



# City of Greensboro

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

## Meeting Minutes - Final City Council

Tuesday, August 15, 2017

5:30 PM

Council Chamber

### **Call to Order**

This City Council meeting of the City of Greensboro was called to order at 5:40 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 Abuzuaite, Councilmember Mike Barber, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling, Councilmember Goldie F. Wells and Councilmember Tony Wilkins

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

### **Moment of Silence**

Mayor Vaughan asked that Council and those in attendance keep the people of Charlottesville, Virginia in their prayers; and expressed condolences for what took place over the weekend.

### **Pledge of Allegiance to the Flag**

Mayor Vaughan recognized Mayor Pro-Tem Johnson to lead the Pledge of Allegiance to the Flag.

### **Recognition of Courier**

City Manager Jim Westmoreland recognized Kiran Purswani of the Information Technology Department who served as Courier for the meeting.

City Manager Westmoreland also recognized Kemani White as Junior Courier who is a rising junior at Middle College High at Bennett.

Moved by Councilmember Wilkins, seconded by Councilmember Abuzuaite to excuse Councilmember Barber from attendance. The motion carried by voice vote.

### **Council Procedure for Conduct of the Meeting**

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

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

### 1. [ID 17-0536](#)

Be Greensboro Employee Recognition Campaign

City Manager Westmoreland explained that 58 employees were being recognized in the second BE Greensboro campaign; spoke to the nomination process of employees by peers and/or citizens; highlighted the 'Day in the Life' program that had recently taken place; invited the BE Greensboro honoree's to stand; spoke to employees making the organization great; to employees making a difference; provided information for the avenues citizens could access to nominate employees; and voiced he was proud of the employees who were an inspiration to him.

1a. [ID 17-0582](#) Resolution Declaring Saturday, August 19, 2017 Dr. Melvin C. "Mel" Swann, Jr. Day

Mayor Pro-Tem Johnson read the resolution into the record; and stated she would present the resolution to the family at the renaming event on August 19th at 10:00 a.m.

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

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

**Absent,** 1 - Mike Barber

202-17 RESOLUTION DECLARING SATURDAY, AUGUST 19, 2017 DR. MELVIN C. "MEL" SWANN, JR. DAY

WHEREAS, Dr. Melvin C. "Mel" Swann, Jr. worked in the Guilford County School Systems for 36 years;

WHEREAS, he began his career in education as a health and science teacher in 1960, went on to become the assistant principal at J.C. Price Junior High School, and became principal of Price in 1969, a position he held until 1971 when he was promoted to director of student affairs;

WHEREAS, during his tenure with the Greensboro City School system, Dr. Swann served as assistant superintendent for pupil personnel services, assistant superintendent for professional support services, assistant superintendent for elementary schools and community services, and associate superintendent for administration and management;

WHEREAS, the school board selected Dr. Swann to serve as the first-ever deputy superintendent of Guilford County Schools when the Greensboro, High Point and Guilford County school systems merged in 1993;

WHEREAS, after serving for 36 years, Dr. Swann retired in July 1997 and has been esteemed in the community for improving the quality of education in Guilford County;

WHEREAS, the Guilford County Board of Education voted to rename Aycock Middle School Swann Middle School in honor of Dr. Melvin C. Swann, Jr.;

WHEREAS, the renaming dedication ceremony will take place on Saturday, August 19, 2017;

WHEREAS, the City Council is being asked to declare Saturday, August 19, 2017 as Dr. Melvin C. Swann, Jr. day in the City of Greensboro.

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

That it hereby declares Saturday, August 19, 2017 as Dr. Melvin C. Swann, Jr. day.

(Signed) Sharon Hightower

2. [ID 17-0571](#)

Recognition of the Greensboro Fire Department on the Receipt of Agency Accreditation

City Manager Westmoreland highlighted the work of the Greensboro Fire Department; added that the department had received the accreditation five consecutive times; and recognized Greensboro Fire Chief Bobby Nugent to speak to the accreditation.

Fire Chief Nugent asked Fire Department employees to stand; spoke to the ISO accreditation; emphasized the community was safe; and explained that as a result of the accreditation, residents received lower insurance rates.

## **II. PUBLIC COMMENT PERIOD**

Rebecca Kress, 4114 Walker Avenue spoke to the mistreatment and cruelty to circus animals; poor living conditions; and provided the link for a video regarding said abuse.

Charlene Cope, 4129 Corbin Road spoke to damage done to her vehicle as a result of hitting a pothole; provided photos of the pothole; voiced that she needed a vehicle to get to her employment; referenced speaking with someone in the Legal Department about the issue; and spoke to the repair process for potholes.

Mayor Vaughan requested City Manager Westmoreland to follow up with Ms. Cope.

Marcia Foutch, 416 A. McAdoo Avenue voiced concern with the Greensboro Massacre of 1979; the event that took place in Charlottesville, Virginia over the weekend; and spoke to the Truth and Reconciliation Report (TRR).

Mayor Vaughan and Mayor Pro-Tem Johnson spoke to the 1979 incident; the TRR; actions of prior Councils; and to discussions at upcoming town hall meetings.

Olivia Kellog, 6791 McPherson Clay Road read from a Charlottesville survivor's testimony; spoke to the TRR; destruction of confederate statues; and voiced concern with the actions of Council.

Tessa Kirkpatrick, 111 Nut Bush Road spoke to the Charlottesville incident; voiced concern with White Supremacy; to the 1979 Greensboro Massacre; and to the timeframe for denouncing the 1979 Massacre.

Councilmember Wells stated she had made a motion while serving on Council when the TRR was presented for the City to acknowledge the 1979 incident which had been voted down; expressed sympathy for the incident in Charlottesville; stated this was a different Council from then; that the community would see some results this time; confirmed the document needed to be reviewed; and referenced the makeup of the current Council.

Mayor Vaughan stated that Councilmember Wells had provided paperwork from that time for distribution to Council.

Councilmember Hightower stated the community was asking for an apology; moved for a formal apology from Council for the 1979 Greensboro Massacre; spoke to Council support of the marker on McConnell Road; and expressed support for Charlottesville. The motion was seconded by Mayor Pro-Tem Johnson.

Mayor Vaughan voiced agreement with an apology being issued acknowledging the 1979 incident; stated she had no problem with Council making an apology; spoke to progress made when the marker was put up; and spoke to the incident that had taken place in Charlottesville.

Councilmember Wilkins requested clarification of the motion; stated he would like more information prior to voting; spoke to this being an election cycle; political grandstanding; and voiced his concerns with voting on the issue at this time.

Mayor Vaughan requested the audience be respectful.

Discussion took place regarding a formal motion by Council to apologize for the 1979 Greensboro Massacre; the need to read the TRR in its entirety; the impact of an apology; events happening throughout the nation; grandstanding during an election cycle; not having notice of the possibility of making an apology this evening; and to the TRR.

Councilmember Wells referenced the stigma placed on Greensboro as a result of the 1979 incident; voiced concern with waiting to make the apology; events that were taking place throughout the country; and spoke to why she felt an apology was needed at this time.

Councilmember Hightower provided additional comments on the apology; events that happened at that time; voiced the need to take a stand; and explained the timing for the motion.

Councilmember Hoffmann stated there had been a vote by Council in 2009 to accept the TRR.

Mayor Vaughan provided an explanation of why the item had come before Council tonight; stated she was sorry the event had a long lasting impact on the community; and provided examples of what the City could be proud of.

Councilmember Wilkins voiced concern with the motion being a surprise and thrown upon Council without warning; asked City Attorney Carruthers about Council voting this evening; referenced Roberts Rules of Order; confirmed he could ask for the item to be reconsidered should he agree with issuing an apology after researching the materials; spoke to the reasons he could not support the motion; and voiced concern with research not being done before voting.

City Attorney Carruthers clarified the voting process; and provided an overview for reconsideration of an item.

Councilmember Abuzuaiter echoed Councilmember Hoffmann's statement; provided an overview of what the Human Relations Commission had done when the TRR was presented; spoke to the findings of the TRR; and the possibility of having City Council bring an apology.

Councilmember Hoffmann clarified that it was not an apology but a statement of regret.

Councilmember Wilkins asked City Attorney Carruthers about the financial liability of the City should an apology be issued.

City Attorney Carruthers responded there would be none; explained that this was a remote event; and that the TRR spoke for itself.

Councilmember Wilkins requested that his comments regarding reconsideration of the item be reflected in the minutes.

**Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to issue an apology for the incident in 1979. The motion carried on the following role call vote:**

**Ayes,** 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Goldie F. Wells

**Nays,** 1 - Tony Wilkins

**Absent,** 1 - Mike Barber

Councilmember Hightower voiced her apology for the record.

Elijah Rogan Kelly, 5800 West Friendly Avenue thanked Council for the apology; requested that the Greensboro Police Department do the same; spoke to the recommendations of the TRR; actions of White Supremacists; and provided copies of the TRR Executive Summary to Council.

Christine Merriman, 4927 Kenview Street voiced the importance of sanctuary cities; concern with deportation; the need to nurture immigrants; outlined immigrant contributions and tax dollars to the community; and provided a handout for an upcoming event at LeBauer Park.

Cameron Simpson, 2111 Troy Street stated he was speaking on behalf of Amy Murphy; and requested public transportation hubs be located throughout the City to assist citizens in all areas with getting to and from work.

Mayor Vaughan requested City Manager Westmoreland have staff research the issue.

April Parker, 1507 Elwood Street stated she was encouraged with the apology provided by Council this evening; provided copies of the TRR recommendations to Council; the history and details of the 1979 Greensboro Massacre; emphasized that protestors had been killed; referenced the Charlottesville incident; voiced concern with killing the truth tellers; stated Council did not need to wait to take action; that Council was a reactionary board; and read the TRR recommendations to Council.

Mark Funderburk, 807 Huffine Mill Road voiced concern with damage done to properties during the sidewalk project in the area; confirmed he was a City employee; spoke to his employment being threatened; and stated that the City Attorney's office did not assist him with resolving the issue.

Mayor Pro-Tem Johnson requested City Attorney Carruthers research the damage done to the property; and meet with Mr. Funderburk.

Amy Murphy, 1220 Lakewood Drive voiced support and expressed appreciation for the Greensboro Police Department; and referenced conversations with police officers and Sheriff B. J. Barnes with regard to recruitment and retention of officers.

Joyce Hobson Johnson, 2115 Murrayhill Road voiced concerns for the incident in Charlottesville; to the 1979 Greensboro Massacre; thanked Council for the apology this evening; provided copies of the TRR to Mayor Vaughan and Mayor Pro-Tem Johnson; and requested Council study the TRR.

Mayor Vaughan assured the audience that copies of the report would be provided to Council.

### **III. CONSENT AGENDA (One Vote)**

Councilmember Outling stated he needed to recuse himself from voting on Item #3/17-0508 due to a conflict of interest; spoke to advice provided by City Attorney Carruthers and City Manager Westmoreland; and voiced concern that the advice differed from time to time.

Councilmember Hightower voiced that she had questions regarding Item #6 that she would get answered rather than have the item postponed to the September 19th meeting of Council.

Assistant City Manager David Parrish advised he would provide answers to Councilmember Hightower's questions after the meeting.

#### **3. [ID 17-0508](#)**

Resolution Authorizing Agreement in the Amount of \$166,979.81 Between the City of Greensboro and Level 3 Communications for the W. Market Street and Guilford College Road Intersection Improvement Project

Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson to excuse Councilmember Outling from voting on Item #3. The motion carried by voice vote. Absent: Councilmember Barber.

**Moved by Councilmember Hoffmann, seconded by Councilmember Wells to adopt the resolution for Item #3/ID17-0508. The motion carried by voice vote. Excused Councilmember Outling. Absent: Councilmember Barber.**

203-17 RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF GREENSBORO AND LEVEL 3 COMMUNICATIONS FOR THE W. MARKET STREET AND GUILFORD COLLEGE ROAD INTERSECTION PROJECT

WHEREAS, the W. Market Street and Guilford College Road Intersection Improvement is a project within the North Carolina Department of Transportation (NCDOT) public right-of-way;

WHEREAS, NCDOT and the City are required to compensate Level 3 Communications for the costs to adjust their facilities within the public right-of-way;

WHEREAS, one primary purpose of the intersection improvement is to reduce overhead clutter of utilities and modernize the corridor as outlined in the proposed utility adjustment agreement presented herewith this day;

WHEREAS, the City is being requested to reimburse Level 3 Communications in the amount of \$166,979.81.

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

That it hereby authorizes the utility adjustment agreement between the City of Greensboro and Level 3 Communications presented herewith this day, with payment in the amount of \$166,979.81 to be made from Street and Sidewalk Capital Project Fund account 401-4547-01.6014 A16102. This is a Federal Funded contract/project and is subject to 80% reimbursement by the FHWA.

(Signed) Nancy Hoffmann

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wells to adopt the consent agenda with the exception of Item #3/ID 17-0508. The motion carried by voice vote. Absent: Councilmember Barber.**

4. [ID 17-0512](#)

Resolution Authorizing Agreement in the Amount of \$550,400.00 Between the City of Greensboro and Duke Energy Carolinas for the W. Market Street and Guilford College Road Intersection Improvement Project

204-17 RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF GREENSBORO AND DUKE ENERGY CAROLINAS FOR THE W. MARKET STREET AND GUILFORD COLLEGE ROAD INTERSECTION PROJECT

WHEREAS, the W. Market Street and Guilford College Road Intersection Improvement is a project within the North Carolina Department of Transportation (NCDOT) public right-of-way;

WHEREAS, NCDOT and the City are required to compensate Duke Energy Carolinas for the costs to adjust their facilities within the public right-of-way;

WHEREAS, one primary purpose of the intersection improvement is to reduce overhead clutter of utilities and modernize the corridor as outlined in the proposed utility adjustment agreement presented herewith this day;

WHEREAS, the City is being requested to reimburse Duke Energy Carolinas in the amount of \$550,400.00.

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

That it hereby authorizes the utility adjustment agreement between the City of Greensboro and Duke Energy Carolinas presented herewith this day, with payment in the amount of \$550,400.00 to be made from Street and Sidewalk Capital Project Fund account 401-4547-01.6014 A16102. This is a Federal Funded contract/project and is subject to 80% reimbursement by the FHWA.

(Signed) Yvonne J. Johnson

5. [ID 17-0515](#)

Resolution Authorizing Agreement in the Amount of \$559,321.51 Between the City of Greensboro and Duke Energy Carolinas for the Battleground Avenue (US 220) and Westridge Road Intersection Improvement Project

205-17 RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF GREENSBORO AND DUKE

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**ENERGY CAROLINAS FOR THE BATTLEGROUND AVENUE (US 220) AND WESTRIDGE ROAD INTERSECTION IMPROVEMENT PROJECT**

WHEREAS, the Battleground Avenue (US 220) and Westridge Road Intersection Improvement is a project within the North Carolina Department of Transportation (NCDOT) public right-of-way;

WHEREAS, NCDOT and the City are required to compensate Duke Energy Carolinas for the costs to adjust their facilities within the public right-of-way;

WHEREAS, one primary purpose of the intersection improvement is to reduce overhead clutter of utilities as outlined in the proposed utility adjustment agreement presented herewith this day;

WHEREAS, the City is being requested to reimburse Duke Energy Carolinas in the amount of \$559,321.51.

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

That it hereby authorizes the utility adjustment agreement between the City of Greensboro and Duke Energy Carolinas presented herewith this day, with payment in the amount of \$559,321.51 to be made from State, Federal, and other Grants Fund account 220-4588-01.6014 A12083.

This is a Federal Funded contract/project and is subject to 100% reimbursement by the FHWA.

(Signed) Yvonne J. Johnson

6. [ID 17-0273](#)

Resolution Authorizing Award of the Construction Inspection of the Downtown Greenway Phase 2 Improvements Project to Summit Design and Engineering Services, PLLC

206-17 RESOLUTION AUTHORIZING AWARD OF THE CONSTRUCTION INSPECTION OF THE DOWNTOWN GREENWAY PHASE 2 IMPROVEMENTS PROJECT TO SUMMIT DESIGN AND ENGINEERING SERVICES, PLLC

WHEREAS, the Construction Inspections of the Downtown Greenway Phase 2 Improvements Project is ready for implementation;

WHEREAS, the construction inspection work is to be for greenway installation along Murrow Boulevard in the City of Greensboro;

WHEREAS, the proposal from the consulting firm was reviewed and agreed to with the participation of the Greensboro Department of Transportation (GDOT) and Engineering & Inspections Department;

WHEREAS, Summit Design and Engineering Services, PLLC was selected on the strength of their construction inspections experience;

WHEREAS, funding for the contract in the amount of \$268,089.60 will come from Street and Sidewalk Capital Project Fund account 401-4542-01.6015.

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

That the award of the Construction Inspection of the Lovett Street Sidewalk Improvements Project to Summit Design and Engineering Services, PLLC is hereby authorized with funding in the amount of \$268,089.60 to come from 401-4542-01.6015.

(Signed) Yvonne J. Johnson

7. [ID 17-0550](#)

Resolution Authorizing Encroachment Agreement Between the City of Greensboro and Downtown Greensboro Incorporated for 9/11 World Trade Center Memorial Sculpture

207-17 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND DOWNTOWN GREENSBORO INCORPORATED TO INSTALL THE 9/11 WORLD TRADE CENTER MEMORIAL SCULPTURE ON THE CITY'S PROPERTY AT 501 SOUTH ELM STREET

WHEREAS, Downtown Greensboro Incorporated has requested that the City permit installation of a 9/11 World Trade Center Memorial Sculpture on City property; and

WHEREAS, , Downtown Greensboro Incorporated has agreed to enter into this Encroachment Agreement with the City which, among other things, will indemnify the City from any claim or damages that may occur due to the installation of the sculpture; and

WHEREAS, it is deemed in the best interest of the City to permit the Encroachment of said sculpture by entering into the Encroachment Agreement presented herewith this day.

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

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate Encroachment Agreement with Downtown Greensboro Incorporated for the installation of the sculpture on City's property.

(Signed) Yvonne J. Johnson

8. [ID 17-0530](#)

Resolution Approving Bid in the Amount of \$282,000 and Authorizing Execution of Contract With All Systems Restored HVAC & Electrical, LLC for Water Billing Meter Change Out Support Services

208-17 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT WITH ALL SYSTEMS RESTORED HVAC & ELECTRICAL, LLC FOR WATER BILLING METER CHANGE OUT SUPPORT SERVICES

WHEREAS, On May 25, 2017, the Water Resources Department issued a Request for Proposals (RFP) for water billing meter change out support services;

WHEREAS, All Systems Restored HVAC & Electrical, LLC has submitted the best proposal.

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

That the proposal hereinabove mentioned submitted by All Systems Restored HVAC & Electrical, LLC is hereby accepted, and the City is authorized to enter into a contract with All Systems Restored HVAC & Electrical, LLC for the water billing meter change out support 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 \$282,000.00 from Water Resources Enterprise Fund Account No. 501-7013-01.5627.

(Signed) Yvonne J. Johnson

9. [ID 17-0535](#)

Resolution Approving Contract with Stantec Consulting Services, Inc. for Professional Services Contract for the Alamance Church Road Water and Sewer Improvements Project

209-17 RESOLUTION APPROVING A CONTRACT WITH STANTEC CONSULTING SERVICES, INC. FOR PROFESSIONAL SERVICES CONTRACT FOR THE ALAMANCE CHURCH ROAD WATER AND SEWER IMPROVEMENTS PROJECT

WHEREAS, City Council approved the selection of Stantec Consulting Services, Inc to provide professional services for Alamance Church Road Improvement project on April 18, 2017;

WHEREAS, the project entails providing design for the following improvements: roadway widening, curb and gutter, storm drainage, sidewalk, pavement markings, and erosion control devices. The limits are from MLK Jr. Drive to the eastern City Limits Line;

WHEREAS, during the roadway evaluation phase, the existing waterline was noted as aged cast iron and two sewer lines were identified as aged and undersized;

WHEREAS, the purpose of the project is to address the exiting issues found during the evaluation phase in conjunction with the roadway project.

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

That the City is authorized to enter into a contract with Stantec Consulting Services, Inc. to provide Professional Services for the design of the Alamance Church Road Water and Sewer Improvements 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 \$114,800 from Water Resources Capital Fund Account No. 503-7027-01.5410 and the associated budget adjustment.

(Signed) Yvonne J. Johnson

10. [ID 17-0540](#)

Resolution Authorizing Execution of Contract with Summit Design and Engineering Services, PLLC. in the Amount of \$331,417 for Construction Materials Testing and Special Inspections Services

210-17 RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH SUMMIT DESIGN AND ENGINEERING SERVICES, PLLC. IN THE AMOUNT OF \$331,417 FOR CONSTRUCTION MATERIALS TESTING AND SPECIAL INSPECTIONS SERVICES

WHEREAS, on-call professional services firms were considered for Construction and Material Testing and Special Inspections;

WHEREAS, the Water Resources Department selected Summit for their past experience and performance involving construction material testing and special inspection services;

WHEREAS, efforts include geotechnical observation and testing services, cast in place concrete construction and reinforcement placement inspections, structural masonry and grout placement, structural steel field welding, pavement and base observation and testing, laboratory testing and project management and engineering consultation;

WHEREAS, based on the nature of the work, it appears that the contractor has the capacity to perform all of the work without the use of subcontractors. MWBE firms will be participating on the overall project in other capacities;

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 Summit Design and Engineering Services, PLLC to provide Construction Materials Testing and Special Inspections 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 \$331,417 from Water Resources Capital Improvements Fund account 503-7027-06.5410 (Professional Services) and associated budget adjustment.

(Signed) Yvonne J. Johnson

11. [ID 17-0542](#)

Resolution Authorizing Award of Contract 2017-10560 to ThyssenKrupp Elevator Corporation for City-wide Elevator Maintenance and Repair Services

211-17 RESOLUTION AUTHORIZING AWARD OF CONTRACT 2017-10560 FOR CITY-WIDE ELVATOR AND ESCALATOR MAINTENANCE AND REPAIR SERVICES

WHEREAS, the Engineering and Inspections Department is responsible for managing building maintenance including City-wide elevator maintenance and repair services across City facilities;

WHEREAS, on behalf of the Engineering and Inspections Department, Greensboro Coliseum Complex, the Centralized Contracting Division recommended using a cooperative agreement through the National IPA Maintenance Agreement - #R150801, a non-profit organization recognized in the field of procurement as a resource for governments to purchase goods and services through cooperative contracts that have been competitively bid and negotiated;

WHEREAS, the National IPA currently carries a cooperative elevator/escalator maintenance & repair contract with ThyssenKrupp Elevator Corporation, which has offices located here in Greensboro, NC. The contract was competitively awarded in 2015 by Region 4 Education Service Center (ESC4) and The Cooperative Purchasing Network (TCPN) after conducting a nationally advertised Request for Proposals (RFP) that considered technical requirements, qualifications and pricing;

WHEREAS; the National IPA also monitors contracts for pricing on a regular basis to ensure that rates remain competitive across the jurisdictions served;

WHEREAS; the contract value is based on fixed costs for regular elevator and escalator maintenance and repair and on call services as needed. All maintenance and repair service required under normal usage will be provided for an estimated flat monthly fee of \$11,469.00. Additional repairs that may be needed for reasons outside of normal use may also be covered under the contract on an as needed basis;

WHEREAS; the cost of the three year contract is estimated at \$420,000; the funding source is the General Fund which is subject to future annual budget appropriations by City Council.

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

That Contract 2017- 10560 for City-wide Elevator Maintenance and Repair Services is hereby authorized to be executed for the period of August 31, 2017 through June 30, 2020.

(Signed) Yvonne J. Johnson

12. [ID 17-0537](#)

Resolution Supporting Greensboro's Reapplication to be Designated a Bike

## Friendly Community by the League of American Bicyclists

## 212-17 RESOLUTION SUPPORTING GREENSBORO'S REAPPLICATION TO BE DESIGNATED A BIKE FRIENDLY COMMUNITY BY THE LEAGUE OF AMERICAN BICYCLISTS

WHEREAS, the City of Greensboro has been designated a Bicycle Friendly Community for two four-year terms between from 2009 – 2017 by the League of American Bicyclists, and is now up for re-designation;

WHEREAS, bicycling has become an integral component of the area's transportation system as reflected in the Greensboro Urban Area Metropolitan Planning Organization's 2040 Long Range Transportation Plan and the Bicycle, Pedestrian, and Greenways Master Plan Update (BiPed Plan), which was adopted by City Council in 2016;

WHEREAS, the City of Greensboro plays a central role in implementing enhanced bicycling facilities as demonstrated by the construction of more than 27.2 bike lane miles, 15.9 edgeline miles, and 37 miles of shared-use paths in the City so far;

WHEREAS, the City of Greensboro's efforts at education, enforcement, and encouragement contributes to the promotion of bicycling in the community;

WHEREAS, the community's interest and involvement in bicycling has continued to grow as reflected by increased bicycling in the community;

WHEREAS, the bicycling advocacy community's efforts have enhanced awareness and enthusiasm for bicycling among area residents and visitors;

WHEREAS, the University of North Carolina at Greensboro's designation as a Bicycle Friendly University further reflects the growing interest, commitment, and actions being taken to improved bicycling;

WHEREAS, the new LimeBike dockless bike share program will further encourage and promote bicycling in the community;

WHEREAS, the City of Greensboro recognizes that improving conditions for bicycling and increasing bicycle usage will support the livability and economic prospects of the community, partly through increasing the attractiveness of the City to tourists, young professionals, cycling enthusiasts, residents and others.

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

That the City Council of Greensboro hereby supports the application of the City of Greensboro to be designated a Bicycle Friendly Community by the League of American Bicyclists.

(Signed) Yvonne J. Johnson

**13. [ID 17-0555](#)**

Resolution Authorizing Acceptance of Ownership of Drainageway and Open Space Property

## 213-17 RESOLUTION AUTHORIZING ACCEPTANCE OF OWNERSHIP TO THE CITY OF GREENSBORO OF DRAINAGEWAY AND OPEN SPACE PROPERTY

WHEREAS, the owner has offered to convey property to the City of Greensboro as a dedication of drainageway and open space, said property being shown on the attached map;

WHEREAS, the indicated drainageway and open space area on the subdivision plat recorded will become City owned property and has been reviewed and accepted by the Parks and Recreation Commission;

The subject property is located at:

3807 Martin Ave., parcel #0048048 (1.47 acres), and the subdivision plat is Plat book 172 Page 67. The property is zoned CD-R-5 and located in District 2.

WHEREAS, it is deemed in the best interest of the City to accept the dedication of drainageway and open space;

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 drainageway and open space of subject property is hereby approved.

(Signed) Yvonne J. Johnson

**14. [ID 17-0563](#)**

Resolution Authorizing the Mayor to Execute a Street Closing Petition for a Portion of February One Place Adjacent to City of Greensboro Owned Property

214-17 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A STREET CLOSING PETITION FOR A PORTION OF FEBRUARY ONE PLACE ADJACENT TO CITY OF GREENSBORO OWNED PROPERTY

WHEREAS, Sycamore Street was dedicated to the City of Greensboro in 1808 as a public street;

WHEREAS, the Greensboro City Council adopted Ordinance 89-158 on November 30, 1989, which changed the name of Sycamore Street to February One Place effective on or before February 1, 1990;

WHEREAS, the City of Greensboro acquired Parcels 0000007, 0000008, and 0000009 adjacent to February One Place on June 28, 2017;

WHEREAS, the City of Greensboro and Elm Street Hotel, LLC have entered into a Downtown Development Agreement in order to construct and operate a building including both public and private facilities (the "Project");

WHEREAS, the Project requires the consolidation of air rights above the portion of February One Place adjoining Parcels 0000007, 0000008, and 0000009 and Parcel 00000038 owned by Elm Street Center, LLC;

WHEREAS, the portion of February One Place adjoining Parcels 0000007, 0000008, and 0000038 will be the location of the ingress and egress to the public and private facilities to be constructed and operated in the Project;

WHEREAS, North Carolina General Statutes Section 160A-299 and Section 6.61 of the City Charter allow street right-of-way to be closed by petition and findings if said petition is signed by a majority of the property owners with frontage on the right-of-way.

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

Section 1 - That the Greensboro City Council does hereby authorize the Mayor to execute a street closing petition as the property owner of Parcels 0000007, 0000008, and 0000009 adjacent to February One Place.

Section 2 - That this Resolution shall become effective immediately upon adoption.

(Signed) Yvonne J. Johnson

**15. [ID 17-0408](#)**

Resolution Authorizing the Sale of Surplus Foreclosure Property Located at 1303

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Cushing Street

215-17 RESOLUTION AUTHORIZING THE SALE OF SURPLUS FORECLOSURE PROPERTY LOCATED AT 1303 CUSHING STREET

WHEREAS, the City of Greensboro owns residual property located at 1303 Cushing Street, Parcel 0046142, said property being shown on the attached map, for which the City has no governmental or other public need;

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

WHEREAS, the property was appraised by Lynn Ritchie, at a value of \$13,000, and the final highest bid of \$11,700 was accepted, which amount, in the opinion of the City Council is fair and reasonable;

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

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

That pursuant to Section 4.122 of the City Charter, the sale of the above mentioned residual property in the amount of \$11,700 is hereby approved and the sale of property located at 1303 Cushing Street is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Yvonne J. Johnson

**16. [ID 17-0407](#)**

Resolution Approving Appraisal and Authorizing the Purchase of Property Located at 2001 Pisgah Church Road for the Pisgah Church Road Sidewalk Project

216-17 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 2001 PISGAH CHURCH ROAD FOR THE PISGAH CHURCH ROAD SIDEWALK PROJECT

WHEREAS, in connection with the Pisgah Church Road Sidewalk project, a portion of the property owned by Theodore L. Crum, Parcel 0055957 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Foster Appraisal Services, Inc. at a value of \$54,967, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised 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 appraisal of the above mentioned portion of property in the amount of \$54,967 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 401-4546-01.6012, Activity #A15138.

(Signed) Yvonne J. Johnson

**17. [ID 17-0495](#)**

Resolution Approving Appraisal and Authorizing the Purchase of Property

Located at 3602 Lawndale Drive for the Pisgah Church Road Sidewalk Project

217-17 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 3602 LAWNDALE DRIVE FOR THE PISGAH CHURCH ROAD SIDEWALK PROJECT

WHEREAS, in connection with the Pisgah Church Road Sidewalk Project, a portion of the property owned by Christ Lutheran Church, Parcel 0055948 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Foster Appraisal Services, Inc. at a value of \$40,900, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised 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 appraisal of the above mentioned portion of property in the amount of \$40,900 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 401-4546-01.6012, Activity #A15138.

(Signed) Yvonne J. Johnson

18. [ID 17-0511](#)

Resolution Approving Appraisal and Authorizing the Purchase of Property Located at 1601 Pisgah Church Road for the Pisgah Church Road Sidewalk Project

218-17 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 1601 PISGAH CHURCH ROAD FOR THE PISGAH CHURCH ROAD SIDEWALK PROJECT

WHEREAS, in connection with the Pisgah Church Road Sidewalk project, a portion of the property owned by William H. Hervey, Parcel 0054696 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Foster Appraisal Services, Inc. at a value of \$42,951, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised 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 appraisal of the above mentioned portion of property in the amount of \$42,951 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 401-4546-01.6012, Activity #A15138.

(Signed) Yvonne J. Johnson

19. [ID 17-0459](#)

Resolution Authorizing the Purchase of Property Located at 3814 N. Church Street and 1304 and 1306 Lee’s Chapel Road for the Lee’s Chapel Road Sidewalk Project

219-17 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 3814 N. CHURCH STREET AND 1304 AND 1306 LEE'S CHAPEL ROAD FOR THE LEE'S CHAPEL ROAD SIDEWALK PROJECT

WHEREAS, in connection with the Lee's Chapel Road Sidewalk Project, the property owned by RDG Holdings, LLC and MMG Management, LLC, Parcels 0047442, 0047443 and 0047444 are 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 \$18,075 but the property owner has agreed to settle for the price of \$22,000, 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 purchase said property.

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

That the agreed price of the above mentioned property in the amount of \$22,000 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. 401-4546-01.6012, Activity A15138.

(Signed) Yvonne J. Johnson

**20. [ID 17-0549](#)**

Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property Owned by the Heirs of Alex Troxler Located at 1100 Pisgah Church Road in Connection with the Pisgah Church Storm Outfall Project

220-17 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF THE HEIRS OF ALEX TROXLER IN CONNECTION WITH THE PISGAH CHURCH STORM OUTFALL PROJECT

WHEREAS, the Heirs of Alex Troxler are the owner(s) of that certain property located at 1100 Pisgah Church Road, designated as Parcel # 0086775 said property being as shown on the attached map;

WHEREAS, a portion of the said property is required by the City in connection with the Pisgah Church Storm Outfall Project;

WHEREAS, negotiations with the owner at the appraised value of \$450.00 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 portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$450.00.

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 portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$450.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 506-7016-06.6012, Activity #A17050.

(Signed) Yvonne J. Johnson

**21. [ID 17-0547](#)**

Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property Owned by the Heirs of Alex Troxler Located at 1100 Pisgah Church Road in Connection with the Pisgah Church Road Sidewalk Project

221-17 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF THE HEIRS OF ALEX TROXLER IN CONNECTION WITH THE PISGAH CHURCH ROAD SIDEWALK PROJECT

WHEREAS, The Heirs of Alex Troxler are the owner(s) of certain property located at 1100 Pisgah Church Road, designated as Parcel # 00086775, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Pisgah Church Road Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$10,218.75 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 \$10,218.75.

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 \$10,218.75 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4546-01.6012 Activity #A15138.

(Signed) Yvonne J. Johnson

**22. [ID 17-0557](#)**

Resolution Declaring City Property, Ford F-150 4x2 Truck - Equipment #1765, as Surplus Property and Conveyance of Surplus Property to the Greensboro Downtown Parks Incorporated, a Non-Profit Organization, Pursuant to NC General Statutes § 160A-280

222-17 RESOLUTION DECLARING CITY PROPERTY EQUIPMENT #1765 - FORD TRUCK F-150 4X2, AS SURPLUS PROPERTY AND CONVEYANCE OF SURPLUS PROPERTY TO THE GREENSBORO DOWNTOWN PARKS, A NONPROFIT ORGANIZATION, PURSUANT TO NC GENERAL STATUTES § 160A-280

WHEREAS, the Greensboro Downtown Parks Incorporated (GDPI) is a public-private partnership between the City of Greensboro, Center City Park and LeBauer Park;

WHEREAS, the mission of GDPI is to serve as the executive management of Greensboro's downtown parks, focusing public activation, maintenance, financial well-being and overall vitality;

WHEREAS, GDPI contacted the City of Greensboro for assistance by requesting donation of a surplus truck to be used in park maintenance and general operations;

WHEREAS, the GDPI is a 501 (c) (3) nonprofit corporation and has confirmed that the truck will be used for the public purpose of maintaining the park and general operations;

WHEREAS, the GDPI confirmed that the conveyance of this property is conditioned on the continued use for a

public purpose and the conveyance includes reversion to the City of Greensboro in the event that the grantee ceases to use the property for a public purpose;

WHEREAS, the Equipment Services Division has identified a 2008 Ford model F-150 4x2 truck, equipment #1765, VIN-1FTRX12WX8FB10511 that meets the needs of the GDPI;

WHEREAS, equipment #1765 has in excess of 126,000 miles, meets the requirements for replacement and would normally be sold at the next public auction;

WHEREAS, pursuant to NC General Statutes § 160A-280 the Greensboro City Council posted a public notice regarding this donation on August 1, 2017.

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

That the City Property Equipment #1765, a 2008 Ford F-150 4x2 truck is hereby declared as surplus property, and the City Manager is authorized to donate this surplus property to Greensboro Downtown Parks Inc. a non-profit organization, pursuant to NC General Statutes § 160A-280.

(Signed) Yvonne J. Johnson

**23. [ID 17-0520](#)**

Resolution to Accept Matching Funds from NC Department of Transportation to Reduce Local Match for Federal Fiscal Year 2016 FTA Section 5339 Bus and Bus Facilities Grant

223-17 RESOLUTION TO ACCEPT MATCHING FUNDS FROM NC DEPARTMENT OF TRANSPORTATION TO REDUCE LOCAL MATCH FOR FEDERAL FISCAL YEAR 2016 FTA SECTION 5339 BUS AND BUS FACILITIES GRANT

WHEREAS, at the April 18, 2017 meeting, the Greensboro City Council approved a budget ordinance establishing the FY2016 FTA Section 5339 Bus and Bus Facilities Grant funding in the amount of \$450,610;

WHEREAS, these funds will be used to replace seven (7) less than 30 foot replacement paratransit vehicles that have exceeded FTA's useful life standards, both in years of service and mileage;

WHEREAS, the North Carolina Department of Transportation has approved a state funding match request in the amount of \$37,109 to support eligible expenses;

WHEREAS, the recently approved State funds will reduce the required City match by \$37,109, from \$79,519 to \$42,410.

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

That the City of Greensboro accepts the matching funds from the NC Department of Transportation in the amount of \$37,109 and approves the associated budget adjustment to reduce the City match.

(Signed) Yvonne J. Johnson

**24. [ID 17-0521](#)**

Resolution to Accept Matching Funding from NC Department of Transportation to Reduce Local Match for Federal Fiscal Year 2015 FTA Section 5339 Bus and Bus Facilities Grant

224-17 RESOLUTION TO ACCEPT MATCHING FUNDS FROM NC DEPARTMENT OF TRANSPORTATION TO

REDUCE LOCAL MATCH FOR FEDERAL FISCAL YEAR 2015 FTA SECTION 5339 BUS AND BUS FACILITIES GRANT

WHEREAS, at the November 1, 2016 meeting, the Greensboro City Council approved a budget ordinance establishing the FY2015 FTA Section 5339 Bus and Bus Facilities Grant funding in the amount of \$511,397;

WHEREAS, these funds will be used to replace nine (9) less than 30 foot replacement paratransit vehicles that have exceeded FTA's useful life standards, both in years of service and mileage;

WHEREAS, the North Carolina Department of Transportation has approved a state funding match request in the amount of \$42,115 to support eligible expenses;

WHEREAS, the recently approved State funds will reduce the required City match by \$42,115, from \$90,247 to \$48,132.

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

The City of Greensboro accepts the matching funds from the NC Department of Transportation in the amount of \$42,115 and approves the associated budget adjustment to reduce the City match.

(Signed) Yvonne J. Johnson

25. [ID 17-0529](#)

Ordinance in the Amount of \$1,000 for Wal-Mart Police Community Outreach in D3 FY18

17-95 ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE WAL-MART FOUNDATION/ LOCAL GIVING PROGRAM GRANT FOR POLICE COMMUNITY OUTREACH IN D3 FY 18

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
220-3546-02.5237	Program Supplies	\$1,000
TOTAL:		\$1,000

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

Account	Description	Amount
220-3546-02.8620	Donations & Private Contributions	\$1,000
TOTAL:		\$1,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne J. Johnson

**26. [ID 17-0539](#)**

Ordinance in the Amount of \$200,000 Amending State, Federal and Other Grants Fund Budget for a Federal Forfeiture Grant For Greensboro Police Department

17-96 ORDINANCE 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- 2017/18 Greensboro Police Federal Forfeiture Grant

Account	Description	Amount
220-3552-01.5235	Small Tools & Equipment	\$ 200,000
Total		\$ 200,000

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

Account	Description	Amount
220-3552-01.7104	Federal Forfeiture Funds	\$200,000
Total		\$ 200,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne J. Johnson

**27. [ID 17-0538](#)**

Ordinance in the Amount of \$53,000 Amending the State, Federal and Other Grants Fund Budget to Establish Funding for Year Fifteen of The Piedmont Triad Water Quality Partnership

17-97 ORDINANCE AMENDING THE STATE, FEDERAL AND OTHER GRANTS FUND BUDGET TO ESTABLISH FUNDING FOR YEAR FIFTEEN 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
220-7076-01.5221	Advertising	\$53,000
TOTAL		\$53,000

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

Account	Description	Amount
220-7076-01.7170	Local Government Grant	\$ 45,500
220-7076-01.950	Transfer from Stormwater Mgt.	\$ 7,500
TOTAL		\$ 53,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne J. Johnson

**28. [ID 17-0552](#)**

Ordinance in the Amount of \$4,000 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of 2018 Carolina Panthers Challenger League Grant Fund for the Challenger Flag Football Program

17-98 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF 2018 CAROLINA PANTHERS CHALLENGER LEAGUE GRANT FUND FOR THE CHALLENGER FLAG FOOTBALL PROGRAM.

Section 1

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

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

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

Account name – 2018 CAROLINA PANTHERS CHALLENGER LEAGUE GRANT

Account	Description	Amount
220-5087-01.5423	Contracted Transportation	\$1,475
220-5087-01.5237	Program Supplies	\$2,475
220-5087-01.5431	In-house Printing	\$ 50
TOTAL:		\$4,000

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

Account	Description	Amount
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220-5087-01.8620	Donations & Private Contributions	\$4,000
TOTAL:		\$4,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne J. Johnson

**29. [ID 17-0526](#)**

Ordinance in the Amount of \$30,928 Amending the State, Federal, and Other Grants Fund Budget for the Appropriation of Federal Grant Funds for Peer Support Training Program (PSTP) FY17

17-99 BUDGET ORDINANCE AMENDING THE STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FEDERAL GRANT FUNDS FOR PEER SUPPORT TRAINING PROGRAM (PSTP) FY17

Section 1

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

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

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

Account name – PSTP FY 17

Account	Description	Amount
220-4018-01.4140	Roster Wages	\$29,612
220-4018-01.5520	Seminar/Training Expenses	\$ 7,500
TOTAL:		\$34,020

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

Account	Description	Amount
220-4018-01.7100	Federal Grant	\$30,928
220-4018-01.9101	Transfer from the General Fund	\$ 3,092
TOTAL:		\$34,020

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne J. Johnson

**30. [ID 17-0516](#)**

Ordinance in the Amount of \$176,000 Amending the State, Federal, and Other Grants Fund Budget for the Fiscal Year 2018 FTA Section 5303 Planning

Assistance Grant

17-100 ORDINANCE AMENDING THE STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE FISCAL YEAR 2018 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 2018 FTA Section 5303 Planning Assistance Grant be established as follows:

Account	Description	Amount	
220-4507-01.4110	Salaries and Wages	\$ 61,191	
220-4507-01.4510	FICA Contribution	\$ 4,461	
220-4507-01.4520	Retirement Contribution	\$ 3,936	
220-4507-01.4610	Health Coverage-Active	\$ 5,952	
220-4507-01.4650	Dental Coverage-Active	\$ 444	
220-4507-01.4710	Life Insurance-Active	\$ 390	
220-4507-01.4750	Long Term Disability	\$ 536	
220-4507-01.5111	Telephone-Local		\$ 425
220-4507-01.5413	Consultant Services	\$ 98,665	
Total		\$176,000	

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

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

Account	Description	Amount
220-4507-01.7100	Federal Grant	\$140,800
220-4507-01.7110	State Grant	\$ 17,600
220-4507-01.9564	Transfer from Transit Fund	\$ 17,600
Total		\$176,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne J. Johnson

**31. [ID 17-0565](#)**

Ordinance to Approve the Franchise Agreement Between the City of Greensboro and MCNC, A Non-Profit Corporation: FIRST APPROVAL

The ordinance received approval on the FIRST READING by an unanimous voice vote of Council.

**32. [ID 17-0525](#)**

Resolution Listing Loans and Grants for City Council Approval

225-17 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

**33. [ID 17-0553](#)**

Budget Adjustments Requiring Council Approval 7/11/17-8/4/17

Motion to approve the budget adjustments of 7/11/17 - 8/4/17 over the amount of \$50,000 was adopted.

(A copy of the report is filed in Exhibit Drawer Z, Exhibit No. 27, which is hereby referred to and made a part of these minutes.)

**34. [ID 17-0554](#)**

Budget Adjustments Approved by Budget Officer 7/11/17-8/4/17

Motion to accept the report of budget adjustments of 7/11/17 - 8/4/17 was adopted.

(A copy of the report is filed in Exhibit Drawer Z, Exhibit No. 27, which is hereby referred to and made a part of these minutes.)

**35. [ID 17-0544](#)**

Motion to Approve the Minutes of the Work Session of July 18, 2017

Motion to approve the minutes of the Work Session of July 18, 2017 was adopted.

**36. [ID 17-0556](#)**

Motion to Approve the Minutes of the Regular Meeting of July 18, 2017

Motion to approve the minutes of the Regular meeting of July 18, 2017 was adopted.

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

**37. [ID 17-0463](#)**

Ordinance Annexing Territory into the Corporate Limits for Property Located at 4716 Hicone Road - .89-Acres

Mayor Vaughan stated this was the time and place set for a public hearing to consider Item Numbers 37/ID17-0463, Ordinance Annexing Territory into the Corporate Limits for Property Located at 4716 Hicone Road - .89-Acres and 38/ID17-0528 Ordinance Establishing Original Zoning for Property Located at 4716 Hicone Road; and recognized staff for a brief presentation.

Planning Manager Mike Kirkman reviewed the request; presented maps; aerial photographs and diagrams to illustrate the site and surrounding property; read the conditions attached to the zoning request; stated the Planning

Board unanimously approved the rezoning request; and that the Zoning Commission voted 6-3 to recommend denial of the request.

Councilmember Wilkins inquired about the reason why the the Zoning Commission voted 6-3 to deny the request.

Mr. Kirkman stated the information was in the minutes attached to the agenda item; spoke to the impact the proposed item could have on nearby residents; and explained why the item had come before Council.

Mayor Vaughan stated there was one speaker in support; and several in opposition.

Speakers in favor of the item:

Tammi Stanley, 5517 Eckerson Road provided an overview of why she was requesting the property be rezoned and annexed; explained she wanted to expand her home salon; that a customer offered her this piece of property; spoke to why she wanted to move her salon to the premises; explained that the facility would allow for multiple beauty services under one roof; that she wanted to grow with the community as she had a lot of customers in the area; provided the history of the zoning for the parcel; stated she would offer additional conditions for the property; and emphasized that she had requested the rezoning so she could utilize the property which had been vacant for a number of years.

City Attorney Carruthers confirmed Ms. Stanley was offering seven conditions.

Mayor Vaughan advised Ms. Stanley that she would need to read the additional conditions into the record so Council could vote on whether to accept the conditions.

Ms. Stanley read the following conditions into the record:

1. Uses: All uses allowed in the Commercial Low (C-L) district excluding Religious Assembly, Daycares, Elementary/Secondary Schools and Clubs or Lodges.
2. Maximum building square footage shall be 5,000 square feet.
3. Maximum building height shall be no more than 2 stories.
4. Any principal building shall incorporate the following architectural features to complement nearby residential uses:
  - a. Residential features such as pitched roof, gables and/or dormers.
  - b. Any primary entrance to a principal building shall be well defined and include projections such as a porch or other residential style covered entryway.
5. Any mechanical equipment (HVAC, etc.) shall be screened from public view.
6. Freestanding signage shall be limited to a maximum height of 6 ft.
7. A Type C vegetative buffer shall be installed along the eastern property line.

Moved by Councilmember Outling, seconded by Mayor Pro-Tem Johnson to accept the new conditions. The motion carried by voice vote.

Ms. Stanley continued that she had wanted to offer more services to the community under one roof; explained she would employ up to 13 independent contractors; spoke to the traffic; and hours of operation.

Councilmember Wilkins asked if she had been given the property; and the proximity of her existing business.

Ms. Stanley confirmed she had not yet purchased the property; explained that her current business could only accommodate two stylists; why she was looking to expand her current business; and spoke to existing zoning and businesses in the area.

Councilmember Wilkins referenced that Council appointed the Zoning Commission members; and stated he would not be supporting the item.

Council discussed their disagreement with the Zoning Commission's recommendations on a number of issues; County zoning for the property; surrounding businesses; review of the map; and the process for annexation and rezoning of a parcel of land.

Ms. Stanley added that there was no purpose approving the annexation if the rezoning was not going to be granted.

Mr. Kirkman spoke to the County zoning; reviewed the maps; and provided an overview of the zoning for the property in surrounding areas.

Councilmember Barber entered the meeting at 7:17 p.m.

Councilmembers Barber and Wilkins left the meeting at 7:18 p.m. and returned at 7:19 p.m.

Councilmember Hightower voiced concern with placing a commercial business in between two residences; asked if a business could be located on the property without any change in the zoning; if a traffic impact study had been done; and about the impact to area residents.

Mr. Kirkman explained the rezoning process for connecting to City water and sewer; spoke to the requirements for commercial use; to home occupation accessory; and stated that the request did not meet the threshold for a traffic impact study as the road was under the purview of the North Carolina Department of Transportation (NCDOT).

Speakers in opposition of the item:

Archie Luffman, 5310 Ashworth Road referenced the high traffic and traffic pattern along Hicone Road; spoke to the number of accidents he had seen in the vicinity over a twenty year period; explained where he lived in relation to the property; spoke to the lack of visibility along the road; to the route he needed to take to feel safe; and stated the area did not need additional traffic.

Sara Luffman, 5310 Asheworth Road asked about the installation of a traffic signal at Eckerson and Hicone Roads; referenced the three schools along Hicone Road; provided an overview of where traffic signals had been installed; and voiced concern with increased traffic along the road.

Angela Luffman, 5002 Hiddenbrook Court explained that she lived further down Hicone Road; voiced concern with an additional entrance being added along Hicone Road; with the lack of visibility for persons making left hand turns; spoke to increased traffic when school was in session; and stated there had been increased traffic after the bridge had been redone.

James Bryant Jr., 4720 Hicone Road explained that he lived next to the lot in question; that the house had been empty since 1990; voiced that there were plenty of vacant commercially zoned buildings in the area; asked Council if they would like a commercial business located next to their homes; stated a traffic study had not been done; and asked Council to think carefully about their decision.

Councilmember Wells inquired if Mr. Bryant's home was located in the City or County, to which he responded in the County.

Ms. Luffman interjected that the other areas with traffic signals were not in the City limits.

Mayor Vaughan and Councilmember Abuzuaiter suggested that Ms. Luffman attend an MPO meeting scheduled for tomorrow at 2:00 p.m. in the Plaza Level conference room to express the need for a traffic signal.

Councilmember Wilkins asked if there was a restriction regarding the hours of operation; and if there were any regulations with regard to lighting.

Mr. Kirkman responded that there were no restrictions on the hours of operation; and spoke to the City conditions with regard to containment of lighting.

Speakers in favor in rebuttal:

Ms. Stanley spoke to the hours of operation; confirmed the services would take place inside; and emphasized that she wanted to operate a small business.

Councilmember Wilkins voiced concern with the lack of restrictions on the hours of operation; and asked if a condition could be added at this time.

City Attorney Carruthers stated the condition could only be offered voluntarily by the applicant; and stated the applicant would need to clarify and state what she would be offering.

Mayor Vaughan advised that the offer could not be coerced.

Ms. Stanley offered the condition that the business hours would be as early as 7 a.m. and no later than 8 p.m.

Moved by Councilmember Wilkins to accept the condition.

Councilmember Barber advised that he did not think Council could impose restrictions as speakers raised issues.

Councilmember Wilkins stated he understood; and would withdraw his motion should City Attorney Carruthers agree.

City Attorney Carruthers stated the motion had not received a second.

Mayor Pro-Tem Johnson stated she had made a second to the motion but would withdraw it at this time.

City Attorney Carruthers confirmed the motion died for lack of a second.

Councilmember Wilkins withdrew his motion.

Ms. Stanley added that she did not think that traffic would be an issue.

Speakers in opposition in rebuttal:

Mr. Luffman emphasized there would be more traffic; that the center lanes would be congested; referenced heavy traffic during rush hour; blind spots; added that the owner could not sell the property because it did not perk; and stated there was excess commercial property located in the area.

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

Discussion took place regarding the Zoning Commission's recommendation; availability of City Services; concerns with sewage being pumped to the manhole; and comments made by the speakers.

Assistant City Manager Parrish spoke to the flow of sewage; and stated that it was not a major concern.

**Moved by Councilmember Outling, seconded by Councilmember Wells, to adopt the ordinance. The motion carried on the following roll call vote:**

**Ayes,** 6 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Nancy Hoffmann, Justin Outling and Goldie F. Wells

**Nays,** 3 - Marikay Abuzuaiter, Sharon M. Hightower and Tony Wilkins

17-101 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 4716 HICONE ROAD – .89 ACRES)

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

BEGINNING at the northwest corner of Lot 87 of Burlwood, Section 7, recorded at Plat Book 70, Page 98; thence with the southern right-of-way line of Hicone Road N 78° 04' E 205.09 feet to the northeast corner of said lot; thence with the east line of said lot S 11° 56' E 220.0 feet to the southeast corner of said lot; thence with the south line of said lot S 69° 49' W 133.74 feet to the southwest corner of said lot; thence with the west line of said lot N 28° 51' W 250 feet to the point and place of BEGINNING, being all of said Lot 87, and containing approximately 0.89 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 August 15, 2017, the liability for municipal taxes for the 2017-2018 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, 2017. Municipal ad valorem taxes for the 2018-2019 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) Justin Outling

**38. [ID 17-0528](#)**

Ordinance Establishing Original Zoning for Property Located at 4716 Hicone Road

**Moved by Councilmember Outling, seconded by Councilmember Barber adoption of the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment, for the property located at 4716 Hicone Road from County RS-30 (Residential Single Family) to City CD-C-L (Conditional District Commercial Low) 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: the request is consistent with the Growth at the Fringe goal to provide a framework for the fringe; the request is consistent with the Economic Development goal to promote a healthy, diversified economy; and the request does implement measures to protect neighborhoods from potential negative impacts. The motion carried on the following roll call vote:**

**Ayes,** 6 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Nancy Hoffmann, Justin Outling and Goldie F. Wells

**Nays,** 3 - Marikay Abuzuaiter, Sharon M. Hightower and Tony Wilkins

#### 17-102 AMENDING OFFICIAL ZONING MAP

4716 HICONE ROAD, GENERLALY DESCRIBED AS SOUTH OF HICONE ROAD AND WEST OF CHINABERRY PLACE

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-L (Conditional District Commercial Low).

The area is described as follows:

"BEGINNING at the northwest corner of Lot 87 of Burlwood, Section 7, recorded at Plat Book 70, Page 98; thence with the southern right-of-way line of Hicone Road N 78° 04' E 205.09 feet to the northeast corner of said lot; thence with the east line of said lot S 11° 56' E 220.0 feet to the southeast corner of said lot; thence with the south line of said lot S 69° 49' W 133.74 feet to the southwest corner of said lot; thence with the west line of said lot N 28° 51' W 250 feet to the point and place of BEGINNING, being all of said Lot 87, and containing approximately 0.89 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County."

Section 2. That the zoning amendment from County RS-30 (Residential Single Family) to City CD-C-L (Conditional District Commercial Low) is hereby authorized subject to the following use limitations and conditions:

1. Uses: All uses allowed in the Commercial Low (C-L) district excluding Religious Assembly, Daycares, Elementary/Secondary Schools and Clubs or Lodges
2. Maximum building square footage shall be 5,000 square feet.
3. Maximum building height shall be no more than 2 stories
4. Any principal building shall incorporate the following architectural features to complement nearby residential uses
  - a. Residential features such as a pitched roof, gables and/or domers
  - b. Any primary entrance to a principal building shall be well defined and include projections such as a porch or other residential style covered entryway
5. Any mechanical equipment (HVAC, etc.) shall be screened from the public view
6. Freestanding signage shall be limited to a maximum height of 6 ft.
7. A Type C vegetative buffer shall be installed along the eastern property line

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-C-L (Conditional District Commercial Low) 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 August 15, 2017.

(Signed) Justin Outling

Mayor Vaughan declared a recess at 7:55 p.m. Council reconvened at 8:34 p.m. with all members in attendance.

**39. [ID 17-0363](#)**

**Resolution Renaming the Charles B. Aycock Historic District and Revising References in the Historic District Guidelines**

Mayor Vaughan stated this was the time and place set for a public hearing to consider Item Numbers 39/ID17-0363 Resolution Renaming the Charles B. Aycock Historic District and Revising References in the Historic District Guidelines and 40/ID17-0364 Ordinance Amending Chapter 30 of the Land Development Ordinance (LDO), With Respect to Changing the Charles B. Aycock Historic District to the Dunleith Historic District; and stated there was a speaker for the items.

David Wharton, 667 Percy Street stated he could speak to the item.

Councilmember Hightower asked if he could dispel why the name was being changed; stated the City could not erase history; and asked if Dunleith had owned slaves.

Mr. Wharton responded that he would answer those questions in his remarks; explained the process for his research; provided images of the area; the history of the neighborhood; the history of ownership of the property; Dunleith's beliefs and relationship to slaves; and added that the neighborhood had been named after Aycock School which had recently been renamed. Mr. Wharton continued by providing an overview of the renaming of Aycock Middle School by the Guilford County Board of Education; stated the neighborhood association had been renamed; and requested that Council vote in support of the name change.

Mayor Pro-Tem Johnson voiced that people could change; spoke to the history of Dunleith's change his life and way of thinking; verified he willed some of his property to African Americans; and emphasized the name change was encouraging.

Mr. Wharton explained that Judge Dick had been involved in amending the 14th Amendment on the property; spoke to the history of Aycock; and voiced the importance in people knowing the history of the area.

Councilmember Hightower emphasized that slavery was wrong; voiced appreciation for Mr. Wharton's explanation; and asked where Dunleith came from.

Mr. Wharton responded that he did not have a definitive answer; and spoke to it possibly coming from a novel titled 'Stuart of Dunleith'.

Mayor Pro-Tem Johnson voiced agreement with Councilmember Hightower's statement that slavery was wrong; and stated that she had respect for persons whose hearts demonstrated change.

Councilmember Hightower stated racism was alive and well; emphasized the need to breakdown the systemic problem; added that she would like to say she would support the name change; and spoke to the importance of Greensboro's history to be used as a teaching moment.

Councilmember Wells saluted the neighborhood; explained that history did mean a lot; and applauded Mr. Wharton

for the research that he had done.

**Moved by Councilmember Barber, 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, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

226-17 RESOLUTION RENAMING THE CHARLES B. AYCOCK HISTORIC DISTRICT TO THE DUNLEATH HISTORIC DISTRICT

WHEREAS, the Charles B. Aycock Historic District was designated as a Greensboro Historic District in 1984;

WHEREAS, the Historic District was named for the Charles B. Aycock School that has been renamed the Melvin C. Swann Middle School;

WHEREAS, the Aycock Neighborhood Association has changed their name to the Dunleath Neighborhood Association;

WHEREAS, "Dunleath" was the name of the 19th century estate of North Carolina Judge Robert P. Dick;

WHEREAS, a large portion of the neighborhood was developed on land that was formerly the Dunleath estate;

WHEREAS, the Greensboro Historic Preservation Commission recommends the name change because "Dunleath" is associated with an important chapter in the history of the neighborhood.

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

That the name of the Charles B. Aycock Historic District be changed to the Dunleath Historic District; and

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

That references in the Historic District Manual to Charles B. Aycock be revised to Dunleath.

(Signed) Mike Barber

**40. [ID 17-0364](#)**

Ordinance Amending Chapter 30 of the Land Development Ordinance (LDO),  
With Respect to Changing the Charles B. Aycock Historic District to the  
Dunleath Historic District

**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 Abuzuaite, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

17-103 AMENDING CHAPTER 30 (LDO)

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

(Editor's Note: Added text shown with underlines and deleted text shown with strikethroughs.)

Section 1. That Section 30-7-8.6, HDO, Historic District Overlay, is hereby amended to read as follows:  
30-7-8.6 –HDO, Historic District Overlay

## A. Establishment of a Historic District Overlay

1. A historic district overlay may be established as provided in 30-4-12.1.
2. The following historic district overlays have been established. See official zoning map for district boundaries.
  - a. Dunleath.
  - b. College Hill.
  - c. Fisher Park.

## B. Conformance with District Design Guidelines

Development and construction activity within a historic district overlay must conform to the adopted district report and the Historic District Program Manual and Design Guidelines. Furthermore, a certificate of appropriateness may be required. See 30-4-12.4 for applicability and exceptions.

## Resources

Historic District Overlay Districts  
 Historic District Manual and Design Guidelines (Manual)  
 Dunleath District (Map)  
 College Hill District (Map)  
 Fisher Park District (Map)

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

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

(Signed) Mike Barber

**41.** [ID 17-0522](#)

Resolution Amending Resolution 214-14 Authorizing a Job Creation Extension 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

Mayor Vaughan stated this was the time and place set for a public hearing to consider a Resolution Amending Resolution 214-14 Authorizing a Job Creation Extension 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.

**Moved by Councilmember Hoffmann, 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, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

227-17 RESOLUTION AMENDING RESOLUTION 214-14 AUTHORIZING A JOB CREATION EXTENSION FOR KOTIS HOLDINGS, LLC TO CREATE EIGHT NEW FULL-TIME EQUIVALENT JOBS IN CONJUNCTION WITH A GRANT REIMBURSEMENT AND PARTICIPATORY AGREEMENT FOR WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS TO FACILITATE THE COMMERCIAL DEVELOPMENT OF 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, Kotis Holdings, LLC is planning investment in new retail development at an existing site that the company owns at 200 Willowlake Road in eastern Guilford County;

WHEREAS, the project is projected to consist of new investment in retail buildings and equipment of up to \$20 million and result in the creation of at least eight new full-time equivalent jobs.

WHEREAS, the developer has finalized voluntary annexation into the City of Greensboro; WHEREAS, the site is located in a designated reinvestment corridor in the City limits of Greensboro;

WHEREAS, on September 3, 2013, the City Council adopted Resolution 256-13 which previously authorized \$311,911.00 for reimbursement of water and sewer infrastructure costs;

WHEREAS, on August 19, 2014, the City Council adopted Resolution 214-14 which amended Resolution 256-13 by increasing the appropriation to \$359,883.33 and extending the job creation deadline to August 20, 2017;

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 modification;

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,

WHEREAS, Kotis Holdings, LLC will be required to repay the City of Greensboro the entire \$359,883.33 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 July 31, 2019.

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 Kotis Holdings, LLC 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 on or before July 31, 2019, 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) Nancy Hoffmann

**42. [ID 17-0527](#)**

Resolution Closing a Portion of East Meadowview Road from a Point Approximately 732 Feet East of its Intersection with McArthur Drive Eastward Approximately 291 Feet to its Terminus.

Mayor Vaughan stated this was the time and place set for a public hearing to consider a Resolution Closing a Portion of East Meadowview Road from a Point Approximately 732 Feet East of its Intersection with McArthur Drive

Eastward Approximately 291 Feet to its Terminus.

Councilmember Hightower asked who would be responsible for turning it into the cul-de-sac.

Planning Manager Steve Galanti responded that it would be the responsibility of the property owner.

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

**Ayes,** 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzaiter, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

228-17 RESOLUTION CLOSING A PORTION OF EAST MEADOWVIEW ROAD FROM A POINT APPROXIMATELY 732 FEET EAST OF ITS INTERSECTION WITH MCARTHUR DRIVE EASTWARD APPROXIMATELY 291 FEET TO ITS TERMINUS

WHEREAS, the owners of a portion of the property abutting both sides of this portion of East Meadowview Road have requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, August 15, 2017, at 5:30 p.m., on the closing of said portion of street;

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

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 a portion of the property abutting both sides of the hereinafter mentioned portion of street have requested in writing that said portion of street be closed.
2. That the City Council hereby finds as a fact that the closing of the portion of street 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 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 no longer needed for public use.
4. That the applicant shall secure the gate within the area to be closed with a method that provides off-hours emergency services access.
5. That a new cul-de-sac be properly designed and constructed as a turn-around at the terminus of the portion of East Meadowview Road that is to remain open.
6. That the construction plans for the new cul-de-sac for East Meadowview Road be approved by the Department of Engineering and Inspections before the plat is recorded.
7. That a driveway permit for the access points to the new cul-de-sac for East Meadowview Road be approved by the Greensboro Department of Transportation before the plat is recorded.
8. That the street closure is to become effective upon the recording of a plat in the Guilford County Register of Deeds that depicts the portion of street to be closed being combined with the abutting property and dedicates the right-of-way necessary for the new cul-de-sac for East Meadowview Road. The plat shall be signed by each property owner who has an ownership interest in the portion of street to be closed and the area to be dedicated as right-of-way.

9. That the following portion of street is hereby permanently closed and abandoned as a public street:

A PORTION OF EAST MEADOWVIEW ROAD FROM A POINT APPROXIMATELY 732 FEET EAST OF ITS INTERSECTION WITH MCARTHUR DRIVE EASTWARD APPROXIMATELY 291 FEET TO ITS TERMINUS

(Signed) Sharon Hightower

## **V. GENERAL BUSINESS AGENDA**

### **43. [ID 17-0480](#)**

Resolution Authorizing Contract for FY 17-18 Homelessness Prevention Activities

Mayor Vaughan stated the funding would remain the same.

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

**Ayes,** 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

229-17 RESOLUTION AUTHORIZING CONTRACT FOR FY17-18 HOMELESSNESS PREVENTION ACTIVITIES (Option 1)

WHEREAS, Partners Ending Homelessness (PEH) is Guilford County's lead agency for homelessness prevention and is designated by City Council to administer a portion of City funding for homelessness prevention;

WHEREAS, in addition to PEH, the City will contract directly with the Interactive Resource Center (IRC) for day center and white flag shelter operations and with the YWCA for white flag shelter operations;

WHEREAS, funding in the amount of \$916,833 (\$558,639 Nussbaum funding, \$182,064 Emergency Solutions Grant [ESG] funding and \$176,130 Community Development Block Grant [CDBG] funding) is allocated for homelessness prevention activities for Fiscal Year 17-18;

WHEREAS, the City will contract with PEH to administer \$771,833 of the amount allocated for FY 17-18 (which includes \$94,075 as pass through for Greensboro Housing Coalition operations/housing hotline services and includes \$33,654 to assist with PEH administrative costs);

WHEREAS, the City will contract with the Interactive Resource Center (Nussbaum funding in the amount of \$125,000) to assist with day center operations and white flag shelter operations in Fiscal Year 17-18;

WHEREAS, the City will contract with the YWCA (Nussbaum funding up to \$20,000, on a reimbursement basis, at \$500 per night) to assist with white flag shelter operations in Fiscal Year 17-18;

WHEREAS, PEH, IRC, and YWCA are 501(c) (3) tax exempt organizations and have satisfied board member and staff training requirements for receiving Fiscal Year 17-18 City funding;

WHEREAS, Federal CDBG of \$176,130, Federal ESG of \$182,064 and Nussbaum funds of \$558,639 will be utilized to fund said contracts

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

That the City Manager is hereby authorized to enter into contract with Partners Ending Homelessness (PEH), the Interactive Resource Center (IRC), and the YWCA subject to the terms outlined above.

(Signed) Goldie F. Wells

**44. [ID 17-0551](#)**

Resolution to Approve Ten Multifamily Housing Facilities in the City of Greensboro and the Financing of Those Facilities with Multifamily Housing Revenue Bonds in an Aggregate Amount Not to Exceed \$38,000,000

Mayor Vaughan confirmed that the item was not the housing bonds.

**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 Abuzuaiter, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

230-17 RESOLUTION PROVIDING APPROVAL OF TEN MULTIFAMILY HOUSING FACILITIES IN THE CITY OF GREENSBORO, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$38,000,000

WHEREAS, the City Council of the City of Greensboro (the "City") met in Greensboro, North Carolina at 5:30 p.m. on the 15th day of August, 2017; and

WHEREAS, the Housing Authority of the City of Greensboro (the "Authority") has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$38,000,000 (the "Bonds"), for the purpose of financing the acquisition, rehabilitation and equipping by Greensboro Portfolio, LLC, a North Carolina limited liability company (the "Borrower"), or an affiliate or subsidiary thereof, of the following low and moderate income multifamily residential rental facilities in the City: Woodberry Run, consisting of 39 units in 13 buildings located on a 5.95 acre site at 212 Berryman Street; Baylor Court, consisting of 11 units in 11 buildings located on a 5 acre site at 3911 Baylor Court; Laurel Oaks, consisting of 50 units in 11 buildings located on a 9.4 acre site at 12 Laurel Lee Terrace; Pear Leaf, consisting of 50 units in 12 buildings located on a 6.78 acre site at 2917 West Florida Street; Stoneridge, consisting of 50 units in 6 buildings located on a 5 acre site at 1900 Peale Terrace; Applewood, consisting of 50 units in 10 buildings located on 5 acres at 3501 Old Battleground Road; River Birch, consisting of 50 units in 12 buildings located on 8.5 acres at 312 N. Swing Road; Silverbriar, consisting of 50 units in 16 buildings located on 7.44 acres at 4807 Silver Briar Court; Ray Warren, consisting of 236 units in 72 buildings, located on 26 acres at 1306 East Gate City Boulevard; and Lakespring, consisting of 60 units in 16 buildings, located on 9.8 acres at 4 Lakespring Court (collectively, the "Developments"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Authority for the Developments may only be issued after approval of the plan of financing by the City following a public hearing with respect to such plan; and

WHEREAS, on May 25, 2017, the Authority held a public hearing with respect to the issuance of the Bonds to finance, in part, the Developments (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Developments or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority, or to constitute the Bonds or any of the agreements or obligations of the Authority an indebtedness of the City, within the meaning of any constitutional or statutory provision whatsoever;

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

1. The acquisition, rehabilitation and equipping of the Developments described above in the City of Greensboro,

Guilford County, North Carolina by the Borrower, and the issuance of the Authority’s multifamily housing revenue bonds to provide a portion of the cost of the financing therefor in an amount not to exceed \$ 38,000,000, are hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately upon its passage.

Council Hightower moved the passage of the foregoing resolution and Mayor Pro-Tem Johnson seconded the motion, and the resolution was passed by the following vote:

Ayes: Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

Nays: None.

\*\*\*\*\*  
CERTIFICATION

I, Elizabeth H. Richardson, City Clerk of the City of Greensboro, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of Greensboro, North Carolina, in regular session convened on August 15, 2017, and that such proceedings of such meeting are recorded in the minutes of the City Council. Pursuant to state law, a current copy of a schedule of regular meetings of this City Council is on file in my office.

WITNESS my hand and the corporate seal of the City of Greensboro, North Carolina, this the 24th day of August, 2017.

City Clerk  
(SEAL)

(Signed) Sharon Hightower

45. [ID 17-0545](#)

Resolution Approving Bid in the Amount of \$6,303,077.00 and Authorizing Execution of Contract 2017-035 with Freyssinet, Inc. for the Mitchell Filter Plant Structural and Durability Improvement Project

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

**Ayes,** 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

231-17 RESOLUTION APPROVING BID IN THE AMOUNT OF \$6,303,077.00 AND AUTHORIZING EXECUTION OF CONTRACT 2017-035 WITH FREYSSINET, INC. FOR THE MITCHELL FILTER PLANT STRUCTURAL AND DURABILITY IMPROVEMENT PROJECT

WHEREAS, after due notice, bids have been received for the Mitchell Filter Plant Structural and Durability Improvement project;

WHEREAS, Freyssinet, Inc., a responsible bidder, has submitted the low base bid in the total amount of \$6,303,077.00 as general contractor for Contract 2017-035 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 Mitchell Filter Plant Structural and Durability Improvement 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 \$6,303,077.00 from:

Account #: 516-7023-01.6019.

(Signed) Nancy Hoffmann

46. [ID 17-0546](#)

Ordinance in the Amount of \$6,303,077 Amending the Water Resources Capital Project Bond Fund - Series 2018 Budget to Establish Funding for the Mitchell Filter Plant Structural and Durability Improvement Project

Mayor Pro-Tem Johnson spoke to the importance of infrastructure improvements for economic development.

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

**Ayes,** 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

17-104 ORDINANCE ESTABLISHING THE WATER RESOURCES CAPITAL PROJECT BOND FUND – SERIES 2018 BUDGET TO ESTABLISH FUNDING FOR THE MITCHELL FILTER PLANT STRUCTURAL AND DURABILITY IMPROVEMENT PROJECT.

Section 1

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

That the Water Resources Capital Project Bond Fund – Series 2018 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Water Resources Capital Project Bond Fund – Series 2018 Budget be increased as follows:

Account	Description	Amount
516-7023-01.6019	Other Improvements	\$6,303,077
TOTAL		\$6,303,077

And, that this increase be financed by increasing the following Water Resources Capital Project Bond Fund – Series 2018 Budget account:

Account	Description	Amount
516-0000-00.9005	Revenue Bond Proceeds	\$6,303,077
TOTAL		\$6,303,077

Section 2

And, that this ordinance should become effective upon adoption.

((Signed) Marikay Abuzuaiter

**47. [ID 17-0519](#)**

Ordinance in the Amount of \$75,499,335 Amending the FY 17-18 Water Resources Enterprise Fund for Refinancing 2016 Revenue Bond Anticipation Note and Series 2009A Revenue Bonds

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

**Ayes,** 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

17-106 ORDINANCE IN THE AMOUNT OF \$75,499,335 AMENDING THE FY 17-18 WATER RESOURCES ENTERPRISE FUND FOR REFINANCING 2016 REVENUE BOND ANTICIPATION NOTE AND SERIES 2009A REVENUE BONDS

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

Section 1

That the FY 17-18 Water Resources Enterprise Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriations be increased as follows:

Account	Description	Amount
501-7018-04.5899	Payment to Escrow Agent	\$74,989,965
501-7018-04.5831	Bond Issuance Expense	\$ 509,370
Total		\$75,499,335

And, that the following revenue finance these appropriations:

Account	Description	Amount
501-7018-04.9005	Proceeds from Refunding Bonds	\$66,050,270
501-7018-04.9001	Premiums on Bond Proceeds	\$ 9,151,900
501-7018-04.8510	Interest Earned – Sale of Bond	\$ 297,165
Total		\$75,499,335

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

**48. [ID 17-0534](#)**

Ordinance in the Amount of \$1,738,232 Amending GTA Grant Fund Budget for the Federal Fiscal Year 2017 FTA Congestion Mitigation Air Quality Grant

**Moved by Councilmember Abuzuaiter, 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 Abuzuaiter, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

17-105 ORDINANCE AMENDING GTA GRANT FUND BUDGET FOR THE FEDERAL FISCAL YEAR 2017 FTA CONGESTION MITIGATION AIR QUALITY GRANT

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

Section 1

That the GTA Grant Fund Budget be amended as follows for the FY 2076 FTA Congestion Mitigation Air Quality Grant:

Account	Description	Amount
567-4516-01.5917	Licenses, Fees & Other	\$ 8,000
567-4516-01.5919	Other Taxes/Assessments	\$ 24
567-4516-01.6051	Licensed Vehicles	\$1,730,208
Total		\$1,738,232

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

Account	Description	Amount
567-4516-01.7100	Federal Grant	\$1,477,497
567-4516-01.9481	Transfer from 2016 Bond Fund	\$ 260,735
Total		\$1,738,232

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

**49. [ID 17-0562](#)**

Resolution Authorizing Contract for Medical Plan Administration Services

Councilmember Outling stated he needed to recuse himself from voting on the item; reiterated the reason being the same as earlier; stated he did not wish to belabor the point; and requested Council's support of the recusal.

Moved by Councilmember Wilkins, seconded by Councilmember Wells to excuse Councilmember Outling from voting on the item. The motion carried by voice vote.

City Manager Westmoreland provided an overview for the Request For Proposal (RFP) process; of Council's direction at that time; stated staff had reviewed options; that the Human Resources team, with assistance from the consultant, had reached out to United Health Care (UHC) to discuss the terms and costs for extension of the contract; stated that staff was recommending a three-year fixed contract with two potential one-year extensions;

and confirmed he felt confident that UHC was qualified to continue providing the services to the City.

Councilmember Hightower stated she would not vote for this; voiced that the process had been tainted since 2016; could open the City up for additional problems; spoke to the precedent being set for RFP's; stated Councilmember Outling should have recused himself from voting in 2016; voiced concern for the amount of money spent on consultants, staff time and issuing RFPs; issues with not listening to staff recommendations; added that persons were playing to an audience during an election year; and emphasized she was troubled by the process for the contract. Councilmember Hightower continued by stating she did not know what the savings were; referenced an email from City Manager Westmoreland today; voiced the need to be honest and transparent; spoke to keeping local business; and asked City Attorney Carruthers to provide an explanation of the difference for the recusal of Councilmember Outling this evening versus last year.

City Attorney Carruthers stated the recusal was not an issue before the body tonight; and that as City Attorney, it was not an opinion he could render at this point.

Mayor Vaughan asked Councilmember Outling to speak to the question.

Councilmember Outling confirmed he had acted based on the advice received from City Attorney Carruthers who he routinely consulted with; spoke to raising questions on his own initiative as City Attorney Carruthers' advice could change; provided an overview of engaging with City Attorney Carruthers; confirmed he had looked at the issue closely; verified there was no case law on the issue; suggested Council look at this issue; and voiced his appreciation for being allowed to recuse himself on this as well as on item number 3.

Jim Kee, 4301 Lord Jeff Drive stated he agreed with statements made by Councilmember Hightower; referenced the negotiation of the waste disposal contract that was awarded to Republic when he served on Council; emphasized that this process had to stop; asked what was the point in bidding if contractors were not going to be given a fair shake; and suggested other options and uses for putting the City's savings to use.

Councilmember Hightower spoke to where the savings could have been applied; to using the money to pay employees higher wages; stated the process was not right even if there was a savings; referenced advocating for raising the minimum wage to \$15 per hour; emphasized the need to stand for what was right; referenced the direction given by Council in 2016; stated the process was wrong from the beginning; that Council needed to learn the definition of integrity; and reiterated that she would not vote in support of the item.

Councilmember Wells referenced discussions at the last meeting; reminded Council they had heard the presentation of both groups; that it appeared the lowest bidder was not awarded the contract; spoke to the recommendation of staff; voiced Council needed honor the commitment of staff and the consultant; mentioned the bids from 2016; and stated that going forward, she hoped the process was not ignored.

Councilmember Abuzuaiter provided her thoughts on changing health care plans midstream; stated she wished the process had been a little different; reminded Council that City Manager Westmoreland was Council's employee, stated a person in attendance at a community meeting informed those present that UHC hired 70% minority employees in Guilford County; referenced Council wanting to hire minorities; inquired as to what could be discussed with regard to local companies; and stated that she would be supporting the item.

Mayor Vaughan voiced frustration over the process; spoke to the monetary difference being approximately 1.7% between the two contracts; stated that her conversations with employees indicated they were happy with the current coverage; spoke to her personal experience as a UHC recipient; stated UHC was responsive to different programs and medicines; outlined the diversity of the company; provided examples of how UHC gave back to the community; added that the cost savings did not justify the change; that she was voting on her healthcare; and confirmed she would vote in support of the item as the cost savings did not justify the change.

Mayor Pro-Tem Johnson spoke to the benefits of having UHC; voiced agreement that the process was flawed; explained she would have preferred Council adopt an ordinance or agreement that the City would give preferential

treatment to local companies; spoke to why she previously voted 'no' on the item; added that she would vote in support of the item this evening; stated that Councilmember Hightower had made some valid points; and emphasized the need to be honest about why Council made the decisions it did, so people could respect those decisions.

Councilmember Hoffmann stated she wanted citizens to understand the importance of local companies; added it was difficult to just ignore UHC who had 3,500 employees; made approximately a \$1,075 million annual economic impact; referenced economic incentives that would be offered to a perspective company similar to UHC; spoke to the need to see how important it was to have major local corporations; and emphasized that UHC had provided excellent benefits to the City.

Councilmember Wilkins spoke to the benefits of the monthly cost impact UHC had to persons with diabetes; spoke to the number of City employees affected by the disease; and voiced Council was doing the right thing.

Councilmember Wells stated that after hearing personal testimonies Council should not have considered changing; and that if UHC was that good, the City should keep them as they had been an excellent company.

Councilmember Barber advised that the contract was a services contract which had no RFP requirement; reminded Council there was an interest of some members to do an RFP; stated that Council recognized the legal limitations of what they could and could not consider; advised that it had come to light that an RFP was not the best way to go; that it was highly technical and comprehensive; added that it was difficult to do the analysis; spoke to the requirements for UHC; added that Council had listened to constituents, employees and retirees on this plan of which, a large percentage said they were happy and satisfied; spoke to setting aside the RFP; and stated UHC was a good company.

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

**Ayes,** 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzaiter, Mike Barber, Nancy Hoffmann, Goldie F. Wells and Tony Wilkins

**Nays,** 1 - Sharon M. Hightower

**Excused,** 1 - Justin Outling

#### 232-17 RESOLUTION AUTHORIZING CONTRACT FOR MEDICAL AND PHARMACY PLAN ADMINISTRATION SERVICES

WHEREAS, the City of Greensboro uses a Third Party Administrator to administer the medical and pharmacy benefits offered to active and retired employees as a component of its' Total Compensation program;

WHEREAS, the City of Greensboro and Human Resources contracts with a Third Party Benefits Plan Administrator Human Resources consulting firm that is specialized in the provision of claims processing, customer services, reporting, and support services related to the City's health and welfare programs;

WHEREAS, the three-year contract, with two potential one-year renewals, will exceed \$100,000, which requires City Council approval;

WHEREAS, Marsh and McLennan, on behalf of the City, conducted follow-up discussions with United Healthcare regarding their continuation of service and to determine best plan pricing options for the City. Once collected, the information was submitted to the City Manager and Human Resources for review. Based on the results of the follow-up discussions and in an effort to achieve the best pricing for the City and its medical plan members, it is recommended that Council consider awarding a three-year fixed price contract, with two potential one-year renewals to United Healthcare;

WHEREAS, the total estimated annual contract value is \$1,318,000. The three year estimated total is \$3,954,000.

The maximum five-year estimated total contract value is \$6,590,000. Funds for this contract in the amount of approximately \$659,000 will be available 1/1/2018;

WHEREAS, funds for this contract in the amount of approximately \$1,318,000 will be available in fiscal year 2018-19; from Account 684-1001-01.5419;

WHEREAS, funding for subsequent years is subject to future City Council appropriations.

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

That the resolution authorizing Contract for Medical Plan Administration Services to United Healthcare is hereby approved.

(Signed) Nancy Hoffmann

**50. [ID 17-0568](#)**

Resolution Authorizing Change Order in the Amount of \$1,200,000 in Contract No. 2010-035 with J. R. Lynch and Sons, Inc. for Cone Boulevard and Nealtown Road Roadway Improvements

Mayor Vaughan stated this was good for District 2.

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

**Ayes,** 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzaiter, Mike Barber, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Goldie F. Wells and Tony Wilkins

233-17 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT 2010-035 WITH J.R. LYNCH & SONS, INC. FOR THE CONE BOULEVARD AND NEALTOWN ROAD ROADWAY IMPROVEMENTS PROJECT

WHEREAS, Contract No. 2010-035 with J.R. Lynch & Sons, Inc. provides for Cone Boulevard and Nealtown Road Roadway Improvements project;

WHEREAS, due to overrun in quantities for bulk asbestos removal, hazardous waste permitting, leachate removal, and various associated items per the added work for value engineering of the landfill excavation method, the work has been added to the contract; thereby necessitating a change order in the amount of \$1,200,000.00.

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

That a change order in the above mentioned contract with J.R. Lynch & Sons, Inc. for Cone Boulevard and Nealtown Road Roadway Improvements project is hereby authorized at a total cost of \$1,200,000.00; payment of said additional amount is to be made from 471-4502-05.6014 A16064.

(Signed) Sharon Hightower

**51. [ID 17-0541](#)**

Boards and Commissions Listing for August 15, 2017

Moved by Councilmember Hoffmann, seconded by Mayor Pro-Tem Johnson to reappoint Adam Marshall to the Zoning Commission. The motion carried by voice vote.

Moved by Councilmember Wells, seconded by Councilmember Barber to appoint Jacques Pierre to the Community Sustainability Council to replace Howard Taylor. The motion carried by voice vote. Discussion took place regarding

the fact that Mr. Pierre resided in District 1. Councilmember Wells confirmed although he resided in District 1, she was assigning him to the District 2 vacancy.

Moved by Councilmember Barber, seconded by Councilmember Wilkins to appoint Carol Carter to the Planning Board in the position formerly held by Celia Parker. The motion carried by voice vote.

Mayor Pro-Tem Johnson stated she had appointed Paula Ritter-Lipscomb to the Community Sustainability Council; that Ms. Lipscomb was unable to attend the meetings; and that she was looking for a District 2 person to fill the position.

Moved by Mayor Vaughan, seconded by Mayor Pro-Tem Johnson to appoint Vickee Foust to the Community Sustainability Council. The motion carried by voice vote.

Moved by Councilmember Outling, seconded by Mayor Vaughan to reappoint David Sevier to the Human Relations Commission. The motion carried by voice vote.

Moved by Councilmember Outling, seconded by Councilmember Wilkins to appoint Amanda Hodierne to the Historic Preservation Commission in the position formerly held by Cynthia Adams. The motion carried by voice vote.

Councilmember Wilkins stated he expected to have some appointments next month; and asked City Clerk Betsey Richardson to forward the responsibilities of a board liaison to him.

City Clerk Richardson referred the question to City Attorney Carruthers who responded that nothing had been published to date on the subject but that the Legal Department would prepare some guidance.

Councilmember Wilkins added that he would like to know the guidelines and what liaisons were responsible for.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to reappoint Steve Allen to the Planning Board. The motion carried by voice vote.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint Carlos Townsend to the Historic Preservation Commission in the position formerly held by Sharon Graebar. The motion carried by voice vote.

Councilmember Hightower placed the name of Hugh Holston into the databank for future service on the Planning Board.

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

Councilmember Hightower voiced appreciation for Council's support of the motion for an apology for the 1979 Greensboro Massacre; voiced the need to resolve racism; reminded people of the upcoming Folk Festival September 8 - 10; spoke to the 2017 Concert Series at Barber Park; the Blues Festival; stated she attended National Night Out; suggested it be an all day event; could take place once a month; and wished all a happy election season.

Councilmember Abuzuaiter stated that there was too much hate in the world; stated peoples' hearts and minds went out to Charlottesville; welcomed Dr. Goldie Wells to Council; provided congratulations to the recent graduates of the Fire Academy; stated she had attended the International Soccer Tournament at Hester Park at the end of July; and commended Parks and Recreation for their work on the event.

Mayor Vaughan asked for a motion to cancel the September 5th meeting of Council. Moved by Councilmember Wells, seconded by Councilmember Hightower to cancel the September 5th meeting of Council. The motion carried by voice vote.

Mayor Pro-Tem Johnson stated she had spent the Day in the Life with Inspector Pat Rose who was one of the first female inspectors hired in the Engineering and Inspections Department; praised the vigil held on Sunday for Charlottesville; and asked Police Chief Wayne Scott if the City could impose a ban on carrying weapons at protests/rallies.

Police Chief Wayne Scott outlined the mechanisms in place for permitted events; referenced NCGS 14-22.2 with regard to non-permitted events; stated the law was specific about parades and funerals; spoke to who had the authority to declare an emergency for the City; emphasized he felt confident the City was in a good place; that the Police Department was doing its due diligence and paying attention; and stated there was a great turnout on Sunday at the vigil.

Mayor Pro-Tem Johnson voiced concern with the need to have ways to prevent persons from carrying guns at specific events.

Discussion took place regarding concealed weapons; and the regulations for firearms.

Mayor Pro-Tem Johnson reminded Council that students were returning to area colleges and universities.

Councilmember Wells voiced appreciation for the way she had been received by Council and the staff; stated it was good to sit in the seat again; that she had attended 7 of the 25 events for National Night Out in District 2; spoke to her participation in a Day in the Life with Neighborhood Development; announced the upcoming ribbon cutting for the Nealtown Connector on Wednesday August 30th at 9:00 a.m. which would be named Ralph C. Johnson Way; and spoke to the twenty years of planning for the connector.

Councilmember Hoffmann stated she was delighted to have Dr. Wells sitting next to her; that she had done several residential and commercial inspections with a seasoned inspector for the Day in the Life; had attended National Night Out; and added that she enjoyed seeing the Lime Bikes Downtown.

#### Matters to be presented by the City Manager

City Manager Westmoreland stated the Wyndham Tournament (WT) was in town; and recognized Councilmember Barber to speak to the Tournament.

Councilmember Barber stated that ticket sales had been brisk; the field was terrific; spoke to the participants; the children's clinics; events that had taken place today; emphasized that the economic impact of the WT was between \$25 and \$40 million; thanked the estimated 1700 volunteers that helped make the WT's 78th year a great one; and invited the community to attend.

Councilmember Hightower stated that there had been 28 murders in the City to date; that a life threatening injury had occurred this evening on East Market Street; asked what the City would do to remedy the issue; and voiced concern that the total would crest at 35 this year.

Councilmember Barber reminded Council that a year or so ago they had discussed the Greensboro Police Department (GPD) not conducting traffic stops; voiced concern that now Council wanted GPD to be more aggressive to keep the community safe; emphasized the need to reduce the violence before it happened; spoke to challenges of GPD; and voiced appreciation for GPD as they were stretched with regard to the number of officers it had.

Councilmember Wells verified that there were about 15 or 16 homicides in District 2; confirmed it was not just GPD; voiced concern with the lowest income, highest poverty and unemployment rates in those areas; emphasized that there were a lot of reasons that caused the unrest in communities; and asked if there were other issues Council could help with to improve the lives of citizens.

Councilmember Hightower voiced the need to be vigilant in solving the murders; reiterated the community had an economic problem; referenced a seminar she had attended regarding community policing; the need for police and the community to work in conjunction with one another; emphasized she was in support of accountability and

transparency; was not anti-police; and asked Police Chief Scott to speak to the issue.

Police Chief Scott responded that the country was in the midst of two epidemics - violent crime and an opioid crisis which he felt were strongly linked; informed Council that GPD had started the Safer City Summit; would continue to be vigilant going forward; was realistic to the fact that it had limited resources; spoke to the level of feedback provided by GPD; changes that could be made; referenced the 152 sites for National Night Out; voiced that he felt the City could get through the issue together; that he was working and in discussions with police chiefs throughout the state; and stated he welcomed questions and suggestions from Council.

Councilmember Wilkins asked how many officers the department was losing a month. Police Chief Scott responded about 4 on average; and spoke to the attrition rate.

Discussion took place regarding the number of officers lost per month; losing more prior to the pay raise becoming effective December 1st; and there being 19 graduates on August 30th.

Police Chief Scott voiced appreciation for the support of Council; and spoke to attrition.

Councilmember Wilkins stated he would put in the form of a motion to make the raise effective immediately.

City Manager Westmoreland informed Council that staff would need to research the impact from a budget standpoint; voiced the need to figure out the difference should the City accommodate moving the date; and confirmed staff would offer Council options on how to achieve that.

Councilmember Wilkins added that if staff could not accommodate that, it would be the first time he had heard staff say they could not accommodate a request over the past four years.

Councilmember Barber suggested City Manager Westmoreland provide the cost of implementating the GPD raise effective October 1st; and stated he did not wish to put that in the form of a motion.

City Manager Westmoreland responded that staff would provide the information to Council.

#### 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 Hoffmann, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 10:04 P.M.

ELIZABETH H. RICHARDSON  
CITY CLERK

NANCY VAUGHAN  
MAYOR