



City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, January 17, 2017

5:30 PM

Council Chamber

Call to Order

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

Present: 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 Mayor Pro-Tem Johnson to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Kym Smith of the Transportation 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.

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

Mayor Vaughan stated Council had been requested to postpone the item to the February 21st meeting of Council without further advertising.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hoffmann to postpone the item to the February 21st meeting of Council without further advertising.

Councilmember Wilkins inquired as to who was in attendance for the item; and clarified he was voting 'No' for the postponement.

Discussion took place regarding policies and past practices to grant a continuance for first requests.

Councilmember Abuzuaiter referenced a previous item that had been brought before Council; the investment of time by the neighborhood; and confirmed her vote to postpone would be 'No' as well.

Mayor Vaughan requested a show of hands for those in favor of granting the postponement. The motion carried by 6-3, with Councilmembers Abuzuaiter, Outling and Wilkins voting 'No'.

Councilmember Outling requested staff to provide procedures pertaining to postponement of zoning items; and to

research a process to contact interested parties prior to the date certain for items to be heard by Council.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 17-0008](#) Resolution Honoring the Memory of the Late Marquis Street

Councilmember Hightower read the resolution into the record; voiced appreciation for Mr. Streets' work in the community; and presented the resolution to Mrs. Street.

Mrs. Street referenced Mr. Streets' achievements, accomplishments and loyalty; outlined his history with Hayes-Taylor YMCA; and expressed appreciation for the resolution.

Moved by Councilmember Fox, 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

1-17 RESOLUTION HONORING THE MEMORY OF THE LATE MARQUIS D. STREET

WHEREAS, on November 27, 2016, this community lost one of its outstanding community leaders with the passing of the late Marquis D. Street at the age of 70;

WHEREAS, a native of Greensboro, Mr. Street attended F. D. Bluford Elementary School, Lincoln Junior High School and graduated from James B. Dudley High School with the Class of 1964. Mr. Street earned a Bachelor of Science Degree in History from North Carolina Agricultural and Technical State University in 1968;

WHEREAS, while attending North Carolina Agricultural and Technical State University (North Carolina A&T State University), Mr. Street joined the Army R.O.T.C. and earned the rank of Cadet Colonel Brigade Commander, and went on to earn a commission as a Second Lieutenant in the United States Army Reserve;

WHEREAS, Mr. Street was a member of Alpha Phi Alpha Fraternity, Inc., Beta Epsilon Chapter (NCA&T) 1965 and Beta Epsilon Boule, Sigma Pi Phi Honorary Fraternity and was awarded a full academic scholarship to the University of Iowa College of Law where he earned a Doctorate of Jurisprudence degree in 1971;

WHEREAS, he served as Assistant to the Chancellor for Legal Affairs, and as an assistant Professor of Political Science at North Carolina A&T State University, joined the law firm of Frye, Johnson & Barbee as an associate from 1972 – 74 and served as Assistant to the Vice-Chancellor for Administration at the University of North Carolina at Chapel Hill until 1975 when he opened his own law firm in Greensboro;

WHEREAS, over the course of his 41 year career practicing law, Mr. Street was a member of the North Carolina State Bar Association, Guilford County Bar Association, North Carolina Association of Black Lawyers, North Carolina Academy of Trial Lawyers, the National Bar Association and the United States Supreme Court Bar;

WHEREAS, since 1977, Mr. Street devoted much of his time to the Hayes-Taylor YMCA where he chaired the Board of Management from 1983 to 1995, established the Street-Nasir Scholarship Trust, was a Sustaining Campaign worker, an Honorary Life Member, received the Hayes-Taylor Citizenship and Service to Youth Award, and was the second longest board chairman to serve in the facility's history;

WHEREAS, in addition to his work with the Hayes-Taylor YMCA, Mr. Street served as Vice Chairman of the Greensboro Human Relations Commission; was Parliamentarian for the National Alumni Association for North Carolina A&T State University; graduate of Leadership Greensboro sponsored by the Greensboro Chamber of Commerce, and Chairman, North Piedmont Cluster of YMCA's (Northern N.C. and Southern Virginia);

WHEREAS, Mr. Street was the recipient of numerous awards and honors including but not limited to a citation from the North Carolina Human Relations Commission signed by Governor Jim Hunt, the Greensboro NAACP branch Supportive Service and Community Service Awards, the Lifetime service Award for Service to Youth from Brothers Organized to Save Others, and had the old Hayes-Taylor YMCA gymnasium named in his honor;

WHEREAS, the City Council wishes to express its condolences, and offer its sincere appreciation and gratitude for Mr. Marquis D. Street's many years of dedicated public service. His legacy will be remembered by the outstanding contributions he has made to the community.

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 Marquis D. Street.
2. That a copy of this resolution shall be delivered to the family of the late Marquis D. Street as a symbol of the gratitude of the people of Greensboro for his many contributions to this community.

(Signed) Jamal Fox

2. [ID 17-0012](#) Resolution Congratulating the Dudley High School Football Team for Winning the 4A State Championship Game

Mayor Vaughan invited the Dudley High School football players and coaches to come forward during the reading of the resolution.

Councilmember Hightower recognized the five seniors in attendance representing the team; read the resolution into the record; voiced excitement to be the representative for the school; and presented the resolution to Principal Rodney Wilds.

Mayor Pro-Tem Johnson congratulated the team; and spoke to students that had received early college awards.

Councilmember Abuzuaiter spoke to being a Panther; and referenced her son playing football in 1996.

Coach Steven Davis thanked Council for the resolution; spoke to students that had received the early college awards; to the number of players that would receive scholarships; recognized and spoke to Coach Curtis McMillan's (Coach Mac) history and his upcoming retirement.

Principal Rodney Wilds spoke to an outstanding athletic group; commended the coaching staff; and thanked Council for the recognition.

Moved by Councilmember Abuzuaiter, 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

2-17 RESOLUTION CONGRATULATING THE JAMES B. DUDLEY HIGH SCHOOL PANTHERS FOOTBALL TEAM ON THEIR WIN OF THE 2016 NCHSAA CLASS-AA HIGH SCHOOL FOOTBALL CHAMPIONSHIP

WHEREAS, the James B. Dudley High School Panthers Football Team finished the 2016 season with a 15-1 overall record and is ranked 69th in the nation;

WHEREAS, the Panthers reigned over Cape Fear with a 54-0 victory on Saturday, December 17, 2016 at Carter-Finley Stadium in Raleigh, North Carolina in the NCHSAA Class-AA High School Football Championship game;

WHEREAS, this was the Panthers sixth overall state championship, and coach Steven Davis' fourth during his tenure;

WHEREAS, this was the second championship win for the Panther seniors with the last one taking place in 2013;

WHEREAS, on behalf of the City of Greensboro, the City Council extends congratulations to the James B. Dudley

High School Panthers Football Team for claiming the title.

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

That it congratulates the James B. Dudley High School Panthers Football Team for the 2016 football season, and for winning the 2016 NCHSAA Class-AA High School Football Championship game.

(Signed) Marikay Abuzuaite

3. [ID 16-0961](#) Resolution in Support of Cone Health System

Mayor Vaughan read the resolution into the record; and presented the resolution to Cone Health CEO, Terry Akin.

Mr. Akin thanked Council for the acknowledgement; provided a history of the foundation of Cone Health; highlighted the United States rankings; spoke to the benefits to patients and citizens; outlined the next steps for the health care system; spoke to cost efficiency; to partnerships; and stated it was an honor to serve the City of Greensboro.

Councilmembers expressed excitement for the Union Square Campus; and voiced appreciation to Cone Health.

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

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

3-17 RESOLUTION IN SUPPORT, APPRECIATION AND RECOGNITION OF CONE HEALTH FOR ITS WORK THROUGHOUT THE CITY OF GREENSBORO AND THE TRIAD REGION

WHEREAS, in 1911 Bertha Lindau Cone established a trust as a memorial to her husband, Moses, who passed away in 1908, and Cone Health has grown to be one of the most extensive and trusted healthcare networks in North Carolina that provides a measurable quality of care to the citizens of the City of Greensboro and throughout the Triad region;

WHEREAS, Cone Health honors the values of its founders for accessible healthcare for all, regardless of their ability to pay while continuing to meet the community's evolving healthcare needs;

WHEREAS, The Moses H. Cone Memorial Hospital (now Cone Health) opened to the public and treated its first patient in 1953. Cone Health now spans more than 100 locations, including six hospitals, four urgent care centers, a retirement community, over 100 physician practice sites, and multiple centers of excellence throughout the Triad region;

WHEREAS, the expansion of the hospital from 1960-1962 included North Carolina's first intensive care unit, and, in 1963, four African American doctors joined the medical staff making it the first integrated hospital in Greensboro prior to the 1964 U.S. Supreme Court ruling that desegregated all U.S. hospitals;

WHEREAS, approximately 12,000 employees, 1,500 physicians, and 1,200 volunteers serve the needs of our community;

WHEREAS, the Cone Health network is composed of Alamance Regional Medical Center, Annie Penn Hospital, Behavioral Health Hospital, MedCenter High Point, MedCenter Kernersville, MedCenter Mebane, The Moses H. Cone Memorial Hospital, Wesley Long Hospital, and Women's Hospital as well as physician practice sites that are a part of Cone Health Medical Group and Triad HealthCare Network;

WHEREAS, some of the accolades awarded to Cone Health in 2016 include, but are not limited to the following: Top 2 percent nationally in U.S. News World report quality rankings for "Common Care" conditions; top 3 percent nationally from CMS "Hospital Compare" for quality; top 1 percent nationally as rated by Care Chex for overall hospital care; No. 1 in the nation for the lowest 30-day readmission rate for heart attack patients; top 1 percent

nationally from the Society of Thoracic Surgeons for quality and outcomes in cardiovascular surgery; and more than 25 percent of the Top 100 nurses named in the state are employed by Cone Health;

WHEREAS, the City Council expresses its sincere support, appreciation and recognition for the work Cone Health performs in the City of Greensboro and the Triad region.

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

That it supports, appreciates and recognizes Cone Health for its many contributions and work throughout the City of Greensboro and the Triad region.

(Signed) Justin Outling

4. [ID 17-0052](#) Resolution Adopting the 2017 Heritage Calendar

Councilmember Abuzuaiter expressed appreciation to staff for their work on the item; and read the resolution into the record.

Moved by Councilmember Hightower, seconded by Councilmember Fox, 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

4-17 RESOLUTION ADOPTING THE 2017 HERITAGE CALENDAR

WHEREAS, National Heritage Month observances are an integral part of the National Equal Employment Opportunity and Civil Rights Program;

WHEREAS, the purpose of these programs is to ensure that agencies take affirmative steps to provide equal opportunity to minorities, women and people with disabilities in all areas of employment and provide cultural awareness to everyone;

WHEREAS, the City of Greensboro continues to not discriminate on the basis of sexual orientation, gender expression, gender identity on the basis of an applicant's suitability for the job and award them, with respect to compensation and opportunity for training and advancement, including upgrading and promotion;

WHEREAS, The City of Greensboro wants to make official its recognition of Nationally Recognized Heritage Months such as:

February

African American/Black History Month

African American/Black History Month was established to recognize the contributions of African Americans and foster a better understanding of the African American experience.

March

National Women's History Month

Women's History Month started as Women's History Week in 1978. In 1987, Congress was petitioned to expand the week to an entire month. The month recognizes the important contributions made by women through programs in school, workplaces and communities.

May

Asian/Pacific American Heritage Month

Asian/Pacific American Heritage observation originally began as Asian/Pacific Heritage week on July 10, 1978. In 1992, President Bush signed legislation designating May as Asian/Pacific American Heritage Month. The term Asian/Pacific American includes many ethnic groups with diverse cultures. The month celebrates the collective achievements of the many different communities of Asian/Pacific descent.

Jewish American Heritage Month

Jewish American Heritage Month is a month to celebrate the contributions Jewish Americans have made to America since they first arrived in New Amsterdam in 1654.

Older Americans Month

Older Americans Month was established by presidential proclamation to honor the contributions of older Americans to society. Older Americans Month is a time to celebrate and reflect on the unique contributions of older Americans in our society.

June**Lesbian, Gay, Bisexual and Transgender Pride Month**

Lesbian, Gay, Bisexual and Transgender Americans have made important and lasting contributions to our nation in every field of endeavor. President Barack Obama declared June Lesbian, Gay, Bisexual and Transgender Pride Month on June 1, 2009.

Caribbean American Heritage Month

On June 5, 2006, President George W. Bush signed a proclamation making June officially Caribbean American Heritage Month. This month has been established to recognize the historic relationship between the people of the Caribbean and the people of the United States as well as to recognize the many contributions Caribbean immigrants and their descendants have made to the well-being of America.

September/October**Hispanic Heritage Month**

The first Hispanic Heritage Week was approved on September 15, 1968. The month gives people the opportunity to plan and participate in ceremonies and activities that recognize the contributions of the many diverse cultures within the Hispanic community. In 1988, the celebration was expanded to a month and goes from September 15 to October 15.

October**National Disability Employment Awareness Month**

In 2003, previously known as National Employ the Handicapped Week, President George W. Bush proclaimed October as National Disability Employment Awareness Month. During this month, we recognize the many contributions citizens with disabilities make to our society, and we reaffirm our commitment to helping them achieve their full inclusion in our workforce.

November**National American Indian Heritage Month**

National American Indian (or Native American) Month was enacted with a presidential proclamation in 1990. During the month, all Americans are encouraged to participate in programs ceremonies and activities that celebrate American Indian and Alaskan Native peoples' important contribution to the United States.

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

That it observes the preceding nationally recognized Heritage Months throughout 2017.

(Signed) Sharon Hightower

**5. [ID 17-0047](#) Resolution Honoring 30 Years of Service by Becky Jo Peterson-Buie,
Chief Deputy City Attorney**

Mayor Pro-Tem Johnson read the resolution into the record; and presented the resolution to Chief Deputy City Attorney Becky Jo Peterson-Buie.

Mayor Vaughan presented a gift to Chief Deputy City Attorney Peterson-Buie.

Chief Deputy City Attorney Peterson-Buie voiced appreciation for the resolution and the retirement celebration; for former and current staff; stated it had been an honor to serve the City; and spoke to future plans.

Councilmember Fox spoke to working with Chief Deputy City Attorney Peterson-Buie; commended her on her

morals and work ethics; and extended well wishes.

Moved by Councilmember Abuzuaite, 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 Abuzuaite, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

5-17 RESOLUTION HONORING CHIEF DEPUTY CITY ATTORNEY BECKY JO PETERSON-BUIE ON HER RETIREMENT FROM THE CITY OF GREENSBORO AFTER 30 YEARS OF SERVICE

WHEREAS, Becky Jo Peterson-Buie is a native of Nashville, Tennessee; earned her Bachelor of Arts degree from Spelman College in 1978, and a Juris Doctorate degree from North Carolina Central University School of Law in 1981;

WHEREAS, Becky Jo Peterson-Buie began her legal career in general practice in Winston-Salem, and has been an attorney for the City of Greensboro since April 13, 1987;

WHEREAS, she is committed to serving the legal profession and is a member of numerous legal organizations such as the North Carolina Municipal Attorneys Association, North Carolina Advocates for Justice, the National Forum of Black Public Administrators, and the Greensboro Bar Association, as well as several organizations that include the Alpha Kappa Alpha Sorority, Inc. and the Touching Lives Foundation Board;

WHEREAS, in the past she has served as a member of the following organizations: Child Care Information Program Council, United Child Development Services Board of Directors, YWCA of Greensboro, Past Chair, Other Voices of Greensboro, and as a former member of the board of directors of the Greensboro Municipal Credit Union;

WHEREAS, Becky Jo Peterson-Buie has been a lecturer of numerous in-house continuing education courses for city employees on various topics, and some of her speaking engagements include being speaker for the Greensboro Paralegal Association, the North Carolina Agricultural Extension Office, the North Carolina Career Development Association, Women's Day Speaker, Zion Memorial Baptist Church, Missionary Anniversary Speaker, Zion Memorial Baptist Church;

WHEREAS, she is active in her church, Zion Memorial Baptist Church in Winston-Salem, North Carolina serving as a member of the Trustee Board, current secretary, a member of the Gospel and Mass Choirs, a member of the Hospitality Committee, a member of the Missionary Ministry, and Missionary Group No. 4 and previously taught Sunday school to youths ages 12-14;

WHEREAS, Becky Jo Peterson-Buie is respected and recognized by all for her deep institutional knowledge of the City of Greensboro, her profound legal expertise, her warm personality and infectious laugh, and above all, her ability to create an atmosphere of unity among her colleagues and clients alike;

WHEREAS, on behalf of her colleagues in the City Attorney's Office and the City of Greensboro, the Greensboro City Council wishes to express its sincere appreciation for Becky Jo Peterson-Buie for her leadership and credit to the legal profession. Chief Deputy City Attorney Peterson-Buie is the embodiment of a servant leader in the City of Greensboro's Legal Department, always seeking a just result that serves the needs of the City and its citizens.

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

That it hereby extends, on behalf of the citizens of the City of Greensboro, its appreciation, gratitude, and recognition to Becky Jo Peterson-Buie upon her retirement from the City of Greensboro and for her 30 years of dedicated service, leadership, and professionalism throughout the community.

That it further commends her for a job well-done as a true professional in her service to the community and to the City of Greensboro.

(Signed) Marikay Abuzuaiter

II. PUBLIC COMMENT PERIOD

Mayor Vaughan stated Council would hear from all the speakers.

Brian Watkins, 1903 Taylor Street showed a video; and spoke to police accountability.

William Hurd, 5214 Skylark Drive spoke to the video shown by the previous speaker; referenced comments by Mayor Vaughan; requested the Yourse documents to be released; voiced concerns regarding the Greensboro Police Department; and spoke to building public confidence.

Richard Koritz, 1801 Murrayhill Road voiced support in the right of workers to organize; referenced an OXFAM article; compared the wealthy population to those in poverty; spoke to being in a union; workers receiving living wages; enforcement of justice; and to the unity of the people.

Arthur Erikson, 617 North Mendenhall Street, stated he was a City employee with Library services; spoke to the labor union; provided a work history; referenced events in 2005; spoke to fair pay and safe working conditions; outlined the purpose of the union; requested a meeting with the City Manager and Council; and stated some employees were citizens of the City as well.

Mayor Pro-Tem Johnson referenced concerns that she had addressed with staff; and requested an update on the status of implementation.

Councilmember Fox requested an update on minimum wage increases.

City Manager Westmoreland updated the Councilmembers on the requests; spoke to the history and formation of the organization; dues being collected via payroll deductions; clarified that staff would address concerns; and outlined items to be discussed at the Council Retreat.

Mayor Vaughan emphasized Council's support of the minimum wage resolution; referenced Raleigh's boost in pay; and voiced the need for movement on the item.

City Manager Westmoreland provided a brief update; outlined changes that were being implemented; spoke to complexities faced; the current merit systems; confirmed staff had a goal to implement in February; and provided a timeline for the goal for the increase minimum wage.

Bryce Carter, 225 Rivermeade Drive, Archdale spoke to his work history with the City; evaluations and merit increases; voiced concerns with upper level management making changes to evaluations; being understaffed; and stated the workforce needed growth.

Adele Holland, 915 Omaha Street, stated she was an after school counselor for Parks and Recreation; a roster employee; spoke to the importance for the wage increase; and to the exclusion of roster employees in the 2015 resolution.

Discussion took place regarding all employees being included in the resolution except for Coliseum employees.

Nelson Johnson spoke in the place of Carolyn Smith; to support workers rights; voiced support of a union; spoke to people working together to build a great City; and referenced an incident in the 1960's.

Reverend Dr. Anthony Spearman, 4246 Farlow Drive, President of the North Carolina Counsel of Churches stated the group promoted Christian unity; provided the history of the organization; quoted Martin Luther King; voiced support for the union; and his support of item #40.

Ramone Johnson, voiced support for a union; the need for a brotherhood and sisterhood for City employees; referenced merit raises; and voiced the need for seniority based raises.

Charles French, 9 Grassy Knoll Circle, read a letter to Council in support of the union; referenced Martin Luther King events on the day prior to his death; and voiced concerns for losing jobs.

Roch Smith, Jr. 3605 Wilshire Drive voiced concerns with the public records policies; referenced cities that charged for records; spoke to access to records; and to Council adopting policies at work sessions without public comment.

Reverend Mazie Ferguson, 3004 Lawndale Drive voiced support for the workers union; concerns regarding citizens not knowing the Preamble to the United States Constitution; spoke to the purpose of the document; and stated she would attend all Council meetings in the coming months.

Mayor Vaughan voiced appreciation to the City workers that attended and spoke tonight; and verified Council had heard their concerns.

III. CONSENT AGENDA (One Vote)

Mayor Vaughan stated Item #27 needed to be removed from the Consent Agenda; and asked if anyone wished to remove any other items from the Consent Agenda.

Councilmember Hightower requested item #32 to be removed for discussion.

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

6. [ID 17-0013](#) Resolution Authorizing the Acceptance of the Dedication by Deed of Park Area at 328 Martin Luther King Jr Drive

6-17 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION TO THE CITY OF GREENSBORO OF PARK AREA LOCATED AT 328 MARTIN LUTHER KING JR DRIVE

WHEREAS, the owner has offered to convey property located at 328 Martin Luther King Jr Drive (Parcel 0001115) which consists of approximately .25 acres to the City of Greensboro as dedicated park, said property being shown on the attached map; and

WHEREAS, this property will become part of the City's Park System; and

WHEREAS, it is deemed in the best interest of the City to accept this dedication from the owner of the property located at 328 Martin Luther King Jr Drive.

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

That, on behalf of the City of Greensboro, the dedication of property located at 328 Martin Luther King Jr Drive is hereby accepted and approved.

(Signed) Nancy Hoffmann

7. [ID 17-0025](#) Resolution Authorizing Execution of Contract with Carolina Management Team (CMT) in the Amount of \$229,457 for Protective Coatings Services

7-17 RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH CAROLINA MANAGEMENT TEAM (CMT) IN THE AMOUNT OF \$229,457 FOR ON-CALL PROTECTIVE COATINGS SERVICES

WHEREAS, after recent inspection, it has been determined that new paint and protective coatings are needed to extend the useful life of various areas at the T. Z. Osborne Water Reclamation Facility;

WHEREAS, the proposed coating project includes surface coating application for Clarifier #4, Old Grit Building Exterior, and Chlorine Building Exterior;

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;

WHEREAS, the Coating Services for this project will be provided by Carolina Management Team, a local WBE and Covenant Enterprise Painting, a minority owned business (MBE) located within the City's Metropolitan Statistical Area (MSA).

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 to provide Coating Services 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 \$229,457 from Water Resources Operations Fund Account No. 501-7056-01.5627.

(Signed) Nancy Hoffmann

8. [ID 17-0026](#) Resolution Approving Change Order No.1 to Contract 2014-5266 in the Amount of \$53,385 with the North Carolina Department of Transportation (NCDOT) for construction of Water Line Betterment along McLeansville Road NCDOT Project P-5204

8-17 RESOLUTION APPROVING CHANGE ORDER NO.1 TO CONTRACT 2014-5266 IN THE AMOUNT OF \$53,385 WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) FOR CONSTRUCTION OF WATER LINE BETTERMENT ALONG MCLEANSVILLE ROAD NCDOT PROJECT P-5204

WHEREAS, City Council authorized contract 2014-5266 in the amount of \$416,000 on June 3, 2014 with NCDOT for the adjustment and relocation of waterline betterment associated with Project P-5204 along McLeansville Road;

WHEREAS, the project consisted of the McLeansville Road grade separation over the NS/MCRR Railroad from Birch Creek Rd (SR 2826) to north of SR 2746.;

WHEREAS, the change order is necessary to pay for the difference between the engineers estimated utility work cost (basis for original reimbursement agreement) and the actual constructed cost;

WHEREAS, the total cost of the project is \$469,385.

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

That the City is authorized to approve Change Order No.1 with NCDOT for Water Line Betterments along McLeansville Road Project P-5204 Contract 2014-5266 for additional utility construction work associated with the 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 \$53,385 from Water Resources Capital Fund Account No. 503-7026-01.6016 A 17033.

(Signed) Nancy Hoffmann

9. [ID 17-0027](#) Resolution Approving Change Order No.1 to Contract 2011-5060 in the Amount of \$67,804.73 with the North Carolina Department of Transportation (NCDOT) for Construction of Water and Sewer Line Betterments Along NCDOT West Market Street Project R-2611

9-17 RESOLUTION APPROVING CHANGE ORDER NO.1 TO CONTRACT 2011-5060 IN THE AMOUNT OF

\$67,804.73 WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) FOR CONSTRUCTION OF WATER AND SEWER LINE BETTERMENTS ALONG NCDOT WEST MARKET STREET PROJECT R-2611

WHEREAS, City Council authorized contract 2011-5060 in the amount of \$389,485 on April 5, 2011 with NCDOT for the adjustment and relocation of water and sewer line betterments associated with Project R-2611 along West Market Street;

WHEREAS, The project consisted on the widening of West Market Street from Bunker Hill Rd (SR 2007) to NC68;

WHEREAS, the change order is necessary to pay for the difference between the engineers estimated utility work cost (basis for original reimbursement agreement) and the actual constructed cost;

WHEREAS, the total cost of the project is \$457,289.73.

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

That the City is authorized to approve Change Order No.1 with NCDOT for Water and Sewer Line Betterments along West Market Street Project R-2611 Contract 2011-5060 for additional utility construction work associated with the 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 \$67,804.73 from Water Resources Capital Fund Account No. 503-7026-01.5615 and the associated budget adjustment.

(Signed) Nancy Hoffmann

10. [ID 16-0945](#) Resolution Authorizing Execution of Contract with Volkert, Inc. for the 2017 Resurfacing of Streets Project

10-17 RESOLUTION AUTHORIZING AWARD OF THE ASPHALT INSPECTION OF THE 2017 RESURFACING OF STREETS PROJECT TO VOLKERT, INC.

WHEREAS, the Asphalt Inspection of the 2017 Resurfacing of Streets Project is ready for implementation;

WHEREAS, the inspection work is to be for 45 street segments throughout the City of Greensboro;

WHEREAS, the proposal from the consulting firm was reviewed and agreed to with the participation of the Field Operations and Engineering & Inspections Departments;

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

WHEREAS, funding for the contract in the amount of \$170,000.00. Funds are available in the Street Improvements Bond Fund in account number 471-4502-09.5429. A budget adjustment will be needed for this account;

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

That the award of the Asphalt Inspection of the 2017 Resurfacing of Streets Project to Volkert, Inc. and associated budget adjustment is hereby authorized with funding in the amount of \$170,000.00 to come from Account No. 471-4502-09.5429. A budget adjustment will be needed for this account.

(Signed) Nancy Hoffmann

11. [ID 17-0028](#) Resolution Authorizing Extension of Professional Services Contract 2010-026B with Calyx Engineers & Consultants, Inc. for the Construction Inspections of the General Sidewalk Improvements along

Florida Street and Randleman Road

11-17 RESOLUTION AUTHORIZING EXTENSION OF CONTRACT NO. 2010-026B WITH CALYX ENGINEERS & CONSULTANTS, INC. FOR THE CONSTRUCTION INSPECTIONS OF THE GENERAL SIDEWALK IMPROVEMENTS ALONG THE FLORIDA STREET AND RANDLEMAN ROAD PROJECT

WHEREAS, on February 3, 2015, City Council approved a contract for the construction inspections for the General Sidewalk Improvements along the Florida Street and Randleman Road Project by Calyx Engineers & Consultants, Inc.;

WHEREAS, the inspections the General Sidewalk Improvements will require the addition of construction inspections due to weather related issues extending construction timeframe for completion of work;

WHEREAS, Calyx Engineers & Consultants, Inc. was requested to provide the additional construction inspection services.

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

That the extension in the amount of \$40,103.54 of Contract No. 2010-026B with Calyx Engineers & Consultants, Inc. is hereby approved and the Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper extension to carry the proposal into effect, payment to be made in the amount of \$40,103.54 from Account No. 401-4545-01.6015 and Activity No. A11089.

(Signed) Nancy Hoffmann

12. [ID 17-0005](#) Resolution Authorizing Contract # 2017-10506 with Century Janitorial Services Plus LLC for Janitorial Services at the J Douglas Galyon Depot

12-17 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2017-10506 TO CENTURY JANITORIAL SERVICES PLUS LLC FOR JANITORIAL SERVICES AT THE J DOUGLAS GALYON DEPOT

WHEREAS, the Engineering and Inspections Department requires janitorial cleaning services in the bus area at the J Douglas Galyon Depot that will be managed by the Engineering & Inspections Department;

WHEREAS, the proposed contract award exceeds \$100,000;

WHEREAS, in accordance with current City policy, contracts exceeding \$100,000 in value require City Council approval;

WHEREAS, the Engineering and Inspections Department requested that the Centralized Contracting Division conduct an on-line competitive Request for Bids (RFB) for Janitorial Services at the J Douglas Galyon Depot through the Greensboro Electronic Procurement System (GePS) in Event #8399;

WHEREAS, the Centralized Contracting Division and Engineering & Inspections Department concur in this recommendation to award the contract to Century Janitorial Services Plus LLC, a corporation with offices located in Greensboro, NC;

WHEREAS, the recommendation for selection is based on the lowest responsive, responsible bidder standard of award;

WHEREAS, the contract term is for an approximate three years. The estimated amount is for \$42,720 annually; \$124,600 for the approximate three-year term;

WHEREAS, funding for this agreement is available in the current fiscal-year budget;

WHEREAS, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

NOW THEREFORE BE IT APPROVED BY THE CITY COUNCIL OF GREENSBORO

That the resolution authorizing the award of Contract 2017-10506 to Century Janitorial Services Plus LLC for Janitorial Services at the J Douglas Galyon Depot is hereby approved.

(Signed) Nancy Hoffmann

13. [ID 17-0024](#) Resolution Authorizing Annual Maintenance Agreement Between the City Of Greensboro and Frontier Communications of America, Inc. for 911 Phone System Maintenance Services

13-17 RESOLUTION AUTHORIZING ANNUAL MAINTENANCE AGREEMENT BETWEEN THE CITY OF GREENSBORO AND FRONTIER COMMUNICATIONS OF AMERICA, INC. FOR 911 PHONE SYSTEM MAINTENANCE SERVICES

WHEREAS, the City of Greensboro provides emergency telephone services through its Guilford Metro 911 Department;

WHEREAS, the 911 computerized phone system requires ongoing monthly maintenance services to keep the system operational and up to date, including Sentry monitoring, software protection and remote technical support;

WHEREAS, the contract with the company that currently provides 911 annual maintenance services will terminate soon;

WHEREAS, after soliciting quotes from the small group of companies that provide 911 phone system maintenance services, Frontier Communications of America, Inc. submitted the lowest, responsible quotation to provide annual 911 phone system maintenance services until such time as the City terminates the agreement;

WHEREAS, it is in the best interest of the City of Greensboro to enter into an Annual Maintenance Agreement with Frontier Communications of America, Inc. to provide the City of Greensboro annual 911 phone system maintenance services in the approximate amount of \$128,102, excluding any applicable taxes, surcharges, fees and periodic additions such as upgrades and back-up systems, etc.;

WHEREAS, funding for the annual 911 phone system maintenance services is in the Guilford Metro 911 surcharge account.

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

That the City Manager is authorized to execute on behalf of the City of Greensboro an Annual Maintenance Agreement with Frontier Communications of America, Inc. for annual 911 phone system maintenance services until such time as the City decides to terminate the agreement, payment to be made from the Guilford Metro 911 Surcharge Account No. 281-3903-01.5621.

(Signed) Nancy Hoffmann

14. [ID 17-0029](#) Resolution Authorizing Last Mile Agreement with North Carolina Department of Transportation

14-17 RESOLUTION AUTHORIZING LAST MILE TRANSFER PROGRAM AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, this last mile transfer program agreement is made and entered into by and between the North Carolina Department of Transportation and the City of Greensboro as "Transit Provider;

WHEREAS, the State provides for and regulates rail systems within the State of North Carolina that provide passenger and freight services between various municipalities important to the citizens of the State;

WHEREAS, the City of Greensboro operates a bus service that provides local transportation for passengers within the City;

WHEREAS, the State and the City of Greensboro have a shared interest in the conservation of fossil fuel resources and improved air quality through the reduction of vehicle emissions and decreased traffic congestion;

WHEREAS, the State and the City of Greensboro believe that they receive a mutual benefit from an increase in transit ridership by individuals and groups who use the Rail System, and by demonstrating that transit is a convenient and viable transportation mode;

WHEREAS, the State and the City of Greensboro agree that a well-designed Last Mile Transfer Program will provide a wide range of benefits to the ridership, the City of Greensboro, and the State, including providing regional mobility options, a reduction of demand for parking and fossil fuels, significant savings in commuter costs, greater opportunity for community interaction, and enhanced public support;

WHEREAS, the State and the City of Greensboro wish to enter into this Last Mile Transfer Program Agreement to define their respective responsibilities in developing and operating an efficient Last Mile Transfer Program.

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

That the City is authorized to enter into a Last Mile Transfer Program Agreement with the North Carolina Department of Transportation. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro the Agreement.

(Signed) Nancy Hoffmann

15. [ID 16-0918](#) Resolution Authorizing Purchase of Property Located at 5 Sharps Airpark Court for the McCloud Road Water Booster Station

15-17 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY LOCATED 5 SHARPS AIRPARK COURT FOR THE McCLOUD ROAD WATER BOOSTER STATION

WHEREAS, in connection with the McCloud Road Water Booster Station, a portion of the property owned by Bud Holding Company, Incorporated, Parcel 0098289 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 \$165,000 but the property owner has agreed to settle for the price of \$200,000, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$200,000 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 503-7026-01.6011, Activity A17031.

(Signed) Nancy Hoffmann

16. [ID 16-0919](#) Resolution Authorizing the Purchase of Property Located at 1763 Mt. Hope Church Road for the Stewart Mill Force Main Sewer Line

16-17 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 1763 MT. HOPE CHURCH ROAD FOR THE STEWART MILL FORCE MAIN SEWER LINE PROJECT

WHEREAS, in connection with the Stewart Mill Force Main Sewer Line project, a portion of the property owned by

Thomas Wade Watson and Janice Karen Watson Hancock, Parcel 0084877 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Harold Messick of Messick and Company, Inc. at a value of \$26,380, 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 \$26,380 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 507-7012-01.6012, Activity #A13088.

(Signed) Nancy Hoffmann

17. [ID 17-0014](#) Resolution Authorizing the Purchase of Property Located at 5460 Millstream Road for the Stewart Mill Force Main Sewer Line Project

17-17 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 5460 MILLSTREAM ROAD FOR THE STEWART MILL FORCE MAIN SEWER LINE PROJECT

WHEREAS, in connection with the Stewart Mill Force Main Sewer Line project, a portion of the property owned by Citigroup Technology, Inc., Parcel 0084848 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Harold Messick of Messick and Company, Inc. at a value of \$46,294, 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 \$46,294 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 507-7012-01.6012, Activity #A13088.

(Signed) Nancy Hoffmann

18. [ID 17-0020](#) Resolution Granting an Easement to Duke Energy on City Property Located at 2501 Phillips Avenue

18-17 RESOLUTION GRANTING AN EASEMENT TO DUKE ENERGY CORPORATION FOR ELECTRIC SERVICE AT 2501 PHILLIPS AVENUE

WHEREAS, SHVF Renaissance, LLC is installing electrical service for a new site sign for City owned McGirt-Horton Library on property located at 2501 Phillips Avenue;

WHEREAS, installation of electrical equipment to provide electrical service is necessary;

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

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

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

That an easement to Duke Energy Corporation for the installation of electrical equipment for a site sign located at 2501 Phillips Avenue is hereby granted.

(Signed) Nancy Hoffmann

19. [ID 17-0021](#) Resolution Granting an Easement to Duke Energy to Install Underground Cable at 2199 White Street

19-17 RESOLUTION GRANTING AN EASEMENT TO DUKE ENERGY CORPORATION FOR UNDERGROUND CABLE AND A TRANSFORMER LOCATED AT 2199 WHITE STREET

WHEREAS, North Buffalo Water Reclamation Facility located at 2199 White Street will require 10 feet of primary cable and a transformer to supply power to a generator and switch gear;

WHEREAS, installation of electrical equipment to provide electrical service and a transformer is necessary;

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

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

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

That an easement to Duke Energy Corporation for the installation of electrical equipment and a transformer for North Buffalo Water Reclamation Facility located at 2199 White Street is hereby granted.

(Signed) Nancy Hoffmann

20. [ID 16-0944](#) Resolution Authorizing the Conveyance of Surplus Foreclosure Property Located at 410 Beech Street

20-17 RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY LOCATED AT 410 BEECH STREET

WHEREAS, the City of Greensboro owns residual property located at 410 Beech Street Parcel 0002527, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, Property Management advertised the lot for sale and accepted the highest bid in accordance with Section 4.122 of the Greensboro Charter;

WHEREAS, the property was appraised by Lynn B. Ritchy at a value of \$6000, and the final highest bid of \$5400 was accepted, which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this conveyance will be credited in General Fund Account No. 101-0000-00.0400.

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

That pursuant to Section 4.122 of the City Charter, the sale of the above mentioned residual property in the amount of \$5400 is hereby approved and the sale of property located at 410 Beech Street is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Nancy Hoffmann

21. [ID 16-0937](#) Resolution Authorizing a Match Grant Application for the 2016 Assistance to Firefighters Grant Program

21-17 RESOLUTION AUTHORIZING A MATCH GRANT APPLICATION FOR THE 2016 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

WHEREAS, the Fire Department has applied for a 2016 Assistance to Firefighters Grant that requires local match funds on November 18, 2016;

WHEREAS, under the current grants policy, City Council approval is required for all match grants;

WHEREAS, the Greensboro Fire Department is requesting to obtain funding for the International Association of Firefighters (IAFF) Peer Support Training Program;

WHEREAS, this program is a two-day interactive course taught by experienced peers from the fire service and behavioral health clinicians;

WHEREAS, the IAFF Peer Support Training curriculum focuses on active listening skills, suicide awareness and prevention, crisis intervention, referrals to local resources and relationships with local behavioral health providers and participants learn how to build an effective peer program;

WHEREAS, the federal FEMA grant will fund the cost of the training program and worker's compensation insurance;

WHEREAS; if awarded the City will provide a cash match of \$3,092; the FEMA grant will total \$30,928; and the total grant project budget will be \$34,020.

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

That the resolution authorizing a match grant application for the 2016 Assistance to Firefighters Grant Program is hereby authorized.

(Signed) Nancy Hoffmann

22. [ID 17-0002](#) Ordinance in the Amount \$56,661 Amending FY 16-17 General Fund Budget

17-1 ORDINANCE AMENDING FY 16-17 GENERAL FUND BUDGET

Section 1

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

That the FY 16-17 General Fund Budget of the City of Greensboro is hereby amended as follows:

| Account | Description | Amount |
|-------------|---|----------|
| 01-9545-16. | 5932Contribution to Governmental Agency-GHA | \$56,661 |

And, that the following revenue finance these appropriations:

| Account | Description | Amount |
|------------------|------------------------------|----------|
| 101-9545-16.7190 | GHA Payment in Lieu of Taxes | \$56,661 |

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

23. [ID 17-0003](#) Ordinance in the Amount of \$230,000 Amending the FY 2016-17
Workforce Innovation and Opportunity Act Fund Budgets

17-2 ORDINANCE AMENDING THE FY 2016-17 WORKFORCE INNOVATION AND OPPORTUNITY ACT
FUND BUDGETS

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

Section 1

That the Workforce Innovation and Opportunity Act Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Workforce Innovation and Opportunity Act Fund Budget for PY 2015 Guilford DW Rapid Response Fund be increased as follows:

| Account | Description | Amount |
|------------------|---------------------|------------|
| 216-0255-50.5429 | Contracted Services | \$ 200,000 |
| Total | | \$ 200,000 |

and, that this increase be financed by increasing the following Workforce Innovation and Opportunity Act Fund accounts:

| Account | Description | Amount |
|------------------|---------------|------------|
| 216-0255-50.7100 | Federal Grant | \$ 200,000 |
| Total | | \$ 200,000 |

Section 2

That the Workforce Innovation and Opportunity Act Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Workforce Innovation and Opportunity Act Fund Budget for FY 2015 Career Pathways Fund be increased as follows:

| Account | Description | Amount |
|------------------|-------------------------------|-----------|
| 216-0256-60.4110 | Salaries | \$ 20,000 |
| 216-0256-60.5520 | Seminar/Training Expenses | \$ 3,500 |
| 216-0256-60.5213 | Office Supplies | \$ 2,500 |
| 216-0256-60.5510 | Business and Meeting Expenses | \$ 4,000 |
| Total | | \$ 30,000 |

and, that this increase be financed by increasing the following Workforce Innovation and Opportunity Act Fund accounts:

| Account | Description | Amount |
|------------------|---------------|-----------|
| 216-0256-60.7100 | Federal Grant | \$ 30,000 |
| Total | | \$ 30,000 |

Section 3

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

24. [ID 17-0007](#) Ordinance in the Amount of \$349,000 Amending the Equipment

Services Fund to Increase Funding for Capital Outlay

17-3 ORDINANCE AMENDING THE EQUIPMENT SERVICES FUND TO INCREASE FUNDING FOR CAPITAL OUTLAY.

Section 1

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

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

That the appropriation to the Equipment Services Fund 2017 Budget be increased as follows:

| Account | Description | Amount |
|------------------|-----------------------|------------|
| 680-1005-18.6051 | Licensed Vehicles | \$ 84,000 |
| 680-1005-18.6052 | Non-Licensed Vehicles | \$ 265,000 |
| TOTAL | | \$ 349,000 |

And, that this increase be financed by increasing the following Equipment Services Fund 2017 Budget account:

| Account | Description | Amount |
|------------------|--------------------------|------------|
| 680-0000-00.7923 | Vehicle Lease/Mtnce Chgs | \$ 349,000 |
| TOTAL | | \$ 349,000 |

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

25. [ID 16-0934](#) Ordinance to Approve the Franchise Agreement Between the City of Greensboro and Intellifiber, LLC: SECOND APPROVAL

17-4 ORDINANCE TO APPROVE THE FRANCHISE AGREEMENT BETWEEN THE CITY OF GREENSBORO AND INTELLIFIBER NETWORKS, LLC: SECOND APPROVAL

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

WHEREAS, North Carolina General Statute §160A-76 requires that all franchise grants, renewals, extensions, or amendments be made by ordinance; and

WHEREAS, North Carolina General Statute §160A-76 further requires that an ordinance making a grant, renewal, extension, or amendment of any franchise be passed at two regular meetings of the City Council; and

WHEREAS, this is the second regular meeting of the City Council at which the franchise agreement may be approved; and

WHEREAS, the renewal franchise agreement begins March 6th, 2017 for a term of ten (10) years with an option for INTELLIFIBER NETWORKS, LLC to renew for an additional five (5) year period by notifying the City in writing; and

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

The franchise agreement between INTELLIFIBER NETWORKS, LLC and the City of Greensboro is hereby adopted by ordinance and that this is the second of the two ordinance approvals required by statute.

That this ordinance shall become effective upon second adoption.

(Signed) Nancy Hoffmann

26. [ID 16-0935](#) Ordinance to Approve the Franchise Agreement Between the City of Greensboro and Mobilitie, LLC: SECOND APPROVAL

17-5 ORDINANCE TO APPROVE THE FRANCHISE AGREEMENT BETWEEN THE CITY OF GREENSBORO AND MOBILITIE, LLC SECOND APPROVAL

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

WHEREAS, North Carolina General Statute §160A-76 requires that all franchise grants, renewals, extensions, or amendments be made by ordinance; and

WHEREAS, North Carolina General Statute §160A-76 further requires that an ordinance making a grant, renewal, extension, or amendment of any franchise be passed at two regular meetings of the City Council; and

WHEREAS, this is the second regular meeting of the City Council at which the franchise agreement may be approved; and

WHEREAS, the franchise agreement begins January 17, 2017 for a term of ten (10) years with an option for MOBILITIE, LLC to renew for an additional five (5) year period by notifying the City in writing; and

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

The franchise agreement between MOBILITIE, LLC and the City of Greensboro is hereby adopted by ordinance and that this is the second of the two ordinance approvals required by statute.

That this ordinance shall become effective upon second adoption.

(Signed) Nancy Hoffmann

28. [ID 17-0017](#) Ordinance Amending Chapter 19 of the Greensboro Code of Ordinances with Respect to Parks and Recreation - Enact Section 19-3 Safety Equipment at City Skate Parks and Pump Tracks

17-6 ORDINANCE TO ENACT SECTION 19-3 SAFETY EQUIPMENT AT CITY SKATE PARKS AND PUMP TRACKS OF THE GREENSBORO CODE OF ORDINANCES

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

Section 1. Section 19-3 of the Greensboro Code of Ordinances is hereby enacted to read as follows:

Sec. 19-3. - Safety equipment at city skate parks and pump tracks.

(a) No person shall ride or use a skateboard, inline skates, or freestyle bicycle at any skate park facility or pump track facility owned or operated by the City unless that person is wearing a helmet, elbow pads and knee pads.

(b) Violations of this section shall be deemed an infraction pursuant to § 14-4 of the North Carolina General Statutes punishable by a fine of up to twenty-five dollars (\$25.00).

(c) Any person violating this section may be prohibited from further use of the facility.

Section 2. That this ordinance shall become effective upon adoption.

(Signed) Nancy Hoffmann

29. [ID 16-0948](#) Ordinance Amending Chapter 26 of the Greensboro Code of Ordinances with Respect to Streets and Sidewalks - Section 26-22

Public Speech

17-7 ORDINANCE TO AMEND CHAPTER 26, SECTION 26-22 OF THE CITY OF GREENSBORO CODE OF ORDINANCES WITH RESPECT TO STREETS AND SIDEWALKS – PUBLIC SPEECH

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

Section 1. Section 26-22 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 26-22. - Public meetings on streets and sidewalks; prohibited areas designated.

An individual may conduct a public meeting or deliver an address on a street or sidewalk of the city subject to the following conditions to ensure safety:

- (1) That the speaker is located a minimum of fifty (50) feet away from a street corner.
- (2) That the speaker not interfere with the orderly movement of vehicular and pedestrian traffic.
- (3) That the speaker not become so loud in his or her speech nor violent in his or her movements as to annoy or frighten persons using the streets or sidewalks.

Section 2. That this ordinance shall become effective upon adoption.

(Signed) Nancy Hoffmann

30. [ID 16-0949](#) Ordinance Amending Chapter 20 of the Greensboro Code of Ordinances with Respect Peddlers, Solicitors, Etc. - Section 20-72 Business Permits for Panhandlers

17-8 ORDINANCE TO AMEND SECTION 20-72 OF THE GREENSBORO CODE OF ORDINANCES BUSINESS PERMITS FOR PANHANDLERS

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

Section 1. Section 20-72 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 20-72. – Business permit required.

- (c) A person is not eligible for a panhandler business permit or renewal of a panhandler business permit if:
- (1) The city manager or his designee has received information from the executive officer to the chief of police that the person has two (2) or more violations of this chapter within a period of five (5) years preceding the application for permit;
 - (2) The city manager or his designee has received information from the executive officer to the chief of police that the person has been convicted of two (2) or more offenses within a period of five (5) years preceding the application for permit where each offense involved an assault, communicating a threat, illegal use of a weapon or other act of violence or attempted violence which in North Carolina is classified for sentencing purposes as a class E felony or below including a misdemeanor, or constitutes an offense in another jurisdiction which is a substantially equivalent offense to a class E felony or below, including a misdemeanor, or constitutes an offense in another jurisdiction which is a substantially equivalent offense to a class E felony or below, including a misdemeanor in North Carolina; or
 - (3) The city manager or his designee has received information from the executive officer to the chief of police that the person has been convicted of one (1) or more offenses within a period of ten (10) years preceding the application for permit where the offense(s) involved an assault, communicating a threat, any sexual offense or abuse involving a minor, any offense to be determined to be a sexually violent offense, illegal use of a weapon or other act of violence or attempted violence which are classified for sentencing purposes as a class D felony or above in North Carolina or, for offenses occurring in other jurisdictions, constitutes offense(s) substantially equivalent to a class D felony or above in North Carolina; or
 - (4) The city manager or his designee has received information from the executive officer to the chief of police that the person has been convicted of one (1) or more offenses of homicide under G.S. § 14-17 or, for offenses occurring in other jurisdictions, constitutes offense(s) substantially equivalent to homicide under G.S. § 14-17, within a period of twenty (20) years preceding the application for permit; or

(5) The person otherwise does not qualify for a business permit in accordance with this chapter.
Section 2. That this ordinance shall become effective upon adoption.

(Signed) Nancy Hoffmann

31. [ID 16-0950](#) Ordinance Amending Chapter 13 of the Greensboro Code of Ordinances with Respect to License, Taxation and Misc. Business Regs. - Sections 13-202 and 13-203 Solicitors and Street Performers

17-9 ORDINANCE TO AMEND SECTIONS 13-202 AND 13-203 OF THE GREENSBORO CODE OF ORDINANCES BUSINESS PERMITS FOR SOLICITORS AND STREET PERFORMERS

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

Section 1. Section 13-202 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 13-202. – Solicitors.

(d) Every person who solicits or sells door to door at private residences shall submit an application for a business permit and shall submit to a criminal background history check which shall be reviewed by the chief of police or his designee to determine eligibility of the applicant. A person is not eligible for this business permit or renewal of this business permit if within the most recent ten-year period:

(1) The city manager or his designee has received information from the executive officer to the chief of police that the person has two (2) or more violations of this chapter;

(2) The city manager or his designee has received information from the executive officer to the chief of police that the person has been convicted of one (1) or more offenses under the law of any jurisdiction which involve either misdemeanor or felony assault, communicating threats, any sexual offense or abuse involving a minor, any offense determined to be a sexually violent offense, or illegal use of weapons.

Section 2. Section 13-203 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 13-203. – Street performers.

(c) Permit required; procedure for issuance.

(1) Every person engaged in conducting an individual street performance shall first submit an application for a business permit permitting such activity to the city manager or his designee. Upon determination of eligibility by the chief of police, the person shall be issued a business permit to conduct street performances as permitted herein.

(2) Where a group of people seek to conduct a street performance, one (1) member of the group shall submit an application for a business permit permitting such activity to the city manager or his designee which names. Upon determination of eligibility by the chief of police, the person shall be issued a business permit to conduct street performances as permitted herein. The business permit issued hereunder shall be the property of the person named in the application and shall be revocable for any violation of this section by any person permitted to conduct street performances under said permit. The applicant shall be required to be present with his or her permit at all times while any person permitted under the permit is engaged in a street performance.

(3) Before any business permit shall be issued under this section, the applicant shall submit to a criminal background history check which shall be reviewed by the chief of police or his designee to determine eligibility of the applicant and other performers. Where a group of people seek to conduct a street performance, each member of the group who may participate in a street performance shall submit to a criminal background history check as required herein. No applicant shall be eligible for issuance or renewal of a business permit under this section if the applicant or any member of a group applying for a permit has been convicted of one (1) or more offenses within a period of ten (10) years preceding the application where each offense involved an assault, communicating a threat, any sexual offense or abuse involving a minor, any offense determined to be a sexually violent offense, illegal use of a weapon or other act of violence or attempted violence.

(4) Every street performer shall keep on their person the business permit issued hereunder during any street performance, and shall produce same upon request of any city official.

Section 3. That this ordinance shall become effective upon adoption.

(Signed) Nancy Hoffmann

33. [ID 17-0037](#) Resolution Listing Loans and Grants for City Council Approval

22-17 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

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

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

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

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

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

(Signed) Nancy Hoffmann

34. [ID 17-0036](#) Budget Adjustments Requiring Council Approval 12/2/16-1/4/17

Motion to approve the budget adjustments of December 2, 2016 through January 4, 2017 over the amount of \$50,000 was adopted.

(A copy of the report is filed in Exhibit Drawer Z, Exhibit No.1 which is hereby referred to and made a part of these minutes.)

35. [ID 17-0035](#) Budget Adjustments Approved by Budget Officer 12/2/16-1/4/17

Motion to accept the report of budget adjustments of December 2, 2016 through January 4, 2017 was adopted.

(A copy of the report is filed in Exhibit Drawer Z, Exhibit No.1 which is hereby referred to and made a part of these minutes.)

36. [ID 17-0011](#) Motion to Approve the Minutes of the Regular Meeting of December 6, 2016

Motion to approve the minutes of the Regular meeting of December 6, 2016 was adopted.

27. [ID 17-0022](#) Resolution Consenting to the "Loan Document Modification Instrument" between Churchview Place Limited Partnership ("Property Owner") and Yadkin Bank DBA NewBridge Bank ("Lender") and Ratifying Previous Action Placing Priority of the City's Lien on property located at 2302 Old Chapman Street in Third Position.

Councilmember Outling requested to be recused from the item due to a conflict of interest.

Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson to recuse Councilmember Outling from the item. The motion carried by voice vote.

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

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

Excused, 1 - Justin Outling

23-17 RESOLUTION CONSENTING TO THE "LOAN MODIFICATION INSTRUMENT" BETWEEN CHURCHVIEW PLACE LIMITED PARTNERSHIP AND YADKIN BANK DBA NEWBRIDGE BANK AND RATIFYING PREVIOUS ACTION PLACING PRIORITY OF THE CITY'S LIEN ON PROPERTY LOCATED AT 2302 OLD CHAPMAN STREET IN THIRD POSITION

WHEREAS, in 2008 the City entered into a loan agreement with Churchview Place Limited Partnership for the development of a 68 unit multi-family complex for seniors located at 2302 Old Chapman Street;

WHEREAS, due to the onset of the recession and turbulence in the Low Income Housing Tax Credit syndication market, the North Carolina Housing Finance Agency offered forgivable loans to tax credit developers subject to their loan being in second position;

WHEREAS, as a result of Churchview Place Limited Partnership qualifying for said loan from the North Carolina Housing Finance Agency, staff sought City Council approval for the City's loan to move to third position; however, the resulting resolution, Resolution 242-09, mistakenly identified that the City's lien would be in second position;

WHEREAS, following Resolution 242-09, the City executed subordination agreements in 2009, for construction financing, and 2011, for permanent financing, placing the City's lien in third position behind the bank loan and forgivable loan from NCHFA;

WHEREAS, Yadkin Bank DBA NewBridge Bank has agreed to modify the terms of their current loan to Churchview Place Limited Partnership to improve the interest rate from 7.5% to 5.9% fixed rate and to restructure the prepayment penalty schedule;

WHEREAS, Churchview Place Limited Partnership and Yadkin Bank DBA NewBridge Bank have requested the City consent to the loan modification for assurance that the City would remain in third lien position despite said loan modification.

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

That it hereby consents to the "Loan Document Modification Instrument" between Churchview Place Limited Partnership and Yadkin Bank DBA NewBridge Bank and ratifies the previous action taken in 2011 placing priority of the City's lien on property located at 2302 Old Chapman Street in third position.

(Signed) Yvonne Johnson

32. [ID 17-0030](#) Ordinance Amending Chapter 13 of the Greensboro Code of Ordinances with Respect to Licenses, Taxation and Misc. Business Regulations - Section 13-11 Hotels, Motels, Boardinghouses, Rooming Houses, Tourist Homes, and Tourist Courts

Councilmember Hightower inquired about the inclusion of boarding houses; asked for clarification regarding the City Tax Collector; and voiced concerns for enforcement of the ordinance.

City Attorney Carruthers spoke to zoning compliances; elimination of the privilege license; and outlined the process for the Tax Collection department.

Moved by Councilmember Hightower, seconded by Councilmember Fox, 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

17-10 ORDINANCE TO AMEND SECTION 13-11 OF THE GREENSBORO CODE OF ORDINANCES HOTELS, MOTELS, BOARDINGHOUSES, ROOMING HOUSES, TOURIST HOMES AND TOURIST COURTS

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

Section 1. Section 13-11 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 13-11. - Hotels, motels, boardinghouses, roominghouses, tourist homes and tourist courts.

(a) Every person engaged in the business of operating any hotel, motel, boardinghouse, roominghouse, tourist home, tourist court or similar place advertising in any manner for transient patronage, shall at all times keep and maintain therein a guest register in which shall be inscribed the true name and home address of each person renting said room or unit, as well as such person's vehicle description and license plate information. Such register shall be signed by the person renting said room or unit or someone signing by his authority.

The proprietor of such business shall write opposite such name so registered, the number of each room or unit assigned to and occupied by such guest, together with the date when such room or unit is rented. No person shall be allowed to occupy any room or unit in said establishment until all of the aforementioned entries have been made in such register.

The register required by this chapter shall be maintained by the proprietor of said business for one (1) year of the date of rental, and subject to inspection at any reasonable time by the City tax collector any law enforcement officer with territorial jurisdiction while in the performance of his duties or by an official of the fire prevention bureau of the city.

(b) The guest vehicle parking area of any business permitted under this section shall be accessible at all times to any public safety officer in the performance of his duties.

(c) Penalty. Any violation of this section shall be a misdemeanor, punishable by imprisonment up to thirty (30) days, or a fine of up to one hundred dollars (\$100.00), in the discretion of the court.

Section 2. That this ordinance shall become effective upon adoption.

(Signed) Sharon Hightower

Mayor Vaughan spoke to the number of speakers for item #40; and stated each speaker would be allowed two minutes.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox to go into closed session to preserve the attorney-client privilege between the City Attorney and Council and to discuss matters relating to the relocation or expansion of industries or other businesses, including potential economic development incentives that may be offered in negotiations, pursuant to N.C.G.S. 143-318.11(a) (3)& (a)(4). The motion carried by voice vote.

Mayor Vaughan declared a recess at 7:18 p.m. Council reconvened at 7:58 p.m. with all members in attendance.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson to return to open session. The motion carried by voice vote.

IV. PUBLIC HEARING AGENDA

37. [ID 17-0006](#) Ordinance Amending Chapter 30 of the Land Development Ordinance (LDO) With Respect To Zoning, Planning and Development - Industrial Park Sidewalk Exemptions

Mayor Vaughan stated there were no speakers to the item.

Moved by Councilmember Wilkins, 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

17-11 AMENDING CHAPTER 30 (LDO)

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 (F) of Section 30-10-10.2, Required Locations, is hereby amended to read as follows:

F. Sidewalks are not required along new and existing local and collector streets in industrial areas where the following conditions are found by the Transportation Director to exist:

1. The proposed development is within an area predominantly consisting of industrial uses where the majority of developed parcels do not have sidewalks,
2. The character, size and density of the developments are such that pedestrian demand is expected to be limited, and
3. No transit service or greenway route exists or is planned in that location.

Section 2. That Section 30-15-10, Terms Beginning with "I", is hereby amended by deleting the definition for "Industrial Park" in its entirety.

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

Section 4. This ordinance shall become effective upon adoption.

(Signed) Tony Wilkins

V. GENERAL BUSINESS AGENDA

Taking the prerogative of the Chair Mayor Vaughan stated the remaining items would be rearranged based on the number of speakers signed up for each of the General Business items.

41. [ID 17-0010](#) Resolution Authorizing Contracts in the Amount of \$473,980 to Implement the USDA Local Food Promotion Program Grant

Mayor Vaughan read the resolution into the record.

Margaret Arbuckle, 1100 Buckingham Road, Board Chair for the Farmers Market provided a brief history of winning the Local Food Promotion Program grant; highlighted the successes of the program; spoke to a City partnership and other community partners; vetting of vendors; the economic development strategy for the City; teaching entrepreneurial skills; and the implementation of a program promoting the Orange Card through the Community Health Council.

Mayor Vaughan commended the events happening at the Farmers market; and spoke to the benefits for access to fresh foods.

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

24-17 RESOLUTION AUTHORIZING CONTRACTS TOTALING \$473,980 TO IMPLEMENT THE USDA LOCAL FOOD PROMOTION PROGRAM IMPLEMENTATION GRANT

WHEREAS, In September 2015, the City adopted a Fresh Food Access Plan; and

WHEREAS, this plan identified gaps in the local food system; and

WHEREAS, the USDA Local Food Promotion Program provides implementation funds to support the development of shared use kitchens, training programs for new non-restaurant food businesses; and

WHEREAS, the implementation projects as proposed address gaps in the Local Food System; and

WHEREAS, the City Council resolved to apply for a USDA Local Food Promotion Program Implementation grant in May 2016 with partners including the Guilford County Cooperative Extension Agency, The Greensboro Farmers Market, the Out of the Garden Project and the University of North Carolina, Greensboro; and

WHEREAS, the USDA grant award in the amount of \$473,980 was accepted by City Council in November 2016; and

WHEREAS, Contracts with each implementation partner are required to implement the grant supported program over the three-year award period.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO: That the City Manager execute contracts associated with the grant award in the following amounts:

| | |
|-----------|--|
| \$ 92,000 | Guilford County Cooperative Extension Agency |
| 272,250 | Greensboro Farmers Market, LLC |
| 72,000 | Out of the Garden |
| 37,730 | University of North Carolina, Greensboro |

(Signed) Jamal Fox

40. [ID 16-0702](#) Resolution Authorizing Contract # 2017-10469 to Griffin & Strong, P.C. for the 2017 MWBE Disparity Study

Mayor Vaughan read the resolution into the record; and stated the item had been postponed from the December 20th meeting of Council.

Councilmember Hightower stated staff was prepared to answer questions raised at the last Council meeting; and that a presentation was available by the vendor.

Elma Hairston, Founder and Managing Director of Dynamic Managers International LLC., spoke to the substantiated worth of the study; elimination of discrimination; use of the data; and requested Council to continue funding the Minority/Women Business Enterprise (M/WBE) program.

Darnetta Craig, 717 Green Valley Road, representing Chester Engineering voiced support of the item; spoke to being inclusive; stated the M/WBE program brought her to Greensboro from Pittsburgh; spoke to the forward thinking of the City; and commended the Water Department for their efforts to involve M/WBE's in projects.

Sondra Wright, P O Box 36355 stated she owned a small business; was a certified M/WBE firm that had been in Greensboro since 1996; voiced concern with the need to be identified as a M/WBE firm; spoke to a lesser classification; referenced barriers from the past that still existed; spoke to capabilities to perform projects; and voiced appreciation for the M/WBE program.

Councilmember Wilkins asked Ms. Wright to evaluate her relationship with the M/WBE program.

Ms. Wright confirmed she had a positive relationship with the program; stated there were things to be improved upon; and that there were needs that could be discussed.

Beverly Bradstock, 1143 Irving Street, Winston Salem, President of Associates for Professional Development spoke to serving as a vendor for the City; funding for the M/WBE program; explained the services provided by her company; the benefits of the Disparity Study; stated the M/WBE program brought her to work in Greensboro; outlined assistance received through the program; and requested Council to fund the study.

Dawayne Crite, President of Crittek Engineering Group and member of the M/WBE Advisory Committee voiced support for the disparity study based on the economic development aspect of the item; provided a brief history of his business; outlined reasons for his decision to come to Greensboro from Atlanta; and requested Council to support the study.

Edward McKeever, 2609 East Market Street voiced support of the M/WBE program; referenced the work of Attorney Franklin Lee to ensure equality; spoke to equal opportunities for African Americans; the benefits of the disparity study; referenced a meeting with Councilmember Wilkins; and spoke to the use of local firms benefitting the local economy.

Evon Smith, P O Box 211, Winston Salem, Sustainable Community Resources spoke to previous contracts with the City; referenced marketing the M/WBE program to the M/WBE community; spoke to her company participating in the Union Square program; referenced the participation in the South Elm Development Group project; the importance of inclusion and diversity; and stated the disparity study was needed to support the program.

Anwar Rasheed, 2021 Stoneycreek Drive, High Point, President of SMAR spoke to working closely with the M/WBE program; stated he served on the M/WBE Advisory Committee; spoke to the City investing in small businesses; hiring graduate students from North Carolina A & T; and to giving back to the City.

Councilmember Wilkins asked Mr. Rasheed how the disparity study would benefit his firm; and inquired about the requirements of the program.

Mr. Rasheed spoke to utilization in the area; and voiced the need for a fair program.

Mayor Vaughan confirmed that City Attorney Carruthers would address the requirements of the program.

Farad Ali, Institute of Minority Economic Development spoke to a focus on building women owned businesses and diversity; spoke to ensuring the success of all businesses; an economic development imperative; maximizing utilization of firms; compared the disparity study to a report card for a base line to measure success; and emphasized the need for a base line.

Councilmember Wilkins voiced his belief that the City had been doing a super job.

Luther Falls, Jr., 1603 Lansdown Avenue spoke to being a small business owner; referenced financial services provided to small businesses; the history with working with the City; spoke to knowledge of the program; recognized the businesses owners in attendance; and voiced the importance of the study.

Becky Phillips, 6 Ashton Court voiced support of the study; spoke to the need to support the M/WBE program; voiced it was not feasible for City staff to do the study; spoke to equal opportunities for firms; and referenced the cost per year for the study.

Ghali Hansan, 5116 Britt Road, Winston Salem voiced support of the item; spoke to Greensboro serving as an example; the process of rejecting bids; on the job training; and asked Council to support the item.

Virgil Cobb, 1922 Martin Luther King Drive stated he served on the M/WBE Advisory Committee; spoke to reviewing data; experience on the Goal Setting Committee; and stated the M/WBE office had done a great job in providing opportunities to M/WBE firms.

Shelby Scales, 430 Whitt Avenue voiced support of the item; spoke to management and consultant firms in the United States; representation of business owners; outlined the benefits of the disparity study; the need to realign efforts; and to the need to invest in training.

Mayor Pro-Tem Johnson spoke to the need for a serious commitment to the M/WBE issue; voiced support of the study; commended M/WBE Coordinator Gwen Carter; spoke to increased participation; the importance of training; and to job development.

Councilmember Fox referenced his work history with the City; previous Council comments regarding the program; spoke to the investment; the backbone of our economy; enhancement of the program; a commitment to ensure success of the program; and voiced his support of the item.

Councilmember Wilkins thanked Mr. McKeever for his comments; voiced concerns with the funding; inquired about the report serving as a report card for the City; and if the study would be beneficial to increase execution of contracts.

Ms. Carter confirmed the benefits of the study; and spoke to additional information for utilization..

Assistant City Manager Barbara Harris stated fees charged to Tampa as compared to Greensboro were not comparable; and spoke to the study being different based on the needs of each City.

Councilmember Abuzuaiter referenced Mr. Ali's analogy of a report card; spoke to evaluations; to advancement of technology; improving outreach; referenced the talents and expertise of the M/WBE firms; and spoke to reading the previous disparity study.

Councilmember Outling emphasized the Council supported the M/WBE program; spoke to the need for a study; getting a good value for the cost; referenced comments made at the December 20th meeting of Council; spoke to being cost effective; to an inhouse alternative; the need to move from studying issues to training; voiced support of the item; and referenced a request for staff to evaluate the cost.

Ms. Carter stated the proposed study would produce different results to determine the actions needed; spoke to the mentor/protege program; and to training opportunities.

Discussion took place regarding staff analyzing the data; review of the outdated 2012 Disparity Study; allocation of \$300,000 for a five year shelf life of the item; the selected vendor attending the meeting; and M/WBE programs in other local governmental organizations.

Councilmember Hoffmann spoke to the benefits of the study; referenced the age of the last study; spreading the funds over a five year period; and voiced support of the item.

Councilmember Barber voiced concerns regarding the cost of the study; spoke to the needs of the community; changes in the Comprehensive Plan; voiced trust and respect for staff; spoke to creating a data base; funding spent on studies; referenced a Downtown Greensboro Inc seminar for training concepts; and voiced he would support the item.

Councilmember Hightower voiced support of the item; spoke to community outreach; M/WBE participation; enhancement of the mentor/protege program; joint venture opportunities; outlined benefits of the program; the need to provide additional staff to the M/WBE office; and recognized the selected vendor of Griffin and Strong to speak to the item.

Rodney Strong, of Griffin and Strong from Atlanta, Georgia, spoke to the team; a presentation that staff would make available to Council; referenced studies performed in Durham; spoke to the necessity of a study for a baseline; to legal requirements; highlighted the expertise of the Griffin and Strong staff; recognized Economist and Attorney, Dr. Vince Egan; and highlighted Dr. Egan's successes with a case as an expert witness.

Dr. Egan stated he had worked in the area for a long time; referenced the funding that had been spent; spoke to the legal requirements; failed attempts to perform the study internally; a baseline of data; and referenced reports provided in the study.

Councilmember Barber asked about the engagement and compensation of local partners.

Mr. Strong recognized local partners Gerry McCants and Joy Cooke; outlined services that would be provided by them; spoke to survey data; a public hearing; confirmed that Mr. McCants and Ms. Cooke would be compensated as partners; spoke to meeting M/WBE goals; and to a 'not to exceed' price on the contract.

Councilmember Hightower referenced a three year discussion about the investment; support and investment in small businesses; and spoke to being an example to other cities.

Councilmember Wilkins referenced a memo from Assistant City Attorney James Dickens; asked City Attorney Carruthers if he was in agreement with the memo; referenced the disbursement of the funding over sixty months; and inquired about the consequences of not having a study preformed.

City Attorney Carruthers confirmed his agreement with the memo; spoke to the M/WBE program as an advocacy program; to goal setting; to the need for proof for disparity in contracting; outlined legal requirements; and stated the City would be more efficient.

Mayor Vaughan spoke to the need for the study; a commitment for outreach with workforce development; voiced support for the item; and the City needing to look at ways to provide training.

Moved by Councilmember Hightower, seconded by Councilmember Fox, 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

25-17 RESOLUTION AUTHORIZING CONTRACT # 2017-10469 TO GRIFFIN & STRONG, P.C. FOR THE 2017 M/WBE DISPARITY STUDY

WHEREAS, the City of Greensboro solicited the services of a qualified and experienced consultant to conduct an M/WBE and DBE disparity study;

WHEREAS, a disparity study determines whether there is a factual basis for the existence of the City Council's adopted M/WBE Program Plan;

WHEREAS, the disparity study will examine M/WBE and DBE availability in the Greensboro marketplace to determine whether there is statistical disparity between the availability of M/WBE and DBE firms and the utilization of such firms by the City of Greensboro;

WHEREAS, the current council adopted program is based on a disparity study that examined City contract data and City contracting practices during the five-year period from 2006 through 2010;

WHEREAS, the upcoming disparity study will review and analyze data from 2011 through 2015 with an expected completion date of December 31, 2017;

WHEREAS, legally-based recommendations for updates to the current council adopted M/WBE Program Plan will be provided to the City following the completion of the disparity study;

WHEREAS, on behalf of the Executive Department and M/WBE Office, the Centralized Contracting Division released a Request for Proposal solicitation in the online Greensboro Electronic Procurement System (GePS), Event #8302;

WHEREAS, in accordance with the current council adopted M/WBE Program Plan, the proposals were reviewed by an evaluation panel that included M/WBE staff;

WHEREAS, the Centralized Contracting Division and Executive Department concur in their recommendation to award this contract to Griffin & Strong, P.C.;

WHEREAS, the Griffin & Strong, P.C. plans to use several Greensboro M/WBE firms for sub-contracting opportunities on the project;

WHEREAS, the contract is for a fixed cost in the amount of \$299,320; funding for the project is available in fiscal year 2016-17.

WHEREAS, to complete this process, two budget adjustments are required to a) move funding into the MWBE account, 101-0208-01.5413 and b) move current Water Resources funds into their business section account, 501-7011-01.5413.

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

That Council hereby authorizes Contract #2017-10469 to Griffin & Strong, P.C. for the 2017 MWBE Disparity Study.

(Signed) Sharon Hightower

42. [ID 17-0039](#) Resolution Authorizing INFOR Lawson SAAS Contract Renewal

Moved by Councilmember Abuzuaiter, 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

26-17 RESOLUTION AUTHORIZING CHANGE ORDER IN THE AMOUNT OF \$4,066,767.12 TO RENEW LAWSON INFOR SUBSCRIPTION FOR FOUR AND ONE-HALF YEARS

WHEREAS, on March 11, 2014 the City moved the INFOR Lawson ERP system to the Cloud Subscription model which resides on a 'manually provisioned' architecture and, after negotiations, INFOR is ready to move The City of Greensboro ERP System to an 'auto provisioned' architecture and execute a subscription renewal agreement;

WHEREAS, the contract for the updated subscription will be for four and a half years structured to allow the City to reduce the payment in the current fiscal year so as to offset the increase in future years;

WHEREAS, INFOR will bear the cost to move the City of Greensboro Lawson System to the new CloudSuite architecture, and the City will pay the difference in the discounted cost of the additional licensed software modules;

WHEREAS, INFOR will provide the enhanced Disaster Recovery option at no additional fee, and the new license order will also reduce the future subscription fee escalation percentage from 5% to 2% through July 30, 2021.

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

That the City is authorized to enter into an updated subscription renewal with INFOR, Inc through July 30, 2021 with payments from Account No. 686100101.5415 as follows: in the amount \$448,767.12, less any credit due from prior payment for FY17, in the amount of \$900,000 for FY18, FY19 and FY20, and in the amount of \$918,000 for FY 21.

That 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.

(Signed) Marikay Abuzuaiter

Mayor Pro-Tem Johnson left the meeting at 9:29 p.m.

43. [ID 17-0033](#) Boards and Commissions Listing for January 17, 2017

Moved by Councilmember Hoffmann, seconded by Mayor Pro-Tem Johnson to appoint Tammi Thurm to the Minimum Housing Commission to replace Kim Moore-Dudley. The motion carried by voice vote.

Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson to appoint Cletis John (CJ) Allen Brinson

to the Community Partners Board. The motion carried by voice vote. Moved by Councilmember Fox, seconded by Councilmember Hightower to appoint Irving Allen to the Human Relations Board. The motion carried by voice vote. Councilmember Fox placed the following names into the databank for future use on a board or commission: Pamela Turner, Kevin Williams, David Horth, Krystal Smith, and Woodrow Dawkins. Councilmember Fox placed Jimesha Neal into the databank, however Ms. Neal is an employee of the City and cannot serve on a committee.

Councilmember Fox requested staff provide an update on the implementation status of the 2016 bond referendum; stated he would not be in attendance for the Council retreat; and requested an inventory of City facilities including the "green district" with possible consolidation of staff and resources.

City Manager Westmoreland clarified the bond item would be a part of the Council retreat agenda; spoke to the budget process; allocation of funds; public safety; outlined items that staff would research for various departments; spoke to job placement for youth; opportunities for growth; food access; and stated a summary report would be presented on the second meeting of Council each month.

Councilmember Barber voiced appreciation for the Skate Park; outlined information for the grand opening; requested staff provide the February 14th City Council Retreat agenda for Council review as soon as possible; voiced appreciation for snow removal; and spoke to possible funding of CTG.

Councilmember Hightower referenced the Skate Park being in District 1; spoke to Martin Luther King, Jr. Day events; stated today was National Day of Healing; and inquired about reappointments for the PCRB and the Participatory Budget Board.

Councilmember Abuzuaiter stated appointments were needed for the Minimum Housing Board; commended the snow removal efforts by City employees; and spoke to the Martin Luther King, Jr. Day events.

Councilmember Wilkins stated that former City Attorney Wood had a successful surgery; added the name of Cindy Farmer to the databank; spoke to the need for funding for Out of the Garden Project; and requested staff to provide information and photos of the game tables approved as part of last years' Participatory Budget (PB) process.

Mayor Vaughan asked Councilmember Wilkins if he wanted to make a motion to approve funding for the Out of the Garden project.

Moved by Councilmember Wilkins to transfer funds from PB to the Out of the Garden project. The motion died for the lack of a second.

Mayor Vaughan voiced Council should not overturn the vote of the people.

Councilmember Abuzuaiter spoke to the desire of the citizens.

Councilmember Outling voiced appreciation for Kimberly Moore Dudley who served on the Minimum Housing Commission; and spoke to a history with working with Ms. Dudley.

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

Adjournment

Moved by Mayor Vaughan, seconded by Councilmember Abuzuaiter, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 9:53 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR