



City of Greensboro

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

Meeting Minutes - Draft City Council

Tuesday, February 21, 2017

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:30 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, Councilmember Mike Barber, Councilmember Marikay Abuzuaiter, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling and Councilmember Tony Wilkins

Absent: 1 - Mayor Pro-Tem Yvonne J. Johnson

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

Moved by Councilmember Outling, seconded by Councilmember Barber to recess to closed session to preserve the attorney-client privilege between the City Attorney and Council and to instruct the City's staff concerning negotiations of the price and other material terms of a contract for acquisition by purchase of real property pursuant to N.C.G.S. 143-318.11(a) (3) & (a) (5). The motion carried by voice vote.

Moved by Councilmember Wilkins, seconded by Councilmember Abuzuaiter to excuse Mayor Pro-Tem Johnson from attendance at the meeting. The motion carried by voice vote.

City Council recessed to closed session at 5:06 p.m.

City Council reconvened at 5:40 p.m. with all members in attendance except Mayor Pro-Tem Johnson.

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

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

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

Recognition of Courier

City Manager Jim Westmoreland recognized Austin Homan of the Parks and Recreation Department who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

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

22. [ID 17-0023](#) Ordinance Rezoning Property Located at 1906 New Garden Road

Moved by Councilmember Hoffmann, seconded by Councilmember Barber to withdraw the item from the agenda.

The motion carried by voice vote.

This ordinance was withdrawn from the agenda.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

There were no ceremonial and/or presentation items.

II. PUBLIC COMMENT PERIOD

Mayor Vaughan stated there were three people signed up to speak.

Sarah Ladd, 708 Guilford Avenue voiced concern with the new regulations for undocumented immigrants; spoke the role of the Police Department; contributions made to the community by the immigrant population; referenced the Kelly memo; trust and relationships between the immigrant population and the Police Department; voiced concern with officers serving as ICE officers; use of City resources; and asked for Council's continued support of the Police Department.

Patricia Gutzwiller, 710 Plummer Drive provided her family's immigration history from Germany; voiced appreciation that Greensboro was a welcoming City; and for tolerant and inclusive policies utilized by the City.

David Levy, Executive Director of Affordable Housing Management, 330 South Green Street recognized members of the board of directors present; provided a progress report and photographs of the Sumner Ridge development on Old Randleman Road; highlighted the project's amenities, energy efficiencies and clientele; spoke to the economic impact; emphasized that the project would increase the affordable housing stock in the City; and thanked Council for their support of the project.

Council expressed appreciation for the project.

Councilmember Hightower asked about the status of public transportation for the development; and stated she wanted to support the transportation endeavor.

Mr. Levy provided an overview of the conversations with the City; spoke to going forward; and to assistance from the City.

Assistant City Manager David Parrish informed Council that a study was scheduled for later in the year.

III. CONSENT AGENDA (One Vote)

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

Councilmember Hightower requested Items #1, #2, and #3 be removed for discussion.

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

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

Absent, 1 - Yvonne J. Johnson

4. [ID 17-0102](#) Resolution Approving a Contract With Davis-Martin-Powell (DMP) & Associates, Inc. for Professional Services Contract for the Lees Chapel Road Feeder Main Project

30-17 RESOLUTION APPROVING A CONTRACT WITH DAVIS-MARTIN-POWELL (DMP) & ASSOCIATES, INC. FOR PROFESSIONAL SERVICES CONTRACT FOR THE LEES CHAPEL ROAD FEEDER MAIN PROJECT

WHEREAS, The purpose of the Lees Chapel Feeder Main is to provide redundancy and improve the capacity of the City's water transmission system to supply water from the Townsend Water Treatment Plant (WTP) to the water distribution system;

WHEREAS, The existing 36" water main running parallel to Summit Avenue is the only water line that feeds water from Townsend WTP to the distribution system making the proposed Lees Chapel Feeder main essential for the City's distribution system;

WHEREAS, The project consists on the installation of approximately 14,500 feet of 36-inch water main along Lees Chapel Rd. beginning at the intersection with Brightwood School Rd and extending northeast to Rudd Station Road/Southshore Road;

WHEREAS, The proposed 36" water main will cross the railroad tracks at Rudd Station Road, cross Southshore Road and continue northeast along Townsend Road;

WHEREAS, Work under this contract consists of surveying, engineering design, permitting, bid preparation and construction administration services for the construction of the water main feed;

WHEREAS, The professional services of DMP & Associates, Inc., an on-call consultant, with Crittek Engineering Group, PC., JC Waller & Associates, P.C. and Cartographic Aerial Mapping, Inc. Minority Business Enterprises within the ten county MSA, will be utilized to provide surveying, design, and construction administration services for the installation of the feeder main.

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

That the City is authorized to enter into a contract with DMP & Associates, Inc. to provide Professional Services for the design of the Lees Chapel Road Feeder Main project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$510,000 from Water Resources Capital Fund Account No. 503-7026-01.5410 and the associated budget adjustment.

(Signed) Tony Wilkins

5. [ID 17-0084](#) Resolution Approving Private Sale of Property at 2608 Merritt Drive

31-17 RESOLUTION APPROVING PRIVATE SALE OF PROPERTY AT 2608 MERRITT DRIVE

WHEREAS, pursuant to NCGS Section 160A-279, the City may convey by private sale to an entity carrying out a public purpose real property provided that the property will be used for a public purpose and that pursuant to NCGS Section 160A-267, City Council must authorize the private sale of the property at a negotiated price by resolution.

WHEREAS, in 1978 the City of Greensboro partnered with the Greensboro United Methodist Housing, Inc., [GUMH] a local housing non-profit organization in the development of Aldersgate I and Aldersgate II, which are adjacent affordable housing apartment complexes located at 2626-2146 Merritt Drive.

WHEREAS, in 1978 the City sold the land for the residential units to GUMH, but retained ownership of the land at 2608 Merritt Drive and constructed a community center at that location.

WHEREAS, the City has leased the community center facility to GUMH continuously for use as a site office and community space.

WHEREAS, GUMH has made \$88,445.24 in capital repairs and improvements during the term of the lease, which were not required by the lease agreement.

WHEREAS, GUMH wishes to combine and refinance the adjacent affordable housing properties and has requested the City to transfer the land and building at 2608 Merritt Drive at its current tax value of \$177,000 in exchange for credit for their \$88,445.24 in capital repairs and improvements and a loan for the \$92,554.76

remainder.

WHEREAS, the loan would be forgiven over a 10 year period subject to the continued use of the property for affordable housing.

WHEREAS, the lender will be the U.S. Department of Housing and Urban Development [HUD] and the City's loan will be subordinate to the HUD financing.

WHEREAS, the sale terms will be advertised for a required 10 day public notice period prior to closing.

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

That the City Council approves the private sale of property located at 2608 Merritt Drive to Greensboro United Methodist Housing, Inc., and authorizes the Mayor and City Clerk to execute the deed and other financing documents.

(Signed) Tony Wilkins

6. [ID 17-0078](#) Resolution Authorizing the Purchase of Property Located at 904 Lowdermilk Street for the Holts Chapel Road Lowdermilk Street Widening and Sidewalk Improvements Project

32-17 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 904 LOWDERMILK STREET FOR THE HOLTS CHAPEL ROAD LOWDERMILK STREET WIDENING AND SIDEWALK IMPROVEMENT PROJECT

WHEREAS, in connection with the Holts Chapel Road Lowdermilk Street Widening and Sidewalk Improvement Project, a portion of the property owned by Sams Investment Group, LLC, Parcel 0021160 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 \$41,697 but the property owner has agreed to settle for the price of \$50,041, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$50,041 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 401-4551-01.6012, Activity A15054.

(Signed) Tony Wilkins

7. [ID 17-0059](#) Resolution Conveying an Easement to Bellsouth Telecommunications, LLC, d/b/a AT&T North Carolina for a Permanent Utility Easement Located at 3110 Forest Lawn Drive

33-17 RESOLUTION AUTHORIZING CONVEYANCE OF A PERMANENT UTILITY EASEMENT LOCATED AT 3110 FOREST LAWN DRIVE

WHEREAS, the City of Greensboro owns property located at 3110 Forest Lawn Drive Parcel 0086805, said property being shown on the attached map;

WHEREAS, Bellsouth Telecommunications, LLC, d/b/a AT&T North Carolina is in the process of installing a new Utility Box at 3110 Forest Lawn Drive;

WHEREAS, a new permanent utility easement will consist of approximately 900 square feet.

WHEREAS, Bellsouth Telecommunications, LLC, d/b/a AT&T North Carolina has determined the value of the property, said easement was valued at \$1,175;

WHEREAS, revenue proceeds from this conveyance will be credited in the Parks and Recreation Trails and Greenway Revenue Account #101-5029-01.8690.

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

That the sale of the above mentioned permanent utility easement in the amount of \$1,175 is hereby approved and the conveyance of said easement is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Tony Wilkins

8. [ID 17-0093](#) Resolution Authorizing Grant Application for Governor's Crime Commission Grant FY 2017-19 for the Child Response Initiative Program

34-17 RESOLUTION AUTHORIZING GRANT APPLICATION FOR GOVERNOR'S CRIME COMMISSION GRANT FY 2017-19 FOR THE CHILD RESPONSE INITIATIVE

WHEREAS, the Greensboro Police Department will serve as the lead/fiscal agent to apply for a Governor's Crime Commission federal grant award benefiting the Child Response Initiative;

WHEREAS, the Child Response Initiative provides a coordinated community response to children (0-18 years of age) and their families who have experienced any type of trauma or violence, with the goals of (1) reducing the likelihood of child witnesses and victims becoming later violent offenders; and (2) decreasing mental health symptoms and other negative outcomes. The program has been active since 2008. The overwhelming majority of referrals are received from officers within the patrol division of the GPD;

WHEREAS, competitive funds for North Carolina law enforcement and related non-profit agencies are available from the Governor's Crime Commission on an annual basis. The Commission designates specific committees to determine the most effective methods of equitably distributing these funds across the State. The mission of the Crime Victims' Services Committee is to advocate for victims by promoting the development of effective programs that improve the response of human service professionals and the criminal justice system to crime victims;

WHEREAS, the grant cycle is active from October 1, 2017 through September 30, 2019; and

WHEREAS, by January 31, 2017, the GPD will submit a grant application requesting \$248,459 in Federal funds which requires a 20% match of \$62,115, making the total award \$310,574 for FY 17-19. The GPD will provide the match via in-kind and cash contributions;

WHEREAS, if approved by Council and awarded by the Governor's Crime Commission, this project will provide for personnel, training, office supplies and promotional materials.

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

That the request to apply to the Governor's Crime Commission for \$248,459 in Federal funds with a \$62,115 in-kind and cash match from the City of Greensboro is hereby approved for a total project budget of \$310,574.

(Signed) Tony Wilkins

9. [ID 17-0091](#) Ordinance in the Amount of \$6,000 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of NC Department of Revenue

**Tax Distribution Drug Tax Funds for the Greensboro Police and Crime
Stoppers Illegal Gun Project**

17-13 ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF NC DEPARTMENT OF REVENUE TAX DISTRIBUTION DRUG TAX FUNDS FOR THE GREENSBORO POLICE AND CRIME STOPPERS ILLEGAL GUN PROJECT

Section 1

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

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

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

Account	Description	Amount
220-3550-01.5931	Contributions to Nongovt'l Agencies	\$6,000
TOTAL:		\$6,000

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

Account	Description	Amount
220-3550-01. 7123	State Drug Excise Tax	\$6,000
TOTAL:		\$6,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Tony Wilkins

- 10. [ID 17-0092](#)** Ordinance in the Amount of \$100,000 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of NC Department of Revenue Tax Distribution Drug Tax Funds for the GPD Violent Crime Initiative FY17

17-14 ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF NC DEPARTMENT OF REVENUE TAX DISTRIBUTION DRUG TAX FUNDS FOR THE GPD VIOLENT CRIME INITIATIVE FY17

Section 1

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

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

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

Account	Description	Amount
220-3551-01.4221	Premium Pay	\$93,680
220-3551-01.4510	FICA Contribution	\$1,450
220-3551-01.4520	Retirement Contribution	\$4,870
TOTAL:		\$100,000

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

Account	Description	Amount
220-3551-01. 7123	State Drug Excise Tax	\$100,000
TOTAL:		\$100,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Tony Wilkins

11. [ID 17-0060](#) Ordinance in the Amount of \$16,974 Amending State, Federal and Other Grants Fund Budget for the Appropriation of Additional Funding for Solving Cold Cases With DNA Grant FY 14: Piedmont Triad Cold Case Initiative

17-15 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF ADDITIONAL FUNDING FOR SOLVING COLD CASES WITH DNA GRANT FY 14: PIEDMONT TRIAD COLD CASE INITIATIVE

Section 1

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

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

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

Account name – DNA Cold Case Grant FY 14

Account	Description	Amount
220-3563-01.4221	Premium Pay- Public Safety Sworn	\$ 9,084
220-3563-01.5410	FICA Contribution	\$ 159
220-3563-01.5420	Retirement Contribution	\$ 850
220-3563-01.5429	Other Contracted Services	\$ 11,686
220-3563-01.5510	Business and Meeting Expenses	\$ (4,805)
TOTAL:		\$ 16,974

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

Account	Description	Amount
220-3563-01.7100	Federal Grant	\$ 16,974
TOTAL:		\$ 16,974

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Tony Wilkins

12. [ID 17-0082](#) Ordinance in the Amount of \$37,965 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of Duke Energy Water Resources Fund Grant for Accessible Boat Launch at Lake Higgins Marina

17-16 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE

APPROPRIATION OF DUKE ENERGY WATER RESOURCES FUND GRANT FOR ACCESSIBLE BOAT LAUNCH AT LAKE HIGGINS MARINA

Section 1

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

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

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

Account name – 2017 DUKE ENERGY GRANT

Account	Description	Amount
220-5082-01.6019	Other Capital Improvements	\$37,965
TOTAL:		\$37,965

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

Account	Description	Amount
220-5082-01.8620	Donations & Private Contributions	\$37,965
TOTAL:		\$37,965

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Tony Wilkins

- 13. [ID 17-0110](#)** Ordinance in the Amount of \$20,000 Amending State, Federal and Other Grants Fund Budget for the Appropriation of the SETRAC Grant from the Greensboro Convention and Visitors Bureau

17-17 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE SETRAC GRANT FROM THE GREENSBORO CONVENTION AND VISITORS BUREAU

Section 1

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

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

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

Account name – SETRAC Coliseum Grant

Account	Description	Amount
220-7502-01.6059	Other Capital Improvements	\$20,000
TOTAL:		\$20,000

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

Account	Description	Amount
220-7502-01.8620	Donations & Private Contributions (GACVB SETRAC Grant)	\$20,000
TOTAL:		\$ 20,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Tony Wilkins

14. [ID 17-0112](#) Ordinance in the Amount of \$5,589 Amending State, Federal, and other Grants Fund Budget for the Appropriation of the SETRAC Grant from the Greensboro Convention and Visitors' Bureau.

17-18 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE SETRAC GRANT FROM THE GREENSBORO CONVENTION AND VISITORS BUREAU

Section 1

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

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

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

Account name –SETRAC Coliseum Grant

Account	Description	Amount
220-7503-01.6059	Other Capital Improvements	\$5,589
TOTAL:		\$5,589

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

Account	Description	Amount
220-7503-01.8620	Donations & Private Contributions (GACVB SETRAC Grant)	\$5,589
TOTAL:		\$ 5,589

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Tony Wilkins

15. [ID 17-0089](#) Resolution to Advertise 2016 Real Estate Liens

35-17 RESOLUTION DIRECTING THE CITY TAX COLLECTOR TO ADVERTISE LIENS ON REAL ESTATE FOR DELINQUENT PUBLIC UTILITY SERVICES, NUISANCE ABATEMENTS, BOARDING UP OF STRUCTURES AND DEMOLITION OF SUBSTANDARD STRUCTURES ACCOUNTS FOR THE YEAR 2016

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

1. That the City Tax Collector be and is hereby directed to prepare and publish, in accordance with law, a list showing: (1) the names of all persons by whom substandard structure charges, water rents and nuisance abatement charges are due and (2) the amount of each such substandard structure charge, solid waste charge, water rent or nuisance abatement charge. Such publication shall commence not earlier than March 9, 2017.

2. That the City Tax Collector be and is hereby directed to cause the publication of the above-mentioned list in a local newspaper of general circulation in the City of Greensboro.

3. That, in addition to following the foreclosure method prescribed by G.S. 105-374, the City Tax Collector be and is hereby authorized to institute the In rem method of foreclosure pursuant to G.S. 105-375.

(Signed) Tony Wilkins

16. [ID 17-0083](#) Resolution Listing Loans and Grants for City Council Approval

36-17 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

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

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

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

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

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

(Signed) Tony Wilkins

17. [ID 17-0100](#) Budget Adjustments Requiring Council Approval 1/31/17-2/13/17

Motion to approve the budget adjustments of 1/31/17 through 2/13/17 over the amount of \$50,000 was adopted.

(A copy of the report is filed in Exhibit Drawer Z, Exhibit No. 5, which is hereby referred to and made a part of these minutes.)

18. [ID 17-0099](#) Budget Adjustments Approved by Budget Officer 1/31/17-2/13/17

Motion to accept the report of budget adjustments of 1/31/17 through 2/13/17 was adopted.

(A copy of the report is filed in Exhibit Drawer Z, Exhibit No. 5, which is hereby referred to and made a part of these minutes.)

19. [ID 17-0066](#) Motion to Approve the Minutes of the Work Session of January 17, 2017

Motion to approve the minutes of the Work Session of January 17, 2017 was adopted.

20. [ID 17-0103](#) Motion to Approve the Minutes of the Regular Meeting of January 17, 2017.

Motion to approve the minutes of the Regular meeting of January 17, 2017 was adopted.

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21. [ID 17-0108](#) Motion to Approve the Minutes of the Special Meeting of February 2, 2017

Motion to approve the minutes of the Special meeting of February 2, 2017 was adopted.

1. [ID 17-0043](#) Resolution Authorizing a Software and Hardware Maintenance and Repair Agreement with Tech Logic, Inc.

Councilmember Hightower confirmed the agreement would be for five years; spoke to the maintenance fee; and asked if a three year contract could be done.

Library Director Brigitte Blanton outlined the process and savings under a five year contract; stated the vendor had installed the software; that the City would save money over the long term; added that the machine had been in place since 1998; and spoke to the professional relationship between the City and the vendor.

Moved by Councilmember Hoffmann, seconded by Councilmember Barber, to adopt the resolution. The motion carried by voice vote.

37-17 RESOLUTION AUTHORIZING A SOFTWARE AND HARDWARE MAINTENANCE AND REPAIR AGREEMENT WITH TECH LOGIC, INC.

WHEREAS, the Greensboro Public Library has owned its current proprietary system since 1998 to automate book processing for the Libraries;

WHEREAS, the Library wishes to extend the existing software and hardware maintenance agreement, which also covers repairs, with the firm Tech Logic;

WHEREAS, under current City policy, IT maintenance agreements may be let on an evergreen basis, however, due to the age of the system and equipment, the Library wishes to execute a five year agreement that includes annual increases;

WHEREAS, the estimated value of the agreement exceeds \$100,000, which requires City Council approval;

WHEREAS, a contract for these services has been in place and renewed annually since the 1990s;

WHEREAS, the Department and vendor anticipate the system will be used for an additional five years and plan to enter into an agreement to cover annual maintenance and repair services for this duration;

WHEREAS, repairs are billable at \$225 per hour for the duration of the contract;

WHEREAS, the annual repair cost is estimated at but not limited to, \$1,000 annually;

WHEREAS, the total contract value for the current fiscal year is estimated at \$24,395.22 including sales tax and repair allowance; the total value of the five year contract is estimated at \$131,871.20;

WHEREAS, funds for the current fiscal year are available in the annual budget;

WHEREAS, future funding is subject to City Council approval through the Annual Budget process.

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

That a resolution authorizing a software and hardware maintenance and repair agreement for Greensboro Public Library's Tech Logic System is hereby approved.

(Signed) Nancy Hoffmann

2. [ID 17-0064](#) Resolution Approving Change Order in the Amount of \$495,000 to Contract 2015-0790 with Arcadis G&M of North Carolina, Inc. for

Mitchell Water Treatment Plant (WTP) Major Electrical Improvements

Councilmember Hightower stated she had similar questions for items #2 and #3; asked why there had been numerous change orders; if the work was part of the original package; and for clarification of the M/WBE participation.

Assistant City Manager Parrish provided an explanation for the change order; voiced the need for the plant to have the ability to sustain; spoke to the clear well; and confirmed the initial total for M/WBE participation.

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

38-17 RESOLUTION AUTHORIZING CHANGE ORDER IN THE AMOUNT OF \$495,000 TO CONTRACT NO. 2015-0790 WITH ARACDIS G&M OF NORTH CAROLINA, INC. FOR MITCHELL WATER TREATMENT PLANT MAJOR ELECTRICAL IMPROVEMENTS DESIGN SERVICES

WHEREAS, The City authorized professional services contract 2015-0790 with Arcadis G&M Of North Carolina, Inc. in the amount of \$1,170,000 on October 20, 2015 to provide design services for Mitchell WTP Electrical Improvement;

WHEREAS, Change Order No. 1 includes additional efforts and engineering design work associated with the major electrical improvements and the high service pumping improvements;

WHEREAS, The scope of work has been expanded by further analysis and evaluation of auxiliary power options for the plant which identified a cost-effective dual utility feed option in addition to a stand-by power generating facility;

WHEREAS, Additional work included efforts associated with developing resilience requirements and additional improvements to strengthen the ability of the City to provide service under catastrophic circumstances;

WHEREAS, Hydraulic and Physical modeling for the high service pumping improvements was needed to complete the final design and is also included as part of this change order fee.

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

That a change order in the above-mentioned contract with Arcadis G&M of North Carolina, Inc. for the Mitchell WTP Major Electrical Improvements Contract 2015-0790 in the amount of \$495,000 and additional work 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 \$495,000 from Account 515-7023-02.5410 and associated budget adjustment.

(Signed) Sharon Hightower

3. [ID 17-0065](#) Resolution Approving a Contract in the Amount of \$321,000 with CDM Smith, Inc. for Design and Construction Services for the T.Z. Osborne Ash Clarifier Project

Councilmember Hightower asked for clarification on the term ashe clarifier; asked about the amount of money that had been expended for the project; and commended the Water Resources Department for the 18% M/WBE participation.

Assistant City Manager Parrish provided the definition of ashe clarifier; highlighted the work that had been done to date; emphasized the importance of maintaining the ashe process; and stated staff would provide the total figure for the monies that had been spent for the project.

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

39-17 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$321,000 WITH CDM SMITH, INC. FOR DESIGN AND CONSTRUCTION SERVICES CONTRACT FOR THE T.Z. OSBORNE ASH CLARIFIER PROJECT

WHEREAS, T.Z. Osborne Ash Clarifier project consists of building a new ash clarifier at the plant;

WHEREAS, the existing ash clarifier and thickened ash slurry pump station are reaching the end of their useful life. A new ash clarifier will improve the reliability of the ash thickening facilities;

WHEREAS, the new NPW pump station and supply line, dedicated to supplying NPW to the solids handling building will meet existing and future needs;

WHEREAS, the ash clarifier will treat discharges from the existing Fluidized Bed Incinerators No. 1 and No. 2 quencher/scrubber and the ash dewatering equipment located in the solids building;

WHEREAS, The Design and Construction Services team will include CDM Smith, Inc. and John Davenport Engineering, Inc.

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

That the City is authorized to enter into a contract with CDM Smith, Inc. to provide Design and Construction Services for the T.Z. Osborne Ash Clarifier project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$321,000 from Water Resources Capital Fund Account No. 503-7026-06.5410 and associated budget adjustment.

(Signed) Sharon Hightower

IV. PUBLIC HEARING AGENDA

The public hearing item was withdrawn from the agenda at the beginning of the meeting.

V. GENERAL BUSINESS AGENDA

23. [ID 17-0069](#) Boards and Commissions Listing for February 21, 2017

Councilmember Barber placed the name of Jennifer Wallace in the databank for future service on the Commission on the Status of Women.

Councilmember Abuzuaiter requested volunteers for the alternate positions on the Minimum Housing Standards and Redevelopment Commissions.

Councilmember Hightower voiced concern with maintaining membership on the Greensboro Transit Authority (GTA); and stated there were currently three vacancies.

City Clerk Betsey Richardson confirmed the names and districts of members listed on the vacancy memo for GTA; and verified which Councilmembers had been assigned those appointments.

24. [ID 17-0101](#) Resolution Approving an Agreement with Golden LEAF Foundation for a Grant of \$7 Million for the Greensboro-Randolph MegaSite Utility Extension Project

City Manager Westmoreland provided an overview for items #24 and #25; spoke to what approval of the items would authorize staff to do; and outlined the project funding.

Councilmember Outling stated he had a conflict of interest for both items; and stated he needed to recuse himself from voting on the items.

Moved by Councilmember Wilkins, seconded by Councilmember Abuzuaiter to excuse Councilmember Outling from voting on items #24 and #25. The motion carried by voice vote.

Discussion took place regarding the grants provided by the Golden Leaf Foundation; the hope to attract a client; recouping a portion of the proposed \$22 million to be spent for the water and sewer infrastructure; whether funding had been obligated for the work; and the clarification to the public of the amount of the City's obligation.

City Manager Westmoreland explained the funding process for the project; spoke to aggressively marketing the site nationally; highlighted what Council had authorized to date; provided the cost estimates and status for the study and the land acquisition of the required right-of-way for the project; and provided an overview of the revenue from the proposed improvements.

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

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

Excused, 1 - Justin Outling

Absent, 1 - Yvonne J. Johnson

40-17 RESOLUTION APPROVING AN AGREEMENT WITH THE GOLDEN LEAF FOUNDATION

WHEREAS, On March 3, 2015 City Council approved a resolution authorizing staff to proceed with engineering design and permitting activities necessary for extending water and sewer utility services to the Greensboro-Randolph Mega Site;

WHEREAS, the City of Greensboro was awarded \$7 million by the Golden LEAF Foundation for the Greensboro-Randolph MegaSite Utility Extension on December 7, 2016;

WHEREAS, the sewer extension includes a proposed forcemain that extends down US 421 connected to a proposed lift station to pump the sewer from the MegaSite to the existing City sewer system and its cost is approximately \$9.8 million;

WHEREAS, the Water Resources Department has determined that adding a new 16-inch transmission main sized for ultimate flow will add redundancy to our distribution system, improve water quality and meet MegaSite water supply requirements;

WHEREAS, the proposed path for the water line extends from US 421 down into Hwy 62 to connect to the city's distribution system and its cost is estimated at \$20 million;

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

That the City is authorized to enter into a grant agreement with the Golden LEAF Foundation for the Greensboro Randolph MegaSite. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute the grant agreement on behalf of the City of Greensboro.

(Signed) Jamal Fox

- 25. [ID 17-0114](#)** Resolution Approving an Application and Subsequent Agreement of a Grant with the Department of Commerce for \$1.418 Million to Assist with the Construction of the Greensboro-Randolph MegaSite Utility Extension Project

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

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

Excused, 1 - Justin Outling

Absent, 1 - Yvonne J. Johnson

41-17 RESOLUTION APPROVING AN APPLICATION AND SUBSEQUENT GRANT AGREEMENT WITH THE DEPARTMENT OF COMMERCE

WHEREAS, On March 3, 2015 City Council approved a resolution authorizing staff to proceed with engineering design and permitting activities necessary for extending water and sewer utility services to the Greensboro-Randolph Mega Site;

WHEREAS, The Rural Infrastructure Authority expressed support of the Greensboro-Randolph MegaSite Utility extension at their December meeting and documentation is currently being prepared to access approximately \$1.418 million in additional funding from the Major Site Development Initiative;

WHEREAS, a grant from the Department of Commerce through the City of Greensboro will be made to assist with the utility services extension for the Greensboro-Randolph Mega Site;

WHEREAS, The City of Greensboro will administer this grant in accordance with the rules and regulations of the Department of Commerce;

WHEREAS, the grant will be monitored quarterly to assure compliance with the Department of Commerce regulations.

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

That the City is authorized to submit an application and subsequently enter into a grant agreement with the Department of Commerce for the Greensboro Randolph MegaSite. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute the grant agreement on behalf of the City of Greensboro.

(Signed) Jamal Fox

26. [ID 17-0067](#) Resolution Authorizing Contract in the Amount of \$1,700,188.10 to Smith-Rowe, LLC for Contract 2016-056 (Stormwater System and Water Line Improvements).

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

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

Absent, 1 - Yvonne J. Johnson

42-17 RESOLUTION APPROVING AN APPLICATION AND SUBSEQUENT GRANT AGREEMENT WITH THE DEPARTMENT OF COMMERCE

WHEREAS, On March 3, 2015 City Council approved a resolution authorizing staff to proceed with engineering design and permitting activities necessary for extending water and sewer utility services to the Greensboro-Randolph Mega Site;

WHEREAS, The Rural Infrastructure Authority expressed support of the Greensboro-Randolph MegaSite Utility extension at their December meeting and documentation is currently being prepared to access approximately \$1.418 million in additional funding from the Major Site Development Initiative;

WHEREAS, a grant from the Department of Commerce through the City of Greensboro will be made to assist with the utility services extension for the Greensboro-Randolph Mega Site;

WHEREAS, The City of Greensboro will administer this grant in accordance with the rules and regulations of the Department of Commerce;

WHEREAS, the grant will be monitored quarterly to assure compliance with the Department of Commerce regulations.

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

That the City is authorized to submit an application and subsequently enter into a grant agreement with the Department of Commerce for the Greensboro Randolph MegaSite. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute the grant agreement on behalf of the City of Greensboro.

(Signed) Sharon Hightower

27. [ID 17-0001](#) Resolution To Adopt the 2017 Legislative Agenda

Mayor Vaughan stated she had asked City Attorney Carruthers to rework the wording of the resolution for the Jordan Lake Rules; and to bring it back at the next meeting.

Councilmember Barber advised that there were several items on the Legislative Agenda (Agenda) that caused concerns for Councilmembers; and requested the Agenda be continued to the next meeting of Council if it did not compromise the City's position.

Councilmember Wilkins concurred with Councilmember Barber; and spoke to a consensus of Council at a work session for the first eight items.

Councilmember Abuzuaiter expressed concern with delaying the Agenda.

Discussion took place regarding what was presented at the meeting with the Guilford Delegation (Delegation); Senator Wade's position on the Jordan Lake issue; and if there was a deadline.

City Attorney Carruthers addressed the parking fine item; and spoke to the House and Senate deadlines for local bills.

Councilmember Outling reminded Council that the Delegation was aware of the City's position; referenced the meeting with the Delegation; and asked if there was a substantive difference in when the Council adopted the Legislative Agenda.

City Attorney Carruthers responded in the affirmative with respect to local bills; and spoke to the process and timeframe for sponsoring said bills.

Councilmember Hightower voiced agreement with voting on the Agenda this evening.

Additional discussion took place regarding the resolution proposed by Mayor Vaughan; the possibility of the proposed Agenda being modified as a result of changes to said resolution; if Council had previous discussion on the tuition equity item; purpose of the meeting with the Delegation; and why the tuition equity item was omitted from the presentation to the Delegation but placed back on the Agenda for this evening.

City Attorney Carruthers confirmed that the item was brought up by Mayor Pro-Tem Johnson at the meeting with the Delegation; spoke to a consensus of Council for the first eight items; and explained that Council would vote on the items individually this evening.

Councilmember Abuzuaiter reminded Council of a 2015 Work Session where the tuition equity item had been discussed; stated it was the consensus of Council to move forward at that time; voiced the need for

undocumented immigrants to have the same rights as documented students; referenced Councilmember Barber's request for language to be added to the proposal; and reminded Council of the process that had been used for the item.

Councilmember Wilkins referenced conversations regarding the Agenda; voiced that the majority of Council wanted to forward an agenda that would not cause friction with the General Assembly; voiced concern with the item being placed on the Agenda; and the impact the item might have.

Discussion continued regarding the impact of the Trump Administration's decision regarding documented immigrants; hearing the speakers for the item; engaging the Delegation in discussion on the City's priorities; revisiting the item; the need to identify the City's goals; and to be strategic with the General Assembly.

Councilmember Outling suggested Council revisit the Agenda; voiced the importance in identifying the City's goals; and the need to be strategic in what was presented to the General Assembly.

Councilmember Barber emphasized the need for the City to forward comprehensive and clear documentation to the General Assembly; referenced the need for the Jordan Lake resolution to be correctly worded; spoke to proposed language that Council had discussed adding to the tuition equity item; confirmed that the tuition equity item was not on the PowerPoint Presentation presented to the Delegation; referenced the work session minutes; and suggested Council move the Agenda to the March 7th meeting of Council with the exception of one item if it was time sensitive.

City Attorney Carruthers interjected that he had reviewed the deadlines again; and that the March 7th meeting of Council would allow the City to meet the House and Senate deadlines.

Councilmember Barber suggested the item be continued; that Council direct staff to amend the wording and comprehensive agenda including the tuition equity item; and come back to Council at the first meeting in March.

Councilmember Hightower addressed the wording; referenced the perception that the City would be rubbing someone wrong if we sent down the Agenda as presented this evening; spoke to support for students to have in state tuition; voiced the need to be honest about the City's request; and emphasized she would rather support and handle the item this evening.

Councilmembers Barber and Outling requested City Attorney Carruthers to provide the re-write for the Jordan Lake Resolution to Council by Wednesday, March 1st; to tweak the Legislative Agenda prior to the March 7th meeting of Council; and to allow for discussion by Council prior to placing items on the Legislative Agenda going forward.

Mayor Vaughan stated Council would hear from speakers at this time.

Addie Jeffrey, 3715 Hazel Lane requested that the tuition equity for both daca and non-daca students be included in the Legislative Agenda; referenced groups that had adopted resolutions in support of tuition for undocumented students; to the time the students had been in school; emphasized the need for an educated work force; voiced concern with the marginalization of human beings in North Carolina; referenced House Bill 35; and importance in the opportunity for farmers to have higher education.

Jose Sandoval, 1201 Quail Drive voiced the necessity for in state tuition to undocumented students; emphasized that tuition equity was the right thing to do; provided his story of coming to the country and applying for citizenship; an overview of his involvement in community groups; and emphasized it would be a disservice to people should the bill not pass.

Saul Rodriguez-Arellanos, 2800 Forbes Drive, provided his history on coming to America; spoke to his dream to become a doctor; to his experience attending Aycok Middle School and UNCG Middle College; highlighted his volunteer hours; spoke to the challenges in trying to secure tuition funding; and asked that Council support tuition equity.

Moved by Councilmember Barber, seconded by Councilmember Wilkins, to table the item to the March 7th meeting of Council. The motion carried on the

following roll call vote:

Ayes, 6 - Nancy Vaughan, Mike Barber, Jamal T. Fox, Nancy Hoffmann, Justin Outling and Tony Wilkins

Nays, 2 - Marikay Abuzuaiter and Sharon M. Hightower

Absent, 1 - Yvonne J. Johnson

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

Councilmember Hightower spoke to the service for Art Davis last Thursday; to Mr. Davis's character; stated she had attended the Historic Preservation dinner; and reminded those present that Black History Month was coming to an end.

Councilmember Abuzuaiter provided her thoughts about Mr. Davis; stated he provided words of encouragement; that she had attended the Historic Preservation dinner; announced the upcoming Railway Safety Initiative at the Seventh Day Adventist Church on March 6th from 6:00 - 7:30 p.m.; and voiced concern with railway deaths.

City Manager Westmoreland provided an overview of the Railway Safety Initiative; and spoke to railroad safety.

Councilmember Hoffmann provided her thoughts regarding Art Davis; stated the Historic Preservation dinner was well attended; informed Council that the speaker was doing the renovation on the Cascade Saloon site which should be completed by November; and informed Council that, at a recent meeting of the ABC Board, police officers who assisted with alcohol and beverage control has been recognized.

Councilmember Fox requested that City Manager Westmoreland provide the amount of shovel ready site dollars that had been allocated but not used; expressed condolences on the loss of Art Davis; to the loss of former Charlotte/Mecklenburg City Manager Harry Jones; and to the family of the young man that had been hit by a car; asked anyone with information about the hit and run to call it in; and voiced concern for, and expressed a speedy recovery to the District 2 resident that was recently bitten by a dog. Councilmember Fox extended congratulations to the North Carolina A&T State University Men's and Women's Indoor Track teams; and expressed the need to make decisions that were morally right rather than political.

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 Fox, seconded by Councilmember Outling, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 7:00 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR