



City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, August 19, 2014

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:02 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

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

Also present were City Manager Jim Westmoreland, Interim City Attorney Tom Carruthers, and City Clerk Elizabeth H. Richardson.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox to recess into closed session to preserve the attorney-client privilege between the City Attorney and Council and to consult with legal counsel concerning pending litigation in the matter of David Wray v. City of Greensboro et. al., 1:09-CV-00095; Gilmer Randall Brady v. City of Greensboro, 09 CVS 2435; William Thomas Fox and Scott Everett Sanders v. City of Greensboro et. al., 1.10-CV-229, and to consider and give instructions concerning the settlement of these judicial actions, pursuant to G.S. 143-318.11(a) (3). The motion carried by voice vote.

Council recessed into closed session at 5:02 p.m. and returned to open session at 5:44 p.m. with all members in attendance.

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

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized Coach Tony Little and the Gray Sharks and Red Sharks baseball teams to lead the Pledge of Allegiance to the Flag.

Councilmember Hightower spoke to the accomplishments of the teams; commended Coach Little and the Little family for their dedication to coaching; read a statement from the Parks and Recreation Department; and recognized the team members.

Recognition of Courier

City Manager Jim Westmoreland recognized Raynard Johnson of the Office of Work Force Development 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.

15. [ID 14-0480](#) Resolution Closing West Lindsay Street from its Intersection with North Eugene Street Eastward a Distance of Approximately 205 Feet

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to postpone the item to the September 2 meeting of Council without further advertising. The motion carried by voice vote.

16. [ID 14-0528](#) Resolution Ordering the Making of Certain Local Improvements - Pleasant Ridge Road Sewer Line Extension from an Existing East Fork Deep River Outfall Approximately 2,173 Lineal Feet to 1138 Pleasant Ridge Road

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

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 14-0537](#) BE Greensboro Employee Recognition

City Manager Jim Westmoreland highlighted the BE Greensboro Campaign; explained that this was a group of 42 employees who had been nominated for the month of July; asked those present to stand; spoke to the hard work of the employees; thanked them for what they did for the City on a daily basis; and encouraged citizens to call and identify employees they wanted recognized as the campaign would exist through August.

Mayor Vaughan voiced appreciation for the City staff on behalf of Council.

Councilmembers Matheny referenced receiving calls about how great City employees were; and voiced that citizens recognized what the employees did.

II. PUBLIC COMMENT PERIOD

George Hartzman, 2506 Baytree Drive, outlined his proposed plan for a resolution to the Heritage House issue; suggested ways to have the facility become owner occupied; and suggested a funding source.

Billy Jones, 2506 Textile Drive, voiced support for Mr. Hartzman's proposed plan; voiced concern with slum lords; referenced time he had spent reviewing complaints of Charles Coffee regarding the Heritage House; and announced a Heritage House Homeowners' Association meeting at Stephanie's Restaurant on August 20th at 11:00 a.m.

Sally Hayes-Williams, 1101 North Elm Street, spoke to what she hoped the International Civil Rights Museum Board Of Directors would achieve; read a farewell poem to Police Chief Ken Miller; commended Chief Miller for his work; and congratulated Interim Police Chief Anita Holder.

Witneigh Davis, 102 Duchess Court, Jamestown, announced the first ever Fashion Week September 5th and 6th at Elm Street Center which would bring people together and provide jobs to interns; spoke to how fashion related to the community; how the event would bring a 'cool factor' to the City; highlighted events that would take place; and invited Council to attend.

Council commended Ms. Davis for her work on the event; and voiced the importance of retaining young people in the City.

Luther Falls, Jr., 1603 Lansdown Avenue, commended Coach Little; spoke to positive relationships with people; voiced appreciation for Police Chief Miller; mentioned an event that had taken place at the Nano Science Center; spoke to the caliber of research going on at the Center as well as Bluford Elementary School; and working with small business owners.

Council thanked Mr. Falls for his comments.

Brennan Aberle, 1335 West Friendly Avenue, voiced concerns with the panhandling licensing laws; explained the difficulties panhandlers had coming into compliance; and asked that the City work with him to revise the ordinance.

Interim City Attorney Tom Carruthers stated he would research the issue; and bring an amendment to the panhandling ordinance based on District Attorney Aberle's comments.

Beth McKee Huger, 408 Woodlawn Avenue, expressed appreciation for the effort the City was putting into housing; commended Council's leadership and the work of the Neighborhood Development and Police Departments; invited the public to the 11th Annual Healthy Homes Bus Tour September 18th from 3-5 p.m.; and provided the contact information for the Greensboro Housing Coalition.

Mayor Vaughan announced a meeting on Monday, August 25th with the Faith Community regarding homelessness; and voiced appreciation for Ms. McKee Huger's leadership in assisting with the Heritage House transition.

Councilmember Hightower commended Ms. McKee-Huger for the experience she brought to the table in the Heritage House transition; and thanked her for her assistance.

Mayor Pro-Tem Johnson voiced appreciation for Ms. McKee-Huger's leadership and vision in improving the quality of life, housing and safety for the community.

Ed McKeever, 2204 McLaughlin Street, voiced appreciation to Assistant City Manager David Parrish for filling the M/WBE position; stated he was excited about the program; spoke to concerns he had with how the Heritage House issue was handled; expressed disappointment in Police Chief Miller and how the Police Department was handled; referenced the incident that took place at Bennett College; and requested additional time to speak.

Mayor Vaughan requested Mr. McKeever give Council the respect they deserved; and emphasized that she would not extend his three minute time limit as requested.

Mayor Vaughan invited Police Chief Ken Miller to the podium as this would be his last Council meeting.

City Manager Jim Westmoreland extended appreciation for the efforts of Chief Miller and the Police Department; added that Chief Miller had taken the department back to a different place; and emphasized that there were people within the department and the community that valued his work.

Chief Miller thanked Council for the opportunity to speak; stated policing was a very difficult function to fulfill in a free society; was one the City took seriously; voiced that it had been an honor to serve as the City's Police Chief for four years; referenced difficulties in the job; emphasized that he could not please everyone but that the goal was to make the City safer, improve relationships with the community which they had worked hard to establish and had succeeded; and reiterated the importance of focusing on the needs of safety for the community. Police Chief Miller added that serving Greensboro had been a wonderful experience; that a piece of his heart would always be here; that he wished the City well in the search for the next Chief; and hoped the City continued to focus on the work of relationships.

Council wished Chief Miller well; provided individual comments acknowledging his accomplishments and contributions to the City; spoke to their experiences working with him; and expressed that he would be missed.

III. CONSENT AGENDA

Councilmember Hightower requested Item #4/ID 14-0513 be removed for discussion.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson to adopt the Consent Agenda with the exception of Item #4. Motion carried by voice vote.

2. [ID 14-0523](#) Ordinance in the Amount of \$1,198 Amending State, Federal, and Other Grants Fund Budget for the Appropriation to Increase Funds for the Clean Fuel Advanced Technology (CFAT) Grant FY 14

14-0108 ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION TO INCREASE FUNDS FOR THE CLEAN FUEL ADVANCED TECHNOLOGY (CFAT) GRANT FY 14

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
220-3549-01.6051	Licenses Vehicles	\$ 1,198
TOTAL:		\$ 1,198

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

Account	Description	Amount
220-3549-01.7100	Federal Grant	\$ 958
220-3549-01.7123	State Drug Excise Tax	\$ 240
TOTAL:		\$ 1,198

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

3. [ID 14-0530](#) Ordinance in the Amount of \$171,894 Amending GTA Planning and Grant Fund For The Federal Fiscal Year 2013 Section 5310 Enhance Mobility for Seniors and Individuals With Disabilities Grant

14-0109 ORDINANCE AMENDING GTA PLANNING AND GRANT FUND FOR THE FEDERAL FISCAL YEAR 2013 SECTION 5310 ENHANCE MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES GRANT

Section 1

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

That the GTA Planning and Grant Fund budget is amended as follows for transportation expenses associated with FFY 2013 FTA Section 5310 Enhance Mobility for Seniors and Individuals with Disabilities Grant:

Account	Description	Amount
565-4594-02.5423	Contracted Transportation	\$118,382
565-4594-02.5928	In-Kind Services	\$ 29,596
Total		\$147,978

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

Account	Description	Amount
565-4594-02.7100	Federal	\$118,382
565-4594-02.8695	Local In-Kind Services	\$ 29,596
Total		\$147,978

Section 2

That the GTA Planning and Grant Fund budget is amended as follows for the Administration of FFY 2013 FTA Section 5310 Enhance Mobility for Seniors and Individuals with Disabilities Grant:

Account	Description	Amount
565-4594-03.4110	Salaries and Wages	\$23,916
Total		\$23,916

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

Account	Description	Amount
565-4594-03.7100	Federal Grant	\$ 23,916
Total		\$ 23,916

Section 3

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

5. [ID 14-0481](#) Resolution Calling a Public Hearing for September 2, 2014 on the Annexation of Territory into the Corporate Limits for Property Located at 5529, 5531 and 5603 Sapp Road - 2.087- Acre Contiguous Annexation

0210-14 RESOLUTION CALLING A PUBLIC HEARING FOR SEPTEMBER 2, 2014 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 5529, 5531 AND 5603 SAPP ROAD – 2.087 ACRES

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

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

WHEREAS, at a regular meeting of the City Council on the 19th day of August, 2014, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 5529, 5531 AND 5603 SAPP ROAD – 2.087 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 corporate limits (as of May 31, 2014), said point being on the southern right-of-way line of Sapp Road (S.R. 1560); THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the eastern line of Nozar N. Hashemzadeh, as recorded in Deed Book 3805, Page 1673, S 03° 27' 36" W 301.31 feet to Hashemzadeh's southeast corner; thence N 88° 15' 24" W 300.09 feet with the southern lines of Hashemzadeh and two properties of Ted and Emma Ray, as recorded in Deed Book 2662, Page 387 and

Deed Book 2753, Page 835, to Ray's southwest corner; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the western line of Ray N 03° 04' 27" E 307.97 feet to a point on the southern right-of-way line of Sapp Road; thence with said right-of-way line S 85° 33' 33" E 99.93 feet to a point; thence with said right-of-way line S 88° 21' 28" E 200.21 feet to the POINT AND PLACE OF BEGINNING, containing approximately 2.087 acres.

All deeds referred to herein are recorded in the Guilford County Register of Deeds Office.

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 these services 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 September 1, 2014, the liability for municipal taxes for the 2014-2015 fiscal year shall be prorated on the basis of 10/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2015. Municipal ad valorem taxes for the 2015-2016 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

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

That Tuesday, September 2, 2014 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than August 23, 2014.

(Signed) Marikay Abuzuaiter

6. [ID 14-0538](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Properties Owned by Victor R. Sarvis located at 5716 W. Market Street in Connection With the W. Market St/College Rd Intersection & Sidewalk Project.

0211-14 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF VICTOR SARVIS IN CONNECTION WITH THE W. MARKET STREET/COLLEGE RD INTERSECTION & SIDEWALK PROJECT

WHEREAS, Victor Sarvis, is the owner of certain property located at 5716 W. Market Street designated as Tax Map # 30-894-N-43/Parcel # 0075110, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the W. Market Street/College Rd Intersection & Sidewalk Project;

WHEREAS, negotiations with the owner at the total appraised value of \$140,000.00 for the property have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the total amount of \$140,000.00 for the property.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$140,000.00 to the Clerk of Superior Court as compensation to the owner, payment to be made from Account No. 401-4547-01.6012 Activity #A11168.

(Signed) Marikay Abuzuaiter

7. [ID 14-0539](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the properties Laura Peeples Tew located at 2743 Horse Pen Creek Road in Connection With the Horse Pen Creek Road Widening Project.

0212-14 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN THE ENTIRE TRACT OF THE PROPERTY OF LAURA PEEPLES TEW, IN CONNECTION WITH THE HORSE PEN CREEK ROAD WIDENING PROJECT.

WHEREAS, Laura Peoples Tew, is the owner(s) of that certain property located 2743 Horse Pen Creek Road, designated as Parcel # 0081288 said property being as shown on the attached map;

WHEREAS, the entire tract of said property is required by the City in connection with the Horse Pen Creek Road Project;

WHEREAS, negotiations with the owner at the appraised value of \$155,000.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portions of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$155,000.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portions of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$155,000.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 471-4502-08.5410, Activity #A14074.

(Signed) Marikay Abuzuaiter

8. [ID 14-0487](#) Resolution Authorizing the Acceptance of the Dedication by Deed of Park and Open Space Area at 2724 Horse Pen Creek Road

0213-14 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION TO THE CITY OF GREENSBORO OF PARK AND OPEN SPACE AREA LOCATED AT 2724 HORSE PEN CREEK ROAD

WHEREAS, the owner has offered to convey property located at 2724 Horse Pen Creek Road (Parcel 0081437) which consists of approximately 3.444 acres to the City of Greensboro as dedicated park and open space, said property being shown on the attached map;

WHEREAS, this property will become part of the City's Park and Open Space to allow for future park plans;

WHEREAS, it is deemed in the best interest of the City to accept this dedication from the owner of the property located at 2724 Horse Pen Creek Road.

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

That, on behalf of the City of Greensboro, the acceptance of the dedication of property located at 2724 Horse Pen Creek Road is hereby approved.

(Signed) Marikay Abuzuaiter

9. [ID 14-0534](#) Budget Adjustments Approved by Budget Officer 7/29/14 - 8/11/14

Motion to accept the report of budget adjustments of July 29 through August 11, 2014 was adopted.

10. [ID 14-0527](#) Motion to approve the minutes of the Regular meeting of July 15, 2014

Motion to approve the minutes of the Regular meeting of July 15, 2014 was adopted.

11. [ID 14-0544](#) Motion to approve the minutes of the Work Session of July 29, 2014.

Motion to approve the minutes of the Work Session of July 29, 2014, was adopted.

4. [ID 14-0513](#) Ordinance in the Amount of \$12,500 Amending State, Federal and Other Grants Fund Budget for the Appropriation of the Marion Stedman Covington Foundation Grant

Councilmember Hightower requested clarification regarding what type of item this was for; and whether a contractor had been selected.

Community Planning Manager Hanna Cockburn responded that this was a grant received by the City; and clarified what the grant would cover.

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

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

14-0110 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE MARION STEDMAN COVINGTON FOUNDATION GRANT

Section 1

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

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

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

Account	Description	Amount
220-2284-01.5427	Contracted Construction	\$12,500
TOTAL:		\$12,500

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

Account	Description	Amount
220-2284-01.8620	Marion Stedman Covington Foundation	\$12,500
TOTAL:		\$12,500

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sharon Hightower

IV. PUBLIC HEARING AGENDA

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

Mayor Vaughan introduced Items #12 ID 14-0517 and #13 ID 15-0502 together; and stated there was one speaker. City Manager Westmoreland recognized Economic Development and Business Support Manager Kathi Dubel to speak to the item.

Ms. Dubel made a Power Point Presentation which reviewed the location of the Willowlake Road Retail Center; outlined what would be incorporated in the project; verified that this was a private/public partnership; spoke to the reimbursement request approved by Council in 2013; adjustment to the previous request; reviewed the Economic Development Grant terms; verified the conditions of the grant; proposed number of jobs that would be created; amount of the potential new development investment; and provided an overview of staff's recommendation and funding sources.

Councilmember Fox asked specifically what the \$30,000 would cover; and clarification of site preparation costs. Ms. Dubel recognized Jeff Nimmer with Kotis Holdings, LLC.

Mr. Nimmer, 1410 Mill Street explained that the extra \$30,000 was a result of annexation fees that the company was unaware of when they first applied for the grant; and expressed the company did not feel it should be charged an annexation fee for an economic development project.

Interim City Attorney Carruthers interjected that the reimbursement would be an improper use of reimbursement funds which was not allowed under the law; spoke to what was allowed under the law; and emphasized that the award of incentives for City fees was not permissible.

Mayor Pro-Tem Johnson inquired about the breakdown of annexation and site development fees; and asked for clarification on how the reimbursement would be provided.

Interim City Attorney Carruthers outlined the breakdown of fees; verified that the \$30,000 could only be used for site preparation costs; that the annexation fees were not part of the item or the resolution; and added that Kotis would need to provide information to the City that the funds were utilized for site improvement costs.

City Manager Westmoreland interjected that the original amount was an estimate from 2011; and verified what Kotis was requesting.

Councilmember Hightower clarified that the \$30,000 could not be used for annexation fees; inquired how Kotis would prove the funding had been used for site preparation; and where the site preparation request had come from.

Interim City Attorney Carruthers referenced conversations he had with Mr. Nimmer and Kotis regarding what could be reimbursed under the law; explained what developers needed to submit proof of the expenditure for site improvements which the City would monitor; and verified it would be Council's decision whether to increase the incentive grant which could be paid upon completion of the work.

Councilmember Matheny clarified that Kotis was requesting a \$30,000 incentive for a 24 acre site; referenced that the cost was approximately \$20,000 - \$25,000 an acre to create a buildable site; voiced the process was a little bit out of the box; reminded Council the site for the proposed \$20 million shopping center was located in East Greensboro; and reiterated that the City could not reimburse the annexation fees but could reimburse for site improvements.

Councilmember Abuzuaite inquired about the estimated tax revenue upon completion of the project; added if the site was in the City limits the City would be required to provide water and sewer; and emphasized that the project would be a good way to get some development going as well as possibly attract future development.

Discussion took place regarding if the public funds could be used to go towards the Heritage House; requesting Kotis to develop in East Greensboro; time frame for the collection of taxes; length of time for completion of the project; how the number of full time jobs had been determined; incremental tax revenue at full build out; understanding the impact of the development; and whether Kotis would meet the M/WBE requirements.

Councilmember Fox inquired about the rationale between the 2016 August date in the prior resolution and August 2017 in the current resolution; inquired if Kotis would come back to Council in another year; spoke to how the funds would be paid out; asked about the timeframe for the annexation; and process for payment of the reimbursement.

Mr. Nimmer spoke to what Council had voted on last year; responded that Kotis would not be back in next year requesting additional funding; explained that the project was tenant driven; spoke to difficulty in securing national tenants without having water and sewer in place; spoke to the total development costs which would be in excess of just water and sewer; risks in the project development; outlined the process for the project construction; and verified that no tenants had been secured at this time.

Councilmember Wilkins confirmed that Council could move forward with the resolution as worded. Interim City Attorney Carruthers responded in the affirmative.

George Hartzman, 2506 Baytree Drive, asked how many tenants had signed up to date; referenced the delay in starting the project; spoke to the \$20 million being a facade; voiced concern with what would be built on the site; possible transfer of the property once the Urban Loop was completed; committing fraud; voiced concern for residents in the vicinity of the project; made reference to political meddling; and to campaign contributions by Kotis.

Councilmember Hightower voiced concern with how Kotis felt the development would help outerlying areas; spoke to M/WBE participation; reminded Council that the project was located in East Greensboro; and emphasized she would like to see people benefit who were trying to do business in the City.

Mr. Nimmer responded that often development fed upon itself; would see continued growth; confirmed they would utilize local contractors; and confirmed that the funds were specifically set aside for water and sewer infrastructure.

Moved by Councilmember Matheny, seconded by Councilmember Barber to close the public hearing.

Council discussed the incentive being for water and sewer; requirement of the City to provide water and sewer upon annexation; verified that in order for the City to grow persons needed to request annexation; that the tax base growth would take some time; reputation and character of Kotis; and that the project was good economic

development.

Mayor Vaughan informed Council that they would have a discussion regarding the next steps for the Heritage House at the upcoming Work Session.

(A copy of the PowerPoint presentation is filed in Exhibit Drawer W, Exhibit No. 17 which is hereby referred to and made a part of these minutes)

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

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

0214-14 RESOLUTION AMENDING RESOLUTION 256-13 AUTHORIZING AN ADDITIONAL REIMBURSEMENT NOT TO EXCEED \$47,972.33 TO KOTIS HOLDINGS, LLC FOR THE DESIGN AND CONSTRUCTION OF OFF-SITE PUBLIC WATER & SEWER INFRASTRUCTURE IMPROVEMENTS BY PROVIDING AN ADDITIONAL REIMBURSEMENT FOR INFLATION AND ADDITIONAL SITE PREPARATION COSTS TO FACILITATE COMMERCIAL DEVELOPMENT AND THE RECRUITMENT OF NEW JOBS AND RETAIL TO EAST GREENSBORO AT A SITE LOCATED AT 200 WILLOWLAKE ROAD

WHEREAS, on March 7, 2006, the City Council adopted the Urban Development Investment Guidelines to aid interested developers by providing information on what projects will be accepted for consideration of public participation by the City, what information is required to be submitted, and what criteria will be used in evaluating and recommending requests for City assistance;

WHEREAS, on August 6, 2007, the City Council adopted Urban Development Investment Guidelines – Corporate/Industrial Park Addendum whereby the City may participate financially in the development of certain private improvements to promote economic development in accordance with the Guidelines and NCGS Section 158-7.1;

WHEREAS, on October 2, 2012, the City Council adopted the Urban Development Investment Guidelines – Long-Term Vacant Big Box Revitalization Loan program Addendum to provide a fair and consistent set of criteria that can be used to evaluate loan requests from private developers requesting public participation in redeveloping vacant big box shells of 25,000 feet or greater that have been vacant for 2 or more years;

WHEREAS, Kotis Holdings, LLC is evaluating an investment in new retail development at an existing site that the company owns at 200 Willowlake Road in eastern Guilford County;

WHEREAS, the development is expected to bring new retail investment and jobs to an area of Greensboro that is currently underserved;

WHEREAS, the development is not financially feasible without public participation in bringing City water & sewer public infrastructure and access to the site;

WHEREAS, the developer will be seeking voluntary annexation into the City of Greensboro;

WHEREAS, on September 3, 2013, the City Council approved Resolution 256-13 authorizing a reimbursement not to exceed \$311,911.00 to the developer for the design and construction of off-site public water and sewer infrastructure improvements at a site located at 200 Willowlake Road;

WHEREAS, the developer has requested an inflation-adjusted estimate of the costs for the infrastructure, and based on the consumer price index the adjusted estimate is \$329,883.33;

WHEREAS, the developer has also requested that the City provide for an additional reimbursement for other site preparation in addition to the off-site public water & sewer infrastructure being designed and installed by the developer to City standards which additional amount of requested participation is estimated at no more than \$30,000.00;

WHEREAS, it is further anticipated that the developer will invest up to \$20,000,000.00 in capital over that 96 month period and create at least 8 new full-time equivalent jobs;

WHEREAS, the site upon annexation will be located in a designated reinvestment corridor in the City limits of Greensboro;

WHEREAS, the addition of at least 8 new full-time equivalent jobs and new retail sales are expected to generate public benefit by positively impacting the City's ad valorem, sales, and use tax revenues in addition to increasing business prospects for the City and surrounding area, City Council authorizes an additional reimbursement grant of up to \$47,972.33 if the company chooses move forward with having the 200 Willowlake Road site annexed into the City of Greensboro and initiate the development of the new large format retail concept in the City's designated reinvestment corridor;

WHEREAS, a public hearing was held in accordance with N.C.G.S. 158-7.1 setting out the particulars of the request and the public benefits to be derived from said improvements;

WHEREAS, it is deemed in the best interest of the City to enter into a participatory agreement with Kotis Holdings, LLC to share the cost of the above mentioned improvements whereby the City shall reimburse the company up to a maximum of \$359,883.33 for off-site public water & sewer infrastructure and other site preparation costs based on a portion of new anticipated taxes to be received from the new project and upon the creation of new employment. The grant shall be paid before the jobs are created and the total capital investment has been made, and after the City has confirmed that the developer has invested up to \$359,833.33 in designed and constructing the proposed public off-site water and sewer infrastructure improvements to City standards.

WHEREAS, Kotis Holdings, LLC will be required to repay the City of Greensboro the entire \$359,833.33 of public investment in the new water and sewer infrastructure if new development has not resulted in new retailers creating at least 8 new full-time equivalent jobs on the site and/or outparcels by August 20, 2017.

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 and pursuant to N.C.G.S. 158-7.1, a grant reimbursement and participatory agreement between the City of Greensboro and the Company not to exceed a total of \$359,883.33 for up to \$20,000,000.00 of new capital investment and the creation of at least 8 new full-time equivalent jobs over the next 3 years is hereby approved, and the Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper agreement.

(Signed) Yvonne J. Johnson

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

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

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

14-0111 ORDINANCE AMENDING THE CITY'S FY 14-15 ECONOMIC DEVELOPMENT FUND BUDGET FOR THE APPROPRIATION OF FUNDS TO REIMBURSE KOTIS HOLDINGS, LLC FOR SITE PREPARATION COSTS ON A SITE LOCATED AT 200 WILLOWLAKE ROAD

Section 1

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

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

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

Account	Description	Amount
208-0201-01.5931	Contrib to Nongovmntal Agencies	\$ 30,000
TOTAL:		\$ 30,000

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

Account	Description	Amount
208-0000-00.8900	Appropriated Fund Balance	\$ 30,000
TOTAL:		\$ 30,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Mike Barber

14. [ID 14-0514](#) Ordinance Establishing the Cannon Court Apartment Building, 828 North Elm Street, as a Guilford County Landmark

City Manager Westmoreland stated staff was present for questions.

Councilmember Matheny stated he would like to see what the goal was; asked what the benefits of the designation were; confirmed that the goal was to pass along historic tax credits and preserve the historic nature of the building; and spoke to maintaining the integrity of the building.

Mayor Vaughan left the meeting at 7:18 p.m. and returned at 7:21 p.m.

Councilmember Fox left the meeting at 7:20 p.m. and returned at 7:22 p.m.

Community Planning Manager, Hannah Cockburn provided a slide show; the history of the request; stated the designation was for the exterior of the building and the grounds; and provided the architectural history of the property.

Laura Katz and Chris Fletcher, 828 North Elm Street, highlighted items found during the research of the building; voiced appreciation for Preservation Greensboro and Carl Myatt for assistance with the research; provided additional photos of the building; explained that they were requesting the designation to ensure the preservation of the building while honoring the unique features; spoke to the maintenance costs of the building; outlined the benefit of tax credits to owners; spoke to repairs needed to keep the building in functional order; and expressed that the property value would increase over time as well as open the door for opportunities for future funding; and to attract future owners.

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

(A copy of the Slide Show presentation is filed in Exhibit Drawer W, Exhibit No. 17 which is hereby referred to and made a part of these minutes)

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

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

14-0112 ORDINANCE ESTABLISHING THE CANNON COURT APARTMENT BUILDING, 828 NORTH ELM STREET, AS A GUILFORD COUNTY LANDMARK

WHEREAS, all the prerequisites to the adoption of the ordinance, as prescribed by Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes, have been met; and

WHEREAS, the Guilford County Historic Preservation Commission has submitted a report, which is incorporated herein by reference, and recommended in a public hearing on April 15, 2014 that the property described below be designated as a historic landmark; and

WHEREAS, appropriate notice has been given of the public hearing as required by law; and

WHEREAS, the Guilford County Historic Preservation Commission finds that the property described herein is of historical, architectural, educational, and/or cultural significance, and its preservation should be encouraged so as to safeguard the heritage of the City and County for the education, pleasure and enrichment of the residents of the City and County.

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

The City Council of the City of Greensboro accepts the findings of the Guilford County Historic Preservation Commission and adopts the recommendation of the Commission for the preservation of the subject property by the authority set forth in Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and local ordinance adopted pursuant thereto. Specifically, the report notes that "...the Cannon Court Apartments are a well executed and intact example of a 1920s restrained eclectic Colonial Revival style apartment house." Located at 828 N. Elm Street Cannon Court Apartments were converted to 30 condominium units in 1985 and are individually owned.

The designation is for the exterior of the building only.

A Guilford County Landmark plaque shall be installed on the property and such sign shall indicate that the property has been designated as a Historic Landmark. Details of the display of the plaque are to be approved by the Guilford County Historic Preservation Commission before installation.

The procedures provided by law, including waiting period, shall be observed prior to demolition, alteration, remodeling or removal of the designated property. This includes the process of approving a Certificate of Appropriateness before any changes are made to this designated property.

A certified copy of this ordinance is to be appropriately recorded with the Register of Deeds, the Guilford County Tax Department and City of Greensboro Engineering and Inspections Department in accordance with provisions of Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and the local ordinance adopted pursuant thereto.

This ordinance shall be effective from and after its adoption.

(Signed) Jamal Fox

17. [ID 14-0532](#) Resolution Ratifying The Filing Of Application For Approval By Local Government Commission Of Limited Obligation Bonds To Finance Improvements To The Greensboro War Memorial Coliseum Complex And Refund Limited Obligation Bond Anticipation Note, Series 2012A

Mayor Vaughan Introduced Items #17/14--0532 and #18/14-0543.

There being no one to speak to the items, it was moved by Councilmember Matheny, seconded by Mayor Pro-Tem Johnson to close the public hearing. The motion carried by voice vote.

Interim City Attorney Tom Carruthers stated he approved the items as to form.

Councilmember Abuzuaiter referenced what Council adopted at the August 4th meeting; asked for clarification regarding paying back the hotel/motel tax fund; and asked about wording regarding debt service.

Finance Director Rick Lusk clarified what Council adopted on August 4th; spoke to what was being paid through this transaction; and outlined the payments going forward. Mr. Lusk spoke to what was generated through hotel/motel tax; explained the difference between the City hotel/motel tax and the County hotel/motel tax; verified that the vote tonight would authorize the sale of bonds; spoke to the amount of debt being issued; and added that he would provide a spread sheet outlining the balance in the various debt fund accounts for the City as well as the PowerPoint Presentations shown at the July 29th Work Session..

Councilmember Hightower asked for clarification of the process of allocation of the hotel/motel tax funds; and if there was a limit on the amount of the bond.

Mr. Lusk outlined what the limit would be; spoke to the process for allocating the funds; restriction of the funds for City capital projects; and verified that some of the money would be utilized for the Performing Arts Center.

Council spoke to the events that were attracted to Greensboro which contributed to the hotel/motel tax fund; the number of rooms sold for the Wyndham Championship; steady source of funding the tax revenue provided; timeframe for paying off the debt service; concern with the amount of the debt; and funding for other projects.

**Moved by Councilmember Matheny, seconded by Councilmember Fox, to
adopt the resolution for Item #17/14-0532. The motion carried on the following
roll call vote:**

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

0215-14 A regular meeting of the City Council of the City of Greensboro, North Carolina, was held in the City Council Chamber at the Melvin Municipal Office Building, 300 West Washington Street, Greensboro, North Carolina, the regular place of meeting, at 5:30 P.M. on August 19, 2014.

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

Absent: None.

Also present: Jim Westmoreland, City Manager, Richard L. Lusk, Finance Director, Thomas D. Carruthers, Esq., Interim City Attorney, and Elizabeth Richardson, City Clerk.

Mayor Vaughan announced that this was the hour and day fixed by the City Council for the public hearing upon the proposed financing, pursuant to limited obligation bonds to be issued by the City (the "Limited Obligation Bonds") of certain improvements to the Greensboro War Memorial Coliseum Complex (the "Coliseum Complex"), including interior renovations, façade improvements, site improvements, expansion of parking facilities and completion of the City's aquatics center, which is now a part of the Coliseum Complex, and the refunding of the City's Limited Obligation Bond Anticipation Note, Series 2012A (the "Series 2012A Note"), which financed various improvements to the Coliseum Complex, and that the City Council would hear anyone who may wish to be heard with respect to the Limited Obligation Bonds.

As a matter of information, the Finance Director of the City described the proposed financing, the nature of the improvements to, and renovations of, the Coliseum Complex financed with proceeds of the Series 2012A Note and to be financed with proceeds of the Limited Obligation Bonds and the payments to be made by the City pursuant to the Limited Obligation Bonds.

No one appeared, either in person or by attorney, to be heard with respect to the proposed Limited Obligation

Bonds, and the City Clerk announced that no written statement relating to said matter had been received.

Thereupon Mayor Vaughan introduced the following resolution, a copy of which had been provided to each Councilmember, which was read by title and summarized by the Finance Director:

RESOLUTION RATIFYING THE FILING OF APPLICATION FOR APPROVAL BY LOCAL GOVERNMENT COMMISSION OF LIMITED OBLIGATION BONDS TO FINANCE IMPROVEMENTS TO THE GREENSBORO WAR MEMORIAL COLISEUM COMPLEX AND REFUND LIMITED OBLIGATION BOND ANTICIPATION NOTE, SERIES 2012A

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

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

(a) The City of Greensboro, North Carolina (the "City") proposes (i) to finance certain improvements to the Greensboro War Memorial Coliseum Complex (the "Coliseum Complex"), including interior renovations, façade improvements, site improvements, expansion of parking facilities and completion of the City's aquatics center, which is now part of the Coliseum Complex (collectively, the "2014 Project"), and (ii) to refinance the City's payment obligations under the City's Limited Obligation Note, Series 2012A (the Series 2012A Note"), pursuant to limited obligation bonds to be issued by the City (the "Limited Obligation Bonds") pursuant to a Master Trust Agreement, dated as of July 1, 2012, between the City and U.S. Bank National Association, as trustee (the "Trustee") and a Second Supplemental Trust Agreement, to be dated as of October 1, 2014, between the City and the Trustee (the "Second Supplemental Trust Agreement"), it being the express intention of the City Council that only the principal amount necessary to pay costs of the 2014 Project, refund the Series 2012A Note and pay costs of issuance of the Limited Obligation Bonds will be issued (estimated to not exceed \$26,500,000 principal amount).

(b) The 2014 Project is necessary in order to better accommodate members of the public wishing to participate in and attend events at the Coliseum Complex.

(c) Based on advice from the City's financial advisor as to current tax-exempt interest rates, (i) the sums to fall due under the Limited Obligation Bonds and the principal amount thereof are not excessive for its stated purposes; moreover, the estimated costs of 2014 Project and the refunding the Series 2012A Note are not excessive, (ii) the issuance of the Limited Obligation Bonds is necessary or expedient for the City, (iii) the refunding of the Series 2012A Note is feasible, and (iv) the 2014 Project is feasible.

(d) The Limited Obligation Bonds, under the circumstances presently existing, are preferable to a general obligation bond issue or revenue bond issue for this purpose. Voting general obligation bonds for this purpose will result in unacceptable delay and additional cost to the City.

(e) The estimated cost of financing the 2014 Project and refunding of the Series 2012A pursuant to the Limited Obligation Bonds compares reasonably with an estimate of similar cost for general obligation bond financing therefor.

(f) The debt management policies of the City have been carried out in strict compliance with law, including the filing of all required audits and reports with the Local Government Commission, and the City is within its statutory debt limit and is not in default with respect to any of its outstanding indebtedness.

(g) The City estimates that no increase in the property tax rate will be required to raise sums to pay the estimated debt service to fall due under the Limited Obligation Bonds for all of its stated purposes.

(h) The City has made timely payment of all sums owed by it with respect to the payment of principal of and interest on all of its outstanding debt obligations and has received no notice from the Local Government Commission or any holder concerning the City's failure to make any required payment of debt service.

Section 2. The Local Government Commission (the "LGC") is hereby requested to approve the proposed Limited Obligation Bonds pursuant to the provisions of Article 8 of Chapter 159 of the General Statutes of North Carolina.

Section 3. The City Council hereby recommends the following financing team members be engaged in connection with the issuance and sale of the Limited Obligation Bonds and requests the approval of the LGC thereof:

Co-Bond Counsel	Sidley Austin LLP and McKenzie & Associates
Underwriters	Wells Fargo Bank, National Association Loop Capital Markets LLC
Underwriter's Counsel	Womble Carlyle Sandridge & Rice, LLP
Trustee and Bond Registrar	U.S. Bank National Association
Financial Advisor	DEC Associates, Inc.

Section 4. The filing by Finance Director of an application with the LGC with respect to the Limited Obligation Bonds is hereby ratified and the Finance Director is directed to complete and execute all other documents required in connection with obtaining such LGC approval.

Section 5. All actions heretofore taken by the City Manager and the Finance Director in connection with the Limited Obligation Bonds are hereby ratified and confirmed.

Section 6. This resolution shall take effect immediately upon its passage.

Thereupon the Interim City Attorney announced that he had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember Matheny, seconded by Councilmember Fox, the foregoing resolution was passed by roll call vote as follows:

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

Noes: None.

Mayor Vaughan thereupon announced that the foregoing resolution had passed by a vote of 9 to 0.

(Signed) Zack Matheny

18. [ID 14-0543](#) Resolution Approving The Issuance And Sale Of Limited Obligation Bonds By The City of Greensboro, North Carolina To Finance Improvements To The Greensboro War Memorial Coliseum Complex And Refund An Outstanding Limited Obligation Bond Anticipation Note, Approving Certain Documents And Actions Relating Thereto And Authorizing Other Official Action In Connection Therewith

Moved by Councilmember Matheny, seconded by Councilmember Barber, to adopt the resolution for Item #18/14-0543. The motion carried on the following roll call vote:

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

0216-14 Thereupon, Mayor Vaughan introduced the following resolution, a copy of which had been provided to each Councilmember, which was read by title and summarized by the Finance Director:

RESOLUTION APPROVING THE ISSUANCE AND SALE OF LIMITED OBLIGATION BONDS BY THE CITY OF GREENSBORO, NORTH CAROLINA TO FINANCE IMPROVEMENTS TO THE GREENSBORO WAR MEMORIAL COLISIUM COMPLEX AND REFUND AN OUTSTANDING LIMITED OBLIGATION BOND ANTICIPATION NOTE, APPROVING CERTAIN DOCUMENTS AND ACTIONS RELATING THERETO AND AUTHORIZING OTHER OFFICIAL ACTION IN CONNECTION THERWITH
BE IT RESOLVED by the City Council of the City of Greensboro:

Section 1. The City Council has determined and does hereby find and declare:

(a) The City of Greensboro, North Carolina (the "City") has determined that it is necessary and expedient to finance certain improvements to the Greensboro War Memorial Coliseum Complex (the "Coliseum Complex"), including interior renovations, façade improvements, site improvements, expansion of parking facilities and completion of the City's aquatics center, which is now part of the Coliseum Complex (collectively, the "2014 Project"), and (ii) to refinance the City's payment obligations under the City's Limited Obligation Note, Series 2012A (the Series 2012A Note").

(b) In order to effectuate such plans to pay costs of the 2014 Project and refund the Series 2012A Note, the City has determined that it is in the best interest of the City to issue limited obligation bonds pursuant to the authority granted to the City under Section 160A 20 of the General Statutes of North Carolina (the "Limited Obligation Bonds").

(c) The City has determined to issue the Limited Obligation Bonds (as hereinafter defined) in an aggregate principal amount not to exceed \$26,500,000, for the purpose of providing funds, together with any other available funds, to (i) pay costs of the 2014 Project, (ii) refund the Series 2012A Note and (iii) pay certain costs incurred in connection with the sale and issuance of the Limited Obligation Bonds.

(d) The City proposes to sell the Limited Obligation Bonds to Wells Fargo Bank, National Association and Loop Capital Markets LLC (the "Underwriters") pursuant to the provisions of a Bond Purchase Agreement relating to the Limited Obligation Bonds (the "Bond Purchase Agreement"), at the price determined by the City.

(e) There have been presented at this meeting drafts of the following documents relating to the issuance and sale of the Limited Obligation Bonds:

(i) the Second Supplemental Trust Agreement, to be dated on or about October 1, 2014 (the "Second Supplemental Trust Agreement"), by and between the City and U.S. Bank National Association, as trustee (the "Trustee"), supplementing that certain Master Trust Agreement, dated as of July 1, 2012 (the "Trust Agreement"), between the City and the Trustee, authorizing the issuance of by the City of the Limited Obligation Bonds in a principal amount not to exceed \$26,500,000;

(ii) the Bond Purchase Agreement;

(iii) the First Modification to Deed of Trust, to be dated the date of delivery thereof (the "First Modification to Deed of Trust"), modifying the Deed of Trust, dated July 26, 2012, both from the City to the deed of trust trustee named therein, for the benefit of the Trustee, as security for obligations of the City under the Master Trust Agreement; and

(iv) the Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the public offering and sale of the Limited Obligation Bonds.

Section 2. The City hereby authorizes the issuance of the Limited Obligation Bonds and approves the sale of the Limited Obligation Bonds pursuant to the Bond Purchase Agreement. The Limited Obligation Bonds shall mature in such amount and at such time and bear interest at such rate or rates and amounts as shall be determined by the Finance Director of the City; provided, however, that the aggregate principal amount of the Limited Obligation Bonds shall not exceed \$26,500,000 and the final maturity of the Limited Obligation Bonds shall not be later than April 1, 2040.

The Limited Obligation Bonds shall be issued in fully registered form. Interest on the Limited Obligation Bond shall be payable on the dates set forth in the Second Supplemental Trust Agreement until the Limited Obligation Bonds are fully paid. Payments of principal of and interest on the Limited Obligation Bonds shall be made by the Trustee to the registered owner of the Limited Obligation Bonds in the manner set forth in the Master Trust Agreement and the Second Supplemental Trust Agreement.

Section 3. The Limited Obligation Bonds shall be subject to redemption prior to maturity at the times, upon the terms and conditions, and at the prices set forth in the Second Supplemental Trust Agreement; provided, however, that the redemption price thereof shall not exceed 102% of the principal amount of the Limited Obligation Bonds then outstanding, plus interest accrued to the date of redemption.

Section 4. The proceeds of the Limited Obligation Bond shall be applied as provided in the Second Supplemental Trust Agreement.

Section 5. The proposal set forth in the Bond Purchase Agreement submitted by the Underwriters offering to purchase the Limited Obligation Bonds at the aggregate purchase price and bearing interest at rates determined by the City as hereinafter provided, at a true interest cost of not in excess of 5.0%, is hereby approved. The Finance Director or the City Manager is hereby designated to approve on behalf of the City the sale of the Limited Obligation Bonds to the Underwriters at such interest rates, for such purchase price and upon such terms and conditions as he shall determine, subject to the provisions of this Section. The Finance Director or the City Manager is hereby authorized and directed in the name and on behalf of the City to execute and deliver the Bond Purchase Agreement in substantially the form presented, together with such changes, additions and deletions as he, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization by the City in all respects of the form and content thereof.

Section 6. The forms, terms and provisions of the Second Supplemental Trust Agreement and the First Modification to Deed of Trust are hereby approved in all respects, and the Mayor, the City Manager or the Finance Director of the City is hereby authorized and directed to execute and deliver the Second Supplemental Trust Agreement and the First Modification to Deed of Trust, in substantially the forms presented to this meeting, together with such changes, modifications and deletions as she or he, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization thereof by the City.

Section 7. The Preliminary Official Statement in substantially the form presented to this meeting is hereby approved. The City hereby approves the use and distribution of the Preliminary Official Statement by Underwriters in connection with the offering and sale of the Limited Obligation Bonds. The City authorizes and consents to the preparation and distribution of a final official statement relating to the Limited Obligation Bonds (the "Official Statement"), in substantially the form of the Preliminary Official Statement, together with such changes as are necessary to reflect the final terms of the Limited Obligation Bonds. The City Manager or the Finance Director is hereby authorized and directed to execute and deliver the Official Statement, in substantially the form of the Preliminary Official Statement, together with such changes, modifications, and deletions as the City Manager or the Finance Director, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization by the City in all respects of the form and content thereof.

Section 8. The Mayor, the City Manager, the Finance Director, the Interim City Attorney and the City Clerk or any Deputy City Clerk are authorized and directed (without limitation except as may be expressly set forth herein) to take such actions and to execute and deliver such documents, certificates, undertakings, agreements and other instruments as they, with the advice of counsel, may deem necessary or appropriate to effectuate the transactions contemplated by the Master Trust Agreement, the Second Supplemental Trust Agreement, the Deed of Trust, the First Modification to the Deed of Trust, the Bond Purchase Agreement, the Preliminary Official Statement and the Official Statement. The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of the Limited Obligation Bonds, the Master Trust Agreement, the Second Supplemental Agreement, the Deed of Trust, the First Modification to Deed of Trust and the Bond Purchase Agreement for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

Section 9. Capitalized words and terms used in this resolution and not defined herein shall have the same meanings in this resolution as such words and terms are given in the Master Trust Agreement and the Second Supplemental Trust Agreement.

Section 10. This resolution shall take effect immediately upon its passage.

Thereupon the Interim City Attorney announced that he had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember Matheny, seconded by Councilmember Barber, the foregoing resolution was passed by roll call vote as follows:

Ayes: Councilmembers Abuzaiter, Barber, Fox, Hightower, Hoffmann, Johnson, Matheny, Vaughan and Wilkins.

Noes: None.

Mayor Vaughan thereupon announced that the foregoing resolution had passed by a vote of 9 to 0.

(Signed) Zack Matheny

Mayor Vaughan declared a recess at 7:39 p.m. Council reconvened at 7:58 p.m. with all members in attendance.

V. GENERAL BUSINESS AGENDA

19. [ID 14-0531](#) Ordinance in the Amount of \$70,665,000 Amending FY 14-15 Water Resources Enterprise Fund for Revenue Refunding Bonds, Series 2014A

City Manager Westmoreland stated staff was present for any questions.

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

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

14-0113 ORDINANCE AMENDING FY 14-15 WATER RESOURCES ENTERPRISE FUND

Section 1

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

That the FY 14-15 Water Resources Enterprise Fund Budget of the City of Greensboro is hereby amended, as follows:

Account	Description	Amount
501-7018-01.5899	Payment to Escrow Agent	\$70,190,000
501-7018-01.5831	Bond Issuance Expense	475,000
Total		\$70,665,000

And, that the following revenue finances these appropriations:

Account	Description	Amount
501-7018-01.9005	Proceeds from Refunding Bonds	\$70,665,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Jamal Fox

20. [ID 14-0462](#) Resolution Approving the City of Greensboro Public Records Policy

City Manager Westmoreland stated staff was available for a presentation if needed.

Mayor Vaughan stated there were two speakers to the item.

Ed McKeever, 2204 McLaughlin Street, expressed concern for a request he had made regarding the amount of tax money that came out of Districts 1 and 2; voiced support of the proposed policy; spoke to concerns with the

body camera piece of the policy; added that Council should have the right to review any video; and spoke to persons feeling disenfranchised.

Councilmember Fox requested City Manager Westmoreland provide the information Mr. McKeever had requested.

Roch Smith, Jr., 3605 Wilshire Drive, referenced previous actions by the City for a newspaper releasing information; voiced he was proud of the changes; commended the Public Information Records Administrator, Sarah Healy; and suggested several adjustments be made to the policy.

Mayor Vaughan voiced appreciation for Mr. Smith in working with City staff; recommended Councilmembers using a private address copy their City address; stated she liked the idea of an appeals process; verified Council would come back at some point with changes; addressed what was a formal public records request; requested additional work on the body worn camera piece of the policy; and spoke to the addition of the PIRT Policy on the City website.

Councilmember Barber expressed appreciation for Mr. Smith's approach of identifying the issue and being part of the solution; stated Mr. Smith had helped the City through this process where the public got involved; added that this would not be a static document; and gave the City an opportunity to be a model for other cities.

Councilmember Fox requested that the review of body worn camera footage be addressed at a future CRC Enhancement Committee meeting.

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

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

0217-14 RESOLUTION APPROVING THE CITY OF GREENSBORO'S PUBLIC RECORDS POLICY

WHEREAS, the City has been in the process of developing a public records policy since early 2013;

WHEREAS, two public forums have been hosted to receive input and feedback on a draft policy which was presented during the July 10, 2014 Work Session, said policy presented herewith this day;

WHEREAS, in January 2014 a PIRT Administrator was hired to serve as the primary contact and coordinator for all records requests;

WHEREAS, the PIRT Administrator will oversee the implementation of the policy and conduct policy training for all employees involved in the records gathering process.

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

That the public records policy presented herewith this day is hereby approved.

(Signed) Yvonne J. Johnson

- 21. [ID 14-0525](#) Resolution Authorizing the City Manager to Award a Contract to Arbor E&T, LLC, D/B/A Rescare Workforce Services in an Amount not to Exceed \$1,994,063**

City Manager Westmoreland provided the history of the item.

Council inquired if Work Force Development would lose employees as a result of the General Assembly's decision; if service would remain the same; and questioned what offices would be impacted by the decision.

WIA Executive Manager Lillian Plummer responded with the number of employees that would be impacted by the

decision; outlined the process for working with Human Resources to get those employees relocated; spoke to the difference between the employment structure; explained the requirements of the merger to change the way the City did business and integrated staff; verified it would not be cost effective to operate staff in two locations; that they would look for an alternative office location; and explained what services would be maintained.

Council commended Ms. Plummer for her work over the years; and her leadership to assist in putting people back to work and changing lives.

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

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

0218-14 RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT TO ARBOR E&T, LLC, D/B/A RESCARE WORKFORCE SERVICES IN AN AMOUNT NOT TO EXCEED \$1,994,063

WHEREAS, the Office of Workforce Development within the Executive Department serves as the administrative entity for the Greensboro/High Point/Guilford County Workforce Development Board (WDB) to procure service delivery providers under the Workforce Investment Act;

WHEREAS, the WDB released a Request for Proposals for a provider for Workforce Investment Act Adult and Dislocated Worker services for FY 2014-15 and selected a proposal submitted by Arbor E&T, LLC, d/b/a ResCare Workforce Services through this competitive procurement process;

WHEREAS, funds have been budgeted in the Office of Workforce Development Fund and shall not exceed \$1,994,063 in FY 2014-15;

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

That the City is authorized to negotiate final Contract terms and enter into a Contract with Arbor E&T, LLC, d/b/a ResCare Workforce Services in an amount not to exceed \$1,994,063 to provide FY 2014-15 Workforce Investment Act Adult and Dislocated Worker services. 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 and to make payments from the Office of Workforce Development Fund.

(Signed) Jamal Fox

22. [ID 14-0299](#) Ordinance Amending Chapter 17 of the Greensboro Code of Ordinances with Respect to Nuisances - Define Repeated Fire Code Overcrowding Violations a Nuisance

City Manager Westmoreland stated staff was here to speak to the amendments; and recognized Interim City Attorney Carruthers to speak to the item.

Interim City Attorney Carruthers outlined what changes the amendments addressed; spoke to the directive of Council at the Work Session; explained the process for when the City would go to court; verified the City was not limiting itself with regard to abating the nuisance; outlined the overcrowding issue; creation of economic disincentives for businesses to operate within the law; reminded Council of the conditions allowing an establishment to remain open under state law; confirmed his office had complaints ready to file immediately on a specific venue; and confirmed that his office would be aggressively pursuing collection.

Discussion took place regarding constructive engagement with clubs in the City; process for getting fines paid; consistent framework on violations; quicker enforcement; status of collection efforts; the rolling 365 day regulation period; fine expenses; public safety issues and concerns; reference to a policy written several years ago; the need to ensure the lines of communication were open; concerns with owners closing down at one location only to open up as a different entity at another location; bad owners taking advantage of the current process; and the need to have more teeth in the ordinance, further analysis of the issue; and the collection of

finer.

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

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

14-0114 ORDINANCE AMENDING CHAPTER 17

AN ORDINANCE AMENDING CHAPTER 17 OF THE
GREENSBORO CODE OF ORDINANCES, ENACTING ARTICLE IV., UNSAFE OCCUPANCY

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

Section 1. Chapter 17 of the Greensboro Code of ordinances is hereby amended to read as follows:

ARTICLE IV. UNSAFE OCCUPANCY

Sec. 17-60. – Purpose.

The city council finds and declares that repeated violations of the posted maximum lawful occupancy limits established under the terms of the fire prevention code constitute a detriment, danger and hazard to the health, safety, morals and general welfare of the inhabitants of the city resulting in hazardous conditions for the occupants of the building, including over-loaded floors, inadequate means of egress and hindrance of access by public safety personnel in times of danger. Repeated overcrowded conditions are hereby found, deemed and declared to be the public nuisance of unsafe occupancy wherever the same may exist. The creation, maintenance, or failure to abate such nuisance is hereby declared unlawful.

Sec. 17-61. - Definitions.

- (a) "Owner" means and refers to any person or entity which owns, leases, uses or otherwise occupies a Space for any non-residential purpose.
- (b) "Sub-tenant" means and refers to any person or entity which sub-leases or uses a space from an Owner, which shall specifically include event promoters, agents or other persons or entities who assert a right of use of a Space.
- (c) "Space" means and refers to any building, or portion of a building, which is or may be posted with a maximum lawful occupancy limit pursuant to the fire prevention code.
- (d) "Overcrowding" means and refers to any condition in which the number of persons in a Space exceeds the maximum number of persons who may lawfully occupy the Space.

Sec. 17-62. - Violations.

- (a) It is a violation of this Article for an Owner and/or Sub-tenant to permit three (3) or more occurrences of Overcrowding by at least ten percent (10%) or more persons within any 365-day period.
- (b) It is a violation of this Article for an Owner and/or Sub-tenant to permit two (2) or more occurrences of Overcrowding by at least ten percent (10%) or more persons within any 365-day period, where each such occurrence also included a violation of the fire prevention code for defective fire prevention equipment, or locked or obstructed means of egress from the Space.
- (c) It is a violation of this Article for an Owner and/or Sub-tenant to permit two (2) or more occurrences of Overcrowding by at least twenty-five percent (25%) or more persons within any 365-day period.
- (d) It is a violation of this Article for an Owner and/or Sub-tenant to permit one (1) or more occurrences of Overcrowding by at least fifty percent (50%) or more persons within any 365-day period.

Sec. 17-63. - Abatement.

(a) The City shall enforce this Article by seeking abatement and other equitable remedies which may be imposed by a court of competent jurisdiction as allowed in G.S. § 160A-175. The terms of such order of abatement sought by the City may include:

(i) the right of the City to order the cessation of all business at the location where the nuisance occurs for a minimum period of twenty-four (24) hours to a maximum period of ten (10) days upon the discovery of any subsequent overcrowding condition at the location, without further judicial notice, hearing or action;

(ii) that such order may remain in effect for at least a 12-month period; and,

(iii) that such order shall be enforced by any law enforcement officer having jurisdiction to enforce State and local laws within the City of Greensboro.

This sub-section does not preclude the City from seeking other terms of abatement or injunctive relief which may

be appropriate under the circumstances.

Section 2. That this ordinance shall become effective upon adoption.

Section 3. That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Zack Matheny

VI. SUPPLEMENTAL AGENDA

Boards and Commissions Appointments

Moved by Mayor Pro-Tem Yvonne Johnson, seconded by Councilmember Wilkins to reappoint Tom Phillips to the Piedmont Triad Water Authority. The motion carried by voice vote.

Councilmember Hoffmann placed the name of Ivan Cutler in the databank for future service on a board or commission.

Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson to appoint Richard T. Bryson to the Planning Board; and to appoint Donald Blackstock to the Zoning Commission. The motion carried by voice vote. Councilmember Fox placed the name of Tyler Swanson in the databank for future service on a board or commission.

Mayor Pro-Tem Johnson reminded Council of the upcoming Board and Commission Appreciation Dinner on September 23rd.

Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson to reappoint Vickie Henry to the Commission on the Status of Women; and to appoint Owen Strickland to the GTA Board. The motion carried by voice vote.

Brief discussion ensued regarding fulfillment of the District 5 vacancies.

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

Councilmember Hoffmann reminded Council of the Preservation Greensboro, Inc. Walking Tour tomorrow night at 7:00 beginning at the Green Bean along the north end of Downtown.

Councilmember Fox announced the Back to School Bash on Saturday from 9:00 a.m. to 5:00 p.m. at For the Faith Christian Fellowship at 4302 Hines Chapel Road McCleansville; stated that August 23rd would be the Renovation Celebration at Bryan Park; outlined what the renovations included; emphasized that there would be a dedication to Mr. Patrick Palmer who actively served the Greensboro Community at 12:00 at Bryan Park Soccer Complex located at 6105 Townsend Road; announced Community Day and Open House at Keely Park on September 6th; reminded Council that September 20th would be the City/County Challenge Flag Football Day at Jaycee Park at 11:00 a.m. Councilmember Fox announced that Mt. Zion would host a College Back to School Event, at 809 Park Avenue on September 13th; spoke to laying the foundation for Greensboro's College Commission; and requested City Manager Westmoreland provide updates on the WMI Veterinary incentive package status; the Wyndham Hotel; and the Opportunity Greensboro/Union Square Campus as well as the entire South Elm Street redevelopment project. Councilmember Fox also requested City Manager Westmoreland provide an update on the status of outstanding parking fee collection.

Councilmember Barber stated he had spoken to the Kiwanis Club; referenced \$300,000,000 in upcoming Downtown projects over the next 18 months; requested City Manager Westmoreland research a three-year concept plan/phase for additional personnel on ladder trucks; commended Police Chief Miller for his work, requested City Manager Westmoreland hold the Neighborhood Policing Policy in abeyance until the Department had transitioned into new leadership or until discussions had been held with the Interim Chief and others regarding implementation as well as the impact should that process be delayed; referenced challenges of the proposed policy on officers; requested City Manager Westmoreland set a date certain for Council to review

proposed policy changes for board and commission membership and terms to three two-year terms to run consecutive with Council terms and allow appointments by all Councilmembers; and to research implementation of a rule of ten or \$1,000 with regard to parking tickets and/or fines where a report would be generated as a public record. Councilmember Barber commended the Wyndham Championship which brought between \$28 and \$40 million in economic development impact to the City; and announced the dates for the 2015 Championship.

City Manager Westmoreland informed Council he would have discussions with the outgoing and incoming Police Chiefs as well as staff before coming back to Council regarding the Neighborhood Policing Plan; and confirmed that research had begun on the boards and commissions issue.

Mayor Pro-Tem Johnson provided shout outs for probation and parole and the Greensboro Police Department for providing school supplies to over 900 Warnersville residents; to Attitude of Gratitude for providing over 300 bags at the Nano Science Center on Lee Street; commended the well behaved students who attended the events; thanked the Engineering and Inspections Department for recent work; requested Interim City Attorney Carruthers research criteria for taxi cab driver insurance and licensing with UBER Transportation Services; stated she would be speaking to the Newcomers on Thursday and would encourage them to get involved; asked about the status of Participatory Budgeting; and thanked several sororities for providing supplies to the teachers in their AKA sororities.

Interim City Attorney Carruthers voiced that he met with several citizens regarding Participatory Budgeting; and stated he hoped to bring a resolution to Council in September.

Councilmember Matheny acknowledged Interim Chief Anita Holder as the first female Police Chief; encouraged the community and Council to attend the reception Saturday at Bryan Park at noon in remembrance of his friend Pat Palmer; commended the Wyndham Championship this week; acknowledged Councilmember Barber as president of the First Tee Program; commended the special clinic for exceptional children; voiced concern with the State voting against economic development programs; referenced the message it sent; spoke to the need for incentive bills to recruit businesses; to the need for jobs; referenced proposed mega-sites in the region; expressed disappointment with roadblocks in Raleigh; announced the Closing Ceremony luncheon at War Memorial Auditorium on Thursday, September 4th at noon; announced that the Aquatic Center was awarded the 2016 US Masters Swimming Nationals which attracted approximately 1800 swimmers to the area; spoke to the economic impact the event would have; and addressed the regulation of the taxi cab service.

Brief Discussion took place regarding UBER; taxi cab regulation; the need for insurance; development of a study commission for the issue; similar issues with B&B's; and sister cities having similar issues.

Councilmember Wilkins congratulated Interim Chief Holder; and commended staff for the opening program at Griffin Recreation Center.

Councilmember Abuzuaiter thanked Council for attending the Griffin Park ribbon cutting ceremony; spoke to the uniqueness of having everyone's ability to cut the ribbon; to National Night Out events; thanked all who were involved with the event; congratulated Interim Police Chief Holder on her new position; stated she had attended several back to school events; added that she would be happy to coach the City Flag Football team; announced that she and several Councilmembers had been challenged by Mayor Vaughan to the ALS Ice Bucket Challenge which would take place after the Council meeting; and challenged staff to the Ice Bucket Challenge.

Councilmember Hightower asked City Clerk Betsey Richardson to clarify the expiration dates for several Board and Commission appointments; requested City Manager Westmoreland provide clarification on what the EDBS Fund was designated for; reminded Council of the East Greensboro Study Committee meeting scheduled for Friday, August 22nd at 3:30 p.m.; commended National Night Out events; voiced appreciation for the back to school event that took place for Warnersville sponsored by the Police and Parks and Recreation Departments; spoke to the need for better communication to the entire Council of events taking place; commended Attitude with Gratitude which served over 5,000 children over the summer, for their final Summer Night Lights event; and congratulated Councilmember Wilkins on the Griffin Park Ribbon Cutting.

City Manager Westmoreland stated he would provide information on the EDBS Funds.

Mayor Vaughan announced the Fire Department Graduation Friday at 10:00 a.m. at the Carolina Theatre; volunteered to do the coin toss at the City/County Flag Football game; requested City Manager Westmoreland develop a master calendar to allow Councilmembers to access a one stop place for events going on throughout the different Council districts; referenced inclusion of at-large Councilmembers in event invitations to better coordinate events among Council as a whole; stated she had participated in meetings regarding the increase in personnel on ladder trucks; commended the national and worldwide recognition of Greensboro through the Wyndham Championship; announced the upcoming Homeless Summit on Monday, August 25th with Partners Ending Homelessness and the Faith Community at the ACC Hall of Champions from 10:00 - 11:30 a.m.; spoke to the ranking of four North Carolina cities in the top 15 cities listed in the Business Insider Report for poverty divides; stated she had reached out to area Mayors for a Poverty Summit to take place on Wednesday, September 10th from 10:00 a.m. to 2:00 p.m. with the venue to be determined; spoke to her hope for quarterly meetings; and emphasized the need for Greensboro and the region to attract new business to the area.

Matters to be presented by the City Attorney

Interim City Attorney Carruthers stated he had one item.

23. [ID 14-0540](#) Resolution to Revoke Resolution 221-13 Dated August 5, 2013, to Rescind Approval for an Economic Development Incentive Grant to Gerbings, LLC

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

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

0219-14 RESOLUTION TO REVOKE RESOLUTION 221-13 DATED AUGUST 5, 2013, TO RESCIND APPROVAL FOR AN ECONOMIC DEVELOPMENT INCENTIVE GRANT TO GERBINGS, LLC NOT TO EXCEED \$150,000

WHEREAS, on August 5, 2013, the City Council approved Resolution 221-13 which approved an economic development incentive grant not to exceed \$150,000.00 to Gerbings, LLC;

WHEREAS, representatives of Gerbings, LLC have informed the City that the company no longer wishes to receive an economic development incentive grant from the City;

WHEREAS, revoking the economic development incentive grant will allow the funds to be utilized for other public purposes;

WHEREAS, the City Council of the City of Greensboro deems it to be in the best interest of the City to revoke Resolution 221-13 to rescind approval for a \$150,000.00 economic development incentive grant to Gerbings, LLC.

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

It revokes the August 5, 2013 approval of Resolution 221-13 thus rescinding its approval of the economic development incentive grant to Gerbings, LLC.

It authorizes the City Manager or his designee to unencumber the \$150,000.00 encumbered for the grant and to utilize the funds for other public purposes.

(Signed) Zack Matheny

Matters to be presented by the City Manager

City Manager Westmoreland recognized the employees involved in the different weekend events; and reiterated

that those were the kinds of things that the employees enjoyed and were important to our community.

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 9:26 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR