



City of Greensboro

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

Meeting Minutes - Draft City Council

Tuesday, January 19, 2016

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:00 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 Mike Barber, Councilmember Marikay Abuzuaiter, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling and Councilmember Tony Wilkins

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

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to recess to closed session to preserve the attorney-client privilege and consult with legal counsel concerning pending litigation in the matter of QUB Studios LLC and Eric Robert v. City of Greensboro, pursuant to G.S. 143-318.11(a) (3). The motion carried by voice vote.

Council recessed to closed session at 5:01 p.m. Council reconvened into open session at 5:42 p.m. with all members in attendance.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

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

Recognition of Courier

City Manager Jim Westmoreland recognized Todd Mahan of the Engineering and Inspections Department who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

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

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 16-0045](#) Resolution Recognizing the North Carolina A&T State University Football Team for Their Win in the Celebration Bowl

Councilmember Fox read the resolution into the record; recognized and presented the resolution to the members of the North Carolina A&T State University faculty.

A photo was made with Mayor Vaughan and members of the football team; and Mayor Vaughan extended congratulations to the team.

Councilmember Hightower congratulated the team; and emphasized that Greensboro had a national champion

team.

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

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

0001-16 RESOLUTION RECOGNIZING THE NORTH CAROLINA A&T STATE UNIVERSITY FOOTBALL TEAM FOR THEIR WIN IN THE CELEBRATION BOWL

WHEREAS, the North Carolina A&T State University (NC A&T State) football team defeated Alcorn State, 41-34 in the inaugural Air Force Reserve Celebration Bowl on December 19, 2015 at the Georgia Dome in Atlanta;

WHEREAS, the Celebration Bowl is a new Historically Black Colleges and Universities (HBCU) postseason football bowl owned and operated by ESPN Events, a division of ESPN;

WHEREAS, the bowl is a championship-style game between the Mid-Eastern Athletic Conference (MEAC) and the Southwestern Athletic Conference (SWAC) division champions;

WHEREAS, the win claimed the school's third Historically Black Colleges and Universities (HBCU) Football Championship;

WHEREAS, NC A&T State finished the season 10-2, claiming its second consecutive MEAC Championship that marks the third time in school history that the team won ten or more games;

WHEREAS, five Aggies were named First-Team All-MEAC, three to the second-team, and two to the league's third-team;

WHEREAS, the City Council wishes to extend their congratulations the NC A&T State football team for their participation and win in the Celebration Bowl.

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

That it hereby recognizes the North Carolina A&T State University Football team for their win in the Celebration Bowl.

(Signed) Sharon Hightower

2. [ID 16-0024](#) Downtown Greensboro, Incorporated (DGI) Update

City Manager Westmoreland recognized former Councilmember and Downtown Greensboro Incorporated (DGI) President and CEO Zack Matheny for an update.

Mr. Matheny presented Council with the second quarter report; spoke to monetary investment of ongoing projects throughout Downtown; the number of jobs that would be created as a result of the \$100 million of investment; additional office space being created; involvement of the community; and stated that DGI would take over the organization of community festivals that was formerly handled by Betty Cone. Mr. Matheny announced an upcoming community visioning workshop which would take place next Wednesday; referenced merchant and town hall meetings that had been held; stated those meetings would continue; referenced development in East Greensboro; and thanked Council for their support of DGI.

Councilmember Wilkins voiced appreciation for the response of DGI to Sanctuary House.

Councilmember Hightower expressed appreciation for the effort and collaboration with East Greensboro; and continued work with Mac Simms.

Mr. Matheny stated DGI wanted to bridge the gap for Downtown; emphasized that the Greenway needed to be completed; spoke to work that would be done along Murrow Boulevard; and provided a shoutout to North Carolina

A&T State University.

Councilmember Outling referenced working with Mr. Matheny; and stated he looked forward to their continued successful relationship.

Mayor Vaughan voiced the importance for development Downtown which was the heartbeat of the City; and the importance for people to relocate Downtown.

Mr. Matheny recognized board members in the audience; and reiterated his appreciation for Council's support.

3. [ID 16-0025](#) Presentation on the Human Rights Campaign 2015 Municipal Equality Index Update

City Manager Westmoreland recognized Human Resources Director Connie Hammond and Diversity Officer Maria Hicks-Few for a presentation.

Mayor Vaughan recognized the work done by former Assistant City Manager Mary Vigue on the issue; and emphasized that Ms. Vigue had put a lot of work into the project.

Ms. Hammond thanked Council; provided the history of the item to make the community more inclusive; highlighted the City's success and progress in meeting their goals; explained the scoring of the Human Rights Campaign Municipal Quality Index which was the highest the City had ever achieved; emphasized the City score was the highest in both the Carolinas; and voiced appreciation for the work of Maria Hicks-Few on her involvement in the process.

Ms. Hicks-Few made a PowerPoint Presentation which highlighted the Human Rights Campaign; explained the definition of the Municipal Equality Index (MEI); provided an explanation of the MEI measures; stated the City was number 1 in 2015 with a score of 85 for the seven major North Carolina cities; emphasized that the City goal was to remain number 1 in both North and South Carolina; and thanked Council for their support of the item.

Councilmember Wilkins voiced appreciation to Mayor Vaughan for her involvement in the issue.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 2 which is hereby referred to and made a part of these minutes)

II. PUBLIC COMMENT PERIOD

Terry Power, 910 Merrit Drive outlined the City Arts Drama Center programs and goals; invited people to attend the various workshops held on Wednesdays at the Cultural Arts Center from 7:00 - 9:00 p.m.; and spoke to the Drama Center Boosters.

Kristin Kicklighter, 1511 Glenwood Avenue voiced the importance of the City Arts Drama Center to the community; announced an upcoming production this weekend at the Stephen B. Hyers studio; stated that living playwrights had the opportunity to see their work performed by local actors; and spoke to the diversity of the Center.

Lindy Garnette, 720 Lipscomb Road representing the YWCA provided an overview of the White Flag Warming Center program; voiced concern with temperatures expected in the teens; outlined the commitment made by organizations for the centers to assist in keeping people warm and inside; asked for financial support from the City; and emphasized that the welfare of citizens was a public and safety issue.

Mayor Vaughan asked Neighborhood Development Director Barbara Harris for an update; requested the speakers address the Guilford County Commissions; and voiced the need to recognize the role of Guilford County regarding health and human services.

Ms. Harris provided clarification regarding the amount of funding provided to the Interactive Resource Center (IRC); referenced an increase in funding for the emergency winter sheltering efforts; and addressed alternative City resources provided towards the initiative.

Discussion took place regarding the organizations that provided shelter at night; monetary and in-kind contributions made by the City to the White Flag Warming Center initiative; and the need to figure out the value of the in-kind services provided by the City.

City Manager Westmoreland was requested to provide the monetary value of the man hours and in-kind services the City currently provided to support the White Flag warming center initiative; and to contact the YWCA Executive Director to review their winter shelter program/operations and discuss potential City funding support needs.

City Attorney Carruthers was requested to provide an outline of what a bond package would look like for November with regard to affordable housing funding.

Michelle Kennedy, 2412 Sherwood Street representing the IRC provided the history and role of the IRC in the White Flag Warming Center initiative; voiced appreciation of the \$75,000 provided to the IRC by the City; spoke to the cost of providing winter shelters; requested a financial commitment from the City specifically for the White Flag Warming Center initiative; outlined what the current City funding covered at the IRC; and emphasized that the funding received was not adequate to cover the winter shelter program provided by the IRC.

Discussion ensued regarding if the City had facilities that could be used for warming centers; use of City employees and the Windsor and Glenwood Recreation Centers; the partnership need for the YWCA; if the current funds provided to the IRC were earmarked for a specific purpose; importance in talking with Guilford County; and appreciation for the IRC, YWCA and Urban Ministries for providing the warming centers.

Curtis Hairston, unknown address voiced concern with and the need to fund homelessness; spoke to an issue with the Guilford County Sheriff's department; provided racial statistics for homeless people; and spoke to the lack of jobs.

Holden Cessian, 1804 Spring Garden Street voiced concern for homelessness; spoke to the need for donations; challenged organizations to get involved in assisting with homelessness; and emphasized the need for affordable housing in the City.

Councilmember Hightower announced upcoming housing summit meetings which would take place; and asked that faith based organizations participate in the meetings.

Demonte Algood, 1507 Elwood referenced Dr. Martin Luther King, Jr's. birthday; provided verses from the Bible; voiced concern with homelessness; spoke to the City leading the nation in a resolution to homelessness; and the need for action.

Irving Allen, 649 Creek Ridge Road echoed sentiments of those who had spoken; voiced appreciation for those who were addressing the issue and supported warming centers; asked people to donate their time and financial resources; announced that Black Lives Matter was starting a initiative for drop off centers throughout the City; and invited people to attend a meeting on January 26th at the IRC at 6:00 p.m.

Anjoinette Alexander, 8081 1-A Province Spring Circle announced the Americans Who Tell the Truth Art and Education Exhibit at the International Civil Rights Museum; provided details of the artist, Robert Shetterly and the exhibit; and invited Council to the visit exhibit.

Damon B. Williams, 4209 Olympia Drive voiced concern with disparity in the Police Department; referenced the racial makeup of the last five Police Academy classes and the Police Department; voiced concern with the 30 day moratorium; and white supremacy and racism.

Discussion ensued regarding the racial makeup of the Police Department; and the efforts by the City to improve diversity in the public safety departments.

Councilmember Outling referenced comments made with regard to African American representation on Council; the need for improvement; and spoke to the racial diversity of attendance at community meetings.

McElroy Hughes, 705 Park Avenue voiced disagreement with Councilmember Outling's comments; questioned the GTA service during inclement weather; and asked about the status of the Riders Advisory Committee (RAC).

City Manager Westmoreland was requested to provide information regarding the status of the RAC program.

III. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda.

Councilmember Hightower inquired whether the property for Item #8/ID16-0009 was a buildable lot.

Assistant City Manager David Parrish responded that it was a single family residential lot.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox to adopt the Consent Agenda. The motion carried by voice vote.

4. [ID 16-0006](#) Ordinance in the Amount of \$32,000 Amending State, Federal and Other Grants Fund Budget for the Appropriation of FY 2014 Fair Housing Training Program Grant Funds

16-0001 ORDINANCE ESTABLISHING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE AMENDED APPROPRIATION OF FY 2014 FAIR HOUSING TRAINING PROGRAM GRANT FUNDS

Section 1

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

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

Account	Description	Amount
220-0306-01.4110	Salaries and Wages	\$22,850
220-0306-01.4510	FICA Contribution	\$ 2,000
220-0306-01.4520	Retirement Contribution	\$ 2,600
220-0306-01.4610	Health Coverage ~ Active	\$ 3,800
220-0306-01.4650	Dental Coverage ~ Active	\$ 300
220-0306-01.4710	Life Insurance ~ Active	\$ 200
220-0306-01.5253	Rent-Parking Subsidy	\$ 250
	TOTAL	\$32,000

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

Account	Description	Amount
220-0306-01.7100	Federal Grant	\$32,000
	TOTAL	\$32,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

5. [ID 16-0030](#) Ordinance in the Amount of \$15,200 Amending State, Federal and Other Grants Fund Budget for the Appropriation of Piedmont Triad

Regional Council Area Agency on Aging Senior Center General Purpose
Grant

16-0002 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF PIEDMONT TRIAD REGIONAL COUNCIL AREA AGENCY ON AGING SENIOR CENTER GENERAL PURPOSE GRANT

Section 1

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

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

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

Account name – FY 15/16 Senior Center General Purpose Grant

Account	Description	Amount
220-5081-01.5613	Maintenance & Repair – Building	\$11,040
220-5081-01.5413	Consultant Services	\$3,560
220-5081-01.5235	Small Tools and Equipment	\$600
TOTAL:		\$15,200

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

Account	Description	Amount
220-5081-01.9101	Transfer from General Fund	\$3,800
220-5081-01.7170	Local Government Grant	\$11,400
TOTAL:		\$15,200

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

6. [ID 16-0017](#) Resolution Establishing Authority for the Historic Preservation Commission to Conduct Public Hearings Regarding Municipal Service District Contracts

0002-16 RESOLUTION DELEGATING TO THE GREENSBORO HISTORIC PRESERVATION COMMISSION AUTHORITY TO HOLD PUBLIC HEARINGS BEFORE ENTERING INTO MUNICIPAL SERVICE DISTRICT CONTRACTS IN THE COLLEGE HILL AND CHARLES B. AYCOCK HISTORIC DISTRICTS

WHEREAS, the College Hill and Charles B. Aycock Historic Districts were designated as Municipal Service Districts in 1989 to provide a funding source for streetscape and other improvements that enhance the special character of the districts; and

WHEREAS, period lighting, gateway signs, landscaping and similar improvements are important to the success of the Historic District Program because they support investment in restoration of architecturally significant houses and buildings; and

WHEREAS, property owners participate in the cost of special projects and services through the Municipal Service

District tax and have a role in planning and prioritizing projects to be funded; and

WHEREAS, in 2015 the Municipal Service District statutes were amended to require a public hearing for any contract be funded with MSD revenue; and

WHEREAS, the Greensboro Historic Preservation Commission is appointed by City Council to administer the Historic District Program; and

WHEREAS, authorization of the Historic Preservation Commission to hold public hearings on MSD contracts at their regular monthly meetings would expedite the process and ensure ample opportunity for resident and property owner input.

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

That it hereby delegates to the Historic Preservation Commission the authority and responsibility to hold public hearings prior to entering into contracts for services, functions and facilities funded with MSD revenue in the Charles B. Aycock and College Hill Historic Districts. Public hearings will be held pursuant to the terms of G.S. 160A-536 as rewritten.

(Signed) Yvonne Johnson

7. [ID 16-0005](#) Resolution Authorizing Interlocal Agreement for End Users of SunGard Enterprise Wide Software System

0003-16 RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT FOR END USERS OF SUNGARD ENTERPRISE WIDE SOFTWARE SYSTEM

WHEREAS, the City's Guilford Metro 9-1-1 Department is responsible for the administration of the SunGard enterprise wide software system that is used by Guilford County and City Emergency Management Service Departments, and

WHEREAS, the City plans to execute an end user agreement between the City and Guilford County; and

WHEREAS, under North Carolina State Statutes, this intergovernmental agreement requires City Council approval; and

WHEREAS, an interlocal agreement between the City, Guilford County and SunGard, Inc. was approved by Council earlier this year; and

WHEREAS, through this original interlocal agreement, the City serves as the administrator of an enterprise wide software license that is accessed from offices and vehicles of emergency service and law enforcement staff; and

WHEREAS, the City has determined it is in its best interests to execute an agreement that provides the contracted parties with an avenue to address and remedy any potential violations of the software end user agreement; and

WHEREAS, there are no budget impacts from this agreement.

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

That the resolution authorizing an interlocal agreement between the City and Guilford County for end users of SunGard Enterprise Wide Software System is hereby approved.

(Signed) Yvonne Johnson

8. [ID 16-0009](#) Resolution Authorizing the Sale of Surplus Foreclosure Property Located at 1005 Bellevue Street

0004-16 RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY LOCATED AT 1005 BELLEVUE STREET

WHEREAS, the City of Greensboro owns residual property located at 1005 Bellevue Street at Parcel 0003238, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, there is no municipal need for this property;

WHEREAS, the property has been appraised by Lynn B. Ritchy at a value of \$3,500 and the offer made based on the appraised value of \$3,175 was accepted in accordance with Section 4:122 of the City Code of Ordinances which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this conveyance will be credited in General Fund Account No. 101-0000-00.0400.

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

That the sale of the above mentioned property in the amount of \$3,175 is hereby approved and the sale of land is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Yvonne Johnson

9. [ID 16-0031](#) Resolution Authorizing the Purchase of a Portion of Property Located at 2130 New Garden Road for the Battleground - New Garden Intersection Improvement Project

0005-16 RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF PROPERTY LOCATED AT 2130 NEW GARDEN ROAD FOR THE BATTLEGROUND – NEW GARDEN INTERSECTION IMPROVEMENTS PROJECT

WHEREAS, in connection with the Battleground – New Garden Intersection Improvement project, a portion of the property owned by Battlefield Center, a North Carolina General Partnership, Parcel 0081235 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$34,653 but the property owner has agreed to settle for the price of \$40,117, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

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

That the agreed price of the above mentioned portion of property in the amount of \$40,117 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. 220-4589-01.6012, Activity #A12086.

(Signed) Yvonne Johnson

10. [ID 16-0032](#) Resolution Authorizing the Purchase of a Portion of Property Located at 3202 Horse Pen Creek Road for the Horse Pen Creek Road Widening Project

0006-16 RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF PROPERTY LOCATED AT 3202 HORSE PEN CREEK ROAD FOR THE HORSE PEN CREEK ROAD WIDENING PROJECT

WHEREAS, in connection with the Horse Pen Creek Road Widening project, a portion of the property owned by

Ann V. Allen, Parcel 0078229 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$40,050 but the property owner has agreed to settle for the price of \$46,500, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

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

That the agreed price of the above mentioned portion of property in the amount of \$46,500 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 471-4502-08.6012 A14074.

(Signed) Yvonne Johnson

11. [ID 16-0034](#) Resolution Authorizing Municipal Agreement with the North Carolina Department of Transportation for College Road/New Garden Road Sidewalk Project (C-5555 E)

0007-16 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR COLLEGE ROAD/NEW GARD ROAD SIDEWALK PROJECT (C-5555 E)

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization in its effort to support and implement multi-modal transportation needs in the Greensboro area has received and directed federal funding to the City of Greensboro for sidewalk construction along College Road and New Garden Road; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation are to enter into an Municipal Agreement in order to receive \$220,000 in federal funding; and,

WHEREAS, the City of Greensboro shall provide an estimated required local match of \$55,000.

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

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the amended agreement with the North Carolina Department of Transportation for Project C-5555 E.

(Signed) Yvonne Johnson

12. [ID 16-0035](#) Ordinance in the Amount of \$275,000 Amending Street and Sidewalk Capital Project Fund Budget for Project C-5555 E: College Road / New Garden Road Sidewalk Project

ORDINANCE AMENDING STREET AND SIDEWALK CAPITAL PROJECT FUND BUDGET FOR PROJECT C-5555 E: COLLEGE ROAD / NEW GARDEN ROAD SIDEWALK PROJECT

Section 1:

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

That the Street and Sidewalk Capital Project Fund Budget of the City of Greensboro be amended as follows for project C-5555 E: College Road / New Garden Road Sidewalk Project:

Account	Description	Amount
401-4565-01.5410	Professional Services-Capital Projects	\$7,000
401-4565-01.6012	Land Right-of-Way	\$40,500
401-4565-01.6015	Sidewalk Construction	\$227,500
TOTAL		\$275,000

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

Account	Description	Amount
401-4565-01.7100	Federal Grant	\$220,000
401-4565-01.9471	Transfer from Bond Fund	\$55,000
TOTAL:		\$275,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

13. [ID 16-0029](#) Resolution Listing Loans and Grant for City Council Approval

0008-16 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 J. Johnson

14. [ID 16-0052](#) Budget Adjustments Requiring Council Approval 12/1/15-1/4/16

Motion to approve the budget adjustments of 12/1/15 through 1/4/16 over the amount of \$50,000 was adopted.

(A copy of the budget adjustment report is filed in Exhibit Drawer Y, Exhibit No. 2, which is hereby referred to and made a part of these minutes.)

15. [ID 16-0053](#) Budget Adjustments Approved by Budget Officer 12/1/15-1/4/16

Motion to accept the report of budget adjustments of 12/1/15 through 1/4/16 was adopted.

(A copy of the budget adjustment report is filed in Exhibit Drawer Y, Exhibit No. 2, which is hereby referred to and made a part of these minutes.)

16. [ID 16-0015](#) Motion to Make a Part of the Official Record the Listing of Contracts that are Currently eligible for Destruction as per the City Clerk's Office

Motion to make a part of the official record the listing of contracts that are currently eligible for destruction as per the City Clerk's office was adopted.

(A copy of the listing of contracts is filed in Exhibit Drawer Y, Exhibit No. 2, which is hereby referred to and made a part of these minutes.)

17. [ID 16-0027](#) Motion to approve the minutes of the Organizational and Special meeting of December 8, 2015.

Motion to approve the minutes of the Organizational and Special meeting of December 8, 2015 was adopted.

18. [ID 16-0046](#) Motion to Approve the Minutes of the Regular Meeting of December 15, 2015

Motion to approve the minutes of the Regular meeting of December 15, 2015 was adopted.

IV. PUBLIC HEARING AGENDA

19. [ID 15-1002](#) Resolution Authorizing an Economic Development Incentive Grant to Tyco Electronics Corporation, not to exceed \$430,302.00 for New Capital Investment in Machinery and Equipment and New Jobs

City Manager Westmoreland recognized Brent Christensen, CEO of the Greensboro Partnership for a presentation.

Mr. Christensen made a PowerPoint Presentation which outlined the number of new jobs; average annual salaries; company locations; university relationships; and provided an overview of the company's achievements.

Councilmember Barber left the meeting at 7:17 p.m. and returned at 7:24 p.m.

Mr. Christensen reviewed the request; stated they did not plan to take the request before the Guilford County Commissioners; and explained the apprenticeship program for the company.

Councilmember Hightower asked for clarification of the apprenticeship program; and if the company would work with WorkForce Development.

Tyco Electronics Corporation spokesperson Jeff Dixon provided the details for the apprenticeship program with area high schools and colleges; and confirmed the company would work with WorkForce Development.

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

Councilmember Wilkins voiced concern that the company had not requested incentives from Guilford County.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 2, which is hereby referred to and made a part of these minutes.)

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

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

0009-16 RESOLUTION AUTHORIZING AN ECONOMIC DEVELOPMENT INCENTIVE GRANT FOR TYCO ELECTRONICS CORPORATION NOT TO EXCEED \$430,302.00

WHEREAS, on May 17, 2005, the City Council adopted New Economic Development Guidelines 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, TE Connectivity Ltd. through its subsidiary Tyco Electronics Corporation ("the Company") is evaluating an investment in new real property improvements on an existing site in Greensboro and investment in new machinery and equipment;

WHEREAS, the Company has requested that the City provide for a grant reimbursement to expand and localize manufacturing operations, grow their strategic workforce apprenticeship program and create a digital factory which would connect equipment to the internet and cloud which amount of participation is presently estimated at no more than \$430,302.00 based on a portion of anticipated new taxes to be derived by the City and new employment upon completion of the project;

WHEREAS, it is further anticipated that the Company will invest at least \$40,000,000.00 in capital, and create 193 new jobs by December 31, 2020;

WHEREAS, the site where the Company will be adding capacity is located at 719 Pegg Road in the City limits of Greensboro;

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

WHEREAS, the addition of 193 new jobs paying an average wage of at least \$49,352.00 per year with benefits, including but not limited to medical benefits, are expected to generate public benefit by positively impacting the City's ad valorem, use, and sales tax revenues in addition to increasing business prospects for the City and surrounding area, and therefore the City Council authorizes an Economic Development Incentive Grant of up to \$430,302.00 if the company chooses to expand in the City of Greensboro;

WHEREAS, it is deemed in the best interest of the City to enter into a participatory agreement with the Company to share the cost of the above mentioned improvements whereby the City shall reimburse the company up to a maximum of \$430,302.00 to be paid in five equal payments of \$86,060.00 based on a portion of new anticipated taxes to be received from the new project and upon the creation of new employment. The Company will be eligible to begin receiving annual payments after it has invested at least \$30,000,000.00 of the total required investment;

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

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

That in accordance with the City's Economic Development Incentive Guidelines and pursuant to N.C.G.S. 158-7.1, a grant agreement between the City of Greensboro and Tyco Electronics Corporation not to exceed \$430,302.00 for \$40,000,000.00 of new capital investment and the creation of 193 new jobs by December 31, 2020 is hereby approved, and the City Manager and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper agreement.

(Signed) Yvonne Johnson

Mayor Vaughan declared a recess at 7:26 p.m. Council reconvened at 8:03 p.m. with all members in attendance.

20. [ID 16-0003](#) Ordinance Annexing Territory into the Corporate Limits for Portions of Property Located at 4900 and 4908 Summit Avenue - .95-Acres

Mayor Vaughan introduced Items #20 and #21 together.

There being no speakers to the items, it was moved by Councilmember Fox, seconded by Councilmember Wilkins to close the public hearing. The motion carried by voice vote.

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

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

16-0004 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PORTIONS OF PROPERTY LOCATED AT 4900 AND 4908 SUMMIT AVENUE -- .95 ACRES)

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

Beginning at a point in the existing Greensboro corporate limits (as of September 30, 2015), said point being in the southeastern right-of-way line of Summit Avenue and being approximately 180 feet along said right-of-way line from the centerline of Pineneedle Drive; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along said right-of-way line N 52° 24' 02" E approximately 160 feet to a new iron rod at the northwest corner of the Herbert J. and Mildred P. Way property, as recorded in Deed Book 3625, Page 928, said iron being located S 41° 44' 20" W 833.55 feet from NCGS monument "236E 201" having Nad 83 grid coordinates last updated 2012 of N=873159.56, E=1780887.59 with a combined grid factor of 0.99999452; thence with Way's southwest line S 37° 54' 54" E 194.80 feet to a new iron rod at the northeast corner of the Luna Wall property, as recorded in Deed Book 3576, Page 591; thence with the northwest lines of Luna Wall, the Dennis and Nancy Kinney property, as recorded in Deed Book 3160, Page 216, the Heirs of the Estate of Luvene R. Kinney property, as recorded in Deed Book 4551, Page 628, and the White Oak Grove Missionary Baptist Church property, as recorded in Deed Book 5055, Page 2035, S 52° 05' 06" W approximately 300 feet to a point in the existing city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northerly direction approximately 200 feet to the point and place of BEGINNING, containing approximately 0.95 acres.

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

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

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

Section 5. From and after January 19, 2016, the liability for municipal taxes for the 2015-16 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

(Signed) Yvonne Johnson

21. [ID 16-0042](#) Rezoning and Original Zoning - 4900 and 4908 Summit Avenue

Planning Manager Mike Kirkman read the following condition into the record for addition to the proposed ordinance: building exterior shall be in substantial conformity with design as shown in the exhibit prepared by the Durban Group dated January 13, 2016 and submitted to the City of Greensboro.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter to accept the condition. The motion

carried by voice vote.

Councilmember Fox recognized Attorney Mark Issacson for a presentation.

Mr. Issacson, 804 Green Valley Road stated he represented the Durban Group; provided an overview of the handout to Council which addressed the existing conditions and the additional condition; reviewed the maps in the handout; stated this would be similar to a general store and would carry staple items; spoke to the M/WBE participation commitment of the developer; and community involvement for the project.

Councilmember Fox thanked the developer for thinking differently for the development in the area; and thanked the Durban Group for their interest.

Council voiced appreciation for the investment in the project.

Moved by Councilmember Fox, seconded by Councilmember Abuzuaiter to adopt the ordinance as amended and stated that the Greensboro City Council believes that its action to approve the zoning amendment, for property located at 4900 & 4908 Summit Avenue from City R-3 (Residential Single-Family) & County RS-30 (Residential Single-Family) to CD-C-L (Conditional District-Commercial-Low) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is consistent with the Growth at the Fringe Goal to guide sound, sustainable patterns of land use, it does implement measures to protect neighborhoods from potential negative impacts of developments (Policy 6A.4), it promotes new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas (Policy 4C). The motion carried on the following roll call vote:

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

16-0005 AMENDING OFFICIAL ZONING MAP

4900 & 4908 SUMMIT AVENUE.

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 City R-3 (Residential Single-Family) & County RS-30 (Residential Single-Family) to CD-C-L (Conditional District-Commercial-Low).

The area is described as follows:

"Beginning at a new iron rod on the southeasterly right-of-way margin of Summit Avenue (variable public right-of-way) said iron being the northwest corner of Herbert J Way & Mildred P Way property as described in Deed Book 3625, Page 928 of the Guilford County Public Registry, said iron located east 338.49 feet from the easterly right-of-way terminus of Pineneedle Drive, said iron also being located South 41°44'20" West a distance of 833.55 feet from NCGS monument "236E 201" having Nad 83 grid coordinates last updated 2012 of N=873159.56, E=1780887.59 with a combined grid factor of 0.99999452; and runs thence along and with the line of Herbert J Way & Mildred P Way South 37°54'54" East a distance of 194.80 feet to a new iron rod being the northeast corner of Luna Wall property as described in Deed Book 3576, Page 591 of said Registry; thence along and with the line of Luna Wall and continuing with the line of Dennis Kinney & Nancy Kinney property as described in Deed Book 3160, Page 216 of said Registry, the Heirs of the Estate of Luvene R. Kinney property as described in Deed Book 4551, Page 628 of said Registry and White Oak Grove Missionary Baptist Church property as described in Deed Book 5055, Page 2035, South 52°05'06" West passing through an existing 1" pipe at 74.40 feet a 1" iron pipe at 245.44 feet with a total distance of 348.63 feet to a new nail; thence along and with another line of White Oak Grove Missionary Baptist Church the following two (2) courses and distances: (1) North 37°35'28" West a distance of 50.42 feet to an existing 2" pipe;(2) South 52°24'32" West a distance of 54.18 feet

to an existing #4 rebar on the easterly right-of-way margin of Pineneedle Drive (60' public right-of-way); thence along and with the easterly right-of-way margin of Pineneedle Drive the following three (3) courses and distances: (1) with a curve with an arc of a circular curve to the left having a radius of 595.00 feet, an arc length of 58.76 feet, chord:(North 17°13'57" West 58.74 feet) to a new iron rod; (2) North 20°31'40" West a distance of 80.65 feet to a new iron rod;(3) with a curve with an arc of a circular curve to the right having a radius of 20.00 feet, an arc length of 25.46 feet, chord:(North 15°56'11" East 23.77 feet) to a new iron rod on the southeasterly right-of-way margin of Summit Avenue (variable public right-of-way); thence along and with the southeasterly right-of-way margin of Summit Avenue North 52°24'02" East a distance of 338.49 feet to a new iron rod being the point or place of BEGINNING, containing 72292 Square Feet, or 1.660 Acres more or less, as shown on a survey by James H Mauney, Jr., PLS # L-3885, with James Mauney & Associates, P.A., Dated June 18, 2015, bearing file No. F1420"

Section 2. That the zoning amendment from City R-3 (Residential Single-Family) & County RS-30 (Residential Single-Family) to CD-C-L (Conditional District-Commercial-Low) is hereby authorized subject to the following use limitations and conditions:

1. All uses permitted in the C-L district except drive thru facilities and convenience stores with fuel pumps.
2. The maximum building height shall be limited to 50 feet.
3. Building exteriors shall consist of 50% brick or stone veneer and shall be similar in architecture to surrounding buildings.
4. There shall be pedestrian walkways connecting to abutting properties.
5. The gross floor area of the proposed building shall not exceed 9,000 square feet.
6. Building exterior shall be in substantial conformity with design as shown in the exhibit prepared by the Durban Group dated January 13, 2016 and submitted to the City of Greensboro.

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 January 19, 2016.

(Signed) Jamal Fox

22. [ID 16-0004](#) Ordinance Annexing Territory into the Corporate Limits for a Portion of Property Located at 3505 McConnell Road - 5.71-Acres

Mayor Vaughan introduced Items #22 and #23 together.

There being no speakers to the items it was moved by Councilmember Wilkins, seconded by Councilmember Abuzuaite to close the public hearing. The motion carried by voice vote.

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

16-0006 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PORTION OF PROPERTY LOCATED AT 3505 McCONNELL ROAD – 5.71 ACRES)

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

BEGINNING at an existing iron pin at the southeast corner of Lot 50 of Creekside Phase 1, as recorded in Plat

Book 163, Page 120, in the Office of the Register of Deeds of Guilford County, said point being on the western right-of-way line of Waterlyn Drive; thence with said right-of-way line with a curve to the left having a radius of 1,525.00 feet and a chord bearing and distance of S 32° 13' 35" E 116.69 feet to a point; thence with a curve to the right having a radius of 25.00 feet and a chord bearing and distance of S 13° 22' 19" W 37.04 feet to a point; thence S 61° 09' 47" W 10.00 feet to a point; thence S 28° 50' 13" E 50.00 feet to a point; thence N 61° 09' 47" E 20.14 feet to a point; thence with a curve to the right having a radius of 25.00 feet and a chord bearing and distance of S 76° 44' 02" E 33.52 feet to a point; thence with the western right-of-way line of Waterlyn Drive and the southwardly projection thereof S 34° 37' 49" E 185.72 feet to a point near the centerline of McConnell Road; thence with said centerline line S 55° 05' 09" W 174.78 feet to a point; thence with a curve to the right having a radius of 530.00 feet and a chord bearing and distance of S 67° 20' 19" W 214.19 feet to a point; thence S 79° 35' 28" W 55.65 feet to an existing nail in said centerline; thence S 79° 35' 28" W 272.47 feet to a point; thence leaving said centerline N 13° 19' 12" W 336.96 feet to a point; thence N 72° 29' 45" E 139.13 feet to an existing iron pin, being a common corner with Lot 43 of Creekside Phase 1; thence N 61° 44' 45" E 435.73 feet to the point and place of BEGINNING, and containing approximately 5.71 acres.

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

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

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

Section 5. From and after January 19, 2016, the liability for municipal taxes for the 2015-2016 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2016. Municipal ad valorem taxes for the 2016-2017 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

(Signed) Sharon Hightower

23. [ID 16-0037](#)

Ordinance Establishing Original Zoning for a Portion of Property Located at 3505 McConnell Road

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to adopt the ordinance and stated that the Greensboro City Council believes that its action to approve the zoning amendment, for a portion of the property located at 3505 McConnell Road from County CU-PDM (Conditional Use-Planned Development-Mixed) to City R-7 (Residential Single-Family) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: and it is consistent with the Housing and Neighborhoods Goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing, the request is consistent with the Growth at the Fringe goal to guide sound sustainable patterns of land use. The motion carried on the following roll call vote:

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

16-0007 AMENDING OFFICIAL ZONING MAP

PORTION OF 3505 MCCONNELL ROAD, NORTH OF MCCONNELL ROAD AND WEST OF WATERLYN DRIVE.

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

Section 1. The Official Zoning Map is hereby amended by original zoning from County CU-PDM (Conditional Use Planned Development Mixed) to City R-7 (Residential Single Family).

The area is described as follows:

BEGINNING at an existing iron pin at the southeast corner of Lot 50 of Creekside Phase 1, as recorded in Plat Book 163, Page 120, in the Office of the Register of Deeds of Guilford County, said point being on the western right-of-way line of Waterlyn Drive; thence with said right-of-way line with a curve to the left having a radius of 1,525.00 feet and a chord bearing and distance of S 32° 13' 35" E 116.69 feet to a point; thence with a curve to the right having a radius of 25.00 feet and a chord bearing and distance of S 13° 22' 19" W 37.04 feet to a point; thence S 61° 09' 47" W 10.00 feet to a point; thence S 28° 50' 13" E 50.00 feet to a point; thence N 61° 09' 47" E 20.14 feet to a point; thence with a curve to the right having a radius of 25.00 feet and a chord bearing and distance of S 76° 44' 02" E 33.52 feet to a point; thence with the western right-of-way line of Waterlyn Drive and the southwardly projection thereof S 34° 37' 49" E 185.72 feet to a point near the centerline of McConnell Road; thence with said centerline line S 55° 05' 09" W 174.78 feet to a point; thence with a curve to the right having a radius of 530.00 feet and a chord bearing and distance of S 67° 20' 19" W 214.19 feet to a point; thence S 79° 35' 28" W 55.65 feet to an existing nail in said centerline; thence S 79° 35' 28" W 272.47 feet to a point; thence leaving said centerline N 13° 19' 12" W 336.96 feet to a point; thence N 72° 29' 45" E 139.13 feet to an existing iron pin, being a common corner with Lot 43 of Creekside Phase 1; thence N 61° 44' 45" E 435.73 feet to the point and place of BEGINNING, and containing approximately 5.71 acres.

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the R-7 (Residential Single Family) zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on January 19, 2016.

(Signed) Yvonne Johnson

24. [ID 16-0038](#) Ordinance Amending Future Land Use Map of the Adopted Heath Communities Strategic Plan and Corresponding Portions of the Greensboro Connections 2025 Comprehensive Plan

Mayor Vaughan introduced Items #24 and #25 together.

Councilmember Hightower asked why Council was adopting the zoning after the adoption of the Comprehensive (Comp) Plan amendment.

City Attorney Carruthers spoke to the process in place for adopting the Comp Plan amendment prior to the zoning.

Ardeanna Wideman, 625 Franklin Boulevard outlined the work that would be done at the facility where the rezoning was being requested; spoke to working with Elon College interns; stated the project would help build the community; and help youth in the community.

Councilmember Hightower voiced concerns with the hours of operation being on Saturday; the office being used

for training; whether children would attend activities at the center; and asked about signage for the facility.

Ms. Wideman spoke to the hours the facility would be open to see children; stated that the facility could remain open should additional time be needed; that the facility would provide time and space for staff working with the children to prepare for activities that would be done off site; that the facility outgrew its space on Homewood Avenue; outlined activities and community events that the facility was involved in; and spoke to the process for getting activities prepared prior to going to convalescent centers.

Mr. Kirkman provided the outline for signage that could be used on the property; and spoke to the conditions of the rezoning request.

Councilmember Abuzuaiter confirmed the request was for office use in a residential zoned area; and for verification that this would not be a training facility for counselors.

City Attorney Carruthers confirmed the zoning was for a designated use; spoke to the specific limitations that Council was being asked to consider; and verified that other offices could come in and use the facility once the property had been rezoned.

Ms. Wideman verified it would not be a facility to train counselors; and reiterated that it would be a preparation center for activities prior to going to a convalescent facility.

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Nancy Hoffmann, Justin Outling and Tony Wilkins

Nays, 1 - Sharon M. Hightower

16-0008 AMENDING THE HEATH COMMUNITY STRATEGIC PLAN and CORRESPONDING PORTIONS OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GROWTH STRATEGY MAP WITHIN THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30

WHEREAS, the City Council adopted the Greensboro Connections 2025 Comprehensive Plan on May 6, 2003 which contains a Generalized Future Land Use Map, and labeled Figure 4-2;

WHEREAS, the City Council adopted the Heath Community Strategic Plan on June 18, 2013, which made amendments to Generalized Future Land Use Map within the boundary of the Plan;

WHEREAS, an amendment has been proposed as shown on the attached map to change the land use classifications for properties located at 625 Franklin Boulevard.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Generalized Future Land Use Map, Figure 4-2 is amended as follows:

Section 1. The Generalized Future Land Use Map, Figure 4-2 is hereby amended as shown on the attached 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 adoption.

(Signed) Yvonne Johnson

25. [ID 16-0036](#) Ordinance Rezoning Property Located at 625 Franklin Boulevard

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wilkins to adopt the ordinance and stated that the Greensboro City Council believes that its action to approve the zoning amendment, for property located at 625 Franklin Boulevard from R-5 (Residential Single-Family) to CD-O (Conditional District-Office) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is consistent with the Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas, 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, 8 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Nancy Hoffmann, Justin Outling and Tony Wilkins

Nays, 1 - Sharon M. Hightower

16-0009 AMENDING OFFICIAL ZONING MAP

625 FRANKLIN BOULEVARD, WEST OF FRANKLIN BOULEVARD AND NORTH OF AFTON DRIVE.

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

Section 1. The Official Zoning Map is hereby amended by original zoning from R-5 (Residential Single Family) to CD-O (Conditional District Office).

The area is described as follows:

Beginning at an existing iron pipe in the northern margin of Afton Drive, being the southeastern corner of lot 27 of the Guilford Parkways Subdivision as recorded in Plat book 8 Page 16 in the Guilford county registry, thence North 05-00-00 East 110.21 feet to an existing iron pipe, a common corner with Lots 6,7 and 26, thence North 85-00-00 West 150.0 feet to a point in the eastern margin of Franklin Boulevard, thence along Afton Drive South 85-00-00 East 150.00 feet to an existing iron pipe, being the point and place of beginning, containing 0.38 Acres.

Section 2. That the zoning amendment from R-5 (Residential Single Family) to CD-O (Conditional District Office) is hereby authorized subject to the following use limitations and conditions:

1. All uses permitted in the Office district except drive thru uses.
2. Maintain the existing structure without expansion.
3. Site shall be limited to one freestanding sign, limited to a maximum of 8 feet in height.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-O (Conditional District Office) 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 January 19, 2016.

(Signed) Yvonne Johnson

26. [ID 16-0040](#) Ordinance Amending Chapter 30 of the Greensboro City Ordinances with Respect to Front Yard Parking

Mayor Vaughan introduced Items #26 and #27 together; and stated there was one speaker for the item.

Ronald McIrvine, 605 West Market Street, Unit 210 voiced his concerns with yard parking which detracted from the neighborhood when not in accordance with the ordinance; spoke to the impact and enforcement of the ordinance if adopted; and thanked Councilmembers Hoffmann and Barber for their work on the item.

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

Neighborhood Development Director Barbara Harris made a PowerPoint Presentation which outlined the ordinance changes; explained that there would be an educational period to make citizens aware of the changes; that this would allow code enforcement officers to write tickets; and outlined the enforcement process for the ordinance.

Councilmember Wilkins asked what the fine would be; and if there would be a sufficient way for the City to collect said fines.

Ms. Harris responded that the fine would be \$50.00; and that three unpaid fines in a ninety day period would result in booting of the vehicle.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 2, which is hereby referred to and made a part of these minutes.)

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

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

16-0010 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 Article 5, Enforcement, is hereby amended by adding a new Section 30-5-6, Front Yard Parking Violations, to read as follows:

30-5-6 Front Yard Parking Violations

30-5-6.1 Applicability

The provisions of Article 5 Enforcement do not apply to violations of section 30-11-11.5.

30-5-6.2 Enforcement Procedure

Vehicles parked in front yards in violation of section 30-11-11 shall be subject to a civil penalty and enforcement as found in section 16-73 of the City Code.

30-5-6.3 Appeals

Appeals of violations pertaining to parking of vehicles in front yards shall be subject to the City's policy for appeals of parking tickets. The time for filing an appeal shall be specified on the ticket. The Board of Adjustment does not have jurisdiction over appeals of front yard parking violations pertaining to parking of vehicles.

Section 2. That Subsection (A) of Section 30-11-11.2, Parking for Single-family and Duplex Dwellings, is hereby amended to read as follows:

A. Parking spaces and drives in front yards (i.e., the portion of the lot located between the side lot lines from the front building line of the principal building to the front lot line) must be clearly defined from the front yard area, constructed and adequately maintained with a hard all-weather surface such as asphalt, concrete, brick, CABC (gravel), pervious paving or other approved material. Grass and bare earth areas are expressly prohibited. These

requirements also apply to areas used for parking and drives within the street side yard (between the principal structure and the side street right-of-way) that are unscreened and visible from a public street. The edge of all parking and drive areas within front and street side yards must be clearly defined from the front and street side yard area. All parking and drive areas must be contiguous.

Section 3. That Section 30-11-11, Parking for Single-family and Duplex Dwellings, is hereby amended by adding a new Subsection 30-11-11.5 to read as follows:

30-11-11.5 Parking a vehicle on the front yard of any property containing a single-family or two-family dwelling, except on a hard all-weather surface as specified in section 30-11-11.2, is a violation of this section. Vehicles which are parked in front yards in violation of this section shall be subject to enforcement under section 30-5-6.

Section 4. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 5. This ordinance shall become effective upon adoption.

(Signed) Sharon Hightower

27. [ID 16-0041](#) Ordinance Amending Chapter 16 of the Greensboro City Ordinances with Respect to Enforcement of Front Yard Parking

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

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

**16-0011 AMENDING CHAPTER 16 MOTOR VEHICLES AND TRAFFIC
AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO FRONT
YARD PARKING VIOLATIONS**

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

Section 1. That Article II, Administration and Enforcement, Division 3, Parking Violations, is hereby amended by adding a new provision to Section 16-71, Civil Penalty, to read as follows:

(a) Except as hereinafter provided, for each violation as set forth in section 16-73, there shall be a fixed civil penalty charge in the amount of fifteen dollars (\$15.00). For subsection 16-73(a)(21), expired meter parking, there shall be a fixed civil penalty charge in the amount of fifteen dollars (\$15.00). For unlawful parking in a restricted handicapped space, there shall be a fixed civil penalty charge in the amount of two hundred fifty dollars (\$250.00); provided that if the person charged furnishes proof that at the time the parking ticket was issued, he was assigned a valid distinguishing handicap license plate or placard but had failed to display it on the vehicle, the fixed civil penalty shall be in the amount of thirty-five dollars (\$35.00). For unlawful parking by protruding beyond a designated parking space (subsection 16-73(a)(5)) or parking in a manner that blocks or in any manner interferes with the placing of a motor vehicle in a regular designated public space or the removal of a motor vehicle for any such designated parking space (subsection 16-73(a)(12) but only to the extent it relates to a violation of subsection 16-154(a)) there shall be a fixed civil penalty of fifteen dollars (\$15.00). For unlawful parking within five (5) feet of a fire hydrant, there shall be a fixed civil penalty charge in the amount of fifty dollars (\$50.00). For any person who shall park a vehicle or permit it to stand, whether attended or unattended, upon any public vehicular area, street, highway or roadway in any area designated as a fire lane there shall be a fixed civil penalty charge in the amount of fifty dollars (\$50.00). This prohibition includes designated fire lanes in shopping center or mall parking lots and all other public vehicular areas. Provided, however, persons loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended. For unlawful front yard parking (subsection 16-73(a)(22)), there shall be a fixed civil penalty charge in the amount of fifty dollars (\$50.00). For each violation as set forth below, there shall be a fixed civil penalty charge in the amount of thirty-five dollars (\$35.00) for unlawful parking, said violations being set forth as follows:

- (1) Vehicles parked so as to obstruct sidewalk, private driveway, crosswalk, safety zone or railroad crossing.
- (2) Vehicles parked in commercial and passenger loading zones.
- (3) Vehicles parked in front of, in the entrance to, or within five (5) feet in either direction of a public or private alley.
- (4) Vehicles parked in front of or within five (5) feet in either direction of a private driveway or road.
- (5) Vehicles other than buses parked in a bus stop.
- (6) Vehicles parked within twenty-five (25) feet of an intersection.
- (7) Oversize vehicles parked on city streets.
- (8) Vehicles parked on medians.
- (9) Vehicles parked overtime in controlled residential parking areas without permits.
- (10) Vehicles parked in city-owned parking lot or garage without permit.
- (11) Vehicles parked in "No Parking Anytime" zones.

When the owner of a vehicle, or his agent, makes proper payment of a parking ticket within forty-five (45) days following the date of issuance of the ticket, the obligation thereunto shall be discharged. If such charge has not been paid within the forty-five-day period set out above, the parking violation ticket shall be deemed to be delinquent and subject to the additional penalties provided for in subsection (b). The parking violation shall have stated thereon that payment is due within forty-five (45) days from date of issue to avoid an additional penalty of twenty-five dollars (\$25.00) and court costs. If such charge has not been paid within ninety (90) days, the delinquent parking violation ticket shall be subject to an additional penalty provided for in subsection (b). The parking violation shall have stated thereon that payments delinquent more than ninety (90) days after the date of issue are subject to a penalty of thirty-five dollars (\$35.00) and court costs.

(b) The city tax collector may accept payments in full and final settlement of the claim or claims, rights or rights of action which the city may have to enforce such penalties, by civil action in the nature of debt. A failure to pay the penalty within the prescribed time shall subject the offender to a civil action in the nature of debt for the stated penalty plus additional penalties for each separate parking violation ticket, as follows:

- (1) A penalty of twenty-five dollars (\$25.00) per ticket together with the costs of the action to be taxed by the court if the parking ticket is not paid within forty-five (45) days following the date of issuance of the ticket.
- (2) An additional penalty of ten dollars (\$10.00) for a total penalty of thirty-five dollars (\$35.00) per ticket together with the costs of the action to be taxed by the court if the parking ticket is not paid within ninety (90) days following the date of issuance of the ticket.
- (c) A violation listed in section 16-73 shall not constitute a misdemeanor or infraction punishable under G.S. § 14-4, but instead shall be subject to the civil penalties fixed by subsection (a) of this section and the civil remedies provided by G.S. § 160A-175. Any properly designated city official is authorized to take legal action in the nature of a civil suit for the collection of a debt when the civil penalty, including the delinquent civil penalty, has not been paid.
- (d) The civil penalties imposed by this section and the proceeds therefrom, as collected by payment, civil action, or otherwise, shall belong to the city and shall be paid into the general fund of the city under such conditions as prescribed by the annual budget.
- (e) Each hour a vehicle is parked in the same space following the issuance of a parking ticket shall constitute a separate violation subject to issuance of a new parking ticket and additional civil penalty to be applied to such vehicle.

Section 2. That Article II, Administration and Enforcement, Division 3, Parking Violations, is hereby amended by adding a new provision to Section 16-73, Issuance of Parking Ticket, to read as follows:

- (a) When one (1) of the following violations has occurred, the law enforcement officer or other person, authorized by and whose enforcement duties are as defined by the chief of police detecting the apparent violation is authorized to take the state and registration number of the vehicle involved, and to place a parking ticket in or on the vehicle involved, or to serve the ticket if the owner or operator is present:
 - (1) Parking over the specified time limit (sections 16-132, 16-139—16-142, 16-152).
 - (2) Parking during restricted hours where official parking-control devices are posted (section 16-145).
 - (3) Parking within twenty-five (25) feet of an intersection (G.S. § 20-162).
 - (4) Parking within five (5) feet of a fire hydrant or parking a vehicle or permitting it to stand, whether attended or unattended, upon any public vehicular area, street, highway or roadway in any area designated as a fire lane. This prohibition includes designated fire lanes in a shopping center or mall, parking lots, and all other public vehicular areas. Provided, however, persons loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended. (section 16-135).
 - (5) Protrusion beyond designated parking space (section 16-133).

-
- (6) Parking within five (5) feet of entrance to alley, driveway or private road (section 16-134).
- (7) Parking so as to obstruct sidewalk or crosswalk (section 16-134).
- (8) Parking within fifty (50) feet of bridge, railroad underpass, or overhead bridge (section 16-136).
- (9) Parking within fifty (50) feet of railroad grade crossing (section 16-137).
- (10) Parking between edge of roadway and property line (section 16-138).
- (11) Parking of oversized vehicles on streets in violation of section 16-161.
- (12) Prohibited parking in city-operated parking lots (sections 16-154—16-156).
- (13) Parking left side of vehicle to curb on two-way street (section 16-133).
- (14) Double parking (section 16-159).
- (15) Protrusion into street more than eight (8) feet (section 16-160).
- (16) Failure to display city license (section 13-99).
- (17) Parking in a controlled residential parking area over the amount of time without a valid residential parking permit (section 16-198).
- (18) Parking upon a median strip (section 16-115).
- (19) Parking in the following restricted zones:
- Commercial loading zones (section 16-146).
 - Passenger loading zone (section 16-147).
 - Bus stop (section 16-148).
 - Taxicab stand (section 16-149).
 - Handicapped vehicle parking (section 16-157).
- (20) Parking in a prohibited zone (section 16-143).
- (21) Expired meter parking (section 16-179).
- (22) Vehicles parked on front yards in violation of section 30-11-11 of the Land Development Ordinance (section 16-165).
- (b) Only law enforcement officers and other city officials designated by the chief of police may issue and serve parking tickets. Parking tickets shall be served by placing them on motor vehicle.
- Section 3. That Article IV, Stopping, Standing and Parking, Division 1, Generally, is hereby amended by adding a new Section 16-165, Front yard parking, to read as follows:

Sec. 16-165. – Front yard parking.

It shall be unlawful to park a vehicle on the front yard of any property containing a single-family or two-family dwelling, except on a hard all-weather surface such as asphalt, concrete, brick, CABC (gravel), pervious paving or other approved material in accordance with section 30-11-11 of the Land Development Ordinance.

Section 4. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 5. This ordinance shall become effective upon adoption.

(Signed) Sharon Hightower

28. [ID 16-0026](#) Ordinance Amending the Land Development Ordinance (LDO) - Update Section 30-14-7.3 and 30-7-8.11 - Gate City Boulevard and Pole Mounted Banners

There being no speakers to the item, it was moved by Councilmember Wilkins, seconded by Councilmember Fox to close the public hearing. The motion carried by voice vote.

Discussion took place regarding clarification of what consisted as pole mounted banners; unifying areas; expanding parameters of Gate City Boulevard; Restaurant Row; and the impact and use of the banners to area businesses.

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

16-0012 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 Subsection (E) of Section 30-14-7.3, Freestanding Signs, is hereby amended to read as follows:

(E) Pole-Mounted Banners

1) Applicability

See Sec. 30-4-26.5.

2) Purpose

The installation of pole-mounted banners is designed to contribute to the aesthetic enhancement of designated areas. For this purpose, they should provide dynamic and colorful displays that unify the area in which they are to be placed. Pole-mounted banners must have a unifying theme in their design and will be permitted as follows:

a) Along streets in the Central Business District (bounded by Fisher Street, Spring Street, Gate City Boulevard, and Murrow Boulevard); along streets in the Downtown National Register Historic District; and along streets adjacent to government buildings or complexes, adjacent to college or university campuses, adjacent to any city-initiated streetscape improvement project, or along streets located within designated reinvestment corridors as defined in the Comprehensive Plan.

b) Along Coliseum Boulevard, Gate City Boulevard Patterson Street, Ellington Street from Gate City Boulevard to Coliseum Boulevard, and Hanner Street from Patterson Street to Ellington Street in recognition of the Coliseum Complex and its tenants.

c) Along Murrow Boulevard from East Market Street to Lindsay Street, East Friendly Avenue from Dudley Street-Bennett Street to Church Street, and East Market Street from Church Street to English Street to recognize the East Market Street redevelopment effort.

Section 2. That Subsection (A) of Section 30-7-8.11, –VCO Visual Corridor Overlay, is hereby amended to read as follows:

(A) Establishment

Within the city limits, a Visual Corridor Overlay district is hereby created that includes all land located within 1,500 feet on either side of the centerline of the streets and highways specified below. Any area annexed to the city that is located on these streets will be included within the Visual Corridor Overlay district upon the effective date of the annexation. The streets and highways included are:

- 1) Bryan Boulevard;
- 2) Cone Boulevard;
- 3) Freeman Mill Road from Rehobeth Church Road to Lovett Street;
- 4) Friendly Avenue;
- 5) Holden Road;
- 6) North Elm Street;
- 7) New Garden Road; and
- 8) East Gate City Boulevard and East Lee Street from O.Henry Boulevard to the city limits.

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

Section 4. This ordinance shall become effective upon adoption.

(Signed) Tony Wilkins

V. GENERAL BUSINESS AGENDA

29. [ID 15-0976](#) Resolution Authorizing Amendment to Contract #2012-5340 Processing and Marketing of Recovered Recyclables with ReCommunity Recycling

Mayor Vaughan stated the item was postponed from the December 15, 2015 meeting of Council.

Field Operations Director Dale Wyrick recognized Sean Duffy of ReCommunity Recycling (ReCommunity)

Messrs. Wyrick and Duffy made a PowerPoint Presentation that outlined the history of the recycling market; impacts to the business today; to renegotiating the contract; contents of materials that go into the recycling containers; addressed the main impacts to industry today; and outlined a chart that provided an overview of the net revenue impacts through June 30, 2020.

Councilmember Wilkins asked who was responsible for the education of citizens regarding materials eligible for recycling; if the City was looking for ways to improve education; if fines were imposed; for clarification on the impact of the annual loss to ReCommunity; removal of the City's transportation costs; and explanation as to the \$100,000 estimate.

Councilmember Wilkins asked if ReCommunity would object to a substitute motion removing number two, which was the transportation of non-recyclables.

Discussion ensued regarding the substitute motion made by Councilmember Wilkins; and if ReCommunity would object to said motion.

City Attorney Carruthers interjected that Councilmember Wilkins was proposing a motion to amend by deleting number two; and verified the motion had not received a second.

Moved to Councilmember Wilkins for a substitute motion that Council adopt the resolution with the elimination of number two which accounted for \$100,000 out of the \$2.4 million recovery from the renegotiation of the contract.

City Attorney Carruthers asked for the clarification of the item number two being referred to; and confirmed it was in the agenda item.

Discussion ensued regarding the legality of City Council's ability to renegotiate a contract.

City Attorney Carruthers verified what the agenda item called for; confirmed that the substitute motion by Councilmember Wilkins was in reference to the transportation of the non-recyclables; stated the motion on the floor required a second; that he preferred the word amendment over substitute motion; and addressed the legality of discussion on negotiating a contract.

Councilmember Hightower voiced opposition to renegotiation of a contract during a meeting; and concern for dangerous items being included in recycling materials.

Mr. Wyrick responded by explaining the worst case scenario; explained the annual amount of tonnage; percentage of contamination in said tonnage; materials that were caught at the tip floor; and what the transportation payment covered.

Discussion continued regarding the renegotiation of the contract; ReCommunity objecting to the amendment of number two; amount of money that would be lost by ReCommunity; timeframe of the contract; staff having specialized knowledge of the market; and concern with the funding falling on the backs of taxpayers.

Councilmember Wilkins voiced concern with this being a precedent for others to renegotiate contracts they were not happy with.

Councilmember Outling stated that although he shared some of Councilmember Wilkins' concerns he would not second the motion; that both sides would be giving something up; and that this was a good contract.

Councilmember Hoffmann voiced staff had done a good job of negotiating; emphasized this was an important

relationship for the City; and stated it had been a thoughtful negotiation.

Assistant City Manager Parrish explained the proposed versus current - net revenue impacts slide; stated that the City would have an option to extend to the full fiscal year through 2020; spoke to the revenue that would be forfeited as a result of the renegotiation; and emphasized that the City could not predict the market.

Councilmember Abuzuaiter asked if any contracts had been renegotiated; how long the City had worked with ReCommunity; verified that the renegotiation would not cost additional taxpayer money; and thanked Mr. Wyrick and staff for their work on the item.

Mr. Wyrick stated the City had worked with ReCommunity since 1993; and confirmed that there would be no impact to taxpayers.

Councilmember Barber commended staff for the work on renegotiating the contract; referenced commodity prices; spoke to an incident in Alabama; and reiterated that the City would still receive income as a result of the renegotiation.

Mayor Vaughan voiced the need for increased education for recycling; encouraged citizens to increase their recycling efforts; and referenced the cost when the City did not recycle materials.

Councilmember Hightower voiced the need for a better recycling campaign; the need to be better stewards of the City's money; and stated recycling was the right thing to do.

City Attorney Carruthers confirmed Councilmember Wilkins' amended motion died for lack of a second.

Moved by Councilmember Wilkins to amend number two, from the tip floor to read 'that the cost would be cost capped at \$100,000 annually'; and requested that the City put a maximum of \$100,000 into the process; and that a cap of \$100,000 be placed on the amount.

Mr. Duffy stated ReCommunity respectfully objected to the amendment.

Discussion took place regarding ReCommunity's objection; increasing recycling materials; the \$100,000 being conservative; increased cost of recycling; and onfirmation that Mr. Wyrick did not object to the \$100,000.

Councilmember Hightower called the question.

The motion died for lack of a second.

Mayor Vaughan stated Council would vote on the original motion.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 2, which is hereby referred to and made a part of these minutes.)

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

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Sharon M. Hightower and Nancy Hoffmann

Nays, 2 - Justin Outling and Tony Wilkins

0010-16 RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT #2012-5340 PROCESSING AND MARKETING OF RECOVERED RECYCLABLES WITH RECOMMUNITY RECYCLING

WHEREAS, Contract No. 2012-5340 provides for the processing and marketing of recovered recyclables collected by the City of Greensboro;

WHEREAS, in January of 2013, the City entered into a contract with ReCommunity to provide these services, and in return the City would receive \$30 per ton in revenue, or about \$800,000 annually;

WHEREAS, due to a dramatic downturn in the value of single-stream recyclables, ReCommunity has asked the city to renegotiate its contract to lessen their financial losses and to allow them to continue to serve the City's recycling needs;

WHEREAS, City staff and ReCommunity have worked the past several months to find a mutually agreeable solution that will provide ReCommunity some financial relief in the depressed recycling commodity market while also providing the City of Greensboro with some revenue for the recyclables delivered to ReCommunity's facility;

WHEREAS, effective January 1, 2016, the city will reduce ReCommunity's payment to the city from \$30 per ton to \$15 per ton through April 1, 2018. The City has sole option to extend the contract term through June 30, 2020.

WHEREAS, the City will also assume responsibility for 75% of all transportation and disposal costs of non-recyclables it delivers to ReCommunity's facility removed from the tip floor and pre-sort station (cost estimated at \$100,000 annually);

WHEREAS, ReCommunity will continue to receive the city's ABC glass at market rates allowing the City to continue to provide this service to local ABC establishments (cost estimated at \$50,000 annually).

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

That an amendment for Contract 2012-5340 with ReCommunity for the processing and marketing of recovered recyclables is hereby authorized. This amendment will potentially result in about \$1,000,000 in additional revenue to the City through June 30 of 2020. This revenue will be received in account number 101-4301-03.8600.

(Signed) Nancy Hoffmann

30. [ID 16-0010](#) Resolution Authorizing the Sale of the Dorothy Bardolph Human Services Center Property Located at 301 South Church Street

Mayor Vaughan stated there were speakers for the item.

Nathan Duggins, 100 North Greene Street, voiced concern with the purchase price of the property; spoke to working with Property Resources' offer of \$1 million for the property; referenced the size of the building; price per square foot; Section 4.122 of the Greensboro Code of Ordinances; and asked Council to consider reopening the upset bid period.

Chuck Winfree, 100 South Elm Street stated he represented Kotis Holdings, LLC (Kotis); explained that the City had followed procedure; confirmed Kotis had made an offer in the amount of \$900,000 ; made an earnest money deposit; verified the offer was not made contingent on a loan; referenced other development Kotis had made throughout the City; stated that the timeframe to rebid would be unfair to Kotis; and requested Council proceed with the item.

Councilmember Hightower voiced concern with receiving an alternate resolution this evening; and for clarification as to the process for reopening the upset bid period.

City Attorney Carruthers verified the City's procedure was followed in accordance with the law; advised Council what they could do; and spoke to why an alternate resolution had been prepared.

Discussion took place regarding advertisement of the property; property condition; length of time for the process; and Kotis being the sole bidder on the property.

Assistant City Manager Parrish provided the history of the appraisal and condition of the property; explained the maintenance needed at the facility; and spoke to what the proceeds would go towards.

City Manager Westmoreland was requested to review the process for a more extensive advertisement of the sale of City owned property going forward.

Discussion continued regarding placement of the name Dorothy Bardolph in the general area of the facility to recognize her work in the community; whether Attorney Duggins should negotiate with Kotis; the need for additional discussion as to where the proceeds would be applied; Council's discretion on the sale; and what the proceeds had been earmarked for.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox to erect a marker recognizing Dorothy Bardolph in the vicinity of the area. The motion carried by voice vote.

City Manager Westmoreland was requested to provide suggestions regarding preservation of the name Dorothy Bardolph in the general vicinity of the existing structure and to have additional Council discussion regarding the use of revenue generated from said sale.

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

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

0011-16 RESOLUTION AUTHORIZING CONVEYANCE OF THE DOROTHY BARDOLPH HUMAN SERVICES CENTER PROPERTY LOCATED AT 301 SOUTH CHURCH STREET

WHEREAS, the City of Greensboro owns residual property located at 301 South Church Street, 311 East Washington Street, 309 East Washington Street, 303 South Church Street, 304 Hughes Street, 312 Hughes Street and 312-338 Hughes Street at Parcels 0000337, 0000334, 0000332, 0000333, 0000338, 0000339 and 0000340 respectively, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, there is no municipal need for this property;

WHEREAS, the property has been appraised by Alan W. Sutton at a value of \$1,035,000 and the offer made based on the appraised value of \$900,000 was accepted in accordance with Section 4:122 of the City Code of Ordinances which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this conveyance will be credited in Sale of Real Estate Account No. 411-5001-01.8616 for \$500,000 and Account No. 411-6001-01.8616 for \$400,000.

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

That the sale of the above mentioned property in the amount of \$900,000 is hereby approved and the sale of land is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Sharon Hightower

31. [ID 16-0013](#) Resolution to Amend the Security and the Sequence of Payments for the Two Million Dollar Forgivable Loan Made to Self-Help Ventures Fund for the Purpose of Redevelopment of the Renaissance Shops at Phillips Avenue (Bessemer Shopping Center)

Council discussion took place regarding additional information being provided prior to Council taking a vote; if the City was being required to pay additional monies; opportunity for the City to leverage a better deal; legal requirements of the City; impact on the tax credits should the City reduce its contribution; and the impact to Self-Help should the project be delayed.

Kim Cameron, Director of Real Estate and Dave Shumannfang, General Counsel of Self-Help made a PowerPoint Presentation that explained the City loan; Leverage loan; and Tax Credit Investor process for the financing; spoke to Quality Equity Investment and Qualified Loans; outlined a sources and uses comparison;

explained the impact a delay would have on the financing process; and the benefit of the tax credits to the project.

Discussion ensued regarding commitment of the project to the community; negotiations with Wells Fargo; if the contract amendment Council was being asked to vote on would delay the project; discounted interest rate for the loan; additional \$1 million in hard costs for the project; application process for allocation of the New Market tax credits; fees incurred as a result of said tax credits; reduction to the total project funds; the impact a gap could make on the tax credits; and discounts that could be passed onto tenants as a result of the tax credits.

Councilmember Fox voiced appreciation for the work Self-Help had done on the project; stated the community had waited a long time; announced that the ribbon cutting would take place in the summer; invited Councilmember Outling to tour the site; and recognized community members in the audience.

Councilmember Hightower referenced the amount paid by Self-Help for the facility; and thanked them for the work they had done.

Councilmember Hoffmann thanked Self-Help for using Wells Fargo for the financing; and spoke to when New Market tax credits were used by large corporations.

Councilmember Outling stated he supported the project; that his goal was do to what was best for the City; quantify the delay and its effects on the project; voiced appreciation for Self-Help answering his questions; emphasized that the Council was a deliberative body whose goal was to do the best work for the residents of Greensboro; and stated that, as a Council, they needed to stop shaming members for asking questions.

Councilmember Wilkins voiced appreciation for Councilmember Outling's questions regarding the financing.

Mayor Vaughan spoke to the length of time spent on the project; referenced Self-Help's investment in the community; and confirmed the project would be transformative for the community.

Mayor Pro-Tem Johnson voiced agreement with Council's comments; and appreciation for the work that had been done on the Center.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 2, which is hereby referred to and made a part of these minutes.)

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

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

0012-16 RESOLUTION TO AMEND THE SECURITY AND SEQUENCE OF PAYMENTS FOR THE TWO MILLION DOLLAR FORGIVABLE LOAN MADE TO SELF-HELP VENTURES FUND FOR THE PURPOSE OF REDEVELOPMENT OF THE RENAISSANCE SHOPS AT PHILLIPS AVENUE (BESSEMER SHOPPING CENTER)

WHEREAS, on April 15, 2014 at public hearing, the Greensboro City Council awarded a two million dollar forgivable loan to the Self-Help Ventures Fund (Self-Help) to redevelop the former Bessemer Shopping Center, now named the Renaissance Shops at Phillips Avenue; and

WHEREAS, Self-Help agreed to invest up to 2.5 million dollars in the re-development of this shopping center; to negotiate in good faith with Renaissance Community Co-Op to lease up to 10,000 square feet of space for a grocery store; to establish a community advisory committee known as the Renaissance Center Advisory Committee; to earmark a minimum of 25% of the project costs of construction contracted for by Self-Help (including design costs, parking lot and other site work, construction of "vanilla shell" leasable space and tenant improvements) for M/WBE contractors that have been designated as M/WBE contractors by the City; and

WHEREAS, SHVF Renaissance, LLC (SHVF), which is 100% owned and managed by Self-Help acquired this property, guaranteed this loan and secured this loan with a deed of trust on the property; and

WHEREAS, The City provided a 10 year performance based forgivable loan of \$2,000,000 (the "City Loan") to Self-Help at zero percent (0%) interest for the up fit of the shopping center in accordance with plans and specifications of the Self-Help Offer to Purchase. The City is obligated to disburse the City Loan to Self-Help by reimbursing Self-Help for 50% of the costs and expenses paid by Self-Help for the re-development of the Project up to the \$2,000,000.00 limit; and

WHEREAS, Self-Help and SHVF have secured a commitment from Wells Fargo Bank for an investment of an additional \$2,102,660 through a new market tax credit financing structure pursuant to Section 45D of the Internal Revenue Code, which will allow SHVF to receive total loans and investments in the shopping center, separate from the City of Greensboro loan, of \$6,050,000; and

WHEREAS, this additional funding will allow Self-Help to complete the renovation of the shopping center and to offer more favorable lease terms to the tenants of the center, and

WHEREAS, the new markets tax credit financing structure will require the City to modify the security for the forgivable loan with a new form of security that is functionally equal to the previous security; and

WHEREAS, due to the new financing structure and timing of the renovations, Self-Help has requested a change in the sequence of payments; and

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

The City of Greensboro hereby authorizes the Mayor and City Clerk to release the guaranty and cancel the deed of trust that SHVF granted to secure the \$2,000,000 forgivable loan from the City of Greensboro in exchange for Self Help providing to the City a collateral assignment of its rights as the leverage lender in connection with a leverage loan of \$4,096,340 under a proposed new markets tax credit (NMTC) financing to Self Help for development and construction of the Renaissance Shops at Phillips Avenue and to execute an amended Loan Agreement in order to change the sequence of payments and to reflect the new security to be provided.

(Signed) Jamal Fox

32. [ID 16-0002](#) Resolution Authorizing Extension #3 to Contract No. 2012-076 in the Amount of \$2,186,000 with Heitkamp, Inc. for the Epoxy Waterline Rehabilitation Project "M"

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

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

0013-16 RESOLUTION AUTHORIZING A CHANGE ORDER IN CONTRACT NO. 2012-076 WITH HEITKAMP, INC. FOR THE EPOXY WATERLINE REHABILITATION PROJECT "M"

WHEREAS, Contract No. 2012-076 with Heitkamp, Inc. provides for the epoxy waterline rehabilitation project "M" project;

WHEREAS, Water Resources has requested Heitkamp, Inc. to assist with continued epoxy rehabilitation of waterlines installed in the 1930's and 1940's throughout the City;

WHEREAS, due to special conditions of the Contract, the City reserves the right to extend this Contract as a "Unit Price Contract" annually from the award date, thereby necessitating a contract extension in the amount of \$2,186,000 to provide for the rehabilitation of an additional 36,243 linear feet of water line.

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

That a change order in the above-mentioned contract with Heitkamp, Inc. for the epoxy waterline rehabilitation project "M" project is hereby authorized at a total cost of \$2,186,000, payment of said additional amount to be made in the amount of \$2,186,000 from Account No. 503-7025-01.6016 A16035.

(Signed) Sharon Hightower

33. [ID 16-0044](#) Boards and Commissions Listing for January 19, 2016

Mayor Vaughan explained the procedure for Council to make appointments to the Police Community Review Board (Board); and clarified that each Councilmember would have two appointments.

Discussion took place regarding the number of Human Relations Committee members that would be appointed to the Board; number of members allowed per Council district; appointments to the Board being made by the Human Relations Chair; and concern with taking people off the Human Relations Commission mid-term.

City Attorney Carruthers verified the restrictions of the local legislative act with respect to appointments being made from the Human Relations Chair; and spoke to the role of the committee with regard to personnel issues.

Councilmember Hightower stated she had only one name at this time; and submitted the name of Leslie Summers.

Councilmember Abuzuaiter submitted the names of Suzanne Nevane and Jackie King.

Councilmember Wilkins submitted the names of Reece Coble and Ed Cobbler.

Councilmember Outling submitted the names of Dean Castaldo, Jr. and D. J. O'Brien, III.

Mayor Pro-Tem Johnson submitted the names of Marion Dansby Byrd and Claude Barnes.

Councilmember Barber submitted the name of Tom Phillips.

Councilmember Fox submitted the names of Michael Franklin and Maurice Warren.

Councilmember Hoffmann submitted the names of Wayne Abraham and Dr. Emanuel Dudley.

Mayor Vaughan asked for names for the Community Partners Board.

Councilmember Hoffmann submitted the name of Dawn Chaney.

Councilmember Fox submitted the name of Linda Fuscoe.

Councilmember Barber submitted the name of Silvane Hill.

Mayor Pro-Tem Johnson submitted the name of Vernan Johnston.

Mayor Vaughan submitted the name of Bob Newton.

Councilmember Outling submitted the name of Bryan Surret.

Councilmember Abuzuaiter submitted the name of Kumar Bhardwaj.

Councilmember Hightower submitted the name of Linda Waddell.

City Manager Westmoreland was requested to bring back the proposed district makeup of the Citizens Police Review Board and the Community Partners Board.

Moved by Councilmember Fox, seconded by Councilmember Barber to reappoint Dan Fischer to the Firemen's

Relief Board. The motion carried by voice vote.

Councilmember Fox stated a Boards and Commissions Committee meeting would be forthcoming.

Moved by Councilmember Fox, seconded by Councilmember Barber to appoint Wes McGuire to the GTA Board to replace Owen Strickland that was formerly a District 5 slot; to appoint Steven Squire to the War Memorial Commission to replace Frank Aumon that was formerly a District 3 slot; and to appoint Jacqueline Foster to the Commission on the Status of Women to replace Chalene Peterson. The motion carried by voice vote.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hightower to appoint Faun Finley to the Community Sustainability Council. The motion carried by voice vote.

Councilmember Hightower placed the name of Bernard Evans, Jr. into the databank for future service on a board or commission.

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

Councilmember Hightower stated Monday had been a great day of service to the community and celebration for the Martin Luther King Jr. Holiday; announced upcoming Housing Our Community meetings on January 25th from 10:00 a.m. to 12:00 p.m. at McGirt Horton Branch Library, January 26th from 3:00 - 5:00 p.m. at Hemphill Branch Library, January 28th from 6:00 - 8:00 p.m. at Shiloh Baptist Church, and February 4th from 6:00 - 8:00 p.m. at St. Johns United Methodist Church; invited Councilmembers and the public to attend the meetings; voiced the need for innovative ideas for housing; asked that the family of Tyarra Williams, who had been missing for two weeks from the Randleman Road area, be kept in prayers; and requested persons with information to call CrimeStoppers.

Mayor Vaughan stated the Greensboro Partnership Dinner was scheduled for January 28th.

Mayor Pro-Tem Johnson commended the Human Relations Commission for the fantastic Martin Luther King, Jr. Breakfast; stated that 880 were in attendance; referenced the St. James Presbyterian Church Service that was well done; requested City Manager Westmoreland contact the YWCA Executive Director to review their winter shelter program/operations and to discuss potential funding support needs; and stated she was thinking of between \$15,000 and \$25,000.

Discussion took place regarding the purview of City Manager Westmoreland to handle the matter; and the process for going through the Community Partners Board in the future.

City Manager Westmoreland confirmed he would reach out to the Executive Director; and let Council know how he would resolve the issue.

Councilmember Hightower requested City Manager Westmoreland develop a process for the distribution of health items for the homeless at the warming centers.

Councilmember Barber referenced the amount of sensitivity for the human trafficking issue; stated that a local organization had organized a sex trafficking certification seminar on February 9 via invitation only; stated an invitation had been forwarded to Council; and emphasized the seminar that would include members from the FBI and ICE would be a benefit to the community.

Councilmember Fox asked that Field Operations staff replace trash cans that did not have lids along routes; asked City Manager Westmoreland to provide an update to Council with regard to the RFP for the project along Martin Luther King, Jr. Drive from Districts 1 and 2; to update Council on land banking; stated January was 'mentoring' month; announced the Guilford Cup Basketball Game at Griffin Recreation Center on Saturday, January 30th at 11:00 a.m.; requested people donate winter weather clothing for area residents at the game; and invited Council and community members to a Town Hall meeting on January 26th at 6:00 p.m. at Bennett College.

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

Councilmember Hightower asked if there were City ordinances with regard to UBER drivers using personal vehicle tags; and asked about liability of the City.

City Attorney Carruthers responded they were not under the same laws as taxicabs; that State law permitted them; explained that the City could not ban them; stated that UBER and LIFT had made arrangements for commercial liability coverage for drivers; spoke to what the City could regulate; that the City did not have the ability to put additional restrictions in place; and confirmed that centralized dispatched services were permitted by the Legislature.

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 10:40 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR