



City of Greensboro

Melvin Municipal Building
300 W. Washington Street
Greensboro, NC 27401

Meeting Minutes - Final City Council

Tuesday, August 18, 2015

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

Present: 9 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Marikay Abuzuaite, Councilmember Mike Barber, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling and Councilmember Tony Wilkins

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Councilmember Wilkins recognized the American Language Academy attendees to lead the Pledge of Allegiance to the Flag.

Jill Wagner provided information on the Academy; recognized countries that were represented; and thanked Council for allowing the students to see government in action.

Recognition of Courier

City Manager Westmoreland recognized Kiran Purswani of the Information Technology Department who served as the Courier for the meeting.

City Manager Westmoreland also recognized Khadara Jennings as Junior Courier who is a Sophomore at the Middle College at Greensboro Technical Community College; and provided an overview of Ms. Jennings' community involvement and accomplishments.

Councilmember Hightower spoke to the success of the summer Junior Courier program; and voiced her hope to continue the program after the school year began.

Mayor Vaughan thanked Councilmember Hightower for her participation in the program.

Council Procedure for Conduct of the Meeting

Mayor Vaughan explained the Council procedure for conduct of the meeting. Mayor Vaughan asked for motion to excuse Councilmember Barber.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wilkins to excuse Councilmember Barber from the meeting. The motion carried by voice vote.

Mayor Pro-Tem Johnson recognized Cathy Justice of the Community Relations department for her work with a family in need of assistance.

22. [ID 15-0689](#) Ordinance Amending Chapter 11 of the Greensboro Code of Ordinances with Respect to Minimum Housing

Mayor Vaughan asked for a motion to postpone the item to the September 1st meeting of Council without further advertising.

Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson to postpone the item to the September 1st meeting without further advertising. The motion carried by voice vote.

9. [ID 15-0670](#) Resolution Authorizing Contract in the Amount of \$415,000 with Arcadis G&M of North Carolina, Inc. for the 2015 Sewer Model Recalibration Project

Mayor Vaughan asked for a motion to remove the item from the agenda.

Moved by Councilmember Wilkins, seconded by Councilmember Abuzuaiter to remove the item from the agenda. The motion carried by voice vote.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 15-0710](#) Resolution Declaring the Month of August Black Philanthropy Month

Councilmember Fox read the resolution into the record; and presented the resolution to Walker Sanders and Altan Lindsay of the Community Foundation.

Mr. Lindsay provided a brief history; highlighted the Community Foundation in social media; spoke to connecting to the community; and to promotion of non - profits.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

Excused, 1 - Mike Barber

0247-15 RESOLUTION DECLARING THE MONTH OF AUGUST BLACK PHILANTHROPY MONTH

WHEREAS, Dr. Jacqueline Copeland-Carson of Pan-African Women's Philanthropy Network (formerly affiliated with AWDF USA) established the month of August as Black Philanthropy Month in 2011 with recognition by the United Nations as part of its Declaration of 2011 as the International Year for People of African Descent; and

WHEREAS, Black Philanthropy Month is an annual, global celebration of African-descent giving in all its forms; and

WHEREAS, the month-long observance invites all people of African ancestry and allied brothers and sisters to take August and beyond to promote the power of giving to transform lives; and

WHEREAS, Black communities have vested reasons to celebrate and renew their rich, shared traditions of giving, self-help, and innovation throughout the United States and the world; and

WHEREAS, an extraordinary legacy of philanthropy and ongoing achievement in philanthropy merit a concerted effort to lift up important stories, spotlight good work, educate the generations, and inspire giving; and

WHEREAS, understanding and generosity are instrumental to improving social, educational, economic and health outcomes in Black communities; and

WHEREAS, the citizens of Greensboro are asked to celebrate the cultural richness and philanthropic spirit of the community and to recognize the role generosity plays in ensuring a healthy, safe and prosperous community in which to live, work, and play during the month of August.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That it hereby declares the month of August Black Philanthropy Month.

(Signed) Yvonne Johnson

2. [ID 15-0683](#) BE Greensboro Employee Recognition

City Manager Westmoreland provided a brief history of the BE Greensboro program; spoke to employees that took extra steps, showed acts of kindness and made a impact across the City; reminded citizens they could still recommend employees for recognition; and recognized employees in attendance.

Mayor Vaughan stated the BE Greensboro program would be through August; and spoke to recognizing employees year round.

II. PUBLIC COMMENT PERIOD

Congresswoman Alma Adams, 2109 Liberty Road addressed the minimum wage item; spoke to the ultimate goal of reaching \$15 per hour by the year 2020; elected leaders doing the right thing; provided percentages for people working below the poverty line; spoke to federal and state minimum wages; and stated people should not have to work multiple jobs. Congresswoman Adams continued by voicing she was proud of the Greensboro City Council; spoke to quality of life improvements; requested Council to protect the people of Greensboro; spoke to getting closer to a living wage; and thanked Council for their service.

Zac Engle, 403 Hammel Road stated he represented Synergy; advocated for young professionals; spoke to attracting Trader Joes to Greensboro; referenced the Friendly area property; spoke to a great economic impact, and to getting the word out that Greensboro wanted a Trader Joes.

Dr. Bill Blaylock, 209 West Bessemer Avenue stated he was the Director of Missions for Mercy; provided details for a dental clinic at the Coliseum on August 28th and 29th; spoke to the volunteers that would come to treat people; thanked City Manager Westmoreland and Coliseum Director Matt Brown for their assistance; provided history of previous clinics; and invited Council to attend.

Terry Power, 910 Merritt Drive spoke to art programs in Greensboro; free workshops for children and adults at the City Arts Drama Center; program benefits; extended an invitation to everyone to attend; and thanked Council for past support.

Greensboro Realtors Association President Kevin Green, 23 Oak Branch spoke to a solid real estate market; seeing positive signs; strong quarterly sales; referenced the recession and a bad economy; creating an environment where jobs were a priority; referenced the Wyndham and the upcoming Folk Festival; and people coming to Greensboro.

Kathryn Fields, 1906 Strathmore Drive, stated she was a student at George Washington University; provided a brief history of her life experiences in City arts; highlighted her theatre involvement; spoke to obtaining the Presidential Scholarship at George Washington; and how City Arts had changed her life.

Andre' Robinson, 4425 Lake Walk Drive provided a Brian Stevenson quote regarding poverty; spoke to a history of oppression; connecting City sectors; police accountability and transparency; attacks on the Civil Rights Museum; and referenced the Beloved Community Center.

Sherry Giles, 212 Tate Street spoke to a research project done with the Beloved Community Center; to police accountability; provided outcome percentages of the project; spoke to a lack of trust by residents; to a fair and transparent process; Council holding Police accountable; and to Greensboro serving as an example across the Country.

Toni Etheridge, 529-D College Road, Youth Active Organizer and concerned mother referenced statements made by previous speakers; spoke to justice and injustice; listening to black youth in the community; confrontations with the police; police accountability; and stated black lives did matter.

Councilmember Barber entered the meeting at 6:26 p.m.

Reverend Nelson Johnson, 2115 Murrayhill Road spoke to the importance of community safety and the welfare of citizens; increased wages; fair treatment by the police department; asked Council to take action; referenced a request regarding a shooting in 2014; spoke to access to video footage; and encouraged Council to be proactive.

Alan Ferguson, 4794 Troy Smith Road, Liberty and business owner at 314 North Church Street spoke to an update on the Mega site in Randolph county; provided Council with a handout for Nissan Motor Corporation; spoke to efforts to obtain a automobile company at the site; Nissan, Honda and Toyota being out of the running; and requested Council to consider how it would spend taxpayer dollars.

Mayor Vaughan referenced the financial commitments regarding water lines; and spoke to looking at other advanced manufacturers.

Michelle Kennedy, 806 Fairmont Street spoke to messages from the community to Council regarding police accountability; cases being reviewed; unarmed African Americans; revisions needed; exceptional policing; internal review process; safety and just treatment all of citizens; and requested clarification on the issue.

Mayor Pro-Tem Johnson asked Greensboro Police Chief Wayne Scott to address Ms. Kennedy's concerns.

Police Chief Scott spoke to reviewing actions of officer's regarding complaints; the code of conduct; investigation by the professional standards division; the overlap in criminal and internal investigations; and availability of the code of conduct to the community.

Mayor Vaughan asked for clarification on justified stops; and if professional standards would determine when a stop was justified.

City Manager Westmoreland referenced a letter sent in response to the Scales cases; the Citizens Review Committee's decision; spoke to the findings by the District Attorney; the authority of the City; and to the authority he had as Manager.

City Attorney Carruthers spoke to reasonable suspicion; the policy and procedures of the City; and the duty of Internal Affairs.

Police Chief Scott spoke to standard questions an investigator would ask; and to the code of conduct mirroring State law.

Reverend Johnson spoke to dropped charges; people deserving a clear answer; police profiling; and to officers that needed to be either terminated or retrained.

Mayor Vaughan voiced concern regarding the ability to view body worn camera video; spoke to footage being part of a personnel file; providing accountability; expressed disappointment with Legislature; and stated technology was ahead of legislation.

Discussion took place regarding reviewing footage through the criminal discovery process in closed session; the inability to discuss footage in open session; transparency; a developed study committee to review the issue; sensitive police video; the usage of personal cell phones capturing footage; and addressing issues as they arose.

III. CONSENT AGENDA (One Vote)

Mayor Vaughan removed items #11, #12, and #14 from the consent agenda; stated Councilmember Outling would be recusing himself from the items; and asked if anyone wished to remove items from the consent agenda.

Councilmember Wilkins removed item #15 from the consent agenda for discussion.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox to adopt the consent agenda as amended. The motion carried by voice vote.

- 3. [ID 15-0637](#) Ordinance in the Amount of \$6,851 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of State Drug Excise Tax Funds For Greensboro Police Department’s Traffic Safety Education Program

15-0106 ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF STATE DRUG EXCISE TAX FUNDS FOR GREENSBORO POLICE DEPARTMENT’S TRAFFIC SAFETY EDUCATION PROGRAM

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

Account	Description	Amount
220-3566-01.5235	Small Tools & Equipment	\$6,851
TOTAL:		\$6,851

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

Account	Description	Amount
220-3566-01.7123	State Drug Excise Tax	\$6,851
TOTAL:		\$6,851

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

- 4. [ID 15-0639](#) Ordinance Amending State, Federal and Other Grants Fund Budget for the GHSP Traffic Safety Education Grant FY15

15-0107 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE GHSP TRAFFIC SAFETY EDUCATION GRANT FY15

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and Other Grants Fund be decreased as follows:

Account	Description	Amount
220-3561-01.5235	Small tools/Equip.	\$- 2,843
220-3561-01.5237	Other Services	\$- 9,361
220-3561-01.5520	Seminar/Training	\$- 1,500

Total \$ -13,704

and, that this decrease be financed by decreasing the State, Federal and Other Grants Fund accounts as follows:

Account	Description	Amount
220-3561-01.7100	Federal Grant	\$- 6,852
220-3561-01.7123	State Drug Excise Tax	\$ -6,852
Total		\$ -13,704

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

- 5. [ID 15-0693](#) Ordinance in the Amount of \$13,300 Amending State, Federal, and other Grants Fund Budget for the Appropriation of the SETRAC Grant from the Greensboro Convention and Visitors' Bureau.

15-0108 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE SETRAC GRANT FROM THE GREENSBORO CONVENTION AND VISITORS BUREAU

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

Account name – 2014 SETRAC Coliseum Grant

Account	Description	Amount
220-7501-01.6019	Other Capital Improvements	\$13,300
TOTAL		\$13,300

And, that this increase is financed by increasing the following State, Federal, and Other Grants Fund accounts:

Account	Description	Amount
220-7501-01.8620	Donations & Private Contributions (GACVB SETRAC Grant)	\$13,300
TOTAL		\$ 13,300

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

- 6. [ID 15-0682](#) Resolution Authorizing Grant Application and Execution of a Memorandum of Understanding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2015

0248-15 RESOLUTION AUTHORIZING GRANT APPLICATION AND EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

PROGRAM FY 2015

WHEREAS, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, authorized under Federal Regulation 42 U.S.C. 3751(a), is the primary provider of federal criminal justice funding to state and local jurisdictions; and

WHEREAS, the JAG Program (CFDA #16.738) provides states and units of local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution and court programs including indigent defense, prevention and education programs, corrections and community corrections, drug treatment and enforcement, crime victim and witness initiatives, and planning, evaluation, and technology improvement programs; and

WHEREAS, this grant is a disparate allocation between the Greensboro Police Department, High Point Police Department and Guilford County Sherriff's Department which requires an application process for the funder to approve the proposed use of funds; and

WHEREAS, a disparate allocation occurs when a city or municipality is allocated more funds than the county, while the county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crimes; and

WHEREAS, approval of the proposed funding and a Memorandum of Understanding (MOU), executed by the participating jurisdiction's is required from all disparate applicants; and

WHEREAS, in accordance with the JAG Program disparate grant formula, the participating jurisdictions agree it is in their best interests to reallocate the \$191,755 in JAG funds to the City of High Point for a total of \$39,974; to Guilford County for a total of \$48,321; and to the City of Greensboro for a total of \$103,460.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the application to the Bureau of Justice Assistance for \$191,755 in federal JAG funds and execution of a Memorandum of Understanding (MOU) are hereby approved.

(Signed) Yvonne Johnson

- 7. [ID 15-0684](#) Ordinance in the Amount of \$191,755 Amending the State, Federal, and Other Grants Fund Budget for the Appropriation of Federal Grant Funds for Edward Byrne Memorial Justice Assistance Grant (JAG) Program Allotment FY 2015

15-0109 BUDGET ORDINANCE AMENDING THE STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FEDERAL GRANT FUNDS FOR EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM ALLOTMENT FY 2015

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

Account name – Greensboro Police Department JAG FY 15

Account	Description	Amount
220-3560-01.6051	Licensed Vehicles	\$103,460
TOTAL:		\$103,460

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

Account	Description	Amount
220-3560-01.7100	Federal Grant	\$103,460
TOTAL:		\$103,460

Section 2

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

Account name – High Point Police Department JAG FY 15

Account	Description	Amount
220-3560-02.5932	Contributions To Governmental Agencies	\$39,974
TOTAL:		\$39,974

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

Account	Description	Amount
220-3560-02.7100	Federal Grant	\$39,974
TOTAL:		\$39,974

Section 3

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

Account name – Guilford County Sheriff's Department JAG FY 15

Account	Description	Amount
220-3560-03. 5932	Contributions To Governmental Agencies	\$48,321
TOTAL		\$48,321

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

Account	Description	Amount
220-3560-03.7100	Federal Grant	\$48,321
TOTAL:		\$48,321

Section 4

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

8. [ID 15-0696](#) Resolution to Modify Rules and Regulations for the Operation of Municipal Cemeteries

0249-15 RESOLUTION APPROVING THE REVISED RULES AND REGULATIONS FOR THE OPERATION OF MUNICIPAL CEMETERIES

WHEREAS, the City currently has Rules and Regulations for the operation of the municipal cemeteries throughout the City;

WHEREAS, staff was previously directed by Council to review and identify opportunities to make modifications to the rules and regulations of the cemeteries;

WHEREAS, staff researched operations of various cemeteries and collaborated with residents and the Friends of Green Hill Cemetery to develop rule modifications;

WHEREAS, upon completion of the collaboration, staff presented the modifications to the Parks and Recreation Commission which voted unanimously in support of the changes;

WHEREAS, the proposed revised rules and regulations are presented herewith this day;

WHEREAS, a summary of the proposed changes is outlined as follows:

- Free ground - In those cases where it is determined by the Cemetery Superintendent and confirmed by the guidelines provided by the Guilford County Social Services that a resident is impoverished and unable to pay for a grave, grave and all related services may be provided without charge. Such documentation as is required to make the determination shall be furnished to the Cemetery Superintendent. The location of the lot, date and time of the service will be at the discretion of the Cemetery Superintendent;
- Permitted plantings - No person shall plant, remove, or maintain any tree, shrub, or ground cover in a City Cemetery without the permission of the Parks and Recreation Director or Cemetery Superintendent or their designee. The Cemetery Superintendent is authorized to allow the plot owner's permission to install and maintain small flowering trees and dwarf evergreen shrubs, provided that such trees and shrubs are planted in line with monuments or in such areas so as not to substantially interfere with the maintenance of the cemetery. All trees and shrubs must be trimmed in a manner to encourage upward growth and not interfere with future adjacent grave openings. All approved plantings must be within the boundaries of the owner's lot. ONLY the owner or its representative is allowed to plant anything on lots. Application for permission to plant trees or shrubs shall be made to the Cemetery Superintendent and shall be made by the owner or owner's designated representative. Detailed plans showing the plantings desired shall be furnished with any application. In regard to public requests for additional plantings and with the intent to maintain a safe, beautiful and low-maintenance needed cemetery system, the following serves as a recommended guideline to be followed, which could be subject to exception by way of written pre-approval from the Parks and Recreation Director, Cemetery Superintendent or their designee:
 - Newly planted trees should be eight feet or more in height, except when planted by individuals on their family plot and only allowed in common areas;
 - New trees will not be allowed within five feet of any paved street;
 - Shrubs may only be placed in designated natural areas, with the shrub's adult form (height and width) taken into consideration. Trees or shrubs which produce excessive litter (i.e. sweet gum, female ginkgo) or that could provide a hazard to participants, volunteers or staff will not be permitted (i.e. thorns, vines, etc.).

The City reserves the right to trim, prune or remove from any lot or space any tree or shrub which is installed in violation of these regulations or which become unsightly or detrimental to walks, roads, or other lots. Other plantings not presently conforming to these regulations shall be made to conform therewith. The Cemetery Division will be held harmless when the decision is made to remove any existing tree or shrub that is interfering with maintenance practices or grave opening procedures, or which is detrimental to the overall appearance of the cemetery. No plantings will be permitted in sections that are subdivided and platted into grave sites after May 1,

1974.

- Conduct in cemeteries - Without prior approval from the Parks and Recreation Director or their designee, no person shall:
 - Use City Cemetery property for drop-in recreation, equipment/vehicle storage, discharge fireworks or firearms.
- Other personal conduct by any guest/visitor deemed to be unreasonable or unlawful in accordance to Parks and Recreation Rules and Regulations 19-1 and City of Greensboro laws and ordinances inside cemetery property is prohibited. Unreasonable behavior includes, but not limited to:
- Failing to comply with rules, regulations and staff directions;
 - Trespassing outside of established operating hours;
 - Failure to remain on designated plots, roads and trails;
 - Failure to remove pet or service animal waste;
 - Behavior that deters the peace of the other guests and/or services
 - Vehicles and recreational transportation considerations:
 - The speed limit for all traffic is 15 mph;
 - All motor vehicles and bicyclists must remain on designated roads and / or paths as directed by Cemetery personnel and be operated in accordance to State, local laws and ordinances;
 - Unless prior written approval is received by the Parks and Recreation Director or their designee, horseback riding is prohibited. Exceptions would be considered for services and/or ceremonies;
 - Service animals and pets - Pets and service animals are permitted, and must remain on leashes at all times. Owners are responsible for the behavior of their pets and/or service animals and are required to remove all waste.
 - Operating hours - All City Cemeteries shall be closed from sundown until 8:00 AM during the entire year. No person, other than law enforcement personnel or Cemetery Division employees may enter any City Cemetery while it is closed without the permission of the Parks and Recreation Director or their designee. The Parks and Recreation Director or their designee may change hours of operations needed, but not to interfere with previously scheduled services;

WHEREAS, there will be no budgetary impact as a result of the proposed changes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the proposed Revised Rules and Regulations for the operation of municipal cemeteries presented herewith this day is hereby approved.

(Signed) Yvonne Johnson

10. [ID 15-0678](#) Resolution Approving Bid in the Amount of \$317,751 and Authorizing Execution of Contract 2014-17A with Yates Construction Co., Inc. for the Patton Avenue Bore and Water Line Encasement

0250-15 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2014-17A WITH YATES CONSTRUCTION CO., INC. FOR THE PATTON AVENUE BORE AND WATER LINE ENCASEMENT PROJECT

WHEREAS, after due notice, bids have been received for the Patton Avenue Bore and Water Line Encasement project;

WHEREAS, Yates Construction Co., Inc. a responsible bidder, has submitted the low base and alternate bid in the total amount of \$317,751 as general contractor for Contract No. 2014-17A, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Yates Construction Co., Inc. is hereby accepted, and the City is authorized to enter into a contract with Yates Construction Co., Inc. for the Patton Avenue Bore and Water Line Encasement project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into

effect, payment to be made in the amount of \$317,751 from Account No. 503-7025-01.6016 Activity A16037.

(Signed) Yvonne Johnson

13. [ID 15-0675](#) Resolution Authorizing Encroachment Agreement Between the City of Greensboro and Well-Spring Retirement Community, Inc.

0251-15 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND WELL-SPRING RETIREMENT COMMUNITY, INC.

WHEREAS, Well-Spring Retirement Community, Inc. has requested that the City permit the proposed installation of 1,919 feet of fiber optic lines in City right-of-way to provide fiber optic connectivity between the existing community at 4100 Well-Spring Drive and their new site at 3611 Drawbridge Parkway;

WHEREAS, the owner has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the fiber optic lines being located within said right-of-way;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said fiber optic lines in accordance with the terms and conditions of an Agreement presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate Encroachment Agreement with Well-Spring Retirement Community, Inc. to permit the installation 1,919 feet of fiber optic lines in City right-of-way to provide fiber optic connectivity between the existing community at 4100 Well-Spring Drive and their new site at 3611 Drawbridge Parkway all in accordance with the terms and conditions set out therein.

(Signed) Yvonne Johnson

16. [ID 15-0677](#) Motion to Adopt the Revised 2015 City Council Meeting and Council Committee Schedule

Motion to adopt the revised 2015 City Council meeting and Council Committee schedule was adopted.

17. [ID 15-0691](#) Budget Adjustments Requiring Council Approval 7/22/15-8/10/15

Motion to approve the budget adjustments of 7/22/15 - 8/10/15 over the amount of \$50,000 was adopted.

18. [ID 15-0692](#) Budget Adjustments Approved by Budget Officer 7/25/15-8/10/15

Motion to approve the budget adjustments of 7/25/15 - 8/10/15 was adopted.

19. [ID 15-0681](#) Motion to Approve the Minutes of the Work Session of July 21, 2015

Motion to approve the minutes of the Work Session of July 21, 2015 was adopted.

20. [ID 15-0698](#) Motion to Approve the Minutes of the Regular Meeting of July 21, 2015

Motion to approve the minutes of the Regular meeting of July 21, 2015 was adopted.

21. [ID 15-0700](#) Motion to Approve the Work Session Minutes of July 28, 2015

Motion to approve the minutes of the Work Session of July 28, 2015 was adopted.

11. [ID 15-0687](#) Resolution Authorizing Contracts Between the City of Greensboro and

Partners Ending Homelessness and the Interactive Resource Center

City Attorney Carruthers referenced conversations with Councilmember Outling concerning agenda items #11, 12, 14 and 29; spoke to representation of Brooks and Pierce on the items; and stated it would be appropriate for Councilmember Outling to be recused from these items.

Councilmember Wilkins asked for recusal data for Councilmember Outling; voiced concerns on the number of items Councilmember Outling had recused himself; and stated he would not vote in favor of future recusals.

City Attorney Carruthers responded the information would be provided to Council.

Councilmember Outling spoke to remaining focused on substance and form; reasoning behind his recusals; being ethical; and to placing substance over posturing.

Discussion took place regarding the qualifications of the other District 3 candidates; and unfair representation to the residents.

Moved by Councilmember Barber, seconded by Councilmember Hightower to recuse Councilmember Outling from agenda items #11, 12, 14, and 29. The motion carried by voice vote with Councilmember Wilkins voting 'No'.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to adopt the resolution. The motion carried by voice vote with Councilmember Outling being recused.

0252-15 RESOLUTION AUTHORIZING THE CITY TO ENTER INTO CONTRACTS WITH PARTNERS ENDING HOMELESSNESS AND THE INTERACTIVE RESOURCE CENTER

WHEREAS, in May, 2015 City Council was briefed on proposed Nussbaum funding in the amount of \$393,627 for Partners Ending Homelessness (PEH) and direct funding in the amount of \$125,000 to the Interactive Resource Center for Fiscal Year 2015-16;

WHEREAS, in addition to the Nussbaum funding, Emergency Solutions Grant Funding will be allocated in the amount of \$177,108 and from the Community Development Block Grant (CDBG) in the amount of \$176,130 for homeless prevention activities;

WHEREAS, PEH is Guilford County's lead agency for homelessness prevention and will administer \$746,865 of the total allocation designated for homelessness prevention;

WHEREAS, direct funding in the amount of \$125,000 will allow the IRC to assist with emergency shelter needs in Fiscal Year 2015-16;

WHEREAS, PEH and the IRC are 501(c) (3) tax exempt organizations and have satisfied board member and staff training requirements for receiving Fiscal Year 2015-16 City funding;

WHEREAS, Federal CDBG and ESG funds in the amount of \$353,238 and Nussbaum funds in the amount of \$518,627 will be utilized to fund said contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City is hereby authorized to enter into contracts with Partners Ending Homelessness (PEH) and the Interactive Resource Center (IRC) subject to the terms outlined above.

(Signed) Sharon Hightower

12. [ID 15-0694](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property Owned by Sackett Greensboro LLC Located at 3020 West Gate City Boulevard (Formerly Known As

High Point Road) in Connection With the High Point Road Streetscape Project

Moved by Councilmember Hightower, seconded by Councilmember Hoffmann to adopt the resolution. The motion carried by voice vote with Councilmember Outling being recused.

0253-15 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF SACKETT GREENSBORO LLC IN CONNECTION WITH THE HIGH POINT ROAD STREETScape PROJECT

WHEREAS, Sackett Greensboro LLC, is the owner of that certain property located at 3020 W. Gate City Boulevard (formerly known as High Point Road) designated as Parcel # 0054207, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the High Point Road Streetscape Project;

WHEREAS, negotiations with the owner at the total appraised value of \$36,075.00 for the property have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the total amount of \$36,075.00 for the property.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$36,075.00 to the Clerk of Superior Court as compensation to the owner, payment to be made from Account No. 471-4502-12.6012 Activity # A13106.

(Signed) Sharon Hightower

14. [ID 15-0676](#) Resolution Authorizing Encroachment Agreement between the City of Greensboro and AZ Development, LLC

Moved by Councilmember Hoffmann, seconded by Councilmember Fox to adopt the resolution. The motion carried by voice vote with Councilmember Outling being recused.

0254-15 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND AZ DEVELOPMENT, LLC

WHEREAS, the AZ Development, LLC has requested that the City permit the proposed installation of one awning to provide overhead shelter and shade at Crafted, the Art of Street Food located at 600 C Battleground Avenue;

WHEREAS, the owner has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the installation of said awning into the City right-of-way;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said awning in accordance with the terms and conditions of an Agreement presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate encroachment agreement with AZ Development, LLC to permit the installation of one awning at Crafted, the Art of Street Food located at 600 C Battleground Avenue all in accordance with the terms and conditions set out therein.

(Signed) Nancy Hoffmann

15. [ID 15-0713](#) Resolution Authorizing the Creation of a Participatory Budgeting Steering Committee

Councilmember Wilkins inquired about the appointments of members; spoke to a fair process; equal representation; and to having a plan in place.

Mayor Vaughan spoke to District Representatives making appointments; ensuring any one district would not be weighted; and to serving the entire City.

Assistant City Manager Mary Vigue spoke to the Committee establishing a rule book; the on-line application process; providing information to Council prior to the September 1st meeting; neighborhood congress; community meetings; and to the appointment of a diverse group.

Councilmember Wilkins spoke to the budget impact; and voiced concerns with the language on the agenda item.

Discussion took place regarding At-Large appointments; Council communications regarding appointments; community representation; the committee being visionary and fair; a diverse steering committee; and inviting the citizens to submit interest forms.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to adopt the resolution. The motion carried by voice vote with Councilmember Wilkins voting 'No'.

0255-15 RESOLUTION AUTHORIZING THE CREATION OF A PARTICIPATORY BUDGETING STEERING COMMITTEE

WHEREAS, the City entered into a professional services contract with The Participatory Budgeting Project (PBP), a 501(c)(3) organization, with key deliverables that include workshops for a Steering Committee and assisting in the design of the Greensboro Participatory Budgeting Program Process and Community Based Rule Book;

WHEREAS, a community-based Steering Committee is necessary to establish a Rulebook containing the rules and procedures to govern the Participatory Budget process;

WHEREAS, the composition of the Steering Committee will be an 18 member board where each City Council member is requested to appoint two representatives and will be made up to ensure that it reflects Greensboro's diversity and represents key stakeholders in the governance of Participatory Budgeting;

WHEREAS, responsibilities of Steering Committee Members include: participation in 6-8 meetings between September 2015 and May 2016; attend at least one PB event/meeting during each state of the PB process; neighborhood assemblies; delegate meetings; voting; decide on key questions that arise during the process; and promote PB using protocol agreed upon by the Steering Committee;

WHEREAS, residents will be encouraged to submit their name for inclusion on the committee prior to August 27, 2015 which will allow for Council appointments at the September 1, 2015 meeting of Council;

WHEREAS, there will be no budget impact as a result of the creation of said Steering Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That City is authorized to create a Steering Committee for the purposes of establishing rules and procedures to govern the Participatory Budgeting process.

(Signed) Yvonne Johnson

Mayor Vaughan declared a recess at 7:10 p.m. Council reconvened at 7:39 p.m. with all members in attendance.

IV. PUBLIC HEARING AGENDA

The public hearing item was postponed.

V. GENERAL BUSINESS AGENDA

23. [ID 15-0714](#) Resolution Directing the City Manager and Staff to Develop a Specific Action Plan for Revising the Holiday Pay Program in the Fall of 2015, with Implementation to Begin as Soon as Practical

Mayor Vaughan introduced items #23 - #27 together; and stated there were speakers to the item # 24.

Discussion took place regarding the intent of the programs; staff developing policy, identifying funding sources; funded positions; status of frozen positions; organizational strategies; concerns on total compensations information; and the next steps.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Barber to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann and Tony Wilkins

Nays, 1 - Justin Outling

0256-15 RESOLUTION DIRECTING THE CITY MANAGER AND STAFF TO DEVELOP A SPECIFIC ACTION PLAN FOR REVISING THE HOLIDAY PAY PROGRAM IN THE FALL OF 2015, WITH IMPLEMENTATION TO BEGIN AS SOON AS PRACTICAL

WHEREAS, at a work session on August 13, 2015, staff presented information regarding several proposed items regarding organizational policy;

WHEREAS, Council remains focused on finding ways to best meet the needs of our employees and organization and, on making the best use of City resources to ensure our organization stays market competitive while being able to continue to provide high quality services to our citizens;

WHEREAS, the policy items to be included in this plan are:

Holiday Pay program for exempt level employees which would create and provide an equal plan and benefits for all exempt level City employees required to work on holidays; eligible employees would receive a \$200 stipend and the estimated cost is \$40,000;

WHEREAS, this policy item has its own unique scope, costs, and implementation timeline;

WHEREAS, the Manager and staff shall keep Council apprised of the status of the plan development and as needed, seek additional Council input on policy items to ensure desired Council policy expectations are met;

WHEREAS, the Manager and staff shall develop the final policy details for this item as soon as practical and bring each item back to Council for final review/approval prior to item implementation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager and staff are directed to bring back a final policy for this item as soon as practical to Council for final review/approval prior to item implementation.

(Signed) Yvonne Johnson

24. [ID 15-0716](#) Resolution Directing the City Manager and Staff to Develop a Specific Action Plan for Increasing City Minimum Wages in the Fall of 2015, with Implementation to Begin as Soon as Practical

The following speakers were in favor of the item:

Reverend Sekinah Hamlin, 2233 Wilcox Drive; John Crawford, 1112 English Court, Trinity; Reverend Nelson Johnson, 2115 Murrayhill Road; Carolyn Smith, 441 McAdoo Avenue; Mary Ellen Droppers, 1503 Pepper Hill Road; John Schoonover, 1005 Ridgecrest Drive; Antuan Marsh, 3003 Dellwood Drive; Julie Peeples, 2201 Villa Drive; Robert Foxworth, 2506 Pinecroft Road; and Thessa Pickett, 503 South Benbow Road.

Discussion took place regarding economic development; the need for a living wage; the number of City employees that would be affected; a submitted proposal; unfilled positions; identifying a funding source; compression concerns; the In-Range program; options and strategies; adjustments in salaries; staff and Council being accountable; and finding solutions.

Mayor Vaughan reiterated when raises would be in effect; acknowledged Councilmember Fox for his involvement with the item; and spoke to the need of some families to work two jobs.

Councilmember Fox spoke to the timeframe for increased wages; provided his employment background with the City; and spoke to investment in employees.

Councilmember Hightower voiced agreement with Councilmember Fox; spoke to a living wage; affordable housing difficulties; and to setting standards for businesses in the City.

Mayor Pro-Tem Johnson spoke to people earning low wages; referenced the proposal provided by Councilmember Barber; spoke to the poverty line; and voiced her support of the item.

Councilmember Abuzuaiter voiced her agreement with previous statements; stated the item would help employees, the economy and moral issues; spoke to listening to employees; and being a good example for the community.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower and Nancy Hoffmann

Nays, 2 - Justin Outling and Tony Wilkins

0257-15 RESOLUTION DIRECTING THE CITY MANAGER AND STAFF TO DEVELOP A SPECIFIC ACTION PLAN FOR INCREASING CITY MINIMUM WAGES IN THE FALL OF 2015, WITH IMPLEMENTATION TO BEGIN AS SOON AS PRACTICAL

WHEREAS, at a work session on August 13, 2015, staff presented information regarding several proposed items regarding organizational policy;

WHEREAS, Council remains focused on finding ways to best meet the needs of our employees and organization and, on making the best use of City resources to ensure our organization stays market competitive while being able to continue to provide high quality services to our citizens;

WHEREAS the policy items to be included in this plan are:

- Increase City minimum wage rates to \$10 for roster and seasonal employees excluding the Coliseum and \$12 for benefited positions at an estimated cost of \$266,514;
- A goal of raising wages to a minimum of \$15 by the year 2020;

WHEREAS, this policy item has its own unique scope, costs, and implementation timeline;

WHEREAS, the Manager and staff shall keep Council apprised of the status of the plan development and as needed, seek additional Council input on policy items to ensure desired Council policy expectations are met;

And WHEREAS, the Manager and staff shall develop the final policy details for this item as soon as practical and bring each item back to Council for final review/approval prior to item implementation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager and staff are directed to bring back a final policy for this item as soon as practical to Council for final review/approval prior to item implementation.

(Signed) Sharon Hightower

- 25. [ID 15-0717](#)** Resolution Directing the City Manager and Staff to Develop a Specific Action Plan for the Creation of an Employment Restoration Academy in the Fall of 2015, with Implementation to Begin as Soon as Practical

Moved by Councilmember Fox, seconded by Councilmember Hightower, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

0258-15 RESOLUTION DIRECTING THE CITY MANAGER AND STAFF TO DEVELOP A SPECIFIC ACTION PLAN FOR THE CREATION OF AN EMPLOYMENT RESTORATION ACADEMY IN THE FALL OF 2015, WITH IMPLEMENTATION TO BEGIN AS SOON AS PRACTICAL

WHEREAS, at a work session on August 13, 2015, staff presented information regarding several proposed items regarding organizational policy;

WHEREAS, Council remains focused on finding ways to best meet the needs of our employees and organization and, on making the best use of City resources to ensure our organization stays market competitive while being able to continue to provide high quality services to our citizens;

WHEREAS the policy items to be included in this plan are:

- Greensboro Restoration Academy which would be a new City initiated ex-offender employment program that is a collaborative effort between the City's Human Resource Department and Workforce Development;

WHEREAS, this policy item has its own unique scope, costs, and implementation timeline;

WHEREAS, the Manager and staff shall keep Council apprised of the status of the plan development and as needed, seek additional Council input on policy items to ensure desired Council policy expectations are met;

WHEREAS, the Manager and staff shall develop the final policy details for this item as soon as practical and bring each item back to Council for final review/approval prior to item implementation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager and staff are directed to bring back a final policy for this item as soon as practical to Council for final review/approval prior to item implementation.

(Signed) Jamal Fox

26. [ID 15-0718](#) Resolution Directing the City Manager and Staff to Develop a Specific Action Plan for the Development of an In-Range Salary Adjustment Program in the Fall of 2015, with Implementation to Begin as Soon as Practical

Councilmember Barber asked for clarification that Department Heads would address issues with the City Manager.

Councilmember Wilkins asked for clarification regarding the proposal and the resolution language.

City Manager Westmoreland spoke to the development of a plan based on the adoption of the resolution; confirmation of numbers; allocation of funding; and to the budget process.

Moved by Councilmember Barber, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann and Tony Wilkins

Nays, 1 - Justin Outling

0259-15 RESOLUTION DIRECTING THE CITY MANAGER AND STAFF TO DEVELOP A SPECIFIC ACTION PLAN FOR THE DEVELOPMENT OF AN IN-RANGE SALARY ADJUSTMENT PROGRAM IN THE FALL OF 2015, WITH IMPLEMENTATION TO BEGIN AS SOON AS PRACTICAL

WHEREAS, at a work session on August 13, 2015, staff presented information regarding several proposed items regarding organizational policy;

WHEREAS, Council remains focused on finding ways to best meet the needs of our employees and organization and, on making the best use of City resources to ensure our organization stays market competitive while being able to continue to provide high quality services to our citizens;

WHEREAS the policy items to be included in this plan are:

In-range salary adjustment program at a funding level of \$500,000 which would complement the existing merit pay system program (pay for performance) and provide a new tool for Department Directors to make warranted salary adjustments to existing employee's salaries within current pay ranges and, for staff to address an organizationally identified compensation issue - where certain grades of positions are currently falling behind the market;

WHEREAS, this policy item has its own unique scope, costs, and implementation timeline;

WHEREAS, the Manager and staff shall keep Council apprised of the status of the plan development and as needed, seek additional Council input on policy items to ensure desired Council policy expectations are met;

WHEREAS, the Manager and staff shall develop the final policy details for this item as soon as practical and bring each item back to Council for final review/approval prior to item implementation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager and staff are directed to bring back a final policy for this item as soon as practical to Council for final review/approval prior to item implementation.

(Signed) Mike Barber

27. [ID 15-0719](#) Resolution Directing the City Manager and Staff to Develop a Specific Action Plan for a Productivity Improvement Program in the

Fall of 2015, with Implementation to Begin as Soon as Practical

Moved by Councilmember Abuzuaiter, seconded by Councilmember Barber, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

0260-15 RESOLUTION DIRECTING THE CITY MANAGER AND STAFF TO DEVELOP A SPECIFIC ACTION PLAN FOR A PRODUCTIVITY IMPROVEMENT PROGRAM IN THE FALL OF 2015, WITH IMPLEMENTATION TO BEGIN AS SOON AS PRACTICAL

WHEREAS, at a work session on August 13, 2015, staff presented information regarding several proposed items regarding organizational policy;

WHEREAS, Council remains focused on finding ways to best meet the needs of our employees and organization and, on making the best use of City resources to ensure our organization stays market competitive while being able to continue to provide high quality services to our citizens;

WHEREAS the policy items to be included in this plan are:

Productivity Improvement Program would seek to receive employee suggestions to find efficiencies within the organization; Staff would reinstitute the City's Pride in Performance Plan where employees can submit suggestions that they believe will benefit the organization; ideas would be vetted and employees receive a portion of the savings if financial savings are realized;

WHEREAS, this policy item has its own unique scope, costs, and implementation timeline;

WHEREAS, the Manager and staff shall keep Council apprised of the status of the plan development and as needed, seek additional Council input on policy items to ensure desired Council policy expectations are met;

WHEREAS, the Manager and staff shall develop the final policy details for this item as soon as practical and bring each item back to Council for final review/approval prior to item implementation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager and staff are directed to bring back a final policy for this item as soon as practical to Council for final review/approval prior to item implementation.

(Signed) Marikay Abuzuaiter

28. [ID 15-0610](#) Resolution Authorizing Conveyance of Surplus Foreclosure Property Located at 213 Guerrant Street

Councilmember Hightower spoke to addressing concerns with Assistant City Manager David Parrish; and to resolving the homeless issues.

Assistant City Manager Parrish spoke to the compliance of the prospective buyer.

Moved by Councilmember Hightower, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

0261-15 RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY LOCATED AT 213 GUERRANT STREET

WHEREAS, the City of Greensboro owns property located at 213 Guerrant Street at Parcel #0022136, said property being shown on the attached map;

WHEREAS, it has been determined that there is no municipal need for the property and the bid was accepted in accordance with Section 4:122 of the City Code of Ordinances;

WHEREAS, the property has been appraised by Lynn R. Ritchie at a value of \$8,000 and the offer made based on the appraised value of \$8,000 was accepted, which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this conveyance will be credited in General Fund Account No. 101-0000-00.0400.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the sale of the above mentioned property in the amount of \$8,000 is hereby approved and the sale of land is hereby authorized and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Sharon Hightower

29. [ID 15-0542](#) Ordinance to Approve the Franchise Agreement between the City of Greensboro and Level 3 Communications, LLC: First Approval

City Attorney Tom Carruthers spoke to changes in franchise fees; to the recusal vote for Councilmember Outling; the second reading being scheduled for the next session of Council; and to people investing in Greensboro.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaite, to adopt the ordinance. The ordinance received eight affirmative votes on the FIRST READING and carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann and Tony Wilkins
Excused, 1 - Justin Outling

30. [ID 15-0669](#) Ordinance to Approve the Franchise Agreement between the City of Greensboro and Fiber Technologies Networks, LLC: Second Approval

Moved by Councilmember Fox, seconded by Councilmember Abuzuaite, to adopt the ordinance. The ordinance received nine affirmative votes on the SECOND READING and carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

15-0111 ORDINANCE TO APPROVE THE FRANCHISE AGREEMENT BETWEEN THE CITY OF GREENSBORO AND FIBER TECHNOLOGIES NETWORKS, LLC (FIBERTECH); SECOND APPROVAL

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO THAT:

Section 1.

WHEREAS, North Carolina General Statute §160A-76 requires that all franchise grants, renewals, extensions, or amendments be made by ordinance; and

WHEREAS, North Carolina General Statute §160A-76 further requires that an ordinance making a grant, renewal, extension, or amendment of any franchise be passed at two regular meetings of the City Council; and

WHEREAS, the franchise agreement received its first approval by ordinance at the August 3, 2015 City Council meeting; and

WHEREAS, this is the second regular meeting of the City Council at which the franchise agreement may be approved; and

WHEREAS, the franchise agreement begins August 18, 2015 for a term of ten (10) years with an option for FiberTech to renew for an additional five (5) year period by notifying the City in writing; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO THAT:

The franchise agreement between FiberTech and the City of Greensboro is hereby adopted by ordinance and that this is the second and final of the two ordinance approvals required by statute.

Section 2.

That this ordinance shall become effective upon adoption.

(Signed) Jamal Fox

31. [ID 15-0668](#) Resolution Adopting the Greensboro Fresh Food Access Plan, USDA Local Food Promotion Program

City Manager Westmoreland stated staff had a presentation; and recognized Russ Clegg with the Planning Department to present the item.

Mr. Clegg made a PowerPoint Presentation; spoke to the Department of Agriculture; stated the Planning Board and the Parks and Recreation Commission supported the item; spoke to food deserts; a community task force; provided USDA definitions; spoke to food hardships; public involvement; a steering committee; outlined next steps; and stated the plan would be on the City website.

Councilmember Fox voiced appreciation for the work done on the item; spoke to the food access plan; and asked for clarification on the formation of the Community Food Task Force.

Assistant City Manager Chris Wilson spoke to work done on a USDA grant; urban farming; meeting immediate needs in the community; free and reduced lunch programs; gaps in programs; outlined locations and number of meals provided on Saturday's; spoke to the number of youth that had taken advantage of the program; and to alignment with the 10 year plan.

Community Recreation Services Manager Phil Fleischmann spoke to the task force meeting twice a month; to meal access for citizens; priorities of the group; and to the 10 year plan to end hungry.

Councilmember Hightower spoke to the initiative; grant funding; referenced collaboration with Commissioner Ray Trapp and the County in providing fresh food access; voiced she would like to see the mobile unit tied into the item; and inquired as to how many citizens had been fed this summer.

Assistant City Manager Wilson spoke to promotion of eating healthy and exercising; the overall health plan; referenced a meeting with the Health Department and Commissioner Trapp; spoke to public involvement; transportation accommodations being provided by the County; confirmed staff would follow up on the mobile market unit; spoke to the Out of the Garden program; and stated approximately 50,000 people had been fed over the summer.

Mayor Vaughan stated Council was not afraid to shine a light on the problems of the City; spoke to partnering with the County; to assisting the residents; and to recognizing and addressing the issue.

Moved by Councilmember Fox, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

0262-15 RESOLUTION ADOPTING THE FRESH FOOD ACCESS PLAN

WHEREAS, the City of Greensboro has recognized that areas of City known as food deserts lack adequate access to fresh, healthful food; and

WHEREAS, the City received financial assistance from the US Department of Agriculture to develop plans to address retail food access in food deserts; and

WHEREAS, the City undertook a planning process including research, public outreach, interviews and surveys that built on previous work by the Guilford County Department of Public Health and Human Services on food access; and

WHEREAS, a Plan was developed by a steering committee composed food desert residents, members of the Guilford Food Council, and City and County staff; and

WHEREAS, the findings and recommendations of the Plan were reviewed by stakeholders at a public meeting on June 10, 2015; and

WHEREAS, the Plan was recommended for approval by the Greensboro Planning Board following a public hearing on July 15, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Fresh Food Access Plan is hereby adopted.

(Signed) Jamal Fox

- 32. [ID 15-0688](#)** Resolution Approving Bid in the Amount of \$5,604,000 and Authorizing Execution of Contract 2011-062 with D. H. Griffin Infrastructure, LLC for the Mitchell Water Treatment Plant Clearwell Replacement

Councilmember Hightower commended the contractor for exceeding M/WBE compliance guidelines.

Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

0263-15 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2011-062 WITH D. H. GRIFFIN INFRASTRUCTURE, LLC FOR THE MITCHELL WATER TREATMENT PLANT CLEARWELL REPLACEMENT PROJECT

WHEREAS, after due notice, bids have been received for the Mitchell Water Treatment Plant Clearwell Replacement project;

WHEREAS, DH Griffin Infrastructure, LLC, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$5,604,000 as general contractor for Contract No. 2011-062, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by DH Griffin Infrastructure, LLC is hereby accepted, and the City is authorized to enter into a contract with DH Griffin Infrastructure, LLC for the Mitchell Water Treatment Plant Clearwell Replacement project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$5,604,000 from Account No. 503-7025-04.6019 A16042.

(Signed) Tony Wilkins

33. [ID 15-0702](#) Resolution Authorizing Acceptance of FEMA 2014 SAFER Grant

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hightower, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

0264-15 RESOLUTION AUTHORIZING ACCEPTANCE OF 2014 SAFER GRANT

WHEREAS, the Greensboro Fire Department has received a federal Staffing For Adequate Fire and Emergency Response (SAFER) grant award of \$1,119,648; and

WHEREAS, this grant allows the fire department to fully comply with NFPA 1710 for minimum staffing, and OSHA 1910.134 for the minimum standard of two-in/two-out when arriving first on a fire scene; and

WHEREAS; the NFPA's standard for the Organization and Deployment of Fire Suppression Operations by Career Fire Departments (Standard 1710) calls for a minimum of four personnel on all first arriving apparatus; and

WHEREAS; four-person staffing on all ladder companies has been a goal of the department for a number of years; and

WHEREAS; per the direction of City Council, the fire department's 2016-2017 budget includes funding to staff two of the four remaining ladder trucks with four personnel; and

WHEREAS; this is a Staffing For Adequate Fire and Emergency Response Grant for \$1,119,648 that will cover Salaries and Benefits for twelve firefighters from January 1, 2016 through December 31, 2017; and

WHEREAS; starting January 1, 2018 the city will be responsible for the total cost for maintaining these twelve firefighter positions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the request to accept the SAFER grant award of \$1,119,648 is hereby authorized.

(Signed) Marikay Abuzuaiter

34. [ID 15-0697](#) Ordinance Amending State, Federal and Other Grants Fund Budget for the Appropriation of 2014 SAFER Grant

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hightower, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

15-0112 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

Account name – SAFER 2014

Account	Description	Amount
220-4067-01.4110	Salaries & Wages	\$832,308
220-4067-01.4610	Health Coverage-Active	\$287,340
TOTAL:		\$1,119,648

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

Account	Description	Amount
220-4067-01.7100	Federal Grants	\$1,119,648
TOTAL:		\$1,119,648

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

II. PUBLIC COMMENT PERIOD

James King, 4101 Landerwood Court spoke on behalf of Bessemer Curb Market; referenced difficulties in placing Kings BBQ sauce in grocery stores; stated Bessemer Curb Market had been successfully selling it; the store was a community necessity; was well known in the community; and requested Council support to help the store.

Harold Powell, 5506 Ridingate Court spoke to a previous appearance before Council in May; stated Bessemer Curb Market was a landmark serving East Greensboro which had been in business for 63 years; referenced discussions to improve East Greensboro; spoke to a petition requesting assistance; referenced Council campaign statements; and requested grant monies be allocated for the store.

Rhonda Brown, 5506 Ridingate Court spoke to a three year history to attempt to receive grant funds for Bessemer Curb Market; and to communication she had with Mayor Pro-Tem Johnson.

Discussion took place regarding an item initiated by Councilmember Barber; Councilmember's visiting the location; conversations between Councilmembers regarding the store; grant based programs; and the option of low interest loans.

Councilmember Hightower stated she had not been contacted; the needs did not fit any City grant program; spoke to City funded programs; inquired as to the length of time it had taken to get the signatures for the petition; and spoke to looking at strategies.

Ms. Brown referenced people getting money from the City; and stated it had taken less than 2 months to get petition signatures.

Discussion continued regarding up-fits for the business; health regulated requirements; alternative option with East Market Corporation; matching grant funds; the lack of a request to meet with Mayor Vaughan; required parameters; the consistency of Councilmember Wilkins vote regarding giving loans and grants; and the need for a written proposal.

Ms. Brown spoke to upgrades and renovations that were being required to meet code; stated labor was a huge expense; the store was a joint ownership; and spoke to the desire of the community for the store to remain at its current location.

Councilmember Fox requested staff to schedule a meeting with Ms. Brown regarding financial assistance.

Devon King, 836 South Elm Street spoke to running for office; people asking for help; investment of City funds; closed door sessions; vacant buildings; stated he had been a resident for five years; spoke to the Performing Arts Center; small business owners; and bad investments.

Discussion took place regarding the COOP funding; Self Help; Cone Health investments; and privately owned buildings in Downtown.

Gaylan Oliver spoke to food deserts; an on-going project with North Carolina A & T State University (A & T); Urban Farms; health concerns; landfill issues; and requested assistance from Council.

Councilmember Fox thanked Mr. Oliver for championing the Urban Garden; referenced discussions with the Chancellor at A & T; spoke to the White Street Landfill; and requested staff research the status of Mr. Oliver with A & T regarding the Urban Farms project.

Assistant City Manager Parrish provided information on staff's communications with the concerned citizens of Northeast Greensboro and A & T; spoke to community needs; and confirmed staff would research the project.

Discussion took place regarding A & T's involvement in the project; possible contamination of the project location; legal representation for Mr. Oliver; and defining the project.

VI. SUPPLEMENTAL AGENDA

Matters to be discussed by the Mayor and Members of the Council

Moved by Councilmember Hoffmann, seconded by Mayor Pro-Tem Johnson to appoint Chuck Truby to the Board of Adjustment replacing Frank Ford. The motion carried by voice vote. Councilmember Hoffmann requested staff provide better definitions on the Comprehensive Plan; and to research a corridor study for the Friendly Shopping Center.

Councilmember Fox requested staff provide a timeframe on changes to the Human Relations Department.

Councilmember Barber spoke to Tiger Woods being at the Wyndham Championship; to other golfers in the tournament; and shared a photo of Tiger Woods.

Mayor Pro-Tem Johnson offered well wishes to students returning to school; spoke of the Attitude of Gratitude program; stated she attended a memorial for Merrill Pickney; and congratulated the Ellis Brown family for their family reunion.

Councilmember Abuzuaiter spoke to the Community Independence Day event; stated she met the ambassador; spoke to the make up of their congress; and stated she attended the India Association event and the Watermelon Festival.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to reappoint Carolyn Biggerstaff to Minimum Housing Commission. The motion carried by voice vote. Moved by Councilmember Hightower, seconded by Mayor Pro-Tem to reappoint Horace Sturdivant to the Minimum Housing Commission. The motion carried by voice vote. Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint

Monica Bynum to the Parks & Recreation Commission replacing Decarlos Kinds. The motion carried by voice vote. Councilmember Hightower offered condolences to the Kimber family; provided a brief history of Ms. Kimber's legacy; requested staff to provide M/WBE statistics for a disparity study; stated August 29th would be the National Heritage Festival; spoke to the Operation PASS supply drive; provided data on number of people served; spoke to a community in need; vendors and food providers; and thanked the Greensboro Police Department for their support.

Mayor Vaughan spoke to challenging the County and the Sheriff's Department to participate in the Operation PASS program.

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

Adjournment

Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 10:13 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR