



# City of Greensboro

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

## Meeting Minutes - Final City Council

**Tuesday, April 1, 2014**

**5:30 PM**

**Council Chamber**

The City Council of the City of Greensboro met in the Regular meeting at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

### **Rollcall**

Present: 9 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Marikay Abuzuaiter, Councilmember Mike Barber, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Zack Matheny and Councilmember Tony Wilkins

Also present were Jim Westmoreland; City Manager, Terry Wood, Interim City Attorney; and Elizabeth H. Richardson, City Clerk.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Matheny, to recess into closed session pursuant to N.C.G.S. Section 143-318.11(a)(3) to preserve the attorney-client privilege between the City Attorney and Council, and to consider matters and give instructions to the City Attorney concerning the settlement of a claim. The motion carried by voice vote.

City Council recessed to closed session at 5:00 p.m.

City Council reconvened at 5:42 p.m. with all members in attendance except Councilmember Hightower.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to return to open session. Motion carried by voice vote.

### **Moment of Silence**

The meeting opened with a moment of silence.

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

Councilmember Wilkins led the Pledge of Allegiance to the Flag.

### **Recognition of Courier**

City Manager Jim Westmoreland recognized Erin Price of the Fire 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.

Councilmember Hightower returned at to the meeting at 5:44 p.m.

Mayor Vaughan asked for a motion to postpone the item to the April 15th meeting of Council with further advertising.

**Moved by Councilmember Hightower, seconded by Councilmember Matheny to postpone the item to the April 15th meeting of Council with further advertising. The motion carried by a voice vote.**

- [ID 14-0151](#) Resolution confirming the Assessment Roll for a water line improvement on Covered Wagon Road from an existing 12" line at intersection of Millstream Road and Covered Wagon Road north to the intersection of Crosswinds Court and Covered Wagon Road

Mayor Vaughan asked for a motion to postpone Items 14-0143, 14-0149, 14-0154, and 14-0155 to the April 15th meeting of Council without further advertising.

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower, to postpone the items to the April 15th meeting of Council without further advertising. The motion carried by voice vote.**

- [ID 14-0143](#) Resolution confirming the Assessment Roll for water and sewer line improvements on Crosswinds Court from existing 8" lines at the intersection of Crosswinds Court and Covered Wagon Road northeast to 5309 Crosswinds Court

- [ID 14-0149](#) Resolution confirming the Assessment Roll for a water line improvement on Crosswinds Road from a proposed 8" line at the intersection of Crosswinds Court and Covered Wagon Road to approx. 380' west to an existing 6" line

- [ID 14-0154](#) Resolution confirming the Assessment Roll for a sewer line improvement on Covered Wagon Road from an existing 8" line at 1507 Covered Wagon Road north to the intersection of Crosswinds Court and Covered Wagon Road

- [ID 14-0155](#) Resolution confirming the Assessment Roll for a 8" water line improvement on Covered Wagon Road from an 8" line at the intersection of Crosswinds Road and Covered Wagon Road to north approx. 365 linear feet to and existing 8" line.

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

- [ID 14-0171](#) Resolution Declaring the Week of April 6 - 12, 2014 National Crime Victims' Rights Week.

Councilmember Fox read the resolution into the record. Councilmember Hightower provided comments and appreciation for the resolution.

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

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

077-14 RESOLUTION DECLARING THE WEEK OF APRIL 6 – 12, 2014 NATIONAL CRIME VICTIMS' RIGHTS WEEK

WHEREAS, every year, millions of Americans fall victim to crime through no fault of their own;

WHEREAS, for the second time in nearly two decades, violent crime in America has increased approximately 5% from 2011 to 2012 where there were only 44% of violent crimes reported to police, and only 8% of crime victims received assistance from victim service agencies; and

WHEREAS, according to the Federal Bureau of Investigation Uniform Crime Reporting, law enforcement agencies throughout the nation reported an increase of approximately 1.9 percent in the number of violent crimes brought to their attention for the first six months of 2012; and

WHEREAS, society acknowledges the impact of crime on individuals, families, schools, and communities by protecting the rights of crime victims and ensuring that support, resources, and services are available to help rebuild lives; and

WHEREAS, National Crime Victims' Rights Week is April 6 to 12, 2014 and encourages people to define and address "New Challenges and New Solutions" that face the fields of crime victim assistance, criminal justice and public safety; and

WHEREAS, individual victims and survivors are challenged by fears of being blamed for what happened to them; concerns about their personal safety and security; and a desire to hold offenders accountable for the harm they caused; and

WHEREAS, there are many solutions to challenges that emerge from efforts that identify and address victims' most important needs and make crime victim assistance a priority in our Nation; and

WHEREAS, the most important solution to address crime and victimization in "Restoring the balance of justice" in America requires a collective understanding of the emotional, physical, financial, spiritual and social impact of crime on crime survivors, and a collective commitment to provide support and services to victims in need of help; and

WHEREAS, the City of Greensboro will remain united in its commitment to a nationwide solution that ensures that all crime victims and survivors are treated with compassion and respect, and afforded services that provide help and hope to them; and

WHEREAS, the people of the City of Greensboro recognizes and appreciates the continued importance of promoting the rights of, and services for, crime victims, and of honoring crime victims, survivors, and those who provide services for them

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

That the week of April 6 to 12, 2014 is declared National Crime Victims' Rights Week in Greensboro and honors crime victims and those who serve them during this week and throughout the year.

That for every "challenge" to effective victim assistance and services, Greensboro will stand united in its commitment to develop solutions which ensure that victims and survivors of crime receive the support and services they need and deserve.

(Signed) Zack Matheny

[ID 14-0175](#) Resolution honoring the work of FaithAction International House, and affirming Greensboro becoming a "Stranger to Neighbor" City.

Councilmember Abuzuaiter read the resolution into the record; and invited members of Faith International House to come forward for a brief presentation.

Members of the Faith International House made a slide show presentation; spoke to what the community did with diversity to create positive communication; recognized the board members and volunteers in the audience; informed Council that Greensboro was the nations first Stranger to Neighbor City; and invited Council to upcoming events on April 23rd and May 3rd.

Councilmembers expressed their appreciation for the work of the organization.

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to**

---

**Adopted the Report. The motion carried on the following roll call vote:**

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

**078-14 RESOLUTION HONORING THE WORK OF FAITHACTION INTERNATIONAL HOUSE, AND AFFIRMING GREENSBORO BECOMING A "STRANGER TO NEIGHBOR" CITY**

WHEREAS, Guilford County has experienced an over 1,000% increase in its immigrant population over the last 20 years, and new ethnic, cultural and religious diversity; bringing economic, social/cultural, and artistic gifts, while facing challenges and barriers integrating into our community;

WHEREAS, FaithAction International House was founded 18 years ago by a diverse group of community, immigrant and faith leaders, with the support of elected officials, working together to "solve the puzzle of diversity" in the midst of major demographic shifts in Greensboro;

WHEREAS, since this time FaithAction has provided hope and dignity to over 30,000 of our newest immigrant neighbors through daily legal, food, health, employment, English/computer classes, and basic needs assistance in partnership with dozens of community partners, cultural organizations, and diverse faith communities;

WHEREAS, FaithAction has also provided weekly immigration and diversity trainings and presentations to city and county institutions, schools and congregations, as well as regular multicultural and interfaith events that have educated and connected tens of thousands more in Greensboro and throughout the state of North Carolina across lines of difference;

WHEREAS, based on the accumulative knowledge and impact of this work, FaithAction has developed a "Stranger to Neighbor" model, which seeks to build bridges of greater trust and understanding between our newest immigrant and refugee neighbors and our diverse city institutions and related sectors through four interrelated steps: education, exchange, action, and telling the story;

WHEREAS, this model has led to a recent partnership between several faith communities, immigrant leaders, and the Greensboro Police Department to create a "FaithAction" identification card for immigrants in our community without access to government issued forms of ID, creating a safer, more united community for all;

WHEREAS, this model has also led to the creation of a new health center in partnership with volunteer physicians, the Congregational Nurses and Social Work Intern Program, UNCG, and several local faith communities, to create life saving services for our newest neighbors, while lessening the strain on our local health sector;

WHEREAS, this life affirming work has been accomplished with innovative community partnerships, despite limited resources, and up until now has not depended upon any financial resources from the City.

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

1) The City Council hereby recognizes, on behalf of all residents of Greensboro, the work and impact of FaithAction International House over the past 18 years in providing hope and dignity to our newest neighbors, while creating a healthier, safer, more welcoming and united city.

2) The City Council hereby endorses and recommends the FaithAction developed, Stranger to Neighbor model as an effective tool to build bridges of trust and understanding between city institutions and our newest neighbors, leading to a better city for all Greensboro residents, and affirms that Greensboro officially becomes the nation's first "Stranger to Neighbor City."

3) The City Council hereby commits to continuing to work with FaithAction, and its many partners, to lift up the many gifts and leadership new immigrants and refugees bring to our community, as well as find solutions to the complex challenges and barriers many immigrants face integrating into a new life in our community.

(Signed) Yvonne J. Johnson

Councilmember Fox provided an explanation for the canned food items along the dais; and stated that there was a City Wide Food Drive partnership with Urban Ministries to collect canned goods for the community. which would run through Wednesday at 7:00 p.m. at local fire stations.

Councilmember Barber left the meeting at 6:05 p.m. and returned at 6:08 p.m.

[ID 14-0176](#) Resolution recognizing Wednesday, April 2, 2014 as World Autism Awareness Day

Councilmember Hoffmann read the resolution into the record; and asked members of Autism Abound to come forward.

Members of Autism Abound, provided statistics for autism in North Carolina; thanked Council for the resolution; requested that Council support House Bill 498 which would require insurance coverage for autism therapy; spoke to the success of the Guilford County School system in working with autistic children; voiced concern for when children aged out of the system; and invited Council to a fund raiser for the organization on April 25th.

Councilmember Matheny expressed that the resolution meant alot to him in a very positive way; spoke to his personal experience with his son who had autism; commended the teachers in the community who had worked with his son over the past year; announced a fund raiser tomorrow at Quodoba at Friendly Center; and spoke to the blessing his family had received in finding the diagnosis and treatment for his son.

Councilmember Hoffmann thanked the board members for making Council aware of the disease and the work they were doing; emphasized what Guilford County Schools provided with regard to services; and thanked those present for sharing their personal experiences.

Mayor Pro-Tem Johnson thanked Councilmember Matheny and those present for sharing their stories; voiced appreciation for the work of the parents and the organization; stated she would support the events; wanted to inform people that April was Fair Housing Month in the City of Greensboro; and that issues could be taken to the Human Relations Commission.

City Manager Westmoreland was requested to place an item on the 2014 Legislative Agenda in support of insurance coverage for autism therapy.

**Moved by Councilmember Matheny, seconded by Councilmember Fox, to adopt the Resolution. The motion carried on the following roll call vote:**

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

079-14 RESOLUTION RECOGNIZING WEDNESDAY, APRIL 2, 2014 AS WORLD AUTISM AWARENESS DAY

WHEREAS, World Autism Awareness Day (WAAD) is celebrated annually on the 2nd day of April;

WHEREAS, WAAD was adopted by the United Nations in 2007 to shine a light on autism as a growing global health crisis;

WHEREAS, WAAD activities increase and develop world knowledge of the autism crisis and impact regarding the importance of early diagnosis and intervention;

WHEREAS, WAAD celebrates the talents and skills of persons with autism and is a day when individuals with autism are welcomed in community events around the globe;

WHEREAS, Autism is one of three health issues to be recognized by the United Nations with its own day;

WHEREAS, several Greensboro families have started a charity called Autism Unbound which arranges social

events for families; invests in the Guilford County Schools autism programs; and offer support programs to those with autism in the community;

WHEREAS, Autism Unbound is a local charitable organization dedicated to addressing needs of the autism community in the areas of advocacy, education, training, housing and support;

WHEREAS, Autism Unbound's mission is to enable persons affected by autism spectrum disorders to live more independent, full lives by influencing the future today;

WHEREAS, City Council is being requested to recognize Wednesday, April 2, 2014 as World Autism Awareness Day.

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

That Wednesday, April 2, 2014 is hereby recognized as World Autism Awareness Day.

(Signed) Zack Matheny

[ID 14-0174](#) North Carolina Utility Commission Appeal Update.

City Manager Westmoreland introduced Assistant City Attorney James Dickens for a presentation.

Attorney Dickens provided the history and background of the item; spoke to the work of the Commission on Trees; to the role of the Utilities Commission; outlined what was included in the ordinance that was adopted; language that had been removed from the adopted ordinance; referenced case law; outlined the appeals process; and advised that the City not appeal the Utility Commission's decision.

Councilmember Matheny left the meeting at 6:21 p.m. and returned at 6:24 p.m.

Mayor Vaughan spoke to the opportunity to review the opinion; voiced concern that the entire ordinance could be overturned if it went to Superior Court; addressed the violation policy; outlined what had been changed in the current ordinance; stated a tree canopy study would be done; and stated that Right Tree, Right Place had kicked off last week in partnership with Duke Energy.

### **PUBLIC COMMENT PERIOD**

Mayor Vaughan stated that 18 people had signed up to speak; and that time permitting, the remaining 8 would be able to speak at the end of the meeting.

Leon Nutes, 214 Peach Orchard Drive, spoke to the utilization of bond funds; voiced concern that a bond referendum was not done for the Greensboro Performing Arts Center; wished City Manager Westmoreland luck; and suggested combining the International Civil Rights Museum and the Greensboro Historical Museum.

Jennifer Waymer, 2010 West McConnell Road, spoke to the proposed changes in GTA; asked the Council to assist with the deficits of GTA; and explained that she utilized the buses to get to and from work.

Councilmember Hightower voiced she was not in favor of making any changes.

Maggie B., P.O. Box 36421, voiced concerns with the actions of GTA; the impact of raising fares; persons traveling with small children; restrictions on the number of bags a passenger could have; and stated that GTA needed to expand services.

Dhru Pathak, 6617 Slatewood Road, spoke in opposition of the proposed UNCG Rec Center which would be funded by student fees; stated that approximately 10,000 people utilized the existing recreation center which was only overcrowded during peak hours; and spoke to rising education costs.

Mayor Vaughan explained that the City did not have a role in the issue; and could not insert itself into the process as it was on UNCG's property.

Claire Stone, 4915 Kenview Street, requested additional funding in support of GTA; provided maps with the routes outlined to Council; provided a slide show; and explained that riders were being asked to makeup the shortfall.

Dr. Anjail Ahmad, 2 Ivey Glen Court, stated she was a former member of the GTA Board; was grateful for the service; referenced the previous cycle and the increase in fares; spoke to an equitable way of raising revenues with the least impact on riders; and asked for incremental changes, as well as, alternative ways to raise funding.

Councilmember Matheny requested an update on the GTA proposals and recommendations by the steering committee; what the increase would look like if it was divided between two years; voiced the need for the entire Council to understand what was done during the previous budget cycle; and the need to better manage expectations.

Assistant City Manager David Parrish responded that he would provide the information to Council.

Arthur M. Saunders, 3005 Greystone Point, commended the para-transit service in Greensboro; made comparisons to the service in Winston-Salem; emphasized that he used the para-transit service for everything which had enhanced his life; and asked Council assist to keep the service what it was, as well as, improve it.

Councilmember Hightower voiced appreciation for those who spoke this evening; spoke to the work of the steering committee; stated she did not favor a rate increase; and confirmed the steering committee would provide information to Council.

Council discussed the need to have information prior to the budget discussions; amount of the GTA budget; the need to look at the economic drivers; impact increased rates would have on riders; and the decision of the steering committee.

Mayor Pro-Tem Johnson voiced that she would not support raising rates or cutting routes.

Councilmember Abuzuaiter asked if the public could see what the steering committee had regarding comments from the ridership; referenced the stories of riders; voiced concern for residents on fixed incomes and the impact a rate increase would have; and confirmed she would not support an increase.

Councilmember Fox requested staff research alternatives to a rate increase; voiced the need to support people in the community and invest in transportation; requested staff look at ways GTA could become more sustainable; the possibility of 'free fares'; and stated he would not support a rate increase.

Councilmember Matheny reiterated the importance of providing information for Council to review.

City Manager Westmoreland was requested to provide information and history of the GTA and GTA Steering Committee meetings regarding budget discussions, fare increases, changes in routes, and to research the possibility of 'free fares'.

Luther Falls, Jr., 1603 Lansdown Avenue, spoke to the recognition of FaithAction; importance of diversity; passing of Mr. Wilson who was the first African American Police Officer; voiced agreement with comments of supporters of GTA; announced the upcoming Twentieth Anniversary of The Watchful Network, Inc.; and referenced the work of the organization in assisting small businesses.

Mayor Pro-Tem Johnson requested a resolution be prepared in support of The Watchful Network, Inc. at an upcoming meeting of Council.

Anita Cunningham, 1007 Ashe Street, commended GTA's services; voiced the need to look towards future needs

of those who would need transportation services; spoke to the diverse population that utilized public transportation; the need for citizens to have a way to get to and from work; referenced unemployment rates; and challenged Council to go one day without their vehicles to see what they could get done through public transportation.

Mr. Leak, undisclosed address stated this was his third meeting regarding GTA.

Hunter Haith, 414 Hargett Street, voiced concern for the possible rate increase and route reductions; added that his relatives utilized the service; and appealed to Council to look at assisting with the deficit.

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

#### **Approval of the Consent Agenda**

**Moved by Councilmember Abuzuaiter, seconded by Councilmember Fox to approve the Consent Agenda as amended. The motion carried by the following vote:**

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

[ID 14-0135](#) Resolution authorizing purchase of property of Betty Sarvis for the West Market Street/College Road Intersection Improvements Project.

**080-14 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF BETTY SARVIS FOR THE WEST MARKET STREET/COLLEGE ROAD INTERSECTION/SIDEWALK IMPROVEMENTS PROJECT**

WHEREAS, in connection with the West Market Street/College Road Intersection/Sidewalk improvements project, a portion of the property owned by Betty Sarvis, Parcel 0075111 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$230,000 but the property owner has agreed to settle for the price of \$253,000, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$253,000 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No.401-4547-01.6012, Activity A11168.

(Signed) Marikay Abuzuaiter

[ID 14-0136](#) Resolution authorizing purchase of property of David Nolan Fuller for the Horse Pen Creek Road Widening Project

**081-14 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF DAVID NOLAN FULLER FOR THE HORSE PEN CREEK ROAD WIDENING PROJECT**

WHEREAS, in connection with the Horse Pen Creek Road Widening project, a portion of the property owned by David Nolan Fuller, Parcel 0096110 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$21,500 but the property owner has agreed to



settle for the price of \$28,000, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$28,000 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 471-4502-08.5410.

(Signed) Marikay Abuzuaiter

[ID 14-0139](#) Resolution granting an easement to Duke Energy for electric service at the 911 facility located at 1201 Coliseum Boulevard

082-14 RESOLUTION GRANTING AN EASEMENT TO DUKE ENERGY CORPORATION FOR ELECTRIC SERVICE AT THE 911 FACILITY LOCATED AT 1201 COLISEUM BOULEVARD

WHEREAS, improvements are being made to the 911 Center in the Justice Building located at 1201 Coliseum Boulevard;

WHEREAS, an easement is necessary at this location to provide new service and for installation of a transformer to provide electrical service;

WHEREAS, an easement will need to be granted to Duke Energy Corporation for the installation and maintenance of said electrical equipment;

WHEREAS, in the opinion of the City Council, such easement will not interfere with the proper use by the city of the property in which such easement is granted and that the city has no governmental or other public need which would be in conflict with the easement granted therein or the use made thereof.

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

That an easement to Duke Energy Corporation for the maintenance of electrical equipment for the 911 Center in the Justice Building located at 1201 Coliseum Boulevard is hereby granted.

(Signed) Marikay Abuzuaiter

[ID 14-0156](#) Resolution Authorizing Grant Application for the NC 2014 Community Waste Reduction and Recycling Grant

083-14 RESOLUTION AUTHORIZING GRANT APPLICATION FOR THE NC 2014 COMMUNITY WASTE REDUCTION AND RECYCLING GRANT

WHEREAS, the Greensboro Field Operations Department's Solid Waste Management Division operates in accordance with their commitment to promote a culture of Recycling in Greensboro; and

WHEREAS, on February 19, 2014, the Field Operations Department submitted a grant application to the NC Division of Environmental Assistance and Customer Services for \$27,417; and

WHEREAS, the grant requires a 20% match of the application amount, totaling \$5,483 to be provided by the City with general funds from the Field Operations Department; and

WHEREAS, the estimated grant project budget totals \$32,900; and

WHEREAS, these state funds shall be used to competitively purchase recycling receptacles and informational brochures and posters and recycling receptacles; and

WHEREAS, if approved by Council and awarded by the NC Division of Environmental Assistance and Customer Services, Community Waster Reduction and Recycling Grant program, this project will provide recycling receptacles at convenience store gas pumps to aid in establishing convenience store recycling.

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

That the request to apply to the NC Division of Environmental Assistance and Customer Services, Community Waster Reduction and Recycling Grant program for \$27,417 in state funds with a \$5,483 cash match from the City of Greensboro for a total project budget of \$32,900 is hereby approved.

(Signed) Marikay Abuzuaiter

[ID 14-0144](#) Resolution approving write off of Invoice #2200135104 to the North Carolina Department of Transportation

084-14 RESOLUTION APPROVING WRITE OFF OF INVOICE #2200135104 TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, the City of Greensboro invoices the North Carolina Department of Transportation for Snow and Ice Removal related to State System Streets;

WHEREAS, the customer was invoiced the amount of \$23,379.92 and staff has requested this amount be written off as this was a duplicate invoice and the initial invoice was paid in a timely manner and no other funds related to these fees are due from the customer;

WHEREAS, Invoice #2200135104 in the amount of \$23,379.92 is a duplicate invoice, and the Financial and Administrative Services Department requires Council approval to adjust invoices in excess of \$20,000 when a billing error has occurred.

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

That the Financial and Administrative Services Department is authorized to write off Invoice #2200135104 for \$23,379.92 to the North Carolina Department of Transportation for Snow and Ice Removal related to State System Streets.

(Signed) Marikay Abuzuaiter

[ID 14-0158](#) Resolution Authorizing Grant Application for 2014 Clean Fuel Advanced Technology (CFAT) Grant for the Police Department's Center City Resource Team

085-14 RESOLUTION AUTHORIZING GRANT APPLICATION FOR 2014 CLEAN FUEL ADVANCED TECHNOLOGY (CFAT) GRANT FOR THE GREENSBORO POLICE DEPARTMENT'S CENTER CITY RESOURCE TEAM

WHEREAS, the North Carolina Solar Center (NCSC) at North Carolina State University is administering the award of federal Congestion Mitigation Air Quality funds from the NC Department of Transportation for the federally funded Clean Fuel Advanced Technology (CFAT) 2013-2015 Program; and

WHEREAS, A primary purpose of CFAT is to provide funding assistance for transportation related emission reduction projects in eligible North Carolina counties; and

WHEREAS, two electric motorcycle units will extend police services to Downtown and Greenway areas by using an environmentally friendly technology; and

WHEREAS, the proposed project supports the City Council Priority of Crime Reduction and aligns with the Police Department's initiative of Community Policing; and

WHEREAS, On March 17, 2014, the Greensboro Police Department submitted a grant application for CFAT funds in the amount of \$22,682 for a project budget totaling \$41,550; and

WHEREAS, the grant funding structure requires an estimated 20% cost share of \$5,670 and additional funds of \$13,198; these shall be provided with NC State Drug Excise Tax funds totaling \$18,868; and

WHEREAS, federal funds shall be used to competitively purchase two electric motorcycles; and

WHEREAS, if approved by Council and awarded by the North Carolina Solar Center, this grant will extend police services to Downtown and Greenway areas.

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

That the request to apply to the North Carolina Solar Center Program for \$22,682 in CFAT funds with a \$5,670 cost share and additional expenses of \$13,198 from the City of Greensboro's NC State Drug Excise Tax funds is hereby approved.

(Signed) Marikay Abuzuaiter

[ID 14-0167](#) Budget Adjustments Approved by Budget Officer 3/11/14 - 3/24/14

Motion to approve the budget adjustments was adopted.

[ID 14-0142](#) Motion to make a part of the official record the listing of contracts that are currently eligible for destruction as per the City Clerk's Office

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

[ID 14-0177](#) Motion to approve the minutes of the Regular meeting of March 4, 2014.

Motion to approve the minutes of the regular meeting of March 4, 2014 was adopted.

[ID 14-0168](#) Budget Adjustments Requiring Council Approval 3/11/14 - 3/24/14

Councilmember Abuzuaiter requested information regarding the difference between the hard copy and electronic copy; and requested verification as to the type of consulting that was done.

City Manager Westmoreland responded that he did not have that information but would provide it to Council.

**Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson, to approve the budget adjustments as amended. The motion carried on the following roll call vote:**

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

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

[ID 14-0165](#) Ordinance amending Comprehensive Plan (GFLUM) for 4406 and 4408 Rehobeth Church Rd - Low Residential and Mixed Use Residential to Mixed Use Residential

Mayor Vaughan stated Council would hear Item numbers 14-0165 and 14-0164 together.

Planning Manager Mike Kirkman provided a brief overview; provided a Powerpoint Presentation; photographs; referenced the zoning; conditions; outlined the applicant's request for the site; the goals that were met; stated staff recommended approval of the request; and that the Zoning Commission voted 6-1 to approve the request.

Craig Stone, 506 South Elam Avenue representing Winthrop Properties acknowledged the company was a family owned entity that had been in business for 42 years; outlined the proposed project; construction components; provided examples of where the company had developed projects; and spoke to the neighborhood outreach.

Councilmember Hightower inquired about the density and setback requirements; voiced concerns about traffic; outreach to the surrounding of neighborhoods; and clarification of work force.

Mr. Stone responded that the company had worked with staff; spoke to feedback they had received; outlined the setback requirements; density of the project; that the development goal was to provide first year employees who drove the economy with housing; addressed the process for marketing the project; and verified the project was less than one mile from lifestyle amenities..

Councilmember Abuzuaiter inquired if the road would be increased to four lanes; voiced concern for lack of a traffic study; and inquired about the amount of rent that would be charged.

Steve Spence from Transportation provided information on the requirements necessary for a traffic study; and emphasized that traffic was low for a two lane highway.

Assistant City Attorney Tom Carruthers advised Council that the rental costs fell under the fair housing laws; and that questions needed to be redirected to the purpose of the zoning; and clarified that the level of housing was not relevant to the re-zoning request.

Discussion ensued regarding the question being out of the relevance of the rezoning; not wanting to go against legalities; the condition not being tied to work force; and consequences of questions creating a legal liability.

City Manager Westmoreland was requested to advise rezoning applicants to refrain from using certain terminology in their descriptions to avoid legal liability as a result of questions asked by Council.

Councilmember Matheny thanked the company for its \$9 million investment in the area; and spoke to the need for affordable housing.

Councilmember Hightower spoke to affordable housing off Randleman Road; the need for affordable housing in the East Side of Greensboro; and voiced appreciation for the \$9 million investment.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Matheny, to close the public hearing. Motion carried by voice vote.

**Moved by Councilmember Matheny, seconded by Mayor Pro-Tem Johnson, to  
Adopted the Report. The motion carried on the following roll call vote:**

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

#### 14-037 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-4

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

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from Low Residential and Mixed Use Residential to Mixed Use Residential, for the properties at 4406 &

4408 Rehobeth Church Road, generally located south Glendale Drive and west of Rehobeth Church Road.

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

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

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

Section 3. This ordinance shall become effective upon adoption.

(Signed) Zack Matheny

[ID 14-0164](#) Ordinance rezoning 4406 and 4408 Rehobeth Church Road

**Moved by Councilmember Matheny that the Greensboro City Council believes its action to approve the zoning amendment located along High Point Road and West Lee Street from 1410 Lee Street to Ellington Street from HI, LI, C-M, PI and CD-PI and CD-PI to AO is consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas; the request is consistent with the Economic Development Goal to promote a healthy, diversified economy; and the request is consistent with the Mixed Use Commercial designation for these properties, seconded by Mayor Pro-Tem Johnson, to adopt the Ordinance. The motion carried on the following roll call vote:**

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

14-038 AMENDING OFFICIAL ZONING MAP - 4406 & 4408 REHOBETH CHURCH ROAD, SOUTH OF GLENDALE ROAD AND WEST OF REHOBETH CHURCH ROAD.

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

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

The area is described as follows:

Lying and being in Guilford County, North Carolina and being more particularly describes as follows: Beginning at a point in the intersection of the southern right of way line of Glendale Road and the western right of way line of Rehobeth Church Road; thence along the western right of way line of Rehobeth Church Road South 08 degrees 00 minutes West 412.68 feet to a new iron pin; thence North 82 degrees 00 minutes West 485.00 feet to a new iron pin; thence North 08 degrees 00 minutes East 393.2 feet to a new iron pin in the southern right of way of Glendale Road; thence South 84 degrees 18 minutes East 485.39 feet to the point and place of Beginning and containing 5.13 feet more or less as shown on survey entitled "Map of Survey for George N. Bishop & wife Ara Mae, J. Ben Jones & wife, Mildred R., Morehead & Sumner Township," drawn by Wayne L. Stutts, R.L.S. dated 9/3/1981, Job No. 81-243.

Section 2. That the zoning amendment from R-5 (Residential Single-Family) to CD-RM-18 (Conditional District-Residential Multifamily) is hereby authorized subject to the following use limitations and conditions:

1. The site shall be limited to a maximum of 72 residential units.
2. All structures will have a maximum height of three stories.

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) 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 April 1, 2014.

(Signed) Zack Matheny

Mayor Vaughan declared a 15 minute break at 7:45 p.m.

Council reconvened at 8:08 p.m. with all members in attendance.

[ID 14-0160](#)      Ordinance Rezoning W. Lee Street, between Eugene Street and  
west of Neal Street, to University Mixed Use (UMU)

Mayor Vaughan introduced Item numbers 14-0160 through 14-0163.

Planning Manager, Mike Kirkman provided an overview on the rezoning; spoke to the requests; explained the history and goals of the plan; spoke to creation of the Central Corridor Partnership Group; additional steps in the plan; spoke to streetscape improvements; verified that the renaming of High Point Road had been approved in November; provided a map and outline for each of the proposed rezoning areas; verified that the neighbors had been notified of the proposed rezoning hearings; addressed the request of one property owner in the area for property located at 2512 High Point Road; and clarified that the Zoning Commission did not feel comfortable taking the property out of the request but that staff was recommending this specific property be removed from the requests tonight due its unique infrastructure characteristics.

Moved by Councilmember Matheny, seconded by Councilmember Wilkins to remove property at 2512 High Point Road in connection with Item #19, 14-0162.

Council discussion verified that this was the gas station; clarified that no business would lose its business as a result of the rezoning.

The motion carried by voice vote.

Additional discussion took place regarding similar concerns from other businesses; Mr. Kirkman responded that no other businesses had been identified but would be addressed on a case by case basis;

Attorney Carruthers inquired if Mr. Kirkman had been contacted by a citizen concerning property located at 500 West Lee Street included in Item #17, to which Mr. Kirkman responded in the affirmative; spoke to the owner's concerns; and verified that the existing business would not be impacted by the rezoning but the owner was anticipating additional use on the property which might not be permitted.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson, to remove property located at 500 West Lee Street from Item #17, 14-0160. The motion carried by voice vote.

Mr. Kirkman continued the presentation; provided an explanation for the zoning term auto oriented designation; outlined the separate designations; stated the proposed request supported the Comprehensive Plan; that staff recommended approval of the requests; and that the Zoning Commission voted 5-2 to approve the requests.

Discussion ensued regarding concerns of the impact of university mixed use on the Glenwood Neighborhood;

consequences should businesses not relocate; setback provisions; positives about the proposed rezonings; concerns of Zoning Commission members; the flexibility framework in developing sites; UNCG Housing in the area; impact of the districts on existing businesses; and the public process used.

Planning Director Sue Schwartz outlined the public process that took place for the the development standards; and spoke to the request to change the look, feel and function in accordance with the goals adopted by Council.

Mayor Vaughan stated Council would hear from speakers in opposition to the rezoning; reminded the speakers that each side had fifteen minutes total with a five minute rebuttal period; and clarified that Items #17 through 20 had been combined to allow one opportunity to speak.

Elizabeth Keathly, 117 Lexington Avenue, stated she was speaking specifically to Item #17; asked Council not to approve the rezoning; referenced violations to a Memorandum of Understanding that had been executed by UNCG; privileges given to UNCG; referenced lack of leasing priority for property developed by the university; displacement of businesses along West Lee Street as a result of UNCG development; removal of 147 trees in the Glenwood neighborhood; added that the tree canopy was a major Glenwood Neighborhood asset; spoke to the lack of state appropriation for university projects; economic terrain of higher education; cutbacks to academics; high student debt; and asked Council to look at the bigger economic picture.

Bulient Bediz, 808 Lexington Avenue, voiced concern with the term university mixed use; referenced the natural boundaries of UNCG; the university master plan; expansion of UNCG to the south; spoke to what benefits the Glenwood neighborhood had been promised with regard to the mixed use plans; and emphasized that the Glenwood neighborhood was at stake.

Mike Perdue, 500 West Lee Street, thanked Council and staff for approving exemption of property at 500 West Lee Street; emphasized that some property owners might not fully understand the impact of the rezoning; spoke to the costs to small businesses regarding the High Point Road name change; urged Council to encourage staff to revisit what could be done to help small businesses; and thanked Council for their time.

Speakers in support of the rezoning were as follows:

Ron Mack, 301 Ridgeway Drive, referenced the 2025 Comprehensive Plan; spoke to future attraction of the corridor which would create an environment where new money would want to invest; referenced the discussions that had taken place over the past few years; the consultants involved in the project; and reiterated that this was a good next step.

Henry Fourier, 2200 Pinecroft Road, referenced the work of the committee that had developed the plan; and asked Council not to be distracted by the UNCG recreation center.

Mike Byers, 1000 Spring Garden Street, stated he was here to voice UNCG's support for the rezoning; added this was the next logical step for the implementation of the plan; spoke to the future campus expansion that was planned; UNCG's current and future investment in the corridor; and stated the proposal would assist in promoting private investment in the area to complete the revitalization.

Brian Higgins, 1007 Haywood Street, stated he represented the Glenwood Neighborhood Association which was in support of the project; referenced changes in the Glenwood Neighborhood Plan to incorporate the Gateway Corridor plans; spoke to tensions in the neighborhood as a result of the proposed recreation center; and spoke to improvements to the area.

Laura Jackson, 2615 West Court Street, stated the neighbors were proud of what had been accomplished over the past 8 years; referenced the amount of investment in the area; spoke to businesses that would be moving to the area; referenced new signage and proposed improvements in the area which would make it more inviting for visitors coming to the community; spoke to the walkability of the area; voiced the concern that the area did not need what was classified as bars; and requested Council to look at the zoning that would not allow disruptive businesses in the area.

Five minute rebuttal in opposition:

Elizabeth Keathly, 1117 Lexington Avenue, clarified that Mr. Higgins did not represent the Glenwood neighborhood; voiced that the zoning change was not reported back to the Glenwood residents; spoke to the future land use map for the area; and funding cuts to academics.

Bulent Bidez, 808 Lexington Avenue voiced agreement with Ms. Keathly; referenced the amount of property UNCG owned along Lee Street; spoke in opposition of a \$91 million recreation center; and voiced that he felt abused and manipulated as a resident of Glenwood.

There were no speakers in favor for rebuttal.

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

Councilmember Hightower voiced concerns for the university mixed use zoning; suggested Council table the item until the received clarity regarding how it would relate to the neighborhood; spoke to moving the setback requirements; voiced appreciation for the work that had been done; stated she would like to see more consideration and better consensus of the neighborhood; and asked Mr. Perdue about the impact to his business as a result of the street name change.

Mr. Perdue voiced that currently his business was listed first on Google; and that once the address changed it had the potential of not being the first business on the front page of the internet.

Councilmember Matheny stated he had watched the process since it began; referenced the tree canopy and creative ideas to enhance the area; voiced support for the work UNCG had done along the Lee Street Corridor; voiced the need to continue to promote growth and opportunity along the High Point Road/Lee Street corridor; and stated he would support the items.

Councilmember Barber commended UNCG for being a terrific university neighbor; stated the City was fortunate to have a public university that created an affordable education; reminded the audience that there was an 18 month mark to make changes to business addresses in the area; and added that property values would increase as a result of the investment made by UNCG.

Councilmember Abuzuaiter commended the hard work of the committee; voiced concern that there were many small businesses that would be non-conforming; stated she had a major concern with the requirements for rebuilding; addressed reservations she had with the items; and voiced that she could not support the items at this time.

Additional discussion ensued regarding the location of apartment buildings; widening of sidewalks; streetscape enhancement; type of development that would occur; existing infrastructure; street reconfiguration; the need to purchase additional right-of-way to enhance the streetscape; and a request for staff to provide information on the number of small businesses along the High Point Road corridor that were no longer in business as a result of the UNCG expansion.

Councilmember Hoffmann emphasized that the City could not allow a major corridor in the City look the same as it did in the 1960's; reminded Council of what the university looked like today versus what it was; stated UNCG was a great financial value to the City; referenced what UNCG had done along the Lee Street corridor; and spoke to the need to move on.

**Moved by Councilmember Barber, that the Greensboro City Council believes that its action to approve/deny the zoning amendment located along West Lee Street from Eugene Street to 1400 & 1409 Lee Street from HI, LI, RM-26, C-M, C-L, PUD and O to UMU is consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas; the request is consistent with the Economic Development Goal to**



**promote a healthy, diversified economy; and the request is consistent with the Mixed Use Commercial and Mixed Use Residential designations for these properties, seconded by Councilmember Matheny, to adopt the ordinance as amended. The motion carried on the following roll call vote:**

**Ayes,** 7 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Jamal T. Fox, Nancy Hoffmann, Zack Matheny and Tony Wilkins

**Nays,** 2 - Marikay Abuzuaiter and Sharon M. Hightower

14-039 AMENDING OFFICIAL ZONING MAP - PROPERTIES FRONTING LEE STREET, BETWEEN THE WEST SIDE OF EUGENE STREET TO 1400 & 1409 LEE STREET (WEST OF NEAL STREET)

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

Section 1. The Official Zoning Map is hereby amended by rezoning from LI (Light Industrial), HI (Heavy Industrial), C-M (Commercial-Medium) and PUD (Planned Unit Development) to UMU (University Mixed Use).

The area is described as follows:

Beginning at the southeast corner of Tri Stores, LLC, as recorded in Deed Book 7365, Page 625; thence with the east line of Tri Stores, LLC N 01° 58' 00" E 252.73 feet to a point on the south right-of-way (ROW) line of W. Lee Street\*; thence in a northeasterly direction across W. Lee Street\* approximately 120 feet to the southeast corner of property of State of North Carolina, as recorded in Deed Book 7118, Page 2078; thence with the east line of said property and its northward projection N 00° 21' 30" E approximately 300 feet to a point in the north ROW line of Oakland Avenue; thence in an easterly direction with said ROW line approximately 200 feet to its intersection with the northwardly projection of the western line of William R. Lemons, Jr., as recorded in Deed Book 3824, Page 449; thence with said projection and said line S 09° 35' 30" E approximately 300 feet to a point on the north ROW line of W. Lee Street\*; thence in an easterly direction with said ROW line 90.0 feet to its intersection with the east line of Lemons; thence with the east line of Lemons and the northwardly projection thereof N 09° 35' 30" W approximately 300 feet to a point in the north ROW line of Oakland Avenue; thence in an easterly direction with said ROW line approximately 1,700 feet to its intersection with the east ROW line of Highland Avenue; thence in a southerly direction with said east ROW line approximately 300 feet to a point on the north ROW line of W. Lee Street\*; thence in an easterly direction with said north ROW line approximately 580 feet to its intersection with the west ROW line of S. Tate Street; thence in a northerly direction with said west ROW line approximately 340 feet to a point in the north ROW line of Oakland Avenue; thence in an easterly direction with said north ROW line approximately 600 feet to its intersection with the west ROW line of S. Mendenhall Street; thence in an easterly direction across said street approximately 60 feet to the southwest corner of Lot 1 on the Survey Plat for The Province, as recorded in Plat Book 181, Page 82; thence with the south line of said Lot 1 and its eastwardly projection the following 5 courses and distances: (1) N 76° 31' 00" E 392.85 feet to an iron pipe, (2) N 73° 36' 51" E 132.18 feet to a point, (3) N 87° 45' 16" E 39.63 feet to a point, (4) S 02° 14' 44" E 93.13 feet to a point, and (5) N 72° 42' 04" E 245.98 feet to an iron pipe within the ROW of Fulton Street; thence in a northeasterly direction 71.98 feet to another iron pipe within the ROW of Fulton Street; thence with the projection of the south line of Lot 2 on said plat and said line N 72° 39' 42" E 123.43 feet to an iron pipe; thence with said line N 72° 22' 35" E 191.01 feet to an iron pipe at the southeast corner of said Lot 2; thence in a southeasterly direction across Freeman Mill Road approximately 260 feet to the southwest corner of Property of Tasker Industries, Inc., as recorded in Plat Book 83, Page 126; thence in a southeasterly direction across an alley approximately 40 feet to the northwest corner of Freddie T. and Melinna H. Marley, as recorded in Deed Book 3491, Page 2137; thence in an easterly direction with the south line of said alley N 80° 18' 28" E 26.15 feet to Marley's northeast corner; thence with Marley's east line S 01° 54' 16" E approximately 150 feet to the north ROW line of W. Lee Street\*; thence in an easterly direction with said ROW line approximately 52 feet to its intersection with the west ROW line of Druid Street; thence in a northerly direction with said west ROW line approximately 150 feet to its intersection with the south ROW line of said alley; thence in an easterly direction across Druid Street approximately 20 feet to the northwest corner of Edgar Ortiz, as recorded in Deed Book 5989, Page 127; thence eastwardly with Ortiz's north line 50 feet to the northwest corner of Hughes B. Hoyle, IV and Frances E. Harrington, as recorded in Deed Book 7125, Page 2136; thence with the west line of Hoyle and Harrington S 02° 02' E 50 feet to their southwest corner; thence with their south line N 80° 02' E 117.67 feet to a point in the west ROW line of S. Spring Street; thence in an easterly direction across said street approximately 50 feet to the northwest corner of Kenneth and Tamara McDoe, as recorded in Deed Book 5951, Page 1929; thence with McDoe's north line the following 3

courses and distances: (1) N 83o 22' 30" E 97.08 feet to an iron pipe, (2) N 00o 52' 31" E 31.78 feet to an iron pipe, and (3) N 84o 26' 27" E 81.18 feet to a corner in the west line of Bernice I. Goins, as recorded in Deed Book 6752, Page 1391; thence with said west line N 00o 46' 55" E 76.63 feet to Goins' northwest corner; thence in an easterly direction with Goins' north line a total distance of approximately 160 feet to Goins' northeast corner; thence with the west line of Miriam Auto Sales, Inc., as recorded in Deed Book 3180, Page 441, N 01o 01' 33" E approximately 30 feet to the northwest corner of said property; thence with the north line of said property line the following 3 courses and distances: (1) N 87o 00' 45" E 70.70 feet to a point, (2) S 00o 34' 19" E 18.31 feet to an iron pipe, and (3) N 85o 20' 41" E 67.54 feet to the northeast corner of said property; thence with the east line of said property S 01o 24' 49" W approximately 30 feet to the northwest corner of a second Miriam Auto Sales, Inc., property, as recorded in Deed Book 3428, Page 1035; thence with the north line of said property and its eastwardly projection N 85o 23' 30" E approximately 182 feet to a point the east ROW line of Tipton Place; thence in a southerly direction with said ROW line approximately 110 feet to its intersection with the north ROW of W. Lee Street\*; thence in an easterly direction with said north ROW line approximately 700 feet to the north end of the corner ROW radius at the northwest corner of W. Lee Street\* and S. Eugene Street; thence in a southerly direction with the west ROW line of S. Eugene Street approximately 330 feet to the southeast corner of Mansei I, Inc., as recorded in Deed Book 6524, Page 2981; thence with the south line of said property S 88o 50' 10" W 164.69 feet to the southwest corner of said property; thence with the east line of Lot 4 of Property of Flowers Industries, Inc., as recorded in Plat Book 79, Page 76, S 00o 37' 39" E approximately 180 feet to the southwest corner of said Lot 4; thence in a westerly direction with the south lines of Lots 4-1 of said subdivision the following 5 courses and distances: (1) S 88o 40' 30" W 149.51 feet to a point, (2) with a curve to the left with a radius of 1,557.38 feet a chord bearing and distance of S 87o 54' 08" W 42.51 feet to the southwest corner of Lot 4, (3) continuing with said curve a chord bearing and distance of S 84o 09' 49" W 162.10 feet to the southwest corner of Lot 3, (4) continuing with said curve a chord bearing and distance of S 77o 34' 28" W 190.00 feet to the southwest corner of Lot 2, and (5) S 74o 09' 03" W 207.00 feet to the southwest corner of Lot 1; thence with the south line of Lot A of Property of Bamby Bakeries, Inc., as recorded in Plat Book 59, Page 115; S 74o 09' 02" W 131.40 feet to a point; thence continuing with said line S 80o 12' 45" W 160.95 feet to the southwest corner of said Lot A; thence with the south line of Lot 1-B of Property of Glenn H. Person, as recorded in Plat Book 59, Page 13, S 81o 46' 40" W 114.33 feet to a corner; thence with the southwest lines of Lots 1-B and 1-A of said subdivision N 67o 16' 55" W 316.86 feet to a corner; thence with the southwest line of said Lot 1-A N 40o 24' 40" W 95.47 feet to the westernmost corner of said lot; thence

in a southerly direction with the east ROW line of the Freeman Mill Road ramp approximately 540 feet to its intersection with the eastwardly projection of the former centerline of Union Street; thence with said projection and said centerline N 87o 49' 30" W approximately 700 feet to its intersection with the east ROW line of Dick Street; thence in a northwesterly direction approximately 50 feet to the intersection of the north ROW line of Union Street and the west ROW line of Dick Street; thence in a northerly direction with said west ROW line approximately 500 feet to its intersection with the south ROW line of W. Lee Street\*; thence in a westerly direction with said south ROW line approximately 270 feet to the west line of J & E Building LLC, as recorded in Deed Book 7301, Page 3048; thence with the west line of said property S 03o 25' 32" E approximately 70 feet to the northeast corner of Korosh and Christiane Kiandost, as recorded in Deed Book 7209, Page 920; thence with Kiandost's east line S 04o 33' 14" E 83.09 feet to Kiandost's southeast corner; thence with Kiandost's south line S 86o 31' 46" W 72.55 feet to the east ROW line of Dillard Street; thence in a southerly direction with said ROW line 45 feet to a point; thence westerly across said street approximately 50 feet to the southeast corner of Weidl Properties II, LLC, as recorded in Deed Book 7334, Page 1757; thence with the south line of said property the following 5 courses and distances: (1) S 87o 41' 55" W 65.75 feet to an iron pipe, (2) S 02o 30' 27" W 20.80 feet to a rebar, (3) S 82o 45' 20" W 53.68 feet to an iron pipe, (4) S 04o 32' 49" E 23.70 feet to an iron pipe, and (5) N 88o 22' 43" W 143.23 feet to a rebar in the east ROW line of Silver Avenue; thence in a southerly direction with said ROW line approximately 300 feet to the southwest corner of Capital Facilities Foundation, Inc., as recorded in Deed Book 7237, Page 1578; thence in a westerly direction approximately 60 feet to the intersection of the west ROW line of Silver Avenue and the south ROW line of Union Street; thence in a westerly direction with said south ROW line approximately 1,300 feet to its intersection with the east ROW line of Lexington Avenue; thence in a southerly direction with said east ROW line 78 feet to the southwest corner of Capital Facilities Foundation, Inc., as recorded in Deed Book 7230, Page 166; thence in a westerly direction approximately 50 feet to the southeast corner of Lot 20 in Block 2 of Glenwood, as recorded in Plat Book 2, Page 104; thence in a westerly direction with the south lines of said Lot 20 and Lot 8 in said block approximately 324 feet to the southwest corner of said Lot 8; thence in a westerly direction across Glenwood Avenue approximately 50 feet to the southeast corner of Lot 13 in Block 3 of Glenwood; thence N 87o 06' W 162.44 feet to a point in the centerline of the north-south alley in Block 3; thence southwardly with said alley centerline 350 feet to a point; thence in a westerly direction approximately

162 feet to and then with the south line of Lot 10 in said Block 3 to its southwest corner; thence in a southerly direction with the east ROW line of McCormick Street approximately 150 feet to its intersection with the south ROW line of Haywood Street; thence with said ROW line in a westerly direction approximately 470 feet to its intersection with the west ROW line of Neal Street; thence in a northerly direction with said west ROW line approximately 400 feet to the northeast corner of property of the State of North Carolina, as recorded in Deed Book 7543, Page 2966; thence with the north line of said property the following 3 courses and distances: (1) N 88° 19' W 150 feet to a point, (2) N 01° 44' E 50 feet to a point, and (3) N 88° 19' W approximately 100 feet to the point and place of beginning.

All Deeds and Plats to which this description refers are kept in the records of the Register of Deeds of Guilford County, North Carolina.

\*This street name will be changed to Gate City Boulevard on July 1, 2015 or earlier.

Section 2. These properties will be perpetually bound to the uses authorized and subject to the development standards of the UMU (University Mixed Use) 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 April 1, 2014.

(Signed) Mike Barber

[ID 14-0161](#)

Ordinance rezoning High Point Road and W Lee Street (west of Neal St to Ellington St) to Auto Oriented (AO)

**Moved by Councilmember Matheny, that the Greensboro City Council believes that its action to approve/deny the zoning amendment located along High Point Road and West Lee Street from 1410 Lee Street to Ellington Street from HI, LI, C-M, CD-C-M, PI and CD-PI to AO is consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas; the request is consistent with the Economic Development Goal to promote a healthy, diversified economy; and the request is consistent with the Mixed Use Commercial designation for these properties, seconded by Councilmember Barber, to adopt the ordinance. The motion carried on the following roll call vote:**

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

**Nays,** 1 - Marikay Abuzuaiter

14-040 AMENDING OFFICIAL ZONING MAP - PROPERTIES FRONTING HIGH POINT ROAD AND LEE STREET, BETWEEN 1410-1411 LEE STREET (WEST OF NEAL STREET) AND ELLINGTON STREET/IMMANUEL ROAD

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

Section 1. The Official Zoning Map is hereby amended by rezoning from LI (Light Industrial), HI (Heavy Industrial), C-M (Commercial-Medium) and PI (Public and Institutional) to AO (Auto Oriented).

The area is described as follows:

Beginning at the intersection of the east line of the 10-foot alley shown on W. S. Clary Property, recorded in Plat Book 10, Page 1, and the south right-of-way (ROW) line of Ellington Street; thence in a westerly direction with said ROW line and its westwardly projection approximately 250 feet to a point in the northwest ROW line of High Point Road\*; thence in a southwesterly direction with said northwest ROW line approximately 140 feet to the northeast end of the corner ROW radius at Immanuel Road; thence in a northwesterly direction with the northeast ROW line of Immanuel Road approximately 280 feet to its intersection with the southeast ROW line of Westbrook Street; thence in a northeasterly direction with said southeast ROW line approximately 700 feet to its intersection with the southwest ROW line of Husbands Street; thence in a southeasterly direction with said southwest ROW line 73.10 feet to the northeast corner of 2416, LLC, as recorded in Deed Book 5976, Page 1463; thence in a northeasterly direction across Husbands Street approximately 30 feet to the west corner of John T. Hiatt, Jr. and Brenda L. Hiatt, as recorded in Deed Book 6768, Page 2534; thence northeastwardly with Hiatt's northwest line 90 feet to Hiatt's north corner; thence southeastwardly with Hiatt's northeast line approximately 70 feet to the west corner of The HEN Group, LLC, as recorded in Deed Book 6809, Page 522; thence with the northwest line of said property N 45o 10' E 139.85 feet to the north corner of said property; thence continuing N 45o 10' E 35 feet with the northwest line of Kenneth L. Evans, as recorded in Deed Book 2895, Page 15, to an iron pipe, thence continuing with said northwest line N 44o 53' 30" W 42 feet to an iron pipe; thence continuing with said line N 45o 10' E 115 feet to Evans's north corner; thence in a northerly direction approximately 80 feet to the eastern end of the corner ROW at the intersection of Patterson Street and Westbrook Street; thence in a northeasterly direction with the northwest ROW line of Westbrook Street approximately 450 feet to the northwest corner of City of Greensboro property, as recorded in Deed Book 7470, Page 2819; thence with the north line of said property N 83o 56' 03" E 100.42 feet to an iron pipe in concrete; thence with the west line of Stamey's Enterprises, as recorded in Deed Book 7537, Page 2828, and the northwardly projection thereof, N 05o 56' 30" W approximately 200 feet to a point in the north ROW line of Patterson Court; thence in an easterly direction with said ROW line approximately 470 feet to its intersection with the northwest ROW line of High Point Road\*; thence in a northeasterly direction with said ROW line and its continuation eastwardly as the north ROW line of W. Lee Street\* a total of approximately 1,200 feet to its intersection with the west ROW line of S. Chapman Street; thence in a northerly direction with said west ROW line approximately 400 feet to a point on the north face of the railroad bridge over S. Chapman Street; thence in an easterly direction along said north face and then with the projection thereof approximately 150 feet to a point on the east line of Russell Terry Investments, LLC, as recorded in Deed Book 7472, Page 2878; thence in an easterly direction 40 feet to a point in the south edge of pavement of Oakland Avenue; thence in an easterly direction with said edge of pavement approximately 2,900 feet to the intersection of said pavement edge and the northward projection of the east line of State of North Carolina, as recorded in Deed Book 7118, Page 2078; thence with said projection and said east line S 00o 21' 30" W approximately 260 feet to

a point on the north ROW line of W. Lee Street\*; thence in a southwesterly direction across W. Lee Street\* approximately 110 feet to the northeast corner of Tri Stores, LLC, as recorded in Deed Book 7365, Page 625; thence with the east line of Tri Stores, LLC S 01o 58' 00" W 252.73 feet to the southeast corner of said property; thence with the south line of said property N 88o 19' 09" W 254.34 feet to its southwest corner; thence in a westerly direction with the south line of Fred T. Snyder, Jr. and Steven Mark Snyder, as recorded in Deed Book 5867, Page 2694, approximately 150 feet to a point in the east ROW line of S. Aycock Street; thence in a westerly direction approximately 50 feet to the intersection of the west ROW line of S. Aycock Street and the south line of James S. and Sheryl M. Glover, as recorded in Deed Book 3287, Page 915; thence with Glover's south line S 81o 56' W approximately 146.51 feet to Glover's southwest corner; thence with the east line of Kosmas and Katy Armaos, as recorded in Deed Book 3135, Page 293, S 01o 22' 32" W approximately 120 feet to Armaos's southeast corner; thence with Armaos's south line S 81o 55' 30" W 103.31 feet to Armaos's southwest corner, a point in the east line of Silva Dental, LLC, as recorded in Deed Book 7558, Page 2639; thence with said east line and the southwardly projection thereof S 01o 27' 50" W approximately 260 feet to a point in the south ROW line of Haywood Street; thence in a westerly direction with said ROW line approximately 50 feet to the east line of Lot 2 of LaRose Properties, Inc., as recorded in Plat Book 118, Page 131; thence with said east line S 01o 30' 00" W approximately 20 feet to the southeast corner of said Lot 2; thence with the south line of Lot 2 N 82o 33' 28" W 151.24 feet to the southwest corner of Lot 2; thence in a westerly direction, crossing Lot 1 of said subdivision and Fuller Street, approximately 190 feet to the intersection of the west ROW line of Fuller Street and the south line of Lot 8 in Section M of Watson Heights, as recorded in Plat Book 4, Page 44; thence with the south lines of Lots 8 and 23 in said Section M in a westerly direction approximately 400 feet to the southwest corner of said Lot 23; thence in a southerly direction with the east ROW line of Van Wert Street 20 feet to a point; thence in a westerly direction across said street approximately 30 feet to the northeast corner of Eugene T. Grissom, Jr., as recorded

in Deed Book 6054, Page 569; thence with Grissom's north line S 86° 46' 30" W approximately 119.98 feet to Grissom's northwest corner; thence in a northerly direction approximately 40 feet with the east line of Lot 21 in Section K of Watson Heights to a point in the south line of Grab & Go 4, Inc., as recorded in Deed Book 7404, Page 3056; thence with the south line of said lot S 83° 06' 00" W 119.06 feet to a point in the east ROW line of Warren Street; thence in a southerly direction with said ROW line approximately 110 feet to the southwest corner of Lot 19 in said Block K; thence across Warren Street in a westerly direction approximately 30 feet to the southeast corner of JWW Properties, LLC, as recorded in Deed Book 7202, Page 677; thence with the south line of said property S 83° 01' 30" W 76.65 feet to the southeast corner of MJW Investments, Inc., as recorded in Deed Book 6553, Page 993; thence with the south line of said property S 82° 57' 30" W 96 feet to the southwest corner of said property; thence in a northerly direction approximately 25 feet with the east line of Tract Ten of Curved Moon, LLC, as recorded in Deed Book 7424, Page 1001, to the southeast corner of Tract Eleven, as recorded in said deed; thence in a westerly direction with the south line of Tract Eleven 50 feet to the southwest corner of said tract; thence with the south lines of Tracts Eight and Seven, as recorded in said deed, S 83° 31' W 100 feet to the southwest corner of Tract Seven; thence in a westerly direction with the south line of Tract Six, as recorded in said deed, 49.9 feet to the southeast corner of another property of same owner, as recorded in Deed Book 7424, Page 998; thence with the south line of said property S 82° 59' 05" W 149.95 feet to the southeast corner of Tract Four of same owner, as recorded in Deed Book 7424, Page 1001, thence in a westerly direction with the south line of said tract 50 feet to the east line of Lot 1 of RNK Realty Company, as recorded in Plat Book 142, Page 13; thence with said east line N 05° 51' 18" W approximately 80 feet to the southeast corner of Lot 2 on said plat; thence with the south line of said Lot 2 the following 3 courses and distances: (1) S 74° 48' 23" W 91.20 feet to a point, (2) S 05° 43' 36" E 5.00 feet to a point, and (3) S 84° 16' 24" W 110.00 feet to the southwest corner of said lot; thence with the east line of Edward R. and Vicki D. Mateer, as recorded in Deed Book 5172, Page 1201, S 07° 08' E approximately 60 feet to Mateer's southeast corner; thence with Mateer's south line S 81° 32' W 129.92 feet to Mateer's southwest corner; thence with Mateer's west line N 07° 12' W 40.05 feet to the southeast corner of Tract One of Curved Moon, LLC, as recorded in Deed Book 7424, Page 1001; thence in a westerly direction with the south line of Curved Moon, LLC approximately 170 feet to its intersection with the east ROW line of Coliseum Boulevard; thence in a southerly direction with said ROW line approximately 1,900 feet to the north end of the northeast corner ROW radius at Coliseum Boulevard and Marion Street; thence in a southwesterly direction approximately 100 feet to the west end of the southwest corner ROW radius at Coliseum Boulevard and Ellington Street; thence in a westerly direction with the south ROW line of Ellington Street approximately 2,200 feet to the point and place of beginning.

All Deeds and Plats to which this description refers are kept in the records of the Register of Deeds of Guilford County, North Carolina.

\*This street name will be changed to Gate City Boulevard on July 1, 2015 or earlier.

Section 2. These properties will be perpetually bound to the uses authorized and subject to the development standards of the AO (Auto Oriented) 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 April 1, 2014.

(Signed) Zack Matheny

[ID 14-0162](#)

Ordinance rezoning properties along High Point Road (Ellington St to Grimsley St) to Neighborhood Support (NS)

**Moved by Councilmember Matheny, that the Greensboro City Council believes that its action to approve/deny the zoning amendment located along High Point Road from Ellington Street to Grimsley Street from C-M and LI to NS is consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Reinvestment/Infill**

**Goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas; the request is consistent with the Economic Development Goal to promote a healthy, diversified economy; the request is consistent with the Mixed Use Commercial designation for these properties, seconded by Councilmember Barber, to adopt the ordinance as amended. The motion carried on the following roll call vote:**

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

**Nays,** 1 - Marikay Abuzuaiter

14-041 AMENDING OFFICIAL ZONING MAP - PROPERTIES FRONTING HIGH POINT ROAD, BETWEEN ELLINGTON STREET/IMMANUEL ROAD AND GRIMSLEY STREET

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

Section 1. The Official Zoning Map is hereby amended by rezoning from LI (Light Industrial), and C-M (Commercial-Medium) to NS (Neighborhood Support).

The area is described as follows:

Beginning at the intersection of the north right-of-way (ROW) line of Grimsley Street and the east line of Salem Investment Properties, LLC, as recorded in Deed Book 6088, Page 1906; thence in a westerly direction with said ROW line approximately 130 feet to its intersection with the east ROW line of High Point Road\*; thence in a northwesterly direction across High Point Road\* approximately 100 feet to the northern end of the southwest corner ROW radius at High Point Road\* and Grimsley Street; thence in a westerly direction with the south ROW line of Grimsley Street approximately 170 feet to its intersection with the west line of Lot 12 in Block A of Dorothy Hayden Property, as recorded in Plat Book 5, Page 404; thence N 28o 20' E across Hayden Street approximately 30 feet to the southwest corner of Lot 6 in Block B of said subdivision; thence with the west line of said Lot 6 N 28o 20' E 105 feet to the northwest corner of said lot; thence with the north lines of Lots 6 and 5 in said block S 73o 35' E 50 feet to the northeast corner of said Lot 5; thence with the west line of JJ&R Company, as recorded in Deed Book 6746, Page 1462, N 27o 12' 10" E 139.16 feet to its intersection with the south ROW line of West Court Street; thence in a westerly direction with said ROW line 35 feet to a point; thence in a northerly direction across said street approximately 40 feet to the southwest corner of Tropicana Supper Club, Inc., as recorded in Deed Book 2752, Page 720; thence with the west line of said property N 15o 23' 16" E 110.00 feet to an iron pipe at the southwest corner of a second property of same owner, as recorded in Deed Book 2425, Page 451; thence with the west line of said property N 15o 23' 16" E 16.38 feet to an iron pipe; thence continuing with the west line of said property N 20o 25' 22" E approximately 150 feet to a point on the south ROW line of W. Florida Street; thence in a northerly direction across said street approximately 55 feet to the southwest corner of Lot 20 of Mrs. W. G. Patterson, as recorded in Plat Book 5, Page 357; thence with the west line of said Lot 20 127 feet to its northwest corner; thence in an easterly direction with the north lines of Lots 20-16 of said subdivision approximately 115 feet to the southwest corner of Hickory Property, Inc., as recorded in Deed Book 7115, Page 1150; thence with the west line of said property N 03o 38' E 69.69 feet to its northwest corner; thence in a northerly direction approximately 100 feet to a point at the western terminus of Jennings Street (later Binford Street, and now closed), as shown on Property Subdivision of Drs. Meadows, Sharpe & Lyon, as recorded in Plat Book 6, Page 28, said point being 14 feet east of the former street centerline; thence with the west line of said subdivision S 86o 28' E 161 feet to the southeast corner of Lot 14 of said subdivision; thence with the east line of said Lot 14 N 04o 24' E 52.7 feet to the southwest corner of Lot 13 of said subdivision; thence with the south line of said Lot 13 S 83o 50' E 25.0 feet to the southeast corner of said lot; thence with the east line of said lot and the projection thereof across Williams Street N 04o 24' E approximately 140 feet to a point on the north ROW line of Williams Street; thence in an easterly direction with said ROW line 75.0 feet to the southwest corner of Lot 6 of said subdivision; thence with the west lines of Lots 6-1 of said subdivision N 04o 24' E 142.9 feet to the northwest corner of said Lot 1; thence with the south line of M. M. Fowler, as recorded in Deed Book 6417, Page 1469, S 81o 48' 10" E approximately 150 feet to its intersection with the northwest ROW line of High Point Road\*; thence in a northeasterly direction with said ROW line approximately 180 feet to its intersection with the southwest line of Lot 5 in Block C of W. S. Clary Property and Wilkerson Property, as recorded in Plat Book 5, Page 340; thence with said southwest line N 62o 30' W approximately 170 feet to the west corner of said lot; thence with the

northwest line of Lots 5-7 in said block and the projection of said line N 28o E approximately 115 feet to a point on the northeast ROW line of Immanuel Road; thence in a southeasterly direction with said ROW line approximately 180 feet to the northeast end of the corner ROW radius at High Point Road\*; thence in a northeasterly direction with the northwest ROW line of High Point Road\* approximately 140 feet to its intersection with the westwardly projection of the south ROW line of Ellington Street; thence in an easterly direction with said projection and said ROW approximately 250 feet to a point in the east line of the 10-foot alley shown on W. S. Clary Property, recorded in Plat Book 10, Page 1; thence with said alley line and the east line of JEMM, LLC, as recorded in Deed Book 5789, Page 596, S 01o 40' W approximately 289 feet to JEMM, LLC's southeast corner; thence with JEMM, LLC's south line N 78o 27' W approximately 140 feet to the northeast corner of Burgerbusters III, L.C., as recorded in Deed Book 4626, Page 1270; thence with the east line of said property S 02o 13' 17" W 124.59 feet to the northeast corner of Lot 6 of A. Schiffman and Co., as recorded in Plat Book 5, Page 271; thence with the east lines of Lots 6-9 of said subdivision S 01o 50' W approximately 111.6 feet to a point on the north ROW line of Maywood Street; thence in a southerly direction across Maywood Street approximately 40 feet to the northeast corner of Lot 7 in Block 3 of Hanner Heights, as recorded in Plat Book 4, Page 50; thence with the east line of said lot in a southerly direction approximately 260 feet to its southeast corner; thence with the south line of said lot in a westerly direction 73.9 feet to its southwest corner, also being the southeast corner of Tony Dien and Loan Le Bui, as recorded in Deed Book 6628, Page 2063; thence with the south line of Bui N 89o 03' 56" W 97.30 feet to a point; thence continuing with said line N 85o 35' 25" W approximately 145 feet to the northwest corner of Sergey Novikov and wife Larysa Garkusha, as recorded in Deed Book 6975, Page 1524; thence with the west line of said property S 03o 48' W approximately 229.60 feet to a point in the north ROW line of W. Florida Street; thence with said ROW line in an easterly direction approximately 141 feet to the southeast corner of Lot 1 of the Recombination of Property of Marjorie L. Y. Williams (and others), as recorded in Plat Book 87, Page 56; thence in a southwardly direction across W. Florida Street approximately 70 feet to the northeast corner of Lot 2 of Lane Properties Davidson Supply Company, as recorded in Plat Book 94, Page 133; thence with the east line of said Lot 2 S 22o 29' 00" W 418.61 feet to an iron pipe; thence continuing with said line S 00o 06' 30" E 162.83 feet to the southeast corner of said lot; thence with the southwest line of said lot N 54o 06' 00" W 112.42 feet to an iron pipe; thence with the south lines of Lots 2 and 3 of said subdivision N 69o 48' 44" W 217.76 feet to the northwest corner of Lot 16 of Land of W. G. Patterson, as recorded in Plat Book 4, Page 69; thence with the west line of said lot S 23o 38' 27" W approximately 210 feet to a point in the north ROW line of Grimsley Street; thence in a westerly direction with said ROW line approximately 60 feet to the point and place of beginning.

All Deeds and Plats to which this description refers are kept in the records of the Register of Deeds of Guilford County, North Carolina.

\*This street name will be changed to Gate City Boulevard on July 1, 2015 or earlier.

Section 2. These properties will be perpetually bound to the uses authorized and subject to the development standards of the NS (Neighborhood Support) 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 April 1, 2014.

(Signed) Zack Matheny

[ID 14-0163](#)

Ordinance rezoning properties on High Point Road (Grimsley Street to Four Seasons Boulevard) to Auto Oriented (AO)

**Moved by Councilmember Matheny, that the Greensboro City Council believes that its action to approve/deny the zoning amendment located along High Point Road from Grimsley Street to Four Seasons Boulevard from C-M, C-H and O to AO is consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with**



**the Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas; and the request is consistent with the Economic Development Goal to promote a healthy, diversified economy; the request is consistent with the Mixed Use Commercial designation for these properties, seconded by Councilmember Barber, to adopt the ordinance. The motion carried on the following roll call vote:**

**Ayes,** 7 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Jamal T. Fox, Nancy Hoffmann, Zack Matheny and Tony Wilkins

**Nays,** 2 - Marikay Abuzuaiter and Sharon M. Hightower

**14-042 AMENDING OFFICIAL ZONING MAP - PROPERTIES FRONTING HIGH POINT ROAD, BETWEEN GRIMSLEY STREET AND FOUR SEASONS BOULEVARD**

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

Section 1. The Official Zoning Map is hereby amended by rezoning from C-M (Commercial-Medium) and C-H (Commercial High) to AO (Auto Oriented).

The area is described as follows:

Beginning at the intersection of the south right-of-way (ROW) line of High Point Road\* and the southwardly projection of the west line of Lot 1 of Property of G. H. Sharp, as recorded in Plat Book 69, Page 126; thence N 01o 03' 10" E with said projection and said west line approximately 680 feet to the northwest corner of said Lot 1; thence S 88o 56' 50" E 357.06 feet with the south line of Lot 1A of Subdivision for Richfield Advertising, Inc., as recorded in Plat Book 107, Page 67, to its intersection with the west ROW line of Veasley Street; thence in a northerly direction with said ROW line approximately 200 feet to the eastern end of the corner ROW radius of Lot 5 G. H. Sharp Subdivision, as recorded in Plat Book 75, Page 87; thence in an easterly direction approximately 50 feet across said Street to the western end of the corner ROW radius of Lot 3 G. H. Sharp Subdivision, as recorded in Plat Book 75, Page 60; thence in an easterly direction with the north ROW line of Isler Court approximately 450 feet to the southeast corner of Lot 1 of A Revision of Fairfield Inn Subdivision, as recorded in Plat Book 95, Page 38; thence with the east line of said Lot 1 the following 6 courses and distances: (1) N 06o 42' 15" W 162.96 feet to an iron pipe, (2) N 82o 32' 49" E 21.98 feet to a concrete monument, (3) N 07o 27' 11" W 102.00 feet to an iron pin, (4) N 06o 35' 00" E 20.62 feet to an iron pin, (5) N 02o 43' 31" W 45.70 feet to an iron pin, and (6) N 82o 34' 15" E approximately 65 feet to a point on the southwest ROW line for the I-40 exit ramp; thence in a northeasterly direction approximately 1,100 feet across I-40 to the southwest corner of Hospitality Associates of Greensboro, L.P., as recorded in Deed Book 6817, Page 1276; thence with the west line of said property N 42o 52' 51" W 169.66 feet to an iron rod; thence with said line N 01o 28' 05" W 267.94 feet to a common corner of Lots 4 and 1 of Koger Executive Center, as recorded in Plat Book 94, Page 58; thence with the south line of said Lot 1 the following 4 courses and distances: (1) N 83o 52' 50" E 211.73 feet to an iron pipe, (2) N 02o 25' 18" W 49.99 feet to an iron pipe, (3) N 84o 16' 28" E 47.75 feet to an iron rod, and (4) N 81o 30' 40" E 128.09 feet to a nail on the southwest ROW line of Meadowview Road; thence in an easterly direction across said Road approximately 130 feet to the westernmost corner of Tract 1 of Oppenheimer Landmark Properties, as recorded in Plat Book 49, Page 46; thence with the northwest line of said Tract N 76o 18' 40" E 65.34 feet to an iron pipe; thence with said line N 36o 18' 30" E 75.00 feet to a tee in concrete; thence with the southwest line of Lot 1 of Brenco, A/P, as recorded in Plat Book 107, Page 54, N 44o 09' 40" W 636.20 feet to the west corner of said lot; thence N 43o 46' 35" E 589.90 feet with the northwest line of said lot to its north corner; thence with the northeast line of said lot S 46o 34' 30" E approximately 796 feet to the west corner of Lot 2 of Property of Yancy Investment Company, as recorded in Plat Book 71, Page 20; thence with the northwest line of said lot the following 5 courses and distances: (1) N 27o 57' 30" E 163.14 feet to an iron pipe, (2) S 59o 19' 30" E 41.17 feet to an iron pipe, (3) N 30o 40' 30" E 4.60 feet to an iron pipe, (4) S 59o 19' 30" E 29.70 feet to an iron pipe, and (5) N 30o 40' 30" E 96.00 feet to an iron pipe in the south ROW line of Dexter Avenue; thence in a northwesterly direction with said ROW line approximately 180 feet to its intersection with the southwestwardly projection of the west line of Lot 14 of Ardmore, Map No.1, as recorded in Plat Book 18, Page 60; thence with said projection and the west lines of Lots 14 and 2 of said Ardmore N 26o 35' E approximately 550 feet to the southwest corner of Lot 13 of said Ardmore; thence with the south line of said Lot 13 S 77o 23' E 71.15 feet to its southeast corner;



thence with the east line of said lot and its northward projection N 14o 50' E approximately 189 feet to a point on the north ROW line of Hayden Street; thence in an easterly direction with said ROW line approximately 120 feet to its intersection with the west line of Lot 1 in Block A of Dorothy Hayden Property, as recorded in Plat Book 5, Page 404; thence with the west lines of Lots 1-10 in said block N 28o 20' E approximately 240 feet to the south ROW line of Grimsley Street; thence in an easterly direction with said ROW line approximately 120 feet to the northern end of the southwest corner ROW radius at High Point Road\*; thence in a southeasterly direction across High Point Road\* approximately 100 feet to the intersection of the east ROW line of High Point Road\* and the north ROW line of Grimsley Street; thence in an easterly direction with said ROW line approximately 130 feet to its intersection with the east line of Salem Investment Properties, LLC, as recorded in Deed Book 6088, Page 1906; thence in a southerly direction across said Street approximately 40 feet to the intersection of its south ROW line and the centerline of an alley shown on Land of W. G. Patterson, recorded in Plat Book 4, Page 69; thence in a southerly direction along said alley centerline (behind Lots 5-8 of said subdivision) approximately 170 feet to its intersection with the eastward projection of the south line of said Lot 8; thence with said projection and said south line N 76o W approximately 130 feet to the east ROW line of High Point Road\*; thence in a southerly direction with said ROW line approximately 350 feet to its intersection with the north ROW line of Vanstory Street; thence in an easterly direction with said north ROW line approximately 550 feet to its intersection with the projection of the southeast line of Hanes Funeral Home, as recorded in Deed Book 3844, Page 708; thence with said projection and said line S 70o W approximately 344 feet to a corner in the northeast line of Lot 2 of Property of Harold E. Pugh, as recorded in Plat Book 72, Page 251; thence with said line N 29o 59' 58" W 83.47 feet to the easternmost corner of Lot 1 of said subdivision; thence with the southeast line of said Lot 1 S 27o 20' 30" W approximately 140 feet to a point in the northeast ROW line of Seasons Way Extension, as recorded in Plat Book 108, Page 135; thence in a southerly direction across said street approximately 40 feet to an iron pipe on the southwest ROW line of Seasons Way at the northwest end of the curve numbered "(C-4)" on said plat; thence with said ROW line with a curve to the right having a chord bearing and distance of S 60o 16' 47" E 207.22 feet to an iron pipe; thence continuing with said ROW line S 18o 24' 47" E 217.94 feet to an iron pipe; thence continuing with said line S 19o 12' 21" E 80 feet to a point; thence in a westerly direction approximately 180 feet to a control corner on the southwest line of Lot 1 on said plat; thence with said line N 46o 25' 67" W 304.60 feet to the north corner of the Common Area shown on Four Seasons Executive Center, Phase One, as recorded in Plat Book 70, Page 104; thence with the northwest line of said Common Area S 44o 22' 47" W 260.01 feet to a point; thence continuing with said line S 44o 31' 52" W 175.09 feet to a point on the northeast ROW line of Seasons Way; thence in a southerly direction across Seasons Way approximately 40 feet to the northernmost corner of Lot 2 of Property of The Northwestern Bank, as recorded in Plat Book 74, Page 25; thence with the northwest line of said Lot 2 the following 6 courses and distances: (1) S 44o 42' W 160.00 feet to a point, (2) N 45o 18' W 24.00 feet to a point, (3) S 44o 42' W 24.00 feet to a point, (4) S 88o 12' W 18.56 feet to a point, (5) N 45o 38' W 73.60 feet to a point, and (6) S 44o 27' W 240.71 feet to the westernmost corner of said Lot 2; thence in an easterly direction with the northeastern ROW line of W. Meadowview Road 170 feet to a point; thence across said Road in a southwesterly direction approximately 60 feet to the easternmost corner of Parcel C of Recombination Property of N. Carl Monroe and Jerry N. Thomas, as recorded in Plat Book 57, Page 122; thence in a southwesterly direction with the northwest ROW line of Meadowview Court approximately 310 feet to a concrete monument on the northeast line of Lot 2 of Property of Lindian, LLC, as recorded in Plat Book 180, Page 131; thence with said line N 47o 19' 50" W 223.05 feet to the north corner of said Lot 2; thence with the northwest line of said lot S 42o 41' 52" W 251.12 feet to the west corner of said lot; thence in a southerly direction across I-40 approximately 680 feet to a corner in the west ROW line of the I-40 exit ramp to Koury Boulevard; thence with said line approximately 410 feet to its intersection with the south line of Lot 2 of Recombination of Four Seasons Town Centre/Holiday Inn, as recorded in Plat Book 102, Page 74; thence with said south line the following 4 courses and distances: (1) S 81o 22' 30" W approximately 400 feet to an iron pipe, (2) with a curve to the left having a radius of 301 feet and a chord bearing and distance of S 09o 16' 00" W 185.34 feet to an iron pipe, (3) S 08o 39' 50" W 190.09 feet to an iron pipe, and (4) S 80o 38' 50" W 572.43 feet to the southwest corner of said Lot 1; thence in a southwesterly direction approximately 150 feet to the western end of the corner ROW radius at the southwest corner of Pinecroft Road and Four Seasons Boulevard; thence in a westerly direction with the south ROW line of said boulevard approximately 980 feet to its intersection with the south ROW line of High Point Road\*; thence in a westerly direction with the south ROW line of High Point Road\* approximately 400 feet to the point and place of beginning.

All Deeds and Plats to which this description refers are kept in the records of the Register of Deeds of Guilford County, North Carolina.

\*This street name will be changed to Gate City Boulevard on July 1, 2015 or earlier.

Section 2. These properties will be perpetually bound to the uses authorized and subject to the development standards of the AO (Auto Oriented) 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 April 1, 2014.

(Signed) Zack Matheny

## **V. GENERAL BUSINESS AGENDA**

Mayor Vaughan stated that Council would not hear from remaining speakers from the floor this evening; and that those persons signed up to speak would be heard first at the April 15th meeting of Council.

### [ID 14-0181](#) Resolution in support of the Carolyn and Maurice LeBauer City Park

City Manager Westmoreland called on Interim Assistant City Manager Chris Wilson to speak to the item.

Interim Assistant City Manager Wilson provided the history of the item; stated staff was seeking acceptance of the donation for the park this evening; authorization to enter into a contract for construction of the park; and introduced Ken Mayor with Mayor Moser and Phoenix to present the item.

Mayor Vaughan left the Chamber 9:36 p.m. and returned at 9:39 p.m.

Reid Phillips, 802 Blanton Place, opened the presentation; spoke to the work of the foundation; and confirmed they were requesting the City's approval of the gift.

Mr. Mayor provided a PowerPoint Presentation spoke to the location, development and key objectives; community engagement; stated the leadership team had traveled around the country to look at parks; and spoke to the impact of the park.

Councilmember Wilkins left the Chamber at 9:39 p.m. and returned at 9:42 p.m.

Mr. Mayor provided highlights of the park amenities and programs that would take place; outlined the conceptual plan; next steps; and construction outline for the park.

Council provided comments in support of the park; inquired as to the completion date; spoke to the investment of personal wealth for the park; commended those who were involved in the project; voiced that the park would be big deal unlike anything else in the City; voiced confidence that it would be utilized by the entire community; would be a phenomenal addition to Downtown; and be an economic driver for the area.

Mayor Vaughan stated there were speakers to the item.

Charles Byrd, 1618 Glendridge Road, spoke to the responsibility of Council; voiced concerns for equitable distribution in the City; referenced his comments made on March 4th; inquired as to the ongoing costs and displacement of existing City parks as a result of the park; asked if the M/WBE participation for the construction had been defined; spoke to the need for balance and priority setting; and asked if the park would generate funding to take care of itself.

Councilmember Wilkins inquired about the wording of eligible contracts.

Mr. Mayor responded that all of the contracts that were under the park would be eligible for M/WBE participation; and referenced the different types of contracts.

Discussion ensued regarding the park being a great thing for the City; reference to the partnership for the performing arts center; concern with pushing things through that were Downtown; the understanding that the park was to be self-supporting but the land was donated by the City; expectation that the M/WBE participation exceed twenty percent; reference to people that were struggling; hope there would be a future endowment for future maintenance; concern for the impact to other parks in the area; and the Downtown Central Business District belonged to everyone to take advantage of.

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

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

**086-14 RESOLUTION IN SUPPORT OF THE CAROLYN AND MAURICE LEBAUER CITY PARK**

WHEREAS Carolyn Weill LeBauer, a resident of Greensboro, died March 8, 2012; and

WHEREAS at her death Carolyn Weill LeBauer through establishment of The Carolyn LeBauer Fund at the Community Foundation of Greater Greensboro ("CFGG") made provisions so that \$10 million could be used for the development of an "outstanding public park" to be named the Carolyn and Maurice LeBauer Park; and

WHEREAS the City, through its Parks & Recreation Department, and CFGG have been working on the development of a new city park in the center city to be fully funded by the estate of Carolyn W. LeBauer and to be established in accordance with the bequest of Carolyn W. LeBauer to CFGG; and

WHEREAS CFGG, with the advice and support of the Parks & Recreation Department, has undertaken the assessment of community needs and desires and has undertaken also the assessment of the best ways to create and program an energetic, lively and economically sustainable city park that will fulfill the wishes of Carolyn LeBauer and the needs of the residents; and

WHEREAS the efforts of CFGG, working with the Parks & Recreation Department, has resulted in a Conceptual Park Master Plan and Programming Strategy; and

WHEREAS CFGG has provided public access to the Conceptual Park Master Plan and Programming Strategy for the Carolyn and Maurice LeBauer City Park on the CFGG website; and

WHEREAS CFGG and the Parks & Recreation Department have identified a site consisting of approximately 3.7 acres in downtown Greensboro, on North Davie Street, which includes the existing Festival Park and the former site of the YWCA building in downtown Greensboro for the park envisioned by Carolyn W. LeBauer; and

WHEREAS CFGG and the Parks & Recreation Department envision creation of a unique local public/private partnership for a collaborative and energetic, interactive city park for Greensboro children and families; and

WHEREAS it is envisioned that the Carolyn and Maurice LeBauer City Park ('LeBauer Park') will provide exceptional recreational equipment and activities for children, families and all City residents, as well as educational opportunities and public art, all within an attractive, well-landscaping setting; and

WHEREAS to honor the bequest from Carolyn Weill LeBauer, the LeBauer Park's programming will drive the design of the LeBauer Park, providing temporary and permanent park venues with a range of flexible, programmable spaces having the ability to accept a variety of programs, activities, and attractions throughout the year; and

WHEREAS the programming for the park will create a framework for revenue generation that provides for long-term maintenance and sustainability of the LeBauer Park; and

WHEREAS CFGG is committed to using its best efforts to achieve a minimum goal of 20% MWBE participation on eligible contracts during construction of the park, and CFGG is committed also to providing opportunities to local firms in design and construction; and

WHEREAS LeBauer Park will enhance the City's brand as a progressive community with significant park assets focused on creating a better quality of life for all Greensboro citizens, particularly families and children; and

WHEREAS the schedule for the project proposes construction beginning in fall 2014 and completion and opening March 2016 (and no later than March 2017).

WHEREAS it is in the best interest of the City to have the City Manager work with CFGG to develop a Memorandum of Understanding for construction of LeBauer Park.

WHEREAS Council was briefed on this item at a Council Work Session on March 13 and directed staff to bring this item back for Council consideration on April 1.

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

That the City Council hereby: (1) Agrees to accept the gift of a new park on the site described above, which gift will be made to the City of Greensboro from the Carolyn LeBauer Fund at CFGG from The Carolyn W. LeBauer Fund (on the terms and conditions therein); (2) The park shall be named the Carolyn and Maurice LeBauer City Park; (3) Directs the City Manager and staff, working with the Community Foundation of Greater Greensboro, to develop and execute a Memorandum of Understanding for construction of the LeBauer Park;

(Signed) Yvonne J. Johnson

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer W, Exhibit No. 8 which is hereby referred to and made a part of these minutes).

[ID 14-0180](#)

**Ordinance Amending Chapter 17 of the Greensboro Code of Ordinances with respect to Article III, Section 17-57, Hearing**

City Manager Westmoreland stated that Assistant City Attorney Tom Carruthers was available for questions.

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

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

**14-043 ORDINANCE AMENDING CHAPTER 17**

**AN ORDINANCE AMENDING CHAPTER 17, ARTICLE III., OF THE GREENSBORO CODE OF ORDINANCES**

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

Section 1. Sec. 17-57 of the Greensboro Code of ordinances is hereby amended to read as follows:

Sec. 17-57. – Hearing.

(a) The owner or any other person entitled to claim possession of the vehicle towed pursuant to this article may request a hearing either before towing or after towing of the motor vehicle. The only issue at this hearing is whether or not the city can demonstrate probable cause to tow the motor vehicle. The request shall be filed with the code enforcement officer, and he shall set the hearing within seventy-two (72) hours of receiving the request. The owner or any other person entitled to claim possession of the vehicle shall be notified of the time and place of the hearing, the specific grounds for the classification of the vehicle as an abandoned vehicle or a junked vehicle, and the reason for removal of the vehicle. The director of neighborhood development or their designee shall be the hearing officer.

(b) The owner and any other interested parties may present evidence at the hearing and may cross-examine all

parties.

(c) If the hearing is pre-tow and the hearing officer finds that the city has probable cause, the motor vehicle will be removed and the cost for removal will become a lien on the motor vehicle. If the hearing officer finds that probable cause does not exist, the city will not tow the vehicle and no costs shall be charged.

(d) If the hearing is post-tow and the hearing officer finds that the city had probable cause, the lien for cost of removal shall remain. If the hearing officer finds that probable cause did not exist, the lien shall be extinguished.

(e) The hearing officer shall prepare a written report within five (5) days of the hearing stating his conclusion concerning whether the vehicle was in violation of this article and the reasons and evidence upon which the conclusion has been based. The owner or any other person entitled to claim possession of the vehicle shall be notified of this decision by regular mail.

(f) Any aggrieved party may appeal the hearing officer's decision to board of adjustment by filing an appeal in writing within fifteen (15) calendar days after the date of the report of the hearing officer, but not thereafter.

(g) At any stage in the proceedings, including before the probable cause hearing, the owner or other person entitled to possession may obtain possession of the vehicle by:

(1) Paying the towing fee and costs incident to such fee; or

(2) Posting a bond for double the amount of the towing fee.

Section 2. That this ordinance shall become effective upon adoption and shall apply to all pending and future appeals.

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

(Signed) Sharon Hightower

[ID 14-0178](#)

Ordinance Amending Chapter 13 of the Greensboro Code of Ordinances with respect to Article II, Section 13-48, Refusal or Revocation of Licenses

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

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

14-044 ORDINANCE AMENDING CHAPTER 13

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE II., OF THE GREENSBORO CODE OF ORDINANCES

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

Section 1. Sec. 13-48 of the Greensboro Code of ordinances is hereby amended to read as follows:

Sec. 13-48. – Refusal or revocation of licenses generally.

(a) If it shall be made to appear to the tax collector and the tax collector shall determine that any licensee or applicant for a license is conducting or desires to conduct a business activity pursuant to his privilege license which activity is prohibited or unlawful under the state law or would be in violation of any provision of chapter 30 with respect to permitted and prohibited uses or any significant provisions of the building regulations affecting public safety, he shall:

(1) Refuse to issue a license to such applicant and so notify him in writing; or

(2) In the case of a licensee, notify such licensee in writing that the license is revoked with a statement of the facts which provide a basis therefor.

(b) Thereafter, in the event of a zoning use violation, the person shall have seven (7) days in which to file an appeal with the planning department and request a hearing before the board of adjustment. Upon appeal, the board of adjustment shall hold a hearing on the appeal and make a final determination thereof with respect to the

zoning use. If the zoning use of the applicant or licensee is found to be in violation of chapter 30, the refusal or revocation shall be upheld.

(c) In the event of any reason other than a zoning use violation, the person shall have seven (7) days in which to file an appeal with the tax collector and request a hearing before the board of adjustment. Upon appeal, the board of adjustment shall hold a hearing on the appeal and make a final determination thereof with respect to the application for a license or the revocation thereof.

(d) In the case of a licensee, the filing of a timely appeal shall stay the revocation pending hearing and final determination by the board of adjustment.

Section 2. That this ordinance shall become effective upon adoption and shall apply to all pending and future appeals.

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

Signed) Marikay Abuzuaiter

[ID 14-0126](#) Resolution approving bid in the amount of \$2,209,955 and authorizing Contract No. 2013-001 with Blythe Construction, Inc. for the Street Resurfacing project.

City Manager Westmoreland informed Council staff was present to answer questions.

Council asked for an explanation on who agreed to the M/WBE participation percentage; requested a breakdown for the type of work; and voiced concerns in how the City was improving the M/WBE participation.

Ted Partrick, Engineering and Inspections Manager responded the goals had been set by the goal setting committee; and that the majority of the work was paving which was self performed.

Mike Maloy, 1001 Hampton Street, referenced the difference in paving between Districts 5 and 3; and referenced being involved in redrawing Council districts in order to provide African Americans representation on Council.

Council requested clarification for the paving; discussed Council district boundaries; difference in streets between Council districts; requested that Council not cut everything into districts; and referenced additional work of staff.

Mike Mabe, Street Maintenance Operations Manager provided an explanation of the average paving condition rate; addressed the three methods used by communities to evaluate pavement; spoke to the rating system; and explained that some additional rate was given to the City's major thoroughfares which varied by districts.

Assistant City Manager David Parrish emphasized that the numbers provided were for this particular resurfacing project.

Charles Byrd, 1618 Glenridge Road, referenced Districts 1 and 2 being in the lower end rather than other areas that were in the teens and above; referenced the national presence of Blythe Construction; voiced concern that Blythe could not meet a minority business quota; and questioned what the participation was in Blythe's their multi national firms.

Council discussion ensued regarding explanation to constituents as to why the City was paving only a portion of Adams Farm Parkway; if the bidders were local; and if Blythe had a local office.

City Manager Westmoreland explained that the City process did not restrict the bidding process to just local contractors; and verified that the two subs were in the local area.

Edward McKeever, 2204 McLaughlin Drive, spoke to the business of Blythe Construction in Greensboro; voiced concern than money was not being invested or staying in Greensboro; referenced the level of disparity that had taken place over the years; stated that the goals should have been set by the M/WBE office; and voiced the

needs for the item to go back through the process so money.

Mayor Pro-Tem Johnson voiced agreement; Councilmember Hightower asked if the contract could be re-bid.

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to postpone the item to the April 15th meeting of Council to get an additional percentage of minority contractors. The motion carried by a voice vote.**

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Zack Matheny and Tony Wilkins

Mayor Vaughan declared a recess at 10:26 p.m. Council reconvened at 10:40 p.m. with all members in attendance.

Mayor Pro-Tem Johnson requested that Item number 23 from the March 18th meeting of Council be reconsidered this evening.

Mayor Pro-Tem Johnson explained that the International Civil Rights Museum discussion would take place at the April 8th work session which would start at 1:30 p.m. instead of 2:00 that day.

[ID 14-0166](#)

Ordinance Amending the General Fund Budget for the Appropriation of Disaster Recovery Funds for Expenses Related to the March 6th, 2014 Winter Storm Response and Cleanup

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Zack Matheny and Tony Wilkins

14-045 ORDINANCE AMENDING THE GENERAL FUND BUDGET FOR THE APPROPRIATION OF DISASTER RECOVERY FUNDS

Section 1

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

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

That the appropriation to the General Fund be increased as follows:

Account	Description	Amount
101-9550-99.5949	Miscellaneous	\$1,204,071
TOTAL:		\$1,204,071

And, that this increase be financed by increasing following General Fund account:

Account	Description	Amount
101-9550-99.7859	Disaster Recovery	\$1,204,071
TOTAL:		\$1,204,071

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

[ID 14-0146](#)

Resolution Authorizing the Sole Source Purchase of Two Single Stage Blowers for the T.Z. Osborne Water Reclamation Facility 56 MGD Upgrade Project

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

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

087-14 RESOLUTION AUTHORIZING PURCHASE OF TWO SINGLE-STAGE BLOWERS FOR THE T.Z. OSBORNE WATER RECLAMATION FACILITY 56 MILLION GALLONS PER DAY (MGD) UPGRADE PROJECT

WHEREAS, Siemens Energy, Inc. has developed an innovative way to provide high volume process air needs for aeration basins and other wastewater processes;

WHEREAS, one of the benefits of single-stage blowers is that the blower provides the air at a higher efficiency rate than a traditional multi-stage blower and are expected to reduce the aeration energy consumption by 15 percent compared to multi-stage blowers;

WHEREAS, the Water Resources Water Reclamation Division has used multi-stage blowers at T. Z. Osborne Water Reclamation Facility (WRF) since 1984;

WHEREAS, two new blowers will replace two of the multi-stage blowers from the original installation providing the process air needed for the 56 MGD upgrade at T.Z. Osborne WRF;

WHEREAS, the two single-stage blowers will be installed as part of package 2 construction project for the 56 MGD upgrade at T.Z. Osborne WRF;

WHEREAS, a sole source purchase from Siemens Energy, Inc. is being requested to for the following reasons: Siemens is the only reputable manufacturer of single-stage centrifugal blowers that has been engaged in and actively supports the North American municipal wastewater market for more than the past three years is used; has had extensive experience with projects of similar or greater capacity than the Greensboro WRF Expansion Project; and there are multiple US installations of the model proposed for Greensboro.

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

That the sole source purchase in the amount of \$1,780,000 for the purchase of two single-stage blowers for the T. Z. Osborne Water Reclamation Facility 56 MGD Upgrade Project is hereby approved, payment to be made from the Water Resources Capital Improvements Fund Account No. 515-7056-02.6019A14106.

(Signed) Jamal T. Fox

[ID 14-0157](#)

Resolution Approving Professional Services Contract No. 2013-133 with Hazen and Sawyer, PC for Townsend Water Treatment Facility Basin and Gravity Filter Improvements Design project.

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



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

088-14 RESOLUTION APPROVING PROFESSIONAL SERVICES CONTRACT NO. 2013-133 WITH HAZEN AND SAWYER, PC FOR THE TOWNSEND WATER TREATMENT FACILITY BASIN AND GRAVITY FILTER IMPROVEMENTS DESIGN

WHEREAS, the Townsend Water Treatment Facility Basin and Gravity Filter Improvements Project provides for the design of gravity filter improvements and basin rehabilitation;

WHEREAS, in order to improve overall treatment plant performance and curtail infrastructure deterioration, the project design will focus on replacing the filter surface sweeps with an air scour system, repair or replace the filter back wash troughs and replace the dual media in the nine treatment filters;

WHEREAS, treatment filter operation automation improvements will be designed as well;

WHEREAS, Hazen and Sawyer, PC is being requested to provide the engineering design services for the project.

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

That Contract No. 2013-133 with Hazen and Sawyer, PC for the engineering design services for the Townsend Water Treatment Facility Basin and Gravity Filter Improvements project is hereby approved, payment in the amount of \$545,000 to be provided from Account No. 515-7025-01.5410.

(Signed) Jamal T. Fox

## **VI. SUPPLEMENTAL AGENDA**

Mayor Pro-Tem Johnson requested Council reconsider Item #23 from the March 18th meeting of Council, Resolution authorizing Professional Services Contract No. 2014-021 with CDM Smith, Inc. for the T. Z. Osborne Water Reclamation Facility (WRF) 56 Million Gallons Per Day (MGD) Upgrade Construction Administration Services, Contract 2014-021TZ Osborne Water Reclamation Facility.

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

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

### **Boards and Commissions Appointments**

Mayor Vaughan stated Council would make board and commission appointments.

Councilmember Wilkins placed the names of Zac Ingle, Carol Carter and Kelly Haines into the data bank for future service on the Human Relations, GTA and Parks and Recreation Commission respectively.

Councilmember Wilkins inquired about a newspaper article regarding the incentive process delaying the estimated start date for the new Downtown hotel.

Council discussion ensued regarding the history of Council's decision on the project; clarification of the incentive timeframe; work accomplished over the extended period of time; and confirmed the decision made by Council did not delay the start of the project.

Councilmember Barber spoke to the emails that had gone out today regarding non-profit salaries; moved that as an alternative to requesting the top two salaries of certain entities receiving City funds, non-profit organizations, are asked to provide the most recent properly filed 990s and be willing to meet with a City finance representative to respond to questions to confirm its mission, success and viability, seconded by Mayor Pro-Tem Johnson.

Councilmember Wilkins stated that the Council voted on a similar motion at the work session.

Councilmember Barber referenced that he had emailed everyone a video regarding the AIDS Walk; voiced that the salary issue was detrimental to the community; and this this would be an alternative to requesting the top two salaries which could be a false measure.

Councilmember Wilkins voiced disappointment in Councilmember Barber; and asked for an explanation as to why Councilmember Barber wanted to hide the information from the public when the City provided funds to the non-profits.

Councilmember Barber emphasized exception to the way the question was framed; stated he did not want there to be a barrier to relationships in the City; did not want to continue to create more regulations and staff challenges for those successful economic impact drivers; verified that a 990 was consistent with what was typically reviewed; spoke to documentation that was provided to staff; and requested that once City staff reviewed the documentation that they report any issues back to Council.

Mayor Vaughan spoke to confusion about the motion and what was passed at the last work session.

Interim City Attorney Terry Wood verified that the wording of the motion made by Councilmember Barber would replace the wording of the motion made by Councilmember Wilkins; and confirmed that the motion made by Councilmember Barber would replace the motion made by Councilmember Wilkins and would prevail.

Discussion took place regarding if Council approval would be needed to make a request for the information; the question requiring staff to look at a change in policy; and clarification of the term 'work umbrella' which sounded like a non-transparent pass through.

City Manager Westmoreland spoke to what an individual Councilmember could request; clarified that the first request of Councilmember Wilkins involved a policy change which would require Council approval; and stated the second request was appropriate.

Councilmember Wilkins asked for verification that the City had requested every salary of the members of the International Civil Rights Museum; verification of individual councilmember requests to the City Manager; and how the City Manager changed policy to get the salaries.

Discussion continued regarding information requested of non-profits; funding provided to non-profits over the last two years; contexts of the salaries; direction provided to City Manager Westmoreland with regard to the International Civil Rights Museum; process for submitting Council questions regarding the International Civil Rights Museum to City Manager Westmoreland; comparing a loan to a grant; the need to compare apples to apples; and the validity of the vote taken in the work session.

City Manager Westmoreland clarified the direction he had received from Council regarding the International Civil Rights Museum.

Interim City Attorney Wood verified that he had ruled it was a 4-3 vote at the work session; and stated that Councilmember Barber's motion, if adopted this evening, would supercede the motion by Councilmember Wilkins.

Council discussed the salaries of the top two persons being invalid; availability and age of the information provided on the 990 forms; the need to vote on the motion and move on due to the late hour; disparity between the museum and other entities; transparency, clarity and consistency across the board; names of the members who asked for the salaries; blocking information; the previous motion made to grind an ax against one or two non-profits; audits done by City staff; request for the 990s solving the issue; and the timeframe for the City to provide the 990's to Council.

Interim Assistant City Manager Mary Vigue spoke to the compliance review process; verified staff was currently working on collecting the 990s; and asked what Council's timeframe was as compliance reviews were scheduled over the next month.

Council discussed technically not needing a motion; having the information by June 30th; spoke to the work of City staff; and apologized for the heated discussion.

Mayor Vaughan confirmed that the motion requested the 990s which included the total salary information; and verified what she stated at the work session.

Councilmember Barber was requested to restate the motion.

**The motion carried on the following roll call vote:**

**Ayes,** 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann and Zack Matheny

**Nays,** 1 - Tony Wilkins

[ID 14-0183](#) Update on the International Civil Rights Museum Contract

Mayor Vaughan stated the item would be discussed at the April 8th work session of Council.

**Adjournment**

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

THE CITY COUNCIL ADJOURNED AT 11:32 P.M.

ELIZABETH RICHARDSON  
CITY CLERK

NANCY VAUGHAN  
MAYOR