



# City of Greensboro

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

## Meeting Minutes - Final City Council

Wednesday, February 18, 2015

4:30 PM

Council Chamber

### SPECIAL MEETING OF COUNCIL

#### Call to Order

This Special City Council meeting of the City of Greensboro was called to order at 4:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

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

Also present were City Manager Jim Westmoreland, City Attorney Tom Carruthers, and Deputy City Clerk Angela R. Lord.

1. [ID 15-0181](#) Motion to Recess to Closed Session

**Moved by Councilmember Matheny, seconded by Councilmember Hoffmann to go into closed session to preserve the attorney-client privilege between the City Attorney pursuant to N.C.G.S. 143-318.11 (a)(3); and to discuss matters relating to the location or expansion of industries or other businesses, including potential economic development incentives that may be offered in negotiations pursuant to N.C.G.S. 143-318.11 (a)(4). The motion carried by voice vote.**

Council recessed to closed session at 4:31 p.m.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox to reconvened into open session at 5:37 p.m. The motion carried by voice vote. All members were in attendance except Councilmember Barber.

#### Moment of Silence

The meeting opened with a moment of silence.

#### Pledge of Allegiance to the Flag

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

#### Recognition of Courier

City Manager Jim Westmoreland recognized Anita Brown of the Finance 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.

Mayor Vaughan asked for a motion to postpone Item #2/ ID 15-0072. Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Matheny to postpone the item to the March 3rd meeting of Council. The motion carried by voice vote.

Mayor Vaughan asked for a motion to postpone Item #8/ ID 15-0123 from the Consent Agenda. Moved by Councilmember Matheny, seconded by Councilmember Hightower to postpone the item to the March 17th meeting of Council. The motion carried by voice vote.

Councilmember Fox asked why the item was being postponed.

Assistant City Manager David Parrish responded that there were some contractual issues that needed to be addressed; stated the item was not time sensitive; and that staff needed an extra month to work out the issues.

## **I. CEREMONIAL AND/OR PRESENTATION ITEMS**

### **3. [ID 15-0165](#) Resolution Declaring Tuesday, February 24, 2015 "Women's Advocacy Day"**

Councilmember Hoffmann read the resolution for the record; and presented the resolution to Everlena Diggs of the American Association of University Women (AAUW).

Councilmember Barber entered the meeting at 5:42 p.m.

Ms. Diggs stated she represented the AAUW Greensboro Branch; spoke to improving the lives of women and girls; educational support; stated North Carolina ranked last in teacher pay; spoke to the work environment; public school funding; health care access; the refusal of Medicaid expansion; provided figures for the number of women affected; spoke to poverty levels; and thanked Council for endorsing the resolution.

**Moved by Mayor Pro-Tem Johnson, 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

033-15 RESOLUTION DECLARING TUESDAY, FEBRUARY 24, 2015 "WOMEN'S ADVOCACY DAY"

WHEREAS, the American Association of University Women (AAUW) has been committed since its founding in 1881 to promoting equity for all women; and

WHEREAS, the AAUW Greensboro Branch, founded in 1912, advocates for policies to enable women to achieve their potential; and

WHEREAS, Tuesday, February 24, 2015 is Women's Advocacy Day at the North Carolina Legislature in Raleigh; and

WHEREAS, increasing support for teachers and for public education would benefit all North Carolina students; and

WHEREAS, expanding Medicaid is important for the tens of thousands of women currently in the income gap between Medicaid and the Affordable Care Act marketplace; and

WHEREAS, the City of Greensboro understands the importance of improving the quality of life for all citizens; and

WHEREAS, the City Council of the City of Greensboro joins North Carolina Women United and other AAUW branches throughout the state in recognizing Women's Advocacy Day.

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

That it hereby declares Tuesday, February 24, 2015 "Women's Advocacy Day'.

(Signed) Yvonne J. Johnson

## **II. PUBLIC COMMENT PERIOD**

Mayor Vaughan stated there were nine speakers signed up; most speakers were in reference to Summit Avenue; and allowed the speakers for other items to speak first.

Brett Byerly, 122 North Elm Street stated he was the Executive Director of the the Greensboro Housing Coalition; announced that the 16th Annual Housing Summit would be on February 25th; spoke to Greensboro being in the limelight for the event; referenced the key note speaker; and encouraged the Council and the community to attend.

Darryl Baskerville, 1605 Orlando Street spoke to City Government addressing community concerns; the Black Lives Matter movement; East Greensboro grocery stores supporting only 1/3 of the residents; the Renaissance Cooperative (COOP); requested the City fund the COOP; and referenced crime statistics.

David Wharton, 667 Percy Street spoke to the history of the Summit Avenue Corridor plan; referenced 2008 Transportation Bond projects; spoke to funds in a MSD account; News and Record and Wall Street Journal articles; referenced urban growth in Greensboro; and spoke to the development potential.

Councilmember Wilkins asked if the project covered multiple districts; for an explanation on the delay; about the taxes; and stated his desire to help.

Staff responded that the project was in District Two; with what the MSD funded; that there had been many potential projects from the Transportation Bonds; and stated the delay had been due to higher priority projects.

Linda Fusco, 721 5th Avenue stated she was the President of the Aycock Neighborhood Association; spoke to projects that had been accomplished by the neighborhood; referenced receiving a Greensboro Neighborhood award; and asked for Council support.

TK Miller, 104 Cypress Street; stated her support of the Summit Avenue Corridor project; provided her family and community involvement history; spoke to improving the quality of life for the neighborhood; the City making a commitment; the projected time line of 2018; and asked for Council support.

Shawn Patch, 112 Cypress Street spoke to being offered a job anywhere in North Carolina; why he choose Greensboro and the Aycock neighborhood; and urged Council to move forward with the project.

Mindy Zachary, 604 Summit Avenue spoke to historic preservation; people fixing up old houses; referenced the lack of connectivity; spoke to flooding problems; requested Council to push the project forward; and spoke to time being of the essence.

Councilmember Barber requested City Attorney Carruthers look into Environmental Grants for the health and safety of historic preservation along Summit Avenue in the Aycock Neighborhood.

City Attorney Carruthers responded that he would look into it; and referenced conversations with Ms. Zachary.

David Hoggard, 108 Cypress Street spoke to the history of the Summit Avenue Plan beginning in 2003; to possibilities for the neighborhood; the need of funding; stated the City needed a new welcome mat for people coming through the area; and requested Council support.

Matthew Thomas, 112 East Hendrix spoke to the historic Aycock Board; linking the GPAC to Revolution Mills; referenced the vision of the Cone Family for Summit Avenue; spoke to pedestrian safety; referenced people speeding in the neighborhood; and spoke to the neighborhood rule of helping people cross the road.

Councilmember Fox thanked the community for coming out; asked for the item to be made a priority in the upcoming budget cycle; stated the project was a Gateway into Downtown; spoke to preserving and enhancing corridors; having things on the books for 30 years; and reiterated that the project needed to be a priority.

Thessa Picket, 3514 Fox Place spoke to the need for support of Northeast Greensboro; food desserts in East

Greensboro; referenced a report released by the East Greensboro Study Committee; spoke to fundraising efforts for a a community Coop grocery store; and stated feeding the hungry was important.

### **III. CONSENT AGENDA**

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to adopt the consent agenda 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, Zack Matheny and Tony Wilkins

**4. [ID 15-0124](#) Resolution Authorizing Grant Application and Implementation of Clean Water Management Act Grant Application for South Buffalo Creek Design and Construction Project**

034-15 RESOLUTION AUTHORIZING GRANT APPLICATION AND IMPLEMENTATION OF CLEAN WATER MANAGEMENT ACT GRANT APPLICATION FOR SOUTH BUFFALO CREEK DESIGN AND CONSTRUCTION PROJECT

WHEREAS, in 2008 the City was awarded funding for the initial design assessment phase of the South Buffalo Creek and Habitat Water Quality Improvement project;

WHEREAS, construction of Phases I, II and III were partially funded by Clean Water Management Trust Fund match grants;

WHEREAS, this application is for Phase IV for design and construction of improvements along the southern edge of South Buffalo Creek;

WHEREAS, the Water Resources Department recently qualified to submit in the 2015 grant cycle and submitted a grant application by the February 2nd deadline;

WHEREAS, the current grant project, if approved and awarded, will continue to enhance storm water quality by increasing aquatic habitat, decreasing sediment loads and decreasing nutrient loads to South Buffalo Creek;

WHEREAS, a 50% local match is required by the funder, funds in the amount of \$347,500 are available through the state with a \$347,500 match from City Stormwater Capital funds;

WHEREAS, the City portion of funding has been set aside for this project in the current budget and future expenditures may be funded through Stormwater Utility funds.

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

That the Grant application and project implementation of Clean Water Management Act Grant application in the amount of \$695,000 for the South Buffalo Creek Design and Construction project is hereby authorized with the local 50% match in the amount of \$347,500 to come from the City Stormwater Capital funds.

(Signed) Yvonne J. Johnson

**5. [ID 15-0149](#) Resolution Authorizing Change Order in the Amount of \$183,851 in Contract With Otis Elevator for Modernization of Davie Street Parking Deck Friendly Avenue Side Elevator**

035-15 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT WITH OTIS ELEVATOR COMPANY FOR MODERNIZATION OF DAVIE STREET PARKING DECK FRIENDLY SIDE ELEVATOR

WHEREAS, the Contract between the City of Greensboro and Otis Elevator Company provides for modernization of the Davie Street Parking Deck Elevators;

WHEREAS, at the time the bids were received, Otis Elevator Company was the lowest bidder to modernize both the Market Street and Friendly Avenue side elevators at the Davie Street Parking Deck;

WHEREAS, due to funding constraints at the time bids were received, the project scope was reduced to only modernizing the Market Street side elevator;

WHEREAS, funding is now available to allow for the modernization of the Friendly Avenue side elevator; thereby necessitating a change order in the contract in the amount of \$183,851.

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 Friendly side elevator of the Davie Street Parking Deck is hereby authorized at a total cost of \$183,851, payment of said additional amount to be made from Account No. 543-4534-01.5621.

(Signed) Yvonne J. Johnson

6. [ID 15-0054](#) Resolution Calling a Public Hearing for March 3, 2015 on the Annexation of Territory Into the Corporate Limits of Property Located at 200 Willowlake Road and NCDOT Right-of-way - 29.1 Acres

036-15 RESOLUTION CALLING A PUBLIC HEARING FOR MARCH 3, 2015 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – 200 WILLOWLAKE ROAD AND NCDOT RIGHT-OF-WAY – 29.1 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 17th day of February, 2015, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (200 WILLOWLAKE ROAD AND NCDOT RIGHT-OF-WAY – 29.1 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 December 31, 2014), said point being the intersection of the west line of North Carolina Department of Transportation Project 6.498006T (now Interstate 840) and the north right-of-way line of Burlington Road (US Highway 70); THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a westerly direction along said north right-of-way line approximately 30 feet to the southeast corner of property of Kotis Company, LLC, as recorded in Deed Book 6299, Page 1551; thence continuing with said right-of-way line N 89° 29' 20" W 431.65 feet to a right-of-way monument; thence continuing with said right-of-way line S 89° 47' 57" W 160.48 feet to a right-of-way monument; thence with the northeast corner right-of-way line of US Highway 70 and Willowlake Road (NCSR No. 2828) N 48° 23' 42" W 47.90 feet to a right-of-way monument; thence S 87° 47' 30" W 31.30 feet to a point in the roadbed of Willowlake Road; thence N 01° 23' 30" W 287.78 feet to a point in said roadbed; thence N 03° 15' 00" W 373.95 feet to a point in said roadbed; thence N 03° 17' 00" W 503.80 feet to a point in said roadbed; thence N 00° 45' 00" E 179.56 feet to a point in said roadbed; thence S 82° 38' 46" E 34.67 feet to an iron pipe in the east right-of-way line (60-foot right-of-way) of Willowlake Road, said iron pipe being at the southwest corner of Property of Merritt A. Donnell, recorded in Plat Book 58, Page 41; thence with the south line of said plat S 82° 38' 46" E 490.18 feet to the southeast corner of said plat; thence with the south line of Earline A. Brooks, as recorded in Deed Book 3535, Page 930, S 82° 38' 46" E 384.85 feet to the southeast corner of said Brooks property; thence with the east line of Brooks N 07° 19' 56" E 199.86 feet to the northeast corner of Brooks, also being the southeast corner of William and Maria Paster, as recorded in Deed Book 7354, Page 974; thence with Paster's east line N 07° 23'

22" E 199.73 feet to Paster's northeast corner; thence S 82° 29' 54" E 216.58 feet with the north line of Kotis Company, LLC, as recorded in Deed Book 6299, Page 1551, to a spike at the westernmost corner of NCDOT TIP Parcel No. U-2525B 005, as recorded in Deed Book 7516, Page 1813; thence with the line of NCDOT Project U-2525B (Interstate 840) N 16° 41' 0.7" E 97.072 feet to a point in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 05° 30' 44.4" W 185.907 feet to the northeast corner of NCDOT Parcel No. 946, as recorded in Deed Book 5501, Page 352; thence S 05° 26' 20" W 674.66 feet to the southeast corner of said parcel; thence in a westerly direction with the north line of NCDOT Project 6.498006T as shown on Sheet 10 approximately 140 feet to the northwest corner of said project; thence in a southerly direction with the west line of said project approximately 1,000 feet to the point and place of BEGINNING, and containing approximately 29.1 acres (of which 1.061 acres lies within Willowlake Road right-of-way).

All deeds and plats referred to hereinabove are 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 March 3, 2015, the liability for municipal taxes for the 2014-15 fiscal year shall be prorated on the basis of 3/12 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, 2015. Municipal ad valorem taxes for the 2015-16 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, March 3, 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 February 21, 2015.

(Signed) Yvonne J. Johnson

**7. [ID 15-0121](#) Resolution Authorizing Sale of Surplus Foreclosure Property Located at 700 N. English Street**

037-15 RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY LOCATED AT 700 NORTH ENGLISH STREET

WHEREAS, the City of Greensboro owns residual surplus foreclosure property located at 700 North English Street, Parcel 0020006, said property being shown on the attached map;

WHEREAS, the City has no governmental or other public need for said property;

WHEREAS, Property Management advertised the lot for sale and accepted a single bid in accordance with Section 4.122 of the Greensboro Charter;

WHEREAS, the property was appraised by Lynn R. Ritchie at a value of \$22,000 and the final highest bid of \$22,000 was accepted, which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this conveyance will be deposited in the General Fund Foreclosure Accounts Receivable, Account No. 101-0000-00.0400.

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

That pursuant to Section 4.122 of the City Charter, the sale of the above mentioned residual property in the amount of \$22,000 is hereby approved and the sale of property located at 700 North English Street 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 J. Johnson

**9. [ID 15-0122](#) Resolution Authorizing Loan Modification for Sale and Rehabilitation of 1522 Willow Road**

039-15 RESOLUTION AUTHORIZING LOAN MODIFICATION FOR SALE AND REHABILITATION OF 1522 WILLOW ROAD

WHEREAS, in 1990 the City provided the homeowner at 1522 Willow Road with a housing rehabilitation loan in the amount of \$10,174 which was deferred with principal and accumulated interest due upon the sale of the property or death of the owner;

WHEREAS, the borrower is deceased and the heirs would like to sell the two bedroom, one bath house with a tax value of \$57,400;

WHEREAS, the house is in dilapidated condition and a buyer has offered \$21,800 and will invest approximately \$24,000 in the rehabilitation of the house for use as affordable rental property;

WHEREAS, the current principal and accumulated interest on the City loan is \$16,758.40 and there are additional back taxes, water liens and code enforcement actions totaling \$6,696.38 as well as additional judgment, commission, legal and repair expenses to be covered by the sale proceeds totaling \$8,800;

WHEREAS, the heirs have requested the City forgive the accumulated interest of approximately \$7,116.40 and reduce the outstanding principal balance on the rehabilitation loan from \$9,642 to \$6,300 in order to keep the costs under the amount of the sale proceeds;

WHEREAS, code enforcement, water liens and property taxes would be paid in full with the heirs being responsible for any tax implications due to debt forgiveness;

WHEREAS, the reduction in anticipated CDBG program income would be from \$16,758.40 to \$6,300 and would be an alternative to foreclosure action.

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

That the reduction of loan proceeds for 1522 Willow Road from \$16,758.40 to \$6,300 is hereby authorized and the loan write off in the amount of \$10,458.40 is hereby approved.

(Signed) Yvonne J. Johnson

**10. [ID 15-0125](#) Resolution Authorizing Water Connection to Serve Tabernacle United Methodist Church, Located at 5601 Liberty Road in Accordance With the City of Greensboro Policy Water and Sewer Services "Outside The Corporate Limits"**



040-15 RESOLUTION AUTHORIZING WATER CONNECTION TO SERVE TABERNACLE UNITED METHODIST CHURCH, LOCATED AT 5601 LIBERTY ROAD IN ACCORDANCE WITH THE CITY OF GREENSBORO POLICY WATER AND SEWER SERVICES "OUTSIDE THE CORPORATE LIMITS"

WHEREAS, the Water Resources Department has received a request from Guilford County Planning requesting consideration of a water connection to serve Tabernacle United Methodist Church located at 5601 Liberty Road based on a documented public health necessity need;

WHEREAS, City Council approval is necessary since the property is located outside the City's Water Sewer Service Area (WSSA) and because the Water and Sewer Services "Outside the Corporate Limits" policy does not administratively allow approval of this type of request;

WHEREAS, the connection has been reviewed for capacity availability and is recommended by the Water Resources Department;

WHEREAS, a "Utility and Development Agreement and Petition for Annexation" signed by the current property owner will be delivered to the City of Greensboro in consideration of the water connection;

WHEREAS, the owner is responsible for all costs associated with the water connection.

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

That the construction of the above mentioned sewer line to serve Tabernacle United Methodist Church located at 5601 Liberty Road in accordance with the City of Greensboro Policy Water and Sewer Services "Outside the Corporate Limits" is hereby authorized.

(Signed) Yvonne J. Johnson

**11. [ID 15-0126](#) Resolution Approving Utility Agreement U-2524BC Between the North Carolina Department of Transportation (NCDOT) and the City of Greensboro for Costs Associated With Construction of the Urban Loop at Joseph Bryan Boulevard**

041-15 RESOLUTION APPROVING UTILITY AGREEMENT BETWEEN THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND THE CITY OF GREENSBORO FOR COSTS ASSOCIATED WITH CONSTRUCTION OF THE URBAN LOOP AT JOSEPH BRYAN BOULEVARD

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements with the City of Greensboro under Project U-2524BC, for roadway improvements along Bryan Boulevard between the I-840 and SR 2410 (Inman Road);

WHEREAS, said Department of Transportation and the City of Greensboro propose to enter into an Agreement for the above-captioned project for relocation of existing water infrastructure and for a new bridge for Inman Road;

WHEREAS, the associated adjustments have been included in the construction contract with an estimated cost to the City of Greensboro of \$63,160.35.

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

That Project U-2524BC, is hereby formally approved by the City Council of the City of Greensboro and that the Mayor and Clerk of the City are hereby empowered to sign and execute the Agreement with the Department of Transportation with funds in the amount of \$63,160.35 to come out of the Water and Sewer Capital Project Account No. 503-7024-01.5615.

(Signed) Yvonne J. Johnson



12. [ID 15-0127](#) Resolution Authorizing Contract Amendment to Contract # 2012-5398 for Sports Program Officials Services

042-15 RESOLUTION AUTHORIZING CONTRACT AMENDMENT TO CONTRACT # 2012-5398 FOR SPORTS PROGRAM OFFICIALS SERVICES

WHEREAS, in fiscal year 2012-13 a three year contract for Sports Program Officials Services was approved for an estimated amount of \$296,775; and

WHEREAS, the contract was based on an estimated need for officiating services for multiple and various sports programs and has had several increases and reductions in programming to accommodate public interests, resulting in a fluctuating estimated value over the past 2.5 years; and

WHEREAS, based on projected program services through the end of the one additional month, an increase in estimated contract value to \$387,015 is needed; and

WHEREAS, funds for the remaining softball and baseball program services that the Parks and Recreation Department plans to provide under this contract are 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 contract #2012-5398 is hereby approved.

(Signed) Yvonne J. Johnson

13. [ID 15-0139](#) Ordinance in the Amount of \$500,000 Amending the GTA Grant Fund Budget to Establish FY 2015 North Carolina Department of Transportation Rail Division Grant

15-025 ORDINANCE AMENDING THE GTA GRANT FUND BUDGET TO ESTABLISH FY2015 NCDOT RAIL DIVISION GRANT

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

That the GTA Grant Fund Budget be amended as follows for the FY2015 NCDOT Rail Division Grant:

Account	Description	Amount
567-4503-01.5410	Professional Services-Capital Projects	\$ 75,000
567-4503-01.6019	Other Capital Improvements	\$425,000
Total		\$500,000

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

Account	Description	Amount
567-4503-01.7110	State Grant	\$ 400,000
567-4503-01.9442	Transfer from Transit Bond	\$ 100,000
Total		\$500,000

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne J. Johnson

14. [ID 15-0131](#) Ordinance in the Amount of \$20,000 Amending State, Federal, and Other Grant Fund Budget for the Appropriation of the Greensboro Area Convention & Visitors Bureau Special Events & Tourism Related Activities (SETRAC) Grant

15-026 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE GREENSBORO AREA CONVENTION & VISITORS BUREAU SPECIAL EVENTS AND TOURISM RELATED ACTIVITIES (SETRAC) 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 – 2015 SETRAC Grant

Account	Description	Amount
220-5079-01.5237	Program Supplies	\$20,000
TOTAL:		\$20,000

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

Account	Description	Amount
220-5079-01.8620	Donations & Private Contributions	\$20,000
TOTAL:		\$20,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne J. Johnson

15. [ID 15-0140](#) Resolution to Advertise 2014 Real Estate Liens

043-15 RESOLUTION DIRECTING THE CITY TAX COLLECTOR TO ADVERTISE LIENS ON REAL ESTATE FOR DELINQUENT PUBLIC UTILITY SERVICES, NUISANCE ABATEMENTS, BOARDING UP OF STRUCTURES AND DEMOLITION OF SUBSTANDARD STRUCTURES ACCOUNTS FOR THE YEAR 2014

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

1. That the City Tax Collector be and is hereby directed to prepare and publish, in accordance with law, a list showing: (1) the names of all persons by whom substandard structure charges, water rents and nuisance abatement charges are due and (2) the amount of each such substandard structure charge, solid waste charge, water rent or nuisance abatement charge. Such publication shall commence not earlier than March 5, 2015.

2. That the City Tax Collector be and is hereby directed to cause the publication of the above-mentioned list in a local newspaper of general circulation in the City of Greensboro.

3. That, in addition to following the foreclosure method prescribed by G.S. 105-374, the City Tax Collector be and is hereby authorized to institute the In rem method of foreclosure pursuant to G.S. 105-375.

(Signed) Yvonne J. Johnson

**16. [ID 15-0143](#) Resolution Authorizing Contract # 2015-10244 for Software Maintenance Services for Guilford Metro 911**

044-15 RESOLUTION AUTHORIZING CONTRACT NO. 2015-10244 WITH SUNGARD PUBLIC SECTOR FOR SOFTWARE MAINTENANCE SERVICES FOR GUILFORD METRO 911

WHEREAS, Guilford Metro 911 uses SunGard Public Sector emergency communication and CAD software;

WHEREAS, annual maintenance services are required to keep the software at the emergency operations center up to date and operational;

WHEREAS, the Department has been satisfied with the system and maintenance service for this software;

WHEREAS, City policy authorizes contract renewals for up to five years and because the Department plans to continue using this software for this period, authorization for the software maintenance contract is being requested for the next five years;

WHEREAS, the annual cost for services for the SunGard software maintenance in 2014-15 is \$189,879 with funding in the amount of \$129,346.72 to come from the State of North Carolina 911 Fund Account No. 281-3903-01.5621 and in the amount of \$48,525.18 from Support Services Fiscal Year Budget Account No. 687-3905-01.5621;

WHEREAS, the annual cost of services for the SunGard software maintenance agreement for the next five years is estimated at a value of \$977,873 which includes a potential annual increase of up to three percent.

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

That the City is authorized to enter into Contract No. 2015-10244 with SunGard Public Sector for the software maintenance services for Guilford Metro 911. 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 for the next five years for a total estimated value of \$977,873 including a potential annual increase of up to 3%.

(Signed) Yvonne J. Johnson

**17. [ID 15-0153](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property Owned by Florida Street Baptist Church, Inc. located at 1407 West Florida Street in Connection With the Lovett Street Sidewalk Improvement Project.**

045-15 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF FLORIDA STREET BAPTIST CHURCH, INC. IN CONNECTION WITH THE LOVETT STREET SIDEWALK IMPROVEMENT PROJECT

WHEREAS, Florida Street Baptist Church, Inc. is the owner of that certain property located at 1407 W. Florida Lovett Street designated as Tax Map # 84-4-1/Parcel # 0008734, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Lovett Street Sidewalk Improvement Project;

WHEREAS, negotiations with the owner at the total appraised value of \$330.00 for the property have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the total amount of \$330.00 for both properties.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$330.00 to the Clerk of Superior Court as compensation to the owner, payment to be made from Account No. 401-4538-01.6012 Activity #09157.

(Signed) Yvonne J. Johnson

**18. [ID 15-0157](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property Owned by Florida Street Baptist Church, Inc. Located at 1401 West Florida Street in Connection With the Lovett Street Sidewalk Improvement Project**

046-15 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF FLORIDA STREET BAPTIST CHURCH, INC. IN CONNECTION WITH THE LOVETT STREET SIDEWALK IMPROVEMENT PROJECT

WHEREAS, Florida Street Baptist Church, Inc. is the owner of that certain property located at 1401W. Florida Lovett Street designated as Tax Map # 84-4-2/Parcel # 0008735, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Lovett Street Sidewalk Improvement Project;

WHEREAS, negotiations with the owner at the total appraised value of \$320.00 for the property have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner in the total amount of \$320.00 for the property.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$320.00 to the Clerk of Superior Court as compensation to the owner, payment to be made from Account No. 401-4538-01.6012 Activity #09157.

(Signed) Yvonne J. Johnson

**19. [ID 15-0133](#) Resolution Listing Loans and Grants for City Council Approval**

047-15 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.

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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 J. Johnson

**20. [ID 15-0155](#) Budget Adjustments Requiring Council Approval 1/27/15-2/9/15**

Motion to approve the budget adjustments of January 27 - February 9, 2015 over the amount of \$50,000 was adopted.

**21. [ID 15-0154](#) Budget Adjustments Approved by Budget Officer 1/27/15-2/9/15**

Motion to accept the report of budget adjustments of January 27 - February 9, 2015 was adopted.

**22. [ID 15-0132](#) Motion to approve the minutes of the Special meeting of January 14, 2015**

Motion to approve the minutes of the Special meeting of January 14, 2015 was adopted.

**23. [ID 15-0134](#) Motion to Approve the Minutes of the Work Session of January 15, 2015.**

Motion to approve the minutes of the Work Session of January 15, 2015 was approved.

**24. [ID 15-0146](#) Motion to approve the minutes of the Regular meeting of January 20, 2015.**

Motion to approve the minutes of the Regular meeting of January 20, 2015 was adopted.

#### **IV. PUBLIC HEARING AGENDA**

There were no Public Hearing items for this agenda.

#### **V. GENERAL BUSINESS AGENDA**

**25. [ID 15-0182](#) Resolution of Intent to Consider an Ordinance Amending the Charter of the City Of Greensboro to Retain the Current Form of Government and to Change the Term of Office from Two to Four Years and to Submit this Plan to a Referendum**

Mayor Vaughan introduced Items #25 and #26 together.

City Attorney Carruthers stated the item was to set a public hearing for March 3, 2015.

Councilmember Wilkins asked for confirmation that the item was only to set a public hearing.

City Attorney Carruthers responded with the intention to consider changes to the City Ordinance; and confirmed the item was to set a public hearing.

Councilmember Wilkins stated for the record his disagreement with the resolution for items #25 and #26 which stated that "The City of Greensboro supports its current system because it ensures fair and equitable representation of all residents of the City"; that he considered the statement to be an opinion, an opinion he did not agree with the accuracy of; and voiced his belief that if it were a correct statement they would not be having this discussion.

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Councilmember Hightower voiced her agreement with the statement.

Mayor Vaughan clarified the resolution stood as written.

**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, Zack Matheny and Tony Wilkins

048-15 RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO RETAIN THE CURRENT FORM OF GOVERNMENT AND TO CHANGE THE TERM OF OFFICE FROM TWO TO FOUR YEARS AND TO SUBMIT THIS PLAN TO A REFERENDUM

WHEREAS, in 1983 the City of Greensboro adopted a City Council election system of one (1) Council member elected from each of its five (5) districts, three (3) Council members elected at-large, and one (1) Mayor elected at large. The system adopted in 1983 is commonly referred to as the 5-3-1 system. The City of Greensboro supports its current system because it ensures fair and equitable representation of all residents of the City.

WHEREAS, the City Council of Greensboro adopted a legislative agenda on January 20, 2015, which included extending the term of office from two years to four years for Council members and the Mayor.

WHEREAS, on February 4, 2015, Senate Bill 36 was filed and has proposed a City Council election system of one (1) Council member elected from each of seven (7) newly created voting districts, and one (1) at-large Mayor with the Mayor having veto power. The system proposed by Senate Bill 36 is commonly referred to as the 7-1 system.

WHEREAS, the General Assembly, in Part 4 of Article 5 of Chapter 160A of the General Statutes, has authorized municipalities in the State of North Carolina to alter their form of government (also known as the charter change authority) and to make any change effective if approved by a vote of the people by special election.

WHEREAS, Part 4 of Article 5 of Chapter 160A of the General Statutes also provides the people with the right to initiate a referendum on proposed charter amendments.

WHEREAS, the North Carolina General Statutes, § 160A-101(4) and (8) permit the City Council and the Mayor to be elected for terms of either two or four years.

WHEREAS, Senate Bill 36 proposes to take the charter change authority from the City Council and people of Greensboro by repealing Part 4 of Article 5 of Chapter 160A in Greensboro, but no other place in North Carolina.

WHEREAS, in keeping with the democratic ideals of the City of Greensboro, the City Council desires to allow the people to decide what form of government is appropriate.

WHEREAS, the City of Greensboro proposes a binding referendum of the voters to consider whether to keep the current 5-3-1 system and to change to current two year terms for City Council and the Mayor to four year terms.

WHEREAS, because State election laws will only allow a special election at the time of the general election on odd numbered years, the first available special election would be on November 3, 2015, and therefore, the Council's proposed change, if approved by the voters, could not be effective until the 2017 election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO that the City Clerk schedule a public hearing at 5:30 p.m. on Tuesday, March 3rd, 2015, to receive public comment on whether the citizens of Greensboro prefer the 5-3-1 system or the 7-1 system and to receive public comment on an ordinance to amend Section 2.41 of the City Charter to change the term from two years to four years for both the City Council members and the Mayor and to submit this proposed change in the Greensboro Charter to a binding resolution. This proposed change, if approved by the voters, will not take effect until the 2017 election.

(Signed) Marikay Abuzuaiter

26. [ID 15-0168](#) Resolution to Oppose the Redistricting Plan Proposed in Senate Bill 36 and Requesting the General Assembly to Submit this Plan to a Referendum

Councilmember Wilkins voiced concern with the resolution referencing Senate Bill 36; inquired about identifying it in the future; stated the bill had to go through the Senate and House; asked if Council would have to vote again every time it changed; and for clarification from a legal standpoint.

Mayor Vaughan stated the resolution specified current configurations.

City Attorney Carruthers responded that Council would have an option to vote again; clarified that a vote was not mandatory; voiced that the resolution stated the position of Council as of today.

Councilmember Wilkins asked for clarification that the item would be tagged and identified as voted on today.

City Attorney Carruthers confirmed.

Councilmember Hightower asked for clarification on the date for the public hearing.

Mayor Vaughan confirmed the public hearing date as March 3, 2015.

**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 Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Zack Matheny and Tony Wilkins

049-15 RESOLUTION TO OPPOSE THE REDISTRICTING PLAN PROPOSED IN SENATE BILL 36 AND REQUESTING THE GENERAL ASSEMBLY TO SUBMIT THIS PLAN TO A REFERENDUM

WHEREAS, in 1983 the City of Greensboro adopted a City Council election system of one (1) Council member elected from each of its five (5) districts, three (3) Council members elected at-large, and one (1) Mayor elected at large; and

WHEREAS, the system adopted in 1983 is commonly referred to as the 5-3-1 system; and

WHEREAS, The City of Greensboro supports its current system because it ensures fair and equitable representation of all residents of the City; and

WHEREAS, Senate Bill 36 proposes a City Council election system of one (1) Council member elected from each of seven (7) newly created voting districts, and one (1) at-large Mayor with the Mayor having veto power; and

WHEREAS, the system proposed by Senate Bill 36 is commonly referred to as the 7-1 system; and

WHEREAS, The City implores the General Assembly to amend Senate Bill 36 to allow a referendum of the voters to consider whether to keep the current 5-3-1 system or to change to the proposed 7-1 system; and

WHEREAS, Senate Bill 36 also proposes to change the employment of the City Clerk from a position employed by the City Manager to a position employed by the City Council; and

WHEREAS, the Office of the City Clerk is a vital component of the City's proper legislative functioning and record-keeping requirements; and

WHEREAS, the Office of the City Clerk will function best if it remains under the control of the City Manager and not under the control of the City Council;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO that the City



of Greensboro opposes Senate Bill 36 and supports keeping the Office of the City Clerk under the authority of the City Manager's office; and the City implores the General Assembly to amend Senate Bill 36 to require a binding referendum so that the citizens of Greensboro may vote to select either the current 5-3-1 system or the proposed 7-1 system.

(Signed) Yvonne J. Johnson

- 27. [ID 15-0141](#)** Resolution Authorizing the Purchase in the Amount of \$5,766,728 of an Aqua-Aerobic Systems, Inc. Diamond Cloth Filter System for the T.Z. Osborne Water Reclamation Facility

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

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

050-15 RESOLUTION AUTHORIZING THE PURCHASE OF AN AQUA-AEROBIC SYSTEMS, INC. DIAMOND CLOTH FILTER SYSTEM FOR THE T.Z. OSBORNE WATER RECLAMATION FACILITY

WHEREAS, six travelling bridge filters were installed in 1998 to provide tertiary treatment of plant effluent by removing suspended solids and associated organics and nutrients from secondary effluent;

WHEREAS, in order to support the hydraulic expansion of the plant from 40 million gallons per day (MGD) to 56 MGD and to help meet current and future total phosphorus discharge limits, upgrades to the existing effluent filtration system are needed;

WHEREAS, as part of the preliminary design phase, three filter alternatives were evaluated by the Water Resources Department and the diamond cloth filter system manufactured by Aqua-Aerobic Systems, Inc. provides the lowest cost alternative that meets the effluent treatment design criteria;

WHEREAS, a sole source purchase from Aqua-Aerobic Systems, Inc. has been is being requested to ensure that the system meets the required design and performance specifications at the T.Z. Osborne Water Reclamation Facility.

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

That the sole source purchase in the amount of \$5,766,728 for the diamond cloth filter system manufactured by Aqua-Aerobic Systems, Inc. is hereby authorized.

(Signed) Jamal Fox

- 28. [ID 15-0002](#)** Resolution Adopting the Regional Assessment of Fair Housing (Analysis of Impediments)

**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, Zack Matheny and Tony Wilkins

051-15 RESOLUTION ADOPTING THE REGIONAL ASSESSMENT OF FAIR HOUSING (ANALYSIS OF IMPEDIMENTS)

WHEREAS, the Department of Housing and Urban Development (HUD) requires recipients of Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) funds to affirmatively further fair housing and to assess fair housing issues every five years;

WHEREAS, HUD recently introduced new regulations that allow and encourage grant recipients to collaborate on developing a regional fair housing plan;

WHEREAS, the City of Greensboro joined with the City of Burlington, City of High Point, and the Surry County HOME Consortium to complete a regional assessment to depict fair housing impediments throughout the region;

WHEREAS, the assessment recommends key strategies and actions for each participating jurisdiction to take in order to address factors that limit housing choices and will also inform the development of the 2015-2020 Consolidated Plan (five year plan for community development) which is due in May 2015;

WHEREAS, on December 17, 2013 City Council approved a contract for the regional partnership between Greensboro, Burlington, High Point, and the Surry County HOME Consortium.

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

That the Regional Assessment of Fair Housing (Analysis of Impediments) is hereby adopted.

(Signed) Sharon Hightower

## **VI. SUPPLEMENTAL AGENDA**

29. [ID 15-0171](#) To inform the City Council of a North Carolina Department of Labor, Occupational Safety and Health Division (OSHA) Citation

City Manager Westmoreland notified Council of the North Carolina Department of Labor, OSHA citation for the War Memorial Auditorium; stated staff had meet with OSHA; and the City would pay the fine.

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

Councilmember Hoffmann placed the name of Bill McNeil into the databank for future use on a board or commission.

Matters to be presented by the City Manager

City Manager Westmoreland thanked Field Operations, Parks and Recreation, and the Public Safety Departments for snow removal; and made Council aware of a Police Forum on February 24th, 6 p.m. - 8 p.m.

Matters to be presented by the City Attorney

There were no matters to be presented by the City Attorney.

## **Adjournment**

Moved by Councilmember Fox, seconded by Councilmember Barber, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 6:32 P.M.

NANCY VAUGHAN  
MAYOR

ANGELA R. LORD  
DEPUTY CITY CLERK