**

#### **Revisions to the Ordinance Establishing Dates & Times for Official Sessions of the High Point City Council**

City Council is requested to revise the 2022 Meeting Schedule and adopt a Revised Ordinance Establishing Dates and Times for Official Sessions of the High Point City Council reflecting:

Cancellation of the Monday, January 3, 2022 Council Meeting and rescheduling to Tuesday, January 4th, Cancellation of the Monday, January 17th Council Meeting due to the MLK

holiday, and rescheduling to Tuesday, January 18th

Cancellation of the Monday, April 4th Council Meeting due to the High Point Furniture Market

Cancellation of the Monday, July 4th City Council Meeting due to the July 4th holiday

Cancellation of the Monday, September 5th Council Meeting due to the Labor Day holiday

**Attachments:**    [Ordinance - Establishing Meeting Dates & Times for Council 2022](#)  
[ORD Revised Dates and Times](#)

**A motion was made by Mayor Wagner, seconded by Council Member Holmes, to adopt the revisions to the Ordinance Establishing Dates & Times for Official Sessions of the High Point City Council.**

**For further discussion, Council Member Jefferson mentioned some past discussions regarding declaring Juneteenth as a City holiday. He stressed the importance of the observance of Juneteenth as a holiday; mentioned that it is already a Federal holiday; and asked how it could be declared a holiday in the City of High Point. He noted that although Juneteenth is generally observed on June 19th, because it falls on a Sunday in 2022, it will be observed on Monday, June 20th. He brought the potential conflict with the June 20, 2022 City Council Meeting to Council's attention.**

**Mayor Wagner agreed it is something that could be looked at and further discussed but reminded Council that it is budget season and he felt a second meeting in June would be needed because of the urgency of possibly needing to have the meeting to pass the budget.**

**City Manager Tasha Logan Ford agreed that staff could certainly go back and look at the schedule with the recognized observance of Juneteenth being June 20th; how it might affect the Meeting Schedule; benchmark to see what surrounding cities are doing regarding the holiday; and bring it back to Council for discussion at the first Council Meeting in December.**

**There being no further discussion, the motion carried by the following 9-0 unanimous vote:**

**Ordinance No. 7759/21-76**

**Ordinance Book, Volume XXII, Page 76**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

## **2021-477**

### **Reappointment - Willie Davis - Human Relations Commission**

Council is requested to confirm the appointment of Willie Davis to the Human Relations Commission as Mayor Wagner's At Large appointee. Appointment to be effective immediately and will expire on 11/1/2023.

**Attachments:**    [Human Relations Commission Appointment](#)

**A motion was made by Mayor Wagner, seconded by Council Member Johnson, to approve the reappointment of Willie Davis to the Human Relations Commission; appointment to be effective immediately and will expire November 1, 2023. The motion**

carried by the following 9-0 unanimous vote:

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### 2021-484

##### **Reappointments - High Point Housing Authority Board - (Boger and Bunting)**

Council is requested to confirm the reappointments of Meredith Boger and Charity Bunting to the High Point Housing Authority Board. Reappointments to be effective December 22, 2021 and will expire December 22, 2026.

**Mayor Wagner moved to suspend the rules to add these reappointments to the agenda for consideration. Council Member Jefferson made a second to the motion to suspend the rules which carried by the following 9-0 unanimous vote:**

**A motion was made by Mayor Wagner, seconded by Council Member Holmes, to approve the reappointments of Meredith Boger and Charity Bunting to the High Point Housing Authority Board; reappointments will be effective December 22, 2021 and will expire December 22, 2026. The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

#### 2021-491

##### **Amended Resolution- Reimbursement Agreement with Shamrock Petey, LLC**

Consideration of an Amendment to the Resolution to Authorize a Reimbursement Agreement with Shamrock Petey, LLC in an amount not to exceed \$2,500,000.00 that was adopted by the City Council on August 2, 2021. The amended Resolution reflects a not to exceed amount of \$4,500,000.00. Shamrock Petey, LLC will design and construct municipal infrastructure that is included in the City's Capital Improvement Plan on a multi-parcel near the intersection of Penny Road and West Wendover Avenue Corridor.

**Attachments:** [Amended Resolution Shamrock Petey LLC.pdf](#)

**Mayor Wagner moved to suspend the rules to add this matter to the agenda for consideration. Council Member Jefferson made a second to the motion to suspend the rules which carried by the following 9-0 unanimous vote:**

**A motion was then made by Mayor Wagner, seconded by Council Member Holmes, to adopt an amended resolution to Authorize a Reimbursement Agreement with Shamrock Petey, LLC in an amount not to exceed \$4,500,000.00; Shamrock Petey LLC will design and construct municipal infrastructure that is included in the City's Capital Improvement Plan on a multi-parcel near the intersection of Penny Road and West Wendover Avenue Corridor. The motion carried by the following 9-0 unanimous vote:**

**Resolution No. 2013/21-58  
Resolution Book, Volume XXI, Page 58**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

[2021-478](#)

### **Minutes To Be Approved**

September 30 , 2021 Finance Committee @ 4:00 p.m.

October 4, 2021 Manager's Briefing @ 3:30 .m.

October 4, 2021 Regular Meeting of City Council @ 5:30 p.m.

**Attachments:** [1. September 30 2021 Finance Committee Minutes.pdf](#)  
[2. October 4 2021 Manager's Briefing Minutes.pdf](#)  
[3. October 4 2021 Regular Meeting Minutes.pdf](#)

**A motion was made by Council Member Jones, seconded by Council Member Williams, that the preceding minutes be approved as submitted. The motion carried by the following 9-0 unanimous vote:**

**Aye:** 9 - Mayor Pro Tem Moore, Council Member Williams, Council Member Jefferson, Mayor Wagner, Council Member Holmes, Council Member Peters, Council Member Johnson, Council Member Jones, and Council Member Hudson

### **Veteran's Day**

**Council Member Jefferson reminded everyone that Veteran's Day would be observed soon and thanked all veterans for their service to our country.**

### **ADJOURNMENT**

There being no further business to come before Council, the meeting adjourned at 7:44 p.m. upon motion duly made by Council Member Jones and second by Council Member Peters.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, MMC  
City Clerk