



City of Greensboro

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

Meeting Minutes - Draft City Council

Monday, August 1, 2016

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 6:23 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

Present: 8 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Mike Barber, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling and Councilmember Tony Wilkins

Absent: 1 - Councilmember Marikay Abuzuaiter

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

Mayor Pro-Tem Johnson and Councilmember Hoffmann confirmed they were participating in the meeting via telephone.

Moved by Councilmember Barber, seconded by Councilmember Wilkins to excuse Councilmember Abuzuaiter from attendance at the meeting. The motion carried by voice vote.

Moment of Silence

Mayor Vaughan asked those present to keep Councilmember Abuzuaiter's family in their prayers as the meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized Guilford County Commissioner Ray Trapp to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Scott Baillargeon of the Legislative Department who served as Courier for the meeting.

City Manager Westmoreland also recognized Malcolm Rembert as Junior Courier who is a 12th grade student at Grimsley High School; and provided an overview of Mr. Rembert's community involvement and accomplishments.

Council Procedure for Conduct of the Meeting

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

25. [ID 16-0687](#) Resolution Authorizing Contract 2016-0514 with United Health Care (UHC) for Medical Plan Administration Services

Mayor Vaughan stated Council was being asked to postpone the item.

Discussion took place with regard to the impact to open enrollment should the item be postponed; and the reasoning for the postponement.

City Manager Jim Westmoreland verified the item would come before Council on August 16th; stated that there would be no impact on the open enrollment process; and that staff needed additional time to respond to questions of Council with regard to the process.

Councilmember Barber asked for clarification of the motion.

Mayor Vaughan stated Council would take a voice vote.

Moved by Councilmember Hightower, seconded by Councilmember Outling to postpone the item to the August 16 meeting of Council. The motion carried by voice vote.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 16-0537](#) Resolution Honoring the Memory of the Late Clara Fields

Councilmember Fox read the resolution into the record; presented the resolution to the family; and spoke to Ms. Fields' contributions to Northeast Greensboro.

Mr. Fields expressed appreciation on behalf of the family; spoke to his late wife's character; and commitment to the community.

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

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

Absent, 1 - Marikay Abuzuaiter

244-16 RESOLUTION HONORING THE MEMORY OF THE LATE CLARA CARTER FIELDS

WHEREAS, on June 1, 2016, this community lost one of its outstanding community leaders with the passing of the late Clara Carter Fields;

WHEREAS, Ms. Fields was a native of Yadkinville, North Carolina where she attended public school, and excelled in visual arts and voice;

WHEREAS, Ms. Fields' musical talents led her to be part of a musical group that performed in homes, churches, community centers, and on commercial radio as well as being the local backup singers for renowned artists such as Shirley Caesar and Clara Ward;

WHEREAS, upon graduation from high school Ms. Fields attended Bennett College where she continued to excel in music, visual arts, and movement, and received her Bachelor of Science degree in elementary education in 1959;

WHEREAS, Ms. Fields first job was at WB Wicker School in Sanford, North Carolina and during her 35 year professional career she was a member of The American Teachers Association, The National Education Association (NEA), North Carolina Teachers Association, North Carolina Classroom Teachers Association, North Carolina Association of Educators (NCAE), and the Greensboro Retired Association of School Personnel;

WHEREAS, during her activities with professional, civil, community, and religious organizations throughout her life, she was an active member of Concerned Citizens of North-East Greensboro, East Side Civitan Group, Bennett College Alumnae Association, and the NAACP;

WHEREAS, Ms Fields was a longstanding and faithful member of Trinity AME Zion Church;

WHEREAS, the City Council wishes to express its sense of loss and sincere appreciation and gratitude for the

many years of dedicated public service rendered by Clara Carter Fields, the outstanding contributions she has made to the community, and the legacy she leaves.

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

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

(Signed) Sharon Hightower

2. [ID 16-0664](#) Resolution Recognizing Backpack Beginnings for Their Work

Councilmember Outling read the resolution into the record; and recognized and presented the resolution to Parker White.

Mayor Vaughan commended Ms. White for her work; and referenced the decrease in hunger in the community.

Ms. White voiced appreciation for the resolution; stated the 100% volunteer program served 6000 annually; fed over 2500 children weekly; voiced that the award could donate \$100,000 directly to the program; and asked those present to go to NASCAR.com to cast their votes.

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

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

Absent, 1 - Marikay Abuzuaiter

245-16 RESOLUTION RECOGNIZING THE BACKPACK BEGINNINGS PROGRAM

WHEREAS, Backpack Beginnings (BPB) was created six years ago by Greensboro resident Parker White as a means to assist and make a difference by providing hungry children within the community with food over the weekends, and currently serves over 6,000 children in need;

WHEREAS, the program has established programs in 54 organizations, including 38 schools and 20 child assistance organizations, and created a clothing pantry to provide clothing to children in need;

WHEREAS, BPB operates as a 100% volunteer organization through the support and time of over 200 delivery volunteers, and through the support of local businesses, churches, foundations and community members, the program is able to fund and grow its operations annually;

WHEREAS, the Food Backpack Program provides child friendly, nutritious food to children enrolled annually from elementary schools or head start programs with weekend meals;

WHEREAS, for children experiencing trauma, the Comfort Backpack Program provides age and gender specific comfort items and basic necessities such blankets, books, journals, hygiene products, school supplies, an age appropriate toy and stuffed animals to Guilford, Forsyth, and Alamance County partner agencies;

WHEREAS, BPB provides fresh food, canned and dry goods, proteins, fruits, vegetables, pasta, rices, breakfast food, snacks, 100% fruit juice and other food items for food pantries managed by middle and high school staff to ensure children with the greatest needs to have direct access to food;

WHEREAS, the Clothing Backpack Program provides free gently used and new clothing during select times for social workers to shop for Guilford County children ages 1 – 17;

WHEREAS, Founder and Executive Director, Parker White has been nominated for The NASCAR Foundation's

sixth annual Betty Jane France Humanitarian Award presented by Nationwide, and the Foundation will donate a total of \$175,000 to the charities of the finalists.

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

That it hereby recognizes and commends the Backpack Beginnings Program for their work in Guilford County and the region.

(Signed) Sharon Hightower

II. PUBLIC COMMENT PERIOD

Mayor Vaughan stated there were five speakers.

Brian Watkins, 1903 Taylor Street provided a video pertaining to the Greensboro Police Department.

Councilmember Wilkins verified that the person portraying a Greensboro officer in the video was an actor.

Mr. Watkins confirmed that it was.

Mayor Pro-Tem Johnson stated that she would discontinue her participation in the meeting via telephone at 7:30 p.m.

Sondra Wright, 2801 Pleasant Garden Road spoke to challenges of small business subcontractors when working with contractors; voiced concern with burdens placed on small subcontractors; and asked for assistance from the City regarding provisions placed on the contracting process.

Councilmember Barber suggested Ms. Wright look at the North Carolina Licensing Board website; and asked her to leave her contact information with staff.

Councilmember Hightower requested that Assistant City Manager David Parrish meet with Ms. Wright regarding her concerns.

Discussion took place regarding the contracting process; and requirements.

Mayor Vaughan reminded Council to be respectful of one another; and reiterated the request for Assistant City Manager Parrish to speak with Ms. Wright.

Sherman Moore, 907 McCormick Street presented Council with 'Stop the Violence' tee shirts; spoke to Deputy Chief Hinson's role in, thanked City employees for their assistance with, and recognized youth involved in the program; and stated that the next event would take place on August 7th from 12 noon to 7:00 p.m. at Sussman Street Park.

Councilmember Hightower thanked Mr. Moore for his work in the community.

Russell Barrett, 610 Glover Street voiced concerns with the Arlington Park neighborhood as well as other blighted area neighborhoods; referenced funding that had been contributed to the Randleman Road area; and asked for assistance in the Arlington Park neighborhood.

Mayor Vaughan requested Mr. Barrett provide the list to Councilmembers.

Luther Falls, 1603 Lansdowne Avenue agreed with Ms. Wright's concerns for small businesses; thanked Council for their attendance at area events; spoke to the free lunch program at Windsor Recreation Center; to community forums he was involved in; and expressed condolences to the family of former City employee Kathleen Smith.

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

III. CONSENT AGENDA (One Vote)

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

Councilmember Hightower requested Item #10/ID16-0591 be removed for discussion.

Councilmember Fox expressed during the matters to be discussed by the Mayor and Members of Council period that he wanted his vote for Item #13/ID16-0656 to be reflected in the record as a 'no' vote.

Mayor Vaughan asked the consensus of Council for Councilmember Fox to change his vote. It was the consensus that he could do so. City Attorney Carruthers confirmed that Councilmember Fox's vote could be changed in the record.

Moved by Councilmember Outling, seconded by Councilmember Wilkins to adopt the consent agenda as amended. The motion carried by voice vote.

3. [ID 16-0532](#) Resolution Authorizing Purchase of Property Located at 835 Knox Road for the Stewart Mill Force Main Sewer Line Project

246-16 RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF PROPERTY LOCATED 835 KNOX ROAD FOR THE STEWART MILL FORCE MAIN SEWER LINE PROJECT

WHEREAS, in connection with the Stewart Mill Force Main Sewer Line project, a portion of the property owned by Jerry and Beverly Kivett, Parcel 0084875 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 \$38,251 but the property owner has agreed to settle for the price of \$45,900, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$45,900 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. 507-7012-01.6012, Activity A13088.

(Signed) Justin Outling

4. [ID 16-0575](#) Resolution Authorizing Purchase of Property Located at 3314 Battleground Avenue For The Battleground Westridge Intersection Improvement Project

247-16 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 3314 BATTLEGROUND AVENUE FOR THE BATTLEGROUND WESTRIDGE INTERSECTION IMPROVEMENT PROJECT

WHEREAS, in connection with the Battleground Westridge Intersection Improvement project, a portion of the property owned by Allegacy Federal Credit Union, Parcel 0038930 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Steven C. Randall of Foster Appraisal Services, Inc. at a value of \$54,200, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in

the best interest of the City to acquire said property.

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

That the appraisal of the above mentioned portion of property in the amount of \$54,200 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 220-4588-01.6012, Activity #A12084.

(Signed) Justin Outling

5. [ID 16-0574](#) Resolution Authorizing Purchase of Property Located at 811 Knox Road for the Stewart Mill Force Main Sewer Line Project

248-16 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 811 KNOX ROAD FOR THE STEWART MILL FORCE MAIN SEWER LINE PROJECT

WHEREAS, in connection with the Stewart Mill Force Main Sewer Line project, a portion of the property owned by Knox Road, LLC, Parcel 0116870 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Harold Messick of Messick and Company, Inc. at a value of \$15,320, which appraisal, in the opinion of the City Council, is fair and reasonable;

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

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

That the appraisal of the above mentioned portion of property in the amount of \$15,320 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 507-7012-01.6012, Activity A13088.

(Signed) Justin Outling

6. [ID 16-0548](#) Resolution Authorizing the Conveyance of a Permanent Pedestrian Access Easement Located at 3609 Drawbridge Parkway

249-16 RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERMANENT PEDESTRIAN ACCESS EASEMENT LOCATED AT 3609 DRAWBRIDGE PARKWAY

WHEREAS, the City of Greensboro owns property located at 3609 Drawbridge Parkway, Parcel #0096117;

WHEREAS, John W. Jeffries and Barbara J. Jeffries own landlocked property located at 3603 YY Drawbridge Parkway, Parcel #0096084 and have requested an access easement be granted to allow them access to their property;

WHEREAS, the permanent pedestrian access easement will consist of approximately 8,521 square feet (0.2 acres) along the property line of the subject City parcel;

WHEREAS, there will be no consideration paid for said easement;

WHEREAS, the Water Department has reviewed the plan and approved the easement.

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

That the conveyance of a permanent pedestrian access easement located at 3609 Drawbridge Parkway to John W. Jeffries and Barbara J. Jeffries is hereby authorized.

(Signed) Justin Outling

7. [ID 16-0533](#) Ordinance Amending Chapter 6 of the Greensboro Code of Ordinances with Respect to Buildings and Building Regulations

16-082 AMENDING CHAPTER 6 AN ORDINANCE AMENDING CHAPTER 6 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO BUILDINGS AND BUILDING REGULATIONS

Section 1. That Section 6-2, is hereby amended to read as follows:

Sec. 6-2. - Inspectors' conflict of interest.

It shall be unlawful for an inspector in the building inspection department to engage in any contractual business, such as building, electrical, plumbing, heating or air conditioning, or have any other financial interest in any concern engaging in any of such businesses within the City of Greensboro jurisdiction at any time while holding office as an inspector.

Section 2. That Section 6-22, is hereby amended to read as follows:

Sec. 6-22. - State building code.

(a) The North Carolina State Building Code as amended and adopted by the North Carolina Building Code Council shall be in effect as modified by the building code council in the City of Greensboro and shall be applicable to all construction activities to which the code applies.

(b) The following technical codes of the North Carolina State Building Code as amended shall be applicable to construction activities:

Administration Code & Policies

Accessibility Code

Building Code (General Construction)

Plumbing Code

Mechanical Code

Electrical Code

Fire Prevention Code

Fuel Gas Code

Residential Code

Modular Construction Requirements

Existing Building Code

Energy Conservation Code

Rehabilitation Code

Section 3. That Section 6-56, is hereby amended to read as follows:

Sec. 6-56. - Permit generally.

(a) No person shall commence or proceed with the construction, alteration, repair, removal or demolition of any single building or other structure or part thereof without a written permit therefor from the building inspector except for building construction that is exempted from permit requirements under the North Carolina State Building Code. The copy of the permit shall be kept on the premises for public inspection during the prosecution of the work and until completion of the same. An identification placard showing the permit number signed by the building inspector shall be conspicuously posted on the site readily visible from the street.

(b) A permit for the demolition, tearing down, or wrecking of any single building or structure or part thereof shall be issued only to the following:

(1) A general contractor licensed by the North Carolina Licensing Board for General Contractors, or

(2) A demolition contractor, or

(3) An owner;

provided that for all commercial demolition, including demolition of non-commercial buildings or structures where the demolition is part of commercial or public use development, the applicant for the permit provides the city with a state-issued National Emission Standards for Hazardous Air Pollutants (NESHAP) number and a state-issued asbestos removal permit, when such permit is required by state law; provided further that for all residential demolition, the applicant provides the city with an asbestos report from a state accredited asbestos inspector which states whether the structure being demolished contains regulated asbestos-containing material (as defined

in Title 40 of the Federal Code of Regulations Part 61.141) in combined amounts exceeding two hundred sixty (260) linear feet on pipes or one hundred sixty (160) square feet on other structure components or thirty-five (35) cubic feet off such components where the length or area cannot be measured in linear or square feet.

Any person receiving a permit under this subsection shall, in the performance of the work, comply with the State Building Code and all other applicable state and local laws, rules and regulations.

(c) No person shall erect, alter or repair any billboard or sign without first securing a permit from the building inspector except for sign construction that is exempted from permit requirements under the North Carolina State Building Code.

(d) All applications for permits required by this article shall be approved or disapproved by the building inspector within a reasonable period from the date of filing thereof. Such applications shall be approved if the work proposed to be done conforms to the requirements of this article, the zoning ordinance, and other ordinances relating thereto.

(e) For failure of a person to apply for and obtain any building permit required prior to commencement of a construction job, there shall be an additional fee in an amount equal to the permit fee itself.

Section 4. That Section 6-58, is hereby amended to read as follows:

Sec. 6-58. - Plans.

(a) There shall be no plans required for one-and two-family residences unless requested by the building inspector. On all other buildings, plans shall be provided in the media, format, and number of sets required by the building inspector. Reviewed plans will be returned to be kept on the job during construction. File sets will be maintained in the building inspector's office. A plot plan showing the location of the structure or structures, and the parking area must be furnished when the application is made for a building permit.

(b) Upon approval of plans and issuance of building permit, the construction work must proceed in accordance with the approved plans, otherwise the building operations will be stopped by the building inspector. Any deviation from the approved plans must be authorized by the approval of revised plans subject to the same procedure established for the examination of the original plans. An additional permit fee may be charged depending on the extent of variation from the original plans.

Section 5. That Section 6-61, is hereby amended to read as follows:

Sec. 6-61. - Inspections generally.

(a) Notice to building inspector of beginning of work. The building inspector shall be notified immediately upon the beginning of the construction, alteration, repair or removal of any building for which a permit is required. He shall be notified not less than twenty-four (24) hours before the beginning of the demolition of any building.

(b) When to call for inspection.

(1) Location and Footing Inspection: After all trenches are excavated, all grade stakes are installed, all reinforcing steel and supports are in place and braced before pouring or placement of any concrete. The property lines must be established, or if there is any question as to the location of the building on the property, the builder will furnish a survey made by a licensed surveyor.

(2) Under-slab inspection: If applicable, shall be made after all materials and equipment to be concealed by the concrete slab are installed.

(3) Foundation and Crawl Space Inspection: After all foundation supports are installed to check foundation supports, crawl space leveling, ground clearances and positive drainage when required.

(4) Rough-in Inspection: When all building framing, electrical, plumbing, mechanical, or fire protection systems that will be hidden from view in the finished building have been installed and before wall, ceiling finish, or building insulation is installed.

(5) Building Framing Inspection: After the roof (excluding permanent roof covering), wall, ceiling, and floor framing is installed with appropriate blocking, bracing, and firestopping installed. The following items shall be installed and visible for inspection:

(a) Pipes,

(b) Chimneys and vents,

(c) Flashing for roofs, chimneys, and wall openings,

(d) Lintels required to be bolted to the framing for support, and

shall not be covered by any exterior or interior wall or ceiling finish material before approval.

(6) Insulation Inspection: After approved building framing inspection, approved rough-in inspection, and permanent roof covering is installed but before any wall or ceiling covering is installed.

(7) Final Inspection: After completion of the work authorized under the technical code for each trade.

The final plumbing, electrical, mechanical, and fire inspections must be approved before the final building inspection will be made.

Section 6. That Section 6-63, is hereby amended to read as follows:

Sec. 6-63. - Certificate of compliance.

Upon the completion of any construction, alteration, or repairs authorized by a permit issued hereunder, the building inspector shall inspect the same, and if it has been done in conformity with the state law and with all ordinances relating thereto, he shall issue a certificate of compliance.

Section 7. That Section 6-64, is hereby amended to read as follows:

Sec. 6-64. - Fees.

(a) Inspection fees for the construction, alteration or repair of any building or other structure or part thereof shall be based on the total cost of construction, alteration, or repairs, excluding the cost of electrical, heating and air conditioning, gas equipment and plumbing work, and shall be as follows:

For the first \$11,000.00\$75.00

For excess above \$11,000.00 to \$50,000.00 per \$1,000.003.00

For excess above \$50,000.00 to \$500,000.00, per \$1,000.002.00

For excess above \$500,000.00, per \$1,000.001.00

For nonessential inspection at request of owner45.00

For handicap ramps accessing a single-family dwellingNo Charge

(b) Inspection fees for tents shall be seventy-five dollars (\$75.00).

(c) Inspection fees for the removal (demolition) of buildings shall be seventy-five dollars (\$75.00).

(d) Inspection fees for moving buildings over city streets on rubber shall be as follows: Initial payment of five hundred dollars (\$500.00) which shall be the maximum fee. The actual fee shall be based on actual costs to the city including city administrative costs, use of materials, public vehicles and other equipment; in the event that the actual costs are less than the above-mentioned fee, the city shall refund the difference.

(e) Inspection fees for mobile homes shall be seventy-five dollars (\$75.00).

The total of fees due for any permit shall be not less than seventy-five dollars (\$75.00).

(g) Inspection fees for erosion control and foundation inspections shall be charged at the rate of one dollar and twenty-five cents (\$1.25) per thousand to a maximum of five hundred thousand dollars (\$500,000.00) of general construction cost for new residential, commercial and additions to commercial construction.

(h) Upon the return of any building permit issued under this division, an amount equal to the minimum building permit fee shall be retained by the building inspector to cover administrative expenses connected with the issuance thereof.

(i) Fee for the first followup inspection shall be forty-five dollars (\$45.00).

(j) Fee for the second and each followup inspection thereafter shall be forty-five dollars (\$45.00).

Section 8. That Section 6-82, is hereby amended to read as follows:

Sec. 6-82. – Reserved.

Section 9. That Section 6-83, is hereby amended to read as follows:

Sec. 6-83. - Purpose and Scope.

It is the purpose and intent of this article to provide certain minimum standards, provisions, requirements and inspections of electrical equipment, appliances, and installations covered by the North Carolina Electrical Code on premises or in habitable buildings or structures for the protection of the public safety and interest.

Section 10. That Section 6-98, is hereby amended to read as follows:

Sec. 6-98. - Right of entry of electrical inspector; authority to disconnect service; etc.

The electrical inspector shall have the right:

(1) To enter during reasonable hours in accordance with applicable law any building in the discharge of their

official duties, or for the purpose of making any inspection, re-inspection or test of the installation of electric wiring, devices, appliances and equipment contained therein.

(2) To cut or disconnect any wire in cases of emergency where necessary for safety to life and property.

(3) To disconnect, or order the discontinuance of electrical service to any electric wiring, devices, appliances or equipment found to be dangerous to life or property because it is defective or defectively installed until such wiring, devices, appliances and equipment and their installation have been made safe and approved by the electrical inspector.

Section 11. That Section 6-99, is hereby amended to read as follows:

Secs. 6-99. - Condemnation of unsafe, etc., installations.

(a) The electrical inspector may condemn any electrical system, or part thereof, units, apparatus, or appurtenances which are not installed, altered, or restored in accordance with the provisions of this article. In the interest of public safety, the electrical inspector shall have the authority to condemn any electrical system or part thereof which is a detriment to safety and require that same be remedied immediately.

(b) If the electrical inspector has reason to believe that an unsafe condition exists in habitable buildings or on premises, they may require the owner or agent thereof to provide for tests, and if defective materials or workmanship are revealed by such test, the owner or agent shall immediately repair the system in accordance with the direction of the electrical inspector.

Section 12. That Section 6-100, is hereby amended to read as follows:

Sec. 6-100. – Stop work order.

Whenever it is found that the installation, alteration, or repair covered by this article is proceeding in violation of this article, a written order to stop work shall be posted on the premises. The stop work order shall pertain to any part or parts of the construction, alteration, or repair of the system which is in violation.

Section 13. That Section 6-113, is hereby amended to read as follows:

Sec. 6-113. - Property owner's permit.

Any person may be permitted to perform electrical work upon their own property except property intended for rent, sale or gift provided he first makes application for and obtains a property owner's electrical permit from the electrical inspector for the work contemplated. The electrical inspector shall then issue a permit to the applicant to perform the work for which application was made. Such permit shall extend to the applicant only and shall not authorize the applicant to employ the services of any other person to assist him unless such other person is duly licensed. The permit granted the applicant shall automatically expire upon completion of the work. All work done under permit shall be subject to regular electrical inspection requirements and fees and shall satisfy all requirements applicable to such work.

Section 14. That Section 6-115, is hereby amended to read as follows:

Sec. 6-115. - Persons eligible.

No electrical permit, except an annual permit or a property owner's permit, shall be issued to any person unless such person is the holder of an electrical contractor's license issued by the state board of examiners of electrical contractors

Section 15. That Section 6-117, is hereby amended to read as follows:

Sec. 6-117. - Inspections generally.

(a) In this article "inspection" means the necessary scrutiny and checking of an electrical wiring installation to determine whether or not the installation has been made in conformity with state and local laws governing wiring installations and materials.

(b) The electrical inspector shall have and use the necessary instruments and tools for testing each installation as to insulation, continuity, polarity, etc. No roughing-in work will be considered complete until all joints are properly made and the grounding connections have been made. Two (2) inspections shall be made under ordinary circumstances:

(1) The first after roughing-in.

(2) The second, or final inspection, after all devices, appliances and fixtures are installed or hung.

Section 16. That Section 6-120, is hereby amended to read as follows:

Sec. 6-120. - Inspection of work under annual permit.

At regular periods, the electrical inspector shall visit all premises where work may be done under annual permits required by this division and shall inspect all electric wiring devices, appliances and equipment installed under such a permit since the date of their last previous inspection, and shall issue a certificate of approval for such work as is found to be in conformity with the provisions of this article, after the fee required has been paid. Upon inspection, if the alteration is not found to be fully in conformity with the provisions of this article, the electrical inspector shall at once forward to the person a written notice stating the defects which have been found.

Section 17. That Section 6-121, is hereby amended to read as follows:

Sec. 6-121. - Certificate of approval.

(a) Where the electrical inspector finds the installation to be in conformity with the laws of the state governing electrical wiring installations and materials and of this article, he shall issue an approval release to the utility company furnishing the electrical service.

(b) When a certificate of approval is issued authorizing the connection and use of temporary work, such certificate shall be issued to expire at a time to be stated therein and shall be revocable by the electrical inspector for cause. A preliminary certificate of approval may be issued authorizing the connection and use of certain specific portions of an incomplete installation which shall be revocable at the discretion of the electrical inspector.

(c) It shall be unlawful for any person to make connection from a supply of electricity or to supply electricity to any electrical equipment for the installation of which an electrical permit is required or which has been disconnected or ordered to be disconnected by the electrical inspector, until such connection has been authorized by the electrical inspector.

Section 18. That Section 6-122, is hereby amended to read as follows:

Sec. 6-122. - Correction of defects.

Any person shall correct any defect within ten(10) days after having been duly notified by the electrical inspector.

Section 19. That Section 6-123, is hereby amended to read as follows:

Sec. 6-123. - Electrical fees for permits and inspections generally.

(a) Before any permit is granted for the installation or alteration of electrical equipment, the person making application for such permit shall pay to the city permit clerk a fee in such amount as specified below, or the fees may be paid to the city permit clerk on or before the tenth day of the month following date of application for permit; provided, that in the event of default in payment of fees, no permit will be issued to or application received from the person in default until such time as the fees are paid in full:

SCHEDULE OF ELECTRICAL PERMIT FEES (NEW DWELLINGS/COMMERCIAL SERVICES ONLY)

Minimum fee: the total of fees due for any permit shall be not less than seventy-five dollars (\$75.00).

Fees

60 amp service\$ 59.00

100 amp service74.00

125 amp service85.00

150 amp service90.00

200 amp service99.00

225 amp service105.00

250 amp service111.00

300 amp service116.00

350 amp service125.00

400 amp service131.00

Over 400 amp service, per amp0.10

Construction site office75.00

Mobile home75.00

Saw service75.00

Temporary cut-in75.00
Billboard55.00
Signs (all except billboards)5.00
Meter10.00
Panel10.00
Outlets (switches, lighting, outlets, receptacles), each0.30
Lighting fixtures, each0.30
Lighting standard (parking lot lighting)5.00
Transformer KVA (per KVA)0.50
Motor through 4 HP10.00
Each additional HP0.70
Motor control center15.00
Emergency generator KVA (per KVA)0.50
UPS Systems KVA (per KVA)0.50
PV Systems KVA (per KVA).....0.50
PV Panel/Meter.....10.00
PV Inverter.....10.00
Control wiring system20.00
Line transfer switch10.00
KW through 4 KW10.00
Each additional KW, each0.70
X-ray unit10.00
Fire alarm panel10.00
Fire alarm devices.....4.00
Smoke/CO device 0.30
Gasoline dispenser10.00

Welder10.00
Unit heater10.00
Water10.00
Deep fat fryer10.00
Ice maker10.00
Display case10.00
Walk-in cooler10.00
Food warmer10.00
Commercial swimming pool85.00
Residential swimming pool65.00
Spa, hot tub, hydromassage tub, each20.00
Replacement permit75.00
Clothes dryer10.00
Range, oven, cook top10.00
Dishwasher, each10.00
Disposal, trash compactor, each10.00
Furnace10.00
Meter alteration20.00
Minimum charge75.00
Miscellaneous20.00
Extra inspection fee 45.00
Additional extra inspection fee45.00

(b) Minimum charge for cancelled permits and failure to obtain permits for installation, or failure to obtain required inspections:

(1) Upon the return of any electrical permit issued under this section, an amount equal to the minimum electrical permit fee shall be retained by the inspector to cover administrative expenses connected with the issuance thereof.

(2) For failure of a person to apply for and obtain any electrical permit required prior to commencement of a construction job, there shall be an additional fee in an amount equal to the permit fee itself.

(3) The electrical inspector shall have the authority to collect a fee equal to the minimum charge where the owner

or contractor fails to request the inspection required by city ordinance or the North Carolina State Building Code.

Section 20. That Section 6-136, is hereby amended to read as follows:

Sec. 6-136. - Reserved.

Section 21. That Section 6-137, is hereby amended to read as follows:

Sec. 6-137. - Licensing, etc., generally.

(a) No person shall install, alter, repair, make extensions or connect any fixture or current consuming device (except lamps and appliances connected by means of attachment plug) to any electrical wiring system for which an electrical permit is required, whether employed by an electrical contractor, firm, corporation or otherwise, unless he is a qualified electrician or works under the direct supervision of a qualified journeyman electrician or qualified electrical contractor.

(b) No electrical contractor, firm or corporation shall authorize the installation of electrical wiring by any person in violation of subsection (a).

(c) For the purposes of this section a "qualified electrician" shall mean any person:

- (1) Who has qualified for a limited electrician's license issued by the state;
 - (2) Who has qualified for an intermediate electrician's license by the state;
 - (3) Who has qualified for an unlimited electrician's license issued by the state;
 - (4) Who has qualified for a single family detached residential dwelling electrician's license issued by the state;
 - (5) Who is qualified as journeyman electrician by the inspection division of the city or its equal; or
 - (6) Who has qualified for a specialty restricted license issued by the state.
- (d) No person shall use an expired or revoked electrical license.

Section 22. That Section 6-138, is hereby amended to read as follows:

Sec. 6-138. - Local licensing and examination of journeymen.

(a) No application shall be accepted for a journeyman electrician's license unless the applicant has had four (4) years training and experience in the electrical field. Any person desiring to be licensed as a journeyman electrician shall make written application to the inspections division, accompanied by an examination fee of fifty dollars (\$50.00) which is not returnable. Any person who fails to pass an examination as prescribed by the inspections division may apply for reexamination after the expiration of thirty (30) days upon payment of the regular examination fee.

(b) Holders of journeyman electrical licenses shall be furnished by the inspections division with evidence of their having been licensed, in card form or otherwise, which shall be carried on the person of the holder while he is engaged in electrical work and shall be exhibited on request of the electrical inspector or of any person on whose premises the holder is working. This license is automatically revoked if the journeyman discontinues engaging in the electrical field for a period of twelve (12) months, or if the journeyman is not performing their duties as determined by the inspection division.

(c) The inspections division may issue a temporary license pending the examination, provided the applicant holds a similar license from an equivalent board. Such permit shall no be valid for more that sixty (60) days.

(d) An appeal from the decision of the inspections division upon the denial of a license shall be only for errors of law and shall be taken to the superior court by certiorari.

Section 23. That Section 6-139, is hereby amended to read as follows:

Sec. 6-139. - Restriction on issuance of permits to electrical contractors.

No person shall be issued electrical permits within the city for electrical contracting until they submits evidence that they holds an electrical contractor's license issued by the state.

Section 24. That Section 6-140, is hereby amended to read as follows:

Sec. 6-140. - Supervision of apprentices.

There shall not be more that two (2) apprentice electricians or helpers working under the direct supervision of each qualified electrician at any time.

Section 25. That Section 6-156 is hereby amended to read as follows:

Sec. 6-156. –Reserved.

Section 26. That Section 6-157 is hereby amended to read as follows:

Sec. 6-157. –Reserved.

Section 27. That Section 6-158 is hereby amended to read as follows:

Sec. 6-158. –Reserved.

Section 28. That Section 6-159 is hereby amended to read as follows:

Sec. 6-159. –Reserved.

Section 29. That Section 6-160 is hereby amended to read as follows:

Sec. 6-160. – Reserved.

Section 30. That Section 6-161 is hereby amended to read as follows:

Sec. 6-161. –Reserved.

Section 31. That Section 6-162 is hereby amended to read as follows:

Sec. 6-162. – Reserved.

Section 32. That Section 6-163 is hereby amended to read as follows:

Sec. 6-163. – Reserved.

Section 33. That Section 6-164 is hereby amended to read as follows:

Sec. 6-164. – Reserved.

Section 34. That Section 6-165 is hereby amended to read as follows:

Sec. 6-165. – Reserved.

Section 35. That Section 6-166 is hereby amended to read as follows:

Sec. 6-166. – Reserved.

Section 36. That Section 6-167 is hereby amended to read as follows:

Sec. 6-167. – Reserved.

Section 37. That Section 6-180, is hereby amended to read as follows:

Sec. 6-180. Civil liability.

This article shall not be construed to relieve from or lessen the responsibility of liability of any party owning, operating, controlling or installing any mechanical or fuel gas systems, devices, appliances or equipment for damages to person or property caused by any defect therein, nor shall the city be held as assuming any such liability by reason of the inspection authorized herein or the certificate of approval issued as herein provided.

Section 38. That Section 6-181, is hereby amended to read as follows:

Sec. 6-181. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Mechanical includes all equipment, appliances, and installations covered by the North Carolina Mechanical Code.

Fuel gas includes all equipment, appliances, and installations covered by the North Carolina Fuel Gas Code.

Licensed mechanical contractor means a person who holds a current license issued by the state board of examiners of refrigeration, plumbing and heating contractors, in accordance with the provisions of North Carolina

General Statutes Chapter 87, articles 2 and 5.

Section 39. That Section 6-182, is hereby amended to read as follows:

Sec. 6-182. - Purpose and scope.

It is the purpose and intent of this article to provide certain minimum standards, provisions, requirements and inspections of equipment, appliances, and installations covered by the North Carolina Mechanical and Fuel Gas Code on premises or in habitable buildings or structures for the protection of the public safety and interest.

Section 40. That Section 6-184, is hereby amended to read as follows:

Sec. 6-184. - Use of old or secondhand equipment.

Secondhand equipment must be approved by the mechanical inspector before reuse. All old mechanical or fuel gas equipment must be brought up to current code and obtain the necessary inspections for approval.

Section 41. That Section 6-185 is hereby amended to read as follows:

Sec. 6-185. – Reserved.

Section 42. That Section 6-186 is hereby amended to read as follows:

Sec. 6-186. – Reserved.

Section 43. That Section 6-201, is hereby amended to read as follows:

Sec. 6-201. - General duties of mechanical inspector.

It shall be the duty of mechanical inspector:

- (1) To enforce all state and local laws governing mechanical and fuel gas installations materials.
- (2) To issue permits for and to make inspections of all new mechanical and fuel gas installations and such other permits and inspections as may be prescribed by the city council.
- (3) To grant permits for the installation or alteration of mechanical or fuel gas appliances and equipment and make inspections for all new mechanical or fuel gas installations and re-inspections as provide in this article.
- (4) To keep complete records of all permits issued, inspections and re-inspections made, fees collected, and other official work performed in accordance with the provisions of this chapter.
- (5) Perform other duties that may be required by the city manager in connection with the administration and enforcement of this article and other applicable mechanical and fuel gas equipment regulations.

Section 44. That Section 6-202, is hereby amended to read as follows:

Sec. 6-202. - Right of entry of mechanical inspector; authority to disconnect service.

The mechanical inspector shall have the right:

- (1) To enter during reasonable hours in accordance with applicable law any building in the discharge of their official duties, or for the purpose of making any inspection, re-inspection or test of the installation of mechanical and fuel gas devices, appliances and equipment contained therein.
- (2) To disconnect, or order the discontinuance of mechanical or fuel gas devices, appliances or equipment found to be dangerous to life or property because it is defective or defectively installed until such devices, appliances and equipment and their installation have been made safe and approved by the mechanical inspector.

Section 45. That Section 6-203, is hereby amended to read as follows:

Sec. 6-203. Reserved.

Section 46. That Section 6-204, is hereby amended to read as follows:

Sec. 6-204. - Condemnation of unsafe, etc., installations.

- (a) The mechanical inspector may condemn any mechanical or fuel gas system, or part thereof, units, apparatus, or appurtenances which are not installed, altered, or restored in accordance with the provisions of this article. In the interest of public safety, the mechanical inspector shall have the authority to condemn any mechanical or fuel gas system or part thereof which is a detriment to safety and require that same be remedied immediately.
- (b) If the mechanical inspector has reason to believe that an unsafe condition exists in habitable buildings or on premises, they may require the owner or agent thereof to provide for tests, and if defective materials or workmanship are revealed by such test, the owner or agent shall immediately repair the system in accordance with the direction of the mechanical inspector.

Section 47. That Section 6-221, is hereby renumbered 6-220 and amended to read as follows:

Sec. 6-220. - Permits required; exceptions.

(a) A permit shall be obtained from the mechanical inspector for the installation, extension, alteration, replacement, or general repair of any new mechanical or fuel gas system including: furnaces, heat pumps, boilers and/or cooling equipment prior to beginning the work. No permit is required to make minor repairs, minor burner service, filters, or replacement of electrical components to an already installed mechanical or fuel gas system. When heating units including electrical air handlers with strip heat, boilers or heat pump condensers are replaced, a permit shall be secured by a properly state licensed contractor, and the new unit shall be inspected.

Section 48. That Section 6-221, is hereby amended to read as follows:

Sec. 6-221- Property owner's permit.

Any person may be permitted to perform mechanical or fuel gas work upon their own property except property intended for rent, sale or gift provided he first makes application for and obtains a property owner's mechanical permit from the mechanical inspector for the work contemplated. The mechanical inspector shall then issue a permit to the applicant to perform the work for which application was made. Such permit shall extend to the applicant only and shall not authorize the applicant to employ the services of any other person to assist him unless such other person is duly licensed. The permit granted the applicant shall automatically expire upon completion of the work. All work done under permit shall be subject to regular mechanical and fuel gas inspection requirements and fees and shall satisfy all requirements applicable to such work.

Section 49. That Section 6-222, is hereby amended to read as follows:

Sec. 6-222. - Persons eligible for permits.

Permits to install mechanical or fuel gas equipment, appliances or installations shall be issued only to licensed mechanical contractors or the owner working on the residence in which he lives.

Exception: Gas appliances, piping, and heat producing appliances which have no duct system or forced air blower shall be permitted and installed by a licensed plumbing and/or mechanical contractor or by the owner of the residence in which he lives.

Section 50. That Section 6-223, is hereby amended to read as follows:

Sec. 6-223. - Securing permits for another.

No licensed mechanical contractor shall secure a permit under this division from the mechanical inspector for another person.

Section 51. That Section 6-224, is hereby amended to read as follows:

Sec. 6-224. - Revocation of permits.

At any time during the progress of the installation of mechanical or fuel gas equipment, the mechanical inspector may revoke a permit required by this division for noncompliance with this article.

Section 52. That Section 6-225, is hereby amended to read as follows:

Sec. 6-225. - Inspections required.

All mechanical or fuel gas equipment installations shall be inspected by the mechanical inspector before any part thereof is covered and before such items of gas lines and supply and return lines are set in concrete. All mechanical and fuel gas systems will be inspected in their entirety.

Section 53. That Section 6-226, is hereby amended to read as follows:

Sec. 6-226. - Final inspection.

Upon completion of any installation for which a permit and inspection is required by this division, it shall be the duty of the person installing same to notify the mechanical inspector, who shall inspect the installation as soon thereafter as practicable.

Section 54. That Section 6-227, is hereby amended to read as follows:

Sec. 6-227. - Final certificate of inspection.

After the final inspection and test of mechanical or fuel gas equipment, if the mechanical inspector approves of the installation, alteration, or repairs, they shall issue a certificate of compliance to the mechanical contractor. A property owner or their agent shall be entitled to a copy of the certificate upon request to the mechanical inspector.

Section 55. That Section 6-228, is hereby amended to read as follows:

Sec. 6-228. - Materials and labor for tests.

All equipment, material, power, and labor necessary for inspection and tests under this article shall be furnished by the mechanical contractor.

Section 56. That Section 6-229, is hereby amended to read as follows:

Sec. 6-229. - Schedule of fees.

(a) Before any permit is granted for the installation or alteration of mechanical or fuel gas equipment, the person making application for such permit shall pay to the city permit clerk a fee in such amount as specified below, or the fees may be paid to the city permit clerk on or before the tenth day of the month following date of application for permit; provided, that in the event of default in payment of fees, no permit will be issued to or application received from the person in default until such time as the fees are paid in full:

Fees

Air tanks\$ 10.00
 Bun warmers10.00
 Clothes dryers10.00
 Coffee urns10.00
 Deep fat fryers10.00
 Extra inspections10.00
 Fire logs10.00
 Gas connections10.00
 Gas house piping10.00
 Gas lights10.00
 Grills10.00
 L.P. gas service10.00
 Meter relocation10.00
 Ovens10.00
 Ranges10.00
 Steam tables10.00
 Water heaters—Fired coil*10.00
 Water storage tanks10.00
 L.P. gas tank10.00
 First followup inspection fee45.00

Second and each subsequent followup inspection45.00

*If one (1) contractor does both the plumbing and gas connections for a replacement water heater, the charge is seventy-five dollars (\$75.00).

Minimum fee: The total of fees due for any permit shall be not less than seventy-five dollars (\$75.00).

(b) [Heat-producing equipment.]

(1) All heat-producing equipment—Gas (natural or liquified petroleum), oil, solid fuels, and electric heat (air distribution systems) shall be inspected and the following fees paid:

Fees

Wood stoves\$15.00
 Floor furnaces15.00
 Space heaters15.00
 Unit heaters, Less than 100 B.T.U. (over 100,000 B.T.U., see schedule below)15.00
 Wall heaters15.00

(2) According to B.T.U. input—Electric heat (air distribution systems), steel and cast iron boilers, hot water and steam systems, conversion burners (automatic firing), heat exchangers, and warm air and cooling systems, and water heaters over one hundred thousand (100,000) B.T.U., gas fired pool heater:

KW	B.T.U.	Fee Schedule
1 up to 29	Up to 100,000....	\$15.00
29.1—44	101,000—150,000....	17.00
44.1—59	151,000—200,000....	19.00
59.1—73	201,000—250,000....	23.00
73.1—79	251,000—300,000....	25.00
79.1—117	301,000—400,000....	28.00
117.1—146	491,000—500,000....	31.00

146.1—174	501,000—600,000....	34.00
175.1—234	601,000—800,000	38.00
234.1—293	801,000—1,000,000....	40.00
	Over 1,000,000: per 500,000 or part thereof....	15.00

(3) Nonresidential hood system face area of hood (square feet):

10 or less	\$18.00
10.1 to less	23.00
25.1 to 50	29.00
50.1 to 75	33.00
75.1 to 100	39.00
Above 100	52.00

(c) Heat pumps and air conditioners, chillers or refrigeration compressor rating—All heat pumps and air conditioners shall be inspected and the following fees paid:

Compressor up to:

Up to 5 H.P. or tons	\$15.00
6—7 H.P. or tons	16.00
8 H.P. or tons	18.00
9 H.P. or tons	20.00
10 H.P. or tons	22.00
12½ H.P. or tons	24.00
15 H.P. or tons	26.00
20 H.P. or tons	35.00
25 H.P.	42.00

Each addition to 5 H.P. or 5 tons or part thereof15.00

(d) Fan coil units, air handling units with heating and/or cooling coils and ductwork attached, shall be inspected and the following fees paid:

0—6,000 B.T.U.	\$ 8.00
6,001—12,000 B.T.U.	10.00
12,001—20,000 B.T.U.	12.00
20,001—30,000 B.T.U.	16.00
30,001—40,000 B.T.U.	18.00
Over 40,001 B.T.U.	25.00

(e) Blower and exhaust systems for dust, stock, flammable, and non-flammable vapor removal and conveying including bathroom exhaust fans:

Motor Horsepower

0—5 H.P.	\$ 8.00
6—10 H.P.	11.00
11—15 H.P.	14.00
16—20 H.P.	17.00
21—25 H.P.	19.00
26 H.P. and over	35.00

(f) Replacement of duct system, renovation, alteration, addition to new or already installed duct system, for comfort heating or cooling:

Trunk line (each)	\$7.00
Branch line (each)	3.00

(g) Permit fees for installation or replacement of any evaporative cooler in other than residences and multi-family houses, shall be:

0—25 H.P.	\$20.00
26 H.P. and over	35.00

(h) Upon the return of any mechanical permit issued under this section, an amount equal to the minimum mechanical permit fee shall be retained by the inspector to cover administrative expenses connected with the issuance thereof.

(i) For failure of a person to apply for and obtain a mechanical permit as required prior to commencement of a job, there shall be an additional fee in an amount equal to the permit fee itself.

Section 57. That Section 6-241 is hereby amended to read as follows:

Sec. 6-241. – Reserved.

Section 58. That Section 6-242 is hereby amended to read as follows d:

Sec. 6-242. – Reserved.

Section 59. That Section 6-243, is hereby amended to read as follows:

Sec. 6-243. - Supervision of work, etc.

(a) No person shall engage in the business of installing, repairing or altering refrigeration, heating and/or cooling equipment in the city unless the work performed in the course of such business is under the direct supervision of a licensed refrigeration, plumbing or heating and/or cooling contractor, except that repairs may be made by a certified serviceman.

(b) All work must be done under the supervision of a licensed and bonded contractor.

Section 60. That Section 6-261, is hereby amended to read as follows:

Sec. 6-261. - Civil liability

This article shall not be construed to relieve from or lessen the responsibility of liability of any party owning, operating, controlling or installing any plumbing devices, appliances or equipment for damages to person or property caused by any defect therein, nor shall the city be held as assuming any such liability by reason of the inspection authorized herein or the certificate of approval issued as herein provided.

Section 61. That Section 6-276, is hereby amended to read as follows and for use in Section 64:

Sec. 6-276. – Reserved.

Section 62. That Section 6-277, is hereby amended to read as follows and for use in Section 64:

Sec. 6-277. – Reserved.

Section 63. That Section 6-278, is hereby amended to read as follows and for use in Section 64:

Sec. 6-278. – Reserved.

Section 64. That Section 6-262, is hereby amended to read as follows; including being broken into separate individually established and numbered sections 6-262-6-279:

Sec. 6-262. - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Plumbing includes all equipment, appliances, and installations covered by the North Carolina Plumbing Code.

Licensed plumbing contractor means a person who holds a current license issued by the state board of examiners of refrigeration, plumbing and heating contractors, in accordance with the provisions of North Carolina General Statutes Chapter 87, articles 2 and 5.

Sec. 6-263. – Purpose and scope.

It is the purpose and intent of this article to provide certain minimum standards, provisions, requirements and inspections of equipment, appliances, and installations covered by the North Carolina Plumbing Code on premises or in habitable buildings or structures for the protection of the public safety and interest.

Sec. 6-264. - Use of old or secondhand equipment.

Secondhand equipment must be approved by the plumbing inspector before reuse. All old plumbing equipment must be brought up to current code and obtain the necessary inspections for approval.

DIVISION 2. – ADMINISTRATION AND ENFORCEMENT

Part A. – General Provisions

Sec. 6-265. – General duties of plumbing inspector.

It shall be the duty of the plumbing inspector:

- (1) To enforce all state and local laws governing plumbing installations materials.
- (2) To issue permits for and to make inspections of all plumbing installations and such other permits and inspections as may be prescribed by the city council.
- (3) To grant permits for the installation or alteration of plumbing appliances and equipment and make inspections for all new plumbing installations and re-inspections as provide in this article.
- (4) To keep complete records of all permits issued, inspections and re-inspections made, fees collected, and other official work performed in accordance with the provisions of this chapter.

(5) Perform other duties that may be required by the city manager in connection with the administration and enforcement of this article and other applicable plumbing equipment regulations.

Sec. 6-266. - Right of entry of plumbing inspector; authority to disconnect service.

The plumbing inspector shall have the right:

(1) To enter during reasonable hours in accordance with applicable law any building in the discharge of their official duties, or for the purpose of making any inspection, re-inspection or test of the installation of plumbing devices, appliances and equipment contained therein.

(2) To disconnect, or order the discontinuance of plumbing devices, appliances or equipment found to be dangerous to life or property because it is defective or defectively installed until such devices, appliances and equipment and their installation have been made safe and approved by the plumbing inspector.

Sec. 6-267. – Condemnation of unsafe, etc., installations.

(a) The plumbing inspector may condemn any plumbing system, or part thereof, units, apparatus, or appurtenances which are not installed, altered, or restored in accordance with the provisions of this article. In the interest of public safety, the plumbing inspector shall have the authority to condemn any plumbing system or part thereof which is a detriment to safety and require that same be remedied immediately.

(b) If the plumbing inspector has reason to believe that an unsafe condition exists in habitable buildings or on premises, they may require the owner or agent thereof to provide for tests, and if defective materials or workmanship are revealed by such test, the owner or agent shall immediately repair the system in accordance with the direction of the plumbing inspector.

Sec. 6-268. – Stop work order.

Whenever it is found that the installation, alteration, or repair covered by this article is proceeding in violation of this article, a written order to stop work shall be posted on the premises. The stop work order shall pertain to any part or parts of the construction, alteration, or repair of the system which is in violation.

Part B. – Permits and Inspections

Sec. 6-269. – Permit and inspection required; exceptions

A permit shall be obtained from the plumbing inspector for the installation, extension, alteration, or general repair of any plumbing system, in accordance with the provisions of this chapter; however, the provisions of this chapter shall not apply to those who make minor repairs or replacements on the house side of a trap to an installed system of plumbing, provided such repairs or replacements do not disrupt the original water supply or the waste or ventilating systems. If a fixture is replaced, a permit shall be secured and the new fixture shall be inspected.

Sec. 6-270. – Property owner's permit

Any person may be permitted to perform plumbing work upon their own property except property intended for rent, sale or gift provided he first makes application for and obtains a property owner's plumbing permit from the plumbing inspector for the work contemplated. The plumbing inspector shall then issue a permit to the applicant to perform the work for which application was made. Such permit shall extend to the applicant only and shall not authorize the applicant to employ the services of any other person to assist him unless such other person is duly licensed. The permit granted the applicant shall automatically expire upon completion of the work. All work done under permit shall be subject to regular plumbing inspection requirements and fees and shall satisfy all requirements applicable to such work.

Sec. 6-271. – Persons eligible for permits.

Permits to install plumbing equipment, appliances or installations shall be issued only to licensed plumbing contractors or the owner working on the residence in which he lives.

Sec. 6-272. – Securing permits for another.

No licensed plumbing contractor shall secure a permit under this division from the plumbing inspector for another person.

Sec. 6-273. – Revocation of permits.

At any time during the progress of the installation of plumbing equipment, the plumbing inspector may revoke a permit required by this division for noncompliance with this article.

Sec. 6-274. – Inspections required.

All plumbing equipment installations shall be inspected by the plumbing inspector before any part thereof is covered. All plumbing systems will be inspected in their entirety.

Sec. 6-275. – Final inspection.

Upon completion of any installation for which a permit and inspection is required by this division, it shall be the duty of the person installing same to notify the plumbing inspector, who shall inspect the installation as soon thereafter as practicable.

Sec. 6-276. – Final certificate of inspection.

After the final inspection and test of plumbing equipment, if the plumbing inspector approves of the installation, alteration, or repairs, they shall issue a certificate of compliance to the plumbing contractor. A property owner or their agent shall be entitled to a copy of the certificate upon request to the plumbing inspector.

Sec. 6-277. – Materials and labor for tests.

All equipment, material, power, and labor necessary for inspection and tests under this article shall be furnished by the plumbing contractor.

Sec. 6-278. – Schedule of fees.

(a) Before any permit is granted for the installation or alteration of plumbing equipment, the person making application for such permit shall pay to the city permit clerk a fee in such amount as specified below, or the fees may be paid to the city permit clerk on or before the tenth day of the month following date of application for permit; provided, that in the event of default in payment of fees, no permit will be issued to or application received from the person in default until such time as the fees are paid in full:

"(1) Minimum fee: the total of fees due for any permit shall be not less than seventy-five dollars (\$75.00). The following fees shall be charged for inspections:

Air conditioning unit\$ 7.00
Backflo preventor15.00
Bathtub7.00
Catch basin7.00
Dental chair7.00
Drinking fountain7.00
Feedwater treatment unit7.00
Floor drain7.00
Garbage disposal unit7.00
Interceptor7.00
Laundry tray7.00
Lavatory7.00
Miscellaneous fixture not otherwise listed7.00
Roof leaders7.00
Shower7.00
Sink7.00
Trailer coach (each space)7.00
Urinals7.00
Washing machine7.00
Water closet7.00
Water softener unit7.00
Water storage tank7.00
Electric water heater7.00
Fired coil water heater7.00
Fired storage water heater7.00
Sewer7.00
Minimum inspection fee75.00
First follow-up inspection fee45.00

Second and each subsequent follow-up inspection fee45.00

"(2) The fees prescribed above shall apply to all old work as well as new and to inspections made necessary by moving any house from one (1) location to another or by raising the house and shall apply when it is necessary for any reason to set, reset or replace any fixture, hot water storage tank, or water heater.

"(3) Upon the return of any plumbing permit issued under this section, an amount equal to the minimum plumbing permit fee shall be retained by the inspector to cover administrative expenses connected with the issuance thereof."

"(4) For failure of a person to apply for and obtain any plumbing permit as required prior to commencement of a job, there shall be an additional fee in an amount equal to the permit fee itself."

Sec. 6-279. – Drainage below sewer level.

"If the owner of any building or structure starts and installs any plumbing fixtures in or above a floor which is below the top of the nearest downstream manhole on the sewer line which serves the building, the city shall not be liable for any damage arising from such installation, and the owner shall be deemed to have released the City of Greensboro from any claim for damage caused by sewage back up into any such plumbing fixtures.

Section 65. That all laws and clauses of laws in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 66. That this ordinance shall become effective immediately upon its adoption.

(Signed) Justin Outling

8. [ID 16-0655](#) Resolution Approving Acceptance of Land/Easement Conveyance with Duke Energy at 800 Hill Street and 601 Open West Wendover Avenue at Latham Park

250-16 RESOLUTION APPROVING THE EXCHANGE OF EASEMENTS AND CONVEYANCE OF PROPERTY WITH DUKE ENERGY

WHEREAS, The City of Greensboro is the owner of property located at 901 Wharton Street;

WHEREAS, Duke Energy is the owner of property located at 800 Hill Street;

WHEREAS, Duke energy will be installing a Verizon Wireless tower adjacent to the area of a new Skate Park Project at Latham Park, at which time Duke Energy and Parks and Recreation agreed to provide easements and a conveyance of property that meet the needs of both agencies which will provide access to the adjacent site and drainage across Duke Energy's property;

WHEREAS, in the opinion of City Council, the best interest of the City will be served by exchanging easements, as above set out with Duke Energy.

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

That the even exchange of the above-mentioned easements with Duke Energy, as above set out, is hereby authorized, and the Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the necessary deeds to carry the exchange into effect.

(Signed) Justin Outling

9. [ID 16-0555](#) Resolution Calling a Public Hearing for August 16, 2016 on the Annexation of Territory into the Corporate Limits for Property Located at 4902 Woodcroft Circle - 1.38 Acres

251-16 RESOLUTION APPROVING THE EXCHANGE OF EASEMENTS AND CONVEYANCE OF PROPERTY WITH DUKE ENERGY

WHEREAS, The City of Greensboro is the owner of property located at 901 Wharton Street;

WHEREAS, Duke Energy is the owner of property located at 800 Hill Street;

WHEREAS, Duke energy will be installing a Verizon Wireless tower adjacent to the area of a new Skate Park Project at Latham Park, at which time Duke Energy and Parks and Recreation agreed to provide easements and a conveyance of property that meet the needs of both agencies which will provide access to the adjacent site and drainage across Duke Energy's property;

WHEREAS, in the opinion of City Council, the best interest of the City will be served by exchanging easements, as above set out with Duke Energy.

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

That the even exchange of the above-mentioned easements with Duke Energy, as above set out, is hereby authorized, and the Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the necessary deeds to carry the exchange into effect.

(Signed) Justin Outling

11. [ID 16-0614](#) Resolution Authorizing Encroachment Agreement between the City of Greensboro and Greensboro Downtown Parks, Inc

252-16 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND GREENSBORO DOWNTOWN PARKS, INC IN THE CITY'S RIGHT-OF-WAY AT 208 NORTH DAVIE STEET

WHEREAS, Greensboro Downtown Parks, Inc has requested that the City permit installation of electrical lines and four Simply Grid meters within City right-of-way to serve food trucks at LeBauer Park;

WHEREAS, Greensboro Downtown Parks, Inc has agreed to enter into this Encroachment Agreement with the City which, among other things, will indemnify the City from any claim or damages that may occur due to the installations of the electrical lines and Simply Grid meters;

WHEREAS, it is deemed in the best interest of the City to permit the Encroachment of said electrical lines and Simply Grid meters by entering into the Encroachment Agreement presented herewith this day.

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

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate Encroachment Agreement with Greensboro Downtown Parks, Inc for the installation of electrical lines and four Simply Grid meters within City right of way.

(Signed) Justin Outling

12. [ID 16-0620](#) Resolution Approving Partnership Agreement Between the United States Geological Survey and City of Greensboro for Stream Flow and Rainfall Gauges Within Greensboro City Limits

253-16 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$144,800 WITH THE UNITED STATES GEOLOGICAL SURVEY FOR STREAM FLOW AND RAINFALL GAUGES WITHIN THE GREENSBORO CITY LIMITS

WHEREAS, Water Resources is requesting to enter into a contract with the United States Geological Survey (USGS) to maintain the network of continuous stream flow and rainfall gauges within Greensboro city limits;

WHEREAS, the data collection network consists of 12 gauging stations that are operated and maintained by the USGS and allow the City to quantify both rainfall and stream flow in our major streams that include North Buffalo,

South Buffalo, Reedy Fork, Brush Creek and Horse Pen Creek;

WHEREAS, the continuous monitoring data is available to the public in near real time mode via the USGS's Website;

WHEREAS, the continuous stream flow and rainfall gauging allows City staff to better quantify individual drainage and flooding problems, is used for monitoring area rainfall and stream flow into the City's three drinking water lakes, and is used for hydraulic modeling and calculating pollutant loads.

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

That the City is authorized to enter into a contract USGS stream flow and rainfall gauges within Greensboro City Limits subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$144,800 from Account No. 505-7003-03.5413.

(Signed) Justin Outling

13. [ID 16-0656](#) Motion to Adopt the AMENDED 2016 City Council Meeting and Work Session Schedule

Motion to approve the AMENDED 2016 City Council Meeting and Work Session schedule was adopted.

14. [ID 16-0625](#) Motion to Approve the Minutes of the Regular Meeting of June 21, 2016

Motion to approve the minutes of the Regular meeting of June 21, 2016 was adopted.

10. [ID 16-0591](#) Resolution Approving the Write Off of Invoice 2200208683 in the Amount of \$28,308.85 to the NC Department of Transportation

Councilmember Hightower requested clarification of the \$28,000 write off.

Assistant City Manager Parrish provided an explanation of the \$28,000 write off; and spoke to where the write off funding came from.

Moved by Councilmember Hightower, seconded by Councilmember Outling to adopt the resolution. The motion carried by voice vote.

254-16 RESOLUTION APPROVING WRITE OFF OF INVOICE # 2200208683 TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTION

WHEREAS, the City of Greensboro invoiced the North Carolina Department of Transportation (NCDOT) for reimbursement for the construction design services of the Phase 2 portion of the Downtown Greenway;

WHEREAS, the customer was invoiced the amount of \$283,770.85 which exceeded the allowable amount per municipal agreement; and staff has requested the amount of \$28,308.85 be written off;

WHEREAS, invoice #2200208683 in the amount of \$283,770.85 was forwarded to the NCDOT, and the Financial and Administrative Services Department requires Council approval to adjust invoices in excess of \$20,000 when a billing error has occurred.

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

That the Financial and Administrative Services Department is hereby authorized to write off/reduce invoice #2200208683 in the amount of \$28,308.85 to the NCDOT for the construction design services of the Phase 2 portion of the Downtown Greenway.

(Signed) Sharon Hightower

IV. PUBLIC HEARING AGENDA

15. [ID 16-0353](#) Ordinance Annexing Territory to the Corporate Limits for Property
Located at 1730 Youngs Mill Road - 1.986-acre Contiguous Annexation

Mayor Vaughan introduced Items #15 and #16 together.

Planning Manager Mike Kirkman reviewed the request, presented maps, aerial photographs and diagrams to illustrate the site and surrounding property, read the conditions attached to the zoning request, and stated that the Zoning Commission and staff had recommended approval of the request.

Councilmember Wilkins confirmed that the the property line was in the county.

Speakers in favor of the item:

Henry Isaacson, 804 Green Valley Road stated he represented the local developer, Piedmont Properties of NC LLC; recognized various people in the audience; and provided a booklet to Council outlining the item. Mr. Issacson stated the company wanted to amend condition number 1 and read the amended condition into the record as follows: All uses permitted in the Commercial Medium District shall be permitted EXCEPT: Cemeteries, Temporary and Emergency Shelters, Shooting Ranges, Funeral Homes and Crematoriums, Taxidermist, Sexually Oriented Businesses, Vehicle Service, Automobile Towing and Storage Service, and Laundry and Dry Cleaning Plants.

Moved by Councilmember Wilkins, seconded by Councilmember Outling to accept the amended condition. The motion carried by voice vote.

Mr. Issacson reviewed the handout; explained the photographs; spoke to the proposed visual screen/buffer; to the property proximity to Interstate 85; reviewed the aerial photograph; outlined the route vehicles exiting the interstate would use to access the property; and read into the record the definition of the Nodes of mixed Use from the Connections 2025 Comprehensive Plan as follows: Areas with a mixture of uses of high and moderate intensity, primarily providing services to the surrounding area (e.g. small to mid-size shopping areas that could include higher density housing, office and institutional uses). These nodes are typically focused in the vicinity of local access interchanges at major roadway intersections. Mr. Issacson continued review of the handout; referenced the scenic corridor overlay district that covered the property; spoke to the design of the proposed convenience store/gas station; stated that 18 wheel trucks would not frequent the facility except to unload fuel; spoke to where said vehicles typically refueled; reviewed the value of property in the vicinity of similar facilities; provided information from the North Carolina Administrative Code with regard to underground storage tanks; spoke to meetings with the neighbors; and referenced a letter received from the owner of the property directly across the street.

Sharon Stokes Edmonds, 5029 East Lee Street; voiced support for the development; stated she owned the property next to the subject property; had been impacted by the development of the Urban Loop; stated she had not been opposed to the 200 residential Trinity Lakes Subdivision development behind her property; and asked for Council support of the item.

Councilmember Hightower asked if Ms. Edmonds resided on the property; Ms. Edmonds responded that she could not live there due to the terms of an agreement.

Councilmember Hightower inquired about the public safety response time should there be a tank leak; notification process for neighbors; spoke to the 25 foot distance between the neighborhood and the property; referenced the slope easement on the property; voiced concerns for the environmental impact; and asked about the visual screen and buffer.

Rose Pruitt, Department of Environmental Quality Inspections Division outlined the tank requirements in place since 2007; explained the process for a leak location and response; the makeup of new tanks; spoke to the permit requirements of the owners; and outlined the law regarding notification once an alarm activated.

Mr. Kirkman provided information on the two fire stations that would be responding in the area; verified the service would be the same or improved once the property was annexed; and stated he did not have an exact response time.

Mayor Vaughan interjected that there were several service stations in Irving Park.

Planning Director Sue Schwartz emphasized that the information had been provided by the Fire Department; and stated the service would be equal or better due to the inclusion of a second station.

Amanda Hodiern, 804 Green Valley Road provided a topographical map overview; spoke to how the slope would work in favor of the separation of the two sites; explained the route that runoff would take to the stormwater retention pond; outlined the proposed tree buffer; verified a fence would be put in place; and spoke to the lighting requirements.

Councilmember Wilkins asked if the response from the fire stations would be multi-unit.

Mr. Kirkman responded in the affirmative.

Councilmember Outling spoke to environmental concerns; asked about the likelihood of a catastrophic incident on the site; and for a sense of how a double walled tank could be beached.

Ms. Pruitt stated she did not approve the fuel tank makeup; explained that each incident was individual and depended on the situation; provided examples of breaches she was familiar with; stated she had been inspecting tanks for eight years; and spoke to the rules designed to prevent and catch issues before they became catastrophic.

Speakers in opposition to the item:

Don Eggleston, 2100 East Wendover Avenue stated he represented the residents and neighbors; verified that there were between 200 and 500 homes within a two-mile radius of said property; referenced the lake in Trinity Lakes Subdivision as well as Alamance Creek located on the south side of the property; added that those bodies fed into Lake Townsend and the water supply; spoke to surface and subsurface drainage; stated he had delivered a notebook to Council for their review; and highlighted tabbed areas in the notebook. Mr. Eggleston voiced concern with traffic in the area; emphasized that the facility would serve the travelling public, not area residents; that this type of business would not be a benefit to surrounding neighborhoods; voiced concern with the flow of water mixing with petroleum products; outlined the negative impact a 24 hour a day business would have on the area; reminded Council the residents were not opposed to commercial development on the site, just a business in operation 24 hours a day; and referenced a story of an area resident regarding her daughter's health conditions that could worsen as a result of a service station on the property.

Councilmember Hightower asked about the environmental impact; voiced concerns for runoff; and spoke to other gas stations located in the area along Interstate 85.

Mr. Eggleston referenced information in the notebook; spoke to leaching into the soil and stream; removal of existing vegetation; and the capacity of catch basins during heavy rains.

Councilmember Outling voiced difficulty in supporting Mr. Eggleston's position; referenced information provided from an expert regarding fuel tanks; and spoke to the lack of supportive evidence.

Discussion took place regarding the location of gas stations in residential areas; fumes from said stations; disturbing comments that had been made; and dangers involved with gas lines.

Kenneth Roberts, 4215 Clovelly Drive spoke to his experience as a chemical engineer; to his research in the processing of petroleum fuel; stated gasoline was basically a toxic problem waiting to happen; spoke to what additives could do; referenced the creek being part of Greensboro's watershed; runoff from concrete and asphalt; and voiced concerns with breathing problems of children and adults.

Council discussed whether the information supported that the community was at a unique risk; and the owners' fiscal responsibility.

Randy Cobb, McKay Street provided his background and experience in the oil industry; stated he operated approximately 88 convenience stores in a number of states; verified he had no financial gain should the rezoning be approved; that he wanted to provide practical knowledge of the industry; provided a detailed outline of the financial risk to the owner should a leak develop; spoke to the new tank requirements; stoppage of fuel should a leak occur; and added that in his 39 years of experience he had seen three leaks from steel tanks which were no longer used.

Councilmember Barber verified that the steel tanks would be deemed obsolete today.

Councilmember Hightower clarified the cost and risk to an owner to solve a leak immediately; verified that safety precautions were in place; and requested City Manager Westmoreland provide a detailed explanation with regard to the expected improved fire response times.

In rebuttal in favor of the item:

Councilmember Wilkins asked for information on the lighting.

Mr. Kirkman explained the requirements for lighting in the City ordinance.

In rebuttal in opposition of the item:

George Glenn, II, 4334 Cloverly Drive referenced the number of gas stations within several exits along Interstate 85; emphasized that the community did not need a convenience store; voiced concern with interstate traffic coming into the area; increased crime, traffic, and pollution; children going to school; and referenced the number of daily vehicle trips.

Mayor Vaughan asked City staff to address the traffic concerns.

Transportation Director Adam Fischer outlined the number of vehicles travelling along Youngs Mill Road, Interstate 85, and East Lee Street; spoke to the number of vehicles two lane roads could handle daily; to the existing traffic stream; and explained that the trips would not be new trips but were already in the traffic stream.

Councilmember Hightower confirmed that a majority of vehicles using the facility were already in the traffic stream; inquired if there were any plans to widen the roads; and referenced the proximity to the City limits.

Mr. Fischer confirmed the number of new trips that would be added into the traffic stream; and stated that traffic projections did not warrant the addition of a traffic signal or widening of the roads.

Mr. Kirkman spoke to the work of the Technical Review Committee; and the requirements of the developer prior to approval.

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

Moved by Councilmember Barber, seconded by Councilmember Wilkins, to adopt the ordinance. The motion needed 6 votes to pass and FAILED on the following roll call vote:

Ayes, 5 - Nancy Vaughan, Mike Barber, Nancy Hoffmann, Justin Outling and Tony Wilkins

Nays, 2 - Jamal T. Fox and Sharon M. Hightower

Absent, 2 - Yvonne J. Johnson and Marikay Abuzuaiter

City Attorney Carruthers explained that the City Charter required a hard six votes to adopt an ordinance.

Councilmember Barber asked if the language read a super majority or if it said six out of nine.

City Attorney Carruthers confirmed the language read six votes; stated that the item would be placed on the August 16h agenda for a second reading; advised that this and the rezoning ordinance item be postponed to the August 16th meeting of Council without further advertising; confirmed that a public hearing would not be held; and emphasized that the Charter required that six votes were needed to adopt said ordinances.

Discussion ensued regarding the Charter provision language.

City Attorney Carruthers advised that the rezoning ordinance did not need to be voted on as the annexation ordinance was not adopted.

It was the consensus of Council to follow the advice of City Attorney Carruthers.

**16. [ID 16-0472](#) Ordinance Establishing Original Zoning for Property Located at 1730
Youngs Mill Road**

This item was not considered as the annexation ordinance was not adopted.

Mayor Vaughan declared a recess at 8:54 p.m.

Council reconvened at 9:18 p.m. with all members in attendance except Mayor Pro-Tem Johnson and Councilmember Abuzuaiter.

**17. [ID 16-0531](#) Ordinance Amending Future Land Use Map of the Greensboro
Connections 2025 Comprehensive Plan**

Mayor Vaughan introduced Items #17 and #18 together.

Planning Manager Mike Kirkman reviewed the request, presented maps, aerial photographs and diagrams to illustrate the site and surrounding property, read the conditions attached to the zoning request, and stated that the Zoning Commission and staff had recommended approval of the request.

Speakers in support of the item:

Brad Deaton, 1400 Battleground Avenue stated he represented the applicant for the rezoning; referenced meetings with the neighborhoods; spoke to the neighbors' concerns; to changes that had been made from the original request; property values and pricing; provided examples of the location of the townhomes; and addressed the noise cone issue.

Todd Rotruck, 3629 Lewiston Road stated he was the owner of the property; resided in the area; spoke to the changes as a result of annexation; voiced that there was a demand for housing; spoke to the need for infill development; and asked for Council support of the item.

Mr. Deaton requested support of the request.

Speakers in opposition of the item:

Arthur Weitz, 3402 Hickory Woods Court voiced that the neighborhood was opposed to the rezoning due to traffic reasons; outlined the proposed rezoning; voiced concerns with additional traffic entering along Lewiston Road; with traffic backup at the existing traffic signal; referenced the safety of cyclists and children; and stated the area did not have the infrastructure to support the request.

Discussion took place regarding conversations between Councilmembers and residents.

In rebuttal in favor of the item:

Brad Deaton verified that the developer had reduced the size of the original project to address traffic concerns; and spoke to the criteria of the site plans.

There were no speakers in rebuttal in opposition of the item.

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

Councilmember Outling stated the property was located on the border of Districts 3 and 5; and asked Mr. Fischer to address the traffic concerns.

Mr. Fischer confirmed that the developer had reduced the size of the project; that a traffic study was not required; addressed traffic generated with this site; spoke to the congestion concern; stated that an intersection improvement project request had been submitted; that the City might have a bond referendum that would support the project; that he did not see a lot of concerns with traffic and safety; and added that the project would require the necessary turn lanes and sidewalks.

Councilmember Hightower confirmed that Councilmember Outling's questions had addressed her concerns; and asked if there were plans for improvements.

Mr. Fischer confirmed there were not immediate improvement plans; that the area would not be unsafe; and spoke to long range plans.

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

Ayes, 7 - Nancy Vaughan, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

Absent, 2 - Yvonne J. Johnson and Marikay Abuzuaiter

16-083 AMENDING 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, an amendment has been proposed as shown on the attached map to change the land use classifications for properties located at 3619 and 3629 Lewiston Road and 3410 Crimson Woods Drive.

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) Tony Wilkins

18. [ID 16-0583](#) Ordinance Rezoning Property Located at 3619 & 3629 Lewiston Road and 3410 Crimson Wood Drive

Moved by Councilmember Wilkins, seconded by Councilmember Outling

adoption of the ordinance and stated that the Greensboro City Council believes that its action to approve the zoning amendment, for property located at 3619 & 3629 Lewiston Road and 3410 Crimson Wood Drive from R-3 (Residential Single-Family) to CD-RM-12 (Conditional District-Residential Multifamily) 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 Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing, and the request does implement measures to protect neighborhoods from potential negative impacts. The motion carried on the following roll call vote:

Ayes, 7 - Nancy Vaughan, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

Absent, 2 - Yvonne J. Johnson and Marikay Abuzuaiter

16-084 AMENDING OFFICIAL ZONING MAP

3619 & 3629 LEWISTON ROAD AND 3410 CRIMSON WOOD DRIVE, WEST OF LEWISTON ROAD AND SOUTH OF HICKORY WOODS 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-3 (Residential Single Family) to CD-RM-12 (Conditional District Residential Multifamily).

The area is described as follows:

Beginning at an existing 1" iron pipe in the western margin of the right-of-way of Lewiston Road at the southeast corner of the property (now or formerly) of Hickory Woods Association (see Deed Book 3645, Page 1860; Plat Book 87, Page 30; and Plat Book 87, Page 92); thence South 4° 21' 45" West 325.55 feet to an existing 1" iron pipe; thence South 9° 58' 28" West 168.47 feet to an existing 1" iron pipe; thence South 13° 43' 00" West 165.12 feet to an existing 1" iron pipe, being the northeast corner of the property (now or formerly) of Raymond Small (see Deed Book 6615, Page 2148 (Lot 6)); thence along Small's northern line North 75° 50' 34" West 1000.43 feet to a point; thence North 75° 50' 30" West 184.86 feet to an existing 1" iron pipe, being the northeast corner of the property (now or formerly) of Sharon K. Deesch (see Deed Book 6871, Page 1110 and Plat Book 132, Page 69 (Lot 22)); thence along Small's northern line and continuing along Gilet's (see below) northern line North 75° 54' 19" West 114.99 feet to an existing 3/4" iron pipe, being the northwest corner of the property (now or formerly) of Jason J. and Leigh F. Gilet (see Deed Book 7346, Page 1240 and Plat Book 132, Page 69 (Lot 21)), and also being the northeast corner of the property (now or formerly) of Rebecca Lea Fitzgerald and Nahum Madrid (see Deed Book 6714, Page 1686 and Plat Book 132, Page 69 (Lot 20)); thence along Fitzgerald and Madrid's northern line North 10° 5' 57" West 83.35 feet to an existing 3/4" iron pipe, being Fitzgerald and Madrid's northwest corner, and also being the southwest corner of the property (now or formerly) of Sybil Watson Shumaker (see Deed Book 4879, Page 749 and Plat Book 130, Page 23 (Lot 15)); thence along Shumaker's southern line and continuing along Vaden's (see below) southern line North 81° 26' 46" West 133.81 feet to an existing 3/4" iron pipe, being the southeast corner of the property (now or formerly) of Rodney Vaden (see Deed Book 5723, Page 334 and Plat Book 130, Page 23 (Lot 14)); thence along Vaden's eastern line North 19° 2' 41" West 130.61 feet to an existing 1" iron pipe at Vaden's northeast corner and in the southern margin of the 50'-wide right-of-way of Crimson Wood Drive; thence along the southern margin of the Crimson Wood Drive right-of-way North 89° 17' 3" East 25.55 feet to an existing 1" iron pipe at the southeast corner of the terminus of the Crimson Wood Drive right-of-way; thence along the eastern margin of the terminus of the Crimson Wood Drive right-of-way North 19° 2' 38" East 11.55 feet to an existing 1" iron pipe, then 40.85 feet to a 5" bent iron rod at the northeast corner of the terminus of the Crimson Wood Drive right-of-way; also being the southeast corner of the property (now or formerly) of Matthew W. and Rachel L. Dameron (see Deed Book 5696, Page 100 and Plat Book 130, Page 23 (Lot 13)); thence along Dameron's eastern line North 19° 3' 40" East 159.09 feet to an

existing 1" iron pipe at Dameron's northeast, also being in the southern line of Hickory Woods Association's property; thence along the southern line of the Hickory Woods Association property the following courses and distances:

North 89° 32' 56" East 92.01 feet to an existing 1" iron pipe;
South 1° 4' 17" West 5.35 feet to an existing 1" iron pipe;
South 86° 4' 10" East 375.42 feet to an existing 3/4" iron pipe;
South 86° East to an existing 1" iron pipe; and
South 86° 37' 10" East 285.06 feet to an existing 1" iron pipe;

to the beginning point; as shown on a Topographic/Boundary Survey for Typark Acquisitions, LLC by Sgroi Land Surveying, PLLC dated _____, 2016;

and being the same property as:

(1) The property conveyed to Todd Edward Rotruck and Aimee B. Rotruck by Deed recorded in Book 5553, Page 1504 (see Plat at Book 63, Page 71);

(2) Part of the property conveyed to Mary L. Metz by Deeds recorded in Book 3134, Page 555; and Book 3306, Page 729; and

(1) The property of Eddie Wright shown as Lot 81 on the Plat at Book 130, Page 23, and described in the Deed recorded in Book 6614, Page 1690.

Section 2. That the zoning amendment from R-3 (Residential Single Family) to CD-RM-12 (Conditional District Residential Multifamily) is hereby authorized subject to the following use limitations and conditions:

1. Uses are limited to townhome and single family dwellings.

2. Dwelling units shall not exceed 90 if developed solely as single family dwellings.

3. If developed with a combination of single family dwellings and townhome dwellings, maximum units will be limited to 25 single family dwellings and 94 townhome dwellings.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-RM-12 (Conditional District Residential Multifamily) 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 July 19, 2016.

(Signed) Tony Wilkins

19. [ID 16-0666](#) Public Hearing on General Obligation Bond Orders

Mayor Vaughan stated each speaker would be allotted two minutes; voiced appreciation to the speakers remaining at the meeting; and asked speakers to respect the time.

Daintry O'Brien, 801 Simpson spoke on behalf of Habitat for Humanity; explained the work of the organization; provided an overview of the number of volunteers involved in building affordable homes; referenced organizations they were involved with; importance of developing safe neighborhoods; and urged Council to vote in favor of the Housing Bond item.

Bob Cleveland, 320 Broken Saddle Lane, Kernersville spoke to the creation of an area plan that would cover Guilford County; stated housing was the number one need for older adults; and referenced a survey that had been done regarding housing needs.

Ellen Sheridan, 100 South Park Drive voiced support of the Housing Bond; spoke to disrepair of housing units; the impact of housing vacancies on neighborhoods; referenced cases heard at the Minimum Housing Commission; and spoke to what vacant properties cost the City.

Brett Byerly, 3707 Mulberry Lane, High Point spoke to the conditions of a house visited several years ago; to residents needing to choose between safe and affordable; stated he was in support of the Housing Bond; and added that more funding was needed to provide safe affordable housing.

Josie Williams, 2685 Lamplight Circle spoke to her experience living out of her car several years ago; stated that housing conditions had remained unchanged since 2014; referenced the Martin Luther King, Jr. area; and urged Council to support the Housing Bond item.

Darryl Koziak, Executive Director of Partners Ending Homelessness, 1501 Yanceyville Street asked Council to support the Housing Bond item; spoke to the solution to homelessness being housing, voiced the need for available resources to target housing needs; spoke to the number of units needed to end homelessness; the need for adequate funding; to ensure the units were affordable; and emphasized the need for public support.

Gene Brown, 1014 South Aycock Street explained the work of Community Housing Solutions; emphasized that the Housing Bond item would benefit the entire community; added that 75% of the owners that the organization worked with were disabled or older adults who were trapped in their homes; voiced the need to make homes accessible which would save money in insurance and health costs; spoke to the risks of persons who did not have a working heating system; and voiced support of the Housing Bond.

Walker Sanders, 805 Simpson Street outlined the purpose and goal of the Housing Our Community Initiative launched earlier this year; referenced feedback received from the community; voiced the need to look at all of the needs of the City as well as community wide solutions; for the development of a comprehensive housing package; and the need for affordable housing in Greensboro.

Lane Brown, 3700 Cascade Drive spoke to people in need of affordable housing through her work at Urban Ministries; explained that people sometimes made choices between housing costs and medicine; referenced the instability children in the community may suffer as a result of poor housing; and voiced support for the Housing Bond item.

Paul Kennedy, 2 Wild Iris Way voiced support for the Housing Bond item; spoke to the service provided by the North Carolina Finance Agency Board; emphasized there was not enough housing; and spoke to what financially worked for building housing.

Michelle Kennedy, 2412 Sherwood Street, Executive Director of the Interactive Resource Center provided data regarding the number of persons in Greensboro that experienced homelessness; spoke to the work of the street outreach team; added that the City was underestimating the homeless population; spoke to human rights; emphasized the need for additional funding; and asked for Council's support of the Housing Bond item.

David Levy, Executive Director of Affordable Housing Management, 330 South Greene Street outlined the work of the agency; voiced agreement with what had been said; the need to focus on the low income housing tax credit; added that the application process could be competitive; spoke to leveraging of private funds; voiced the need to address the homelessness issues; and asked for Council support of the Housing Bond item.

Chuck Burns, 5004 Bodie Lane spoke in support of the Parks & Recreation Bond item; stated he represented the tennis community; voiced excitement for the public/private partnership for tennis; stated he would leave some brochures with the courier; that the number of tournaments would increase as a result of the proposed court improvements; and spoke to the economic impact of tournaments.

Kelly Gaines, 5406 Lange Trail spoke to her affiliation to tennis and service on the Parks & Recreation Commission; voiced support of the Parks and Recreation Bond item; emphasized that 70% of tennis played was on public courts; spoke to the benefits of clay courts; and added that tennis was one of the healthiest sports.

Chris Fuller, 3906 Raintree Drive voiced support for the Parks and Recreation Bond item; stated he was the father of four children who participated in Parks and Recreation activities; highlighted his daughter's experience with tennis; voiced the importance of public facilities; and asked Council to support the item.

Mayor Vaughan commented Mr. Fuller's daughter's tennis abilities.

Councilmember Wilkins referenced the amount of previous bonds; confirmed Council was considering approximately \$126 million; asked if the bonds could be administered over the seven to ten year period without a tax increase; and if that could be stated on the ballot or in a resolution.

Finance Director Rick Lusk verified that the seven year period could be issued for ten; and confirmed projects were based on current market rates.

City Attorney Tom Carruthers verified what language could be placed on the bond ballot; and reminded Council of the mandates of state law with regard to bond funds.

Councilmember Fox asked if the City utilized a consultant to assist with educating the community for previous bonds.

City Manager Westmoreland outlined the previous bond process; referenced the use of a committee for a marketing and promotional campaign; and referenced the timeframe for forming said committee.

Councilmember Fox inquired how the list was reduced to four categories from six; voiced concern that some of the items could be run through the budget; spoke to community concerns with regard to the items; voiced the need to have community input; and asked if the bond items could be delayed until 2017.

Discussion took place regarding the length of time Council had discussed the proposed bonds; the large voter turnout this year due to the presidential election; lack of discussion in the community; the proposed tax increase; prioritization of the bond funding; and if there were commitments for the existing bonds.

Councilmember Fox voiced disagreement with the process; and requested additional discussion take place.

Councilmember Wilkins verified that the \$165 million had existing commitments.

Councilmember Hoffmann reminded Council of the length of time they had spent on the bond proposal; stated that the financial climate was favorable; voiced the need to move forward in November; and stated that Council had identified critical needs for the City for the short term to continue the growth of the City.

Councilmember Barber emphasized the bond referendum was a vision that all of Council shared; voiced that he struggled with the Housing Bond item; that he felt the housing issue could be met through the private sector; referenced the lack of housing bonds in other cities; verified he had listened to his colleagues but wanted to explain his view; and stated he could support a lesser amount for the Housing Bond item.

Councilmember Hightower stated that housing was important; added that citizens knew a tax increase was imminent as a way to generate revenue; stated she would like to see a reduction in the Parks and Recreation Bond item; and asked about where the tax increase would be.

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

Councilmember Wilkins confirmed that a .0335 tax increase would include the previous and proposed bonds.

Mr. Lusk responded in the affirmative.

V. GENERAL BUSINESS AGENDA

20. [ID 16-0659](#) Order Authorizing \$25,000,000 Housing Bonds

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

Ayes, 4 - Nancy Vaughan, Sharon M. Hightower, Nancy Hoffmann and Justin Outling

Nays, 3 - Mike Barber, Jamal T. Fox and Tony Wilkins

Absent, 2 - Yvonne J. Johnson and Marikay Abuzuaiter

256-16 ORDER AUTHORIZING \$25,000,000 HOUSING BONDS

Thereupon, upon motion of Council Member Barber, seconded by Council Member Outling, the order introduced and adopted on first reading on July 19, 2016 entitled "ORDER AUTHORIZING \$25,000,000 HOUSING BONDS" was read a second time and placed upon its final adoption. The vote upon the final adoption of said order was:

Ayes: Nancy Vaughan, Sharon M. Hightower, Nancy Hoffmann and Justin Outling.

Noes: Mike Barber, Jamal Fox and Tony Wilkins.

Absent: Yvonne J. Johnson and Marikay Abuzuaiter.

Councilmember Wilkins confirmed his vote was a 'no' vote.

(Signed) Mike Barber

21. [ID 16-0660](#) Order Authorizing \$38,500,000 Community and Economic Development Bonds

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

Ayes, 5 - Nancy Vaughan, Mike Barber, Sharon M. Hightower, Nancy Hoffmann and Justin Outling

Nays, 2 - Jamal T. Fox and Tony Wilkins

Absent, 2 - Yvonne J. Johnson and Marikay Abuzuaiter

257-16 ORDER AUTHORIZING \$38,500,000 COMMUNITY AND ECONOMIC DEVELOPMENT BONDS

Thereupon, upon motion of Council Member Barber, seconded by Council Member Outling, the order introduced and adopted on first reading on July 19, 2016 entitled "ORDER AUTHORIZING \$38,500,000 COMMUNITY AND ECONOMIC DEVELOPMENT BONDS" was read a second time and placed upon its final adoption. The vote upon the final adoption of said order was:

Ayes: Nancy Vaughan, Mike Barber, Sharon M. Hightower, Nancy Hoffmann and Justin Outling.

Noes: Jamal Fox and Tony Wilkins.

Absent: Yvonne J. Johnson and Marikay Abuzuaiter.

(Signed) Mike Barber

22. [ID 16-0661](#) Order Authorizing \$34,500,000 Parks and Recreation Bonds

Moved by Councilmember Barber, seconded by Mayor Vaughan, to adopt the order. The motion carried on the following roll call vote:

Ayes, 4 - Nancy Vaughan, Mike Barber, Nancy Hoffmann and Justin Outling

Nays, 3 - Jamal T. Fox, Sharon M. Hightower and Tony Wilkins

Absent, 2 - Yvonne J. Johnson and Marikay Abuzuaier

258-16 ORDER AUTHORIZING \$34,500,000 PARKS AND RECREATION BONDS

Thereupon, upon motion of Council Member Barber, seconded by Mayor Vaughan, the order introduced and adopted on first reading on July 19, 2016 entitled "ORDER AUTHORIZING \$34,500,000 PARKS AND RECREATION BONDS" was read a second time and placed upon its final adoption. The vote upon the final adoption of said order was:

Ayes: Nancy Vaughan, Mike Barber, Nancy Hoffmann and Justin Outling.

Noes: Jamal Fox, Sharon Hightower and Tony Wilkins.

Absent: Yvonne J. Johnson and Marikay Abuzuaier.

(Signed) Mike Barber

23. [ID 16-0662](#) Order Authorizing \$28,000,000 Transportation Bonds

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

Ayes, 5 - Nancy Vaughan, Mike Barber, Sharon M. Hightower, Nancy Hoffmann and Justin Outling

Nays, 2 - Jamal T. Fox and Tony Wilkins

Absent, 2 - Yvonne J. Johnson and Marikay Abuzuaier

259-16 ORDER AUTHORIZING \$28,000,000 TRANSPORTATION BONDS

Thereupon, upon motion of Council Member Barber, seconded by Council Member Hightower, the order introduced and adopted on first reading on July 19, 2016 entitled "ORDER AUTHORIZING \$28,000,000 TRANSPORTATION BONDS" was read a second time and placed upon its final adoption. The vote upon the final adoption of said order was:

Ayes: Nancy Vaughan, Mike Barber, Sharon M. Hightower, Nancy Hoffmann and Justin Outling.

Noes: Jamal Fox and Tony Wilkins.

Absent: Yvonne J. Johnson and Marikay Abuzuaier.

(Signed) Mike Barber

24. [ID 16-0663](#) Resolution Calling for a Bond Referendum

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

Ayes, 5 - Nancy Vaughan, Mike Barber, Sharon M. Hightower, Nancy Hoffmann and Justin Outling

Nays, 2 - Jamal T. Fox and Tony Wilkins

Absent, 2 - Yvonne J. Johnson and Marikay Abuzuaier

255-16 RESOLUTION CALLING FOR A BOND REFERENDUM

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

Section 1. A bond referendum is hereby called to be held between 6:30 a.m. and 7:30 p.m., on Tuesday, November 8, 2016, at which there shall be submitted to the qualified voters of the City the questions stated in the form of ballot set forth in Section 4 of this resolution.

Section 2. For said referendum, (a) the registration records for elections in the City shall be used, and the registration records shall be open for the registration of qualified persons and for public inspection in the manner, under the conditions and at the times and places provided by the Guilford County Board of Elections, (b) the chief judges, judges and assistants appointed by the Guilford County Board of Elections for the several precincts and voting places in the City shall be the precinct officers for such precincts and voting places and (c) the precincts and voting places shall be that fixed by the Guilford County Board of Elections, subject to change as provided by law. The Guilford County Board of Elections is hereby requested to conduct said referendum in the City and to take all necessary steps to that end in accordance with the provisions of this section.

Section 3. The City Clerk shall cause a notice of bond referendum to be published in the News & Record once at least fourteen days before October 14, 2016 (being the 25th day prior to said bond referendum), and once again not less than seven days before said day, such notice to read substantially as follows:

NOTICE OF BOND REFERENDUM in the CITY OF GREENSBORO, NORTH CAROLINA

A bond referendum will be held in the City of Greensboro, North Carolina on Tuesday, November 8, 2016 regarding the approval of the following:

1. Not to exceed \$28,000,000 HOUSING BONDS of said City. The proceeds of said housing bonds would be used to acquire, construct, improve, rehabilitate and equip multifamily and single family housing units in said City, principally for the benefit of persons of low and moderate income, including, without limitation, housing or neighborhood revitalization programs and the providing of loans, grants or other financial assistance to such persons and to developers and other public and private providers of housing, all as set forth in the bond order adopted by the City Council of said City on August 1, 2016. If said housing bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof may be levied upon all taxable property in the City of Greensboro, North Carolina.

2. Not to exceed \$38,500,000 COMMUNITY AND ECONOMIC DEVELOPMENT BONDS of said City. The proceeds of said community and economic development bonds would be used to acquire, construct, improve, rehabilitate and equip urban renewal and community development projects in said City, including, without limitation, projects and programs to induce redevelopment, increased employment and economic development, crime prevention and preservation of older properties or neighborhoods and the providing of loans, grants or other financial assistance to developers and other public and private parties in furtherance of such projects or programs, all as set forth in the bond order adopted by the City Council of said City on August 1, 2016. If said community and economic development bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof may be levied upon all taxable property in the City of Greensboro, North Carolina.

3. Not to exceed \$34,500,000 PARKS AND RECREATION BONDS of said City. The proceeds of said parks and recreation bonds would be used to acquire, construct, improve and equip various parks and recreational facilities inside and outside the corporate limits of said City, including, without limitation, parks, athletic and recreational facilities, greenways, amphitheaters and community centers, all as set forth in the bond order adopted by the City Council of said City on August 1, 2016. If said parks and recreation bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof may be levied upon all taxable property in the City of Greensboro, North Carolina.

4. Not to exceed \$28,000,000 TRANSPORTATION BONDS of said City. The proceeds of said transportation bonds would be used to acquire, construct, extend, widen, resurface and improve streets, sidewalks and other public transportation facilities inside and outside the corporate limits of said City, including, without limitation, curbs, streetscapes, gutters, culverts, drains, greenways, bicycle lanes, traffic controls, signals, markers, buses and other public transportation vehicles and shelter improvements, all as set forth in the bond order adopted by

the City Council of said City on August 1, 2016. If said transportation bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof may be levied upon all taxable property in the City of Greensboro, North Carolina.

The referendum will be conducted by the Guilford County Board of Elections. The last day for new registration of those not now registered to vote is Friday, October 14, 2016. For further information and questions regarding said referendum, voter registration, procedures for those residents who have changed residences from the date of the last election, voting by absentee ballot, one stop voting and polling places, please contact the Guilford County Board of Elections, 301 West Market Street, Greensboro, North Carolina 27402, (336) 641-3836. The Guilford County Board of Elections' website is <http://www.myguilford.com/elections/>.

Kathryn S. Lindley
Chair, Guilford County Board of Elections

Elizabeth H. Richardson
City Clerk, City of Greensboro, North Carolina

Section 4. The form of the ballot to be used at said referendum shall be substantially as follows:

OFFICIAL BALLOT BOND REFERENDUM CITY OF GREENSBORO, NORTH CAROLINA

November 8, 2016

Instructions

- a. To vote IN FAVOR OF THE ORDER, completely fill in the oval to the left of the word "YES."
- b. To vote AGAINST THE ORDER, completely fill in the oval to the left of the word "NO."
- c. If you tear, deface or wrongly mark this ballot, return it to request a replacement.
- d. Use only the pen or pencil provided.

Shall the order adopted on August 1, 2016, authorizing \$25,000,000 HOUSING BONDS of the City of Greensboro, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, for acquiring, constructing, improving, rehabilitating and equipping multifamily and single family housing units in said City, principally for the benefit of persons of low and moderate income, including, without limitation, housing or neighborhood revitalization programs and the providing of loans, grants or other financial assistance to such persons and to developers and other public and private providers of housing, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on said bonds, be approved?

☐ YES

☐ NO

Shall the order adopted on August 1, 2016, authorizing \$38,500,000 COMMUNITY AND ECONOMIC DEVELOPMENT BONDS of the City of Greensboro, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, for acquiring, constructing, improving, rehabilitating and equipping urban renewal and community development projects in said City, including, without limitation, projects and programs to induce redevelopment, increased employment and economic development, crime prevention and preservation of older properties or neighborhoods and the providing of loans, grants or other financial assistance to developers and other public and private parties in furtherance of such projects or programs, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on said bonds, be approved?

☐ YES

☐ NO

Shall the order adopted on August 1, 2016, authorizing \$34,500,000 PARKS AND RECREATION BONDS of the City of Greensboro, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, for acquiring, constructing, improving and equipping various parks and recreational facilities inside and outside the corporate limits of said City, including, without limitation, parks, athletic and recreational facilities, greenways, amphitheaters and community centers, and providing that additional taxes may be levied in

an amount sufficient to pay the principal of and interest on said bonds, be approved?

☐ YES

☐ NO

Shall the order adopted on August 1, 2016, authorizing \$28,000,000 TRANSPORTATION BONDS of the City of Greensboro, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, for acquiring, constructing, extending, widening, resurfacing and improving streets, sidewalks and other public transportation facilities inside and outside the corporate limits of said City, including, without limitation, curbs, streetscapes, gutters, culverts, drains, greenways, bicycle lanes, traffic controls, signals, markers, buses and other public transportation vehicles and shelter improvements, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on said bonds, be approved?

☐ YES

☐ NO

[Facsimile of signature]

Chairperson of the Guilford County Board of Elections

Note: Instructions on the ballot should reflect the method of voting used by the Guilford County Board of Elections.

Section 5. The City Clerk is hereby directed to mail or deliver a certified copy of this resolution to the Guilford County Board of Elections within three days after the adoption hereof.

Section 6. This resolution shall take effect upon its adoption.

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

Thereupon, upon motion of Council Member Barber, seconded by Council Member Outling, the foregoing resolution entitled "RESOLUTION CALLING A BOND REFERENDUM" was adopted by the following vote:

Ayes: Nancy Vaughan, Mike Barber, Sharon M. Hightower, Nancy Hoffmann and Justin Outling.

Noes: Jamal Fox and Tony Wilkins.

Absent: Yvonne J. Johnson and Marikay Abuzuaiter.

(Signed) Mike Barber

26. [ID 16-0645](#) Boards and Commissions Listing for August 1, 2016

Councilmember Wilkins asked Councilmember Barber if he would reappoint Eugene Lester to the Zoning Commission. Councilmember Barber responded that he would like to contact the Chair of the Commission; and asked for time to research the reappointment.

Moved by Councilmember Hightower, seconded by Councilmember Wilkins to reappoint David Wils to the Human Relations Commission. Councilmember Hightower confirmed Mr. Wills had finished out an unexpired term; and that this would be a his first full term. The motion carried by voice vote.

Moved by Councilmember Hightower to add the name of Erik Rhyne for the GTA Board. Councilmember Hoffmann confirmed that she had appointed him to the Board at the last meeting.

Moved by Councilmember Hightower, seconded by Mayor Vaughan to reappoint DeCarlos Kinds to the War Memorial Commission. The motion carried by voice vote. Mayor Vaughan confirmed that this was her appointment; and that she was in agreement with the reappointment.

Councilmember Hoffmann confirmed she would request that Mayor Pro-Tem Johnson reappoint Doug Galyon to the ABC Board at the next meeting as it was her appointment.

Discussion took place regarding the appointments under the revised Board and Commission structure.

Councilmember Wilkins requested a copy of the vacancy memo.

Mayor Vaughan reminded everyone of National Night Out tomorrow evening; and provided photographs of the Kick Off event at Skateland.

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

Councilmember Fox voiced that he would like to change his vote for Item #13/ID16-0656 on the Consent Agenda to be 'no'. The change is reflected in the Consent Agenda portion of these minutes.

There were no additional items for discussion by the Mayor and Members of the Council..

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 10:50 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR