



City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, October 20, 2015

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 4:00 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 Abuzuaiter, Councilmember Mike Barber, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling and Councilmember Tony Wilkins

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox to go into closed session to consider the qualifications, competence, performance, character and fitness of a public officer or employee pursuant to G.S. 143-318.11(a) (6) and to preserve the attorney-client privilege and consult with legal counsel concerning pending litigation in the matter of QUB Studios LLC and Eric Robert v. City of Greensboro, pursuant to G.S. 143-318.11(a) (3). The motion carried by voice vote.

Council recessed to closed session at 4:05 p.m.

Council reconvened into open session at 5:35 p.m. with all members in attendance.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hightower to return to open session. The motion carried by voice vote.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized Councilmember Barber to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Chris Johnson of the Fire Department who served as Courier for the meeting.

Moved and read into the record by Mayor Vaughan, seconded by Councilmember Hoffmann that pursuant to the Memorandum of Employment Agreement with City Attorney, entered into on October 1, 2014, that the Council set the City Attorneys salary at \$158,000 per year this will serve as a 3.9 percent merit increase. The salary adjustment shall be effective as of October 1, 2015 based on our evaluation. The motion carried by voice vote.

City Attorney Carruthers voiced appreciation for the confidence by Council; and stated he would continue to do his best.

Council Procedure for Conduct of the Meeting

Mayor Vaughan explained the Council procedure for conduct of the meeting.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 15-0837](#) Resolution Honoring the Memory of the Late Dr. Josephine Ophelia Boyd Bradley

Mayor Pro-Tem Johnson read the resolution into the record; and presented the resolution to the Bradley family.

A family representative thanked Council for the resolution; provided a brief family history; highlighted Ms. Bradley's contributions to Greensboro; spoke to overcoming obstacles; stated the equality of doors opened because of Ms. Bradley; and quoted John Wesley.

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

0309-15 RESOLUTION HONORING THE MEMORY OF THE LATE DR. JOSEPHINE OPHELIA BOYD BRADLEY

WHEREAS, on September 15, 2015, this community lost one of its community leaders with the death of the late Dr. Josephine Ophelia Boyd Bradley at the age of 75;

WHEREAS, Dr. Bradley, a native of Greensboro was the first Black to integrate Greensboro (now Grimsley) High School;

WHEREAS, in 1957 Dr. Bradley graduated with honors as the first African-American person among 1,950 high school students;

WHEREAS, Dr. Bradley obtained a Bachelor of Arts in Political Science from North Carolina Central University, graduating Summa Cum Laude; a Masters in Social Work from Michigan State University; and a Masters in Woman's Studies and Ph. D. in African American Studies from Emory University;

WHEREAS, her professional career included being a social worker in East Lansing Michigan, a writer, board member, department head and educator for five Universities: Southern University Baton Rouge, Louisiana; Tusculum College Greeneville, Tennessee; Agnes Scott College, Morehouse College and Clark Atlanta University in Atlanta, Georgia;

WHEREAS, Dr. Bradley served in various capacities with organizations which included the Association of Social and Behavioral Scientists; National Council for Black Studies; Family Resource Center, DeKalb County; Lupus Research Team at Emory University; and was the founding Board Member of Hope Commitment Services;

WHEREAS, Dr. Bradley was a member of Alpha Kappa Alpha Sorority, Inc. and enjoyed traveling, reading and writing;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by Dr. Josephine Ophelia Boyd Bradley, the outstanding contributions she has made to the community, and the legacy she leaves.

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

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Dr. Josephine Ophelia Boyd Bradley.
2. That a copy of this resolution shall be delivered to the family of the late Dr. Josephine Ophelia Boyd Bradley as a symbol of the gratitude of the people of Greensboro for her many contributions to this community.

(Signed) Sharon Hightower

2. [ID 15-0874](#) Resolution Honoring the Memory of the Late (Mary) Anita Caine Schenck

Councilmember Hoffmann read the resolution into the record; and presented the resolution to the family.

A family representative thanked Council for the resolution; and thanked John Graham and Ivan Cutler of Preservation Greensboro for their contribution to honoring Ms. Schenck.

Councilmember Hoffmann recognized additional members of Preservation Greensboro in attendance; and voiced appreciation for Ms. Schenck's work in the City.

Moved by Councilmember Abuzuaiter, 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

0310-15 RESOLUTION HONORING THE MEMORY OF THE LATE (MARY) ANITA CAINE SCHENCK

WHEREAS, on June 18, 2015, this community lost one of its outstanding community leaders with the death of the late (Mary) Anita Caine Schenck at the age of 80;

WHEREAS, Ms. Schenck received a Bachelor of Arts in English Literature from Guilford College in 1987 and was awarded their Alumni Excellence Award for Humanitarian Service in 1990;

WHEREAS, Ms. Schenck was a founding member of St. Francis Episcopal Church, where she served as Sunday school teacher, Chair of the Episcopal Diocesan Convention, and Chair of the Annual Book Sale;

WHEREAS, Ms. Schenck was instrumental in the founding of Greensboro Day School, and chaired the Greensboro Public Library's Friends of the Library and Member Selection committees;

WHEREAS, her community involvement in numerous civic and local government organizations included: President of the Greensboro Junior League, Chair of Preservation Greensboro Incorporated, President of The Blandwood Guild, Director and Coordinator of The Guilford County American Revolution Bicentennial Commission (1974-1977), Chair of Guilford County Roanoke Voyages Program (1989), Guilford County Historic Properties Commission, and Chairman of the Board of Trustees for the Greensboro Historical Museum;

WHEREAS, Ms. Schenck was an advocate for education, historical preservation and community involvement;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by (Mary) Anita Caine Schenck, the outstanding contributions she has made to the community, and the legacy she leaves.

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

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of (Mary) Anita Caine Schenck.
2. That a copy of this resolution shall be delivered to the family of the late (Mary) Anita Caine Schenck as a symbol of the gratitude of the people of Greensboro for her many contributions to this community.

(Signed) Marikay Abuzuaiter

3. [ID 15-0883](#) Resolution of Gratitude to the Public Art Endowment

Councilmember Hoffmann read the resolution into the record; displayed a photo of the artwork; and presented the resolution to Cheryl Stewart of the Community Foundation of Greater Greensboro.

Ms. Stewart thanked Council for the resolution; recognized City employees that assisted with the artwork; spoke to the donation of ladders; the sculpture being displayed at the Folk Festival; an event on November 5th; and stated flyers were available for the the community.

Mayor Vaughan thanked Ms. Stewart for her work; spoke to the location selection; requested staff to include information on the City website regarding the various ladders donated; and spoke to an interesting piece of art.

Moved by Councilmember Fox, seconded by Councilmember Outling, 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

0311-15 RESOLUTION OF GRATITUDE TO THE PUBLIC ART ENDOWMENT

WHEREAS, the Public Art Endowment, an initiative of The Community Foundation of Greater Greensboro, provides public art to the citizens of Greensboro as a way of enhancing and building "community;" and

WHEREAS, the Endowment's recent project, Rise Together Greensboro, set out to "build community," literally and figuratively; and

WHEREAS, Rise Together Greensboro engaged hundreds of area individuals, families, businesses and volunteers who provided more than 500 ladders for the creation of a monumental, temporary community sculpture; and

WHEREAS, the project provided a meaningful launch to the inaugural local season of the National Folk Festival as well as the 17DAYS Festival; and

WHEREAS, thousands of festival participants, both locals and out-of-town visitors, experienced Rise Together Greensboro and saw a unique, tangible example of a community coming together for a common purpose.

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

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, its deep gratitude to The Public Art Endowment and its Trustees, and to all of those who participated in Rise Together Greensboro, for demonstrating with resounding success a creative example of community-building.
2. That a copy of this resolution shall be delivered to The Community Foundation of Greater Greensboro as a symbol of the gratitude of the people of Greensboro for The Public Art Endowment's contribution to this community.

(Signed) Jamal Fox

A copy of the photo is filed in Exhibit Drawer X, Exhibit No. 30, which is hereby referred to and made a part of these minutes.

Mayor Vaughan recognized Councilmember Fox to provide an update for the College Commission.

Councilmember Fox spoke to a commission retreat; and invited College Commission Chairperson Nate Cook to provide an update.

Mr. Cook provided a personal history; highlighted the events from the retreat; reviewed objectives; outlined the makeup of the commission; the five main areas of focus; spoke to job fairs; encouraging students to stay in Greensboro; Police and community relationships; voter engagement; getting information into the community; and thanked Council for the opportunity to provide an update.

II. PUBLIC COMMENT PERIOD

Donna Anderson, One Covey Lane spoke to the Guilford County Animal Shelter; voiced concern with Disabled American Veterans; spoke to moving from the Depot to Friendly Avenue; referenced the involvement of the State Department for misconduct; meetings with City staff; spoke to a change in leadership; and stated there were over 2500 members in Guilford.

Council discussed the Veteran concern being a state issue; the involvement of the City; and providing assistance to Veterans.

Assistant City Manager David Parrish spoke to a long term relationship; assisting with the transition; the lease agreement; criminal activities and violations; and providing housing for Veterans.

Albert White, 2003 Briar Run Drive provided a handout to Council; stated he represented the Benefits Veterans Network; spoke to feeding the homeless; housing for Veterans; City representatives visiting the organization; volunteer services; stated the mission was to serve Veterans; and invited Council to read the mission statement distributed.

Mayor Vaughan requested a copy of the handout to be provided to Neighborhood and Development Director Barbara Harris.

Luther Falls Jr, 1603 Landsdown Avenue spoke to the community having knowledge about the great people in Greensboro; referenced the resolution in honor of Dr. Josephine Bradley; the College Commission presentation; spoke to a Police and community forum on November 19th; a Health and Safety Fair by the Greensboro Police Department; one of the first African American fire fighters in Greensboro; highlighted the election on November 3rd; and spoke to the low turn out for the primary election.

III. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the consent agenda.

Councilmember Hightower requested items #15 and #19 to be pulled 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 the following 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

4. [ID 15-0849](#) Resolution Authorizing Purchase in the Amount of \$118,000 of Property Located at 3112 and 3118 Horse Pen Creek Road for the Horse Pen Creek Road Widening Project

0312-15 RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF PROPERTY LOCATED AT 3112 AND 3118 HORSE PEN CREEK ROAD FOR THE HORSE PEN CREEK ROAD WIDENING PROJECT

WHEREAS, in connection with the Horse Pen Creek Road widening project, a portion of the property owned by Margaret P. Jessup, Parcels 0078232 and 0078223 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$101,320 but the property owner has agreed to settle for the price of \$118,000, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

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

That the agreed price of the above mentioned portion of property in the amount of \$118,000 is hereby approved,

and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 471-4502-08.6012, A14074.

(Signed) Yvonne Johnson

5. [ID 15-0890](#) Resolution Authorizing an Amendment to a Contract with Patriot Services of Greensboro for Various Temporary Labor Services

0313-15 RESOLUTION AUTHORIZING AN AMENDMENT TO A CONTRACT WITH PATRIOT SERVICES OF GREENSBORO FOR VARIOUS TEMPORARY LABOR SERVICES

WHEREAS, the Field Operations Department is responsible for various operations to maintain City streets and facilities; and

WHEREAS, the Field Operations Department has a current contract for temporary labor services to assure that services including loose leaf collection and solid waste operations are adequately performed; and

WHEREAS, in fiscal year 2010-11 services for a five-year contract for Temporary Labor Services were solicited by the Purchasing Division on behalf of the Field Operations Department; and

WHEREAS, a contract was awarded to a single vendor, Patriot Services of Greensboro, a HUB certified Minority Business Enterprise; for an estimated amount of that has totaled up to \$450,000 annually during the five-year contract term.

WHEREAS, the Centralized Contracting Division and Field Operations Department concur in this recommendation to amend the current agreement to be extended through June 30, 2016 and to fund the agreement through the extension for an estimated amount of \$350,000; and

WHEREAS, to accommodate this process, the recommended schedule to begin new annual contracts is at the start of next fiscal year on July 1, 2016; and

WHEREAS, to assure sufficient time for development and conduct of an updated solicitation to cover these services for the next one to five years, the Department and Centralized Contracting Division recommend the following amendments to the current agreement:

- 1) The agreement shall remain in effect through June 30, 2016.
- 2) Funding for this agreement shall be increased in the estimated amount of \$350,000 to pay for costs through the extended contract term.
- 3) Funding for this agreement amendment is available in the current fiscal-year budget.

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

That the above stated amendment to the current contract for temporary labor services with Patriot Staffing is hereby approved.

(Signed) Yvonne Johnson

6. [ID 15-0811](#) Resolution Authorizing the Conveyance of Surplus Property Located at 1015 and 1201 South Eugene Street to the Redevelopment Commission of Greensboro

0314-15 RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY LOCATED AT 1015 AND 1201 SOUTH EUGENE STREET

WHEREAS, the City of Greensboro owns residual property located at 1015 and 1201 South Eugene Street at Parcels 0000497 and 0001386 respectively, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, the South Elm Street Redevelopment Plan calls out the former St. James II site (1201 South Eugene Street) for future development opportunities once development is underway on the Plan area;

WHEREAS, there will be no funds exchanged in the transfer of this property to the Redevelopment Commission of Greensboro and recording fees will be taken out of Account No. 212-2116-17.5285.

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

That the conveyance of the above mentioned property to the Redevelopment Commission of Greensboro is hereby approved and the conveyance 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) Yvonne Johnson

7. [ID 15-0843](#) Resolution Authorizing the Sale of Surplus Property Located at 907 Foushee Street

0315-15 RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY LOCATED AT 907 FOUSHEE STREET

WHEREAS, the City of Greensboro owns property located at 907 Foushee Street at Parcel #0021857, 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. Ritchy at a value of \$5,000 and the offer made based on the appraised value of \$5,000 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. 301-0000-00.8616.

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 \$5,000 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) Yvonne Johnson

8. [ID 15-0869](#) Resolution Approving a Contract with HDR Engineering, Inc. of the Carolinas to Perform Perfluorooctanesulfonate (PFOS) Water Supply Watershed Investigation

0316-15 RESOLUTION APPROVING A CONTRACT WITH HDR ENGINEERING, INC. OF THE CAROLINAS TO PERFORM PERFLUOROOCETANESULFONATE (PFOS) WATER SUPPLY WATERSHED INVESTIGATION

WHEREAS, perfluorooctanesulfonate (PFOS) has been detected in the City's finished water through sampling performed as required under the Environmental Protection Agency's Third Unregulated Contaminant Monitoring Rule (UCMR3);

WHEREAS, the Water Resources Department desires to complete an investigation to ascertain potential sources of PFOS, confirm concentrations of PFOS and other perfluoroalkyl substances (PFASs) in the water supply watershed, and evaluate treatment options that may be considered in the future;

WHEREAS, HDR Engineering, Inc. of the Carolinas has offered to provide the required work for the perfluorooctanesulfonate (PFOS) Water Supply Watershed Investigation in the amount of \$143,921.

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

That the City is authorized to enter into a contract with HDR Engineering, Inc. of the Carolinas for the perfluorooctanesulfonate (PFOS) Water Supply Watershed Investigation 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 \$143,921 from Account No. 501-7025-01.5413.

(Signed) Yvonne Johnson

9. [ID 15-0835](#) Resolution Approving Bid in the Amount of \$581,000 and Authorizing Execution of Contract 2015-31 with Proshot Concrete, Inc., for the 2015 Bridge Structure Repair by Shotcrete Project

0317-15 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2015-31 WITH PROSHOT CONCRETE, INC. FOR THE 2015 BRIDGE STRUCTURE REPAIR BY SHOTCRETE PROJECT

WHEREAS, after due notice, bids have been received for the 2015 Bridge Structure Repair by Shotcrete project;

WHEREAS, Proshot Concrete, Inc. a responsible bidder, has submitted the low base and alternate bid in the total amount of \$581,000 as general contractor for Contract No. 2015-31, 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 Proshot Concrete, Inc. is hereby accepted, and the City is authorized to enter into a contract with Proshot Concrete, Inc. for the 2015 Bridge Structure Repair by Shotcrete 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 \$581,000 from Account No.402-4306-01.5611.

(Signed) Yvonne Johnson

10. [ID 15-0852](#) Resolution Approving a Contract in the Amount of \$344,000 with Chester Engineers (North Carolina), Inc. for Water Booster Station Design Services

0318-15 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$344,000 WITH CHESTER ENGINEERS (NORTH CAROLINA), INC. FOR WATER BOOSTER STATION DESIGN SERVICES

WHEREAS, water distribution system improvements are needed to meet future pressure zone demands;

WHEREAS, Water Resources Department is ready to proceed with design phase services for two new water booster stations, with one located at Groometown Road Tank in the City's Main Pressure Zone in order to improve storage tank utilization, and the second located in the vicinity of McCloud Road in order to replace the Regional Road booster station which, due to its location, cannot fully support the entire West Pressure Zone;

WHEREAS, the professional engineering services of Chester Engineers (North Carolina), Inc., an MBE firm located in Greensboro, NC, is desired based on their experience in performing this type of design work on water distribution systems.

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

That the City is authorized to enter into a contract with Chester Engineers (North Carolina), Inc. for Water Booster Station Design Services 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 \$344,000 from Account No. 503-7025-07.5410.

(Signed) Yvonne Johnson

11. [ID 15-0856](#) Resolution Approving a Contract in the amount of \$471,400 with CDM Smith, Inc. for Mitchell Water Treatment Plant Clearwell Replacement Construction Administration and Inspection Services

0319-15 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$471,400 WITH CDM SMITH, INC. FOR MITCHELL WATER TREATMENT PLANT CLEARWELL REPLACEMENT CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES

WHEREAS, the City Council awarded Contract 2011-062 for the construction of the Mitchell Water Treatment Plant Clearwell Replacement to DH Griffin Construction in the amount of \$5,604,000 on August 18, 2015;

WHEREAS, construction administration services including onsite observations of the work and field check of materials and equipment for the construction of the Clearwell Replacement project are needed;

WHEREAS, CDM Smith, Inc. was selected because of previous design, permitting and bidding assistance of civil, process and finished water storage improvements for the project.

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

That the City is authorized to enter into a contract with CDM Smith, Inc. to provide Construction Administration and Inspections Services 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 \$471,400 from Account No. 503-7025-04.5410.

(Signed) Yvonne Johnson

12. [ID 15-0877](#) Resolution Approving Bid and Authorizing Execution of Contract 2015-046 with River Works, Inc. for the South Buffalo Water Quality and Habitat Improvements - Phase 3.

0320-15 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2015-046 WITH RIVER WORKS, INC. FOR THE SOUTH BUFFALO WATER QUALITY AND HABITAT IMPROVEMENTS - PHASE 3

WHEREAS, bids for contract 2015-046, South Buffalo Water Quality and Habitat Improvements - Phase 3, have been received;

WHEREAS, the work in this contract consists of furnishing all labor, materials, equipment, and performing all work necessary and incidental to the installation of the slough and stream restoration or enhancement work in and along a 1,100 foot section of South Buffalo Creek, a 500 foot section of Unnamed Tributary 2, and a 100 foot section of Unnamed Tributary 3;

WHEREAS, bids were opened on September 24, 2015, and the apparent lowest, responsible bidder is River Works, Inc. (Raleigh, NC) with a bid of \$667,485.

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

That the City is authorized to enter into a contract with River Works, Inc. to perform South Buffalo Water Quality and Habitat Improvements - Phase 3 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 \$667,485 from Account Nos. 220-7071-01.6018 A15114 and 506-7015-02.6018 A16029.

(Signed) Yvonne Johnson

13. [ID 15-0840](#) Resolution Authorizing Change Order in the Amount of \$22,520 to Contract 2015-0120 With Otis Elevator Company for the Melvin Municipal Office Building Elevator Modernization

0321-15 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2015-0120 WITH OTIS ELEVATOR COMPANY FOR THE MELVIN MUNICIPAL BUILDING ELEVATOR MODERNIZATION

WHEREAS, Contract No. 2015-0120 with Otis Elevator Company provides for modernization of the elevators in the Melvin Municipal Building;

WHEREAS, due to the change of standard materials for the interior of the elevator cars from plastic laminate to brushed stainless steel panels which are more durable to handle the heavy traffic volume of the elevators, thereby necessitating a change order in the contract in the amount of \$22,520.

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

That a change order in the above-mentioned contract with Otis Elevator Company for the modernization of the elevators in the Melvin Municipal Building is hereby authorized at a total cost of \$22,520, payment of said additional amount to be made from Account No. 101-6006-02.5627.

(Signed) Yvonne Johnson

14. [ID 15-0876](#) Resolution Approving Memorandum of Understanding with Housing Authority of the City of Greensboro - Payments in Lieu of Taxes

0322-15 RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH THE HOUSING AUTHORITY OF THE CITY OF GREENSBORO – PAYMENTS IN LIEU OF TAXES

WHEREAS, the City of Greensboro and the Housing Authority of the City of Greensboro (GHA) entered into a Cooperation Agreement on December 28, 1949 which was amended on October 18, 1961 and September 10, 1970;

WHEREAS, under the terms of the Agreement, GHA is required to make annual payments in lieu of taxes (“PILOT”) for public facilities and services furnished for or with respect to the housing projects;

WHEREAS, the City of Greensboro is obligated to distribute the payments among itself and Guilford County in proportion to the amount of taxes that the projects would have been obligated to pay each local government in the event that the housing projects were taxable;

WHEREAS, under a Memorandum of Understanding from 1987, the City agreed to refund the PILOT payments to GHA for non-routine maintenance, upgrading and modernization of their existing housing facilities;

WHEREAS, under a Memorandum of Understanding from 1998, PILOT payments to the City have been directed to repayment of debt on housing bonds issued in 1998 for GHA properties;

WHEREAS, GHA requests the funds as part of its Rental Assistance Demonstration Program, which will convert public housing projects to long-term projects based Section 8 housing assistance payment contracts and makes them eligible for public and private financing sources for rehabilitation and redevelopment;

WHEREAS, under the proposed 2015 Memorandum of Understanding, accumulated excess funds related to the repayment of debt on housing bonds issued in 1998 for GHA properties, and future PILOT payments, shall be disbursed in accordance with the Cooperation Agreement and 1987 and 1998 MOU’s;

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

That the proposed 2015 Memorandum of Understanding with the Housing Authority of the City of Greensboro for payments in lieu of taxes presented herewith this day is hereby approved and the City Manager or his designee is authorized to execute, on behalf of the City of Greensboro, said MOU.

(Signed) Yvonne Johnson

16. [ID 15-0838](#) Resolution Calling a Public Hearing for November 17, 2015 on the Annexation of Territory into the Corporate Limits Located at 4104 and 4106 South Elm-Eugene Street- 4.14 Acres

0323-15 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 17, 2015 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 4104 AND 4106 SOUTH ELM-EUGENE STREET – 4.14 ACRES

WHEREAS, the owners of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 20th day of October, 2015, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 4104 AND 4106 SOUTH ELM-EUGENE STREET – 4.14 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limits (as of July 31, 2015), said point being in the centerline of Wolfetrail Road (NCSR #3322) as shown on Property of Mrs. Clara Brown , as recorded in Plat Book 39, Page 89 in the Office of the Guilford County Register of Deeds; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 86° 14' 52" E along said centerline approximately 350 feet to the centerline of S. Elm-Eugene Street; thence in a southerly direction with said centerline approximately 510 feet to a point in the existing city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the southern line of Proposed Tract "1" as shown on a drawing by CESI Land Development Services, titled The Haven @ Wolfetrail Crossing, N 88° 24' 56" W 329.94 feet to the southwest corner of said Tract "1"; thence with the western line of said Tract "1" N 01° 35' 04" E 477.38 feet to a set #5 rebar in the southern right-of-way line of Wolfetrail Road; thence in a northeasterly direction approximately 35 feet to the point of BEGINNING, and containing approximately 4.14 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after November 17, 2015, the liability for municipal taxes for the 2015-16 fiscal year shall be prorated on the basis of 7/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017

fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

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

That Tuesday, November 17, 2015 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than November 6, 2015.

(Signed) Yvonne Johnson

17. [ID 15-0839](#) Resolution Calling a Public Hearing for November 17, 2015 on the Annexation of Territory into the Corporate Limits for Property Located at 4903 Trailwood Drive - 1.001 Acres

0324-15 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 17, 2015 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 4903 TRAILWOOD DRIVE – 1.001 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 20th day of October, 2015, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 4903 TRAILWOOD DRIVE – 1.001 ACRES)

Section 1. Pursuant to G.S. 160A-58.1 the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the west corner of Lot 9 of Section 2 of Trailwood Acres, recorded at Plat Book 57, Page 87; thence with the northwestern line of said Lot 9 N 62° 06' 40" E 255.42 feet to the north corner of said Lot 9; thence S 31° 51' 20" E 200.00 feet with the northeastern line of said Lot to its east corner; thence S 76° 55' 30" W 298.42 feet with the southern line of said Lot to its south corner, said corner being on the eastern right-of-way line of Trailwood Drive; thence with said right-of-way line with a curve to the left having a radius of 536.91 feet and a chord bearing and distance of N 19° 00' 50" W 124.71 feet to the point and place of BEGINNING, being all of said Lot 9, and containing approximately 1.001 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled

to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after November 17, 2015, the liability for municipal taxes for the 2015-16 fiscal year shall be prorated on the basis of 7/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

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

That Tuesday, November 17, 2015 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than November 6, 2015.

(Signed) Yvonne Johnson

18. [ID 15-0841](#) Resolution Calling a Public Hearing for November 17, 2015 on the Annexation of Territory into the Corporate Limits Located at 104 East Vandalia Road - .29 Acres

0325-15 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 17, 2015 ON THE ANNEXATION OF TERRITORY INTO THE CORPORATE LIMITS – LOCATED AT 104 EAST VANDALIA ROAD -- .29 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 20th day of October, 2015, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 104 EAST VANDALIA ROAD -- .29 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of July 31, 2015), said point being in the center of a stream where it crosses the eastern line of property of J. Harrell Freeman, as recorded in Deed Book 3806, Page 1184 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with Freeman's eastern line S 06° 46' E approximately 30 feet to Freeman's southeast corner; thence with Freeman's southeastern line S 52° 56' W approximately 340 feet to a point in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northeasterly direction with said stream approximately 360 feet to the point and place of BEGINNING, and containing approximately 0.29 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after November 17, 2015, the liability for municipal taxes for the 2015-2016 fiscal year shall be prorated on the basis of 7/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

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

That Tuesday, November 17, 2015 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than November 6, 2015.

(Signed) Yvonne Johnson

20. [ID 15-0844](#) Ordinance in the Amount of \$156,000 Amending the FY 15-16 State Highway Allocation Capital Project Fund Budget

15-0127 ORDINANCE AMENDING THE FY 15-16 STATE HIGHWAY ALLOCATION CAPITAL PROJECT FUND BUDGET

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

That the State Highway Allocation Capital Project Fund Budget of the City of Greensboro is hereby amended as follows:

Section 1

That the appropriation to the State Highway Allocation Capital Project Fund be decreased as follows:

Account	Description	Amount
402-4307-01.5611	Maint & Repair-Streets/Sidewalks	\$156,000
Total		\$156,000

And, that this decrease be reflected in the revenues by decreasing the following account:

Account	Description	Amount
402-4307-01.9202	Transfer Fm State Highway Allocation Fd	\$156,000
Total		\$156,000

Section 2

That this ordinance shall be effective upon adoption.

(Signed) Yvonne Johnson

21. [ID 15-0873](#) Resolution Authorizing Extension in Contract No. 2006-026 With Corley Redfoot Architects, Inc. for the Griffin Recreation Center - Design Services Project

0326-15 RESOLUTION AUTHORIZING EXTENSION OF CONTRACT NO. 2006-026 WITH CORLEY REDFOOT ARCHITECTS, INC. FOR THE HILLTOP RECREATION CENTER – DESIGN SERVICES PROJECT

WHEREAS, the City employed Corley Redfoot Architects, Inc. as the Lead Designer for the first phase of the Marylene F. Griffin Community Park and Recreation Center which was completed in 2014;

WHEREAS, due to the extension of services beyond the original scope of work of the project, it was necessary to retain Corley Redfoot Architects, Inc. to provide additional field and contract administration services in order to complete the project;

WHEREAS, the cost attributed to these additional services is \$24,669 and a proposal from Corley Redfoot Architects, Inc. was received August 25, 2015.

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

That the extension in the amount of \$24,669 of Contract No. 2006-026 with Corley Redfoot Architects, Inc. is hereby approved and the Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper extension to carry the proposal into effect, payment to be made in the amount of \$24,669 from Account No. 443-5010-01.5413.

(Signed) Yvonne Johnson

22. [ID 15-0863](#) Resolution Listing Loans and Grant for City Council Approval

0327-15 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at the March 1, 2005 meeting of City Council, the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

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

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 Council meeting.

(Signed) Yvonne Johnson

23. [ID 15-0853](#) Budget Adjustments Requiring Council Approval 9/3/15-10/5/15

Motion to approve the budget adjustments of September 3 - October 5, 2015 over the amount of \$50,000 was adopted.

24. [ID 15-0854](#) Budget Adjustments Approved by Budget Officer 9/3/15-10/5/15

Motion to accept the report of budget adjustments of September 3 - October 5, 2015 was adopted.

25. [ID 15-0892](#) Motion to Approve the Minutes of the Work Session of August 25, 2015.

Motion to approve the minutes of the Work Session of August 25, 2015 was adopted.

26. [ID 15-0885](#) Motion to Approve the Minutes of the Regular Meeting of September 15,

2015

Motion to approve the minutes of the Regular meeting of September 15, 2015 was adopted.

15. [ID 15-0865](#) Resolution Allowing Stoney Creek, Phases 20, 21, 23 and 24, to Extend and Connect onto City Water and Sanitary Sewer without Immediate Annexation by the City of Greensboro.

Councilmember Hightower asked for clarification on the location of the property; party responsible for installation; about annexation requests; for confirmation on process; and for expected revenue for the City.

Water Resources Director Steve Drew spoke to water and sewer lines that were already installed; allowing residential and non-residential access; stated the payment was not the responsibility of the City; confirmed the City had received requests; stated the City would not provide emergency services; spoke to state regulations; the primary corporate limits; and confirmed the water and sewer rates would be revenue for the City.

Mayor Pro-Tem Johnson asked for clarification on the rate base.

Assistant City Manager David Parrish stated outside the city fees would apply.

Councilmember Wilkins spoke to the investment; billing rates; and suggested the resolution be amended to include the County rate billing.

Discussion took place regarding a request letter; the prepayment and access built by the residents; the development agreement; and a future annexation petition.

Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson, to adopt the resolution as amended. 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

0328-15 RESOLUTION ALLOWING STONEY CREEK, PHASES 20, 21, 23 AND 24, TO EXTEND AND CONNECT ONTO CITY WATER AND SANITARY SEWER WITHOUT IMMEDIATE ANNEXATION BY THE CITY OF GREENSBORO

WHEREAS, municipal growth through annexation is essential to sound urban development and continued economic development in Greensboro and Guilford County; and

WHEREAS, the North Carolina General Statutes provide for annexation by municipalities according to certain legislative standards, and with the provision of certain services; and

WHEREAS, there are areas within Guilford County that are not currently eligible for annexation by the City of Greensboro under the North Carolina General Statutes; and

WHEREAS, on April 3, 2012, City Council adopted the "City of Greensboro Policy - Water & Sewer Services Outside the Corporate Limits" to address the extension of water and sanitary sewer lines and revised said policy on May 20, 2014; and

WHEREAS, said adopted policy allows for the City Council to grant approval of extensions and connections outside of the City of Greensboro's corporate limits;

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

Section 1 - That City of Greensboro water and sanitary sewer lines may be extended to provide serve and connections to development located within Stoney Creek, Phases 20, 21, 23 and 24 (Lots #16 through #19, Lots #25 through #28, and Phase #23) as depicted on Exhibit A in consideration of the "Utility and Development

Agreement and Petition for Annexation” signed by the current property and delivered to the City of Greensboro. This agreement shall be recorded in the chain of title by the current property owner and disclosed to all prospective new property owners by the current property owner.

Section 2 - That when the ownership of any portion of the property contained in Section 1 above changes, a new “Utility and Development Agreement and Petition for Annexation” signed by the new property owner will be delivered to the City of Greensboro.

Section 3 - That the rates for water service and sewer service for these properties shall be those applicable to property located outside the corporate limits of the city in accordance with Section 29-46 and Section 29-49 of the Code or Ordinances, respectively, until annexation occurs.

Section 4 - That when eligible under North Carolina General Statutes, the property contained within Section 1 above will be annexed into the City of Greensboro’s Corporate Limits.

Section 5 - That upon any violation of the terms of this resolution, said resolution shall be deemed null and void and any connections made after the effective date of this resolution to the City’s water or sanitary sewer lines will be terminated immediately.

Section 6 - That this Resolution shall become effective immediately upon adoption.

(Signed) Tony Wilkins

19. [ID 15-0875](#) Ordinance to Amend Section 13-99 of the Greensboro Code of Ordinances to Reference the Collection of Motor Vehicle Taxes by the State of North Carolina through the Tag & Tax Together Program

Councilmember Hightower requested clarification on the fees assessed to the ordinance; for confirmation on the purpose tax; inquired as to a potential increase; spoke to Greensboro Transit Authority (GTA) deficit funding; and reallocation of state funds for street improvements to GTA.

City Attorney Carruthers confirmed the fees would be a per vehicle tax.

Assistant City Manager Mary Vigue provided a breakdown of the fees.

Discussion took place regarding funding categories; additional options; state law; provisions in other cities; and providing an update.

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

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

15-0128 ORDINANCE TO AMEND SECTION 13-99 OF THE GREENSBORO CODE OF ORDINANCES TO REFERENCE THE COLLECTION OF MOTOR VEHICLE TAXES BY THE STATE OF NORTH CAROLINA THROUGH THE TAG & TAX TOGETHER PROGRAM

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

Section 1. That Section 13-99 of the Greensboro Code of Ordinances is hereby amended as follows:

Sec. 13-99. Motor Vehicles.

(a) Each licensed self-propelled motor vehicle that is subject to the property tax of the city under Subchapter II of Chapter 105 of the North Carolina General Statutes shall be subject to an annual privilege tax of ten dollars (\$10.00). This tax shall be levied at the same time and collected and accounted for in the same manner as the property tax on registered motor vehicles collected by the State of North Carolina under the Tag & Tax Together

program.

(b) The city shall have all duties and exercise all power for the tax imposed herein as for the property tax except as delegated, in part or in whole, to Guilford County.

(Code 1961, § 11-82; Ord. No. 91-70, § 1, 6-13-91; Ord. No. 95-61, § 1, 6-1-95)

State law reference— Limitations on above license, G.S. §§ 20-97, 160A-213; place for listing tangible personal property, G.S. § 105-304.

Section 2. That this ordinance shall become effective retroactively on July 1, 2015.

(Signed) Sharon Hightower

IV. PUBLIC HEARING AGENDA

27. [ID 15-0821](#) Ordinance Annexing Territory into the Corporate Limits Located at 4706 Sharon Donna Drive - .527 Acres

Mayor Vaughan introduced items # 27 and # 28 together.

Moved by Councilmember Barber, seconded by Councilmember Wilkins to close the public hearing. The motion carried by voice vote.

Moved by Councilmember Fox, seconded by Councilmember Barber, 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

15-0129 ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS PROPERTY LOCATED AT 4706 SHARON DONNA DRIVE -- .527 ACRES

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northwest corner of Lot 6 on Sheet 2 of Thorpe Square, recorded at Plat Book 162, Page 98; thence with the southern right-of-way line of Sharon Donna Drive S 81° 52' 58" E 120.00 feet to the northeast corner of said Lot 6; thence S 08° 07' 02" W 190.85 feet with the eastern line of said Lot to its southeast corner; thence N 82° 09' 45" W 100.97 feet with the southern line of said Lot to a #5 rebar; thence continuing with said southern line N 81° 29' 47" W 19.03 feet to the southwest corner of said lot; thence N 08° 07' 02" E 191.22 feet with the western line of said Lot 6 to the point and place of BEGINNING, being all of said Lot 6, and containing approximately 0.527 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after October 20, 2015, the liability for municipal taxes for the 2015-16 fiscal year shall be

prorated on the basis of 8/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

(Signed) Jamal Fox

28. [ID 15-0828](#) Ordinance Establishing Original Zoning for Property Located at 4706 Sharon Donna Drive

Councilmember Hightower inquired about the property being incorporated into the City.

Planning Manager Mike Kirkman spoke to the property being brought into the City; and to the water and sewer system.

Moved by Councilmember Hightower, seconded by Councilmember Abuzuaiter, to adopt the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment located at 4706 Sharon Donna Drive from County RS-20 (Residential Single Family) to City R-3 (Residential Single-Family) is consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Growth at the Fringe Goal to promote sound and sustainable land use patterns; and the request is consistent with the Housing and Neighborhoods Goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing. 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

15-0130 AMENDING OFFICIAL ZONING MAP

4706 SHARON DONNA DRIVE, SOUTH OF SHARON DONNA DRIVE AND EAST OF YOUNGS MILL ROAD.

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

Section 1. The Official Zoning Map is hereby amended by original zoning from County RS-20 (Residential Single Family) to City R-3 (Residential Single Family).

The area is described as follows:

BEGINNING at the northwest corner of Lot 6 on Sheet 2 of Thorpe Square, recorded at Plat Book 162, Page 98; thence with the southern right-of-way line of Sharon Donna Drive S 81° 52' 58" E 120.00 feet to the northeast corner of said Lot 6; thence S 08° 07' 02" W 190.85 feet with the eastern line of said Lot to its southeast corner; thence N 82° 09' 45" W 100.97 feet with the southern line of said Lot to a #5 rebar; thence continuing with said southern line N 81° 29' 47" W 19.03 feet to the southwest corner of said lot; thence N 08° 07' 02" E 191.22 feet with the western line of said Lot 6 to the point and place of BEGINNING, being all of said Lot 6, and containing approximately 0.527 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County.

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the R-3(Residential Single Family) zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to

the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on October 20, 2015.

(Signed) Sharon Hightower

29. [ID 15-0642](#) Ordinance Amending Section 30-15-4 of the Land Development Ordinance (LDO) to Define what Constitutes a “Convenience Stores (with Fuel Pumps)” for the use Specifically Identified in the Permitted Use Table

Moved by Councilmember Fox, seconded by Councilmember Wilkins to close the public hearing. The motion carried by voice vote.

Council discussed servicing larger trucks.

Moved by Councilmember Wilkins, seconded by Councilmember Fox, to adopt the ordinance. The motion 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

15-0131 AMENDING CHAPTER 30 (LDO)

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

(Editor’s Note: Added text shown with underlines and deleted text shown with strikethroughs) Section 1. That Section 30-15-4, Terms Beginning with C, is hereby amended by adding the definition for “Convenience Store (with Fuel Pumps)” within alphabetical order and to read as follows:

Convenience Store (with fuel pumps)

Any retail establishment offering for sale any combination of fuels, automotive products, prepared or prepackaged food products, household items, and other goods commonly associated with this use. In addition to fueling stations designed for any number of automobiles and similar vehicles, convenience stores (with fuel pumps) may also include fueling stations designed for no more than 3 tractor trailers or other heavy trucks.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall become effective upon date of adoption.

(Signed) Tony Wilkins

30. [ID 15-0830](#) Ordinance Amending Section 30-9-5.1(B), of the Land Development Ordinance (LDO) to Adjust the Threshold for Type B Outdoor Display

Moved by Councilmember Wilkins, seconded by Councilmember Fox to close the public hearing. The motion carried by voice vote.

Moved by Councilmember Fox, seconded by Councilmember Wilkins, to adopt the ordinance. The motion 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

15-0132 AMENDING CHAPTER 30 (LDO)

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

(Editor's Note: Added text shown with underlines and deleted text shown with strikethroughs) Section 1. That Subsection (2) of Section 30-9-5.1(B), Definitions, is hereby amended to read as follows:

2. Class B Outdoor Display

Areas where at least 40% of the retail space is outdoors and items are for sale to the general public. This includes but is not limited to garden nurseries, vehicle sales and services, manufactured home sales, play equipment sales, and other similar uses.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall become effective upon date of adoption.

(Signed) Jamal Fox

31. [ID 15-0861](#) Resolution Ordering the Making of Certain Local Improvements - 1115 Pleasant Ridge Road Sewer Extension from a Proposed Sewer Manhole at 1138 Pleasant Ridge Road, to Approximately 700 Linear Feet South

Moved by Councilmember Wilkins, seconded by Councilmember Abuzuaiter to close the public hearing. The motion carried by voice vote.

Moved by Councilmember Hoffmann, 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

P -197 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS

1115 PLEASANT RIDGE ROAD SEWER EXTENSION FROM A PROPOSED SEWER MANHOLE AT 1138 PLEASANT RIDGE ROAD, TO APPROXIMATELY 700 LINEAL FEET SOUTH.

WHEREAS, due notice has been given that on the 20th day of October , 2015 at 5:30 p.m. in the Council Chamber in the Municipal Office Building, a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing;

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements;

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

A. That the Street or streets hereinabove set out is/are:

1115 PLEASANT RIDGE ROAD SEWER EXTENSION FROM A PROPOSED SEWER MANHOLE AT 1138 PLEASANT RIDGE ROAD, TO APPROXIMATELY 700 LINEAL FEET SOUTH.

B. That the local improvements to be made set out above are as follows:

(a) Sanitary Sewer Improvements.

1115 Pleasant Ridge Road sewer extension from a proposed sewer manhole at 1138 Pleasant Ridge Road, to approximately 700 lineal feet south.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Proposed Local Improvements which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed) Nancy Hoffmann

V. GENERAL BUSINESS AGENDA

32. [ID 15-0862](#) Ordinance in the Amount of \$2,300,000 Amending General Fund, Water Resources Fund and General Capital Improvement Fund Budgets for Renovation of Police Headquarters Building

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

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

15-0133 ORDINANCE IN THE AMOUNT OF \$2,300,000 AMENDING GENERAL FUND, WATER RESOURCES FUND AND GENERAL CAPITAL IMPROVEMENT FUND BUDGETS FOR RENOVATION OF POLICE HEADQUARTERS BUILDING

Section 1

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

That the General Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriations to the General Fund be increased, as follows:

Account	Description	Amount
101-9590-01.6411	Transfer to General Capital Project Fund	\$ 775,000

And, that this increase is to be financed by the following revenue:

Account	Description	Account
101-0000-00.8900	Appropriated Fund Balance (Capital Reserve Account)	\$ 775,000

Section 2

And, that the appropriations to the Water Resources Fund be increased, as follows:

Account	Description	Amount
501-7011-01.6411	Transfer to General Capital Project Fund	\$1,025,000

And, that this increase is to be financed by the following revenue:

Account	Description	Account
501-0000-00.8900	Appropriated Fund Balance	\$1,025,000

Section 3

And, that the General Capital Improvement Fund is amended as follows:

Account	Description	Amount
411-3514-01.6013	PDHQ Renovation-Phase 2	\$1,800,000
411-3514-02.6013	FF PDHQ Renovation-Phase 2	100,000
411-3514-02.5214	Office Equipment & Furniture	150,000
411-3514-02.5613	Maintenance and Repair-Buildings	250,000
Total		\$2,300,000

And, that this increase is to be financed by the following revenue:

Account	Description	Account
411-3514-01.9101	Transfer from General Fund	\$ 775,000
411-3514-01.9501	Transfer from Water Resources Fund	1,025,000
411-3514-02.7104	Federal Forfeiture	500,000
Total		\$2,300,000

Section 4

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

- 33. [ID 15-0889](#) Resolution Authorizing the Establishment of an East Greensboro Curb Appeal Grant Program and Authorizing the City Manager to Execute an Agreement with East Market Street Community Development Corporation (EMSDC) to Administer the Program

Councilmember Wilkins inquired as to why the City was not administering the grants.

City Manager Westmoreland spoke to a program established by the East Greensboro Study Committee; and to specific programs for the East Greensboro area.

Moved by Councilmember Hightower, seconded by Councilmember Fox, 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

330-15 RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN EAST GREENSBORO CURB APPEAL GRANT PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH EAST MARKET STREET COMMUNITY DEVELOPMENT CORPORATION (EMSDC) TO ADMINISTER THE PROGRAM

WHEREAS, it has been requested that a curb appeal grant program and associated funding to be administered by the East Market Street Community Development Corporation (EMSDC) be established;

WHEREAS, the proposed curb appeal grant program implements several recommendations from the East Greensboro Study Committee Summary report adopted by City Council on August 3, 2015;

WHEREAS, the recommendations include the establishment of an incentive program to direct private investment to priority locations; expand the scope and focus of East Market Street CDC to all of East Greensboro; landscape and beautify gateways and key corridors; and implement a "Curb Appeal by the Block" program;

WHEREAS, the program is proposed to run for a period of seven years, during which a total of no more than \$25,000 may be awarded to an individual property and matching grants for signage upgrades will be limited to \$2,500 or 50% of the total costs, whichever is less;

WHEREAS, to be eligible for the program, the applicant must own the property or have written consent from the property owner authorizing the proposed improvements;

WHEREAS, EMSDC is proposed to serve as the program administrator;

WHEREAS, it is estimated that \$75,000 will be requested for establishment of the program at a future date.

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

That the establishment of a Curb Appeal Grant program and associated fund to be administered by the East Market Street Community Development Corporation (EMSDC) is hereby authorized and the City Manager is authorized to execute an agreement with East Market Street Community Development Corporation (EMSDC) to administer the program.

(Signed) Sharon Hightower

34. [ID 15-0827](#) Resolution Authorizing Extension of Service Contract 2012-5470 with Hilco Transport, Inc. for Municipal Solid Waste Hauling Services

Moved by Councilmember Abuzuaiter, seconded by Councilmember Fox, 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

0331-15 RESOLUTION AUTHORIZING EXTENSION OF CONTRACT NO. 2012-5470 WITH HILCO TRANSPORT, INC. FOR MUNICIPAL SOLID WASTE HAULING SERVICES

WHEREAS, on September 4, 2012, City Council approved a contract with Hilco Transport, Inc. for municipal solid waste hauling services from the City's Burnt Poplar Road transfer station to the Uwharrie Environmental Landfill in Montgomery County, North Carolina;

WHEREAS, in Fiscal Year 2014-15 the cost of hauling approximately 202,000 tons of municipal solid waste from the transfer station was about \$2,400,000;

WHEREAS, the contract was to have an initial three-year term with the option of two additional one-year extensions;

WHEREAS, this contract extension is the first of two available one-year extensions at an estimated cost of \$2,500,000 and has the support of the Greensboro Solid Waste Commission.

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

That the extension in the amount of \$2,500,000 of Contract No. 2012-5470 with Hilco Transport, Inc. is hereby approved and the Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper extension to carry the proposal into effect, payment to be made in the amount of \$2,500,000 from Account No. 551-4306-07.5429.

(Signed) Marikay Abuzuaiter

35. [ID 15-0836](#) Resolution Authorizing Extension of Service Contract 2012-5485 with Republic Services, Inc. for Municipal Solid Waste Disposal Services

Councilmember Hightower asked for confirmation as to the length of the contract.

Assistant City Manager Parrish confirmed a one year contract; spoke to the Request For Proposal process; and to competitive bids.

Moved by Councilmember Hoffmann, seconded by Councilmember Abuzuaite, to adopt the resolution. The motion 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

0332-15 RESOLUTION AUTHORIZING EXTENSION OF CONTRACT NO. 2012-5485 WITH REPUBLIC SERVICES, INC. FOR MUNICIPAL SOLID WASTE DISPOSAL SERVICES

WHEREAS, on September 4, 2012, City Council approved a contract with Republic Services, Inc. for municipal solid waste disposal services from the City's Burnt Poplar Road transfer station to the Republic's Uwharrie Environmental Landfill in Montgomery County, North Carolina;

WHEREAS, in Fiscal Year 2014-14 the cost of hauling approximately 202,000 tons of municipal solid waste from the transfer station was about \$4,600,000;

WHEREAS, the contract was to have an initial three-year term with the option of two additional one-year extensions;

WHEREAS, this contract extension is the first of two available one-year extensions at an estimated cost of \$4,700,000 and has the support of the Greensboro Solid Waste Commission.

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

That the extension in the amount of \$4,700,000 of Contract No. 2012-5485 with Republic Services, Inc. is hereby approved and the Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper extension to carry the proposal into effect, payment to be made in the amount of \$4,700,000 from Account No.551-4306-07.5429.

(Signed) Nancy Hoffmann

36. [ID 15-0845](#) Resolution Authorizing Interlocal Agreement Regarding Additional Funding for the Greensboro Public Libraries for Fiscal Year 2015-16

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hoffmann, to adopt the resolution. The motion 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

0333-15 RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT REGARDING ADDITIONAL FUNDING FOR THE GREENSBORO PUBLIC LIBRARIES FOR FISCAL YEAR 2015-16

WHEREAS, pursuant to authority granted in N.C.G.S 153A-261, et. Seq., and in compliance with all applicable laws, the City supports a public library system for the benefit of all citizens of Guilford County; and

WHEREAS, in order to carry out the programs and activities of the Greensboro Library, regardless of whether citizens live inside or outside the city of Greensboro, Guilford County and the City have established a formula based interlocal funding agreement with Guilford County Contract 36460-03/11-171; and

WHEREAS, Guilford County approved an initial appropriation of funding for fiscal year 2015-16 to the City in the

amount of \$1,302,286; and

WHEREAS, based on the formula, the County has appropriated an additional amount for fiscal year 2015-16 not to exceed \$54,561, and

WHEREAS, this interlocal agreement amendment is made as a supplement to the Guilford County Interlocal Agreement on Public Libraries, Contract 36460-03/11-171 and shall not supersede the Interlocal Agreement or vice versa; and

WHEREAS, in consideration for the City's Library Services, the County will pay the lump sum of \$54,561 under the terms of this interlocal agreement for fiscal year 2015-16 by December 31, 2015. This will increase the original Guilford County allocation from \$1,302,286 to \$1,356,847; and

WHEREAS, North Carolina General Statutes require approval of this contract by the Greensboro City Council as the governing board.

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

That the City is authorized to enter into Contract No. 36460-03/11-171 with Guilford County for an increase of \$54,561 to the original Guilford County funding allocation of \$1,302,286 for a total fund allocation to be paid from Guilford County to the City in the amount of \$1,356,847.

(Signed) Yvonne Johnson

37. [ID 15-0872](#) Resolution Authorizing Contract in the Amount of \$1,000,000 with Greensboro United Soccer Association for the Bryan Park Soccer Complex Expansion Project

Discussion ensued regarding a 10 minute presentation; the number of speakers to the item; and the time limit per speaker.

Emily Tyler, 6201 Bards Lane, made a PowerPoint Presentation (PPP); spoke to the neighborhood being trapped; referenced the railroad crossing; and provided the history of the neighborhood development

Patti Frascione, 2305 Farm Gate Road continued the PPP; highlighted runoff concerns; spoke to a City owned abandoned home; Greensboro United Soccer Association (GUSA) cited safety concerns; lighting and sound systems; relocation of fields; a second access road; tournament plans; and the potential for accidents.

Councilmember Wilkins spoke to the location of the homes in relation to the City limits; and recognized all the speakers were from Browns Summit.

Mayor Pro-Tem Johnson inquired about the City owned property; and about how quickly the property issues could be addressed.

Parks and Recreation Director Wade Walcutt stated he would speak to the Fire Department about a possible burn project.

Councilmember Hightower spoke to the abandoned property; inquired about relocation of the fields; spoke to railroad schedules for the area; voiced concerns with the location of the railroad to the neighborhood; spoke to the potential for additional accesses; inquired about widening the road; and about buffers.

Mr. Walcutt confirmed ownership of the property; spoke to looking into a demolition or burn project; referenced adjustments made after conversations with residents; researching an additional access road; the Technical Review Committee; the availability of first responders; addressing parking and traffic concerns; and confirmed staff would look into buffer options.

Councilmember Barber left the meeting at 6:52 p.m. and returned at 6:55 p.m.

City Manager Westmoreland provided information on train schedules.

Trish McDermott, 2400 Farm Gate Road stated she was the Neighborhood Association President; provided a brief history to her knowledge of the project; continued the PPP; highlighted the one access point; spoke to hotel and food location in comparison to the soccer fields; suggested another location; and referenced the trees that would have to be removed.

Keith Wilde, 2306 Farm Gate Road continued the PPP; voiced excitement for the idea of the project; spoke to other Greensboro projects; the entrance to the soccer field; ownership of the property; a National impact; safety concerns; and the use of caution tape to block off parking.

Council discussed the use of caution tape; about the location of parking; and the use of a shuttle.

Mr. Walcutt spoke to parking concerns; stated staff would be working with local businesses for additional parking solutions; and that the staff presentation prepared for Council had been shared with the neighborhood.

Ronnie Jefferson, 2508 Farm Gate Road continued the PPP; stated the major concern was safety; referenced other cities that had implemented shuttles as options; spoke to the location of the railroad tracks; the buffers; and referenced the number of people killed by trains.

Councilmember Hoffmann stated the Wyndham offered shuttle rides as the only access to the golf tournament.

Claude F. Devashia, Jr, 2506 Farm Gate Road continued the PPP; reiterated traffic and parking concerns; spoke to the Bryan Park Wildlife refuge; the use of the abandoned home property for fields; requested the item be tabled so the neighborhood could meet with the Parks and Recreation Commission; referenced Sunday morning traffic issues; and voiced preference for a berm rather than a wall.

Mr. Walcutt spoke to a regional concept; community conversations and feedback; addressing concerns; additional ideas; the Parks and Recreation Commission meeting on August 12th; the item being vetted through the General Government and Community Services Committees; and to the referral to Council.

Councilmember Fox spoke to the location of the project to District 2; stated he had not heard from residents; referenced community conversations; spoke to addressing concerns; referenced the history being vetted at a work session and the Council committees; requested staff to work with the residents; and encouraged Council to move the project forward.

Councilmember Hightower voiced her concerns with the item; stated she would like to see issues addressed; spoke to quality of life; and inquired about the timeline for the project.

Mr. Walcutt voiced there was a second access road through the golf course.

Councilmember Hoffmann referenced Greensboro being a primary destination; long range plans; voiced Greensboro could not lose the opportunity; spoke to economic development; tourism; being attentive to safety concerns; and stated she would like to see the abandoned home addressed immediately.

Mayor Vaughan requested that Mr. Walcutt continue his community involvement.

Mayor Pro-Tem Johnson requested staff to provide an update on the house; and the potential use of the space for fields.

Mr. Walcutt confirmed he would keep the community informed.

A copy of the presentation is filed in Exhibit Drawer X, Exhibit No.30 which is hereby referred to and made a part of these minutes.

Moved by Councilmember Fox, seconded by Councilmember Hoffmann, 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, Nancy Hoffmann, Justin Outling and Tony Wilkins

Nays, 1 - Sharon M. Hightower

0334-15 RESOLUTION AUTHORIZING CONTRACT IN THE AMOUNT OF \$1,000,000 WITH GREENSBORO UNITED SOCCER ASSOCIATION FOR THE BRYAN PARK SOCCER COMPLEX EXPANSION PROJECT

WHEREAS, Greensboro United Soccer Association (GUSA; formerly Greensboro Youth Soccer Association) has operated the Bryan Park Soccer Complex through contractual agreements with the City of Greensboro since at least 1984;

WHEREAS, through the existence of this public-private partnership, GUSA has previously made significant improvements to the Bryan Park site valued in excess of \$2,700,000;

WHEREAS, GUSA continues to demonstrate its commitment to inclusion and to reducing financial barriers to playing soccer and has become one of the most diverse soccer clubs in North Carolina;

WHEREAS, together with the support of the City's Parks and Recreation Department and the Greensboro Convention and Visitors Bureau, GUSA wishes to make improvements to the Bryan Park Soccer Complex to better serve the growing demand for soccer in the Greensboro community and to attract national tournaments generating additional significant economic impact for Greensboro;

WHEREAS, the total projected cost of the proposed improvement/expansion project is estimated to be \$4,500,000, and pending approval of this resolution the City's contribution towards the project would be \$1,000,000, representing approx. 22% of the total cost of the project and secured through a reallocation of Parks and Recreation bond funding;

WHEREAS, completion of the project will enable Bryan Park to become eligible to host large regional and national soccer tournaments projected to bring in an additional \$13-18,000,000 in economic impact to Greensboro;

WHEREAS, at its July 16, 2015 work session, the City Council received a presentation about the scope of the proposed expansion project, unanimously indicated its support, and directed the Parks and Recreation Department to bring the proposed Bryan Park Soccer Complex site conceptual plan to the Parks and Recreation Commission for consideration;

WHEREAS, on August 12, 2015, the Parks and Recreation Commission voted unanimously to support the proposed expansion project and approved the Bryan Park Soccer Complex site conceptual plan;

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

That the City is authorized to enter into a contract with Greensboro United Soccer Association for the expansion of the Bryan Park soccer complex pursuant to NC General Statutes 160A-353 and 143-128. The City Manager and staff are hereby authorized to enter into negotiations and execute a contract with GUSA in an amount not to exceed \$1,000,000 based on agreed upon terms of the contract, payment to be made from Account No. 472-5013-01.6019.

(Signed) Jamal Fox

Mayor Vaughan stated Council would hear Items #40 and #41 before Item #38.

- 40.** [ID 15-0855](#) Resolution Authorizing a Contract in the Amount of \$2,219,188 with Hazen and Sawyer, P.C. for the Design of Biological Nutrient Removal Upgrades for the T.Z. Osborne Wastewater Reclamation Facility

Councilmember Hightower inquired about the M/WBE participation.

Mayor Pro-Tem spoke to a very specific expertise for the project; and to an increase in the M/WBE participation in the future.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to adopt the resolution. The motion 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

0335-15 RESOLUTION AUTHORIZING A CONTRACT IN THE AMOUNT OF \$2,219,188 WITH HAZEN AND SAWYER, P.C. FOR THE DESIGN OF BIOLOGICAL NUTRIENT REMOVAL UPGRADES FOR THE T.Z. OSBORNE WASTEWATER RECLAMATION FACILITY

WHEREAS, the T.Z. Osborne Wastewater Reclamation Facility (TZO) is currently undergoing capacity upgrades, which involves ending treatment operations at the North Buffalo Water Reclamation Facility to create efficiency in meeting future regulations;

WHEREAS, biological nutrient removal upgrades are needed at TZO to meet compliance requirements with the Wastewater Discharge Rule of the Jordan Lake Rules, which places further discharge limits on nutrients including nitrogen, and is required by the State by January 2021;

WHEREAS, Hazen and Sawyer, P.C. is proposed to complete the design due to their participation in the design of plant upgrades.

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

That the City is authorized to enter into a contract with Hazen and Sawyer, P.C. for the Design of Biological Nutrient Removal Upgrades for the T.Z. Osborne Wastewater Reclamation Facility 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 \$2,219,188 from Account No. 515-7056-05.5410.

(Signed) Yvonne Johnson

- 41. [ID 15-0858](#)** Ordinance in the Amount of \$2,219,188 Amending the Water Resources Capital Project Bond Fund - Series 2014 Budget to Establish Funding for the Design of the TZO Biological Nutrient Removal Upgrades Project

Moved by Councilmember Abuzuaite, seconded by Mayor Pro-Tem Johnson, to adopt the ordinance. The motion 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

15-0134 ORDINANCE AMENDING THE WATER RESOURCES CAPITAL PROJECT BOND FUND – SERIES 2014 BUDGET TO ESTABLISH FUNDING FOR THE DESIGN OF THE TZO BIOLOGICAL NUTRIENT REMOVAL UPGRADES PROJECT

Section 1

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

That the Water Resources Capital Project Bond Fund – Series 2014 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Water Resources Capital Project Bond Fund – Series 2014 Budget be increased as follows:

Account	Description	Amount
515-7056-05.5410	Other Improvements	\$2,219,188
TOTAL		\$2,219,188

And, that this increase be financed by increasing the following Water Resources Capital Project Bond Fund – Series 2014 Budget account:

Account	Description	Amount
515-0000-00.9005	Revenue Bond Proceeds	\$2,219,188
TOTAL		\$2,219,188

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

Mayor Vaughan declared a recess at 7:33 p.m. Council reconvened at 7:55 p.m. with all members in attendance.

- 38. [ID 15-0884](#) Resolution Approving Capital Fund Expenditures From Occupancy Tax Proceeds Received by the Greensboro/Guilford County Tourism Development Authority for the Bryan Park Soccer Complex Expansion Project

Moved by Councilmember Hoffmann, 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

0336-15 RESOLUTION APPROVING CAPITAL FUND EXPENDITURES FROM OCCUPANCY TAX PROCEEDS RECEIVED BY THE GREENSBORO/GUILFORD COUNTY TOURISM DEVELOPMENT AUTHORITY FOR THE BRYAN PARK SOCCER COMPLEX EXPANSION PROJECT

WHEREAS, in 1989 the General Assembly amended an act permitting Guilford County to levy a three percent (3%) room occupancy and tourism development tax;

WHEREAS, after allocating \$170,000 for specific tourist-related events or activities, the remaining portion of twenty percent (20%) of the seventy percent (70%) net proceeds of the occupancy tax be received by the Authority shall go to the City of Greensboro for convention and tourism capital improvements;

WHEREAS, in the opinion of the Greensboro/Guilford County Tourism Development Authority, existing and future revenues, not to exceed \$250,000 in this capital fund should be expended for field expansion at Bryan Park Soccer Complex

- 1. That a \$250,000 expenditure for field expansion at Bryan Park will be made from this fund in the fiscal year 2015-2016;

WHEREAS, by law, the approval of such expenditures shall be a joint decision by the Greensboro City Council, the Guilford County Commissioners and the Greensboro/Guilford County Tourism Development Authority;

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

That the City Council of the City of Greensboro hereby approves the expenditures of existing and future revenues, not to exceed \$250,000 from the above mentioned capital fund for the purpose of field expansion at the Bryan Park Soccer Complex for the fiscal year 2015-2016; and

That the City Manager and staff are authorized to enter into a Memorandum of Understanding with the Greensboro/Guilford County Tourism Development Authority and Greensboro United Soccer Association for the Bryan Park Soccer Complex expansion project. All transactions pursuant to this resolution shall be undertaken in strict compliance with applicable laws and this approval subject to applicable laws.

(Signed) Nancy Hoffmann

39. [ID 15-0891](#) Resolution in Opposition of House Bill 318: Protect North Carolina Workers Act

Mayor Vaughan stated there were speakers to the item.

Maria Cortez-Perez, 203 Woodbury Street stated opposition to House Bill (HB) 318; spoke to validity of identification cards; separation of families; struggles to put food on the table; issues with getting birth certificates and marriage licenses; the homeless population; and to the unemployment rate.

Jerome Black, 1205-F Lexington Avenue stated he was a Vietnam Veteran; spoke to disabled Veterans; ending homelessness; struggles faced by the homeless; voiced opposition to HB 318; and spoke to working with Veterans daily.

Dolce Ortiz, 2800 Forbes Drive thanked Council for consideration of the resolution; stated the HB would not be good for the community; spoke to the immigrant community; parentless children; a safe community; and voiced the bill did not represent what the community stood for.

Jose' F. Oliva, 2506 Kilbourne Drive, Guilford College Student Body President requested Council to oppose HB 318; referenced an economic development issue in Alabama; spoke to the number of people coming into the City; International business leaders; and to helping people rise from the poverty line.

Mayor Pro-Tem Johnson thanked Mr. Oliva for serving in the International Advisory Committee.

Erencira Mendez, 3007 South Elm Eugene Street thanked Council for consideration of opposition to the HB; stated her daughter wanted to become a police officer; spoke to parents feeling empowered to raise law abiding citizens; and to a better future.

Zac Engle, 405 Hammel Road voiced appreciation of the International Advisory Commission (IAC); recognized members in attendance; urged Council to support the resolution; spoke to a refugee community; to long time residents that did not have citizenship; to a broken system; referenced Faith Action; and spoke to obstacles immigrants faced when trying to obtain water service, birth certificates, and marriage licenses.

Sarah Rawleigh Immigrant Assistance Manager at Faith Action spoke to a welcoming City that valued immigrants; the Faith Action ID program; stated the bill had negative consequences; and urged Council to pass the resolution.

Yubisela Aronda Sandaral, 1202 Quail Drive thanked Council for considering the resolution; spoke to a welcoming community to immigrants; a broken immigration system; stated HB 318 impacted her family; referenced struggles in other counties; and spoke to being raised with morals and responsibilities.

Councilmember Wilkins spoke to the item as an emotional issue; voiced that Council action would not impact the bill which had already passed; referenced a quote that the bill would not effect anyone in the country legally; and voiced he would not support the resolution.

Councilmember Abuzuaiter thanked the speakers; spoke to Veterans; immigrant documentation; assisting with the process; referenced a better quality of life; spoke to the Stranger to Neighbor resolution; International Advisory Committee; a bad economy; voiced her passion for the item; and encouraged Council to oppose the bill.

Mayor Pro-Tem Johnson spoke to ethnic groups; heroic acts of Veterans; referenced segregation; spoke to change; and to embracing the community.

Mayor Vaughan voiced her support of the resolution; stated Greensboro had been targeted by the Legislature; spoke to Faith Action; health care; City services; police interactions; the value of documentation; and Greensboro being a leader for change.

Councilmember Fox spoke to doing what was right for history; and to making an impact for people Council represented.

Councilmember Hightower voiced her dismay with the State of North Carolina; referenced Veterans need to survive; spoke to the speakers regarding Veteran organizations; status of Senate Bill 36; and to doing the right thing.

Councilmember Barber spoke to a collaborative effort; referenced presidential debates; quoted Jefferson; stated the system was broken; and voiced his support.

Councilmember Hoffmann referenced an African prayer; and spoke to issues worth fighting for.

Councilmember Abuzuaiter provided a brief history of the item; and referenced Councilmember Wilkins support of public safety.

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 Justin Outling

Nays, 1 - Tony Wilkins

0337-15 RESOLUTION IN OPPOSITION OF HOUSE BILL 318: PROTECT NORTH CAROLINA WORKERS ACT

WHEREAS Greensboro, North Carolina has been regarded as a community that values and supports access to and the distribution of resources that enable all residents, regardless of employment, economic, familial, or residential status to live healthy and productive lives; and

WHEREAS Greensboro, North Carolina has been regarded and lauded as a welcoming community for resettlement of immigrants and refugees for the past forty or more years resulting in Guilford County Schools having residents who have immigrated to our community representing more than 79 different countries and who speak nearly 100 different world languages and dialects; and

WHEREAS Greensboro is the leading community in the state legitimizing a form of ID that grants access to city services for all community members regardless of residential status, thereby encouraging the acceptance of the ID across other industries in the city to include banking; and

WHEREAS immigrant and refugees arrive with the understanding that Greensboro is a city that supports opportunity for all residents to thrive economically, access to public safety, and holds the welfare of those who work and play in our community in high regard; and

WHEREAS the Faith Action ID is the locally generated, City-supported ID for all residents in the community, which affords access to water resources, parks and recreation services, local events, and serves as a valid ID for our local law enforcement; and

WHEREAS the Greensboro Human Relations Commission heard the concerns of the community at large, during an HRC meeting, regarding the development of House Bill 318: Protect North Carolina Workers Act, which limits access to Supplemental Nutrition Assistance Program benefits as well as the use of the Faith Action ID to law enforcement interactions which require the presentation of a valid ID, but prohibits use for any other city services;

and

WHEREAS the Human Relations Commission recognizes the detriment of restricting SNAP benefits, which are essential to emancipated youth, veterans, college students, and homeless populations, who rely upon those benefits to maintain health and wellness, so that they can lead well-rounded and productive lives; and

WHEREAS the Human Relations Commission recognizes the detriment of restricting the validity of the Faith Action ID, thereby jeopardizing the overall wellbeing of any resident who relies solely on the local ID to access basic resources, voted unanimously in favor of opposing House Bill 318; and

WHEREAS Council recognizes the city's core mission to make Greensboro a community where all residents can access basic resources to include, public safety, a healthy living environment, and the ability to engage in work and play; and

WHEREAS Council recognizes the negative economic impact of legislation which prohibits any contributors to the city's economic engine who live, work, and play, in Greensboro, from using the Faith Action ID to access resources;

WHEREAS, City Council recognizes the concerns coming from the Greensboro Human Relations Commission and supports their request to urge North Carolina Governor Pat McCrory to veto the legislation prohibiting the use of locally-generated and city-supported forms of identification, thereby enabling the City to continue to accept the Faith Action ID.

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

That it hereby supports the Greensboro Human Relations Commission's request to respectfully urge North Carolina Governor Pat McCrory to veto the legislation prohibiting the use of locally-generated and city-supported forms of identification, thereby enabling the city to continue to accept the Faith Action ID, so that residents may exercise the liberty to access basic needs, further upholding the commitment make Greensboro a community where any resident can work, play and thrive.

(Signed) Mike Barber

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

Councilmember Outling spoke to Downtown Greensboro; public safety concerns; and requested staff to research background information on the City's Good Repair Ordinance and other associated Downtown building codes and maintenance requirements to present an update and proposed recommendation for enhancements to the Infrastructure Committee.

Mayor Vaughan requested staff to research partnerships, services, and solutions to address the needs of the Downtown homeless population.

Councilmember Wilkins expressed best wishes to Councilmembers on the upcoming election.

Councilmember Hightower spoke to a Health Clinic on Thursday; and to Workforce Development.

Councilmember Outling added the name of Adam Duggins to the databank.

Mayor Vaughan inquired about the status of the employee holiday pay policy.

Assistant City Manager Mary Vigue stated the item would be on the next Council agenda; and that the item was on schedule.

Mayor Pro-Tem Johnson spoke to the Leadership Connection; honoring breast cancer survivors; and stated it was homecoming week for North Carolina A & T State University (A & T).

Councilmember Barber asked for clarification for Council and Committee meeting days in November; and wished

a happy birthday to his wife.

City Manager Westmoreland outlined the Council and Committee meeting schedules.

Councilmember Fox inquired about a traffic signal light on Sixteenth Street; requested staff to research the legal and budget impacts associated with implementing the proposed minimum wage increase to include Coliseum employees; the implementation of the proposed Restitution Academy; to provide an update of the Sebastian Facility and the student that had been hospitalized; and spoke to homecoming week for A & T.

City Manager Westmoreland spoke to the funding status for the traffic signal; to the legal and budget impact to the minimum wage proposal; and stated that an update would be provided to Council.

Discussion took place regarding Councilmembers serving on various community boards.

Councilmember Hoffmann added the name of Denny Kelly to the databank.

Councilmember Wilkins stated Assistant City Manager Vigue had been chosen for the Say Yes position; and wished Ms. Vigue well.

Ms. Vigue stated she was grateful for the opportunity; and that there were great things to be done for the children of Guilford County.

Councilmember Hightower spoke to homecoming week for Dudley High School.

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 Mayor Vaughan, seconded by Councilmember Abuzuaiter, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 8:48 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR