



City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, December 6, 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: 8 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Mike Barber, Councilmember Marikay Abuzuaite, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling and Councilmember Tony Wilkins

Excused: 1 - Councilmember Jamal T. Fox

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

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

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

Recognition of Courier

City Manager Jim Westmoreland recognized Nick Loflin 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.

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

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 16-0932](#) Resolution Recognizing the Month of November as Pancreatic Cancer Month

Mayor Pro-Tem Johnson spoke to and read the resolution into the record; and recognized Olivia Simmons' daughter to receive the resolution.

Ms. Simmons' daughter voiced appreciation for the resolution.

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

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

Absent, 1 - Jamal T. Fox

379-16 RESOLUTION RECOGNIZING THE MONTH OF NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH

WHEREAS, an estimated 53,070 people in the United States will be diagnosed with pancreatic cancer in 2016, and approximately 41,780 will pass from the disease, 1,240 of whom reside in North Carolina;

WHEREAS, this year pancreatic cancer surpassed breast cancer to become the third leading cause of cancer related deaths in the United States;

WHEREAS, pancreatic cancer is the seventh most common cause of cancer-related death in men and women across the world with an estimated 418,451 new cases to be diagnosed world wide by 2020;

WHEREAS, the good health and well being of the residents of the city of Greensboro are enhanced as a result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatments;

WHEREAS, November 17 is recognized as Pancreatic Cancer Day and the month of November is recognized as Pancreatic Cancer Awareness Month by Pancreatic Cancer Awareness Organization;

WHEREAS, as a way to honor the life of Olivia Bailey Simmons who succumbed to the disease in 2014, Council is being requested to recognize November 17 as World Pancreatic Cancer Day, and to designate the month of November as Pancreatic Cancer Awareness Month in the City of Greensboro;

WHEREAS, the City Council wishes to acknowledge and designate the month of November as Pancreatic Cancer Awareness Month and to name November 17 as World Pancreatic Cancer Day.

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

That it hereby recognizes the month of November as Pancreatic Cancer Awareness Month and names November 17, 2016 as Pancreatic Cancer Day.

(Signed) Marikay Abuzuaiter

2. [ID 16-0911](#) Duke Energy Presentation of Grant Award to City of Greensboro for Support of Electric Bus Quick Charge Station

City Manager Westmoreland recognized Davis Montgomery to speak to the item.

Mr. Montgomery, District Manager for Duke Energy introduced Casey Ford, Duke Energy Regional Customer Relations Manager; provided an overview of the project; the number of electric vehicles and charging stations in North Carolina; spoke to the benefits of electric vehicles; stated that the majority of the grant would go towards electric buses; outlined the process for Greensboro's participation in the project; and presented a \$450,000 check to Transportation Director Adam Fischer for Greensboro. Mr. Montgomery requested a photograph be taken with Mayor Vaughan and Mr. Fischer.

Mayor Vaughan thanked Duke Energy for the check; and voiced appreciation for City staff for moving forward with the effort.

II. PUBLIC COMMENT PERIOD

Brian Cheek, 1010 West Northwood Street stated he had recently retired from the Greensboro Police Department; expressed support for the Police Department and Police Chief Scott; concerns with comments made about the department by persons repeatedly coming to Council meetings; spoke to Police Chief Scott's position over the past two years; referenced previous fractions in the organization; reminded Council of actions that had taken place the day of Police Chief Scott's swearing in ceremony; and referenced Council overreach in the Police Department.

Councilmember Wilkins asked how long Officer Cheek had served, to which he responded 28 years.

Terra McKee, 252 Montclair Drive stated she was formerly a crime analyst for the Greensboro Police Department under the direction of former Police Chief Ken Miller; spoke to the Beloved Community Center support of her; referenced the harassment against her while employed by the City; stated she was a good worker but had been terminated; outlined her experience with being treated differently from her counterparts; to being homeless since terminated; and stated she had still not found a job.

Luther Falls, 1605 Lansdown Avenue wished Council happy holidays; referenced a flyer he had received regarding a literacy program with the County to take place on December 17 at the Salvation Army from 2:00 to 5:00 p.m.; spoke to the resolution for pancreatic cancer; highlighted events taking place during December in the community; and encouraged Council to continue working with small businesses.

Kim Gatlin, 206 Mary Will Court stated she had served as the Co-Chair for the Yes for Greensboro Bond Committee; thanked the City for placing the items on the ballot; spoke to the message of the committee; emphasized that the bonds were beneficial for the entire City; acknowledged the work of the staff in assisting to get information out to the community; voiced appreciation to the volunteers and organizations that helped promote the message; stated several companies made financial contributions; confirmed that their efforts were rewarded on Election Day; and added that the City needed to put the funds to work.

Sam Simpson, 1401 Sunset Drive referenced his experience in commercial real estate; voiced the importance in economic development in Greensboro, spoke to his experience working with the Yes for Greensboro Bond Committee; highlighted the next steps for the committee; asked for Council's assistance with, and participation in, forming four committees by mid January; asked for a continued partnership between the committee and the City; and thanked Council and the voters of Greensboro for support of the bonds.

Mayor Vaughan thanked Ms. Gatlin and Mr. Simpson for their leadership; voiced that the community voted to reinvest in themselves; and stated that the City would ensure this was a transparent process so voters knew how the money would be spent going forward.

III. CONSENT AGENDA (One Vote)

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

Councilmember Hightower asked about the ABC Board General Manager's salary adjustment for Item Number 12.

Councilmember Hoffmann spoke to the business and growth of the retail stores; to the good leadership; and stated the adjustment was well deserved.

Councilmember Wilkins requested that Item Number 8 be removed for discussion.

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

3. [ID 16-0907](#) Resolution Authorizing Purchase of Property Located at 3316 Battleground Avenue for the Battleground Westridge Intersection Improvement Project

380-16 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 3316 BATTLEGROUND AVENUE FOR THE BATTLEGROUND WESTRIDGE INTERSECTION IMPROVEMENT PROJECT

WHEREAS, in connection with the Battleground Westridge Intersection Improvement project, a property owned by Kotis Holdings, LLC, Parcel 0038929 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 \$63,000 but the property owner has agreed to

settle for the price of \$72,977, 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 \$72,977 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. 220-4588-01.6012, Activity A12084.

(Signed) Yvonne Johnson

4. [ID 16-0908](#) Resolution Authorizing Purchase of Property Located at 3215 Battleground Avenue for the Battleground Westridge Intersection Improvement Project

381-16 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 3215 BATTLEGROUND AVENUE FOR THE BATTLEGROUND WESTRIDGE INTERSECTION IMPROVEMENT PROJECT

WHEREAS, in connection with the Battleground Westridge Intersection Improvement project, a property owned by Battleground 3211, LLC, Parcel 0036447 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 \$32,500 but the property owner has agreed to settle for the price of \$37,237, 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 \$37,237 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. 220-4588-01.6012, Activity A12084.

(Signed) Yvonne J. Johnson

5. [ID 16-0841](#) Resolution Approving Appraisal in the Amount of \$35,125 and Authorizing Purchase of Property Located at 3400 Battleground Avenue for the Battleground Westridge Intersection Improvement Project

382-16 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 3400 BATTLEGROUND AVENUE FOR THE BATTLEGROUND WESTRIDGE INTERSECTION IMPROVEMENT PROJECT

WHEREAS, in connection with the Battleground Westridge Intersection Improvement project, a portion of the property owned by Self-Help Credit Union, Parcel 0038928 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Steven C. Randall of Foster Appraisal Services, Inc. at a value of \$35,125, which appraisal, in the opinion of the City Council, is fair and reasonable;

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

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

That the appraisal of the above mentioned portion of property in the amount of \$35,125, is hereby approved and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 220-4588-01.6012, Activity #A12084.

(Signed) Yvonne Johnson

6. [ID 16-0854](#) Resolution Approving a Contract in the Amount of \$223,115 to CDM Smith for the Kitchen Operations Center Environmental Assessment

383-16 RESOLUTION APPROVING CONTRACT AWARD TO CDM SMITH, INC. FOR THE KITCHEN BUILDING ENVIRONMENTAL ASSESSMENT

WHEREAS, the proposal from the firm was reviewed and agreed to with the participation of the Field Operations Department, Water Resources Department, and Engineering and Inspections Departments, and the M/WBE Office;

WHEREAS, CDM Smith, Inc. was selected to develop an assessment strategy for the subject property on the strength of their environmental consulting experience, and their use of local firms, including minority and women-owned firms;

WHEREAS, funding for the contract in the amount of \$223,115 is available in the Water Resources Fund in account number 501-0000-00.2047.

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

That the award of the Kitchen Building Environmental Assessment to CDM Smith, Inc. is hereby authorized with funding in the amount of \$223,115 to come from account number 501-0000-00.2047.

(Signed) Yvonne Johnson

7. [ID 16-0896](#) Resolution Approving a Contract in the Amount of \$455,480 with Hazen and Sawyer, P.C. for Construction Management and Resident Project Representative Services for T.Z. Osborne Non Potable Water (NPW) Pump Station and Electrical Upgrades

384-16 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$455,480 WITH HAZEN AND SAWYER, P.C. FOR CONSTRUCTION MANAGEMENT AND RESIDENT PROJECT REPRESENTATIVE SERVICES CONTRACT FOR THE T.Z. OSBORNE NON POTABLE WATER (NPW) PUMP STATION AND ELECTRICAL UPGRADES PROJECTS

WHEREAS, T.Z. Osborne NPW Pump Station and Electrical Upgrades project consists of putting in a new pump station for the solids handling building, as well as a new electrical sub-station to provide power to the pump station;

WHEREAS, the existing NPW system needs to be upgraded to meet future demands and compliance with Maximum Achievable Air Control Technology (MACT) regulatory requirements;

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

WHEREAS, Hazen and Sawyer, P.C. and Chester Engineers (NC), Inc. were contracted to design, obtain permits, assist with the bidding of construction documents and provide Construction Management and Resident Project Representative Services;

WHEREAS, the anticipated MBE utilization for this contract is 33.3% of the total contract amount.

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 Hazen and Sawyer, P.C. to provide Construction Management and Resident Project Representative Services for the construction of the T.Z. Osborne NPW Pump Station and Electrical Upgrades projects 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 \$455,480 from Water Resources Capital Fund Account No. 503-7026-06.5410.

(Signed) Yvonne Johnson

9. [ID 16-0895](#) Resolution Approving Change Order No.1 in the Amount of \$350,000 with CDM Smith, Inc., for the T.Z. Osborne Water Reclamation Facility 56 MGD Construction Administration and Inspection Services Contract 2014-021

385-16 RESOLUTION AUTHORIZING CHANGE ORDER NO.1 IN THE AMOUNT OF \$350,000 TO CONTRACT 2014-021 WITH CDM SMITH, INC. FOR THE T.Z. OSBORNE WATER RECLAMATION FACILITY 56 MGD UPGRADE CONSTRUCTION ADMINISTRATION SERVICES

WHEREAS, The City is currently upgrading and expanding the T. Z. Osborne Water Reclamation Facility (TZO) to 56 MGD to provide additional treatment capacity and plans to decommission the North Buffalo Creek WRF in the summer of 2017, after making necessary upgrades to equalize and pump influent flow from both facilities;

WHEREAS, On March 18 4, 2014 the City authorized professional services construction administration and inspection services contract 2014-021 with CDM Smith, Inc. in the amount of \$4,989,850 to support the T. Z. Osborne Water Reclamation Facility 56 MGD Upgrade;

WHEREAS, The original contract provided for onsite observations of the work and field check of materials and equipment for the construction of the proposed infrastructure improvements that are being constructed in three distinct and separate construction packages;

WHEREAS, The change order will allow the engineering team to extend their onsite observation, evaluation and technical guidance of the work necessary for the completion of the project due to weather delays.

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

That the City is authorized to enter into a contract Change Order No. 1 for contract 2014-021 with CDM Smith, Inc. for T. Z. Osborne Water Reclamation Facility 56 MGD Upgrade Construction Administration Services to provide additional construction oversight associated with the extended overall construction of the project in the amount of \$350,000 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 \$350,000 from Account No. 503-7026-06.5410 (Professional Services) and the associated budget adjustment.

(Signed) Yvonne Johnson

10. [ID 16-0870](#) Resolution Authorizing Network Services to Purchase Microsoft Office Software Upgrade in an Amount of \$761,247

386-16 RESOLUTION AUTHORIZING THE PURCHASE OF MICROSOFT OFFICE SOFTWARE UPGRADES IN AN AMOUNT OF \$761,247

WHEREAS, The Network Services Division of the Information Technology department is responsible for providing "up-to-date" applications and support for over 3,000 staff;

WHEREAS, the last update to the organization's email and backend office software was ten years ago with the installation of Microsoft Office 2007;

WHEREAS, staff has been notified Microsoft Office 2007 will no longer be supported by the manufacturer in 2017;

WHEREAS, funds have been budgeted in the Network Services Fund in an amount of \$761,247 for this purchase.

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 Microsoft Inc., to purchase Microsoft Office software upgrades for the organization.

(Signed) Yvonne Johnson

11. [ID 16-0881](#) Ordinance Amending the City's FY 16-17 Network Services Fund Budget in the Amount of \$761,247 for the Appropriation of Funds for Microsoft Office Upgrade Software

16-130 ORDINANCE AMENDING THE CITY'S FY 16-17 NETWORK SERVICES FUND BUDGET FOR THE APPROPRIATION OF THE FUNDS FOR MICROSOFT OFFICE UPGRADE SOFTWARE

SECTION 1

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

That the Network Services Fund of the City of Greensboro is hereby amended as follows:

That the appropriation to the Network Services Fund be increased as follows:

Account	Description	Amount
682-0720-02.5212	Non-capital equipment leases	\$761,247
TOTAL:		\$761,247

And, that this increase be financed by increasing the following Revenue Fund Account:

Account	Description	Amount
683-0720-02.8900	Appropriated Fund Balance	\$761,247
TOTAL:		\$761,247

SECTION 2

And that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

12. [ID 16-0909](#) Resolution Approving the Recommended Salary for the City Of Greensboro ABC Board General Manager

387-16 RESOLUTION APPROVING THE RECOMMENDED SALARY FOR THE CITY OF GREENSBORO ABC BOARD GENERAL MANAGER

WHEREAS, the City of Greensboro ABC Board wishes to increase the salary of the general manager up to and including \$126,000 annually effective December 6, 2016;

WHEREAS, N.C.G.S. 18B-700(g1) states that the salary authorized for the general manager, as defined in G.S. 18B-101, of a local board shall not exceed the salary authorized by the General Assembly for the clerk of superior court of the county in which the appointing authority was originally incorporated unless such compensation is otherwise approved by the appointing authority;

WHEREAS, in accordance with N.C.G.S. 18B-700(g1), City Council is being requested to approve said salary increase.

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

That it hereby approves the recommended salary increase of the general manager of the Greensboro ABC Board up to and including \$126,000 annually effective December 6, 2016 in accordance with N.C.G.S. 18B-700(g1).

(Signed) Yvonne Johnson

13. [ID 16-0922](#) Motion to Adopt 2017 City Council Meeting and Work Session Schedule

Motion to adopt the 2017 City Council meeting and Work Session schedule was adopted.

14. [ID 16-0943](#) Motion to Approve the Minutes of the Regular Meeting of November 1, 2016

Motion to approve the minutes of the Regular meeting of November 1, 2016 was adopted.

8. [ID 16-0898](#) Resolution Approving a Maintenance Agreement with Systems and Software, Inc. for the City's Customer Information and Billing Software

Councilmember Wilkins inquired if the City was aware that the contractor was the sole service provider when entering the contract; if other companies could provide service; and commended Water Resources Director Steve Drew.

Mr. Drew responded that the system was intrical with the City's software system; and verified that third party contractors could not support the maintenance and enhancements for the system.

Assistant City Manager David Parrish explained that this type of item was typically proprietary in nature; that the City was usually aware of sole source items when entering into a project; and added that staff would research to see if other vendors could perform the service.

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

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

Absent, 1 - Jamal T. Fox

388-16 RESOLUTION APPROVING MAINTENANCE AGREEMENT WITH SYSTEMS AND SOFTWARE, INC. FOR THE CITY'S CUSTOMER INFORMATION AND BILLING SOFTWARE

WHEREAS, in 2003 the City purchased the Customer Information and Billing System (enQuesta) from Systems and Software;

WHEREAS, the original Contract No. 2003-1295 requires annual maintenance agreements for continued use of the software;

WHEREAS, Systems and Software is the only company that can provide the maintenance;

WHEREAS, the cost of the annual maintenance agreement will be \$429,996.00 and includes technical support and maintenance releases;

WHEREAS, a sole source purchase from Systems and Software is being requested to ensure maintenance to the enQuesta system used by the City.

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

That the sole source purchase of \$429,996.00 for the upgrade to the enQuesta system used by the City is hereby approved with payment of said amount to be made from Account No. 501-7012-01.5415.

(Signed) Marikay Abuzuaiter

IV. PUBLIC HEARING AGENDA

15. [ID 16-0894](#) Resolution to Consider Adoption of the Friendly Avenue Area Plan

Planning Director Sue Schwartz provided an update on the West Friendly Avenue Plan; outlined the process for notifying the public; spoke to public meetings that had been held; and recognized Senior Planner Russ Clegg for a presentation.

Mr. Clegg made a PowerPoint Presentation that provided an overview of the Plan; explained the process for the Plan, spoke to the outcome of the survey and the meetings, highlighted the key findings and recommendations of the Plan, provided an overview of each recommendation and land use; outlined the next steps for the Plan; and stated information would be available at www.greensboro-nc.gov/friendlyave.

Councilmember Outling commended the Planning staff and those who worked on the Plan; voiced concern with and asked for clarification on the requirement for the City to conduct a public hearing; spoke to his experience with rezoning issues; and added that the requirement would be a hinderance.

Ms. Schwartz spoke to the framework of a rezoning request; stated staff encouraged developers to meet with neighborhoods as a matter of practice; confirmed that most, but not all, developers did; verified that the recommendation had been in place since the inception of the Comprehensive Plan; and provided the reasons why the requirement was in place. Ms. Schwartz explained the surrounding neighborhood makeup and development; and emphasized meetings were encouraged to engage the surrounding community.

Councilmember Outling provided an explanation as to why he felt the requirement would be a hinderance to developers; voiced the need to identify a problem when a party was seeking rezoning; and referenced the requirement being a burden to the business community.

Ms. Schwartz verified that the requirement was a standard provision; and had been included in previous plans.

Moved by Councilmember Outling, seconded by Councilmember Wilkins to adopt the Plan less that recommendation.

Councilmember Hightower confirmed that Ms. Schwartz had been here 29 years; and that the requirement was not out of the ordinary, nor was it prohibitive of doing business. Councilmember Hightower stated she did not have a problem with the requirement; confirmed that the Planning staff would be a convener of meetings; and spoke to her involvement in community meetings.

Ms. Schwartz confirmed the requirement provided a formal, definite process that would assist people in coming together for a common discussion; and provide neighborhood consultation prior to a change.

Discussion ensued regarding the letter from Friendly Center; role of the Planning staff in said meetings; if there had been negative feedback from developers; and the need for developers to meet with neighborhoods.

Mayor Pro-Tem Johnson stated she supported developers and economic development; voiced importance with people being a part of decisions that impacted their lives; and stated she would not support the motion made by Councilmember Outling.

Councilmember Hoffmann confirmed that the Plan was an example of City Planning working with neighborhoods and the community; that it was always better when all the players were at the table; voiced that she was perplexed and baffled that Council would think differently about the recommendation; and stated she would not be supportive of the motion

Councilmember Abuzuaiter thanked Ms. Schwartz and the Planning staff; voiced that she was pleased with the comments made; added that the request would get all parties at the table early on; referenced residents coming forward with concerns; and stated she would support the item.

Councilmember Outling spoke to his understanding that this was a special regulation for this area; and asked if this would be an additional requirement not included in other plans.

Ms. Schwartz stated it would be a policy for this plan; that it was applicable in other plans; outlined the process for staff's role in the meetings; and reiterated this would be a formalized process.

Councilmember Outling voiced concern with normalizing what was already done; stated it was unnecessary red tape by adding a regulation that was not necessary; highlighted what he felt the issue was; added that the requirement should be City wide; and voiced the need to recognize the two distinct issues involved.

Mayor Vaughan made reference to the absence of a plan for the Fischer Park neighborhood; stated other areas had the same plan; spoke to the development of plans by neighborhoods; community expectations; infill rezonings; confirmed the City did not have the ability to annex areas as it did in the past; stated the item was worth supporting; emphasized that this was an engaged community; and thanked staff for their work.

Councilmember Hoffmann referenced major rezoning cases in the area in the past four years; and emphasized that this was good City planning that involved both the neighborhoods and the developers.

Councilmember Outling provided clarity to his reasoning; voiced that this was an unnecessary regulation; verified that he was not the only person to raise concerns over this issue; and emphasized that the City needed to regulate in a way that addressed real problems.

Councilmember Outling restated the motion that Council adopt the plan less the recommendation contained on page 4 regarding the meeting of community members and the developers.

Moved by Councilmember Outling, seconded by Councilmember Wilkins, that Council adopt the plan less the recommendation contained on page 4 regarding the meeting of community members and the developers. The motion failed on the following roll call vote:

Ayes 1 - Justin Outling

Nays 7 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, and Tony Wilkins.

Absent 1 - Jamal T. Fox

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

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

Absent, 1 - Jamal T. Fox

389-16 RESOLUTION ADOPTING THE FRIENDLY AVENUE AREA PLAN

WHEREAS, the City of Greensboro worked with residents, businesses and property owners in the Friendly Avenue area between Elam Avenue and Holden Road to develop a shared vision for the area based on community input that can be used by both public and private entities to guide future growth decisions; and

WHEREAS, dynamic market forces influence growth and development in locations specified within the plan as 'Areas of Transition' that may require more detailed discussions with stakeholders and developers; and

WHEREAS, a series of community meetings and surveys was conducted in 2016 to gather citizen input for the planning process; and

WHEREAS, a plan was developed with a set of goals and strategies prioritized by residents, business owners and property owners that focuses on transportation and access, land uses, and communication between the City, anchor institutions and area residents; and

WHEREAS, the Plan was unanimously recommended for approval by the Greensboro Planning Board on October 19, 2016.

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

That the Friendly Avenue Area Plan is hereby adopted and amends the Connections 2025 Comprehensive Plan;

AND FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the existing conditions and recommendations of the plan will be revisited within five years of adoption, no later than 2021.

(Signed) Nancy Hoffmann

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer Y, Exhibit No. 39 which is hereby referred to and made a part of these minutes.)

V. GENERAL BUSINESS AGENDA

16. [ID 16-0933](#) Boards and Commissions Listing for December 6, 2016

Moved by Councilmember Hoffmann, seconded by Mayor Vaughan to appoint Mike Cooke to the Cultural Center Committee to replace April Harris. The motion carried by voice vote.

Mayor Pro-Tem Johnson placed the following names in the data bank for future service on a board or commission: Elizabeth Jones, District 4, Human Relations Commission; Wayne Abraham, District 4, Participatory Budgeting; Bertha Michelle Lucas Patrick, Human Relations Commission; Mathew Foster, District 3, Parks and Recreation Commission; Eileen Martin, District 4, Commission on the Status of Women; David Horth, District 2, Participatory Budgeting; Michael Hinson, District 1, Fire Relief Board; Dr. Sue Polinsky, District 4 Participatory Budgeting; Kevin Williams, District 2, Participatory Budgeting; and Yvette Troublefield, District 5, Human Relations Commission.

Councilmember Wilkins asked for clarification that the names were only placed into the databank; and spoke to picking a different Chair for the Participatory Budgeting Committee this year.

Mayor Vaughan added the name Sabrina Jones to the databank.

Discussion took place regarding appointments made to the Participatory Budgeting Committee.

Assistant City Manager Chris Wilson confirmed that any reappointments would be for one year; and that new appointments could be made for two years.

Moved by Councilmember Outling, seconded by Councilmember Wilkins to appoint David Sevier to the Human Relations Commission to replace Michael Picarelli; and to appoint Cathy Sevier to the Commission on the Status of Women to replace Dana Madison Lowe. The motions carried by voice vote.

Councilmember Wilkins asked City Clerk Betsey Richardson to provide a paper copy of the vacancy list; and stated he was looking for someone in District 5 to serve on several boards.

Clarification was provided for the new appointment structure.

Mayor Vaughan stated Councilmember Hoffmann, herself and staff would be looking at the makeup of the Arts Task Force on Friday morning; and asked that Council provide any candidate names by Thursday.

Councilmember Abuzuaiter stated she was looking for someone to appoint to the Redevelopment Commission.

Councilmember Wilkins left the Chamber at 6:45 p.m. and returned at 6:47 p.m.

Discussion took place regarding board attendance and quorums,

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint Michelle Bertha Lucas-Patrick to the Human Relations Commission. The motion carried by voice vote.

After research by the City Clerk it was determined that Councilmember Hightower did not have a vacancy appointment to the Human Relations Commission at this time.

Mayor Vaughan asked that appointments be held unless there was a specific need to do so.

Councilmember Hightower voiced the need to appoint Michael Hinson on the Firemen's Board to replace Mike Cooke; and stated she needed to appoint him today. Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint Michael Hinson. The motion carried by voice vote.

Councilmember Hightower placed the following names into the databank for future service on a board or commission: Kim Henderson, Parks and Recreation; Frank Matthews, Jr., Participatory Budgeting; Juanita Montgomery, Human Relations; Madeline Reed, Participatory Budgeting; Leslie Summers, Participatory Budgeting; Cherri Walston, Commission on the Status of Women; Renee Donnel, Historic Preservation; and Quentin Brown, Housing Commission.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to reappoint Robert Davis to the Participatory Budgeting Committee. The motion carried by voice vote.

Discussion took place regarding appointments, reappointments and term limits for Participatory Budgeting.

Mayor Pro-Tem Johnson asked if the agenda for the December 20th meeting of Council was heavy.

Mayor Vaughan responded that she had spoken with the City Clerk who advised that there were about thirty items to date.

City Manager Westmoreland interjected that he anticipated an economic development item that evening; and requested the meeting be held.

17. [ID 16-0947](#) Resolution Ratifying Memorandum of Agreement with Guilford County to Appoint a Medical Advisor to Assist the City of Greensboro with its Greensboro Fire Department Basic Education Institution and Authorizing Amendments Where Medical Advisors were Changed in 2012 and 2016

Councilmember Hightower verified there was no budget impact for the item.

Assistant City Manager Parrish spoke to what was covered under the contract; and confirmed the change was to update the name of the new Medical Director for Guilford County.

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

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

Absent, 1 - Jamal T. Fox

390-16 RESOLUTION APPROVING MEMORANDUM OF AGREEMENT AND AMENDMENTS BETWEEN THE CITY OF GREENSBORO AND GUILFORD COUNTY FOR THE DELIVERY OF EMERGENCY MEDICAL SERVICES CONTINUING EDUCATIONAL SERVICES PROVIDED TO THE CITY OF GREENSBORO FOR ITS FIRE DEPARTMENT BASIC EDUCATION INSTITUTION

WHEREAS, the City of Greensboro hereafter referred to as the City, instituted the Greensboro Fire Department Basic Education Institution, hereafter referred to as the GFDBEI in 2011;

WHEREAS, Guilford County, North Carolina, hereafter referred to as the County, is required under North Carolina law to appoint a Medical Director and Assistant Medical Director for emergency medical services offered by the County, including but not limited to EMS educational programs;

WHEREAS, the City and the County first agreed for Michael C. Fortner, MD to serve as medical advisor for the GFDBEI in 2011;

WHEREAS, Dr. Fortner resigned as the physician of record and Brian A. Opitz became the medical advisor for the GFDBEI on March 1, 2012, which required an Amendment to the Memorandum of Agreement executed in 2011;

WHEREAS, the County notified the City that Melanie Belfi, MD has been appointed as the New Medical Director for the County and will serve as the medical advisor to the GFDBEI effective September 1, 2016, requiring an amendment to the Memorandum of Agreement executed in 2011;

WHEREAS, the 2011 Memorandum of Agreement and the 2012 and 2016 Amendments are interlocal agreements and require Council approval;

WHEREAS, the City and the County have a long history of cooperation for the benefit to the citizens of Greensboro and Guilford County, North Carolina;

WHEREAS, the City desires to amend its contract with the County for Melanie Belfi, MD to serve as medical advisor to the GFDBEI.

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

Section 1. That the proper city officials are hereby authorized to enter into the Memorandum of Agreement signed in July 2011 and the amendments to the 2011 Agreement.

(Signed) Marikay Abuzuaiter

18. [ID 16-0941](#) Resolution Supporting the Use of \$250,000 in Parks and Recreation Bond Funds for the Greensboro Children's Museum

Mayor Vaughan stated there were two speakers to the item.

Rosemary Kenerly, 715 Simpson Street stated she was a board member for the Children's Museum; that her family could walk to the Museum and Downtown; provided highlights of the Museum; stated it was a place for her children to learn and play; and asked for continued support for the Museum.

Councilmember Wilkins asked if she was in a position at the Museum, to which she responded she served as a volunteer.

Dianne and Ava Cabbell, 1209-B Lakewood Drive. Ava stated she was a 5th grader; thanked the City Council for their support of the Museum; highlighted her favorite exhibits at the Museum; added that her mother was on the

board of directors; and asked that Council support the item.

Mayor Vaughan recognized Marian King, Chief Executive Officer of the Children's Museum to speak to the improvements that would be made during the next phase at the Museum.

Ms. King provided an overview of the exhibits that would be added during the next phase, in particular the combined climbing towers; stated there were only two like it in the United States; spoke the safety precautions that would be in place; and added that there would be two additional indoor exhibits that would provide hands on learning.

Councilmember Hightower confirmed that the \$250,000 would be additional funding for the Museum; and voiced excitement for the improvements.

Councilmember Wilkins asked who was making the request and recommendation; referenced this being a capital improvements grant; questioned why the request was not made during the budget cycle; and referenced concern with others making similar requests.

City Manager Westmoreland confirmed the item was brought forward by staff; and added that the City did not prohibit entities from asking for additional funding from time to time.

Assistant City Manager Wilson explained the process for the funding; and apologized that Councilmember Wilkins had not received updated information regarding the item due to difficulties in the Legistar system.

Councilmember Wilkins thanked Assistant City Manager Wilson for clarification to the item.

Councilmember Hoffmann emphasized that the Museum was one of the cornerstones in the Cultural Arts District; spoke to what it was connected to; added that it was appropriate that the City was looking at making the investment; and stated it would be a draw for the children throughout the City.

Mayor Pro-Tem Johnson stated she supported the item 100%; spoke to investing in specific projects Downtown twenty years ago; explained that the Museum was inclusive; offered scholarships for children who could not afford to pay the membership; and compared it to the Science Center that was supported by the City.

Councilmember Abuzuaiter voiced agreement with the comments that had been made; thanked Ms. King and her staff for the work they did; stated that there were new exhibits at the Museum; and thanked the City staff.

Councilmember Outling echoed some points that had been stated; voiced that the Museum had been an anchor for the Cultural Arts District; stated the Museum had endeavored to do things the proper way; voiced his appreciation for the museum; and stated he had requested and received the financials from the Museum.

Mayor Vaughan spoke to her experiences going to the Museum; emphasized that the entire community could rally for the Museum; spoke to leveraging community assets throughout the City and County; stated the Museum provided a great way for families to come out to play; and stated that she wanted to be one of the first people on the jungle gym.

Councilmember Wilkins added that he was big fan of the museum; voiced unease with the process; referenced others coming forward requesting funding for a capital project; asked if the Council could turn them down should they come and make a request at the next meeting; and asked about the liability of the City.

City Attorney Carruthers provided an explanation for the process to support museums; an overview of what was mandated under state law; and spoke to the term government purpose.

Councilmember Hightower referenced Dudley High School students utilizing the Museum; and verified that it was not just little children that utilized the facility.

Councilmember Outling referenced points made by Councilmember Wilkins; spoke to a precedent being set; to past practices; and requests outside of the process for capital improvements.

Mayor Pro-Tem Johnson called the question.

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

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Mike Barber, Marikay Abuzuaite, Sharon M. Hightower, Nancy Hoffmann and Justin Outling

Nays, 1 - Tony Wilkins

Absent, 1 - Jamal T. Fox

391-16 RESOLUTION SUPPORTING THE USE OF \$250,000 IN PARKS AND RECREATION BOND FUNDS FOR THE GREENSBORO CHILDREN'S MUSEUM

WHEREAS, the Greensboro Children's Museum has asked the city for \$250,000 in support of the Reaching Greater Heights campaign; and

WHEREAS, the Reaching Greater Heights campaign is a \$3 million campaign to fund construction for an outdoor play plaza, improvements to the exterior, an outdoor classroom, the addition of an interior water feature, as well as hands-on technology features for coding and robotics; and

WHEREAS, the Greensboro Children's Museum has received pledges of \$2.6 million to date for this campaign; and

WHEREAS, the Children's Museum is within what has been referred to as the Cultural District downtown; and

WHEREAS, the Cultural District has demonstrated many public/private partnerships that yielded assets such as LeBauer Park, Cultural Arts Center, Greensboro Historical Museum and the Van Dyke Performance Space; and

WHEREAS, the requested funding will be used to install an interior water feature by the Spring/Summer of 2017; and

WHEREAS, funding for this request is available through Parks and Recreation bond funds approved by the voters in 2006 and 2008.

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

That the request Greensboro Children's Museum for a grant of \$250,000 is supported and will be funded through the use of Parks and Recreation bond funds.

(Signed) Nancy Hoffmann

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

Councilmember Hoffmann wished the citizens a good holiday season.

Mayor Pro-Tem Johnson recognized City workers in the audience; and asked that the Community Sustainability Committee be allowed to bring periodic updates to Council.

Discussion took place as to whether a written report would suffice; preference to have a representative come before Council; and a consensus of Council to receive updates.

Mayor Pro-Tem Johnson thanked the firefighters for their involvement in the Festival of Lights festivities; stated approximately 25,000 people were in attendance; and wished everyone a blessed and safe holiday.

Councilmember Abuzuaite commended the Festival of Lights event; stated that the City Inclusion Fair for

employees took place today and was scheduled from 4:00 - 8:00 p.m. tomorrow; thanked Dr. Love Crossling for organizing the event; spoke to her emotional experience at Shoppers Day; highlighted the number of participants and volunteers; voiced the challenges of disabled persons while shopping; commended Donna Gray for her work on the event; and spoke to when Operation Yuletide would be collecting gifts.

Councilmember Hightower stated she attended the Festival of Lights but was unable to attend the Parade; spoke to an 85th birthday celebration she attended; and stated she wished to make statements regarding the Yourse incident. Councilmember Hightower referenced the timeframe for completion of the investigation; confirmed she had requested and reviewed the investigative file in its entirety; voiced the importance in reporting to her constituents; spoke to being a responsible Councilperson; confirmed that she was bound by certain personnel laws; added that some policy and protocol changes had been made; that the lives of the citizens would be protected; and added that this was a step towards building trust in the community. Councilmember Hightower continued that some of the people she represented did not have trust with the Police Department; voiced that some of what she had heard was troubling; referenced comments made this evening; emphasized that she did not want to get to a place where people were afraid to voice their concerns; verified she had seen what her constituents had asked her to review; stated changes would be made to benefit people; added that she would continue to ask the questions; voiced the need to begin to build a bridge of trust; stated she wanted to release portions of the investigative file that she had spent time looking through; asked her fellow Councilmembers that had not already done so to review said file; and emphasized she would continue to represent her constituents.

Matters to be presented by the City Manager

City Manager Westmoreland informed Council that it was the News and Record reporter's birthday today.

Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

VI. ATTACHMENTS FOR COUNCIL'S INFORMATION:

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 7:31 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR