



City of Greensboro

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

Meeting Minutes - Draft City Council

Tuesday, July 16, 2019

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, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Marikay Abuzuaiter, Councilmember Sharon M. Hightower, Councilmember Michelle Kennedy, Councilmember Justin Outling, Councilmember Tammi Thurm and Councilmember Goldie F. Wells

Absent: 1 - Councilmember Nancy Hoffmann

Also present were City Manager David Parrish, City Attorney Chuck Watts, and City Clerk Angela Lord.

Mayor Vaughan asked for a motion to excuse Councilmember Hoffmann.

Moved by Councilmember Outling, seconded by Councilmember Abuzuaiter to excuse Councilmember Hoffmann from attendance of the meeting. The motion carried by voice vote.

Moment of Silence

The meeting opened with a moment of silence.

Mayor Vaughan offered condolences and thoughts for the family of Robert Moore.

Pledge of Allegiance to the Flag

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

Recognition of Courier

City Manager David Parrish recognized Andrew Harris of the Library Department who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

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

I. CONSENT AGENDA (One Vote)

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

Councilmember Outling spoke to a conflict of interest; and requested Item #3 be removed for recusal.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter, to recuse Councilmember Outling from voting on item #3. The motion carried by voice vote.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wells, to adopt the consent agenda as amended. The motion carried by voice vote.

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower,
Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells
Absent, 1 - Nancy Hoffmann

1. [ID 19-0505](#) Resolution to Enter into a Lease Agreement between City of Greensboro,
Guilford County and NC Department of Administration

191-19 RESOLUTION AUTHORIZING LEASE BETWEEN THE CITY OF GREENSBORO, GUILFORD COUNTY
AND THE NC DEPARTMENT OF ADMINISTRATION

WHEREAS; the State of NC Department of Administration requests to use the communications tower belonging jointly to the City of Greensboro and Guilford County;

WHEREAS; the tower is located at 891 Triad Park Maintenance Road, Kernersville, Guilford County, NC;

WHEREAS; in consideration of the premises, the State will pay the sum of \$1.00 to the City and County;

WHEREAS; the leasing agreement is for a ten year term;

WHEREAS; the State wishes to use the tower to install communications equipment to support its Voice Interoperability Plan for Emergency Responders ("Viper");

WHEREAS; Guilford Metro 911 is in support of the lease and installation of the communications; and,

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

That the execution of the leasing agreement between the NC Department of Administration, Guilford County and the City of Greensboro is hereby approved.

(Signed) Yvonne Johnson

2. [ID 19-0288](#) Resolution Approving Bid in the Amount of \$397,540.00 and Authorizing
Execution of Contract 2018-077 with Armen Construction, LLC for the
Construction of the General Sidewalk Improvements

192-19 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2018-077 WITH
ARMEN CONSTRUCTION, LLC FOR THE CONSTRUCTION OF THE GENERAL SIDEWALK IMPROVEMENTS

WHEREAS, after due notice, bids have been received for the General Sidewalk Improvements project;

WHEREAS, Armen Construction, LLC, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$397,540.00 as general contractor for Contract No. 2018-077, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

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

That the bid hereinabove mentioned submitted by Armen Construction, LLC is hereby accepted, and the City is authorized to enter into a contract with Armen Construction, LLC for the General Sidewalk Improvements project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$397,540.00 from 2008 bond fund account 471-4502-15.6015 A11132.

(Signed) Yvonne Johnson

4. [ID 19-0478](#) Resolution Authorizing of Contract 2019-029, EL-5101 DL, in the Amount of \$553,794.56 to Volkert, Inc. for the Construction Inspections of the Pisgah Church Road, Lees Chapel Road, and Yanceyville Street Sidewalk Improvements Project

193-19 RESOLUTION AUTHORIZING AWARD OF CONTRACT 2019-029 (EL-5101 DL) FOR THE CONSTRUCTION INSPECTION OF THE PISGAH CHURCH ROAD, LEES CHAPEL ROAD, AND YANCEYVILLE STREET SIDEWALK IMPROVEMENTS PROJECT TO VOLKERT, INC.

WHEREAS, the Construction Inspections of the Pisgah Church Road, Lees Chapel Road, and Yanceyville Street Sidewalk Improvements Project is ready for implementation;

WHEREAS, the construction inspection work is to be for concrete sidewalk, curb cuts, curb and gutter, driveways, retaining walls, and erosion control items along Pisgah Church Road, Lees Chapel Road, and Yanceyville Street in the City of Greensboro;

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

WHEREAS, Volkert, Inc. was selected on the strength of their construction inspections experience;

WHEREAS, Funding for the professional services contract are available in account:

401-4546-01.6015 A19071 Street and Sidewalk Capital Project Fund

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

That the award of the Construction Inspection of the Pisgah Church Road, Lees Chapel Road, and Yanceyville Street Sidewalk Improvements Project to Volkert, Inc. is hereby authorized with funding in the amount of \$553,794.56.

(Signed) Yvonne Johnson

5. [ID 19-0482](#) Resolution Authorizing Amended Agreement with NC Department of Transportation for C-5555 E: College Road/New Garden Road Sidewalk Project in the Amount of \$735,698

194-19 RESOLUTION AUTHORIZING AMENDED AGREEMENT WITH NC DEPARTMENT OF TRANSPORTATION FOR C-5555 E: COLLEGE ROAD/NEW GARDEN ROAD SIDEWALK PROJECT IN THE AMOUNT OF \$735,698

WHEREAS, the Greensboro MPO Transportation Advisory Committee in cooperation with NCDOT first directed federal funds to project C-5555E in 2014 and have increased the funding commitment to the project at this time;

WHEREAS, the supplemental agreement with the North Carolina Department of Transportation provides for NCDOT to reimburse the City for additional 80% of project costs up to \$588,559;

WHEREAS, the City of Greensboro will implement the project and provide the necessary additional local match amount of \$147,139; and

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

That said project is hereby formally approved and the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the amended agreement with the North Carolina Department of Transportation for

Project C-5555 E.

(Signed) Yvonne Johnson

6. [ID 19-0483](#) Ordinance in the Amount of \$735,698 Amending the Budget for C-5555 E:
College Road/New Garden Road Sidewalk Project

19-087 ORDINANCE IN THE AMOUNT OF \$735,698 AMENDING THE BUDGET FOR C-5555 E: COLLEGE ROAD/NEW GARDEN ROAD SIDEWALK PROJECT

Section 1:

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

That the appropriation for the Project C-5555 E: College Road/New Garden Road Sidewalk Project budget be increased as follows:

Account	Description	Amount
401-4565-01.6015	Sidewalk Construction	\$735,698
TOTAL:		\$735,698

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

Account	Description	Amount
401-4565-01.7100	Federal Funds	\$588,559
401-4565-01.9471	Local Matching Funds	\$147,139
TOTAL:		\$735,698

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

7. [ID 19-0501](#) Resolution in the Amount of \$35,066 Authorizing Neal Street Sidewalk
Funding Agreement with University of North Carolina at Greensboro

195-19 RESOLUTION IN THE AMOUNT OF \$35,066 AUTHORIZING NEAL STREET SIDEWALK FUNDING AGREEMENT WITH THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO

WHEREAS, UNCG requested sidewalk improvements to Neal Street to improve pedestrian mobility, accessibility, and safety, while connecting neighborhoods and protecting the environment;

WHEREAS, the sidewalk improvements will also provide a means for staff to safely walk to and from their offices and assigned parking lots;

WHEREAS, University of North Carolina-Greensboro agreed to reimburse the City for a portion of costs up to \$35,066; and

WHEREAS, the City of Greensboro will implement the project and invoice UNCG following project completion.

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

That said project is hereby formally approved by the City Council of the City of Greensboro and the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the University of North Carolina-Greensboro for the Neal Street Sidewalk Project.

(Signed) Yvonne Johnson

8. [ID 19-0474](#) Ordinance in the Amount of \$35,066 Amending 2008 Bond Fund for Neal Street Sidewalk Funding Agreement with University of North Carolina at Greensboro

19-088 ORDINANCE IN THE AMOUNT OF \$35,066 AMENDING 2008 BOND FUND FOR NEAL STREET SIDEWALK FUNDING AGREEMENT WITH UNIVERSITY OF NORTH CAROLINA AT GREENSBORO

Section 1:

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

That the appropriation for the Neal Street Sidewalk Funding agreement be as follows:

Amount	Description	Amount
471-4502-15.6015	Sidewalk Construction	\$35,066
TOTAL		\$35,066

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

Amount	Description	Amount
471-4502-15.8633	Reimbursements – Contract Agrmnts	\$35,066
TOTAL		\$35,066

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

9. [ID 19-0487](#) Ordinance in the Amount of \$300,000 Amending General Capital Improvements Fund Budget for FY 19-20

19-089 ORDINANCE IN THE AMOUNT OF \$300,000 AMENDING GENERAL CAPITAL PROJECTS FUND FOR FY 19-20

Section 1:

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

That the General Capital Projects Fund Budget of the City of Greensboro is hereby amended as follows:

Account Number	Description	Amount
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411-5020-01.6059	Other Capital Equipment	\$300,000
	TOTAL	\$300,000

And, that this increase be financed by increasing the following General Capital Projects Fund Budget accounts:

Account Number	Description	Amount
411-5020-01.9101	Transfer from General Fund	\$300,000
	TOTAL	\$300,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

10. [ID 19-0378](#) Resolution Calling a Public Hearing for August 20, 2019 on the Annexation of Territory into the Corporate Limits for the Property Located at 1039 thru Part 1051 NC Highway 68 North - 73.561-Acres (Greenlea 68 Land, LLC)

196-19 RESOLUTION CALLING A PUBLIC HEARING FOR AUGUST 20, 2019 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 1039 THRU PART 1051 NC HIGHWAY 68 NORTH – 73.561-ACRES

WHEREAS, the owner of all the hereinafter-described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 (non-contiguous) of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the August 20, 2019, the following ordinance will be introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 1039 THRU PART 1051 NC HIGHWAY 68 NORTH – 73.561-ACRES)

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

BEGINNING at a point in the western margin of the right-of-way of NC Highway 68 North, said point being the southeast corner of Greenlea 68 Land, LLC, as recorded in Deed Book 7425, Page 146; thence following the center of a creek the following eight-nine (89) calls: 1) S 59° 07' 06" W 12.54 feet to a point, 2) N 90° 00' 00" W 14.00 feet to a point, 3) S 66° 00' 00" W 26.00 feet to a point, 4) N 85° 00' 00" W 20.00 feet to a point, 5) N 56° 00' 00" W 31.00 feet to a point, 6) N 74° 00' 00" W 14.60 feet to a point, 7) N 88° 10' 03" W 173.30 feet to a point, 8) N 85° 00' 00" W 7.09 feet to a point, 9) N 63° 00' 00" W 24.00 feet to a point, 10) N 85° 00' 00" W 19.00 feet to a point, 11) N 49° 00' 00" W 13.00 feet to a point, 12) S 80° 00' 00" W 14.00 feet to a point, 13) S 28° 00' 00" W 16.00 feet to a point, 14) N 87° 00' 00" W 14.00 feet to a point, 15) N 75° 00' 00" W 27.00 feet to a point, 16) S 50° 00' 00" W 19.00 feet to a point, 17) S 86° 00' 00" W 18.00 feet to a point, 18) S 52° 00' 00" W 24.00 feet to a point, 19) S 74° 00' 00" W 28.00 feet to a point, 20) N 79° 00' 00" W 32.00 feet to a point, 21) N 26° 00' 00" W 14.00 feet to a point, 22) N 63° 00' 00" W 8.00 feet to a point, 23) S 61° 00' 00" W 21.00 feet to a point, 24) S 42° 00' 00" W 20.00 feet to a point, 25) S 70° 00' 00" W 17.00 feet to a point, 26) N 87° 00' 00" W 12.00 feet to a point, 27) S 38° 00' 00" W 18.00 feet to a point, 28) S 82° 00' 00" W 15.00 feet to a point, 29) S 59° 00' 00" W

17.00 feet to a point, 30) S 73° 00' 00" W 17.00 feet to a point, 31) S 55° 00' 00" W 40.00 feet to a point, 32) N 85° 00' 00" W 19.00 feet to a point, 33) S 21° 00' 00" W 45.00 feet to a point, 34) S 11° 00' 00" W 21.00 feet to a point, 35) S 49° 00' 00" W 23.00 feet to a point, 36) S 62° 00' 00" W 20.00 feet to a point, 37) S 75° 00' 00" W 20.00 feet to a point, 38) N 19° 00' 00" W 16.00 feet to a point, 39) N 74° 00' 00" W 8.00 feet to a point, 40) S 15° 00' 00" W 9.00 feet to a point, 41) S 26° 00' 00" W 14.00 feet to a point, 42) S 43° 00' 00" W 22.00 feet to a point, 43) N 83° 00' 00" W 20.00 feet to a point, 44) N 74° 00' 00" W 27.00 feet to a point, 45) S 56° 00' 00" W 10.00 feet to a point, 46) N 74° 00' 00" W 27.00 feet to a point, 47) S 69° 00' 00" W 22.00 feet to a point, 48) N 34° 00' 00" W 14.00 feet to a point, 49) N 73° 00' 00" W 28.00 feet to a point, 50) S 47° 00' 00" W 14.00 feet to a point, 51) N 72° 00' 00" W 20.00 feet to a point, 52) S 88° 00' 00" W 12.00 feet to a point, 53) S 51° 00' 00" W 18.00 feet to a point, 54) N 50° 00' 00" W 11.00 feet to a point, 55) N 41° 00' 00" W 12.00 feet to a point, 56) N 89° 00' 00" W 9.00 feet to a point, 57) S 52° 00' 00" W 9.00 feet to a point, 58) S 73° 00' 00" W 13.00 feet to a point, 59) S 86° 00' 00" W 16.00 feet to a point, 60) S 14° 00' 00" W 23.00 feet to a point, 61) N 71° 00' 00" W 13.00 feet to a point, 62) N 45° 00' 00" W 11.00 feet to a point, 63) S 28° 00' 00" W 25.00 feet to a point, 64) S 41° 00' 00" W 14.00 feet to a point, 65) N 79° 00' 00" W 8.00 feet to a point, 66) S 68° 00' 00" W 34.00 feet to a point, 67) N 65° 00' 00" W 15.00 feet to a point, 68) S 56° 00' 00" W 17.00 feet to a point, 69) N 83° 00' 00" W 9.00 feet to a point, 70) N 57° 00' 00" W 8.00 feet to a point, 71) S 70° 00' 00" W 30.00 feet to a point, 72) N 82° 00' 00" W 20.00 feet to a point, 73) S 73° 00' 00" W 40.00 feet to a point, 74) S 76° 00' 00" W 12.00 feet to a point, 75) N 90° 00' 00" W 50.00 feet to a point, 76) S 55° 00' 00" W 16.00 feet to a point, 77) S 42° 00' 00" W 15.00 feet to a point, 78) S 80° 00' 00" W 10.00 feet to a point, 79) N 64° 00' 00" W 14.00 feet to a point, 80) N 81° 00' 00" W 10.00 feet to a point, 81) S 57° 00' 00" W 9.00 feet to a point, 82) S 62° 00' 00" W 15.00 feet to a point, 83) S 87° 00' 00" W 24.00 feet to a point, 84) N 66° 00' 00" W 7.00 feet to a point, 85) S 80° 00' 00" W 8.00 feet to a point, 86) S 53° 00' 00" W 14.00 feet to a point, 87) N 10° 00' 00" W 5.00 feet to a point, 88) N 50° 00' 00" W 6.00 feet to a point, and 89) S 86° 00' 00" W 11.00 feet to a point; thence leaving the center of the creek S 13° 58' 35" E 29.60 feet to an existing iron pipe at the northeast corner of Silverstein Construction Corp., as recorded in Deed Book 6116, Page 1491; thence N 32° 05' 59" W 1,040.50 feet to a new iron pipe; thence N 15° 45' 52" W 63.80 feet to a point in the center of a creek; thence with the center of the creek the following forty-five (45) calls: 1) S 74° 00' 09" W 20.00 feet to a point, 2) S 76° 00' 09" W 32.00 feet to a point, 3) N 62° 59' 51" W 14.00 feet to a point, 4) N 72° 59' 51" W 31.00 feet to a point, 5) N 52° 59' 51" W 25.00 feet to a point, 6) N 36° 59' 51" W 11.00 feet to a point, 7) N 02° 59' 51" W 18.00 feet to a point, 8) N 56° 00' 09" E 22.00 feet to a point, 9) N 77° 00' 09" E 19.00 feet to a point, 10) N 19° 00' 09" E 9.00 feet to a point, 11) N 18° 59' 51" W 14.00 feet to a point, 12) N 37° 59' 51" W 18.00 feet to a point, 13) N 76° 59' 51" W 39.00 feet to a point, 14) N 40° 59' 51" W 15.00 feet to a point, 15) N 00° 59' 51" W 61.00 feet to a point, 16) N 10° 00' 09" E 40.00 feet to a point, 17) N 17° 00' 09" E 32.00 feet to a point, 18) N 01° 59' 51" W 21.00 feet to a point, 19) N 48° 00' 09" E 11.00 feet to a point, 20) S 80° 59' 51" E 10.00 feet to a point, 21) S 45° 59' 51" E 18.00 feet to a point, 22) S 74° 59' 51" E 32.00 feet to a point, 23) N 05° 59' 51" W 46.00 feet to a point, 24) N 48° 59' 51" W 18.00 feet to a point, 25) N 52° 59' 51" W 38.00 feet to a point, 26) N 18° 59' 51" W 16.00 feet to a point, 27) N 04° 59' 51" W 16.00 feet to a point, 28) N 61° 59' 51" W 39.00 feet to a point, 29) N 34° 59' 51" W 13.00 feet to a point, 30) N 19° 00' 09" E 18.00 feet to a point, 31) N 21° 59' 51" W 16.00 feet to a point, 32) N 49° 59' 51" W 11.00 feet to a point, 33) N 12° 00' 09" E 20.00 feet to a point, 34) N 55° 00' 00" E 6.00 feet to a point, 35) N 07° 59' 51" W 58.00 feet to a point, 36) N 11° 00' 09" E 20.00 feet to a point, 37) N 04° 00' 09" E 21.00 feet to a point, 38) N 16° 59' 51" W 53.00 feet to a point, 39) N 23° 00' 09" E 18.00 feet to a point, 40) N 40° 59' 51" W 38.00 feet to a point, 41) N 12° 00' 09" E 12.00 feet to a point, 42) N 22° 00' 09" E 25.00 feet to a point, 43) N 57° 59' 51" W 9.00 feet to a point, 44) N 23° 59' 51" W 21.00 feet to a point, and 45) N 51° 59' 51" W 3.31 feet to a point; thence leaving the center of the creek and following a new lot line of Greenlea 68 Land, LLC, recorded in Deed Book 7425, Page 155 the following nine (9) calls: 1) N 63° 41' 12" E 199.30 feet to a point, 2) N 76° 44' 56" E 257.25 feet to a point, 3) N 85° 15' 14" E 116.83 feet to a point, 4) N 79° 05' 38" E 172.22 feet to a point, 5) S 89° 04' 27" E 257.87 feet to a point, 6) S 57° 13' 16" E 160.39 feet to a point, 7) S 78° 15' 58" E 507.08 feet to a point, 8) S 63° 26' 45" E 181.73 feet to a point, and 9) S 88° 54' 42" E 216.47 feet to a point in the western margin of the new right-of-way of a service road; thence with a curve to the right, having an arc length of 239.17 feet and a radius of 330.00 feet, a chord bearing and distance of N 33° 51' 39" E 233.97 to a point; thence with a curve to the right, having an arc length of 85.87 feet and a radius of 330.00 feet, a chord bearing and distance of N 62° 04' 42" E 85.62 to a point; thence S 20° 26' 00" E 225.00 feet to a point in the western margin of the right-of-way of NC Highway 68 North, said point being the northeast corner of Greenlea Land, LLC (Deed Book 7425, Page 155); thence with the right-of-way of said highway S 20° 26' 00" E 463.95 feet to a point; thence with a curve to the left, having an arc length of 25.44 feet and a radius of 3,450.00 feet, a chord bearing

and distance of S 19° 55' 07" W 25.44 feet to a point; thence with a curve to the left, having an arc length of 853.53 feet and a radius of 3,450.00 feet, a chord bearing and distance of S 12° 37' 12" W 851.34 feet to the point and place of BEGINNING, containing 73.561 acres more or less.

The deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after August 20, 2019, the liability for municipal taxes for the 2019-2020 fiscal year shall be prorated on the basis of 10/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2019. Municipal ad valorem taxes for the 2020-2021 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

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

That Tuesday, August 20, 2019 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than August 10, 2019.

(Signed) Yvonne Johnson

11. [ID 19-0452](#) Resolution Calling a Public Hearing for August 20, 2019 on the Annexation of Territory into the Corporate Limits for the Property Located at 4501 Old Burlington Road - 4.7-Acres (Mid-state Petroleum Realty, LLC)

197-19 RESOLUTION CALLING A PUBLIC HEARING FOR AUGUST 20, 2019 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 4501 OLD BURLINGTON ROAD – 4.7-ACRES

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

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

WHEREAS, at a regular meeting of the City Council on the August 20, 2019, the following ordinance will be introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 4501 OLD BURLINGTON ROAD – 4.7-ACRES)

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

BEGINNING at a point in the existing Greensboro city limit line (as of April 30, 2019), said point being the southwest corner of that annexation approved in Ordinance No. 15-031, said point being in the roadbed of Willowlake Road (NCSR No. 2828); THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 87° 47' 30" E 31.30 feet to a right-of-way monument; thence with the northeast corner right-of-way line of Burlington Road (US Highway 70) and Willowlake Road S 48° 23' 42" E 47.90 feet to a right-of-way monument; thence with the north right-of-way line of Burlington Road N 89° 47' 57" E 160.48 feet to a right-of-way monument; thence continuing with said right-of-way line S 89° 29' 20" E 100.00 feet to a point; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a southerly direction approximately 100 feet to the northeast corner of Lot 1 of Estate of Lena Owen Isley, as recorded in Plat Book 99, Page 25 in the Office of the Register of Deeds of Guilford County; thence with the eastern line of said Lot 1 S 11° 40' E 542.16 feet to the southeast corner of said Lot 1; thence with the southeastern line of said Lot 1 S 42° 38' W 245.00 feet to the southernmost corner of said Lot 1; thence with the northeast right-of-way line of Old Burlington Road N 57° 27' W 148.92 feet to its intersection with the east right-of-way line of Willowlake Road; thence with said east right-of-way line N 08° 32' W 624.63 feet to a point within the right-of-way near the southeast corner of the intersection of Burlington Road and Willowlake Road; thence in a northwesterly direction approximately 140 feet to the point and place of BEGINNING, containing approximately 4.7 acres, of which approximately 4.02 acres lies outside existing street right-of-way.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after August 20, 2019, the liability for municipal taxes for the 2019-2020 fiscal year shall be prorated on the basis of 10/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2019. Municipal ad valorem taxes for the 2020-2021 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

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

That Tuesday, August 20, 2019 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than August 10, 2019.

(Signed) Yvonne Johnson

12. [ID 19-0467](#) Resolution Authorizing Acceptance of Dedication of Eight Drainageway and Open Space Parcels from Pierce Roif Corporation, Plainsman Development Corporation, Redwolf Development Co., LLC, Springfield Properties, Inc., Koury Corporation, Old South Home Company/Laurel Run Association and Westminster Homes, Inc.

198-19 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION OF EIGHT DRAINAGE WAY, FLOODPLAIN, AND OPEN SPACE PARCELS FROM PIERCE ROIF CORPORATION, PLAINSMAN DEVELOPMENT CORPORATION, REDWOLF DEVELOPMENT CO., LLC, SPRINGFIELD PROPERTIES, INC., KOURY CORPORATION, OLD SOUTH HOME COMPANY / LAUREL RUN ASSOCIATION, AND WESTMINSTER HOMES, INC.

WHEREAS, pursuant to North Carolina General Statutes Section 160A-374, the approval of a plat does not constitute the acceptance by a city or the public of the dedication of any street or other ground or public facility shown on the plat; however, a city council may by resolution accept the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes;

WHEREAS, Parcel #94098 was dedicated by the Pierce Roif Corporation to the public and the City of Greensboro for flood plain and open space on the Plat for Section 1 Pleasant Ridge Farms in Plat Book 99 Page 142 recorded on November 7, 1990. This parcel, also known as 4405 Open Eagle Rock Road, is approximately 4.51 acres, zoned R-3, and is located in Council District 3.;

WHEREAS, Parcel #93525 was dedicated by Plainsman Development Corporation to the City of Greensboro and the public as drainage way and open space and utility easement on the Final Plat for Phase 2B Pleasant Ridge Farms West in Plat Book 168 Page 142 recorded on March 8, 2007. This parcel, also known as 6323 Ridge Haven Road, is approximately 3.0 acres, zoned R-3, and is located in Council District 3.;

WHEREAS, Parcel #91123 was dedicated by Redwolf Development Co., LLC to the public and the City of Greensboro for drainage way and open space on the Final Plat of Section 2 The Village @ Carriage Woods in Plat Book 174 Page 117 recorded on June 20, 2008. This parcel, also known as 4823 R1 Yanceyville Road, is approximately 3.51 acres, zoned PUD, and is located in Council District 2.;

WHEREAS, Parcel #91180 was dedicated by Redwolf Development Co., LLC to the public and City of Greensboro for drainage way and open space on the Final Plat for Section I, Phase I, Map 2 of The Village @ Carriage Woods in Plat Book 158 Page 90 recorded on February 16, 2005. This parcel, also known as 500 Near Peach Orchard Drive, is approximately 1.13 acres, zoned PUD, and is located in Council District 2.;

WHEREAS, Parcel #81920 was dedicated by Springfield Properties, Inc. to the public and the City of Greensboro as greenway, open space, and floodplain on the Plat of Phase – I Section – 3 Sullivan's Lake in Plat Book 85 Page 108 recorded on May 28, 1987. This parcel, also known as 4337 Open Sullivans Lake Drive, is approximately 2.03 acres, zoned CD-RM-5, and is located in Council District 4.;

WHEREAS, Parcel #51873 was dedicated by the Koury Corporation to the City of Greensboro as drainage way and open space on the Final Plat for Koury Corporation Property as 218 East J.J. Drive in Plat Book 137 Page 109 recorded on June 8, 2000. This parcel, also known as 218 YY E. J J Drive, is approximately 3.59 acres, zoned LI, and is located in Council District 1.;

WHEREAS, Parcel #80537 was dedicated by the Old South Home Company to the City, County, and public as drainage way, open space, and utility easement on the Final Plat Phase 2, Map 1 of Laurel Run in Plat Book 131 Page 27 recorded on December 10, 1998. This parcel, also known as 4613 YY Laurel Run Drive, is approximately 1.69 acres, zoned CD-R-3, and is located in Council District 3. The parcel was subsequently deeded to the Laurel Run Association by General Warranty Deed recorded in Book 4806 Page 2171 on January 26, 1999.;

WHEREAS, Parcel #92092 was dedicated by Westminster Homes, Inc. to the City of Greensboro, Guilford County, and the public for drainage way and open space and utility easement on the Final Plat for Section 4 Lakeshore Village in Plat Book 130 Page 91 recorded on October 23, 1998. This parcel, also known as 5706 R1 River Glen Drive, is approximately 3.20 acres, zoned R-3, and is located in Council District 3.;

WHEREAS, the indicated drainage way, floodplain, and open space areas on the recorded subdivision plats have been reviewed and recommended for acceptance by the Greensboro Parks and Recreation Commission; and

WHEREAS, it is deemed in the best interest of the City to formally accept the dedication of these drainage way, floodplain, park, and open space parcels.

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

That the City of Greensboro accepts the dedication of the drainage way, floodplain, and open space parcels referenced above.

(Signed) Yvonne Johnson

13. [ID 19-0448](#) Resolution Authorizing the Purchase of Property Located at 1216 Bridford Parkway from Brixmor, LLC in the Amount of \$121,305 for the Bridford Parkway/Hornaday Road Sidewalk Project

199-19 RESOLUTION APPROVING THE APPRAISAL AND AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 1216 BRIDFORD PARKWAY FROM BRIXMOR, LLC IN THE AMOUNT OF \$121,305 FOR THE BRIDFORD PARKWAY/HORNADAY ROAD SIDEWALK PROJECT

WHEREAS, in connection with the Bridford Parkway/Hornaday Road Sidewalk Project, property owned by Brixmor, LLC, Parcel 0074690 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Jeff McKee at a value of \$121,305, which appraisal, in the opinion of the City Council, is fair and reasonable; and

WHEREAS, the owner has agreed to sell 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 property in the amount of \$121,305 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 471-4502-15.6012, Activity #A11171.

(Signed) Yvonne Johnson

14. [ID 19-0481](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Iris Brooks, Anderson Brooks III, Linda Brooks, Barbara Elliott, Arthur Elliot, Brenda Neal and Roy Neal Located at 814 S. English Street in Connection with the English Street Sidewalk Improvements Project

200-19 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF IRIS BROOKS, ANDERSON BROOKS III, LINDA BROOKS, BARBARA ELLIOT, ARTHUR ELLIOT, BRENDA NEAL AND ROY NEAL IN CONNECTION WITH THE ENGLISH STREET SIDEWALK IMPROVEMENT PROJECT

WHEREAS, Iris Brooks, Anderson Brooks III, Linda Brooks, Barbara Elliott, Arthur Elliot, Brenda Neal and Roy Neal are the owners of certain property located at 814 S. English Street, designated as Parcel # 0021507, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the English Street Improvement Project;

WHEREAS, negotiations with the owner at the appraised value of \$3,675.00 have been unsuccessful and said portion of the property is necessary for said project; and

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$3,675.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$3,675.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4546-01.6012 Activity #A 15138.

(Signed) Yvonne Johnson

15. [ID 19-0484](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Hanner Chapel Located at 3430 Summit Avenue in Connection with the Rankin Road and Martin Avenue Sidewalk Project

201-19 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF HANNER CHAPEL IN CONNECTION WITH THE RANKIN ROAD AND MARTIN AVENUE SIDEWALK PROJECT

WHEREAS, Hanner Chapel is the owner of certain property located at 3430 Summit Avenue, designated as Parcel # 0046689, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Rankin Road and Martin Avenue Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$20,700.00 have been unsuccessful and said portion of the property is necessary for said project; and

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$20,700.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$20,700.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 471-4502-15.6012 Activity #A 11171.

(Signed) Yvonne Johnson

16. [ID 19-0485](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of RBC Bank (USA) Located at 1316 Bridford Parkway in Connection with the Hilltop Sewer Improvement Project

202-19 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF RBC BANK (USA) IN CONNECTION WITH THE HILLTOP SEWER IMPROVEMENT PROJECT

WHEREAS, RBC Bank (USA) is the owner of certain property located at 1316 Bridford Parkway, designated as

Parcel # 0074721, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Hilltop Sewer Improvement Project;

WHEREAS, negotiations with the owner at the appraised value of \$57,200.00 have been unsuccessful and said portion of the property is necessary for said project; and

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$57,200.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$57,200.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 503-7028-02.6012 Activity #A 19045.

(Signed) Yvonne Johnson

17. [ID 19-0486](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Landmark Henry, LLC Located at 4428 W. Wendover Avenue in Connection with the Hilltop Sewer Improvement Project

203-19 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF LANDMARK HENRY, LLC IN CONNECTION WITH THE HILLTOP SEWER IMPROVEMENT PROJECT

WHEREAS, Landmark Henry, LLC is the owner of certain property located at 4428 W. Wendover Avenue, designated as Parcel # 0074474, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Hilltop Sewer Improvement Project;

WHEREAS, negotiations with the owner at the appraised value of \$128,400.00 have been unsuccessful and said portion of the property is necessary for said project; and

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$128,400.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$128,400.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 503-7028-02.6012 Activity #A 19045.

(Signed) Yvonne Johnson

18. [ID 19-0488](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Flow 1205 Bridford, LLC Located at 1205

Bridford Parkway in Connection with the Hilltop Sewer Improvement Project

204-19 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF FLOW 1205 BRIDFORD, LLC IN CONNECTION WITH THE HILLTOP SEWER IMPROVEMENT PROJECT

WHEREAS, Flow 1205 Bridford, LLC is the owner of certain property located at 1205 Bridford Parkway, designated as Parcel # 0074701, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Hilltop Sewer Improvement Project;

WHEREAS, negotiations with the owner at the appraised value of \$75,320.00 have been unsuccessful and said portion of the property is necessary for said project; and

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$75,320.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$75,320.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 503-7028-02.6012 Activity #A 19045.

(Signed) Yvonne Johnson

19. [ID 19-0500](#) Resolution of the City of Greensboro, County of Guilford, Regarding the Designation of an Official to Make Recommendations to the North Carolina Alcoholic Beverage Control Commission on ABC Permit Applications

205-19 RESOLUTION OF THE CITY OF GREENSBORO, COUNTY OF GUILFORD, REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

WHEREAS G.S.18B-904(1) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS, the City of Greensboro, County of Guilford, wishes to notify the NC ABC Commission of its designation as required by G.S.18B-904(f);

BE IT THEREFORE RESOLVED that the Commanding Officer of the Vice Narcotics Division is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of Greensboro, County of Guilford, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED that notices to the City of Greensboro, County of Guilford, should be mailed or delivered to the official designated above at the following address:

Mailing Address: 100 E. Police Plaza
Office location: 100 E. Police Plaza
City/State: Greensboro, North Carolina
Zip Code: 27401

Phone #: (336) 373-7732

(Signed) Yvonne Johnson

20. [ID 19-0445](#) Resolution to Adopt Updates to the 2019 City of Greensboro Special Events Sponsorship Policy

206-19 RESOLUTION TO ADOPT UPDATES TO THE SPECIAL EVENTS SPONSORSHIP POLICY

WHEREAS, the City of Greensboro recognizes the importance of providing support for community-based programs and celebrations that are hosted throughout the Greensboro area;

WHEREAS, special events provide general economic benefit for the City's business community and support of cultural, athletic and educational enrichment;

WHEREAS, the City supports the expansion of resident accessibility to a wide range of cultural experiences and community connections for all of its residents;

WHEREAS, the City recognizes that sponsorship funds play an important role in supporting our community, as well as to promote the tourism and economic development efforts of the City;

WHEREAS, the updates to the 2019 Special Events Sponsorship Policy include reducing the maximum grant amount from \$3,000 to \$2,000 per event, restricting the number of consecutive years for allocation to three years, and requiring awarded recipient programs to have free admission or participation offerings; and

WHEREAS, the Greensboro Parks and Recreation Commission, at its May 8, 2019 meeting, unanimously approved a recommendation that the City Council support the resolution to adopt the proposed updates to the City's Special Events Sponsorship Policy.

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

That the City of Greensboro City Council adopts the updates to the 2019 Special Events Sponsorship Policy.

(Signed) Yvonne Johnson

21. [ID 19-0455](#) Ordinance in the Amount of \$125,000 for the 2019 Greensboro Police Telestaff and Technology Grant

19-090 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR A NC DRUG EXCISE TAX GRANT FOR GREENSBORO POLICE DEPARTMENT

Section 1:

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

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

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

Account name- Greensboro Police Telestaff and Technology Grant 2019

Account	Description	Amount
220-3594-01.5235	Small Tools & Equipment	\$ 65,000
220-3594-01.6058	Capital Software & Services	\$ 60,000

Total \$ 125,000

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

Account	Description	Amount
220-3594-01.7123	State Drug Excise Tax	\$ 125,000
Total		\$ 125,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

22. [ID 19-0463](#) Ordinance in the Amount of \$33,465 Amending State, Federal, and Other Grant Fund Budget for the Appropriation of Community Waste Reduction and Recycling Grant Funds

19-091 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF COMMUNITY WASTE REDUCTION AND RECYCLING GRANT FUNDS

Section 1:

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

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

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

Account	Description	Amount
220-4309-01.5221	Advertising	\$32,465
220-4309-01.5224	Outside Printing & Publishing	\$1,000
Total		\$33,465

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

Account	Description	Amount
220-4309-01.7110	State Grant	\$26,000
220-4309-01.9101	Transfer from General Fund	\$7,465
Total		\$33,465

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

23. [ID 19-0471](#) Ordinance Amending Chapter 25 of the Greensboro Code of Ordinances;

Amending Solid Waste Fees

Councilmember inquired about the ordinance amendment for item #23.

19-092 AN ORDINANCE AMENDING CHAPTER 25 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO SOLID WASTE FEES

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

Section 1. That Section 25-21 of the Greensboro Code of Ordinances is hereby amended to read as follows:
Sec. 25-21. - Types of fees.

(a) Solid Waste Monthly Fee. A monthly fee of two dollars and fifty cents (\$2.50) shall be assessed to all property units eligible for curbside collection service in accordance with Section 25-13 of this ordinance. This fee shall be used for the purposes of curbside collection, processing and disposal of refuse, yard waste, bulk waste, and recycling materials. The effective date of this ordinance is July 1, 2019.

Section 2. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective on July 1, 2019.

(Signed) Yvonne Johnson

24. [ID 19-0494](#) Budget Adjustments Requiring Council Approval 6/12/19 - 7/10/19

Motion to approve the budget adjustments of 6/12/19 - 7/10/19 over the amount of \$50,000 was adopted.

(A copy of the report is filed in Exhibit Drawer B, Exhibit No. 16, which is hereby referred to and made a part of these minutes.)

25. [ID 19-0493](#) Budget Adjustments Approved by Budget Officer 6/12/19 – 7/8/19

Motion to accept the report of budget adjustments of 6/12/19 - 7/8/19 was adopted.

(A copy of the report is filed in Exhibit Drawer B, Exhibit No. 16, which is hereby referred to and made a part of these minutes.)

26. [ID 19-0462](#) Motion to Approve the Minutes of the Special Meeting of June 12, 2019

Motion to approve the minutes of the Special Meeting of June 12, 2019 was adopted.

27. [ID 19-0504](#) Motion to Approve the Minutes of the Regular Meeting of June 18, 2019

Motion to approve the minutes of the Regular Meeting of June 18, 2019 was adopted.

3. [ID 19-0437](#) Resolution Approving the Encroachment Agreement between the City of Greensboro and Spartan Student Apartments, LLC for Encroachment into City Right-Of-Way Across Poe Street and Sherwood Street, Crossing Granite Street and Sherwood Street, Crossing Chapman Street.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiteer, to the resolution. The motion carried on the following roll call vote:

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Tammi Thurm and Goldie F. Wells

Excused, 1 - Justin Outling

Absent, 1 - Nancy Hoffmann

207-19 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND SPARTAN STUDENT APARTMENTS, LLC FOR ENCROACHMENT INTO CITY RIGHT-OF-WAY AT POE STREET AND SHERWOOD STREET, CROSSING GRANITE STREET AND SHERWOOD STREET ONTO CHAPMAN STREET

WHEREAS, Spartan Student Apartments, LLC has requested that the City permit the proposed installation of communication line beneath Poe Street and Sherwood Street, crossing Granite Street and Sherwood Street onto Chapman to provide high speed connectivity to Sebastian Village, Sebastian Court and Sebastian Place;

WHEREAS, the owner has agreed to enter into an Encroachment Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the communication line above said right-of-way; and

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said installation of fiber optic communication lines beneath Poe Street and Sherwood Street, crossing Granite Street and Sherwood Street onto Chapman in accordance with the terms and conditions of an 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 Spartan Students Apartments, to permit the installation of fiber optic communication lines beneath Poe Street and Sherwood Street, crossing Granite Street and Sherwood Street onto Chapman to provide fiber optic connectivity all in accordance with the terms and conditions set out therein.

(Signed) Tammi Thurm

II. PUBLIC HEARING AGENDA

31. [ID 19-0490](#) Resolution Authorizing an Economic Development Incentive to Pactiv LLC in an Amount Not to Exceed \$167,739

Taking the prerogative of the Chair, Mayor Vaughan requested Council consider Item #31/ID 19-0490 prior to other public hearing items. It was the consensus of Council to hear Item #31 before other public hearing items.

Mayor Vaughan stated this was the time and place set for a public hearing to consider a Resolution Authorizing an Economic Development Incentive to Pactiv LLC in an Amount Not to Exceed \$167,739.

City Manager Parrish spoke to Pactiv's local presence in Greensboro; outlined a proposal for expansion of services; to investments; and recognized Greensboro Chamber of Commerce Brent Christensen.

Mr. Christensen spoke to the partnership opportunity; to a competitive process; and stated Pactiv representatives were in attendance to answer Council questions.

Councilmember Outling asked for clarification on the request; and to Greensboro investments as compared to other locations.

Brad Adams, Pactiv General Manager, provided the history of the company; and spoke to marketing in various locations.

Kathy Mussio, Atlas Insight LLC, spoke to a competitive process.

Discussion took place regarding environmental concerns; recycling packaging; timelines for moving forward; economic development incentives; state funding; infrastructure investments; onboarding of new employees; diversity statistics; and a timeline for project completion.

Mayor Vaughan spoke to Pactiv meeting benchmark goals; and to job creation.

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

208-19 RESOLUTION AUTHORIZING AN ECONOMIC DEVELOPMENT INCENTIVE TO PACTIV LLC IN AN AMOUNT NOT TO EXCEED \$167,739

WHEREAS, on May 17, 2005, the City Council adopted Economic Development Guidelines whereby the City may participate financially in the development of certain private improvements to promote economic development in accordance with the Guidelines and NCGS Section 158-7.1;

WHEREAS, Pactiv LLC (the Company) is considering Greensboro in addition to other cities located in the United States for the expansion of existing manufacturing operations at 520 Radar Road in Greensboro;

WHEREAS, the Company has requested that the City provide for a economic development incentive grant in the amount of \$167,739 for the creation of 25 new jobs and investment of at least \$13,000,000 in new machinery and equipment on or before December 31, 2020;

WHEREAS, but for the City's grant, the Company will not locate in Greensboro;

WHEREAS, the addition of 25 new jobs and investment in new machinery and equipment is expected to generate public benefit by increasing taxable property and employment in the City; and

WHEREAS, a public hearing was held on July 16, 2019, in accordance with N.C.G.S. 158-7.1 setting out the particulars of the request and the public benefits to be derived from said improvements;

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

(1) That in accordance with the City's New Economic Development Incentive Guidelines, and pursuant to N.C.G.S. 158-7.1, a grant reimbursement and participatory agreement between the City of Greensboro and Pactiv LLC in the amount of \$167,739 for the creation of 25 new jobs (above its current level of 131 employees) with an average annual wage of \$48,200 and investment of at least \$13,000,000 at the Company's existing facility in Greensboro on or before December 31, 2020.

(2) The City Manager and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper agreement.

(3) The grant shall be paid after investment has been made and all new jobs are created and confirmed with the City in three consecutive installments not to exceed \$55,913 per year and \$167,739 in total.

(Signed) Marikay Abuzuaiter

28. [ID 19-0496](#) Ordinance Amending the Greensboro Code of Ordinances Chapter 11 Housing Code to Add Good Repair for Non-Residential Buildings and Structures

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Amending the Greensboro Code of Ordinances Chapter 11 Housing Code to Add Good Repair for Non-Residential Buildings and Structures; stated the item had been postponed from the June 18th meeting of Council; and recognized Code Compliance Manager Troy Powell.

Mr. Powell made a PowerPoint Presentation (PPP); provided the history of the ordinance; outlined complaint initiations; spoke to civil penalties; implementation of violations; to employee positions; outlined opportunities for public input; spoke to an educational campaign; and voiced appreciation for support.

Councilmember Outling spoke to the complaint process; and voiced concerns with violation enforcement.

Councilmember Thurm spoke to the education for staff, citizens, and board and commission members.

Assistant City Manager Chris Wilson spoke to departmental training.

Discussion took place regarding inspector certification; professionalism; stakeholder input; and a complaint driven process.

Councilmember Hightower requested staff provide a timeline of repairs following an administrative hearing.

Discussion continued regarding the purpose of the ordinance; safety; requirements to repair; orders to demolish; review by the Minimum Housing Commission; state law regarding a two year rule; lien capabilities; stakeholder input; involvement of Piedmont Capital for financial assistance; and enforcement of exterior minor violations.

Councilmember Kennedy requested staff to develop a strategy for processing Minimum Housing Commission caseload.

Triad Real Estate and Building Industry Coalition (TREBIC) Board Chair, Sterling Kelly voiced appreciation for the continuance; spoke to stakeholder involvement; and to the need for on-going dialogue.

Judy Stalder echoed appreciation comments; spoke to additional protections that had been included; and to the need for safe and secure buildings.

Tonya Brady voiced appreciation for stakeholder input; and outlined changes that had been made from the ordinance.

Kathy Carpenter, Greensboro Realtors Association President, spoke to realtor participation; to an edited version; to a collaborative effort; and to the realtors mission.

Paula Pierce, Downtown Greensboro Incorporated (DGI) Board Chair, spoke to an Economic Development focus; organizational goals; attracting businesses; blighted properties; and to enhancement of commercial standards.

Luck Davidson, Triad Local First Board Chair, voiced support for the Good Repair Ordinance; spoke to boarded up store fronts; and to employment opportunities.

Jennifer Graf, a local business owner spoke to vacant buildings; stunted business growth; and highlighted a petition of downtown business owners.

Rebecca Krossner representing the Downtown Residents Association voiced support for the ordinance; concerns with boarded up buildings; and with safety.

Angie Gunn, a downtown resident, voiced support for the ordinance; and spoke to community.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to close the public hearing. The

motion carried by voice vote.

Council discussed the history of the ordinance; non-residential buildings; blighted properties; financial assistance to business owners; stakeholder engagement; alignment with the residential ordinance; support for staff recommendations; identifying violations; requirements to cure major violations; inclusion of property owners in the stakeholder meetings; enforcement concerns; certificates of occupancy; options to amend the ordinance in the future; citizen protections; and violations following the property as with residential properties.

Assistant City Attorney Terri Jones explained state law requirements.

Councilmember Wells spoke to the continuance; to the need for repairs in east Greensboro; and the need for good repair.

Mayor Vaughan voiced appreciation to the staff; spoke to the stakeholder review of the ordinance; and to the need for safe and secure structures.

Councilmember Outling clarified previous comments; and voiced appreciation for stakeholder input.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer B, Exhibit No.16 which is hereby referred to and made a part of these minutes.)

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

19-093 AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES CHAPTER 11 HOUSING CODE.

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

Section 1. That Chapter 11 of the Greensboro Code of Ordinances is hereby amended to add a Good Repair Ordinance to Article II Administration and Enforcement to read as follows:

ARTICLE II. – ADMINISTRATION AND ENFORCEMENT

DIVISION 2. - NON-RESIDENTIAL BUILDINGS OR STRUCTURES

Sec. 11-45. - Good repair.

(a) Authority. The City adopts this good repair ordinance relating to nonresidential buildings or structures that fail to meet minimum standards of maintenance, sanitation, and safety as established herein.

(1) The Director of the Department of Neighborhood Development is hereby designated as the public officer with the authority to exercise the powers prescribed by this section, in accordance with the procedures specified in this section.

(2) The Director may delegate said powers to any inspectors trained to inspect non-residential buildings under his or her direction or supervision.

(3) This section is applicable within the corporate limits of the city.

(4) Minimum standards. In order to address conditions that are dangerous and injurious to public health, safety,

and welfare and to identify circumstances under which a public necessity exists for the repair, closing or demolition of nonresidential buildings or structures, it is the purpose of this section to establish minimum standards of maintenance, sanitation, and safety for nonresidential buildings and structures located within the City limits. This ordinance should not be construed as to regulate the architectural design aesthetics of any building or structure. The City adopts the International Property Maintenance Code, as copyrighted by the International Code Council, Inc., as the minimum standards, except as amended by Sec. 11-57 of this chapter. [NCGS 160A-439(a)]

(b) Investigation.

(1) Whenever it appears to the public officer that any nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the general public or abutting buildings or structures are jeopardized for failure of the property to meet the minimum standards adopted by the City Council in subsection (a)(4), the public officer shall undertake a preliminary investigation.

(2) If entry upon the premises for purposes of investigation is necessary, such entry shall be made pursuant to a duly issued administrative search warrant in accordance with NCGS 15-27.2 or with the permission of the owner, the owner's agent, a tenant, or other person legally in possession of the premises. [NCGS 160A-439(b)]

(3) The public officer shall refer the results of the preliminary investigation to the building inspector for investigation and enforcement pursuant to Sec. 11-43 of this chapter (with notice to the fire inspector), if the preliminary investigation discloses evidence of any one of the following major conditions:

- i. Supporting walls or vertical studs which seriously list, lean, buckle, or are damaged or deteriorated to such an extent as to render the building unsafe.
- ii. Floors or roofs which have improperly distributed loads, which are overloaded, or which have insufficient strength to be reasonably safe for the purposes used.
- iii. Damage by fire, wind, floods, or other causes as to render the building unsafe.
- iv. Dilapidation, decay, unsanitary conditions, vermin or rat infestation, filth or contamination, or disrepair which is dangerous to the health, safety, or welfare of the occupants or other people in the city.
- v. Inadequate facilities for egress in case of fire or panic.
- vi. Defects significantly increasing the hazards of fire, accident, or other calamities.
- vii. Lack of adequate ventilation, electrical, plumbing, illumination, sanitary or heating facilities, or other essential equipment to such extent as to endanger the health, safety, or general welfare of the occupants or other residents of the city.

(c) Complaint and hearing. The public officer shall issue and cause to be served upon the owner of and parties in interest in the nonresidential building or structure a complaint if the preliminary investigation discloses evidence of more than five (5) separate types of violations of any of the standards set forth in the International Property Maintenance Code which are not being investigated by the building inspector pursuant to subsection (b)(3) of this section. The complaint shall state the charges and contain a notice that a hearing will be held before the public officer (or his or her designated agent) at a place within the city scheduled not less than 10 days nor more than 30 days after the serving of the complaint; and that the rules of evidence prevailing in courts of law and equity shall not be controlling in hearings before the public officer. [NCGS 160A-439(c)]

(d) Order. If, after notice and hearing, the public officer determines that the nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the general public is jeopardized for failure of the property to meet the minimum standards established in subsection (a), the public officer shall state in writing findings of fact in support of that determination and shall issue and cause to be served

upon the owner thereof an order. The order may require the owner to take remedial action, within a reasonable time specified, subject to the procedures and limitation in subsection (e). [NCGS 160A-439(d)]

(e) Limitations on orders.

(1) Vacant buildings or structures.

i. Maintenance standards set forth in the International Property Maintenance Code, as amended by Sec. 11-57 of this chapter, shall not apply to the interior of vacant nonresidential buildings or structures (or vacant portions thereof if required fire separation exists between the occupied and unoccupied portions of the building or structure) provided:

1. The building, structure, or portion thereof is not occupied;
2. There are no existing major violations as listed in Sec. 11-45(b)(3); and
3. The unoccupied building, structure, or portion thereof is properly secured to prevent unauthorized access.

ii. If the public officer orders a nonresidential building or structure vacated and closed pursuant to this chapter, the owner shall board and secure such building or structure in accordance with the guidelines provided by the public officer.

iii. Windows and doors which are boarded for longer than six (6) months shall be painted or covered to appear consistent with the remainder of the building exterior.

(2) An order may require the owner to repair, alter, or improve the nonresidential building or structure in order to bring it into compliance with the minimum standards established by the governing body or to vacate and close the nonresidential building or structure for any use.

(3) An order may require the owner to remove or demolish the nonresidential building or structure if the cost of the repair, alteration, or improvement of the building or structure would exceed sixty-five percent (65%) of its then current value. Notwithstanding any other provision of law, if the nonresidential building or structure is designated as a local historic landmark, listed in the National Register of Historic Places, or located in a locally designated historic district or in a historic district listed in the National Register of Historic Places and the Minimum Housing Standards Commission determines, after a public hearing as provided by this chapter, that the nonresidential building or structure is of individual significance or contributes to maintaining the character of the district, and the nonresidential building or structure has not been condemned as unsafe, the order may require that the nonresidential building or structure be vacated and closed until it is brought into compliance with the minimum standards established in subsection (a).

(4) An order may not require repairs, alternations, or improvements to be made to vacant manufacturing facilities or vacant industrial warehouse facilities to preserve the original use. The order may require such building or structure to be vacated and closed, but repairs may be required only when necessary to maintain structural integrity or to abate a health or safety hazard that cannot be remedied by ordering the building or structure closed for any use. [NCGS 160A-439(e)]

(f) Action by City upon failure to comply with order.

(1) If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the nonresidential building or structure, the Minimum Housing Standards Commission may adopt an ordinance ordering the public officer to proceed to effectuate the purposes of this section with respect to the particular property or properties that the public officer found to be jeopardizing the health or safety of its occupants or members of the general public. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the register of deeds and shall be indexed in the name of the property owner or owners in the grantor index. Following adoption of an ordinance, the public officer may cause the building or structure to be repaired, altered, or improved

or to be vacated and closed. The public officer may cause to be posted on the main entrance of any nonresidential building or structure so closed a placard with the following words: "This building is unfit for any use; the use or occupation of this building for any purpose is prohibited and unlawful." Any person who occupies or knowingly allows the occupancy of a building or structure so posted shall be guilty of a Class 3 misdemeanor.

(2) If the owner fails to comply with an order to remove or demolish the nonresidential building or structure, the Minimum Housing Standards Commission may adopt an ordinance ordering the public officer to proceed to effectuate the purpose of this section with respect to the particular property or properties that the public officer found to be jeopardizing the health or safety of its occupants or members of the general public. No ordinance shall be adopted to require demolition of a nonresidential building or structure until the owner has first been given a reasonable opportunity to bring it into conformity with the minimum standards established by the governing body. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the register of deeds and shall be indexed in the name of the property owner or owners in the grantor index. Following adoption of an ordinance, the public officer may cause the building or structure to be removed or demolished. [NCGS 160A-439(f)]

(g) Action upon Abandonment of Intent to Repair. If the public officer has issued an order requiring the building or structure to be repaired or vacated and closed and the building or structure has been vacated and closed for a period of two years pursuant to the ordinance or order, the Minimum Housing Standards Commission may make findings that the owner has abandoned the intent and purpose to repair, alter, or improve the building or structure and the continuation of the building or structure in its vacated and closed status would be inimical to the health, safety, and welfare of the city in that it would continue to deteriorate, would create fire or safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, or would cause or contribute to blight and the deterioration of property values in the area. Upon such findings, the Commission may, after the expiration of the two-year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

(1) If the cost to repair the nonresidential building or structure to bring it into compliance with the minimum standards is less than or equal to sixty-five percent (65%) of its then current value, the ordinance shall require that the owner either repair or demolish and remove the building or structure within 90 days; or

(2) If the cost to repair the nonresidential building or structure to bring it into compliance with the minimum standards exceeds sixty-five percent (65%) of its then current value, the ordinance shall require the owner to demolish and remove the structure within 90 days.

(3) In the case of vacant manufacturing facilities or vacant industrial warehouse facilities, the building or structure must have been vacated and closed pursuant to an order or ordinance for a period of five years before the Commission may take action under this subsection.

(4) The ordinance shall be recorded in the Office of the Register of Deeds for Guilford County and shall be indexed in the name of the property owner in the grantor index.

(5) If the owner fails to comply with the ordinance, the public officer shall effectuate the purpose of the ordinance. [NCGS 160A-439(g)]

(h) Service of Complaints and Orders. Complaints or orders issued by a public officer pursuant to an ordinance adopted under this section shall be served upon persons either personally or by registered or certified mail so long as the means used are reasonably designed to achieve actual notice. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is refused, but the regular mail is not returned by the post office within 10 days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected. If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the public officer in the exercise of reasonable diligence, and the public officer makes an affidavit to that effect, the serving of the complaint or order upon the owners or other persons may be made by publication in a

newspaper having general circulation in the city at least once no later than the time that personal service would be required under this section. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected. [NCGS 160A-439(h)]

(i) Liens.

(1) The amount of the cost of repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the public officer shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of the General Statutes.

(2) If the nonresidential building or structure is removed or demolished by the public officer, he or she shall offer for sale the recoverable materials of the building or structure and any personal property, fixtures, or appurtenances found in or attached to the building or structure and shall credit the proceeds of the sale, if any, against the cost of the removal or demolition, and any balance remaining shall be deposited in the superior court by the public officer, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court. Nothing in this section shall be construed to impair or limit in any way the power of the governing body to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise. [NCGS 160-439(i)]

(j) Ejectment. If any occupant fails to comply with an order to vacate a nonresidential building or structure, the public officer may file a civil action in the name of the city to remove the occupant. The action to vacate shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties defendant any person occupying the nonresidential building or structure. The clerk of superior court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date, and place not to exceed 10 days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. 42 29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served and if at the hearing the public officer produces a certified copy of an ordinance adopted by the governing body pursuant to subsection (f) of this section to vacate the occupied nonresidential building or structure, the magistrate shall enter judgment ordering that the premises be vacated and all persons be removed. The judgment ordering that the nonresidential building or structure be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. 42 30. An appeal from any judgment entered under this subsection by the magistrate may be taken as provided in G.S. 7A 228, and the execution of the judgment may be stayed as provided in G.S. 7A 227. An action to remove an occupant of a nonresidential building or structure who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this subsection unless the occupant was served with notice, at least 30 days before the filing of the summary ejectment proceeding, that the governing body has ordered the public officer to proceed to exercise his duties under subsection (f) of this section to vacate and close or remove and demolish the nonresidential building or structure. [NCGS 160A-439(j)]

(k) Civil Penalty. The City may impose civil penalties against any person or entity that fails to comply with an order entered pursuant to this section. However, the imposition of civil penalties shall not limit the use of any other lawful remedies available to the City for the enforcement of any ordinances adopted pursuant to this section. [NCGS 160A-439(k)]

(l) Powers Supplemental. The powers conferred by this section are supplemental to the powers conferred by any other law. An ordinance adopted by the Minimum Housing Standards Commission may authorize the public officer to exercise any powers necessary or convenient to carry out and effectuate the purpose and provisions of this section, including the following powers in addition to others herein granted:

(1) To investigate nonresidential buildings and structures in the city to determine whether they have been properly maintained in compliance with the minimum standards so that the safety or health of the occupants or members of the general public are not jeopardized.

- (2) To administer oaths, affirmations, examine witnesses, and receive evidence.
- (3) To enter upon premises pursuant to subsection (b) of this section for the purpose of making examinations in a manner that will do the least possible inconvenience to the persons in possession.
- (4) To appoint and fix the duties of officers, agents, and employees necessary to carry out the purposes of the ordinances adopted by the Commission.
- (5) To delegate any of his or her functions and powers under the ordinance to other officers and agents, including any City inspector. [NCGS 160A-439(l)]
- (m) Appeals. Appeals may be taken from any decision or order of the public officer to the Minimum Housing Standards Commission. Any person aggrieved by a decision or order of the public officer shall have the remedies provided in G.S. 160A 446. [NCGS 160A-439(m)]
- (n) Funding. The City may make appropriations from its revenues necessary to carry out the purposes of this section and may accept and apply grants or donations to assist in carrying out the provisions of the ordinances adopted by the governing body. [NCGS 160A-439(n)]
- (o) No Effect on Just Compensation for Taking by Eminent Domain. – Nothing in this section shall be construed as preventing the owner or owners of any property from receiving just compensation for the taking of property by the power of eminent domain under the laws of this State, nor as permitting any property to be condemned or destroyed except in accordance with the police power of the State. [NCGS 160A-439(o)]
- (p) Definitions.
- (1) "Parties in interest" means all individuals, associations, and corporations who have interests of record in a nonresidential building or structure and any who are in possession thereof.
- (2) "Vacant industrial warehouse" means any building or structure designed for the storage of goods or equipment in connection with manufacturing processes, which has not been used for that purpose for at least one year and has not been converted to another use.
- (3) "Vacant manufacturing facility" means any building or structure previously used for the lawful production or manufacturing of goods, which has not been used for that purpose for at least one year and has not been converted to another use. [NCGS 160A-439(p)]

* * * *

Sec. 11-56. - International Property Maintenance Code.

The following chapters and index of the International Property Maintenance Code, as copyrighted by the International Code Council, Inc., shall be applicable to those buildings and structures, residential and non-residential, as if fully set forth in this article, with any additions, insertions, deletions and changes, if any, prescribed in this article.

Chapter 1 Administration

Chapter 2 Definitions, except that terms defined in section 11-2 shall take precedence over any conflicting definitions in Chapter 2 of the IPMC

Chapter 3 General Requirements

Chapter 4 Light, Ventilation and Occupancy Limitations

Chapter 5 Plumbing Facilities and Fixture Requirements

Chapter 6 Mechanical and Electrical Requirements

Chapter 7 Fire Safety Requirements

Chapter 8 Referenced Standards

Appendix A

Index

Amendments to the International Property Maintenance Code (IPMC) which are adopted and published by the International Code Council, Inc., from time to time, shall be effective as to this chapter 11 on the effective date prescribed by the International Code Council, Inc. In the event of conflict between the International Property Maintenance Code, including any codes referenced therein in Chapter 8, and any codes adopted by the North Carolina General Assembly and effective and applicable to property located in the City of Greensboro, those North Carolina codes shall control.

Sec. 11-57. - Same—Amendments.

(a) The following sections of the IPMC are hereby revised:

(1) Section 102.2, Maintenance, Amend the section by adding the following, "Equipment, systems, devices and safeguards installed in a building or structure shall be maintained in accordance with the original installation standards for that equipment, system, device or safeguard. Repair of one system in a building or structure shall not require all systems to be upgraded to the current building code, unless there are violations related to those other systems and the North Carolina Existing Building Code would require compliance with the North Carolina Building Code currently in effect."

(2) Section 106.3, Prosecution of violations, Amend the section by deleting the entire section;

(3) Section 302.4, Weeds, Amend the section by deleting the entire section;

(4) Section 302.8, Motor vehicles, Amend the section by deleting the entire section;

(5) Section 302.9, Defacement of property, Amend the section by deleting the entire section;

(6) Section 303, Swimming Pools, Spas and Hot Tubs, Amend the section by deleting the entire section;

(7) Section 304.1.1.6, Unsafe conditions, Amend the section by deleting the phrase, "not plumb and" from line 2;

(8) Section 304.1.1.7, Unsafe conditions, Amend the section by deleting the phrase, "are not plumb and" from line 2;

(9) Section 304.2, Protective treatment, Amend the section by adding the phrase, "requiring paint for protection from the elements" prior to the term "repainted" in line 8 and by deleting the sentence, "Oxidation stains shall be removed from exterior surfaces." in lines 14-15;

(10) Section 304.5, Foundation walls, Amend the section by deleting the phrase, "plumb and" from line 2 and by adding the following sentence, "Walls, vertical studs, partitions, supporting members, sills, joists, rafters, or other basic structural members shall not list, lean, or buckle to such extent as to render the building the unsafe."

(11) Section 304.13.1, Glazing, Amend the section by deleting the words "Glazing" and replacing with the words

"Glass" in line 1;

(12) Section 304.13.2, Openable windows, Amend the section by adding the sentence, "In non-residential buildings and structures, every window required as a means of egress shall be easily openable and capable of being held in position by window hardware."

(13) Section 304.14, Insect screens, Amend the section by deleting the phrase, "During the period from ____ to ____" and begin the section with the word "Every" and by adding the following sentence, "Exception: Screens shall not be required in non-residential buildings or structures.";

(14) Section 307, Handrails and guardrails, Amend the section by deleting the entire section;

(15) Section 506.3, Grease interceptors, Amend the section by deleting the entire section;

(16) Section 602.3, Heat supply, Amend the section by deleting the phrase, "during the period from ____ to ____" from line 5; and

(17) Section 602.4, Occupiable work spaces, Amend the section by deleting the phrase, "during the period from ____ to ____" from lines 2 and 3;

(18) Section 701.2, Responsibility, Amend this section by deleting the phrase, "with these requirements" from line 3 and replacing with the phrase, "with the North Carolina Fire Code" and by deleting the phrase, "with the requirements of this chapter" from lines 5-6 and replacing with the phrase, "with the North Carolina Fire Code";

(19) Chapter 7, Fire Safety Requirements, Amend the chapter by deleting Sections 702 through 705.

(b) The following amendments are made to Chapter 8 of the IPMC:

The following paragraph is added to the chapter:

"All structures currently in compliance with all existing codes shall not be subject to the provisions of this Code until such time as they are found to be in violation of existing codes or are remodeled, up-fitted or renovated.

(1) A structure currently in compliance with all existing North Carolina codes shall not be subject to the provisions of this City of Greensboro Code of Ordinances Section 11-45 until such time as (i) it is subject to a complaint and found to be in violation of the IPMC or other existing North Carolina codes, (ii) the use of structure is changed, or (iii) the structure is remodeled, up-fitted or renovated in a way that requires a building permit to be issued prior to work being completed.

(2) A structure will be evaluated in accordance with the North Carolina Building Code in effect at the time the structure was constructed or at the time of the most recent remodel, upfit, or renovation that required a building permit.

(3) In cases where the owner has transferred an obligation of the owner, as referenced in the IPMC, to the tenant by lease, compliance shall be the responsibility of the tenant. A notice of violation or order issued by the public officer shall be issued to the owner until such time as the owner provides a copy of the lease to the City, at which time the notice of violation or order shall be issued to the tenant. The owner shall be copied on all notices and orders which are issued to the tenant."

(Signed) Yvonne Johnson

29. [ID 19-0466](#) Resolution Authorizing Economic Development Appropriations to Non-Profit Entities for Fiscal Year 2019-2020

Mayor Vaughan stated this was the time and place set for a public hearing to consider a Resolution Authorizing Economic Development Appropriations to Non-Profit Entities for Fiscal Year 2019-2020; and stated the item had

been postponed from the June 18th meeting of Council.

Councilmember Kennedy requested to be recused from the item. Following Council discussion, it was determined that Councilmember Kennedy did not need to be excused from voting and the request was withdrawn.

Discussion took place regarding funding for East Greensboro Now; and an increased funding for Piedmont Capital.

Councilmember Hightower requested staff to provide quarterly or bi-annual updates; staff schedule an update at a future work session; and voiced concerns with the focus of East Greensboro Now.

Councilmember Wells spoke to East Greensboro Now allocations; and to the need for facade improvements.

Discussion ensued regarding Council support of Piedmont Capital; and allocation of funding for the increased support.

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

209-19 RESOLUTION AUTHORIZING ECONOMIC DEVELOPMENT APPROPRIATIONS TO NON-PROFIT ENTITIES FOR FISCAL YEAR 2019-2020

WHEREAS, in accordance with authorization under North Carolina State legislation, NCGS 158-7.1, the City of Greensboro is authorized to make appropriations for economic development purposes provided the City Council determines that the appropriations will increase the population, taxable property, agricultural industries, employment, industrial output, or business prospects of the City; and

WHEREAS, as part of the annual budget, the City Manager recommended the following appropriations:

- (a) \$400,000 to Piedmont Business Capital Loan Fund to provide loans to small and emerging business;
- (b) \$100,000 to Greensboro Area Chamber of Commerce for the Launch Lab Accelerator Program to launch businesses and assist them as they grow, expand and hire with an emphasis on minority entrepreneurs and to hire interns to work on special projects;
- (c) \$250,000 to East Greensboro Now for operations and expenses for the implementation of the Urban Economic Development Plan for East Greensboro and the continuation of the Façade Grant Improvement Program;
- (d) \$40,000 to the Greensboro Sports Commission to host the National Scholastic Athletics Foundation New Balance Nationals;
- (e) \$75,000 to ArtsGreensboro for operations and expenses for the 2019-20 North Carolina Folk Festival;
- (f) \$100,000 to the Guilford County Economic Development Alliance (GCEDA) for marketing and countywide economic development;
- (g) \$130,500 to the Greensboro Area Chamber of Commerce – Economic Development to support new industry recruitment, existing industry expansion and marketing and branding initiatives; and
- (h) \$20,000 to Action Greensboro to support paid industry internships and leadership development.

WHEREAS, public hearings were held on June 4, 2019 and July 16, 2019, to receive public comment regarding the proposed economic development appropriations;

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

- (1) That in accordance with NCGS 158-7.1, the City Council finds that the foregoing economic development appropriations will increase the population, taxable property, agricultural industries, employment, industrial output, or business prospects of the City; and

(2) That the foregoing appropriations are hereby approved, and the City Manager and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper Economic Development Grant Agreements for the entities listed above.

(Signed) Goldie Wells

30. [ID 19-0465](#) Ordinance in the Amount of \$100,000 Amending the Economic Development Fund

This item did not require a public hearing.

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

19-094 ORDINANCE AMENDING ECONOMIC DEVELOPMENT FUND

Section 1:

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

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

Account No.	Description	Amount
208-0206-03.5931	Contrib to Nongovernmental Agencies	\$100,000

And, that this increase is financed by the following revenue:

Account No.	Description	Amount
208-0000-00.8900	Appropriated Fund Balance	\$100,000

Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

32. [ID 19-0297](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 4504 Pine Vista Lane - .52-Acres (Javier Saldana)

Mayor Vaughan stated this was the time and place set for a public hearing to consider Item #32/ID 19-0297 an Ordinance Annexing Territory into the Corporate Limits for Property Located at 4504 Pine Vista Lane - .52-Acres (Javier Saldana); and Item #33/ID 19-0475 an Ordinance for Original Zoning at 4504 Pine Vista Lane - Javier Saldana.

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.

Being no one to speak to the item, it was moved by Councilmember Kennedy, seconded by Mayor Pro-Tem Johnson, to close the public hearing. The motion carried by voice vote.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer B, Exhibit No.16, which is hereby referred to and

made a part of these minutes.)

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

19-095 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 4504 PINE VISTA LANE – .52-ACRES)

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

Beginning at the northernmost corner of Lot 21 of Arrowhead Acres, as recorded in Plat Book 34, Page 27 in the Guilford County Register of Deeds Office; thence with the southwest right-of-way line of Pine Vista Lane S 59° 35' E 74.00 feet to the east corner of said Lot 21; thence with the southeast line of said lot S 30° 25' W 272.16 feet to the southeast corner of said lot; thence with the south line of said lot N 89° 53' W 85.71 feet to the southwest corner of said lot; thence with the northwest line of said lot N 30° 25' E 315.39 feet to the point and place of BEGINNING, being all of said Lot 21 and containing 0.52 acres.

Section 2. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after July 16, 2019, the liability for municipal taxes for the 2019-2020 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2019. Municipal ad valorem taxes for the 2020-2021 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

(Signed) Sharon Hightower

33. [ID 19-0475](#) Ordinance for Original Zoning at 4504 Pine Vista Lane - Javier Saldana

Moved by Councilmember Hightower, seconded by Councilmember Thurm to adopt the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment, for the property located at 4504 Pine Vista Lane from County RS-40 (Residential Single Family) to City R-3 (Residential Single Family - 3) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Comprehensive Plan's Growth at the Fringe goal to encourage development at the fringe that follows a sound, sustainable pattern of land use, limits sprawl, protects rural character, evidences sound

stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands; and the request is also consistent with the Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities. The motion carried by the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

19-096 AMENDING OFFICIAL ZONING MAP 4504 PINE VISTA LANE, GENERALLY DESCRIBED AS SOUTH OF PINE VISTA LANE AND EAST OF CIRCLEVIEW DRIVE

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

Section 1. The Official Zoning Map is hereby amended by original zoning from County RS-40 (Residential Single Family) to City R-3 (Residential Single Family - 3).

The area is described as follows:

Beginning at the northernmost corner of Lot 21 of Arrowhead Acres, as recorded in Plat Book 34, Page 27 in the Guilford County Register of Deeds Office; thence with the southwest right-of-way line of Pine Vista Lane S 59° 35' E 74.00 feet to the east corner of said Lot 21; thence with the southeast line of said lot S 30° 25' W 272.16 feet to the southeast corner of said lot; thence with the south line of said lot N 89° 53' W 85.71 feet to the southwest corner of said lot; thence with the northwest line of said lot N 30° 25' E 315.39 feet to the point and place of BEGINNING, being all of said Lot 21 and containing 0.52 acres.

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the R-3 (Residential Single Family - 3) 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 3. 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 4. This ordinance shall be effective on July 16, 2019.

(Signed) Sharon Hightower

34. [ID 19-0476](#) Ordinance for Rezoning at 3305 Yanceyville Street - Charles C. Overby, II

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance for Rezoning at 3305 Yanceyville Street - Charles C. Overby, II.

Mr. Kirkman reviewed the request; presented maps; aerial photographs and diagrams to illustrate the site and surrounding property; read the conditions attached to the zoning request; stated that the Zoning Commission and staff had recommended approval of the request; spoke to additional conditions being offered by the applicant; and read the amended conditions into the record.

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

Judy Stalder representing the property owner spoke to a proposed apartment complex; to buffers; to protection of wetlands; to addressing traffic concerns; stated additional fencing would be provided for privacy of neighbor; spoke to on-site property management; and to affordable housing.

Discussion took place regarding the number of units to be offered; and available parking.

It was the consensus of Council to close the public hearing.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer B, Exhibit No.16, which is hereby referred to and made a part of these minutes.)

Moved by Councilmember Wells, seconded by Mayor Pro-Tem Johnson to adopt the ordinance as amended and stated that the Greensboro City Council believed that its action to approve the zoning amendment, for the property located at 3305 Yanceyville Street from R-5 (Residential Single-family - 5) to CD-RM-18 (Conditional District – Residential Multi-family – 18) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; the request is consistent with the Comprehensive Plan's Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities; and the request, as conditioned, limits negative impacts to the surrounding neighborhood. The motion carried by the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

19-097 AMENDING OFFICIAL ZONING MAP 3305 YANCEYVILLE STREET, GENERALLY DESCRIBED AS WEST OF YANCEYVILLE STREET AND NORTH OF GUEST STREET

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

Section 1. The Official Zoning Map is hereby amended by original zoning from R-5 (Residential Single Family- 5) to CD-RM-18 (Conditional District Multifamily - 18).

The area is described as follows:

Beginning at a stake or stone in the Western margin of the "Old Yanceyville Road", being the Southeast corner of Lot 22 per said plot, running thence North 85°58' West 1558.99 feet to a stake or stone in the center of the southern railway track; thence South 9°33' East 205.8 feet to a stake or stone in the center of the southern railway track; thence South 85°58' East with northern boundary of Lot 25, 1425.5 feet to a stake or stone in the western margin of said "Old Yanceyville Road", thence North 27°06' East 217.4 feet to a stake or stone in the western margin of said "Old Yanceyville Road", the point of beginning, and being the southeast corner of Lot 22, the land herein described being Lots 23 and 24 as shown by plat of McKnight Lands, recorded in Plan Book 11, Page 12, in the Office of the Register of Deeds of Guilford County, North Carolina.

Save and except the .92 acre tract heretofore conveyed to the southern railway company by deed recorded in Book 1518, at Page 327.

Section 2. That the zoning amendment from R-5 (Residential Single Family - 5) to CD-RM-18 (Conditional District

Residential Multifamily - 18) is hereby authorized subject to the following use limitations and conditions:

1. Uses limited to multi-family residential uses.
2. Buildings shall be a maximum of 50 feet in height.
3. A minimum 6 foot tall opaque fence shall be constructed between any permanent site improvements (i.e. buildings, parking areas, outdoor recreation areas, etc.) and the southern property boundary adjacent to Guilford County Parcel number 56331, also known as 3301 New Garden Road.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-RM-18 (Conditional District Residential Multifamily - 18) 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 16, 2019.

(Signed) Goldie Wells

Mayor Vaughan declared a recess at 7:49 p.m. Council reconvened at 8:15 p.m. with all members in attendance except Councilmember Hoffmann.

III. GENERAL BUSINESS AGENDA

- 35. [ID 19-0409](#)** Resolution Approving Bid in the Amount of \$5,093,229.24 and Authorizing Execution of Contract 2019-0050 with KRG Utility, Inc. for the Sanitary Sewer and Water Line Rehabilitation 2019 Project

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

210-19 RESOLUTION APPROVING BID IN THE AMOUNT OF \$5,093,229.24 AND AUTHORIZING EXECUTION OF CONTRACT 2019-0050 WITH KRG UTILITY, INC. FOR THE SANITARY SEWER AND WATER LINE REHABILITATION 2019 PROJECT

WHEREAS, after due notice, bids have been received for the Sanitary Sewer and Water Line Rehabilitation 2019 project; and

WHEREAS, KRG Utility, Inc., a responsible bidder, has submitted the low base bid in the total amount of \$5,093,229.24 as general contractor for Contract No. 2019-0050 which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

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

That the bid hereinabove mentioned submitted by KRG Utility, Inc. is hereby accepted, and the City is authorized to enter into a contract with KRG Utility, Inc. for the Sanitary Sewer and Water Line Rehabilitation 2019 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 \$5,093,229.24 from the following accounts: \$934,363.15 in 503-7028-01.6016 A19061 and \$4,158,866.09 in 503-7028-02.6017 A19063.

(Signed) Marikay Abuzuaiter

36. [ID 19-0468](#) Capital Project Ordinance in the Amount of \$3,700,000 Amending the Streets and Sidewalks Capital Projects Fund

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

19-098 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 19-20 STREET & SIDEWALK CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Street & Sidewalk Capital Projects to be undertaken in FY 19-20; and

WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

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

Section 1. That the following capital project budgets for Street & Sidewalk Capital Projects Fund be established and appropriations for the life of the projects will be as follows:

Account Number	Description	Estimated Expenditures	Estimated Revenues
401-4302-04.5611	Maint/Repair Streets/Sidewalks	\$3,700,000	
401-4302-04.7210	Motor Vehicle Licenses		\$3,700,000
Total		\$3,700,000	\$3,700,000

Section 2. That this ordinance shall be effective from and after the date of July 1, 2019.

(Signed) Marikay Abuzuaiter

37. [ID 19-0472](#) Resolution Approving Bid in the Amount of \$7,594,923.50 and Authorizing Execution of Contract 2010-034 (U-5306B) with Atlantic Contracting Company, Inc. for the Construction of the Battleground Avenue (US 220) and Westridge Road Intersection Improvements.

Discussion took place regarding Minority/Women Business Enterprise (M/WBE) participation.

Councilmember Hightower requested staff review M/WBE guidelines for prime contractor goal setting.

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Nancy Hoffmann

211-19 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2010-034 (U- 5306 B) WITH ATLANTIC CONTRACTING COMPANY, INC. FOR THE CONSTRUCTION OF THE BATTLEGROUND AVENUE (US 220) AT WESTRIDGE ROAD INTERSECTION IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the Battleground Avenue (US 220) at Westridge Road Intersection Improvements project; and

WHEREAS, Atlantic Contracting Company, Inc., a responsible bidder, has submitted the lowest, responsive bid in the total amount of \$7,594,923.50 as general contractor for Contract No. 2010-034, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

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

That the bid hereinabove mentioned submitted by Atlantic Contracting Company, Inc. is hereby accepted, and the City is authorized to enter into a contract with Atlantic Contracting Company, Inc. for the Battleground Avenue (US 220) at Westridge Road Intersection Improvements project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$7,594,923.50 from accounts:

220-4588-01.6014	A12083	State and Federal Grant Funds	\$6,803,407
471-4502-23.6014	A17135	2008 Bond Funds	\$764,517
Total			\$7,594,924

(Signed) Tammi Thurm

38. [ID 19-0479](#) Resolution Authorization to Contract for FY 19-20 Homelessness Prevention Activities

Councilmember Kennedy spoke to a conflict of interest; and requested to be recused from voting on the item.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Thurm to excuse Councilmember Kennedy from voting on the item. The motion carried by voice vote.

Marcus Hyde spoke to housing options; to affordability; to federal code regulations; and to grant recipients.

Discussion ensued regarding funding allocations; and housing services.

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

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

Excused, 1 - Michelle Kennedy

Absent, 1 - Nancy Hoffmann

212-19 RESOLUTION AUTHORIZING CONTRACT FOR FY19-20 HOMELESSNESS PREVENTION ACTIVITIES

WHEREAS, the City will administer \$969,775 designated for homelessness prevention;

WHEREAS, Nussbaum funding in the amount of \$538,639 is proposed for homelessness prevention activities for Fiscal Year 2019-2020;

WHEREAS, in addition to the Nussbaum funding, Emergency Solutions Grant (ESG) Funding will be allocated in the amount of \$183,371 and from the Community Development Block Grant (CDBG) in the amount of \$247,765 (includes \$47,765 of prior year funding) for homelessness prevention activities;

WHEREAS, Nussbaum funding in the amount of \$92,971 will allow The Servant Center to provide shelter for veterans at Servant House in Fiscal Year 2019-2020;

WHEREAS, Nussbaum funding in the amount of \$69,372 will allow The Servant Center to provide case management services through the SOAR program in Fiscal Year 2019-2020;

WHEREAS, Nussbaum funding in the amount of \$23,216 will allow Youth Focus to provide shelter services for youth at My Sister Susan's House in Fiscal Year 2019-2020;

WHEREAS, Nussbaum funding in the amount of \$114,005 will allow Interactive Resource Center to begin a pilot program to provide crisis triage and case management services for persons experiencing homelessness in Fiscal Year 2019-2020;

WHEREAS, Nussbaum funding in the amount of \$94,075 will allow Greensboro Housing Coalition to assist with housing operation needs and to provide housing hotline services in Fiscal Year 2019-2020;

WHEREAS, Nussbaum funding in the amount of \$125,000 will allow the Interactive Resource Center to assist with day center operations and white flag shelter operations in Fiscal Year 2019-2020;

WHEREAS, Nussbaum funding up to \$20,000 (on a reimbursement basis, at \$500 per night—as a direct contract) will allow the YWCA to assist with white flag shelter operations in Fiscal Year 2019-2020;

WHEREAS, ESG funding in the amount of \$150,614 will allow Salvation Army of Greensboro to provide rapid re-housing and stability case management services in Fiscal Year 2019-2020;

WHEREAS, ESG funding in the amount of \$32,757 will allow Family Services of the Piedmont, Inc. to provide emergency shelter services for victims of domestic at Clara's House in Fiscal Year 2019-2020;

WHEREAS, CDBG funding in the amount of \$35,000 will allow Greensboro Urban Ministry to provide emergency shelter services at Weaver House in Fiscal Year 2019-2020;

WHEREAS, CDBG funding in the amount of \$40,000 will allow Room at the Inn, Inc. to provide shelter services for pregnant women and children at the Nussbaum Maternity House in Fiscal Year 2019-2020;

WHEREAS, CDBG funding in the amount of \$88,765 will allow Salvation Army of Greensboro to provide emergency shelter services at Shelter for Success in Fiscal Year 2019-2020;

WHEREAS, CDBG funding in the amount of \$44,000 will allow Youth Focus to provide emergency shelter services for youth at Act Together in Fiscal Year 2019-2020;

WHEREAS, CDBG funding in the amount of \$40,000 will allow YWCA of Greensboro to provide temporary shelter services in Fiscal Year 2019-2020;

WHEREAS, all agencies are 501(c) (3) tax exempt organizations and have satisfied board member and staff training

requirements for receiving Fiscal Year 2019-2020 City funding; and

WHEREAS, Federal CDBG and ESG funds in the amount of \$431,136 and Nussbaum funds in the amount of \$538,639 will be utilized to fund said contracts.

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

That the City Manager is hereby authorized to enter into contracts with aforementioned agencies subject to the terms outlined above.

(Signed) Yvonne Johnson

39. [ID 19-0502](#) Boards and Commissions Listing for July 16, 2019

Moved by Councilmember Wells, seconded by Mayor Pro-Tem Johnson, to reappointment Maxine Bakeman to the War Memorial Commission. The motion carried by voice vote.

Mayor Pro-Tem Johnson placed the names of Larry Standley and Freman Murphy into the databank for future service on a board or commission.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson, to reappointment Adam Carroll to the Greensboro Transit Advisory Commission. The motion carried by voice vote.

Moved by Councilmember Thurm, seconded by Councilmember Hightower, to appoint Ray Trapp to the Zoning Commission to fill the position held by Janet Mazzurco. The motion carried by voice vote.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson, to reappoint Monique Bynum to the Library Board of Trustees. The motion carried by voice vote.

Councilmember Hightower added the names of Linda Waddel and Demontra Cooper into the databank for future service on a board or commission.

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

Councilmember Hightower spoke of the District 1 town hall meeting; requested City Manager Parrish to provide follow-up on Greensboro Transit Authority (GTA); and voiced concern regarding the thirty-day continuance for the premium services.

City Manager Parrish spoke to a continuation of GTA premium service for the next six months; and to providing an upcoming progress report.

Mayor Pro-Tem Johnson and Councilmember Hightower voiced concerns over GTA fare rates.

Councilmember Thurm spoke to public notification procedures; and to informing stakeholders.

Mayor Vaughan spoke to the recycling program.

Councilmember Thurm spoke to events attended; and thanked staff for condolences.

Councilmember Abuzuaiter spoke to events attended.

Mayor Pro-Tem Johnson spoke to events attended; and extended condolences to the Dowdy Family.

Councilmember Wells spoke to events attended; and announced an upcoming District 2 town hall meeting on August 5th at Union Square.

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 Abuzuaiter, seconded by Councilmember Wells, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 8:47 P.M.

ANGELA R. LORD
CITY CLERK

NANCY VAUGHAN
MAYOR