



City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, March 7, 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

Councilmember Hoffmann recognized Girl Scout Troop # 2483 to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Alyssa Talatzko of the Libraries Department who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

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

I. CEREMONIAL AND/OR PRESENTATION ITEMS

There were no Ceremonial or Presentation items for this agenda.

II. PUBLIC COMMENT PERIOD

Ben Holder, 1306 Oak Street spoke to legal fees and settlement of cases; referenced the David Wray case; and spoke to transparency.

Councilmember Wilkins asked for clarification on statements by the speaker; justification of legal fees; and spoke to settlement of cases to avoid legal fees.

City Attorney Carruthers spoke to public records; referenced statements by Mr. Holder; clarified the City's position on legal cases; and provided the history of the Wray case.

Mayor Vaughan referenced previous Council discussions regarding the case; and spoke to former employee actions being outside the scope of employment.

Discussion ensued regarding the position of the City of Greensboro; closed session votes; Mr. Wray's employment history; decisions based on principles; and City policies.

Robert Moore, 511 Martin Street voiced appreciation to Council, City Attorney Carruthers, and staff for assistance in a matter.

Irvin Allen, 1209 Haverhill Drive voiced concerns regarding a recent incident involving a 15-year-old and the police; alleged police brutality; spoke to the court system process; review of body worn camera footage; and requested Council release said footage.

Councilmember Hightower referenced an upcoming meeting of the Police Community Review Board (PCRB). Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson for Council to review the footage after the PCRB review of the case. Councilmember Hightower spoke to timeframe requirements for review of the case; and to Council recommendations to the committee.

Discussion took place regarding Council allowing the PCRB to complete the review process; recent changes to the process; tracking cases; staff attending the upcoming meeting and reporting back to Council; and the option for Council members to attend said meeting.

City Attorney Carruthers spoke to the need for a formal motion; outlined the process of the PCRB; spoke to the confidentiality of the process; and to Council allowing the process to play out.

Discussion continued regarding staff recommendations to Council to allow the completion of the process by the PCRB; review of the video; Council speaking with the mother of the minor child; and respecting the process of the PCRB.

Councilmember Abuzaiter asked for clarification of when the Complaint had been filed.

Director of Human Relations, Love Crossling confirmed the Complaint had been filed in December 2016; and spoke to the challenges faced by the PCRB to review the footage.

Councilmember Outling requested staff to research the process of the release of body worn camera footage for the PCRB without having to go through the court system.

Isa Abuzaiter, 3601 Brass Field Oak Drive voiced appreciation for the railroad safety meeting; spoke to railroad safety concerns; and commended the City's initiative to discuss ideas.

Councilmember Hightower requested staff to run the railroad safety meeting on the Greensboro Television Network.

Councilmember Abuzaiter requested staff to relay train safety information to the public.

Nelson Johnson, 2115 Murreyhill Road voiced concerns with the recent incident between the police and a 15-year-old minor child; requested Council review body worn camera footage; provided details of video footage that he had seen; spoke to assault charges on the teen; and voiced concerns with District Attorney.

Discussion ensued regarding the meeting schedule of the PCRB; delays and organization of the Committee; the mission and focus of the PCRB and the Human Relations Commission (HRC); and the legal advice received.

C. J. Brinson, 504 Gorrell Street voiced concerns with repetitive issues; spoke to the need for Council to protect people of color; to police conduct and brutality; to the need for action; voiced concerns with the Police Department and the District Attorney's office; requested Council to release the body worn camera video; and spoke to transparency.

Lewis Pitts, 129 Tate Street referenced conversations with the family of the minor child involved in the incident; issues concerning the case; spoke to the Cole/Yourse case; referenced conversations in closed session meetings; spoke to staff attending the PCRB meeting; to the Legislative Agenda; and to advocating for change in the law regarding body worn camera footage.

Nego Crosson, 1005 Lexington Avenue voiced concerns with the incident referenced by previous speakers; spoke to her work as a registered nurse; voiced concerns with police accountability; requested Council to review the body worn camera video; and spoke to the process of reviewing videos.

Councilmember Hightower reiterated her request to make a motion; spoke to the need to inform the community of Council's action; Council waiting for the process completion of the PCRB; and expressed the need to vote on the motion to avoid having to discuss the matter again.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson that Council should inspect in closed session the body worn camera footage, which had been released pursuant to G.S. 132-1.4A, and the investigative file of the arrest of the minor child of Tamara R. Figueroa that occurred on July 4, 2016 which is necessary and essential to the proper function of Council to inspect.

Council discussed the community volunteers serving on boards; and the charge given to the board members.

Councilmember Outling and Wilkins voiced they would not support the motion.

Councilmember Barber asked Councilmember Hightower to entertain a friendly amendment to include that Council would review the video after the PCRB had completed it's process.

Councilmember Hightower stated she would accept the friendly amendment to include reviewing the video after the complete process had been finalized by the PCRB.

Discussion continued regarding concerns with the motion; the charge given to the PCRB; the amendment to the motion; previous votes in favor of the purchase of body worn cameras; clarity of the motion; the PCRB vetting the case; and having confidence in people..

Councilmember Hightower stated the motion stood as amended; and called the question.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson that Council should inspect in closed session the body worn camera footage, which had been released pursuant to G.S. 132-1.4A, and the investigative file of the arrest of the minor child of Tamara R. Figueroa that occurred on July 4, 2016 which is necessary and essential to the proper function of Council to inspect following the completed PCRB process of the case. The motion carried on the following roll call vote:

Ayes, 5 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Jamal T. Fox and Sharon M. Hightower

Nays, 4 - Mike Barber, Nancy Hoffmann, Justin Outling and Tony Wilkins

III. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda. Councilmember Hightower requested Item #3 to be pulled for discussion and Councilmember Wilkins requested Item #10 to be pulled for discussion.

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

1. [ID 17-0053](#) Resolution Calling a Public Hearing for March 21, 2017 on the Annexation of Territory into the Corporate Limits for the Property Located at 1302 Young's Mill Road - .98-Acres

43-17 RESOLUTION CALLING A PUBLIC HEARING FOR MARCH 21, 2017 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 1302 YOUNG'S MILL ROAD – .98 ACRES

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

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

WHEREAS, at a regular meeting of the City Council on the 7th day of March, 2017, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 1302 YOUNG'S MILL ROAD – .98 ACRES)

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

Beginning at a point in the existing Greensboro corporate limits (as of December 31, 2016), said point being the southwest corner of that property shown on City of Greensboro Annexation Drawing D-2761; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 08° 31' 45" W 47 feet to a point; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a westerly direction, crossing Young's Mill Road, approximately 60 feet to an existing concrete monument at the northeast corner of Jesse C. and Laura M. Chambers, as recorded at Deed Book 3059, Page 879 in the Office of the Register of Deeds (this property is shown on Drawing G-552C, which is filed with the City of Greensboro's Engineering and Inspections Department, Records Section); thence with the north line of Chambers S 81° 04' 35" W 155.35 feet to a point; thence continuing with said line S 81° 06' 45"W 44.69 feet to the northwest corner of Chambers; thence with the west line of Chambers S 08° 55' 50" E 200.05 feet to an existing concrete monument at the southwest corner of Chambers; thence with the south line of Chambers N 81° 02' 06" E 199.92 feet to the southeast corner of Chambers; thence with the east line of Chambers N 08° 53' 38" W 153 feet to a point; thence in an easterly direction, crossing Young's Mill Road, approximately 60 feet to the point and place of BEGINNING, containing approximately 0.98 acres, of which approximately 0.92 acres is outside street right-of-way.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after March 21, 2017, the liability for municipal taxes for the 2016-2017 fiscal year shall be prorated on the basis of 3/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2017. Municipal ad valorem taxes for the 2017-2018 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

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

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

That Tuesday, March 21, 2017 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of

Greensboro not later than March 11, 2017.

(Signed) Yvonne Johnson

2. [ID 17-0057](#) Resolution Authorizing the Conveyance of Surplus Foreclosure
Property Located at 506 Penry Road

44-17 RESOLUTION AUTHORIZING CONVEYANCE OF FORECLOSURE PROPERTY LOCATED AT 506
PENRY ROAD

WHEREAS, the City of Greensboro owns residual property located at 506 Penry Road, Parcel 0082961, 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 a single bid in accordance with Section 4.122 of the Greensboro Charter;

WHEREAS, the property was appraised by D. Lynn Cable, MAI, at a value of \$21,500, and the final highest bid of \$19,350 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 the Foreclosure Accounts Receivable 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 \$19,350 is hereby approved and the sale of property located at 506 Penry Road 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) Yvonne Johnson

4. [ID 17-0062](#) Resolution Authorizing the Conveyance of Surplus Foreclosure
Property Located at 306 W. Terrell Street

45-17 RESOLUTION AUTHORIZING CONVEYANCE OF FORECLOSURE PROPERTY LOCATED AT 306 W.
TERRELL STREET

WHEREAS, the City of Greensboro owns residual property located at 306 W. Terrell Street, Parcel 0008207, 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 a single bid in accordance with Section 4.122 of the Greensboro Charter;

WHEREAS, the property was appraised by Howard R. White, at a value of \$4,000, and the final highest bid of \$3,600 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 the Foreclosure Accounts Receivable 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 \$3,600 is hereby approved and the sale of property located at 306 W. Terrell 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) Yvonne Johnson

5. [ID 17-0130](#) Resolution Authorizing the Award of Contract to Transportation Management and Design for the Mobility Greensboro 2040 Long Range Public Transportation Plan

46-17 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO TRANSPORTATION MANAGEMENT AND DESIGN FOR THE MOBILITY GREENSBORO 2040 LONG RANGE PUBLIC TRANSPORTATION PLAN

WHEREAS, the City of Greensboro is initiating a comprehensive long range public transportation plan;

WHEREAS, this plan is to be known as Mobility Greensboro 2040;

WHEREAS, the City issued a Request for Proposals (RFP) on October 10, 2016 for the Mobility Greensboro 2040 Long Range Public Transportation Plan, to be completed in two phases;

WHEREAS, a total of three (3) transportation consulting firms participated in the Request for Proposals and three (3) submissions were received and publicly opened on November 17, 2017;

WHEREAS, a selection committee evaluated and scored the proposals and recommended the award of the contract to Transportation Management and Design (TMD);

WHEREAS, the GTA Board approved the award of the contract to Transportation Management and Design (TMD) at their meeting on January 24, 2017;

WHEREAS, the plan is to be funded from the FY2017 FTA Section 5303 Planning Grant and local operating funds.

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

That it hereby approves the award of a contract in the amount of \$149,936 for the Mobility Greensboro 2040 long range public transportation plan to Transportation Management and Design (TMD) from Carlsbad, California and authorizes the City Manager to enter into agreement with TMD for these services.

(Signed) Yvonne Johnson

6. [ID 17-0090](#) Resolution Authorizing Award of the Summit Avenue Street Streetscape Improvements Phase 2 Design to HDR Engineering, Inc. of the Carolinas in the Amount of \$711,250.00.

47-17 RESOLUTION AUTHORIZING AWARD OF THE SUMMIT AVENUE STREETSCAPE IMPROVEMENTS PHASE 2 DESIGN TO HDR ENGINEERING, INC. OF THE CAROLINAS

WHEREAS, the Summit Avenue Streetscape Improvements are ready for design;

WHEREAS, the design limits are along Summit Avenue from the railroad crossing south of SECU Blvd. to the intersection of Abe Brenner Place and N. Davie Street;

WHEREAS, proposal from the consulting firm was reviewed and the selection was made with the participation of the Transportation and Engineering & Inspections Departments, and the M/WBE Office;

WHEREAS, HDR Engineering, Inc. of the Carolinas was selected on the strength of their roadway planning and design experience, their extensive work on roadway, storm water and transportation engineering, and their use of local firms, including minority firms;

WHEREAS, funding for the contract in the amount of \$711,250 will be available in the 2008 Bond Funds.

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

That the award of the Summit Avenue Streetscape Improvements Phase 2 Design contract to HDR Engineering, Inc. of the Carolinas is hereby authorized with funding in the amount of \$711,250 to come from Account No. 471-4502-26.5410 and the associated budget adjustment is approved.

(Signed) Yvonne Johnson

7. [ID 17-0157](#) Budget Adjustments Requiring Council Approval 2/14/17-2/27/17

Motion to approve the budget adjustments of February 14 - 27, 2017 over the amount of \$50,000 was adopted.

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

8. [ID 17-0156](#) Budget Adjustments Approved by Budget Officer 2/14/17-2/27/17

Motion to accept the report of budget adjustments of February 14 - 27, 2017 was adopted.

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

9. [ID 17-0131](#) Motion to Make a Part of the Official Record the Listing of Contracts That are Currently Eligible for Destruction as per the City Clerk's Office

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

(A copy of the listing of contracts is filed in Exhibit Drawer Z, Exhibit No. 9, which is hereby referred to and made a part of these minutes.)

3. [ID 17-0058](#) Resolution Authorizing the Conveyance of Surplus Foreclosure Property Located at 1322 Bothwell Street

Councilmember Hightower asked for additional information; and requested a postponement of the item to the March 21st meeting of Council.

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to postpone the item to the March 21st meeting of Council. The motion carried by voice vote.

10. [ID 17-0140](#) Motion to Approve the Minutes of the Regular Meeting of February 7, 2017

Councilmember Wilkins requested an amendment to the minutes of February 7th on page 11; and requested the minutes reflect his statement as 'an area adjourned to Griffin Park that was described as a donut hole'.

Councilmember Outling requested an amendment to the minutes of February 7th on page 11; stated Council made recommendations to the Mayor for appointments to the Task Force; and requested the minutes reflect such.

Moved by Councilmember Wilkins, seconded by Councilmember Outling to approve the minutes of February 7th as amended. The motion carried by voice vote.

IV. PUBLIC HEARING AGENDA

11. [ID 17-0068](#) Ordinance to Annex Territory to the Downtown Business Improvement District

There were no speakers to the item. City Attorney Carruthers stated the public hearing was closed by consent.

The ordinance received on the First Reading 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

AN ORDINANCE ANNEXING TERRITORY TO THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT – A MUNICIPAL SERVICE DISTRICT

Section 1. Pursuant to N.C.G.S. 160A-358, the hereinafter described territory is hereby annexed to City of Greensboro's Downtown Business Improvement District, a municipal service district:

513 Federal Place – Parcel #0000515
515 Federal Place – Parcel #0000520
516 Federal Place – Parcel #0001460
300 W. Gate City Boulevard – Parcel #0001474
302 W. Gate City Boulevard – Parcel #0001462
600 Battleground Avenue – Parcel #0001890
433 Spring Garden Street – Parcel #0001430
437-441 Spring Garden Street – Parcel #0001419
Portion of South Edgeworth Street Closing – Resolution 0316-14
124 E. Gate City Boulevard – Parcel #0001146
125 W. Gate City Boulevard – Parcel #0000499
123 W. Gate City Boulevard – Parcel #0000510
121 W. Gate City Boulevard – Parcel #0000509
725 S. Elm Street – Parcel #0001155
727 S. Elm Street – Parcel #0001154
728 S. Elm Street – Parcel #0000501
730 S. Elm Street – Parcel #0000504
734 S. Elm Street – Parcel #0000505
508 Arlington Street – Parcel #0001147
518 Arlington Street – Parcel #0001148
100 E. Gate City Boulevard – Parcel #0001145
700 S. Elm Street – Parcel #0000500
702-704 S. Elm Street – Parcel #0000502
724 S. Elm Street – Parcel #0000503

Section 2. The owners of the above referenced parcels agrees to pay to the City of Greensboro a business improvement district tax effective in the fiscal year beginning July 1, 2017. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the Downtown Business Improvement District within the corporate limits of the City of Greensboro.

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

(Signed) Sharon Hightower

12. [ID 17-0129](#) Resolution for Economic Development Support of The Aviation Triad Marketing Initiative not to Exceed \$35,000 in Fiscal Year 2016-17

Being no speakers to the item, the public hearing was closed by consent.

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

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

48-17 RESOLUTION AUTHORIZING SUPPORT OF THE AVIATION TRIAD INITIATIVES, "AVIATION THRIVES HERE" CAMPAIGN IN AN AMOUNT NOT TO EXCEED \$35,000

WHEREAS, the "Aviation Thrives Here" branding campaign was launched on 8/28/2013 and has made significant progress over the past 3 years toward advancing awareness of job opportunities in aviation, connecting talent to the workforce, and promoting the aviation sector in the Piedmont Triad;

WHEREAS, the aviation industry represents a growing and important component of our local and regional economy;

WHEREAS, "Aviation Thrives Here" initiatives will build on the successes of previous years to expand the awareness of aviation-related education and to increase the diversity of students applying to aviation programs through targeted media exposure and sponsorship of area events;

WHEREAS, Other funding have included: City of High Point, City of Winston-Salem, GTCC, Davidson County Community College, Forsyth Tech, Randolph County Community College, Rockingham Community College, Alamance Community College, TIMCO, HondaJet, North State Aviation, Purolator, PTI, Embry-Riddle Aeronautical University, WFMY.

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

That the City of Greensboro is hereby authorized to grant sponsorship of the Aviation Triad branding campaign, "Aviation Thrives Here," in an amount not to exceed \$35,000 in FY 16-17.

The City Manager and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper agreement with WFMY Television Corp.

(Signed) Yvonne Johnson

V. GENERAL BUSINESS AGENDA

13. [17-0001](#) Resolution to Adopt the 2017 Legislative Agenda

Ann Shaw, 824 Rollingwood Drive spoke to the quality of life in Greensboro; voiced support for item #13 on the Legislative Agenda; and spoke to investment in the City.

Hanna Brown, 2610 Beechwood Street spoke to tuition; economic prosperity; provided information regarding immigrants; referenced other state policies; and voiced support of item #13 of the Legislative Agenda.

Councilmember Wilkins voiced concerns with item #9 of the Legislative Agenda regarding the removal of language; and to the late notice of changes made to the agenda.

City Attorney Carruthers spoke to the process of the draft agendas.

Councilmember Outling spoke to his family history; problem solving; referenced his support of the tuition assistance item; body worn cameras; voiced concern with a Legislative Agenda; referenced staff dialogue with the General Assembly; stated he would not put politics over achieving goals; and spoke to voting against the Legislative Agenda.

Mayor Pro-Tem Johnson left the meeting at 6:53 p.m. and returned at 6:55 p.m.

Councilmember Hightower spoke to the purpose of the Legislative Agenda; voting on the items independently;

voiced concerns with item #2; asked about vehicle registration; and to enforcement of parking tickets.

Discussion took place regarding vehicle registration in other municipalities; collection of unpaid parking tickets; and students in the public school system since kindergarten.

Councilmember Wilkins reiterated concerns with item #9; and voiced he would not support the item if the language was not included that had been on the draft Legislative Agenda.

City Attorney Carruthers spoke to the will of Council to amend wording of any item.

Moved by Councilmember Outling, seconded by Councilmember Wilkins to deny the adoption of the Legislative Agenda, to communicate with the General Assembly to achieve all the objectives outlined on the Legislative Agenda, and to disengage work with the lobbyist.

Discussion continued regarding conversations with the General Assembly; review of the Legislative Agenda by the lobbyist; the process used by the General Assembly to review agendas; the time and work contributed by the staff on the item; the importance of the lobbyist weighing in on the agenda; community concerns; and the need for instate tuition.

Councilmember Wilkins asked for confirmation that the lobbyist had reviewed the Legislative Agenda as presented tonight; and that there were no red flags from items on the agenda.

City Attorney Carruthers stated staff would research if the lobbyist had seen the latest revision of the agenda.

Moved by Councilmember Outling, seconded by Councilmember Wilkins, to deny the adoption of the Legislative Agenda, to communicate with the General Assembly to achieve all the objectives outlined on the Legislative Agenda, and to disengage work with the lobbyist. The motion FAILED on the following roll call vote:

Ayes, 3 - Mike Barber, Justin Outling and Tony Wilkins

Nays, 6 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Jamal T. Fox, Sharon M. Hightower and Nancy Hoffmann

Mayor Vaughan stated the items would be voted on individually.

1. ENVIRONMENT/JORDAN LAKE: Greensboro is now completing a \$120M upgrade to its wastewater treatment facilities to meet its obligations to its partners in the Jordan Lake basin. Section 15A NCAC 02B .270 (10) (h) of the rule for nutrient discharges requires the purchase of nutrient offsets in case of an exceedance, which is not a requirement for Greensboro's NPDES permit. Therefore, Greensboro requests the General Assembly remove the requirement to purchase nutrient offsets from the Jordan Lake rules.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Outling, to adopt Item #1 of the Legislative Agenda. The motion carried on the following roll call vote:

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann, Justin Outling and Tony Wilkins

Nays, 2 - Mike Barber and Marikay Abuzuaite

2. COLLECTION OF PARKING FINES LINKED TO VEHICLE REGISTRATION. Greensboro seeks to collect unpaid parking tickets by linking fines to the annual vehicle registration software maintained by the DMV. Greensboro requests the authority to use such software for collection purposes.

Moved by Councilmember Hoffmann, seconded by Councilmember Abuzuaite, to adopt Item #2 of the Legislative Agenda. The motion carried on the following roll call vote:

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

Nays, 1 - Sharon M. Hightower

3. SALES TAX REDISTRIBUTION. Greensboro supports maintaining an equitable level of sales taxes and opposes a redistribution plan that reduces urban tax receipts.

Moved by Councilmember Hoffmann, seconded by Councilmember Fox, to adopt Item #3 of the Legislative Agenda. 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. STATE TORT CAP REFORM. Study Bill: At the State level there is a limit of \$750,000 maximum for tort claims for persons who have been wrongfully convicted and imprisoned, but there is no cap for claims against local governments. Greensboro requests a study bill to explore an expansion of this cap to include local governments.

Councilmember Hightower asked for clarification on the item.

Mayor Vaughan spoke to a local ordinance; and to encouraging the state to be in alignment with the City.

Moved by Councilmember Outling, seconded by Councilmember Wilkins, to adopt Item #4 of the Legislative Agenda. The motion carried on the following roll call vote:

Ayes, 7 - Nancy Vaughan, Mike Barber, Marikay Abuzuaiter, Jamal T. Fox, Nancy Hoffmann, Justin Outling and Tony Wilkins

Nays, 2 - Yvonne J. Johnson and Sharon M. Hightower

5. BODY WORN CAMERAS. Seek amendments to Session Law 2016-88: Law Enforcement Recordings. City Legal is now coordinating with other major cities in the state to identify common concerns and suggestions to amend this current legislation.

Moved by Councilmember Outling, seconded by Councilmember Hoffmann, to adopt Item #5 of the Legislative Agenda. 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

6. AGE OF JUVENILE JURISDICTION. Request that the age of juvenile court jurisdiction be raised to 16 and 17 years olds for all crimes except for A-E felonies and traffic offenses. Request that juvenile courts receive more resources to handle the additional load. This request is aligned with the findings of N.C. Supreme Court Chief Justice Mark Martin, who convened an independent commission to study this issue. Senate Bill 146 has been introduced to address this matter.

Moved by Councilmember Hightower, seconded by Councilmember Fox, to adopt Item #6 of the Legislative Agenda. The motion carried on the following roll call vote:

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

Nays, 1 - Mike Barber

7. REPAIR OF NONRESIDENTIAL BUILDINGS AND RE-WRITE OF PLANNING STATUTES. A newly created Chapter 160D would reorganize city and county planning and development statutes. This re-write is spearheaded by the NC Bar Association, along with the NC League of Municipalities and the UNC School of Government, and it has support from local governments across the state. One of the modifications allows a municipality to order

repairs of nonresidential buildings in designated zoning districts.

Moved by Councilmember Outling, seconded by Councilmember Fox, to adopt Item #7 of the Legislative Agenda. 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

8. WATER RESOURCES CAPACITY USER FEES. Greensboro joins its sister cities in requesting an amendment to 160A-314 to give municipalities the same rights as counties to charge fees in anticipation of future use, expansion, or upgrades of water-sewer infrastructure. Although Greensboro's fees are valid, this amendment will correct the loophole created by the recent Quality Built Homes v. Town of Carthage case which invalidated certain fees charged by cities.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hoffmann, to adopt Item #8 of the Legislative Agenda. 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

9. TUITION EQUITY. Support legislation that allows in-state resident status for all students who have attended school in North Carolina for at least three consecutive years prior to graduation and received a diploma, or have obtained a GED from North Carolina. Republican Senator Hartsell introduced a similar bill (SB 463) in the 2015 session.

Councilmember Wilkins stated he would like to entertain a substitute motion for the item.

City Attorney Carruthers clarified the motion to amend would be appropriate, with the amendment language being "to revert to the original language stating that this benefit is only for those students that have begun the formal process of applying for United States citizenship".

Councilmember Hoffmann asked for clarification on the addition of the language.

City Attorney Carruthers spoke to information regarding undocumented students not having the ability to apply for citizenship; and stated the amendment would exclude those students from the item.

Moved by Councilmember Wilkins, seconded by Councilmember Barber to amend item #9 as said by City Attorney Carruthers. The motion FAILED by a voice vote of 1 - 8; with Councilmember Wilkins voting 'Yes'.

Moved by Councilmember Abuzuaite, seconded by Mayor Pro-Tem Johnson, to adopt Item #9 of the Legislative Agenda. The motion carried on the following roll call vote:

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

Nays, 1 - Tony Wilkins

10. FIRE DEPARTMENTS: SEARCH AND RESCUE FUNDS. Greensboro Fire Department and the NC Coalition of Fire Chiefs request an appropriation of \$2,397,000 in recurring funds to be used to support the search and rescue programs as provided in Article 6 of Chapter 166A. These funds will be used by local governments to supplement the expenses to purchase and maintain equipment to ensure the viability of search and rescue services. Rep. Hardister introduced HB 189 this session to address this matter, and Greensboro requests that the General Assembly support the bill.

Moved by Councilmember Wilkins, seconded by Councilmember Outling, to adopt Item # 10 of the Legislative Agenda. 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

GREENSBORO CHAMBER OF COMMERCE:

The City of Greensboro adopts the Legislative Agenda for the Greensboro Chamber of Commerce which identifies priority items and support items. The highlights are as follows:

1. Workforce Development. Create a pipeline of skilled manufacturing workers by supporting apprenticeship programs and expanding recruiting efforts and training programs.
2. MegaSite Infrastructure. Request that the General Assembly activate and fund the Site Infrastructure Development Fund with \$50M to promote sites such as the Megasite as "site ready."
3. High Point Market. Request continued funding of \$1,200,000 for transportation and \$1,755,472 for marketing and for those funds to be included in the 2017-2019 budget as recurring funds.
4. Effective Water Quality Management: Request the continuation of two current studies and the overhaul of statewide Stormwater Basin Nutrient Management Rules. This would enable the building of multi-acre buildings in the Triad so the region can build the manufacturing sites that the 21st century requires.
5. Aviation. Seek continuation of planned funding and a commitment to the success of local and regional airports.
6. Transportation. Seek continued investment in transportation infrastructure to support job growth. Seek a continuation of planned funding for the Greensboro Urban Loop to ensure its completion in 2020.

Moved by Councilmember Fox, seconded by Councilmember Hoffmann, to adopt the Greensboro Chamber of Commerce Legislative Agenda. 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

14. [ID 17-0136](#) Resolution Thanking the General Assembly and Supporting the Development of a New Comprehensive Nutrient Management Regulatory Framework

City Attorney Carruthers spoke to an amended resolution in Council folders.

Moved by Councilmember Barber, seconded by Mayor Pro-Tem Johnson to amend the resolution by removing language from paragraph six. Councilmember Barber spoke to the removal of jurisdictional responsibility and science based detail.

Councilmember Abuzuaiter voiced concern with last minute items; referenced discussions over the past couple of weeks; spoke to the Federal Clean Water Act; jurisdictional nutrients; staff research; the need for clean water; referenced an adopted resolution from 2015; asked if the City had maintained membership with the Haw River Nutrient Compliance Association; and spoke to the need to save money.

City Attorney Carruthers spoke to creating dialogue with the General Assembly and Senator Trudy Wade regarding the Jordan Lake rules; regulations on water levels; required mandates effective in 2021; compliance with regulations; stormwater mandates; the passing of a bill in 2016 by the General Assembly in which the resolution was drafted after; stated the resolution language was appropriate based on conversations with Senator Wade; spoke to funding and science support; and stated Senator Wade had expressed appreciation for the resolution but clarified it had been the General Assembly that had taken action.

Discussion took place regarding the clarity of the item; concerns in regards to the Haw River Nutrient Compliance Association; compliancy in 2021; the number of versions of the resolution; set back requirements; and the requirement for developers to spend more in Greensboro than in other counties.

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

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

Nays, 1 - Marikay Abuzuaiter

49-17 RESOLUTION THANKING THE GENERAL ASSEMBLY AND SUPPORTING THE DEVELOPMENT OF A NEW COMPREHENSIVE NUTRIENT MANAGEMENT REGULATORY FRAMEWORK

WHEREAS, the Jordan Lake Rules mandate reducing nutrients from point source wastewater discharge and non-point source stormwater runoff in both new and existing development in the Jordan Lake Watershed; and

WHEREAS, these rules were enacted in 2009 and last amended in 2016 by adoption of session law 2016-94: Development of New Comprehensive Nutrient Management Regulatory Framework; and

WHEREAS, it is necessary for the State to have a comprehensive management strategy to protect and improve water quality; and

WHEREAS, over the last 20 years, comprehensive watershed nutrient management strategies and buffer rules have been implemented in several river basins and watersheds in North Carolina where surface water quality has been impaired by excess nutrients; and

WHEREAS, it is in the interest of the State to review the costs and benefits of existing nutrient management strategies and determine whether those nutrient management strategies should be modified in order to maintain and improve water quality in nutrient sensitive waters; and

WHEREAS, the City of Greensboro supports the General Assembly's effort to ensure the Jordan Lake Rules are science-based and equitable with clear and achievable goals. The absence of clear, science-based rules for protecting our water is arbitrary, inequitable, and harms the business community and the economic future of all our citizens; and

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

The City of Greensboro thanks the General Assembly for the recent enactment of Session Law 2016-94 and agrees that the State should promote proven measures, incorporate new technological and management innovations, recognize previous investments in water quality, and ensure that costs are shared equitably.

(Signed) Mike Barber

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

Moved by Mayor Vaughan, seconded by Mayor Pro-Tem Johnson to appoint Councilmember Outling to the Downtown Greenway Oversight Committee as Councilmember Fox was coming off. The motion carried by voice vote. Moved by Mayor Vaughan, seconded by Mayor Pro-Tem Johnson to appoint herself to the Metropolitan Planning Organization (MPO) as Councilmember Fox was coming off. The motion carried by voice vote. Mayor Vaughan confirmed that Councilmember Abuzuaiter would remain Chair of the committee. Mayor Vaughan stated Arts Greensboro, Cultural Arts Council had requested appointments by Council; and spoke to Laverne Davis serving from District 1.

Councilmember Hightower clarified that Ms. Davis had not been confirmed; and spoke to the structure of the board.

Moved by Mayor Vaughan, seconded by Councilmember Hoffmann to appoint Victoria Ball to the Arts Greensboro Cultural Arts Council. The motion carried by voice vote.

Mayor Vaughan suggested the following for consideration for the Arts Greensboro Cultural Arts Center:

District 2 - Mebane Ham for a one year term

District 3 - Altina Layman for a two year term

District 5 - Candice Tucker or Mike Lasely for a three year term

Councilmember Wilkins spoke to the reference for Candice Tucker; and nominating Ms. Tucker based on the recommendation. Moved by Councilmember Wilkins, seconded by Mayor Pro-Tem Johnson to appoint Ms. Tucker to the Arts Greensboro Cultural Arts Center for a three year term. The motion carried by voice vote.

Moved by Councilmember Fox, seconded by Mayor Pro-Tem Johnson to appoint Mebane Ham to the Arts Greensboro Cultural Arts Center for a one year term. The motion carried by voice vote.

Mayor Vaughan clarified the openings for District 1 and 3. Mayor Vaughan left the meeting at 7:40 p.m.

Councilmember Barber placed Marc Bush and Gary Baldwin into the data bank for future appointment on the Bryan Park Commission; spoke to the success of the soccer fields; and requested staff include an agenda item for the release of bond funding for Bryan Park Soccer Improvements on the March 21st meeting of Council.

Councilmember Wilkins stated two tournaments generated \$30 million; spoke to missing News and Record reporter Margaret Moffet; and welcomed new reporter Kate Queram.

Councilmember Fox requested staff to provide Economic Development, jobs, youth programs, and public safety updates; information on the Green District, use of facilities and reducing the budget; thanked City employees for their work; spoke to Women's History month; and recognized Mayor Pro-Tem Johnson as the City's first black mayor.

Councilmember Abuzuaiter congratulated the 101st Police Academy; the Dudley High School Marathon Team; and provided information for sponsorship for the team to attend the National Championship.

Councilmember Hightower requested staff to provide a minimum wage update; spoke to living wages; requested staff to provide a list of City owned buildings that were being sold; to research combination of City owned real estate under one umbrella; recognized the 4th graders at Guilford Tech Academy; and spoke to inviting the class to a future Council meeting.

Mayor Pro-Tem Johnson requested the information to be sent to all of the Councilmembers.

Councilmember Hightower spoke to a vacancy for District 1 on the Board of Adjustment; and stated Marc Cummings had resigned. Moved by Councilmember Hightower, seconded by Councilmember Outling to appoint Bertha Michelle Lucas to the Commission of Status of Women. The motion carried by voice vote.

Mayor Pro-Tem Johnson spoke to attending the North Carolina Association of Zoning; and requested staff to provide an update on the City Workers Association.

Matters to be presented by the City Manager

Councilmember Wilkins inquired about the status of a letter to be sent to Trader Joes.

City Manager Westmoreland stated all members of Council had signed the letter.

Matters to be presented by the City Attorney

City Attorney Carruthers spoke to the filing of a Local Act placeholder as a precautionary measure; and stated the legislative agenda would go to the delegation tomorrow.

Councilmember Fox requested staff research reinstatement of Sister Cities.

Adjournment

Moved by Councilmember Outling, seconded by Councilmember Fox, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 7:53 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR