



City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, February 16, 2016

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

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

Also present were City Manager Jim Westmoreland, City Attorney Tom Carruthers, and Deputy City Clerk Angela R. Lord.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized the American Language Institute representatives and Boy Scout Troops #434 and #109 to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Elizabeth Lewis of the Finance 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.

29. [ID 16-0093](#) Ordinance Rezoning Property Located at 4803, 4807 Hardindale Drive & 635 Muirs Chapel Road

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hoffmann to postpone the item to the March 1, 2016 meeting of Council without further advertising. The motion carried by voice vote.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 16-0066](#) Resolution Honoring the Memory of the Late James Roosevelt Harris

Mayor Pro-Tem Johnson read the resolution into the record; spoke to her friendship with the family; and presented the resolution to Marie Harris.

Mrs. Harris voiced appreciation to Council and the community for the outpouring of love the family had received.

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

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

0020-16 RESOLUTION HONORING THE MEMORY OF THE LATE JAMES ROOSEVELT HARRIS

WHEREAS, on January 4, 2016, this community lost one of its outstanding community leaders with the death of the late James Roosevelt Harris;

WHEREAS, Harris, was a native of Murfreesboro where he attended grade school and high school and obtained a Bachelor of Science Degree and Masters of Science Degree in biology from North Carolina A&T State University;

WHEREAS, while serving his country in the U.S. Army, Harris was stationed in Heidelberg, Germany for most of his military career before continuing his service as a member of the Army Reserve;

WHEREAS, Harris was one of the first African Americans to work in the laboratory at Moses Cone Hospital, as a registered cytotechnologist; and later retired after 21 years in medical sales at Ames, a division of Miles Laboratories (Bayer Corporation);

WHEREAS, Harris served on numerous community, civic and religious boards which included Hayes-Taylor YMCA, North Carolina A&T State University Foundation Board of Directors, and the Greensboro Zoning Commission;

WHEREAS, he was a member of the Greensboro Human Relations Commission in the mid-sixties; a Life Member of the Kappa Alpha Psi Fraternity, Incorporated, and while a member of Providence Baptist Church, he was a former Boy Scout Leader and was ordained as a Deacon in 1969;

WHEREAS, Harris was a civil rights activist who challenged the Greensboro City School System on the application of the Freedom of Choice policy that opened the door for African American children to attend all-white schools and played an integral part in further integrating Greensboro City Schools;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by James Roosevelt Harris, the outstanding contributions he has made to the community, and the legacy he leaves.

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

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

(Signed) Sharon Hightower

2. [ID 16-0082](#) Resolution Honoring the Memory of the Late Frederick D. Cundiff, Sr.

Mayor Vaughan and Mayor Pro-Tem Johnson read the resolution into the record; Mayor Pro-Tem Johnson shared a memory from when she had been taught by Mr. Cundiff; spoke to his contributions to the community; recognized the family in attendance; and presented the resolution to Mrs. Cundiff.

Mrs. Cundiff voiced appreciation for the resolution; and pride in Mr. Cundiff.

A family representative expressed thanks to Council and to Sallie Hayes-Williams for their assistance with the resolution.

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

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

0021-16 RESOLUTION HONORING THE MEMORY OF THE LATE FREDERICK D. CUNDIFF, SR.

WHEREAS, on January 8, 2016, this community lost one of its outstanding community leaders with the death of the late Frederick D. Cundiff, Sr.;

WHEREAS, Cundiff, a native of Wilkesboro, received degrees from Winston Salem State University, North Carolina Agricultural and Technical State University, an education administration degree from the University of North Carolina at Chapel Hill, and he also studied at Ohio State and Wake Forest Universities;

WHEREAS, as a Veteran of World War II Cundiff had two years of service in China, Burma and India;

WHEREAS, his service and experience as an elementary teacher, federal projects director, assistant superintendent, acting superintendent and regional director spanned 36 years under the Greensboro City Board of Education and the North Carolina Department of Public Instruction;

WHEREAS, as a member of Saint James Presbyterian Church for 61 years Cundiff served as deacon, trustee and elder.

WHEREAS, professional, civic and social organizations included, but were not limited to, Alpha Phi Alpha fraternity, Greensboro Men's Club, NAACP, National Education Association Board of Directors, SECU, and Alliance of Black Education Administrators;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by Frederick D. Cundiff, Sr., the outstanding contributions he has made to the community, and the legacy he leaves.

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

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

(Signed) Sharon Hightower

3. [ID 16-0155](#) Resolution Recognizing the Month of February 2016 as Black History Month

Councilmembers Hightower and Abuzuaiter read the resolution into the record.

Councilmember Hightower spoke to facts for Black History Month; and to the first black female bus driver for the City.

Councilmembers Abuzuaiter and Hightower presented the resolution to Luther Falls Jr. and Human Relations Director, Love Crossling.

Mr. Falls Jr. spoke to a humbling experience; the importance of Black History awareness; recognized friends in attendance; thanked Council; and spoke to teaching and educating people about Black History Month.

Ms. Crossling voiced appreciation for Council finding value in Black History Month.

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

0022-16 RESOLUTION RECOGNIZING FEBRUARY 2016 AS BLACK HISTORY MONTH

WHEREAS, Carter Woodson, spearheaded the first observation of Negro History Week in 1926;

WHEREAS, this observation was expanded to a month of observation in 1976;

WHEREAS, February was chosen as Black History month to further demonstrate the contributions of Frederick Douglass and Abraham Lincoln who both had birthdays during February;

WHEREAS, Greensboro is one of the most significant sites to play a role in the Civil Rights movement through the bravery and leadership of the A&T Four, David Richmond, Franklin McCain, Ezell Blair, Jr., and Joseph McNeil.

WHEREAS, Greensboro is proud home of two of North Carolina's eleven Historically Black Colleges in North Carolina A&T State University and Bennett College;

WHEREAS, Greensboro is the proud home to pioneers such as Henry Frye, the first African American Chief Justice in North Carolina;

WHEREAS, this month the City of Greensboro will celebrate Black History month through events, programs and television shows on Greensboro Television Network;

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

That it wishes to proudly recognize February 2016 as Black History month.

(Signed) Sharon Hightower

II. PUBLIC COMMENT PERIOD

Sallie Hayes-Williams, 1101 North Elm Street thanked Council for recognizing Messrs. Harris and Cundiff; spoke to volunteers for high school women voters registering students to vote; stated people had died for the right to vote; and encouraged youth to register.

Mayor Vaughan reminded citizens to register for the March 15th primary.

Luther Falls Jr. 1603 Lansdown Avenue stated the deadline to register was Friday, February 19th; spoke to the proper identification needed; a black mentoring program for young boys; commonalities and differences in the community; and to the importance of working together.

III. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda. Councilmembers Wilkins and Hightower requested that items #6, #8, #11, #12, #21 and #22 to be removed for discussion.

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

4. [ID 16-0001](#) Resolution Authorizing Contract Award in the Estimated Amount of Up to \$243,875 for Mowing and Landscape Maintenance at the Greensboro Coliseum

0023-16 RESOLUTION AUTHORIZING CONTRACT AWARD IN THE AMOUNT OF UP TO \$243,875 FOR MOWING AND LANDSCAPE MAINTENANCE AT THE GREENSBORO COLISEUM

WHEREAS, under the City's Service Contract Policy, City Council approval of contracts valued at \$100,000 or more require City Council approval; and

WHEREAS, on behalf of the Greensboro Coliseum, the Centralized Contracting Division conducted an online Request for Proposals (RFP) for Coliseum Landscape Maintenance Services in the Greensboro Electronic Procurement System (GEPS), Event # 7880; and

WHEREAS, the contract will be awarded for an initial period of three years with two potential one-year renewals; and

WHEREAS, the annual estimated contract value \$48,775; with \$146,325 total value for the three year period and \$243,875 is estimated for the potential five-year period; and

WHEREAS, a contract award is recommended to United Maintenance Group, LLC, with offices located in McLeansville, NC based on the best value standard of award taking into account a combination of price, past performance and capacity; and

WHEREAS, funds for the first year of the contract are available in the current fiscal year budget; and

WHEREAS, funding in subsequent years is subject to City Council approval of funds in the annual budget. The contract value is estimated at an annual amount of \$48,775 with an estimated three-year value of \$146,325 and a total estimated value of \$243,875 over the potential five-year period.

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

That it hereby authorizes a contract award in the amount of up to \$243,875 for mowing and landscape maintenance at the Greensboro Coliseum.

(Signed) Marikay Abuzuaiter

5. [ID 16-0081](#) Resolution Approving Change Order in the Amount of \$181,250.05 on the General Stormwater Improvements Contract 2014-19 with Yates Construction Company, Inc.

0024-16 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2014-19 WITH YATES CONSTRUCTION COMPANY, INC. FOR GENERAL STORMWATER IMPROVEMENTS

WHEREAS, Contract No. 2014-19 with Yates Construction Company, Inc. provides for stormwater improvements;

WHEREAS, during construction unforeseen site conditions and omissions within the contract documentation were discovered, thereby necessitating a change order in the contract in the amount of \$181,250.05.

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

That a change order in the above-mentioned contract with Yates Construction Company, Inc. for the general stormwater improvements is hereby authorized at a total cost of \$181,250.05, payment of said additional amount to be made from Account No.506-7015-01.6018, A16028.

(Signed) Marikay Abuzuaiter

7. [ID 16-0087](#) Resolution Authorizing an Amendment to Contract No. 2014-5195 Infor Lawson Software Subscription to Add an Analytics Subscription

0025-16 RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT NO. 2014-5195 WITH INFOR SAAS FOR ANALYTICS SUBSCRIPTION

WHEREAS, Contract No. 2014-5195 with INFOR SAAS provides Infor Lawson software subscriptions required for

Finance and Supply Chain;

WHEREAS, the City is entering into year three of a five-year contract with an annual value of \$774,781.80 per year;

WHEREAS, the addition of an analytics subscription will enhance monitoring, reporting, and evaluation capabilities of the base product requiring an amendment of \$29,900.71 in FY 15/16 (year three) and \$27,972.80 in FY 16/17 (year four) and FY 17/18 (year five).

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

That an amendment in the above-mentioned contract with INFOR SAAS, Inc. for an analytics subscription is hereby authorized at a total annual cost for year three at \$804,682.51, year four at \$802,754.60 and year five at \$802,754.60, payment of said additional amount to be made from Account No. 682-0750-01.5415 in year three and said additional amount to be made from Account No. 686-1001-01.5415 in years four and five.

(Signed) Marikay Abuzuaiter

9. [ID 16-0084](#) Resolution Authorizing Purchase of Property Located at 2760 Horse Pen Creek Road for the Horse Pen Creek Road Widening Project

0026-16 RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF PROPERTY LOCATED 2760 HORSE PEN CREEK ROAD FOR THE HORSE PEN CREEK ROAD WIDENING PROJECT

WHEREAS, in connection with the Horse Pen Creek Road Widening project, a portion of the property owned by Jack Arnold Jones, Jr. and Joy H. Culclasure, Parcel 0076329 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 \$32,595 but the property owner has agreed to settle for the price of \$36,595, 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 \$36,595 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 471-4502-08.6012, Activity A14074.

(Signed) Marikay Abuzuaiter

10. [ID 16-0101](#) Resolution Authorizing the Dedication of Surplus City Property Located at 401 Cumberland Street in Exchange for Dedication of Land to the City at 301-321 and 323-335 Cumberland Street

0027-16 RESOLUTION AUTHORIZING THE DEDICATION OF SURPLUS CITY PROPERTY LOCATED AT 401 CUMBERLAND STREET IN EXCHANGE FOR DEDICATION OF LAND TO THE CITY AT 301-321 AND 323-335 CUMBERLAND STREET

WHEREAS, the Downtown Greenway is a public/private project between the City of Greensboro and Action Greensboro;

WHEREAS, the City of Greensboro is the owner of property located at 401 Cumberland Street, Parcel 0002547 which is currently designated as a neighborhood park;

WHEREAS, Cumberland Courts, Inc. is the owner of an apartment community located at 301-321 and 323-335,

Cumberland Street Parcels 0002545 and 0002546 a portion of which is needed for the Downtown Greenway;

WHEREAS, the Greenway will include four major pieces of art to recognize Greensboro's heritage and will also look ahead to its future with four pillars designated as the Cornerstones;

WHEREAS, Cumberland Courts, Inc. has agreed to exchange a portion of land on their parcels, along with easements, for a portion of City property on the adjacent parcel located at 401 Cumberland Street;

WHEREAS, the City property will be used as the Innovation Cornerstone for the Downtown Greenway and the exchange will allow playground equipment at the City Park to be moved to Cumberland Courts, Inc.'s property at 301-321 Cumberland Street;

WHEREAS, the exchange benefits the City by dedicating margin and easements for the Downtown Greenway, which runs along Murrow Boulevard on parcels owned by Cumberland Courts, Inc.

WHEREAS, the exchange is in accordance with Section 4:124 of the City Code of Ordinances, "Sale or Exchange of Excess Property";

WHEREAS, there will be no budget impact as a result of the exchange;

WHEREAS, in the opinion of City Council, the best interest of the City will be served by exchanging properties, as above set out with Cumberland Courts, Inc.

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

That the exchange of the above-mentioned properties with Cumberland Courts, Inc., as above set out, is hereby authorized, and the Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the necessary deeds to carry the exchange into effect.

(Signed) Marikay Abuzuaiter

13. [ID 16-0085](#) Ordinance in the Amount of \$254,327 Amending State, Federal and Other Grants Fund Budget for the Appropriation of Funds for the Acquisition of Supplemental Body Cameras

16-0014 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FUNDS FOR THE ACQUISITION OF SUPPLEMENTAL BODY CAMERAS

Section 1

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

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

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

Account name – Supplemental Body Cameras

Account	Description	Amount
220-3571-01.5235	Small Tools/Equipment	\$ 254,327
TOTAL:		\$ 254,327

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

Account	Description	Amount
220-3571-01.8620	Donations	\$ 237,731
220-3571-01.8500	Interest Earned- Other	\$ 16,596
TOTAL:		\$ 254,327

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

- 14. [ID 16-0088](#)** Ordinance in the Amount of \$20,000 Amending State, Federal and Other Grants Fund Budget for the Appropriation of the SETRAC Grant from the Greensboro Convention and Visitors Bureau

16-0015 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE SETRAC GRANT FROM THE GREENSBORO CONVENTION AND VISITORS BUREAU

Section 1

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

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

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

Account name – 2014 SETRAC Coliseum Grant

Account	Description	Amount
220-7501-01.6019	Other Capital Improvements	\$20,000
TOTAL:		\$20,000

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

Account	Description	Amount
220-7501-01.8620	Donations & Private Contributions (GACVB SETRAC Grant)	\$20,000
TOTAL:		\$ 20,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

- 15. [ID 16-0094](#)** Ordinance in the Amount of \$1,500 Amending State, Federal and Other Grants Fund Budget for the Appropriation of Wal-Mart Grant for Police District 2 Community Outreach in FY 15

16-0016 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF WAL-MART GRANT FOR POLICE DISTRICT 2 COMMUNITY OUTREACH IN FY 15

Section 1

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

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

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

Account name – Wal-Mart D2 Community Outreach

Account	Description	Amount
220-3540-01.5237	Program Supplies	\$ 1,500
TOTAL:		\$ 1,500

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

Account	Description	Amount
220-3540-01.8620	Donations & Private Contributions	\$ 1,500
TOTAL:		\$ 1,500

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

16. [ID 16-0022](#) Resolution Authorizing 2015 Assistance to Firefighters Grant for Thermal Imaging Cameras

0039-16 RESOLUTION AUTHORIZING GRANT APPLICATION FOR 2015 ASSISTANCE TO FIREFIGHTERS GRANT FOR THERMAL IMAGING CAMERAS

WHEREAS, the Greensboro Fire Department is committed to firefighting performance standards that assure the safety of firefighters; and

WHEREAS; to assure firefighter safety, a backup team, known as the Rapid Intervention Crew, is put in place on every working fire in which Greensboro firefighters operate inside a burning structure.

WHEREAS; the Rapid Intervention Crew is ready in the event that one or more interior firefighters gets into trouble and firefighter rescue is its sole responsibility, and a thermal imaging camera is essential when searching for a downed firefighter; and

WHEREAS, The Greensboro Fire Department currently has a limited number of thermal imaging cameras and needs to add nine (9) additional devices in order to meet the Department's level of safety performance goals.

WHEREAS, the Greensboro Fire Department is eligible to apply to the US Fire Administration of the Federal Emergency Management Agency for a grant application for purchasing critical search and rescue equipment resulting in dramatic increases in civilian rescue, firefighter safety and overall fire ground performance; and

WHEREAS, a local matching fund of \$9,448 may leverage \$94,484 of Federal FEMA funds for a total grant equipment budget of \$103,932.

WHEREAS, the Greensboro Fire Department applied for this 2015 Assistance to Firefighters Grant for Thermal Imaging Cameras on January 15, 2016.

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

That the request to apply to the US Fire Administration of the Federal Emergency Management Agency for a 2015 Assistance to Firefighters Grant for Thermal Imaging Cameras in the amount of \$94,484 include a local match of \$9,448 from the General Funds, for a total grant budget of \$103,932.

(Signed) Marikay Abuzuaiter

17. [ID 16-0077](#) Resolution to Accept Matching Funding from NC Department of Transportation to Reduce Local Match for Federal Fiscal Year 2013 FTA

Section 5339 Bus and Bus Facility Grant

0028-16 RESOLUTION TO ACCEPT MATCHING FUNDING FROM NC DEPARTMENT OF TRANSPORTATION TO REDUCE LOCAL MATCH FOR FEDERAL FISCAL YEAR 2013 FTA SECTION 5339 BUS AND BUS FACILITY GRANT

WHEREAS, at the August 4, 2014 Council Meeting, the Greensboro City Council approved a budget ordinance establishing FY2013 FTA Section 5339 Bus and Bus Facility Grant funding in the amount of \$535,000; and

WHEREAS, these funds will be used to replace one (1) 40-foot fixed route bus that has exceeded FTA's useful life standards, both in years of service and mileage; and

WHEREAS, the North Carolina Department of Transportation recently approved a state funding match request in the amount of \$51,566 to support eligible expenses; and

WHEREAS, the recently approved State funds will reduce the required City match by \$51,566, from \$109,578 to \$58,012.

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

The City of Greensboro accepts the matching funds from the NC Department of Transportation in the amount of \$51,566 and approves the associated budget adjustment to reduce the City match.

(Signed) Marikay Abuzuaiter

18. [ID 16-0078](#) Resolution to Accept Matching Funds from NC Department of Transportation to Reduce Local Match for Federal Fiscal Year 2014 FTA Section 5339 Bus and Bus Facility Grant

0029-16 RESOLUTION TO ACCEPT MATCHING FUNDS FROM NC DEPARTMENT OF TRANSPORTATION TO REDUCE LOCAL MATCH FOR FEDERAL FISCAL YEAR 2014 FTA SECTION 5339 BUS AND BUS FACILITY GRANT

WHEREAS, at the March 17, 2015 meeting, the Greensboro City Council approved a budget ordinance establishing FY2014 FTA Section 5339 Bus and Bus Facility Grant funding in the amount of \$552,878; and

WHEREAS, these funds will be used to replace one (1) hybrid electric 40-foot fixed route bus that has exceeded FTA's useful life standards, both in years of service and mileage; and

WHEREAS, the North Carolina Department of Transportation recently approved a state funding match request in the amount of \$53,064 to support eligible expenses; and

WHEREAS, the recently approved State funds will reduce the required City match by \$53,064, from \$113,240 to \$60,176.

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

That the City of Greensboro accepts the matching funds from the NC Department of Transportation in the amount of \$53,064 and approves the associated budget adjustment to reduce the City match.

(Signed) Marikay Abuzuaiter

19. [ID 16-0079](#) Resolution to Accept Matching Funds from NC Department of Transportation to Reduce Local Match for Federal Fiscal Year 2013 FTA Congestion Mitigation Air Quality Grant

0030-16 RESOLUTION TO ACCEPT MATCHING FUNDS FROM NC DEPARTMENT OF TRANSPORTATION TO REDUCE LOCAL MATCH FOR FEDERAL FISCAL YEAR 2013 FTA CONGESTION MITIGATION AIR

QUALITY GRANT

WHEREAS, the City of Greensboro previously received FY 2013 GTA Congestion Mitigation Air Quality Grant funding in the amount of \$1,396,000 from the Federal Transit Administration for the purchase of two (2) replacement Hybrid Electric 40 foot buses to be used in GTA's fixed route service and five (5) replacement paratransit buses; and

WHEREAS, at the January 6, 2015 meeting, the Greensboro City Council approved a budget ordinance amending the grant funding to add \$33,157 in state matching funds to support the eligible expenses associated with the purchase of the five (5) paratransit vehicles; and

WHEREAS, the North Carolina Department of Transportation recently approved additional state funding match request in the amount of \$101,397 to support eligible expenses for the purchase of the two (2) replacement hybrid electric buses that were delivered in August 2015; and

WHEREAS, the recently approved State funds will reduce the required City match by \$101,397, from \$252,771 to \$151,374.

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

The City of Greensboro accepts the matching funds from the NC Department of Transportation in the amount of \$101,397 and approves the associated budget adjustment to reduce the City match.

(Signed) Marikay Abuzuaiter

20. [ID 16-0080](#) Resolution to Accept Matching Funds from NC Department of Transportation to Reduce Local Match for Federal Fiscal Year 2014 FTA Congestion Mitigation Air Quality Grant

0031-16 RESOLUTION TO ACCEPT MATCHING FUNDS FROM NC DEPARTMENT OF TRANSPORTATION TO REDUCE LOCAL MATCH FOR FEDERAL FISCAL YEAR 2014 FTA CONGESTION MITIGATION AIR QUALITY GRANT

WHEREAS, at the January 6, 2015 meeting, the Greensboro City Council approved a budget ordinance establishing the FY2014 FTA Congestion Mitigation Air Quality Grant funding in the amount of \$2,090,000; and

WHEREAS, these funds will be used to replace four (4) 40 foot fixed route buses that have exceeded FTA's useful life standards, both in years of service and mileage; and

WHEREAS, the North Carolina Department of Transportation has approved a state funding match request in the amount of \$159,268 to support eligible expenses; and

WHEREAS, the recently approved State funds will reduce the required City match by \$159,268, from \$428,072 to \$268,804.

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

The City of Greensboro accepts the matching funds from the NC Department of Transportation in the amount of \$159,268 and approves the associated budget adjustment to reduce the City match.

(Signed) Marikay Abuzuaiter

23. [ID 16-0120](#) Resolution Listing Loans and Grant for City Council Approval

0032-16 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

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

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

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

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

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

(Signed) Marikay Abuzuaiter

24. [ID 16-0097](#) Budget Adjustments Requiring Council Approval 1/5/16-1/25/16

Motion to approve the budget adjustments of January 5 - January 25, 2016 over the amount of \$50,000 was adopted.

(A copy of the budget adjustment report is filed in Exhibit Drawer Y, Exhibit No.9, which is hereby referred to and made a part of these minutes.)

25. [ID 16-0096](#) Budget Adjustments Approved by Budget Officer 1/5/16-1/25/16

Motion to accept the report of budget adjustments of January 5 - January 25, 2016 was adopted.

(A copy of the budget adjustment report is filed in Exhibit Drawer Y, Exhibit No.9, which is hereby referred to and made a part of these minutes.)

26. [ID 16-0135](#) Motion to Approve the Minutes of the Regular Meeting of January 19, 2016.

Motion to approve the minutes of the Regular meeting of January 19, 2016 was adopted.

27. [ID 16-0140](#) Motion to approve the minutes of the City Council Annual Priority Setting Session of January 29, 2016.

Motion to approve the minutes of the City Council Annual Priority Setting Session meeting of January 29, 2016 was adopted.

6. [ID 16-0089](#) Resolution Approving Contract Amount of \$441,215 and Authorizing Contract with Otis Elevator Company for the Modernization of the Bellemeade Street Parking Deck North Elevators

Councilmember Wilkins asked about the National IPA procurement program; if anyone else had bid on the project; if there were any other contractors that could do that type of work; about when comparing figures when only one bid had been received; and asked for confirmation on pricing.

Assistant City Manager David Parrish explained the national bid process; spoke to the limited contractors due to the specific type of elevator work; bidding agencies providing comparisons; and to comparing to recent work done at the Melvin Municipal Office Building.

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

0033-16 RESOLUTION APPROVING CONTRACT AMOUNT OF \$441,215 AND AUTHORIZING CONTRACT WITH OTIS ELEVATOR COMPANY FOR THE MODERNIZATION OF THE BELLEMEADE STREET PARKING DECK NORTH ELEVATORS

WHEREAS, The cab operating systems for all four elevators in the Bellemeade Street Parking Deck need to be upgraded with newer equipment due to aging technology, increased downtime, and difficulty finding parts; and

WHEREAS, Modernization will extend their useful life for future years and minimize non-operating times; and

WHEREAS, Otis Elevator Company secured the maintenance and modernization of elevators contract through the National IPA procurement program and this contract is recognized by the City of Greensboro's Purchasing Division; and

WHEREAS, The West side elevators are currently being modernized using 2014/2015 fiscal year funding; and

WHEREAS, Otis Elevator Company has supplied a proposal of \$441,215 to modernize the North side elevators and update to meet today's code requirements for the mechanical, electrical, and Fire Alarm systems; and

WHEREAS, the bid includes 19% WBE participation for the electrical, mechanical, and fire alarm system work; and

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

The City of Greensboro approves the contract amount of \$441,215 and authorizes the contract with Otis Elevator Company for the modernization of the Bellemeade Street Parking Deck North Elevators and approves and associated budget adjustment.

(Signed) Tony Wilkins

8. [ID 16-0142](#) Resolution Authorizing Contract with RP Murray in the Amount of \$395,000 for the NBA Development League Franchise Parking Lot

Councilmember Hightower inquired about M/WBE goals.

Assistant City Manager Parrish provided the history of the item; spoke to the M/WBE process; outlined the final numbers; and stated staff was working with M/WBE contractors.

Coliseum Director Matt Brown spoke to the original M/WBE goals; an opportunity for approximately a \$45,000 savings; and to lowered M/WBE settings.

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

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

0034-16 RESOLUTION APPROVING RP MURRAY AS THE GENERAL CONTRACTOR FOR CONSTRUCTING THE D-LEAGUE PARKING LOT

WHEREAS, the following contract to hire RP Murray as the General Contractor to construct new parking lot on the north side of the Greensboro Convention and Visitors center building (former Canada Dry building) on W. Gate City Blvd. This new parking lot will serve as the main parking lot for the NBA Development League office's, supplemental parking for the GAC and premium parking spaces for the White Oak Amphitheater. The plans include 4 handicap parking spaces and 121 general parking spaces. This contract will be in the amount of \$395,000.

WHEREAS, City staff recommends that the City Council enter into a contract with RP Murray for construction of the new D-League parking lot.

WHEREAS, as on December 9, 2015 the Facilities and Engineering Dept. formerly received bids from four (4) contractors for the construction of the new D-League parking lot and RP Murray submitted the lowest bid.

1. HM Kern Corp
2. Lomax Construction
3. RP Murray
4. S&S Building and Development

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

That the contract with RP Murray as the General Contractor for construction of the D-League parking lot in the amount of \$395,000 is hereby approved that the Coliseum/City of Greensboro are hereby authorized to execute said contract.

(Signed) Sharon Hightower

11. [ID 16-0092](#) Resolution Authorizing GTA to Purchase Six Paratransit Vehicles from Trans Dev

Councilmember Hightower requested staff amend the resolution due to a funding discrepancy.

City Attorney Tom Carruthers confirmed staff would correct the error.

City Manager Westmoreland clarified item #12 was the budget ordinance for this item.

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

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

0035-16 RESOLUTION AUTHORIZING GTA TO PURCHASE SIX PARATRANSIT VEHICLES FROM TRANS DEV

WHEREAS, GTA identified six (6) vehicles in the paratransit fleet that have exceeded their useful life standards and have increased GTA's maintenance and repair expenses; and

WHEREAS, Over the last 2 months, all of the six (6) vehicles have lost time due to maintenance issues and three of the six vehicles were down for a span of 10 days or more, causing SCAT service quality to be adversely impacted with many SCAT trips being late by 15 minutes or more; and

WHEREAS, Trans Dev, GTA's service contractor, has excess vehicles in their fleet and is willing to sell to the city six (6) replacement vehicles at a cost of \$399,432. An additional \$30,000 will be required to provide GTA decals on the six vehicles for a total of approximately \$430,000. The vehicles all have less than 5,000 miles on them.

WHEREAS, The Trans Dev price includes all of the on board equipment GTA currently uses (Mobile Data Terminals, Cameras, and Radios) and the total cost of (6) replacement vehicles procured through the state contract process would be approximately \$483,000 for the same type of vehicles; and

WHEREAS, SCAT has experienced a 10% growth in trips year to date over the previous fiscal year; and

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

The City of Greensboro hereby authorizes GTA to purchase six (6) used paratransit vehicles from Trans Dev for a cost of approximately \$430,000.

(Signed) Sharon Hightower

12. [ID 16-0086](#) Ordinance in the Amount of \$430,000 Amending the FY 2015-2016 GTA Fund Budget for the Purchase of Six Paratransit Vehicles From Trans Dev

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

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

16-0018 ORDINANCE AMENDING THE FY 2015-2016 GTA FUND BUDGET FOR THE PURCHASE OF SIX PARATRANSIT VEHICLES FROM TRANS DEV

Section 1

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

That the FY 2015-2016 GTA Fund budget be increased as follows:

Account	Description	Amount
564-4531-01.6051	Licensed Vehicles	\$430,000
Total		\$430,000

And, that this increase be financed by increasing the following revenues:

Account	Description	Amount
564-0000-00.8900	Appropriated Fund Balance	\$430,000
Total		\$430,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sharon Hightower

21. [ID 16-0100](#) Resolution to Advertise 2015 Real Estate Liens

Councilmember Hightower asked for confirmation on the collection process; and about improvements needed to make collections.

Collections Manager Teresa Childress spoke to the increase of collections received after letters were mailed out; and people not wanting to have their names in the newspaper when the lien was advertised.

City Attorney Carruthers spoke to State law regulations; collections by Real Estate attorneys; and to water bill collections.

Discussion took place regarding making collections at closings; software issues; outstanding water bills becoming liens; comparing collection rates to previous years; and to advertising liens in the Peacemaker.

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

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

0036-16 RESOLUTION DIRECTING THE CITY TAX COLLECTOR TO ADVERTISE LIENS ON REAL ESTATE FOR DELINQUENT PUBLIC UTILITY SERVICES, NUISANCE ABATEMENTS, BOARDING UP OF STRUCTURES AND DEMOLITION OF SUBSTANDARD STRUCTURES ACCOUNTS FOR THE YEAR 2015

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

1. That the City Tax Collector be and is hereby directed to prepare and publish, in accordance with law, a list showing: (1) the names of all persons by whom substandard structure charges, water rents and nuisance abatement charges are due and (2) the amount of each such substandard structure charge, solid waste charge, water rent or nuisance abatement charge. Such publication shall commence not earlier than March 10, 2016.
2. That the City Tax Collector be and is hereby directed to cause the publication of the above-mentioned list in a local newspaper of general circulation in the City of Greensboro.
3. That, in addition to following the foreclosure method prescribed by G.S. 105-374, the City Tax Collector be and is hereby authorized to institute the In rem method of foreclosure pursuant to G.S. 105-375.

(Signed) Sharon Hightower

22. [ID 16-0039](#) Resolution Authorizing Execution of Contract with Carolina Management Team (CMT) in the Amount of \$216,453 for On-Call Protective Coatings Services

Councilmember Hightower asked what type of painting was being done; about the low M/WBE participation; and when the on-call list would be evaluated.

Assistant City Manager Parrish explained the various painting contracts; and spoke to a rotation of on-call providers.

Water Resources Director Steve Drew spoke to the general contractor; WBE participation; on-call services providing timely service; and to proper coding.

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

0037-16 RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH CAROLINA MANAGEMENT TEAM (CMT) FOR ON-CALL PROTECTIVE COATINGS SERVICES

WHEREAS, the City's Townsend Water Treatment Plant (WTP) requires protective coating services for the purpose of protecting and extending the service life of the plant infrastructure;

WHEREAS, Carolina Management Team is one of two on-call protective coating services firms utilized by The Water Resources Department that was chosen through a Statement of Qualifications (SOQ) selection process to provide on-call coating services in the amount of \$216,453.

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

That the City is authorized to enter into a contract with Carolina Management Team for the Lake Townsend WTP Coatings Project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$216,453 from Account No. 501-7023-01.5613.

(Signed) Sharon Hightower

IV. PUBLIC HEARING AGENDA

28. [ID 15-0916](#) Ordinance Amending Section 30-8-10.1(H), Multifamily Dwellings and 30-11-4, Exemptions and Reductions, of the Land Development Ordinance (LDO) to Allow Expanded Multifamily Options in the C-M, C-H and BP Zoning Districts

Mayor Vaughan stated the item had been postponed from the February 2nd meeting of Council.

Susan Taaffe, 2511 Wright Avenue, stated she and Linda Bennett were co-chairs for the Neighborhood Congress; voiced support of staff recommendations; spoke to and outlined reasons for a review in two years; and thanked Council for their consideration.

City Attorney Carruthers stated staff would make a review back to Council at the two year mark.

Discussion took place regarding the language being included in the ordinance.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to include language in the ordinance stating staff would report back to Council in two years. The motion carried by voice vote.

Michael Pendergraft, 106 Kensington Road voiced his support of the Neighborhood Congress; spoke to the two year review; and complemented staff in their openness to deal with the public.

Rob Luisana, 1208 Westridge Road spoke on behalf of the Westridge neighborhood; and asked Council to support the Planning Boards recommendation.

Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson to close the public hearing. The motion carried by voice vote.

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

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

16-0019 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES
WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

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

Section 1. That Subsection 1) of Section 30-8-10.1(H), Multi-family Dwellings, is hereby amended to read as follows:

1. General

- a. Each dwelling unit must be connected to municipal water and sewer systems.
- b. A minimum separation of 10 feet must be maintained between buildings.
- c. Mixed-use context in the C-M, C-H and BP districts
 - i. In the C-M, C-H and BP districts, no more than 33% of the gross floor area contained in a development may be devoted to multi-family dwelling units, and at no point in the build-out of a development may multi-family dwelling units exceed 33% of the gross floor area contained in the development. Floor area in multi-family units located above a ground floor nonresidential use will not be counted in calculating the amount of multi-family floor area contained on a site.

- ii. In C-M, C-H and BP districts, more than 33% of the gross floor area contained in a development may be devoted to multi-family dwelling units if the following standards are met:
 - a. The residential component is integrated into an existing commercial development and includes interconnectivity (vehicular and pedestrian) between the residential and non-residential components;
 - b. The residential component has an architectural design that is integrated with the existing commercial building(s);
 - c. The development is organized as an integrated multiple use development (See Sec. 30-9-2) if development includes more than one lot;
 - d. The development is directly accessible from a thoroughfare and is either:
 - i. Located within an activity center or reinvestment corridor as defined by the Comprehensive Plan; or
 - ii. Directly accessible to an existing or planned greenway shown on the adopted BiPed Plan; or
 - iii. Is located within 1,320 feet of a usable portion of a public park as measured along a system of public sidewalks and crosswalks.
 - e. All residential buildings shall meet the dimensional standards of Table 7-14 (for C-M and C-H zoning) or Table 7-15 (if BP zoning); and
 - f. The residential building and any improvements may not encroach into the buffer planting yard.
 - g. Open space for residential component must be provided in accordance with the standards for the PUD district (See 30-7-7.2).

h. A development that does not comply with the requirements of this Section subsection d above may be allowed with the approval of a Special Use Permit (See Sec. 30-4-10) if it is determined that it will not have an adverse impact on adjacent properties.

d. Mixed-use Context in the C-M District

- i. In the C-M District, up to 100% of the nonresidential component requirement of subsection c) i) above may be satisfied by existing nonresidential development located within 1/8 mile (convenient, safe walking distance) of the proposed building. Off-site nonresidential uses are credited using the gross enclosed floor area of the off-site use. To be considered, the following conditions must be met:
 - a. Clearly defined pedestrian connections must be provided between the nonresidential and the proposed development;
 - b. The off-site nonresidential use being counted must be a permitted use in the C-M district; and
 - c. Uses or activities located outside of an enclosed structure and parking facilities may not be credited toward the requirement.
- ii. Developments in the C-M district that are entirely residential must comply with the following standards:
 - a. The perimeter of the project boundary must abut nonresidential uses or residential uses in a zoning district other than C-M, except for that portion of the development located along a public street or railroad right-of-way.
 - b. Buildings fronting on a street must have a prominent entrance oriented to the street.
 - c. A minimum 10% of the ground-level facade must contain fenestration consisting of transparent windows or doors and other architectural features, in modules not to exceed 40 feet in length.
 - d. The long sides of the building must be oriented parallel to the prominent street to reinforce or maintain the existing street patterns.
 - e. The size of the zone lot may not exceed 1 acre and the minimum lot dimensions must comply with the standards of the RM-26 district (See 30-7-3.2(H)).
 - f. No minimum street setback is required, except for thoroughfares where the minimum required street setback is 20 feet.
 - g. No minimum rear or side setback is required. If setback is provided it must be a minimum of 5 feet.
 - h. The maximum building height is 50 feet or 3 stories, whichever is less.
 - i. Open space must be provided in accordance with the standards for the PUD district (See 30-7-7.2).
 - e. The maximum building length is 250 feet.
 - f. Drainageway and open space dedicated to the city on the Final Plat may be included in lot area calculations for the purpose of determining the maximum number of dwelling units permitted.
 - g. When the developer dedicates and builds a new public street in or alongside a multi-family development, the street right-of-way may be included in lot area for the purpose of determining the maximum number of dwelling units permitted.
 - h. When a multi-family development occupies both sides of a street for a minimum centerline distance of 400 feet, the entire development may be treated as a single zone lot for purposes of calculation of the maximum number of dwelling units permitted and placement of buildings, provided that a plat is recorded with a prominent note

specifying that the property must remain in one ownership (except for individual units in townhouse and condominium developments). This note on a plat is not required if the number of dwelling units and the placement of buildings on each side of the street independently meet all requirements of this ordinance.

i. Active recreation facilities must be set back 50 feet from adjacent land used for single-family residential purposes.

j. All electric, communications, water, and sewer utility lines must be installed underground.

k. Building setbacks must safely accommodate vehicular movements on private drives, private driveways and pedestrian movements on sidewalks. Buildings must also be setback from the travelway and sidewalk in a manner that accommodates parking. The required building setbacks are as follows:

i. When a sidewalk is not provided along a private drive or private driveway, and the garage is front-loaded, the garage door must be set back at least 20 feet from the back of curb or, if no curb and gutter is provided, from the edge of the travelway.

ii. When a sidewalk is provided along a private drive or private driveway, and the garage is front-loaded, the garage door must be set back at least 24 feet from the back of curb or, if no curb and gutter is provided, from the edge of the travelway.

iii. Except as provided in (i) and (ii) above, or stated elsewhere in this ordinance, buildings must be set back from private drives, private driveways and parking lots by a distance of at least 10 feet, as measured from the back of curb or, if no curb and gutter is provided, from the edge of the pavement.

l. The Technical Review Committee is authorized to approve Type 2 Modifications of the standards of this section in accordance with 30-4-11.

Section 2. That Section 30-11-4, Exemptions and Reductions, is hereby amended by adding a new subsection 30-11-4.10, Reductions for C-M, C-H and BP districts, to read as follows:

30-11-4.10 Reductions for C-M, C-H and BP districts

The minimum parking ratios of 30-11-5 are reduced by 25% for all mixed-use context developments meeting the standards of Section 30-8-10.1 H) 1) d) iii) 1) c) ii in the C-M, C-H and BP districts. No further parking reductions in these districts may be approved in accordance with 30-11-13.

Section 3. That City staff shall present to Council a summary of the effectiveness of this ordinance and offer relevant issues two years from date of adoption.

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

Section 5. This ordinance shall become effective upon adoption.

(Signed) Yvonne Johnson

V. GENERAL BUSINESS AGENDA

- 30. [ID 16-0139](#)** Resolution Authorizing City of Greensboro to Allocate up to \$1,200,000.00 in the East Greensboro Area for Economic Development and Site Readiness Purposes

Councilmember Wilkins inquired about the ability to redirect the funds should a project come before Council that was not in East Greensboro; and about the voting process should that be the case.

City Attorney Carruthers stated it would not be necessary to overturn as a project had not yet been awarded.

Discussion took place regarding potential use of the funds.

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

0038-16 RESOLUTION AUTHORIZING CITY OF GREENSBORO TO ALLOCATE UP TO \$1,200,000.00 IN THE EAST GREENSBORO AREA FOR ECONOMIC DEVELOPMENT AND SITE READINESS PURPOSES

WHEREAS, the East Greensboro Area is a focus area for Economic Development;

WHEREAS, the East Greensboro Area provides an opportunity for economic development for the City by increasing prospects for job creation and business expansion;

WHEREAS, in accordance with N.C.G.S. § 158-7.1 and § 4.55 of the City Charter, City funding could be used for site preparation, water, sewer and transportation infrastructure development;

WHEREAS, a condition of the investment will be compliance with all applicable requirements and solicitation of bids in compliance with N.C.G.S. Chapter 143, Article 8, Public Contracts, and in compliance with the City of Greensboro Minority/Women Business Enterprise Program Plan for Construction, Professional Services, Goods, and Other Services dated January 1, 2014 (the "M/WBE Plan");

WHEREAS, any definitive project investment will be subject to a public hearing prior to project award and disbursement of the investment in accordance with N.C.G.S. § 158-7.1 setting out the particulars of the investment and the public benefits to be derived from the City's investment;

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

1. That in accordance with economic development authority, the City of Greensboro pledges to allocate up to \$1,200,000.00 for future industrial development in East Greensboro.
2. The \$1,200,000.00 allocation may be used for future site preparation, water, sewer, and transportation infrastructure or, it may be used to support a jobs/investment based economic development incentive request to assist a private corporate entity in locating or relocation to the East Greensboro Area and upon qualifying for the incentive as per the City of Greensboro's standard economic development incentive guidelines and programs.
3. And that future project recipients will be required to adhere to the City of Greensboro M/WBE program plan and guidelines in the award of all contracts associated with the use of the City's investment.

(Signed) Jamal Fox

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

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint Councilmember Outling to the Audit Committee. The motion carried by voice vote.

Moved by Councilmember Outling, seconded by Mayor-Pro Tem Johnson to appoint Ann Stringfield to the Historic Preservation Commission. The motion carried by voice vote. Moved by Councilmember Outling, seconded by Mayor Pro-Tem Johnson to appoint Brenton Boyce to the Solid Waste Commission. The motion carried by voice vote.

Moved by Councilmember Hoffmann, seconded by Mayor Pro-Tem Johnson to appoint Kista Mansell to the Sustainability Committee. The motion carried by voice vote.

Councilmember Hoffmann spoke to the Preservation Greensboro annual meeting and dinner last week; and highlighted the speaker for the event.

Councilmember Fox offered condolences to the Chester family; voiced appreciation to the community for sending water bottles to Flint Michigan; requested staff to research partnering with an outside agency to send additional water; provided information on the Triad Expo on February 19th and 20th; commended staff on the Genesis Gardens project; spoke to Black History Month; requested staff to research recognizing one individual per day for Black History Month in 2017; and offered congratulations to newly appointed Interim Assistant City Manager Barbara Harris.

Mayor Pro-Tem Johnson announced that her granddaughter had been pictured in the newspaper; spoke to the

Dudley High School basketball team winning Regional's; requested staff to place a recognition item on an upcoming agenda for the basketball team; and thanked everyone for their recent prayers.

Councilmember Wilkins provided information on an upcoming Spring Walk being scheduled for District 5; referenced an article in the Rhino Times regarding City Manager Westmoreland dilemma in replacing staff members; inquired as to the cost associated with and regulations that required a national search; and asked for confirmation on the need to do a national search if the City had adequate people in place.

City Manager Westmoreland explained the process in looking for qualified personnel; spoke to having good candidates within the City; and expressed the purpose in verifying that the City had the best individuals.

Discussion took place regarding other items the funds spent could be used for; the reasons for national searching; and common business practices.

Councilmember Abuzuaiter voiced appreciation for the job done by City Manager Westmoreland; recognized Assistant City Manager Wesley Reid and Communications Director Donnie Turlington; voiced appreciation for the work that had done for the City; and stated they would be missed.

Councilmember Hightower wished Assistant City Manager Reid and Mr. Turlington well; spoke to Housing Neighborhood Development; the Preservation Greensboro dinner; Genesis Gardens housing program; highlighted the achievements of and requested staff to research assisting the Dudley High School Advanced Vehicle Technology Team with getting to Detroit for a competition in April; and provided information for the District 1 community meeting on Tuesday at Dudley High School from 6pm-8 pm.

Mayor Vaughan stated for the record "While we are bringing up articles in the Rhino, there was an article about the bond package that we talked about at our City Council retreat and I think it has been reported incorrectly. And what it says is 'The discussion at the retreat centered around how to best package the bond to sell it and the consensus seemed to have one bond for the City Council to spend however it deemed necessary instead of doing what it had done in the past having a transportation bond, a parks and recreation bond' and so on and so forth. I don't believe we had that discussion. I think what we talked about was the possibility whether or not we could do one vote, but that we would line out what that bond package would look like. X amount of dollars for housing, X amount of dollars for parks and recreation that would include the Greenway, X amount of dollars for Downtown development, those figures haven't been determined yet. But that they would be line itemed out very specifically. Certainly not how it would be spent how we deemed fit. I don't think anybody was thinking of coming up with a City Council spending account. So I just wanted to go on record, and we also included that we would do a disclaimer that it could have an impact on the sales, on the property tax. We had that whole discussion, property tax rate; yes we need to be up front about it and what we were going to spend the money on. The question was could we do a 'One City One Vote'. That was the question."

Discussion took place regarding the makeup of a bond package; the article not reflecting Council's discussion; the concept being One City, One bond; and Council being open to adding the property tax increase language to inform people what their property tax would be should a bond package be approved.

Mayor Vaughan continued by stating "I wanted to take this opportunity to clear that up to anybody who was listening or anybody in the press that would like to correct themselves"; recognized Assistant City Manager Reid and Mr. Turlington; voiced they would be missed; and recognized Ms. Harris in the new interim position.

Matters to be presented by the City Manager

City Manager Westmoreland spoke to Mr. Turlington and Assistant City Manager Reid's leaving the City; stated they would be difficult to replace; provided their work history with the City; voiced that Barbara Harris from Neighborhood and Development had agreed to step in as part of the City Manager's office team; and voiced appreciation to City staff for snow cleanup efforts.

Matters to be presented by the City Attorney

City Attorney Carruthers spoke to Greensboro's black history; stated Deputy City Attorney Becky Jo Peterson-Buie had been the first African American Municipal Attorney in the State of North Carolina; referenced

Ms. Peterson-Buie being in her 30th year with the City; and voiced appreciation for the work she did for the City.

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 6:49 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR