



City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, November 17, 2015

5:30 PM

Council Chamber

Call to Order

This 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 Justin Outling and Councilmember Tony Wilkins

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Barber to go into closed session to preserve the attorney-client privilege between the City Attorney and Council, give instructions to legal counsel concerning the settlement of a claim 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) (3)& (a)(4).

Council recessed to closed session at 4:32 p.m. Council reconvened into open session at 5:52 p.m. with all members in attendance.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Barber to return to open session. The motion carried by voice vote.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

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

Recognition of Courier

Assistant City Manager Wesley Reid recognized Jeff Shaver of the Parks and Recreation 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.

Councilmember Barber left the meeting at 5:54 p.m. and returned at 5:56 p.m.

32. [ID 15-0916](#) Ordinance Amending Section 30-8-10.1(H), Multifamily Dwellings and 30-11-4, Exemptions and Reductions, of the Land Development Ordinance (LDO) to Allow Expanded Multifamily Options in the C-M, C-H and BP Zoning Districts

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to postpone the ordinance to the December 15th meeting of Council without

further advertising. The motion carried by voice vote.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 15-0901](#) Resolution Honoring the Memory of the Late Charles "Charlie" Alvin Sanders

Mayor Pro-Tem Johnson read and presented the resolution to Dudley Hall of Fame recipients in attendance; and spoke to a street sign that would be displayed.

Assistant City Manager David Parrish stated the sign had been installed.

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

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

0350-15 RESOLUTION HONORING THE MEMORY OF THE LATE CHARLES ALVIN SANDERS

WHEREAS, on July 2, 2015, this community lost one of its outstanding community leaders with the death of the late Charles Alvin Sanders;

WHEREAS, Sanders, a native of Greensboro, attended the James B. Dudley High School where he lettered in football, basketball, and baseball;

WHEREAS, from 1966-1977 Sanders played tight end for the Detroit Lions and in 1968, he was the only rookie selected to the National Football League (NFL) Pro Bowl and went on to play six other times;

WHEREAS, Sanders spent 43 years with the Detroit Lions where, after his playing career, he was a part of the radio broadcast team for seven years as color commentator, spent eight years as an assistant where he coached receivers and tight ends, was a player personnel scout and served in the position of an assistant director of pro personnel since 2008;

WHEREAS, the Charlie Sanders Foundation was created in 2007 by Sanders as a way to provide scholarships to high school students in Michigan and North Carolina;

WHEREAS, Sanders was a loyal supporter of James B. Dudley High School, the University of Minnesota, and the Detroit Lions;

WHEREAS, his accomplishments include twice being named All-Pro, Tight End of the Decade, NFL Man of the Year, State of Michigan and University of Minnesota Hall of Fame (2013);

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by Charles Alvin Sanders, the outstanding contributions he has made to the community, and the legacy he leaves.

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

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

(Signed) Marikay Abuzuaiter

2. [ID 15-0958](#) Resolution in Memory of John Kenneth Sterling

Mayor Vaughan read the resolution into the record; and presented the resolution to the family.

A family representative spoke to the years Mr. Sterling spent serving the City he was passionate for; and expressed appreciation for the resolution.

Moved by Councilmember Hightower, 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 Abuzuaite, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

0351-15 RESOLUTION HONORING THE MEMORY OF THE LATE JOHN KENNETH STERLING

WHEREAS, on October 18, 2015, this community lost one of its community leaders with the death of the late John Kenneth Sterling at the age of 71;

WHEREAS, Sterling, a resident of Gloucester, Virginia was President of Sterling Adjustment Company;

WHEREAS, Sterling Adjustment Company, served as claims adjuster handling automobile, general liability, law enforcement liability and other claims on behalf of the City for over thirty years;

WHEREAS, Mr. Sterling was a good businessman with a passion to serve others, and conducted business on behalf of the City with integrity;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by John Kenneth Sterling, the outstanding contributions he has made to the City, and the legacy he leaves.

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

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

(Signed) Sharon Hightower

3. [ID 15-0898](#) Recognition of 2015 City Academy Graduates

Assistant City Manager Reid recognized Community Relations Manager Donna Gray to present the item.

Ms. Gray presented a video taken during the course; stated it was the 12th anniversary of the City Academy; recognized former students in attendance; spoke to the requirements of the program; class participation; percentages of perfect attendance; stated graduates had visited various locations around the City; and invited Mayor Vaughan, Assistant City Manager Reid, Cathy Justice and Isabel Gil to assist in the presentation of certificates and awards.

Ms. Justice spoke to awards for the Most Interesting and the Most Organized presenters; stated there had been a tie for the Most Organized award between the Police and Transportation Departments; and presented the awards to Assistant City Manager Reid on behalf of the Police department and to Transportation Director Adam Fischer. Ms. Justice stated the Most Interactive and Interesting award went to the Parks and Recreation Department; and presented the award to Director Wade Walcutt.

Ms. Gil spoke to the Favorite Learning Experience Award; presented the award to a representative of the Fire department; presented the award for Favorite Instructor to Mr. Walcutt of the Parks and Recreation department; and recognized class member Eugena Brown for comments.

Ms. Brown thanked everyone on behalf of the class; spoke to the time and investment by the City; the sharing of various department functions; an invaluable learning experience; viewing employees differently; extended special

thanks to Ms. Gray, Ms. Justice, and Ms. Gil; stated she looked forward to using what she learned; that Greensboro had a story to be told; and quoted from an article published by the Greensboro Partnership.

Ms. Gray thanked everyone involved in the City Academy; stated the group had a passion for the community; that participants wanted to be involved on Boards and Commissions; spoke to submitting information to the City Clerk; and requested the graduates share what they had learned to make a difference in the community.

Councilmember Barber inquired about how to get involved in a City Academy class.

Ms. Gray outlined the application process; spoke to the number of applications typically received; and stated five participants were selected from each Council district.

Councilmember Abuzuaiter thanked the staff for the continued program; referenced conversations with the graduates; invited class participants to run for Council; and voiced appreciation for their participation in the class.

Mayor Vaughan referenced the Jeansboro celebration; stated Wrangler would be giving away 400 pair of jeans to the Salvation Army for the Boys and Girls Club; and spoke to a proposed partnership with the Science Center, Children's Museum, and Carolina Theater for ticket sponsorships.

II. PUBLIC COMMENT PERIOD

Lawrence Chandler, 1106 Highland Avenue stated he was a United States Navy Veteran and small business owner; voiced a desire to be a part of Greensboro beautification; referenced owning property on Farragut Street; stated his intention to open a multipurpose facility; spoke to the passing of Congressman Coble; and saluted the Council.

Councilmember Hightower asked if there had been any plans or proposals for the facility; if Mr. Chandler had contacted the Randleman Road Association; and requested staff to verify ownership of the property.

Mr. Chandler referenced an email sent to Mayor Pro-Tem Johnson; spoke to cleaning up the property; and stated he would be attending an Association meeting on Thursday.

Mayor Vaughan spoke to the legal issues regarding the property; and requested City Attorney Carruthers to meet with Mr. Chandler.

Ryan Saunders, 208 Staunton Drive spoke to the Transit Alliance of the Piedmont; advocates for transit in Greensboro; issues in the current system; announced the release of the Five Mile Challenge awareness on December 1; requested everyone ride at least five miles on public transportation; spoke to tracking choice riders; and to efficiency.

Councilmember Fox left the meeting at 6:30 p.m. and returned at 6:31 p.m.

Councilmember Hightower asked if Mr. Saunders had been in contact with the Greensboro Transit Authority (GTA) or with Transportation Director Adam Fischer; invited Mr. Saunders to attend the GTA meeting on Monday; spoke to a vacancy on the GTA board; stated she was the Council liaison for GTA; and requested Mr. Fischer to meet with Mr. Saunders.

Mayor Vaughan spoke to the Five Mile Challenge; and to Council talking to riders about their experiences.

Tom Phillian, 100 North Elm Street spoke to Arts Greensboro competing for a \$25,000 grant to support free concerts at Barber Park; working with the Parks and Recreation Department on proposals; stated the grant would be matched locally; provided voting methods on the Levitt website at www.artsgreensboro.org; stated voting would end on November 30th; and announced Greensboro was currently in the top ten.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to support the grant of \$25,000. The motion carried by voice vote.

Mayor Vaughan encouraged everyone to post the web address on Facebook and Twitter.

Councilmember Barber requested the Arts Greensboro grant information be announced on Greensboro Television Network.

Sallie Hayes Williams, 1101 North Elm Street extended congratulations to Council on the elections; invited Council to attend a wine tasting at the International Civil Rights Museum on Thursday; spoke to the need for financial support to keep the museum in Greensboro; invited Council to attend an informational forum at Shiloh Baptist Church on Thursday; and spoke to improving police community relations.

Lynard Williams, 1250 Nealtown Road voiced concerns regarding the White Street Landfill; referenced a public records request; a previous meeting with Mr. Jernigan; spoke to the Nealtown area residents concerns; voiced concerns for the 11% voter turnout; with human health concerns; stated he had received false information; and spoke to risk management concerning health.

Councilmember Fox referenced a community meeting with Nealtown/Cone which Mr. Williams attended; requested Mr. Williams submit additional concerns via email; stated he would follow up with Mr. Williams later in the week; and requested staff to meet with Mr. Williams regarding the White Street Landfill concerns.

III. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda. Councilmember Hightower requested items # 7 and #19 be pulled for discussion.

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

4. [ID 15-0895](#) Resolution Authorizing a Match Grant Application for 2015-16 Senior Center General Purpose Grant to fund the Smith Senior Center Facility Floor Upgrade and Healthrhythms Program

0352-15 RESOLUTION APPROVING A MATCH GRANT APPLICATION FOR 2015-16 SENIOR CENTER GENERAL PURPOSE GRANT TO FUND THE SMITH SENIOR CENTER FACILITY FLOOR UPGRADE AND HEALTHRHYTHMS PROGRAM

WHEREAS, the Greensboro Parks and Recreation Department applied to the Piedmont Triad Regional Council on Aging for a \$11,400 match grant to support upgrades at the Smith Senior Center facility and activities at the Center; and

WHEREAS, the grant requires a \$3,800 local match and City Grants Policy requires Council approval of grants requiring match funds; and

WHEREAS, this is a new grant opportunity that the Department plans to use to support improvements to the Parks and Recreation Department's Smith Senior Center facility; and

WHEREAS, if awarded, the funds will be used to pay contractors to replace the bathrooms floors in Smith Senior Center with epoxy, non-slip flooring and to offer Healthrhythms group drumming sessions weekly from Sept-May at the center; and

WHEREAS, the project provides health and wellness opportunities to City residents ages 55 and up and supports the Departments goals, strategies and objectives: to seek and partner with outside organizations to maximize human and financial resources and maintain viability through partnerships, grants, and volunteer efforts; and

WHEREAS, if the grant is approved and awarded, City funds will leverage \$2.00 in grant funds for every City dollar invested in the project; and

WHEREAS, funds are available in the current Senior Programs Maintenance and Operations budget; and

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

That the resolution approving a match grant application for 2015-16 Senior Center General Purpose Grant to Fund the Smith Senior Center Facility Floor Upgrade and HealthyRhythms Program is hereby approved.

(Signed) Yvonne Johnson

5. [ID 15-0814](#) Resolution Authorizing a Grant Application in the Amount of \$10,000 for a PeopleForBikes Match Grant

0353-15 RESOLUTION AUTHORIZING A MATCH GRANT APPLICATION IN THE AMOUNT OF \$10,000 FOR A PEOPLEFORBIKES MATCH GRANT

WHEREAS, The Transportation Department has applied for a \$10,000 grant to support a bicycle lane project at Hamburger Square that requires a City match; and

WHEREAS, current City grants policy requires Council approval for grants requiring match funds; and

WHEREAS, In October 2014, the Greensboro Department of Transportation partnered with Action Greensboro, ArtsGreensboro, the Piedmont Authority for Regional Transportation, Elsewhere Museum, the Forge, New City Ventures, and Bicycling in Greensboro to install a Better Block project at Hamburger Square in downtown Greensboro; and

WHEREAS, the process, which included public engagement and input, identified the need for bicycle and pedestrian improvements to be made at the intersection, under the railroad trestle, and in the roundabout; and

WHEREAS, after the Better Block project was completed, GDOT Engineering developed a marking concept for the Hamburger Square area to include bicycle lanes and green paint at conflict areas; and

WHEREAS, in order to accomplish this, the Hamburger Square area will need to be resurfaced; and

WHEREAS, the cost of the resurfacing and remarking is estimated at \$55,000 - \$60,000; and

WHEREAS, PeopleForBikes is a bicycling industry coalition and charitable foundation with a Community Grant Program that helps fund bicycle infrastructure projects; and

WHEREAS, the City has applied for the maximum grant amount of \$10,000; and

WHEREAS, if the grant is approved and awarded, City Bond Funds will be used to fund the remaining project expenses.

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

That the resolution authorizing a match grant application in the amount of \$10,000 for a PeopleForBikes Match Grant is hereby approved.

(Signed) Yvonne Johnson

6. [ID 15-0928](#) Resolution Authorizing Grant Application for Governor's Crime Commission Grant FY 2015-17 for the Child Response Initiative Program

0354-15 RESOLUTION AUTHORIZING GRANT APPLICATION FOR GOVERNOR'S CRIME COMMISSION GRANT FY 2015-17 FOR THE CHILD RESPONSE INITIATIVE PROGRAM

WHEREAS, the Greensboro Police Department has agreed to act as the lead/fiscal agency for a Governor's Crime Commission grant project benefiting the Greensboro Child Response Initiative Program; and

WHEREAS, The grant cycle is active from July 1, 2015 through June 30, 2017; and

WHEREAS, The Greensboro Child Response Initiative Program focuses on providing specialized mental health advocacy services to improve response to children who witness or experience violence in order to minimize the traumatic impact of violent crime among children. Primary activities include: (1) direct, specialized mental health advocacy services for child victims; (2) enhanced coordination of victim response across multiple victim-serving agencies; and (3) monthly advocacy/outreach activities to identify child victims in all police districts in Greensboro. The program has been active for eight years; and

WHEREAS, The application will be submitted under the Crime Victims' Services Committee. The mission of the Crime Victims' Services Committee is to advocate for victims by promoting the development of effective programs that improve the response of human service professionals and the criminal justice system to crime victims; and

WHEREAS, By October 26, 2015, the GPD will submit a grant application for a project for \$100,000 which requires a 25% match of \$25,000, making the total award \$125,000 for FY 15-16. The GPD will provide the match through in-kind contributions. A second year of funding for FY 16-17 totaling \$125,000 will also be requested; and

WHEREAS, The City's in-kind match totaling \$50,000 will leverage \$200,000 in federal funds. The local match has been identified from office space and equipment utilized by the CRI Program Staff for a total grant project fund of \$250,000; and

WHEREAS, if approved by Council and awarded by the Governor's Crime Commission, this project will provide salaries for personnel, training and office supplies for operations, program records maintenance and promotional materials to support the Greensboro Child Response Initiative Program.

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

That the request to apply to the Governor's Crime Commission for \$200,000 in federal funds with a \$50,000 in-kind match from the City of Greensboro is hereby approved for a total project budget of \$250,000.

(Signed) Yvonne Johnson

8. [ID 15-0818](#) Resolution Authorizing Amendment #9 to Guilford County Contract No. 36460-04/95-211 for 800 MHz Radio System

0355-15 RESOLUTION AUTHORIZING AMENDMENT #9 TO GUILFORD COUNTY CONTRACT NO. 36460-04/95-211

WHEREAS, the City and Guilford County have collaborated in a joint Public Safety Radio System since 1995 to benefit the communications of public safety responders; and

WHEREAS, the current system faces technical obsolescence of components and needs technology enhancements not supported by current infrastructure; and

WHEREAS, The parties have reaffirmed their ownership interests in a series of amendments and desire to reaffirm their commitment through the attached contract amendment #9; and

WHEREAS, the County and City have committed funds to the first three years of a multi-year improvement process to upgrade the P25 system and mutually desire to assure that the radio infrastructure is maintained in a high state of readiness and operates on current technology platforms; and

WHEREAS, the City and County have mutually determined the attached terms and conditions of this agreement; and

WHEREAS, the amendment allows the City to accept 50% of the annual costs for the 800 Mhz Radio System from Guilford County for the expenses the City has incurred to satisfy obligations of the Motorola Migration Assurance Plan (MAP) and annual radio services; and

WHEREAS, the agreement provides that the County will reimburse the City for 50% of radio system expenses;

and

WHEREAS, State Statutes require City Council approval of interlocal agreements.

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

That the resolution authorizing amendment #9 to Guilford County Contract No. 36460-04/95-211 is hereby approved.

(Signed) Yvonne Johnson

- 9. [ID 15-0902](#) Resolution Approving Change Order in the Amount of \$115,373.50 to Contract No. 2013-010 with Carolina Environmental Contracting, Inc. for Lake Higgins and Lake Brandt Earthen Dam Maintenance

0356-15 RESOLUTION APPROVING A CHANGE ORDER TO CONTRACT 2013-010 WITH CAROLINA ENVIRONMENTAL CONTRACTING, INC. IN THE AMOUNT OF \$115,373.50 FOR LAKE HIGGINS AND LAKE BRANDT EARTHEN DAM MAINTENANCE

WHEREAS, contract 2013-010 with Carolina Environmental Contracting, Inc. provides for Lake Higgins and Lake Brandt Earthen Dam Maintenance;

WHEREAS, the City's drinking water lakes have recently been impacted by land disturbance activities associated with the construction of the urban loop and road widening activities in the water supply watershed, thereby necessitating a change order in the contract in the amount of \$115,373.50.

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

That a change order in the above-mentioned contract with Carolina Environmental Contracting, Inc. for the Lake Higgins and Lake Brandt Earthen Dam Maintenance is hereby authorized at a total cost of \$115,373.50 from Account No. 506-7015-04.6018 A16031.

(Signed) Yvonne Johnson

- 10. [ID 15-0939](#) Resolution Authorizing Change Order in the Amount of \$671,056 to Contract No. 2011-038A with Garney Companies, Inc. for the T. Z. Osborne Water Reclamation Facility Expansion Project - Package 2

0357-15 RESOLUTION AUTHORIZING CHANGE ORDER IN THE AMOUNT OF \$671,056 TO CONTRACT NO. 2011-038A WITH GARNEY COMPANIES, INC. FOR THE T. Z. OSBORNE WATER RECLAMATION FACILITY EXPANSION PROJECT – PACKAGE 2

WHEREAS, contract 2011-038A with Garney Companies, Inc. provides for the T. Z. Osborne Water Reclamation Facility Expansion Project – Package 2;

WHEREAS, value engineering options and constructability methods were identified to provide cost savings and improve project timelines for the subsequent TZO Package 3 construction contract;

WHEREAS, changes in the scope are needed to install additional wastewater flow structures and interconnecting piping and to relocate storm sewer infrastructure and effluent filter backwash drain and overflow lines, thereby necessitating a change order in the contract in the amount of \$671,056.

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

That a change order in the above-mentioned contract with Garney Companies, Inc. for the T. Z. Osborne Water Reclamation Facility Expansion Project – Package 2 is hereby authorized at a total cost of \$671,056 from Account No. 515-7056-03.6019 A15095.

(Signed) Yvonne Johnson

- 11. [ID 15-0944](#) Ordinance in the Amount of \$671,056 Amending the Water Resources Capital Project Bond Fund - Series 2014 Budget to Establish Funding for a Change Order to Contract No. 2011-038A with Garney Companies, Inc. for Construction of the T.Z. Osborne Water Reclamation Facility Expansion Project - Package 2

15-0137 ORDINANCE AMENDING THE WATER RESOURCES CAPITAL PROJECT BOND FUND – SERIES 2014 BUDGET TO ESTABLISH FUNDING FOR THE T.Z. OSBORNE WATER RECLAMATION FACILITY EXPANSION PROJECT – PACKAGE 2

Section 1

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

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

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

Account	Description	Amount
515-7056-03.6019	Other Improvements	\$671,056
Total		\$671,056

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

Account	Description	Amount
515-0000-00.9005	Revenue Bond Proceeds	\$671,056
Total		\$671,056

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

- 12. [ID 15-0938](#) Resolution Approving a Contract with CDM Smith, Inc to Perform Sanitary Sewer Evaluation Survey (SSES) Services

0358-15 RESOLUTION APPROVING A CONTRACT WITH CDM SMITH, INC TO PERFORM SANITARY SEWER EVALUATION SURVEY (SSES) SERVICES

WHEREAS, Sanitary Sewer Evaluation Survey services are needed to support the Water Resources Department’s ongoing Sanitary Sewer Rehabilitation project;

WHEREAS, work includes analyzing video and flow meter data, developing rehabilitation recommendations, determining the specialized trenchless technologies that are cost effective and applicable considering a variety of non-cost factors, and performing post-rehabilitation flow monitoring analysis to assess the level of reduction in sewer system infiltration and inflow;

WHEREAS, the professional engineering services of CDM Smith, Inc. is desired based on their experience and success in providing Sanitary Sewer Evaluation Survey services for the Department.

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

That the City is authorized to enter into a contract with CDM Smith, Inc. for Sanitary Sewer Evaluation Survey Services subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$502,500 from Account No. 501-7081-01.5413.

(Signed) Yvonne Johnson

13. [ID 15-0881](#) Resolution Approving Bid in the Amount of \$739,990.00 and Authorizing Execution of Contract 2014-94A with Freyssinet, Inc., for the 2014 Bridge Maintenance & Repair

0359-15 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2014-094A WITH FREYSSINET, INC. FOR THE 2014 BRIDGE MAINTENANCE AND REPAIR

WHEREAS, after due notice, bids have been received for the 2014 Bridge Maintenance and Repair project;

WHEREAS, Freyssinet, Inc. a responsible bidder, has submitted the low base and alternate bid in the total amount of \$739,990 as general contractor for Contract No. 2014-094A, 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 Freyssinet, Inc. is hereby accepted, and the City is authorized to enter into a contract with Freyssinet, Inc. for the Bridge Maintenance and Repair 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 \$544,987.93 from Account No. 402-4306-01.5611 and in the amount of \$195,002.07 from Account No. 402-4307-01.5611.

(Signed) Yvonne Johnson

14. [ID 15-0942](#) Resolution Approving a Maintenance Agreement with Systems and Software, Inc. for the City's Customer Information and Billing Software

0360-15 RESOLUTION APPROVING MAINTENANCE AGREEMENT WITH SYSTEMS AND SOFTWARE, INC. FOR THE CITY'S CUSTOMER INFORMATION AND BILLING SOFTWARE

WHEREAS, in 2003 the City purchased the Customer Information and Billing System (enQuesta) from Systems and Software;

WHEREAS, the original Contract No. 2003-1295 requires annual maintenance agreements for continued use of the software;

WHEREAS, Systems and Software is the only company that can provide the maintenance;

WHEREAS, the cost of the annual maintenance agreement will be \$413,772.63 and includes technical support and maintenance releases;

WHEREAS, a sole source purchase from Systems and Software is being requested to ensure maintenance to the enQuesta system used by the City.

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

That the sole source purchase of \$413,772.63 for the upgrade to the enQuesta system used by the City is hereby

approved with payment of said amount to be made from Account No. 501-7012-01.5415.

(Signed) Yvonne Johnson

15. [ID 15-0911](#) Resolution Approving Contract Award for Heating Repair Services Program

0361-15 RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF GREENSBORO AND COMMUNITY HOUSING SOLUTIONS OF GUILFORD, INC., FOR ADMINISTRATION OF THE HEATING REPAIR SERVICES PROGRAM

WHEREAS, on September 15, 2015 the City of Greensboro appropriated \$150,000 in Nussbaum Housing Partnership funds for the purpose of carrying out a heating repair services program for low income households in Greensboro.

WHEREAS, through a request for proposals process, Community Housing Solutions of Guilford, Inc., was selected as the turn-key provider of program services.

WHEREAS, Community Housing Solutions of Guilford, Inc., will identify eligible homeowners, document income eligibility, diagnose heating system repairs or replacements, contract for services, leverage additional grant funds, report accomplishments, and serve an anticipated 40 households.

WHEREAS, City Council is requested to approve a professional services agreement with Community Housing Solutions of Guilford, Inc., for \$150,000 in Nussbaum Housing Partnership funds.

WHEREAS, funds are available in the following account: \$150,000 in 211-2103-11.5931 Heating System Repair/Replace.

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

That it authorizes a professional services agreement with Community Housing Solutions of Guilford, Inc., for \$150,000 in Nussbaum Housing Partnership funds and authorizes the City Manager to execute the agreement.

(Signed) Yvonne Johnson

16. [ID 15-0926](#) Resolution Authorizing Execution of a Multi-Year Contract with the Tournament Hosts of Greensboro, Inc. for Services Provided for the Greensboro Coliseum Complex

0362-15 RESOLUTION AUTHORIZING APPROVAL FOR EXPENSES ABOVE \$100,000 FOR THE CONTRACT BETWEEN THE GREENSBORO COLISEUM COMPLEX AND THE TOURNAMENT HOSTS OF GREENSBORO

WHEREAS, Tournament Hosts of Greensboro, Inc. provides general support of athletic events for the benefit and enhancement of the community, to coordinate and promote services to be provided in conjunction with such events, and to engage in any lawful act of activity for which nonprofit corporations may be organized under Chapter 55A of the North Carolina General Statutes;

WHEREAS, there is a new contract between Tournament Hosts of Greensboro and the Greensboro Coliseum Complex for five years with the option to renew for two one-year terms;

WHEREAS, the term of the contract coincides with the term of the new Women's ACC Basketball Tournament contract;

WHEREAS, the ACC Women's Basketball Tournament contract is budgeted for \$80,000 expense in each year of the contract which is offset by ancillary revenues (concessions, parking, sponsorships, etc.).

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

That the contract between the Greensboro Coliseum Complex and the Tournament Hosts of Greensboro for five years with the option to renew for two one-year terms as set out above is hereby authorized.

(Signed) Yvonne Johnson

17. [ID 15-0886](#) Resolution Adopting the 2015 Guilford County Multi-Jurisdictional Hazard Mitigation Plan

0363-15 RESOLUTION ADOPTING THE GUILFORD COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, the North Carolina General Assembly passed Senate Bill 300 “An Act to Amend the Laws Regarding Emergency Management as Recommended by the Legislative Disaster Response Commission” in June of 2001 that among other provisions requires the City of Greensboro to have a hazard mitigation plan approved prior to January 21, 2016 in order to receive state public assistance funds; and

WHEREAS, in October of 2000 the President of the United States signed into law the “Disaster Mitigation Act of 2000” (PL 106-390) to amend the “Robert T. Stafford Disaster Relief and Emergency Act of 1988” which among other provisions requires local governments to adopt a mitigation plan in order to be eligible for hazard mitigation funding; and

WHEREAS, the North Carolina Division of Emergency Management has established rules and criteria that allow municipalities to adopt their county’s approved hazard mitigation plan through resolution; and

WHEREAS, Guilford County last updated the Guilford County Multi-Jurisdictional Hazard Mitigation Plan in 2010, said Plan presented herewith this day; and

WHEREAS, the regulations set forth by North Carolina Emergency Management and the Federal Emergency Management agency require a five year update period for all Mitigation Plans; and

WHEREAS, City of Greensboro departments have worked closely with the Guilford County Multi-Jurisdictional Hazard Mitigation Planning Team to develop a countywide hazard mitigation plan that will serve the needs of its residents and visitors; and

WHEREAS, the City of Greensboro supports Hazard Mitigation Planning as a logical means toward protecting people and property from the potential devastating effects of hazards.

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

That it hereby adopts the Guilford County Multi-Jurisdictional Hazard Mitigation Plan presented herewith this day, as approved by the North Carolina Division of Emergency Management and the Federal Emergency Management Agency.

(Signed) Yvonne Johnson

18. [ID 15-0894](#) Resolution to Amend and Supersede Resolution 0316-14 Closing a Portion of South Edgeworth Street From Its Intersection with Spring Garden Street Southward A Distance of Approximately 282 Feet

0364-15 RESOLUTION TO AMEND AND SUPERSEDE RESOLUTION 0316-14 CLOSING A PORTION OF SOUTH EDGEWORTH STREET FROM ITS INTERSECTION WITH SPRING GARDEN STREET SOUTHWARD A DISTANCE OF APPROXIMATELY 282 FEET

WHEREAS, the owners of all of the property abutting both sides of a portion of South Edgeworth Street from its intersection with Spring Garden Street southward a distance of approximately 282 feet have requested in writing that said street be closed to the general public and the City’s interest therein released;

WHEREAS, a notice was duly published and a public hearing held by the City Council in the Council Chamber in

the Municipal Office Building on Tuesday, November 18, 2014 at 5:30 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

WHEREAS, the City Council adopted Resolution No. 316-14 with certain conditions which are now amended and superseded by the following;

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

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.
2. That the City Council hereby finds as a fact that the closing of the street to vehicular traffic is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of the reasonable means of ingress or egress to his or its property.
3. That the City shall retain 20-foot utility easements over existing utility lines until such time as the lines are not longer needed for public use. The closed portion of the right of way shall be divided in half and shall merge with the abutting properties.
4. The street closing will become effective upon recordation of a public access easement and satisfactory completion of the improvements as shown on the approved Technical Review Committee (TRC) Plan Number 2015-0171 titled "Comer-FLG Food Group". Said parking lot improvements must be completed on or before December 31, 2016.
5. That the following street is hereby permanently closed to the general public and the City's interest therein released:

A PORTION OF SOUTH EDGEWORTH STREET FROM ITS INTERSECTION WITH SPRING GARDEN STREET SOUTHWARD A DISTANCE OF APPROXIMATELY 282 FEET

(Signed) Yvonne Johnson

20. [ID 15-0922](#) Resolution Authorizing Purchase in the Amount of \$45,000 of a Portion of Property Located at 3020 Gate City Boulevard for the High Point Road Streetscape Project

0365-15 RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF PROPERTY LOCATED AT 3020 HIGH POINT ROAD (GATE CITY BOULEVARD) FOR THE HIGH POINT ROAD STREETSCAPE PROJECT

WHEREAS, in connection with the High Point Road streetscape project, a portion of the property owned by Sackett Greensboro, LLC, Parcel 0054207 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 \$36,075 but the property owner has agreed to settle for the price of \$45,000, 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 \$45,000 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. 471-4502-12.6012 A13106.

(Signed) Yvonne Johnson

21. [ID 15-0924](#) Ordinance in the Amount of \$176,700 Establishing the State, Federal, and Other Grants Fund Budget for the Fiscal Year 2016 FTA Section 5303 Planning Assistance Grant

15-0138 ORDINANCE ESTABLISHING THE STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE FISCAL YEAR 2016 FTA SECTION 5303 PLANNING ASSISTANCE GRANT

Section 1

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

That the Grant Project Budget for the FY 2016 FTA Section 5303 Planning Assistance Grant be established as follows:

Account	Description	Amount
220-4505-01.4110	Salaries & Wages	\$58,311
220-4505-01.4510	FICA Contribution	\$4,461
220-4505-01.4520	Retirement Contribution	\$3,936
220-4505-01.4610	Health Coverage-Active	\$5,952
220-4505-01.4650	Dental Coverage-Active	\$444
220-4505-01.4710	Life Insurance-Active	\$390
220-4505-01.4750	Long Term Disability	\$536
220-4505-01.5111	Telephone-Equipment Cost	\$425
220-4505-01.5413	Consultant Services	\$102,245
Total		\$176,700

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

Account	Description	Amount
220-4505-01.7100	Federal Grant	\$141,360
220-4505-01.7110	State Grant	\$17,670
220-4505-01.9564	Transfer from Transit System Fund	\$17,670
Total		\$176,700

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

22. [ID 15-0943](#) Ordinance in the Amount of \$54,500 Amending the State, Federal and Other Grants Fund Budget to Establish Funding for Year Thirteen of The Piedmont Triad Water Quality Partnership

15-0139 ORDINANCE AMENDING THE STATE, FEDERAL AND OTHER GRANTS FUND BUDGET TO ESTABLISH FUNDING FOR YEAR THIRTEEN OF THE PIEDMONT TRIAD WATER QUALITY PARTNERSHIP

Section 1

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

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

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

Account	Description	Amount
220-7072-01.5221	Advertising	\$54,500
Total		\$54,500

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

Account	Description	Amount
220-7072-01.7170	Local Government Grant	\$47,000
220-7072-01.9505	Transfer from Stormwater Mgt.	\$ 7,500
Total		\$ 54,500

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

23. [ID 15-0927](#) Ordinance in the Amount of \$100,000 Amending State, Federal and Other Grants Fund Budget for a Federal Forfeiture Grant for Greensboro Police Department

15-0140 ORDINANCE IN THE AMOUNT OF \$100,000 AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR A FEDERAL FORFEITURE GRANT FOR GREENSBORO POLICE DEPARTMENT

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 name- 2015/16 Greensboro Police Federal Forfeiture Grant

Account	Description	Amount
220-3568-01.5235	Small Tools & Equipment	\$ 80,000
220-3568-01.6059	Other Capital Equipment	\$ 20,000
Total		\$100,000

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

Account	Description	Amount
220-3568-01.7104	Federal Forfeiture Funds	\$100,000
Total		\$100,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

24. [ID 15-0925](#) Resolution Notifying of Removal of an Existing Median Island on Guilford College Road and the Newly Constructed Jamestown Parkway

0366-15 RESOLUTION TO REMOVE AN EXISTING MEDIAN ISLAND ON GUILFORD COLLEGE ROAD (SR 1546) AND THE NEWLY CONSTRUCTED JAMESTOWN PARKWAY

WHEREAS the North Carolina Department of Transportation has committed in excess of \$150,000 for the removal of an existing median island on Guilford College Road (SR 1546) located in Guilford County;

WHEREAS this request will provide a full access opening at the newly constructed Jamestown Parkway, which will provide a full access opening at this new city street. This will allow for better traffic flow at this intersection which will improve the safety and relieve congestion at the adjoining intersection.

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

That it is fully aware of this project that will greatly enhance the economic development, and overall employment, in this area.

(Signed) Yvonne Johnson

25. [ID 15-0951](#) Resolution Requesting Approval of Lease Agreement with Say Yes to Education

0367-15 RESOLUTION APPROVING LEASE AGREEMENT WITH SAY YES TO EDUCATION

WHEREAS, after a national search, Guilford County is the next Say Yes to Education (Say Yes) community;

WHEREAS, Say Yes is a nonprofit organization founded in 1987 by money manager George Weiss;

WHEREAS, Say Yes provides an unprecedented opportunity for the community to work together to ensure that every graduate of Guilford County Schools can receive a post-secondary education;

WHEREAS, Say Yes will have offices in Greensboro and High Point to provide service to the community;

WHEREAS, Say Yes has requested to lease space for the Greensboro office at the Greensboro Public Library located at 219 North Church Street, said proposed lease presented herewith this day;

WHEREAS, the City has a designee on the Operating Committee, Scholarship Board and Community Leadership Council and through the development of taskforces there will be continued opportunities for collaboration and coordination which shall include the Greensboro Public Library;

WHEREAS, the proposed lease is for six years and Say Yes to Education will be responsible for all improvements to the space which is currently vacant;

WHEREAS, there will be minimal budget impact to the City as Say Yes to Education will be responsible for the improvements as well as all janitorial services, phone and data lines.

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

That the proposed lease agreement presented herewith this day between the City of Greensboro and Say Yes to Education for space in the Greensboro Public Library located at 219 North Church Street is hereby approved.

(Signed) Yvonne Johnson

26. [ID 15-0929](#) Resolution Listing Loans and Grant for City Council Approval

0368-15 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

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

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

prior to the disbursement of funds;

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

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

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

(Signed) Yvonne Johnson

27. [ID 15-0893](#) Motion to Make a Part of the Minutes the Abstract of Votes for the Greensboro Municipal Primary Election Held on October 6, 2015

Motion to make part of the minutes the Abstract of Votes for the Greensboro Municipal Primary Election Held on October 6, 2015 was adopted.

28. [ID 15-0936](#) Budget Adjustments Requiring Council Approval 10/6/15-11/10/15

Motion to approve the budget adjustments of October 6 - November 10, 2015 over the amount of \$50,000 was adopted.

29. [ID 15-0937](#) Budget Adjustments Approved by Budget Officer 10/6/15-11/2/15

Motion to accept the report of budget adjustments of October 6 - November 2, 2015 was adopted.

30. [ID 15-0972](#) Motion to Approve the Minutes of the Regular Meeting of October 20, 2015

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

7. [ID 15-0905](#) Resolution Approving Settlement Agreement Between the City of Greensboro and MCI, Teleconnect, and MCImetro in the Amount of \$297,159.63 for Their Installations in the City's Rights-of-Way

Councilmember Hightower asked if the City would receive any revenue; and asked if the program would be open to other companies.

City Attorney Carruthers confirmed the revenue for the City; provided information regarding the program; spoke to annual rates; commercial providers; and to partnering with the City of Burlington.

Mayor Vaughan referenced a recent fiber optics article.

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

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

0369-15 RESOLUTION APPROVING THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND MCI, TELECONNECT, AND MCIMETRO IN THE AMOUNT OF \$297,159.63 FOR THEIR INSTALLATIONS IN THE CITY'S RIGHTS-OF-WAY

WHEREAS, MCI, Teleconnect, and MCImetro and the City of Greensboro entered into various Franchise Agreements with the City for their installations in the City's rights-of-way; and

WHEREAS, a dispute arose between the City and MCI, Teleconnect, and MCImetro regarding the franchise fees

resulting in the non-payment of those fees since July 2012; and

WHEREAS, the City and MCI, Teleconnect, and MCImetro agree that they shall pay the City the amount of \$297,159.63 for the past-due fees; and

WHEREAS, the settlement amount of \$297,159.63 consists of \$176,893.50, which represents amounts owed by MCI, \$51,896.25 which represents amounts owed by Teleconnect, and \$68,369.88 which represents amounts owed by MCImetro; and

WHEREAS, MCI, Teleconnect, and MCImetro will pay a yearly franchise fee of \$0.30 per-linear-foot to the City based on their total linear foot occupation of the City's rights-of-way.

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

That it hereby approves the Settlement and Release Agreement between the City and MCI, Teleconnect, and MCImetro.

(Signed) Marikay Abuzuaiter

19. [ID 15-0897](#) Resolution Authorizing Conveyance of Properties Located at 2115, 2116 and 2128 Everitt Street to the Redevelopment Commission of Greensboro

Councilmember Hightower asked why the property was going to the Redevelopment Commission; referenced existing challenges; spoke to her concerns regarding redevelopment sales; marketing Willow Oaks lots; and stated Redevelopment land could not be given away.

City Attorney Carruthers stated the item was contiguous to existing Redevelopment Property; that linking the property would improve the sale; and spoke to the purpose behind the sale of the property.

Planning Director Sue Schwartz spoke to plans for updating the Willow Oaks land; stated the properties would work in concert with each other; spoke to the original housing bond loan; and the development of parcels.

Councilmember Hightower spoke to concerns with Everitt Street; asked if the property would potentially be transferred from the Redevelopment Commission to the Greensboro Housing Development Partnership; and requested staff provide additional information on the conveyance of properties.

Ms. Schwartz spoke to loan conditions regarding Everitt Street; to updating the plan; working with the community; and stated there were no plans for commercial use.

Mayor Pro-Tem Johnson voiced she was not comfortable with the item; stated she would like to know what the plan was before voting on the item.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to postpone the item to the December 15th meeting of Council in order to receive additional information. The motion carried by voice vote.

IV. PUBLIC HEARING AGENDA

31. [ID 15-0970](#) Resolution authorizing an Urban Development Investment Forgivable Loan, not to exceed \$150,000.00 in total, to AZ Development, LLC for the redevelopment of properties at 120 W Lewis St and 215 W Lewis St

Moved by Councilmember Hoffmann, seconded by Councilmember Fox to recuse Councilmember Outling. The motion carried by voice vote.

Mayor Vaughan stated there were speakers to the item.

Councilmember Barber called the question. Discussion took place regarding a super majority vote.

Joe Rotondi, 306 North Mendenhall Street Executive Director of The Forge thanked Council for the opportunity to speak; spoke to persons who utilized the Forge; collaboration on projects; a move to a larger facility; doubling the community impact; thanked AZ Development that was in attendance to show support; and requested Council support the item.

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

Councilmember Wilkins inquired about questions raised regarding loan requirements; spoke to an independent analysis; asked if Andy Zimmerman owned the property; and if any additional budget funds would be needed after the grant.

Mr. Zimmerman provided information regarding the closing for the property.

Mayor Vaughan spoke to Urban Development Investment Guidelines (UDIG).

City Attorney Carruthers spoke to the guidelines; stated UDIG grant tenants did not apply; spoke to the investment in the building itself; stated it would be part of a municipal service district; explained the legal purpose of the item; and confirmed Mr. Zimmerman was resolving the ownership issue.

Economic Development and Small Business Manager Kathi Dubel spoke to available Economic Development funds; and outlined the process for utilizing Economic Development funds for UDIG funding.

Councilmember Abuzuaiter voiced concerns that the property was not owned by Mr. Zimmerman; excitement about previous developments by Mr. Zimmerman; spoke to the Forge moving; and referenced a quote in the media.

Mr. Zimmerman clarified equipment would not be purchased with grant funding; spoke to the need for assistance to purchase equipment; and stated the grant was performance based.

Discussion took place regarding the assistance needed to purchase the property; the investment; grant guidelines; the property being under contract and controlled by AZ Development; the Legal department's support of the item; location of the property; value and benefit of investment in the City by Mr. Zimmerman; blighted areas; history with night clubs in the area; and the investment by the City.

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

Ayes, 6 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Jamal T. Fox, Sharon M. Hightower and Nancy Hoffmann

Nays, 2 - Marikay Abuzuaiter and Tony Wilkins

Excused, 1 - Justin Outling

0370-15 RESOLUTION AUTHORIZING AN URBAN DEVELOPMENT INVESTMENT FORGIVABLE LOAN NOT TO EXCEED \$150,000.00 TO AZ DEVELOPMENT, LLC FOR THE REDEVELOPMENT OF PROPERTIES AT 120 W LEWIS ST AND 215 W LEWIS ST

WHEREAS, AZ Development, LLC is planning to commit in excess of \$2,100,000.00 of private capital to the renovation of the building at 120 W Lewis St and revitalization of the property at 215 W Lewis St in downtown Greensboro's Central Business District;

WHEREAS, this investment is contingent upon receiving public participation from the City of Greensboro in the amount of a \$150,000.00 forgivable loan;

WHEREAS, the purpose of this loan will be to assist with the demolition, renovation, streetscape improvements, and exterior upgrades at the two Lewis Street properties which City Council finds will have a significant effect on the commercial prospects, new employment, and revitalization of the Central Business District;

WHEREAS, this public participation will enable both a long-term blighted property and a property with a pattern of problematic use to be renovated and upgraded to productive service that is complimentary to projects already completed and underway in the Lewis Street Corridor, thereby furthering the revitalization of Greensboro and the commercial prospects of the Central Business District;

WHEREAS, the \$150,000.00 forgivable loan is to be funded in FY15/16 and is to be paid from the City's Economic Development Fund to AZ Development;

WHEREAS, if AZ Development, LLC, fails to invest at least \$2,100,000.00 in the project by December 31, 2017, or fails to create 3 new full-time equivalent jobs within one year of issuance of a certificate of occupancy for the building at 120 W. Lewis St and maintain at least 3 jobs for the repayment term of 17 years, AZ Development, LLC must repay the \$150,000.00 forgivable loan on a pro rata basis and supply collateral to secure the repayment of the loan, if necessary, through an irrevocable letter of credit or other security approved the City;

WHEREAS, AZ Development, LLC will comply with the City's Minority/Women Business Enterprise Program Plan as it pertains to economic development projects;

WHEREAS, in order to prevent future problematic uses of the properties known as 215 W. Lewis Street and 120 W. Lewis Street, these properties will be designed and used as a multi-unit space and multi-tenant development, with not more than one-third of the floor space of any building to be to used as a nightclub, as defined in the Greensboro Land Development Ordinance;

WHEREAS, a public hearing was held setting out the particulars of the request and the public benefits to be derived from said improvements;

WHEREAS, this Urban Development Investment Loan is made pursuant to N.C.G.S. Section 160A-458.3 and other urban and economic development authority;

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

That in accordance with the City's Urban Development Investment Guidelines, NCGS § 160A-458.3, and other urban development authority, a forgivable loan of up to \$150,000.00 and participatory agreement between the City of Greensboro and AZ Development, LLC to renovate the building at 120 W Lewis St and revitalize the property at 215 W Lewis St and the ultimate creation of new jobs and capital investment resulting from the completion of the urban development project is hereby approved, and the City Manager and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper agreement, including but not limited to M/WBE compliance and restrictions on the use of the property.

(Signed) Yvonne Johnson

33. [ID 15-0910](#) Ordinance to Change Name of Spring Oak Drive Between Clarkson Road and Country Woods Lane to Carter Woods Drive

Mayor Vaughan introduced the item; and stated there was a speaker.

Melisa Grays, 8 Spring Oak Drive stated she was opposed to the item; provided reasons for her opposition; stated she would like to see an independent analysis done; spoke to similar street names across the City; emergency response times; and asked if the name was changed, who would be responsible to change the tax records.

Councilmember Barber left the meeting at 7:13 p.m. and returned at 7:26 p.m.

Councilmember Hightower asked staff to summarize the text notes.

Assistant City Manager Parrish spoke to avoiding duplication; outlined the reasons for the proposed changes for

public safety; and the need to avoid delayed response times.

Councilmember Fox requested staff research and prepare information prior to Council meetings; to provide data on the number of street names duplicated in Greensboro; and to report public safety issues on said streets.

Councilmember Hightower asked who initiated the change; if the speaker had received notification; and stated she would not support the item until additional information was provided.

Assistant City Manager Parrish stated staff would bring the item back at a later date per Council directive.

Ms. Schwartz clarified that both the street name and house numbers were similar; stated a citizen brought the item to the City's attention; that a presentation was prepared for Council; and that the item had been brought forward due to public safety concerns.

Councilmember Abuzuaiter requested staff research changing house numbers rather than the street name.

Moved by Councilmember Fox, seconded by Councilmember Hightower to table the item.

Planning Manager Steve Galanti made a PowerPoint Presentation; spoke to the proposed street name change; two streets with the same name; service delivery and emergency response concerns; provided establishment dates for the streets; number of residents that would be affected; stated the new name would be in line with the Street Naming and Addressing Manual; spoke to notices provided and the lack of responses; referenced the recommendation of the Technical Review Committee; spoke to additional notifications that would be made by the Planning Department; stated the item had been vetted at three Planning Board meetings; and had been referred to Council by the Infrastructure Committee.

Discussion took place regarding the information provided in the presentation; providing services for block ranges; date of the notification letter; the public hearing process for the Planning Board and for City Council; challenging calls to Metro 911; responding to wrong addresses; establishment dates of the street names; and the number of mis-communicated calls.

Councilmember Fox requested staff to research and prepare information prior to presenting to Council; and to research notifying residents by going door to door.

Councilmember Hightower spoke to comments by Mr. Galanti stating residents had not attended Planning Board meetings; read names from the Planning Board minutes that had addressed the board in opposition to the street name change; stated she would not support the item; spoke to putting people at a disadvantage; and to staff finding a better way to address the issue.

Councilmember Hightower made a substitute motion to deny the item. Councilmember Fox voiced his agreement with the substitute motion; withdrew his motion to table the item; and seconded Councilmember Hightower's motion.

Councilmember Wilkins requested to view the area map; inquired to emergency vehicles entrance into the neighborhood; about response time; worse case scenarios; voiced he did not see a major problem; and asked who was Carter Woods.

Ms. Schwartz stated the name was a combination of two words in the area to have a distinct name.

Councilmember Outling spoke to public safety; stated staff had answered questions; spoke to staff using judgment regarding other properties with same issues; stated Council should address the concerns; voiced he did not want to be in the way of public safety; and that he trusted staff to determine which street would be best to rename.

Councilmember Hightower clarified her motion to deny the item; and for staff to investigate the item further.

Councilmember Hoffmann asked for clarification on the five issues from the previous year; stated public safety

issues were serious; and stated she was prepared to move forward with staff recommendation.

Assistant City Manager Parrish confirmed the five issues as public safety concerns.

Councilmember Barber spoke to split viewpoints; and suggested the item be tabled for staff to bring additional information.

Councilmember Hightower withdrew her motion to deny the item.

Councilmember Fox requested staff provide data on the number of street names duplicated across the city.

Assistant City Manager Reid stated Metro 911 staff would also be present at the December 15th meeting to provide additional information.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer X Exhibit No. 33 which is hereby referred to and made a part of these minutes)

Moved by Councilmember Barber, seconded by Mayor Pro-Tem Johnson, to table the ordinance to the December 15th meeting of Council without further advertising and have the Public Hearing remain open. The motion carried on the following roll call vote:

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

34. [ID 15-0846](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 104 East Vandalia Road - .29 Acres

Mayor Vaughan introduced items #34 and #35 together; and stated there were no speakers to the items.

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

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

15-0141 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 104 EAST VANDALIA ROAD -- .29 ACRES)

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

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

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

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

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

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

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

(Signed) Sharon Hightower

35. [ID 15-0912](#) Ordinance Establishing Zoning for a Portion of Property Located at 104 East Vandalia Road

Moved by Councilmember Hightower, seconded by Councilmember Abuzuaiter, to adopt the ordinance and stated that the Greensboro City Council believed its action to approve the zoning amendment, for a portion of 104 East Vandalia Road from County RS-30 (Residential Single-Family) to City CD-C-H (Conditional District-Commercial-High) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: it is consistent with the Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas; it does implement measures to protect neighborhoods from potential negative impacts of developments (Policy 6A.4); and it promotes new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas (Policy 4C). The motion carried on the following roll call vote:

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

15-0142 AMENDING OFFICIAL ZONING MAP

PORTION OF 104 EAST VANDALIA ROAD, SOUTH OF EAST VANDALIA ROAD AND EAST OF SOUTH ELM-EUGENE STREET

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

Section 1.

The Official Zoning Map is hereby amended by original zoning from County RS-30 (Residential Single Family) to City CD-C-H (Conditional District Commercial High).

The area is described as follows:

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

Section 2.

That the zoning amendment from County RS-30 (Residential Single Family) to City CD-C-H (Conditional District Commercial High) is hereby authorized subject to the following use limitations and conditions:

1. All uses permitted in the C-H district except bus and rail terminals, pawnshops and recycling collection centers

Section 3.

This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-C-H (Conditional District Commercial High) zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4.

Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5.

This ordinance shall be effective on November 17, 2015.

(Signed) Sharon Hightower

36. [ID 15-0847](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 4903 Trailwood Drive - 1.001 Acres

Mayor Vaughan introduced Items #36 and #37 together.

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

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

15-0143 ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 4903 TRAILWOOD DRIVE – 1.001 ACRES)

Section 1.

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

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

Section 2.

The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line

assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3.

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

Section 4.

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

Section 5.

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

Section 6.

That this ordinance shall become effective upon adoption.

(Signed) Yvonne Johnson

37. [ID 15-0914](#) Ordinance Establishing Zoning for Property Located at 4903 Trailwood Drive

Moved by Councilmember Wilkins, seconded by Councilmember Hoffmann, to adopt the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment located at 4903 Trailwood Drive from County RS-40 (Residential Single Family) to City R-3 (Residential Single-Family) is consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Growth at the Fringe Goal to promote sound and sustainable land use patterns; and the request is consistent with the Housing and Neighborhoods Goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing. The motion carried on the following roll call vote:

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

15-0144 AMENDING OFFICIAL ZONING MAP

4903 TRAILWOOD DRIVE, NORTH OF GRANDOVER PARKWAY AND EAST OF TRAILWOOD DRIVE.

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

Section 1.

The Official Zoning Map is hereby amended by original zoning from County RS-40 (Residential Single Family) to City R-3 (Residential Single Family).

The area is described as follows:

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

Section 2.

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

Section 4.

Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5.

This ordinance shall be effective on November 17, 2015.

(Signed) Tony Wilkins

38. [ID 15-0848](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 4104 and 4106 South Elm-Eugene Street - 4.14 Acres

Mayor Vaughan introduced Items #38 and #39 together.

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

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

15-0145 ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 4104 AND 4106 SOUTH ELM-EUGENE STREET – 4.14 ACRES)

Section 1.

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

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

thence in a northeasterly direction approximately 35 feet to the point of BEGINNING, and containing approximately 4.14 acres.

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

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

Section 6.

That this ordinance shall become effective upon adoption.

(Signed) Sharon Hightower

39. [ID 15-0915](#) Ordinance Establishing Zoning for Portions of Property Located at 4104 and 4106 South Elm-Eugene Street

Moved by Councilmember Hightower, seconded by Councilmember Abuzuaiter, to adopt the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment, for portions of 4104 & 4106 South Elm-Eugene Street from County AG (Agricultural) to City CD-C-M (Conditional District-Commercial-Medium) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Growth at the Fringe Goal to promote sound and sustainable patterns of land use; the request is consistent with the Economic Development Goal to promote a health, diversified economy; and the request does implement measures to protect neighborhoods from potential negative impacts of developments (Policy 6A.4). The motion carried on the following roll call vote:

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

15-0146 AMENDING OFFICIAL ZONING MAP

PORTIONS OF 4104 AND 4106 SOUTH ELM-EUGNE STREET, WEST OF SOUTH ELM EUGENE STREET AND SOUTH OF I-85.

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

Section 1.

The Official Zoning Map is hereby amended by original zoning from County AG (Agricultural) to City CD-C-M (Conditional District Commercial Medium).

The area is described as follows:

BEGINNING at a point in the existing Greensboro city limits (as of July 31, 2015), said point being in the centerline of Wolfetrail Road (NCSR #3322) as shown on Property of Mrs. Clara Brown , as recorded in Plat Book 39, Page 89 in the Office of the Guilford County Register of Deeds; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 86° 14' 52" E along said centerline approximately 350 feet to the centerline of S. Elm-Eugene Street; thence in a southerly direction with said centerline approximately 510 feet to a point in the existing city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the southern line of Proposed Tract "1" as shown on a drawing by CESI Land Development Services, titled The Haven @ Wolfetrail Crossing, N 88° 24' 56" W 329.94 feet to the southwest corner of said Tract "1"; thence with the western line of said Tract "1" N 01° 35' 04" E 477.38 feet to a set #5 rebar in the southern right-of-way line of Wolfetrail Road; thence in a northeasterly direction approximately 35 feet to the point of BEGINNING, and containing approximately 3.3 acres.

Section 2.

That the zoning amendment from County AG (Agricultural) to City CD-C-M (Conditional District Commercial Medium) is hereby authorized subject to the following use limitations and conditions:

1. All uses permitted in the C-M district except sexually oriented businesses, convenience stores with fuel pumps and any use that requires a drive-thru facility.

Section 3.

This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-C-M (Conditional District Commercial Medium) zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4.

Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5.

This ordinance shall be effective on November 17, 2015.

(Signed) Sharon Hightower

V. GENERAL BUSINESS AGENDA

40. [ID 15-0947](#) Resolution Making Certain Findings And Determinations, Authorizing The Filing Of An Application With The Local Government Commission, Requesting The Local Government Commission To Sell Bonds At A Private Sale And Approving The Financing Team In Connection With

The Issuance of Revenue Bonds By The City

City Attorney Carruthers stated the item was approved to form.

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

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

0371-15 The City Council of the City of Greensboro, North Carolina met in a regular meeting in the Council Chambers in the Melvin Municipal Office Building located at 300 West Washington Street in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m. on November 17, 2015.

Present: Mayor Nancy B. Vaughan, presiding, and Councilmembers Marikay Abuzuaiter, Mike Barber, Jamal Fox, Sharon Hightower, Nancy Hoffmann, Yvonne J. Johnson, Justin Outling, and Tony Wilkins

Absent: None

Also Present: Wesley Reid, Assistant City Manager, Rick Lusk, Finance Director, Thomas D. Carruthers, Esq., City Attorney, and Angela R. Lord, Deputy City Clerk

The Mayor introduced the following resolution the title of which was read, summarized by the Finance Director, and a copy of which had been previously distributed to each Council Member:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL BONDS AT A PRIVATE SALE AND APPROVING THE FINANCING TEAM IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS BY THE CITY

BE IT RESOLVED by the City Council (the "City Council") of the City of Greensboro, North Carolina (the "City"):

Section 1. The City Council does hereby find and determine as follows:

- (a) The City currently operates a water system and sanitary sewer system, both of which provide service to the residents of the City and its environs.
- (b) Pursuant to a Trust Agreement, dated as of June 1, 1995 (as supplemented and amended, the "Trust Agreement"), between the City and Branch Banking and Trust Company (succeeded by U.S. Bank National Association), as trustee (the "Trustee"), the City has created a combined enterprise system (the "Combined Enterprise System"), currently consisting of the City's water system and sanitary sewer system. The Trust Agreement provides for the issuance of revenue bonds or revenue bond anticipation notes thereunder secured by the Net Receipts (as defined in the Trust Agreement) of the Combined Enterprise System as set forth therein, to finance improvements to the Combined Enterprise System and to refund all or a portion of any bonds or notes issued under the Trust Agreement.
- (c) Pursuant to the Trust Agreement, a bond order adopted by the City Council of the City on February 18, 2014 (the "Bond Order"), and a resolution adopted by the City Council of the City on February 18, 2014 (the "Note Resolution"), the City has heretofore issued its \$30,000,000 City of Greensboro, North Carolina Combined Enterprise System Revenue Bond Anticipation Note, Series 2014 (the "Series 2014 Note") in anticipation of the issuance of its combined enterprise system revenue bonds, for the purpose of providing funds, together with other available funds, to (i) pay the costs of certain improvements to the City's water and sanitary sewer system (collectively, the "2014 Project") and (ii) pay certain costs incurred in connection with the issuance of the Series 2014 Note.
- (d) The City has determined it is in the best interest of the City at this time to redeem in whole the outstanding Series 2014 Note from the proceeds of revenue bonds to be issued pursuant to the Trust Agreement;
- (e) The City wishes to commence procedures at this time for the issuance of its Combined Enterprise System Revenue Bonds, Series 2016 (the "Series 2016 Bonds") for the purpose of providing funds, together with any other available funds, to (i) redeem in whole the outstanding Series 2014 Note and (ii) pay certain fees and expenses to be incurred in connection with the sale and issuance the Series 2016 Bonds.
- (f) The issuance of the Series 2016 Bonds is necessary or expedient for the City.
- (g) The amount of the proposed Series 2016 Bonds will be sufficient, but not excessive, for the purpose of paying the costs associated with the redemption of the Series 2014 Note and the payment of the related financing costs.
- (h) The annual audits of the City show the City to be in strict compliance with debt management policies, and the budgetary and fiscal management policies of the City are in compliance with law.
- (i) The proposed Series 2016 Bonds can be marketed at a reasonable interest cost to the City.
- (j) Any projected rate increases for water and sanitary sewer service expected in connection with the issuance of the proposed Series 2016 Bonds will be reasonable.

Section 2. The City Manager, the Finance Director and the City Attorney of the City are each hereby authorized and directed to file an application with the Local Government Commission for approval of the issuance of the Series 2016 Bonds in an aggregate principal amount not to exceed \$32,000,000 for the purpose of providing funds, together with any other available funds, to (a) redeem in whole the outstanding Series 2014 Note and (b) pay certain fees and expenses incurred in connection with the sale and issuance of the Series 2016 Bonds. Any such action heretofore taken in connection with the filing of such application is hereby ratified and approved.

Section 3. The Local Government Commission is hereby requested to sell the proposed Series 2016 Bonds at a private sale without advertisement.

Section 4. The following financing team members are hereby approved by the City in connection with the proposed Series 2016 Bonds:

Co-Bond Counsel: Womble Carlyle Sandridge & Rice, LLP

McKenzie & Associates

Underwriters: Merrill Lynch, Pierce, Fenner & Smith, Incorporated

Loop Capital Markets LLC

Underwriters' Counsel: Hawkins Delafield & Wood LLP

Trustee/Bond Registrar: U.S. Bank National Association

Financial Advisor: DEC Associates, Inc.

Section 5. This resolution shall take effect immediately upon its passage.

The City Attorney then announced that he had approved the foregoing resolution as to form.

After consideration of the foregoing resolution, upon motion of Council Member Wilkins, seconded by Council Member Abuzuaiter, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL BONDS AT A PRIVATE SALE AND APPROVING THE FINANCING TEAM IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS BY THE CITY" was adopted by the following vote:

Ayes: Councilmembers Abuzuaiter, Barber, Fox, Hoffmann, Johnson, Hightower, Outling, Vaughan and Wilkins.

I, Angela R. Lord, Deputy City Clerk of the City of Greensboro, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of so much of the proceedings of the City Council of said City at a regular meeting held on November 17, 2015, as relates in any way to the adoption of the foregoing resolution and that said proceedings are recorded in minute books of said City Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said City this 19th day of November, 2015.

Deputy City Clerk

[SEAL]

(Signed) Tony Wilkins

41. [ID 15-0948](#) Ordinance in the Amount of \$30,400,000 Amending the FY 15-16 Water Resources Enterprise Fund for Refinancing of a 2014 Revenue Bond Anticipation Note

Councilmember Barber left meeting 7:52 p.m. and returned at 7:58 p.m.

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

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

15-0147 ORDINANCE AMENDING FY 15-16 WATER RESOURCES ENTERPRISE FUND

Section 1

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

That the FY 15-16 Water Resources Enterprise Fund Budget of the City of Greensboro is hereby amended, as follows:

Account	Description	Amount
501-7018-03.5899	Payment to Escrow Agent	\$30,000,000
501-7018-03.5831	Bond Issuance Expense	400,000
Total		\$30,400,000

And, that the following revenue finances these appropriations:

Account	Description	Amount
501-7018-03.9005	Proceeds from Refunding Bonds	\$28,400,000
501-7018-03.9001	Premiums on Bond Proceeds	2,000,000
Total		\$30,400,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Tony Wilkins

42. [ID 15-0949](#) Ordinance Establishing Coliseum Improvements Bond Fund Capital Project Budget (Series 2015) and Amending the Hotel/Motel Tax Fund, in the amount of \$4,400,000

Councilmember Wilkins inquired about the paybacks; a five year option that was not taken; and how that would affect the City.

Finance Director Rick Lusk spoke to the construction being funded by the hotel motel tax; and to the revenue generated as a result of the lease.

Mayor Vaughan stated the Pavilion was a City asset; and spoke to investing in themselves.

Councilmember Wilkins asked for confirmation that the funds would not be taken from the general fund.

Mayor Vaughan spoke to the success of the Aquatic Center; and to additional funds as a result.

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

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

15-0148 ORDINANCE ESTABLISHING COLISEUM IMPROVEMENTS BOND FUND

CAPITAL PROJECT BUDGET (SERIES 2015)

Section 1

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

That the Coliseum Capital Improvements Bond Fund Capital Project Budget (Series 2015) of the City of Greensboro is hereby established, as follows:

Account	Description	Amount
528-7501-01.6013	Building Improvements	\$3,442,000
528-7501-01.5613	Maintenance & Repair-Buildings	698,000
528-7501-01.5254	Rental of Equipment	150,000
528-7501-01.5831	Costs of Issuance	110,000

Total		\$4,400,000
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and, that the following revenue finance these appropriations:

Account	Description	Amount
528-7501-01.9206	Transfer from Hotel/Motel Tax Fund	\$4,400,000

Section 2

And, that the appropriations of the Hotel/Motel Tax Fund are increased, as follows

Account	Description	Amount
206-1001-02.6528	Transfer to Coliseum Capital Project Fund	\$4,400,000

and, that the following revenue finance these appropriations:

Account	Description	Amount
206-1001-02.9000	Installment Financing Agreement	\$4,400,000

Section 3

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

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

Councilmember Hightower spoke to the need to make appointments to the Greensboro Housing Authority; and asked for confirmation on how the appointments were made.

Mayor Vaughan stated the appointments were made by the Mayor; and that she would defer to Councilmember Hightower.

Discussion took place regarding the openings being in District 1 and District 2; and the need for there to be a full board.

Moved by Councilmember Hightower, seconded by Mayor Vaughan to appoint Doug Thorn to the Greensboro Housing Authority as a resident representative from District 1. The motion carried by voice vote. Mayor Vaughan accepted the appointment.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint David Wils to the Human Relations Commission to replace Lakeisha Harris. The motion carried by voice vote.

Councilmember Hightower expressed concerns with M/WBE goals; requested information be provided by the December 15th meeting of Council; spoke to police numbers being misquoted; a misperception by the community; and for clarification.

Police Chief Wayne Scott spoke to researching information; explained numbers were placed in the wrong category; spoke to violations of equipment infractions; and stated the error had been brought to his attention and had been corrected.

Councilmember Hightower spoke to transparency; asked how it would impact stops; and spoke to an estimated 10,000 less stops being inclusive to everyone.

Police Chief Scott spoke to a 30 day reevaluation to be done; changes made and successes from those changes; stated he had spoken with staff regarding the need for accuracy; spoke to the estimated 10,000 less cars stopped this year; a decrease in property crime; and voiced the effect would be better known in 30 to 90 days.

Councilmember Hightower referenced an incident reported by a citizen from Halloween night; spoke to restrictions of off duty police officers; requested staff research off duty officers policing neighborhoods; and stated she had signed a Stop the Violence Pledge.

Councilmember Barber voiced he did not want policies changed for off duty officers; that he did not agree with Councilmember Hightower's statements; spoke to police authority; the importance for off duty work; voiced concern for lax and lenient policing; and spoke meaningful policing.

Police Chief Scott spoke to screening for events; referenced conversations since the last Council meeting; stated the Police Department was dedicated; spoke to being aware of what was going on; issues regarding the incident in Paris; everyone having confidence in the Police doing a good job; and suggested if anyone noticed something unusual to contact the Police.

Councilmember Wilkins asked if the order regarding vehicle stops was a 30 day plan; and stated he wanted every law enforced.

Chief Scott explained the item would be reviewed after 30 days; spoke to the importance of there not being a spike in crime trends; and referenced reporting back to Council.

Councilmember Outling spoke to a temporary measure; confusion of what infractions were covered by the policy; and requested staff provide a list of vehicle infractions covered by the Racial Profiling order.

Discussion took place regarding the legal requirements; concerns for equipment violations; safety of citizens; the use of the Vehicle Law Book; and maintaining data on stops made.

Councilmember Wilkins stated the worst terrorist in U.S. History had been caught because of a broken taillight.

Moved by Councilmember Fox, seconded by Mayor Vaughan to appoint Regina Witcher to the Greensboro Housing Authority. The motion carried by voice vote.

Councilmember Fox requested staff to provide an update on the East Market Street, Bessemer Avenue, and Summit Avenue corridor plans; research recognizing local colleges and universities using school colors at the entryways into Greensboro; spoke to affordable housing; and using the Martin Luther King plan. Councilmember Fox requested staff to provide an update on the Restoration Academy; and the Windsor Chavis Library project; spoke to Economic Development excitement; the Economic Development Committee meeting in January for a strategic plan; North Carolina A & T State University football team season; and wished everyone a Happy Thanksgiving.

Councilmember Abuzuaiter wished everyone a happy and safe Thanksgiving.

Councilmember Wilkins referenced his time on Council for three years; and spoke to the excitement from the closed session discussions.

Mayor Pro-Tem Johnson congratulated the National Conference for Community and Justice (NCCJ) for their good work; and wished a Happy Thanksgiving to everyone.

Moved by Councilmember Outling, seconded by Mayor Pro-Tem Johnson to appoint Adam Carroll to the GTA Board replacing Martha Jones. The motion carried by voice vote. Moved by Councilmember Outling, seconded by Mayor Pro-Tem Johnson to appoint Adam Duggins to the Zoning Commission replacing Peter Placentino. The motion carried by voice vote. Moved by Councilmember Outling, seconded by Mayor Pro-Tem Johnson to appoint Tracy Pratt to the Historic Preservation Committee replacing Anne Bowers. The motion carried by voice vote.

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 8:24 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR