



City of Greensboro

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

Meeting Minutes - Final City Council

Monday, August 4, 2014

5:30 PM

Council Chamber

This City Council meeting of the City of Greensboro was called to order at 5:10 PM on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

Call to Order

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 Zack Matheny and Councilmember Tony Wilkins

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Matheny to recess into closed session to preserve the attorney-client privilege between the City Attorney and Council, to consider the qualifications, competence, performance, character, fitness, and conditions of initial employment of an individual public officer or employee pursuant to N.C.G.S. Sections 143-318.11(a) (6) and to consult with legal counsel concerning pending litigation in the matter of David Wray v. City of Greensboro et. al., 1:09-CV-00095; Gilmer Randall Brady v. City of Greensboro, 09 CVS 2435; William Thomas Fox and Scott Everett Sanders v. City of Greensboro et. al. 1:10-CV-229; and Mary St. Food and Beverage LLC and John H. Walters v. City of Greensboro, 1:13-CV-507 and to consider and give instructions concerning the settlement of these judicial actions, pursuant to G.S. 143-318.11(a) (3). Motion carried by voice vote.

City Council recessed to closed session at 5:13 p.m.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson to return to open session at 6:15 p.m. 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 Boy Scout Devon Poynter from Boy Scout Troop 230, sponsored by Irving Park United Methodist Church to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Terri Buchanan of the Neighborhood Development Department who served as Courier for the meeting.

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 14-0470](#) Recognition of Guilford College President Jane Fernandes

Mayor Vaughan welcomed and recognized incoming Guilford College President Jane Fernandes.

Ms. Fernandes thanked Council for the opportunity to be here this evening; stated she and her family had moved from Asheville; spoke to her experiences over the past two weeks learning more about Guilford College and the City of Greensboro; voiced that she looked forward to exploring the City; spoke to the work of Guilford College with its students; voiced appreciation for the commitment to civil discourse; and expressed that she looked forward to working with City Council.

2. [ID 14-0521](#) Human Resources Wellness Program Recognition

Interim Assistant City Manager Mary Vigue stated the City's most valued resource was its employees; voiced importance of the health and well being of City employees; spoke to increased focus on health and wellness of employees; provided an overview of the programs that were in place for employees; stated the City had received two wellness awards, the Triad Business Journal Triad's Healthiest Employers Award; and United Health Care Well Deserved Award, which was a National competition in which ten cities were selected nationally; and recognized the Human Resource Department and the benefits staff. Interim Assistant City Manager Vigue introduced Garland Scott and others of United Health Care for presentation of the award.

Mr. Scott expressed that United Health Care was proud to partner with the City; voiced that he was incredibly proud of the City as being the only qualifier for the Southeast Region; and presented Human Resource Director Connie Hammond with the award.

Mayor Vaughn thanked him for their partnership with the City; as well as the number of jobs they brought to the City. Councilmember Matheny commended United Health care for their community and organizational support.

Ms Hammond introduced and thanked the benefits team for all of their hard work; and spoke to the Triad Business award.

Mayor Vaughan recognized Councilmember Fox who provided details for the upcoming Open House and Community Appreciation Day at Keeley Park on September 6th from 11:00 a.m. to 3:00 p.m.; and invited the community to attend the event. Interim Assistant City Manager Chris Wilson informed Council that this was part of an ongoing series to allow persons to see the great facilities Greensboro had; announced that Griffin Park would be opening soon; and spoke to other improvements that would be taking place in City parks.

Councilmember Fox announced a City/County Challenge from Guilford County which would begin in September to square off in flag football, basketball and softball games as a way to build comradery among the elected bodies and staff members; stated the events would raise donations for non-profit organizations in the community; that the flag football game was scheduled for September 20th; invited City employees to participate; thanked Guilford County Commissioner Ray Trapp for his involvement in putting the event on; and stated he looked forward to putting the Guilford Cup in the hands of the City.

Mayor Vaughan referenced a golf tournament that had taken place in years past; and voiced appreciation for the events.

II. PUBLIC COMMENT PERIOD

Mayor Vaughan stated this was the time for Public Comment.

Ed McKeever, 2204 McLaughlin Drive, addressed M/WBE issues; voiced concern that a subcontractor had been removed from a NCDOT contract after an inspection; referenced the work of Little Mountain who was the contractor for the project; and asked for an investigation of the issue.

Mayor Vaughan spoke to the policy which required an audit which would verify that contractors were using the subcontractors listed; and voiced that the Council was aware that contractors may have listed an M/WBE subcontractor who was not used.

Interim City Attorney Tom Carruthers outlined the audit provision in the policy; voiced that the City took these type

of allegations seriously; and confirmed that staff would look into the matter.

City Manager Westmoreland was requested to provide information in the IFYI regarding Mr. McKeever's concerns.

Discussion took place regarding the role of the project inspector; ability to remove a contractor from the project; requested staff look into the matter; and referenced the County doing away with its M/WBE program.

Mr. McKeever continued by commending the work of Deputy Chief Hinson; referenced articles in the Rhino Times; and expressed concern with Officer Scott Sanders actions.

Robert Moore, 2307-B Clumber Street, referenced an accident he was involved in at the 85/40 ramp and Randleman Road; questioned if the accident had been called into 911; spoke to other crossings in the City; and requested an investigation of the status of the 911 call.

City Manager Westmoreland was requested to have staff follow up with Mr. Moore regarding his concerns.

22. [ID 14-0517](#) Resolution amending Resolution 256-13 authorizing a reimbursement to Kotis Holdings, LLC for the design and construction of off-site public water & sewer infrastructure improvements to facilitate commercial development and the recruitment of new jobs and retail to east Greensboro at a site located at 200 Willowlake Road by providing an inflation-adjusted reimbursement of \$17,972.33 and an additional reimbursement of \$30,000 for other site preparation costs, amended total not to exceed the amount of \$359,833.33.

23. [ID 14-0502](#) Ordinance in the Amount of \$30,000 Amending the City's FY 14-15 Economic Development Fund Budget for the Appropriation of Funds to Reimburse Kotis Holdings, LLC for Site Preparation Costs on a Site Located at 200 Willowlake Road

Councilmember Hightower made a motion to postpone Items #22, ID 14-0517 and #23, ID 14-0502 to the August 19th meeting of Council without further advertising. The motion carried by voice vote.

III. CONSENT AGENDA

Approval of the Consent Agenda

Moved by Councilmember Abuzuaiter, seconded by Councilmember Fox to approve the Consent Agenda. The motion carried by voice vote.

3. [ID 14-0492](#) Ordinance Amending in the Amount of \$193,716 the GTA Planning and Grant Fund Budget for the FY 2013 Section 5310 Enhance Mobility for Seniors and Individuals with Disabilities Grant

14-0100 ORDINANCE AMENDING THE GTA PLANNING AND GRANT FUND BUDGET FOR THE FY 2013 SECTION 5310 ENHANCE MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES GRANT

Section 1:

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

That the GTA Planning and Grant Fund Budget be amended as follows for the FY 2013 Section 5310 Enhance Mobility for Seniors and Individuals with Disabilities Grant:

Account	Description	Amount
565-4594-01.5429	Other Contracted Services	\$ 96,858
565-4594-01.5928	In-Kind Services	\$ 96,858
TOTAL		\$193,716

And, that this appropriation be financed by increasing the following accounts:

Account	Description	Amount
565-4594-01.7100	Federal Grant	\$ 96,858
565-4594-01.8695	Local In-Kind Services	\$ 96,858
TOTAL:		\$193,716

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

4. [ID 14-0472](#) Ordinance in the Amount of \$535,000 Amending GTA Planning and Grant Fund Budget for the Purchase of a Hybrid Electric Bus

14-0101 ORDINANCE AMENDING THE GTA PLANNING AND GRANT FUND BUDGET FOR THE PURCHASE OF A HYBRID ELECTRIC BUS

Section 1:

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

That the GTA Planning and Grant Fund Budget be amended as follows for the FY 2013 Section 5339 Bus and Bus Facility Grant Program:

Account	Description	Amount
565-4592-01.6051	Licensed Vehicles	\$644,578
TOTAL		\$644,578

And, that this appropriation be financed by increasing the following accounts:

Account	Description	Amount
565-4592-01.7100	Federal Grant	\$535,000
565-4592-01.9564	Transfer from Transit Fund	\$109,578
TOTAL:		\$644,578

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

5. [ID 14-0490](#) Ordinance in the Amount of \$99,450 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of the Assistance to Firefighters Grant

14-0102 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE ASSISTANCE TO FIREFIGHTERS GRANT

Section 1

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

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

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

Account name – AFG 2013

Account	Description	Amount
220-4012-01.5235	Small Tools and Equipment	\$99,450
TOTAL:		\$99,450

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

Account	Description	Amount
220-4012-01.7100	Federal Grant	\$89,505
220-4012-01.9101	General Fund Transfer	\$ 9,945
TOTAL:		\$99,450

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

- 6. [ID 14-0494](#) Ordinance in the Amount of \$61,572 Amending the GTA Planning and Grant Fund Budget for the Federal Fiscal Year 2013 Section 5307 Transit Enhancement Grant Assistance Program

14-0103 ORDINANCE AMENDING THE GTA PLANNING AND GRANT FUND BUDGET FOR THE FEDERAL FISCAL YEAR 2013 SECTION 5307 TRANSIT ENHANCEMENT GRANT ASSISTANCE PROGRAM

Section 1:

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

That the GTA Planning and Grant Fund Budget be amended as follows for the FFY 2013 Section 5307 Transit Enhancement Grant Assistance Program:

Account	Description	Amount
565-4593-01.5235	Small Tools and Equipment	\$61,572
TOTAL		\$61,572

And, that this appropriation be financed by increasing the following accounts:

Account	Description	Amount
565-4593-01.7100	Federal Grant	\$49,257

565-4593-01.9564	Transfer from Transit Fund	\$12,315
TOTAL:		\$61,572

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

7. [ID 14-0483](#) Ordinance in the Amount of \$32,900 Amending State, Federal, and Other Grant Fund Budget for the Appropriation of Community Waste Reduction and Recycling Grant Funds

14-0104 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF COMMUNITY WASTE REDUCTION AND RECYCLING GRANT FUNDS

Section 1

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

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

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

Account	Description	Amount
220-4308-01.5224	Outside Printing & Publishing	\$ 300
220-4308-01.5235	Small Tools and Equipment	\$32,600
Total		\$32,900

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

Account	Description	Amount
220-4308-01.7110	State Grant	\$27,416
220-4308-01.9101	Transfer from General Fund	\$ 5,484
Total		\$32,900

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

8. [ID 14-0473](#) Resolution Authorizing Change Order in the Amount of \$306,373.54 in Contract 2012-002 with Blakely Construction Services, LLC for the Lake Brandt Raw Water Pump Station Upgrades Project

0198-14 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2012-002 WITH BLAKLEY CONSTRUCTION SERVICES, LLC FOR THE LAKE BRANDT RAW WATER PUMP STATION UPGRADES PROJECT

WHEREAS, Contract No. 2012-002 with Blakely Construction Services, LLC provides for the upgrading of Lake Brandt's raw water pump station facility;

WHEREAS, due to the identification of additional work required which includes upgrading the water quality turbidity instrument, removal of contaminated soils, addition of steel plates to the corner building columns, repairing corroded support columns, preparing the wet well for new coating application, raw water intake chamber improvements to include installation of a new sluice gate outside the wet well, installation of an emergency diesel generator fuel day tank and partially replenishing the contingency allowance in the event additional changes are warranted, thereby necessitating a change order in the contract in the amount of \$306,373.54.

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

That a change order in the above-mentioned contract with Blakley Construction Services, LLC. for the Lake Brandt Raw Water Pump Station Upgrades Project is hereby authorized at a total cost of \$306,373.54, payment of said additional amount to be made from Account No. 515-7021-01.6019.

(Signed) Marikay Abuzuaiter

9. [ID 14-0453](#) Resolution Authorizing Acquisition of Entire Property Located at 4364 Four Farms Road for the Four Farms Road Water Booster Station Project

0199-14 RESOLUTION AUTHORIZING ACQUISITION OF ENTIRE PROPERTY LOCATED AT 4364 FOUR FARMS ROAD FOR THE FOUR FARMS ROAD WATER BOOSTER STATION PROJECT

WHEREAS, in connection with the Four Farms Road Water Booster Station project, the entire property owned by Tony Tajalli, Parcel 0080569 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 \$375,000 but the property owner has agreed to settle for the negotiated price of \$345,000, 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 entire property in the amount of \$345,000 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. 503-7024-01.6011, Activity A15031.

(Signed) Marikay Abuzuaiter

10. [ID 14-0454](#) Resolution Authorizing Acquisition of Entire Property Located at 4362 Four Farms Road for the Four Farms Road Water Booster Station Project

0200-14 RESOLUTION AUTHORIZING ACQUISITION OF ENTIRE PROPERTY LOCATED AT 4362 FOUR FARMS ROAD FOR THE FOUR FARMS ROAD WATER BOOSTER STATION PROJECT

WHEREAS, in connection with the Four Farms Road Water Booster Station project, the entire property owned by Michael E. Jessup, Parcel 0080570 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 \$180,000 but the property owner has agreed to settle for the negotiated price of \$175,000, 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 entire property in the amount of \$175,000 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. 503-7024-01.6011, Activity A15031.

(Signed) Marikay Abuzuaiter

11. [ID 14-0486](#) Resolution Authorizing the Conveyance of City Property at 2618YY Battleground Avenue

0201-14 RESOLUTION AUTHORIZING CONVEYANCE OF 2618YY BATTLEGROUND AVENUE

WHEREAS, the City of Greensboro owns residual property located AT 2618YY Battleground Avenue at Parcel 0030320, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, there is no municipal need for this property;

WHEREAS, the proposed sale is part of a condemnation settlement;

WHEREAS, the property has been appraised by D. Lynn Cable (MAI) at a value of \$26,000, and the owners had an appraisal done by McNairy & Associates with a value of \$11,200;

WHEREAS, in a mediated settlement agreement through Superior Court, it was agreed that the City would sell the land for \$15,000, and the buyers would pay their attorney fees and resurface the parking lot with new striping; which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this conveyance will be credited in General Fund Account No. 101-0000-00.8616.

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

That the sale of the above mentioned residual property in the amount of \$15,000 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) Marikay Abuzuaiter

12. [ID 14-0488](#) Resolution Authorizing Purchase in the Amount of \$230,000 of the Entire Property Located at 3610 Chance Road for the Horse Pen Creek Road Widening Project

0202-14 RESOLUTION AUTHORIZING PURCHASE OF ENTIRE PROPERTY LOCATED AT 3610 CHANCE ROAD FOR THE HORSE PEN CREEK ROAD WIDENING PROJECT

WHEREAS, in connection with the Horse Pen Creek Road Widening project, the entire property owned by Janice R. Mereba, Parcel 0097303 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 \$200,000, plus an additional \$19,000 for qualified replacement housing payments to persons required to move from their primary residence due to government takings, for a total of \$219,000.

WHEREAS, the property owner has agreed to settle for the price of \$230,000, 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 \$230,000 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, Activity A14074.

(Signed) Marikay Abuzuaiter

13. [ID 14-0489](#) Resolution Authorizing Purchase in the Amount of \$145,000 of the Entire Property Located at 4501 Briargrove Court for the Horse Pen Creek Road Widening Project

0203-14 RESOLUTION AUTHORIZING PURCHASE OF ENTIRE PROPERTY LOCATED AT 4501 BRIARGROVE COURT FOR THE HORSE PEN CREEK ROAD WIDENING PROJECT

WHEREAS, in connection with the Horse Pen Creek Road Widening project, the entire property owned by Thomas Lee Jones, Parcel 0097262 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 \$125,000, plus an additional \$14,900 for qualified replacement housing payments to persons required to move from their primary residence due to government takings, for a total of \$139,900.

WHEREAS, after negotiations the property owner has agreed to settle for the price of \$145,000, 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 \$145,000 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, Activity A14074.

(Signed) Marikay Abuzuaiter

14. [ID 14-0491](#) Resolution Ratifying Contract Award for Supplemental Fire Protection and Emergency Services for the City of Greensboro From Fire District #13

0204-14 RESOLUTION RATIFYING CONTRACT AWARD FOR SUPPLEMENTAL FIRE PROTECTION AND EMERGENCY SERVICES FOR THE CITY OF GREENSBORO FROM FIRE DISTRICT #13

WHEREAS, the Greensboro Fire Department has a strong relationship with Fire District #13 and the organizations have collaborated over many years that they provide excellent service to Greensboro residents and businesses;

WHEREAS, a contract was executed in 2013 between the City of Greensboro and Fire District#13 to provide supplemental fire protection and emergency service response to identified areas of the City which indicated the agreement will be for a period of thirty-six months provided appropriate funding is allocated by the City of Greensboro in fiscal years 2014-15 and 2015-16;

WHEREAS, Resolution 211-13 adopted by City Council August 5, 2013 authorizing funding for the contract with Fire District #13 for FY 13-14;

WHEREAS, City Council is being requested to ratify the contract to pay the remaining costs in the amount of \$430,200 payable in two equal installments paid in advance by August 31st and January 31st for July 1, 2014 through June 30, 2015; and in the amount of \$430,200 payable in two equal installments paid in advance by August 31st and January 31st for July 1, 2015 through June 30, 2016.

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

That the contract award for supplemental fire protection and emergency services for the City of Greensboro from Fire District #13 is hereby ratified to pay the remaining costs in the amount of \$430,200 payable in two equal installments paid in advance by August 31st and January 31st for July 1, 2014 through June 30, 2015; and in the amount of \$430,200 payable in two equal installments paid in advance by August 31st and January 31st for July 1, 2015 through June 30, 2016.

(Signed) Marikay Abuzuaiter

15. [ID 14-0499](#) Resolution Authorizing Sole Source Contract with Johnson Controls to Provide Necessary Equipment and Modifications to Meet Insurance Requirements to Insure GTA Maintenance, Operations and Administrative Offices Facility on 223 West Meadowview Road

0205-14 RESOLUTION AUTHORIZING SOLE SOURCE CONTRACT WITH JOHNSON CONTROLS TO PROVIDE NECESSARY EQUIPMENT AND MODIFICATIONS TO MEET INSURANCE REQUIREMENTS TO INSURE GTA MAINTENANCE, OPERATIONS AND ADMINISTRATIVE OFFICES FACILITY ON 223 WEST MEADOWVIEW ROAD

WHEREAS, the City completed construction of the federally and state funded 18.5 million dollar GTA Maintenance, Operations, and Administrative Offices Facility located on 223 West Meadowview Road in January 2012;

WHEREAS, the City sought to obtain property insurance on the building, and as part of this process, the insurance company, FM Global, conducted a loss prevention site visit at the building;

WHEREAS, FM Global 's field engineer visited the facility on October 15, 2012, and submitted an All in One First Baseline Risk Evaluation Report on November 20, 2012;

WHEREAS, as part of this report, FM Global identified two fire hazards that if not corrected would affect the City's liability coverage for the building in the event of a fire. These two fire hazards require the City to add automatic shut-off devices to the facility's ignitable liquid pumps;

WHEREAS, these existing pumps and systems are manufactured by Johnson Controls, Inc., and they are proprietary systems, and only Johnson Control, Inc. devices will work on these systems.

WHEREAS, based on the Memorandum of the City Attorney Office, the Federal Transit Administration (FTA) has issued guidelines in FTA Circular 4220.1F that permit FTA grantees to enter into sole source contracts if the vendor has a unique or innovative concept or capability that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted and not available from another source. FTA Circular 4220.1F also allows FTA grantees to enter into sole source contracts in the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition. Finally, FTA grantees may enter into sole source contracts when patent or data rights restrictions preclude competition.

WHEREAS, the City Attorney's Office contends that one or more of these conditions exist that will permit the City to enter into a sole source contract with Johnson Controls, Inc. pursuant to FTA regulations and guidelines.

WHEREAS, Johnson Controls, Inc. provided a quote of \$37,820 to perform these required modifications.

WHEREAS, the City obtained an Independent Cost Estimate for these types of devices on various systems, and the price quoted by Johnson Controls, Inc. is within the average range of the costs for these devices.

WHEREAS, the GTA Board voted on November 7, 2013 to recommend to the City Council to enter into a sole source contract with Johnson Controls, Inc. to provide the necessary equipment and devices to address the issues raised in the FM Global Risk Evaluation Report;

WHEREAS, the City desires to enter into a contract with Johnson Controls, Inc. to provide the City with the necessary equipment and devices to address the issues raised in the FM Global Risk Evaluation Report;

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

That the City Manager is authorized to enter into a sole source contract with Johnson Controls, Inc. to provide the necessary equipment and make the required modifications to address the conditions identified in the FM Global Risk Evaluation Report dated November 20, 2012 to properly and adequately insure the GTA Maintenance, Operations and Administrative Offices Facility on 223 West Meadowview Road.

(Signed) Marikay Abuzuaiter

16. [ID 14-0512](#) Budget Adjustments Requiring Council Approval 7/8/14 - 7/28/14

Motion to approve the budget adjustments over the amount of \$50,000 was adopted.

17. [ID 14-0511](#) Budget Adjustments Approved by Budget Officer 7/8/14 - 7/28/14

Motion to accept the report of budget adjustments of July 8 - 28, 2014 was adopted.

18. [ID 14-0493](#) Motion to approve the minutes of the Regular meeting of June 17, 2014

Motion to approve the minutes of the Regular meeting of June 17, 2014 was adopted.

19. [ID 14-0477](#) Motion to approve the minutes of the Work Session of July 10, 2014.

Motion to approve the minutes of the July 10, 2014 Work Session was adopted.

IV. PUBLIC HEARING AGENDA

20. [ID 14-0507](#) Resolution Authorizing Conveyance of 408-410 South Elm Street to Preservation Greensboro Development Fund, Inc. by Private Sale and Appropriation of \$175,000 for the Preservation and Rehabilitation of the Historic Structure on the Property

Mayor Vaughan introduced Items #20/ID 14-0507 and #21/ID 14-0501 together.

City Manager Westmoreland stated staff was here to answer any questions.

Mayor Vaughan stated there were speakers to the item.

Marsh Prause, 516 Woodlawn Avenue, asked that Council entrust the building to Preservation Greensboro Development Fund, Inc. (Development Fund); recognized members of the board in support of the renovation in the audience; outlined the makeup of and work done by the Development Fund; confirmed the Development Fund could handle the project; voiced that the Development Fund was offering to take the building liability from the City; provided photographs of the structure and projects the Development Fund had worked on; and confirmed that

they were requesting assistance with the process to help offset some of the liability.

Council inquired if the Development Fund was planning to restore the cornice of the structure; how the railroad/train issue would be addressed; voiced concern with the impact to surrounding businesses as a result of Barnhardt Street being shut down during the renovations; and the names of the contractors that Development Fund had been in conversation with.

Mr. Prause responded that the organization would take the structure back to its original appearance; outlined the research that had been done regarding the railroad; the access easement along the side of the building; verified he could not provide particulars as to the potential contractors at this time as they were in negotiations; stated they were under a non-disclosure agreement; referenced an offer by the Development Fund to the previous owner; spoke to the proposed activity once the structure was renovated; reiterated that the surrounding property owners wanted to see the structure restored; and outlined the timeframe for the negotiations.

Mayor Vaughan inquired if language could be placed in the resolution to earmark the money with the condition that the City find out who the developer would be before the money could be released.

Attorney Carruthers suggested that paragraph 4 of the resolution be revised to state that no proceeds of the \$175,000 shall be provided to the Development Fund until the contractor was announced.

Councilmember Fox voiced concern for voting on the item before knowing the names of the contractor; suggested moving the item to the next meeting of Council; questioned why the renovations could not be completed within a three to six month timeframe; and voiced that he could support three to six months but not twelve.

Mr. Prause voiced that they were handicapped in the negotiations until the City had provided some buy-in; stated the money did not need to be disbursed until the City knew the identity of the contractor; spoke to why they needed adequate time to do the renovations; and addressed the lending and title issues of the project.

Councilmember Wilkins voiced that he would like to see completion in six months.

Attorney Carruthers addressed the time period for the renovations; verified that the City was the owner of record of the property; spoke to the title issues; and confirmed that title insurance could be acquired with exceptions to matters of the railroad.

Mr. Prause voiced the building had been sitting in a terrible state for twelve years; elaborated on the railroad title issues he had referred to; potential lending issues; requirements of the bank; and stated he would be more comfortable with a year timeframe for the renovations to be made.

Moved by Councilmember Matheny, seconded by Mayor Pro-Tem Johnson to accept the revision language to paragraph 4 of the resolution to include language that the buyer of the property be disclosed to the City prior to disbursement of the \$175,000 funding. The motion carried by voice vote with Councilmember Barber voting 'No'.

Benjamin Briggs, 1753 Penny Road, spoke to why the organization was making the effort; referenced the date of the building being approximately 1896; architecture and landmark properties in Guilford County; referenced similarly designed buildings in Downtown; provided the history of the operation of the building during the Jim Crow days; verified this was a National Register property; spoke to the struggle of architectural history in the area; and expressed the need to move forward to preserve the structure.

Steve Johnson, 1014 Carolina Street, expressed support for the building renovation; stated he was an architect and general contractor; had looked at the building from several points of view; touched on reasons why the building needed to be saved; voiced the need to continue telling the story of what the building meant to Downtown; the importance of maintaining a key piece of history in the City; and implored Council to give them an opportunity to restore the structure.

Lacy Ward Jr., 321 South Elm Street, stated he was an advisor to the National Trust for Historic Preservation which advised of relevant issues related to historic preservation; voiced that this piece of Greensboro's past

needed to be saved; spoke to the economic impact of the building and location; added that a new structure would not be able to be built in the space; referenced the historic tax program on the state level; and spoke to the history of integration related to the building.

Council thanked Mr. Ward for his attendance at the meeting; asked if the tax credits would be in jeopardy due to the timeframe of the renovations; voiced concern with the railroad; and clarification that the federal tax credits were still in place.

Mr. Ward provided an outline of the tax credits; expressed that the City needed to clarify its role in the process; spoke to positive moves being a signal to the railroad and the General Assembly to put the project out front; and spoke to the influence of the City.

Dawn Chaney, 2002 West Market Street, expressed the need to save this historic building in the City; stated the restoration would bring jobs; return on the City's investment; voiced appreciation for prior buildings that were a part of the City's history which no longer existed; addressed the cultural and economical influence of the structure; emphasized that she was passionate about historic buildings; and emphasized the need to preserve the structure for the history and economic status in the City.

Dana Dorman, 5710 Scotland Road, stated he was current owner of Churchhills on Elm Street; that his primary business was construction and demolition; referenced projects he had worked on in the City; voiced that he had a contract to remove the contents from the building; spoke to trying to gain access and getting a permit issued for him to gain access to the building; verified that the contents belonged to the previous owner; referenced conversations with Assistant City Manager Parrish regarding the process for removal of the items; spoke to clarification of the price for demolition and renovation; referenced the railroad right-of-way; and added that the Development Fund deserved the opportunity to fix the building.

Attorney Carruthers referenced conversations with Mr. Ross Strange; outlined the contents of the building; process for removing the contents; and spoke to the estimated value of said contents.

Discussion took place regarding value associated with the personal property in the structure; conversations with Mr. Strange; verification that the vehicles belonged to Mr. Strange; and a request for continued conversations with Mr. Dorman.

Gary Brame, 309 Murray Street, stated he owned a business at 530 South Elm Street; credited the City for obtaining ownership of the building; voiced disappointment with the lack of negotiations with the railroad; confirmed the building was a hazard to the railway; referenced the Southside area; asked Council to postpone making a decision until the contractor had been put in place; reversing the process; and encouraged conversations between the residents of South Elm and the Development Fund.

Moved by Councilmember Matheny, seconded by Mayor Pro-Tem Johnson to close the public hearing. The motion carried by voice vote.

Councilmember Hoffmann referenced historic renovations in Beaufort, South Carolina and Savannah, Georgia; stated that this was an opportunity to change the building which was an eyesore; spoke to the value of the building; similarities between this and the Nattie Green's building; the proposed tax revenue to the City once the structure was stabilized; and reiterated that this would be something good for the City and Downtown.

Councilmember Matheny asked if anyone was here from the railroad; referenced meetings he had with the railroad and their local attorney; the cost for the demolition of the building should the City retain ownership; emphasized that the City was not the best landlord; spoke to the passion of the Development Fund; the time involved in the project; reiterated the African American history involved with the property; voiced that this was a building worth saving; suggested that if any monetary value was received from the sale of personal property that it be split between the Development Fund and the City; and stated he would move the item.

Councilmember Hightower voiced concerns regarding the property tax; inquired where the \$175,000 figure was derived from; concern if the renovation was not completed; noise from passing trains; the need to know who would own the property; voiced the need to shorten the time from from twelve to six months for renovations; that

although she promoted the preservation of African American history, she did not see a good plan in progress; and stated that Council needed to be more thoughtful before taking a vote.

Discussion took place around the quotes provided for demolition of the property; when property taxes would begin to be collected; the intent of the Development Fund to not retain the building for a long period of time; the structure being registered as a historic building; payment of the tax lien; and the proposed use of the building once renovated.

Attorney Carruthers outlined the remedies the City would have regarding the tax lien; confirmed the tax lien would need to be paid when a new owner took out a loan; and stated the City and/or County could foreclose on the property should the new owner pay cash.

Mayor Pro-Tem Johnson stated she had been consistent in preserving the City's history; referenced what she had fought for in the past; emphasized that she knew the history of the Historic Preservation Society; voiced that her office was right around the corner along with other offices in the area which were not bothered by passing train noise; referenced the preservation of Europe's history; expressed that this was the right thing to do; that she was passionate about saving the City's history; that the Council needed to be vigilant; and that she would support the item 100%.

Councilmember Wilkins reminded Council that he originally voted not to take this property, but based on information provided to him the City was at a position where it either had a zero return or a return; voiced that he planned to support the item; questioned the legal use of eminent domain for economic development; if the building would ever be removed from the historic register; and asked when the City would begin collecting taxes on the property.

Attorney Carruthers responded by speaking to the legal authority of taking historic structures through the eminent domain process; purpose behind the law; confirmed that the structure would not be removed from the historic register; addressed the preservation covenants that would be included in the deed; and stated taxes would begin to be collected once a for profit institution took ownership of the building.

Councilmember Fox expressed that he thought six months was more than adequate; stated he still wanted to know who the developer would be that the City would be investing tax dollars into; spoke to tearing down War Memorial Auditorium; referenced the condition of the War Memorial Stadium; emphasized he did not want to rush to make a decision; stated it would have been good if Council could have heard from the railroad at the work session; and expressed that he was in favor of saving history but felt Council was moving too fast and rushing the item.

Mayor Pro-Tem Johnson reminded Council that if someone was not pleased with the outcome, a Councilmember on the prevailing side could recall the item.

Councilmember Abuzuaiter voiced that she would support the item but still had some questions; asked for clarification that the structure was listed on the National Register of Historic Sites; would still be listed on the Register once restored; and asked for clarification if a structure listed on the Register was required to pay property tax.

Mr. Prause spoke to the structure being listed on the National Register of Historic Places as well as being declared a local landmark property; outlined the process for up to a possible 50% tax exemption for the owner; stated that the plan was for a for profit company to take ownership of the building once renovations were complete; and verified that it was possible that the full amount of property taxes might not be paid.

Mayor Vaughan reminded Council of the amount of time that had been spent on the project; spoke to the various estimates received for demolition costs; costs of conveying the property; voiced that the building could house a restaurant or office space; reiterated the City could get some or no return; voiced the need to move forward; and to give the private sector a chance to step up and take over the structure.

Councilmember Hoffmann voiced that the process had not been rushed; spoke to the number of years discussions had taken place around the building; the need to give the Development Fund the opportunity to

preserve history; have an extended timeframe to work through the issues; and emphasized that she was not in favor of reducing the timeframe to six months.

Mayor Vaughan stated the item was moved by Councilmember Matheny, seconded by Mayor Pro-Tem Johnson to vote on the resolution as amended to include that the \$175,000 would not be provided until the City knew who the general contractor would be.

Brief discussion took place regarding when the \$175,000 would be allotted to the Development Fund; and whether the amount would be refunded to the City should the renovations not be completed.

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

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Nancy Hoffmann, Zack Matheny and Tony Wilkins

Nays, 2 - Jamal T. Fox and Sharon M. Hightower

0206-14 RESOLUTION AUTHORIZING CONVEYANCE OF 408-410 SOUTH ELM STREET TO PRESERVATION GREENSBORO DEVELOPMENT FUND, INC. AND FUNDING OF \$175,000 TO PRESERVATION GREENSBORO FOR PRESERVATION AND REHABILITATION OF THE HISTORIC STRUCTURE ON THE PROPERTY

WHEREAS, the City of Greensboro owns property located at 408-410 South Elm Street at Parcel 0000518 which the City acquired in order to prevent the demolition of a historic structure on the property known as Cascade Saloon;

WHEREAS, the Cascade Saloon was built in 1896 and is subject to an order of demolition due to its deteriorated condition;

WHEREAS, Preservation Greensboro Development Fund, Inc., a local non-profit, is in discussions with multiple third parties interested in preserving and rehabilitating the historic structure on the property;

WHEREAS, preservation of the property will contribute to the overall improvement and revitalization of the central business district;

WHEREAS, the City is authorized to convey by private sale pursuant to NCGS 160A-266 where the real property is significant for its historical associations, where it is sold to a nonprofit corporation whose purposes include the preservation of real property of historical significance, and where a preservation agreement is placed in the deed conveying the property;

WHEREAS, the City is authorized to sell real property by private sale pursuant to NCGS 160A-457(4) where the property is located in a community development project area and where it is sold subject to such covenants, conditions, and restrictions as may be deemed to be in the public interest;

WHEREAS, the City is authorized to appropriate funds pursuant to NCGS 160A-400.12 to aid in the preservation and restoration of historic structures;

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

1. The sale of 408-410 South Elm Street in the amount of \$1.00 is hereby approved subject to appropriate preservation covenants or other legally binding restrictions in accordance with the enabling statutes and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed with a preservation agreement to convey said property.

2. The City shall provide funding of \$175,000 from the Economic Development Fund to Preservation Greensboro Development Fund, Inc. for the preservation and rehabilitation of the historic structure located at 408-410 South Elm Street and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro the proper agreement.

3. In the event that Preservation Greensboro Development Fund, Inc cannot locate a willing buyer to restore or stabilize this property within 12 months of closing (or has not undertaken to do so itself), the City will have the right to repurchase the property for \$1.00 and Preservation Greensboro Development Fund, Inc will return the \$175,000.00 to the City of Greensboro.

4. Preservation Greensboro Development Fund, Inc will disclose to the City of Greensboro the buyer of this property prior to City disbursing the \$175,000 in Economic Development Funds and prior to the closing of the sale of this property.

(Signed) Councilmember Matheny

21. [ID 14-0501](#) Ordinance Amending the Economic Development Fund (208) FY 14-15 Budget for the Appropriation of Funds for the Preservation and Rehabilitation of the Historic Structure Located at 408-410 South Elm Street

Councilmember Fox asked if the item would come back before Council to vote on once the decision on the contractor was made. Council responded that it would not.

Attorney Carruthers reminded Council that a member of the prevailing side could move to reconsider the item within two meetings.

Councilmember Fox stated, for the record, he wished to change his vote for the Item #20/ID 14-0517 to a 'No' vote. The change has been reflected in these minutes.

Moved by Councilmember Matheny, seconded by Councilmember Barber to adopt the ordinance for Item #21/ID 14-501. The motion carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Zack Matheny and Tony Wilkins

Nays, 1 - Jamal T. Fox

14-0105 ORDINANCE AMENDING THE ECONOMIC DEVELOPMENT FUND (208) FY 14-15 BUDGET FOR THE APPROPRIATION OF FUNDS FOR THE PRESERVATION AND REHABILITATION OF THE HISTORIC STRUCTURE LOCATED AT 408-410 SOUTH ELM STREET

Section 1

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

That the Economic Development Fund of the City of Greensboro is hereby amended as follows:

That the appropriation to the Economic Development Fund be increased as follows:

Account	Description	Amount
208-0205-01.5931	Contrib to Nongovmntal Agencies	\$175,000
TOTAL:		\$175,000

And, that this increase be financed by increasing the following Revenue Fund Account:

Account	Description	Amount
208-0000-00.8900	Appropriated Fund Balance	\$175,000
TOTAL:		\$175,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Zack Matheny

V. GENERAL BUSINESS AGENDA**24. [ID 14-0500](#) Resolution Authorizing Contract with Pinecroft-Sedgefield Fire Department, Inc. for Supplemental Fire Protection**

City Manager Westmoreland stated staff was present for any questions.

Fire Chief Greg Grayson provided the history of the item; spoke to standard response times; provided clarification of the area that the station served; and the number of fire personnel on ladder trucks.

Councilmember Wilkins voiced concern with the difference in response times; type of response times seen on a routine fire call in other parts of the City; and voiced concern with the difference in response times to persons paying the same amount of property taxes.

Councilmember Barber requested a cost analysis for adding a fourth fire fighter to all ladder trucks; and commended the Fire Department for their work.

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

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

0207-14 RESOLUTION AUTHORIZING CONTRACT WITH PINECROFT-SEDFIELD FIRE DEPARTMENT, INC. FOR SUPPLMENTAL FIRE PROTECTION

WHEREAS, there exists annexed areas of the City of Greensboro that are not currently within the City's standard of emergency response;

WHEREAS, the City of Greensboro desires to enter into a professional services contract for the period of July 1, 2014 through June 30, 2017 with the Pinecroft-Sedgefield Fire Department, Inc., to provide supplemental fire protection for the residents of Greensboro in the total amount of \$1,437,500 as follows:

Year 1 July 1, 2014-June 30, 2015:

\$481,500 payable in two equal installments paid in advance by August 31st and January 31st. Funding for this contract is within the approved FY 14-15 annual operating budget in account number 101-4004-01.5429.

Year 2 July 1, 2015-June 30, 2016:

\$478,000 payable in two equal installments paid in advance by August 31st and January 31st

Year 3 July 1, 2016-June 30, 2017:

\$478,000 payable in two equal installments paid in advance by August 31st and January 31st

WHEREAS, annual funding for Year 2 and Year 3 of the contract is subject to future City Council budget appropriations;

WHEREAS, the Greensboro Fire Department and Pinecroft-Sedgefield Fire Department, Inc. have collaboratively provided excellent fire protection service to residents of Greensboro;

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

That the proposed contract between the City of Greensboro and Pinecroft-Sedgefield Fire Department, Inc., is authorized for the provision of supplemental fire protection services for the period of three years from July 1, 2014 through June 30, 2017, with payment of said contract to be made as set out above.

(Signed) Marikay Abuzuaiter

25. [ID 14-0471](#) Resolution approving the bid in the amount of \$2,020,253.06 and authorizing contact 2010-088 (U-5505) with Jimmy R. Lynch & Sons, Inc. for the Fleming Road Relocation and Construct Intersection at Isaacson Boulevard

Councilmember Barber left the meeting at 8:18 p.m. and returned at 8:21 p.m.

Staff spoke to the M/WBE participation; reviewed the names of the contractors; and confirmed that the issue with the gas line had been resolved.

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

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

0208-14 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2010-088 (U-5505) WITH JIMMY R. LYNCH & SONS, INC. FOR THE FLEMING ROAD RELOCATION AND CONTSTRUCT INTERSECTION AT ISSACSON BOULEVARD

WHEREAS, after due notice, bids have been received for the Fleming Road Relocation and Construct Intersection at Isaacson Boulevard project;

WHEREAS, Jimmy R. Lynch & Sons, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$2,020,253.06 as general contractor for Contract No. 2010-088, 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 Jimmy R. Lynch & Sons, Inc. is hereby accepted, and the City is authorized to enter into a contract with Jimmy R. Lynch & Sons, Inc. for the Fleming Road Relocation and Construct Intersection 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 \$2,020,253.06 from Account No. 401-4552-01.6014.

(Signed) Zack Matheny

Mayor Vaughan declared a recess at 8:22 p.m. Council reconvened at 8:39 p.m. with all members in attendance except Councilmembers Fox, Hightower and Wilkins.

26. [ID 14-0519](#) Resolution Awarding Contracts to Design the Steven B. Tanger Center for the Performing Arts

Mayor Vaughan introduced Items #26, ID 14-0519 and #27, ID 14-0503 together.

City Manager Westmoreland provided the history of the items; reviewed the timeline for the project going forward; stated the center had a proposed opening date of May, 2017; and reiterated what Council was being asked to adopt.

Councilmembers Fox, Hightower and Wilkins returned to the meeting at 8:43 p.m.

Council voiced appreciation for the use of North Carolina contractors; asked what revenue accounts would be impacted as a result of the project; and verified the matter had been discussed in a Work Session.

Ed McKeever, 2204 McLaughlin Drive, inquired who set the 15% M/WBE goal; voiced concern that an M/WBE coordinator had not been put in place; the need to increase participation; referenced contractors not meeting M/WBE goals for City contracts; and stated that guidelines needed to be followed.

Councilmember Abuzuaiter referenced the \$5 million covered by the Community Foundation for design costs; and inquired how the additional monies would make up for the difference.

Councilmember Hightower asked City Manager Westmoreland to provide information as to when the M/WBE office would be up and running; and asked if there was a mentoring partnership for the project.

Attorney Carruthers responded that a letter had been provided by the Foundation regarding the financing plan. Assistant City Attorney James Dickens spoke to there being no M/WBE goal for a professional services contract for the design of the project; informed Council that a 20% M/WBE goal had been set for the construction contract; spoke to the detailed work for the design; and the availability of M/WBE firms that could provide work at this type of scale.

Coliseum Director Matt Brown stated that 15% was an extraordinary accomplishment comparative to private projects; and explained that he had worked hard with the architectural firms to pursue the opportunity to get HUB certified firms.

Mayor Pro-Tem Johnson voiced that this was a M/WBE goal better than she had seen; and spoke to the need to get the M/WBE office up and running as quickly as possible.

City Manager Westmoreland referenced the new plan; spoke to the aspirational goal which was 11%; and emphasized that the 15.1% exceeded that goal.

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

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Jamal T. Fox, Nancy Hoffmann, Zack Matheny and Tony Wilkins

Nays, 2 - Marikay Abuzuaiter and Sharon M. Hightower

0209-14 RESOLUTION AWARDING CONTRACTS TO DESIGN THE STEVEN B. TANGER CENTER FOR THE PERFORMING ARTS

WHEREAS, on March 4, 2014, the City Council adopted a Resolution Authorizing the Mayor and City Manager to Enter into a Memorandum of Understanding Between the Community Foundation of Greater Greensboro and the City of Greensboro to design, finance, develop, construct, and manage the operations and programs of the Steven B. Tanger Center for the Performing Arts.

WHEREAS, as part of this Memorandum of Understanding, the Community Foundation of Greater Greensboro, through private donors, agreed to pay up to \$5 million of design costs for the Steven B. Tanger Center for the Performing Arts and up to \$30 million for the construction costs.

WHEREAS, the City of Greensboro also agreed to pay up to \$30 million for the construction of the Steven B. Tanger Center for the Performing Arts.

WHEREAS, the City of Greensboro and the Community Foundation of Greater Greensboro have agreed on the fifteen different design professionals (i.e. architects, engineers, and consultants) that will design the Steven B. Tanger Center for the Performing Arts pursuant to a Construction Manager at Risk contract.

WHEREAS, the fifteen design professionals, their general area of responsibility, and the not to exceed amounts

of their individual contracts are attached to this Resolution as Exhibit A.

WHEREAS, the total not to exceed amount for all fifteen design professional contracts, including the additional amounts budgeted for reimbursable expenses, A & E reserves, and the Construction Manager at Risk's Pre-Construction services is \$5 million.

WHEREAS, the City of Greensboro and Community Foundation of Greater Greensboro have obtained 15.1% M/WBE participation in the design of the Steven B. Tanger Center for the Performing Arts.

WHEREAS, the design of the Steven B. Tanger Center for the Performing Arts is expected to take approximately one year.

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

That the City Manager is authorized to enter into contracts with the fifteen design professionals attached to this Resolution as Exhibit A in the amounts designated therein. The total not to exceed amount for all fifteen design professional contracts including the additional amounts budged for reimbursable expenses, A & E reserves, and the Construction Manager at Risk's Pre-Construction services is \$5 million dollars. The funds for all of these contracts will come from the Performing Arts Center Fund Budget, Account #527-7501-01.5410.

(Signed) Zack Matheny

27. [ID 14-0503](#) Ordinance in the Amount of \$5,341,000 Amending the Performing Arts Center Fund

Councilmember Abuzuaiter inquired about the parking revenue; and if bids had gone out for the demolition.

Finance Director Rick Lusk explained the source of the rental income; that this was an estimate for the demolition work; and that staff would come back to Council if the bid was more than estimated.

Moved by Councilmember Matheny, seconded by Councilmember Barber to adopt the ordinance. The motion carried by the following roll call vote:

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Jamal T. Fox, Nancy Hoffmann, Zack Matheny and Tony Wilkins

Nays, 2 - Marikay Abuzuaiter and Sharon M. Hightower

14-0106 ORDINANCE AMENDING THE PERFORMING ARTS CENTER FUND

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

Section 1

That the Performing Arts Center Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriations be increased as follows:

Account	Description	Amount
527-7501-01.5410	Professional Services-Capital Projects	\$5,000,000
527-7501-01.6011	Land Demolition Expense	341,000
Total		\$5,341,000

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

Account	Description	Amount
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527-7501-01.8620	Donations and Contributions	\$5,000,000
527-0000-00.7801	Rent Real Estate	240,000
527-0000-00.7586	Parking Revenue	101,000
Total		\$5,341,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Zack Matheny

28. [ID 14-0504](#) Ordinance in the Amount of \$2,530,720 Amending Coliseum Improvements Bond Fund (Series 2012)

Moved by Councilmember Matheny, seconded by Councilmember Barber to adopt the ordinance. The motion carried by the following roll call vote:

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

Nays, 1 - Marikay Abuzuaiter

14-0107 ORDINANCE AMENDING COLISEUM CAPITAL PROJECT BOND FUND BUDGET (SERIES 2012)

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

Section 1

That the Coliseum Capital Project Bond Fund Budget (Series 2012) of the City of Greensboro is hereby amended, as follows:

That the appropriations be increased as follows:

Account	Description	Amount
526-7510-01.5831	Bond Issue Expense	\$ 372,000
526-7511-01.5613	M&R – Buildings	80,000
526-7511-01.6059	Equipment	200,000
526-7512-01.6059	Equipment	290,000
526-7517-01.5426	Contracted Demolition	368,000
526-7517-01.5612	M&I – Grounds/Parking	300,000
526-7516-01.6206	Transfer to Hotel/Motel Tax Fund	920,720
Total		\$2,530,720

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

Account	Description	Amount
526-0000-00.9012	Limited Obligation Bond Proceeds	\$1,650,000
526-0000-00.8670	State Sales Tax	153,915
526-0000-00.8671	Local Sales Tax	64,805
526-0000-00.9001	Bond Premiums	372,000
526-7512-01.9206	Transfer from Hotel/Motel Tax Fund	290,000
Total		\$2,530,720

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Zack Matheny

VI. SUPPLEMENTAL AGENDA

Boards and Commissions Appointments

Councilmember Hoffmann placed the name of Ann Hurd in the databank for future service on a board or commission. Moved by Councilmember Hoffmann, seconded by Mayor Pro-Tem Johnson to make the following reappointments: Kim Moore-Dudley to the Minimum Housing Standards Commission and Carolyn Chappell to the Library Board, the motion carried by voice vote.

Councilmember Barber spoke to the rules for boards and commissions that had been created over the years; requested staff explore reorganization of the Boards and Commissions process with regard to board terms being three two-year terms which would run consecutive with Councilmember's terms; and allowing an appointment for each Councilmember to create equity among the boards.

Moved by Councilmember Matheny, seconded by Councilmember Wilkins to make the following reappointments: David Arneke to the Historic Preservation Commission; Lois McManus to the Historical Preservation Commission; Tyler Quinn to the Minimum Standards Housing Commission, and Michael Picarelli to the Human Relations Commission, the motion carried by voice vote.

Councilmember Wilkins placed the names of Lindsay Burkhart and Owen Strickland into the databank for future service on a board or commission. Moved by Councilmember Wilkins, seconded by Councilmember Matheny to make the following reappointments: Jean Brown to the Human Relations Commission; Trudy Atkins to the Library Board, Kelly Gains to the Parks and Recreation Commission and Celia Parker to the Planning Board, the motion carried by voice vote. Moved by Councilmember Wilkins, seconded by Councilmember Matheny to appoint Bob Kollar to the Minimum Housing Standards Commission to replace Katherine Sullivan, the motion carried by voice vote.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint Mark Cummings to the Board of Adjustment, the motion carried by voice vote. Councilmember Hightower voiced that she had proposed changing the board appointments and terms a month or so ago; and spoke to districts not having equal representation on the boards.

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

Councilmember Hightower provided the history and an update on the status of the Heritage House; informed Council that nearly all of the residents had been placed in alternate housing; spoke to the transition process; commended the partners across the City as well as City staff involved with the initiative; stated she was most appreciative of everyone that had come to the table to assist the residents of the Heritage House; explained furniture and cash donations were still needed; emphasized that the City of Greensboro as a whole had stepped up in a big way and she could not thank the citizens enough; spoke to the positive outcome for the stressful transition process; commended the IRC and the Salvation Army for their assistance; reiterated that this was a human issue with persons who deserved to be treated with compassion; and voiced appreciation for the work of Interim Assistant City Manager Chris Wilson and Interim City Attorney Tom Carruthers.

Mayor Vaughan spoke to the food and clothing drives being done on behalf of this effort.

Attorney Carruthers interjected that this had been a team effort; that the Legal Department believed it was an appropriate use of condemnation authority due to the unsafe conditions; and spoke to the next steps in the process.

Interim Assistant City Manager Wilson reiterated that this was about aiding the community; was a unique situation that took many months to work through; voiced appreciation for all involved; stated he would provide information to Council once he had the opportunity to review the numbers; spoke to what would be done going forward; referenced the deplorable conditions that children were living in; stated staff continued to answer questions of the media; and thanked Council for their support throughout the process.

Councilmember Hightower clarified that the needs of the families would continue to be met through various resources.

Councilmember Abuzaiter commended the work of staff and the community with the Heritage House situation; reminded the public of National Night Out tomorrow night; encouraged the public to find a neighborhood who was having a celebration; thanked City Manager Westmoreland for the Railroad Summit Initiative held on July 24th; stated she had attended the Leadership Connections Graduation on Friday for young ladies ages 13 - 17; attended the grand opening of the Glenn McNairy Branch Library in District 3; stated she had closed Mahi's restaurant last Saturday; and thanked her family, staff, and all of the loyal patrons of the restaurant over the past twenty plus years.

Councilmember Wilkins announced that Senator Wade would be attending National Night Out events in District 5; confirmed there were approximately 39 National Night Out events scheduled in District 5; and invited the public to the upcoming ribbon cutting at Griffin Park on Saturday, August 16th which had been ten years in the making.

Councilmember Matheny thanked those who attended the McNairy Library opening; referenced the importance of libraries in the community; highlighted the different aspects of the interior; thanked the McNairy family for the land and monetary donation for the library; announced the upcoming Wyndham Championship which would have world coverage and be a terrific advertisement for the City and community; informed people that tickets could be purchased at Harris Teeter stores; recognized Market America, a Greensboro based company, for their 22nd consecutive annual meeting that would take place August 7th through the 10th; and referenced the economic impact of the event over the years.

Mayor Pro-Tem Johnson commended Councilmember Hightower for her work on the Heritage House; asked if the City had a contact number on GTN for persons to donate or volunteer; stated she had watched the movie Suzie's Hope about a dog that was severely burned in Greensboro which could be viewed on Channel 124 Time Warner; wished everyone well at the National Night Out events; stated she would be out of town; thanked staff for their involvement in National Night Out; and commended people for their volunteerism with the Heritage House situation.

Councilmember Fox voiced appreciation for the Mayor, City Manager and staff for their participation in the District 2 Walk along Summit and Bessemer Avenues; thanked Mayor Vaughan for speaking at the East White Oak Community Camp; stated that Greensboro was fifth in the nation as far as participation in National Night Out; and stated he would attend the Nano Science Lead Certification Celebration at 5:15 on August 7th.

Councilmember Hoffmann stated she had the opportunity to welcome approximately 400 young people who came to Greensboro for the Catholic Youth Work Camp; voiced that District 4 had 25 National Night Out events scheduled; encouraged the public to attend Walking Architectural Tours of Greensboro on August 20th and 27th at 7:00 p.m. which would begin at the Green Bean and last a little over an hour; referenced the diversity and history of buildings in Greensboro; and clarified that the August 20th tour would be the north tour; and the 27th would be the south tour.

Councilmember Hightower requested City Manager Westmoreland have a discussion on the status of the Vandalia Road sidewalks; voiced concern when residents had sent letters to state representatives about the status of the sidewalks and street widenings; requested an update be provided on the collection statistics for fees and/or fines assessed by the City; and asked that the revenue from said fees and/or fines be put towards housing and community development issues.

Mayor Vaughan voiced agreement with Councilmember Hightower; requested that City Manager Westmoreland research how the City could continue to ensure businesses and persons were registered for health and public safety issues as a result of the discontinuance of the privilege license fee; if there would be a way to have data provided to the City to assist in locating persons such as buskers since the registration would no longer be required; and requested research be done to see how the City could continue to ensure businesses and persons were registered for health and public safety issues as a result of the discontinuance of the privilege license fee.

Attorney Carruthers spoke to discussions on the subject that had taken place at the annual Municipal Attorneys Conference; spoke to alternatives that could be put in place; and stated he would report back to Council.

Matters to be presented by the City Attorney.

Attorney Carruthers informed Council that the PIRT Policy adoption would be brought back to Council on August 19th.

Mayor Vaughan voiced concern with the body worn camera language. Councilmember Barber suggested the item be brought back to Council without the body worn camera language. Mayor Vaughan agreed with that proposal.

Attorney Carruthers spoke to the need for continued discussion on the body worn camera portion of the policy.

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 9:40 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR