



City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, January 16, 2018

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 Marikay Abuzuaiter, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Michelle Kennedy, Councilmember Justin Outling, Councilmember Tammi Thurm and Councilmember Goldie F. Wells

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 North Carolina Agriculture and Technical State University (NC A & T) Football team to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager Jim Westmoreland recognized Battalion Chief Carol Key of the Fire Department who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

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

Mayor Vaughan confirmed Councilmember Wells was participating via telephone.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 18-0001](#)

Resolution Recognizing the North Carolina A&T State University Football Team

Mayor Pro-Tem Johnson read the resolution into the record; and recognized and presented the resolution to NC A & T Chancellor Harold Martin, Sr.

Chancellor Martin thanked Council for the recognition; voiced appreciation to the team, coaches, and citizens; highlighted the leadership of retiring Head Coach Rod Broadway; and recognized upcoming Head Coach Sam Washington.

Councilmember Hightower commended the team; spoke to the potential future of the team; referenced Coach Broadway's retirement; the parade on Monday; and voiced excitement for the 2017 Historically Black Colleges and Universities (HBCU) Football Champs.

Mayor Vaughan thanked the team for the focus and impact on the City; congratulated Coach Broadway; spoke to a honorable profession; welcomed Coach Washington; and stated she looked forward to next season. Mayor Vaughan recognized former Commissioner Ray Trapp in his role as NC A & T Director of External Affairs; spoke to a potential State of Our Community address in February; and to inclusion of colleges and universities in discussions of services for students during and beyond college.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

002-18 RESOLUTION RECOGNIZING THE NORTH CAROLINA A&T STATE UNIVERSITY FOOTBALL TEAM

WHEREAS, the North Carolina Agricultural & Technical State University Football (NC A&T) team had a 21-14 victory over Grambling State in the third annual Celebration Bowl held in Atlanta, Georgia on December 16th;

WHEREAS, the win allowed the team to have its third undefeated season in NC A&T history and the first undefeated season in Mid-Eastern Atlantic Conference (MEAC) history;

WHEREAS, Quarterback Lamar Raynard was named MEAC Offensive Player of the Year, and selected as a finalist for the Deacon Jones Award for the best black college football player in the country to be presented by the Black College Hall of Fame in February;

WHEREAS, Junior Running Back Marquell Cartwright was named the 2017 Celebration Bowl Offensive MVP;

WHEREAS, the win was head coach Rod Broadway's fourth Historically Black College or University (HBCU) national championship;

WHEREAS, Coach Broadway was named MEAC Coach of the Year;

WHEREAS, this was the first Football Championship Subdivision HBCU team to finish a season unbeaten and untied;

WHEREAS, NC A&T has received numerous All American Honors from various organizations including the Associated Press, STATS FCS, Phil Steele Magazine and the American Football Coaches Association, and this was the ninth MEAC Football Title in school history;

WHEREAS, the City Council, on behalf of the citizens of Greensboro wishes to recognize and congratulate the NC A&T Football Team on its third undefeated football season and its 2017 Celebration Bowl Championship.

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

That it hereby recognizes and congratulates the NC A&T Football Team on its third undefeated football season and its 2017 Celebration Bowl Championship.

(Signed) Marikay Abuzuaiter

II. CONSENT AGENDA (One Vote)

Mayor Vaughan stated it was the time to consider the consent agenda; and recognized Councilmember Outling to speak.

Councilmember Outling spoke to a conflict of interest in regards to item #6/ID 18-0009; and requested recusal from the item.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Kennedy, to excuse Councilmember Outling from item #6/ID18-0009. The motion carried by voice vote.

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

2. [ID 17-0703](#)

Resolution Authorizing Execution of Contract 2017-029 in the Amount of \$525,003.40 to Volkert, Inc. for the Construction Inspections of the Battleground Avenue (US 220) and Westridge Road Intersection Improvements Project

003-18 RESOLUTION AUTHORIZING AWARD OF CONTRACT 2017-029 FOR THE CONSTRUCTION INSPECTION OF THE BATTLEGROUND AVENUE (US 220) AND WESTRIDGE ROAD INTERSECTION IMPROVEMENTS PROJECT TO VOLKERT, INC.

WHEREAS, the Construction Inspections of the Battleground Avenue (US 220) and Westridge Road Intersection Improvements Project is ready for implementation;

WHEREAS, the construction inspection work is to be for roadway widening, sidewalk and driveway installation, and retaining wall construction along Battleground Avenue (US 220) and Westridge Road in the City of Greensboro;

WHEREAS, the proposal from the consulting firm was reviewed and agreed to with the participation of the Greensboro Department of Transportation and Engineering & Inspections Department;

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

WHEREAS, Funding for the professional services contract are available in State, Federal, and Other Grants Fund account 220-4588-01.6014 A12083.

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

That the award of the Construction Inspection of the Battleground Avenue (US 220) and Westridge Road Intersection Improvements Project to Volkert, Inc. is hereby authorized with funding in the amount of \$525,003.40.

(Signed) Yvonne Johnson

3. [ID 18-0008](#)

Resolution Authorizing Contract in the Amount of \$250,000 Between the City of Greensboro and Studio Displays, Inc., for Community Input and Exhibit Design and Installation of the Ruth Wicker Tribute to Women at Barber Park

004-18 RESOLUTION AUTHORIZING CONTRACT IN THE AMOUNT OF \$250,000 WITH THE CITY OF GREENSBORO AND STUDIO DISPLAYS, INC. FOR THE COMMUNITY INPUT, EXHIBIT DESIGN AND INSTALLATION FOR THE RUTH WICKER TRIBUTE TO WOMEN AT BARBER PARK

WHEREAS, in 2009 the Parks and Recreation Commission approved the Barber Park Master Plan Phase II;

WHEREAS, on June 16, 2009 the City Council approved a resolution accepting a generous donation from the Last Will and Testament and Revocable Trust of Ruth Wicker for the design and construction of the tribute space;

WHEREAS, the Last Will and Testament and Revocable Trust of Ruth Wicker detailed that the building should be built in a public park and be a building that honors women who have contributed to Greensboro;

WHEREAS, the Ruth Wicker Tribute to Women will be an exhibit space of the larger community building developed to create opportunities to honor and showcase the contributions of women who have lived, worked, and served in Greensboro that have impacted, influenced, transformed, or shaped the rich history of City in a variety of ways;

WHEREAS, a specialized exhibit design firm is necessary to develop and design the space for the contributions of women based on input from targeted organizations and the public to define the content;

WHEREAS, at its January 10, 2017 meeting the Parks and Recreation Commission unanimously recommended that the City Council approve the contract with Studio Displays, Inc. for community input, design and installation of Ruth Wicker Tribute to Women at Barber Park in the amount of \$250,000;

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

That the execution of a contract with City of Greensboro and Studio Displays, Inc. in the amount of \$250,000 with funding available in account number 472-5008-01 and approval of the associated budget adjustment for the community input, design and installation of Ruth Wicker Tribute to Women at Barber Park is hereby approved.

(Signed) Yvonne Johnson

4. [ID 18-0025](#)

Resolution Authorizing Municipal Agreement with North Carolina Department of Transportation for Project U-2525C: Northern Urban Loop Sidewalks

005-18 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR U-2525C: NORTHERN URBAN LOOP SIDEWALKS

WHEREAS, the North Carolina Department of Transportation in its effort to support and implement multi-modal transportation needs in the Greensboro area has directed requested funding from the City of Greensboro for U-2525C Northern Urban Loop Project; and

WHEREAS, the North Carolina Department of Transportation has programmed \$127,509 in funds to construct sidewalks along the widened portion of North Elm Street and Yanceyville Street within the Urban Loop project's limits; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation are to enter into a Municipal Agreement in order for NCDOT to receive \$63,755 in city funding for the required 50% local match; and,

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

That said project is hereby formally approved by the City Council of Greensboro and the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the North Carolina Department of Transportation for Project U-2525 C.

(Signed) Yvonne Johnson

5. [ID 18-0026](#)

Ordinance in the Amount of \$61,550 Establishing the Budget for Municipal Agreement with North Carolina Department of Transportation for Project U-2525C: Northern Urban Loop Sidewalks

18-001 ORDINANCE IN THE AMOUNT OF \$61,550 ESTABLISHING THE BUDGET FOR MUNICIPAL AGREEMENT WITH NCDOT FOR PROJECT U-2525C: NORTHERN LOOP SIDEWALKS

Section 1

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

That the appropriation for the Project U-2525C: Northern Urban Loop Sidewalks be established as follows:

Account	Description	Amount
471-4503-04.6015	Sidewalk Construction	\$61,550
Total		\$61,550

And, that this appropriation be financed by establishing the following Project U-2525C: Northern Urban Loop Sidewalks Budget account:

Account	Description	Amount
471-4503-04.8616	Sale of Real Estate	\$61,550
Total		\$61,550

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

7. [ID 18-0018](#) Ordinance to Approve the New Franchise Agreement Between the City of Greensboro and Conterra Ultra Broadband, LLC. SECOND APPROVAL

18-002 ORDINANCE TO APPROVE THE FRANCHISE AGREEMENT BETWEEN THE CITY OF GREENSBORO AND CONTERRA ULTRA BROADBAND, LLC: SECOND APPROVAL

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

Section 1

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

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;

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

WHEREAS, the agreement begins with the second City Council approval on January 16th, 2018 for a term of ten (10) years with an option for CONTERRA ULTRA BROADBAND, LLC to renew for an additional five (5) year period by notifying the City in writing.

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

The franchise agreement between CONTERRA ULTRA BROADBAND, 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.

Section 2

That this ordinance shall become effective upon this second adoption.

(Signed) Yvonne Johnson

8. [ID 17-0794](#)

Ordinance Amending Chapter 6 of the Greensboro Code of Ordinances with Respect to Buildings and Building Regulations

18-003 AMENDING CHAPTER 6

AN ORDINANCE AMENDING CHAPTER 6 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO BUILDINGS AND BUILDING REGULATIONS

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

Section 1. That Section 6-3, is hereby amended to read as follows:

Sec. 6-3. - Energy efficiency rebates.

The energy efficiency rebates identified in this section are designed to encourage energy efficient building practices in the city by offering partial permit fee rebates to the permit holder after project completion and final inspection of certified new residential construction and select energy efficient systems and appliances. This program will promote the city's MAP goal to reduce Greensboro's carbon footprint. In order for a permit holder to qualify for any of the energy efficiency rebates identified in this section, all fees for the permit for which the permit holder is seeking a rebate under this section must be paid in full at the time of the issuance of the permit, and an application for the energy efficiency rebate of the permit must be completed at the time of the issuance of the permit. The energy efficiency rebate of the permit fee will be issued upon the request of the permit holder when:

- (1) All work done pursuant to the permit has been completed;
- (2) The completed work has passed its final inspection or received a certificate of occupancy, as applicable; and
- (3) The energy efficient systems or appliances have been certified by the responsible third-party agency.

The energy efficiency rebates shall be as follows:

New Residential Structures

Certification Agency	Rebate
USGBC Leadership in Energy and Environmental Design (LEED) Certification	50% Rebate of Building Permit Fee
(Not to exceed \$500.00)	

NC HealthyBuilt Home Certification	50% Rebate of Building Permit Fee
(Not to exceed \$500.00)	

USEPA Energy Star Certification	50% Rebate of Building Permit Fee
(Not to exceed \$500.00)	

NAHB Model Green Building Home Guideline Certification	50% Rebate of Building Permit Fee
(Not to exceed \$500.00)	

ICC/NAHB National Green Building Standard Certification	50% Rebate of Building Permit Fee
(Not to exceed \$500.00)	

Systems for Existing Residential or Commercial Structures

Geothermal Heat Pumps	Electrical Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)
Mechanical Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)	

Photovoltaic Energy Systems Building Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Electrical Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Solar Hot Water Heating Building Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Electrical Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Plumbing Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Gray/Rain Water Collection for Flushing Fixtures Plumbing Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Tankless Hot Water Heating Electrical Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Mechanical Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Plumbing Fee: 50% Rebate (not to exceed \$40.00 residential or \$80.00 commercial)

Section 2. That all laws and clauses of laws in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

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

(Signed) Yvonne Johnson

9. [ID 18-0016](#)

Resolution Authorizing the Sale of City Property at 1322 Bothwell Street to Haven ReDevelopment Group, Inc.; +/- 1.5 acres.

006-18 RESOLUTION AUTHORIZING THE SALE OF PROPERTY OWNED BY THE CITY OF GREENSBORO AT 1322 BOTHWELL STREET TO HAVEN REDEVELOPMENT GROUP, INC.

WHEREAS, the City of Greensboro owns property at 1322 Bothwell Street acquired through tax foreclosure; and

WHEREAS, the property was appraised by D. Lynn Calbe at a value of \$160,000 and \$52,000 respectively and a bid in the amount of \$115,000 was accepted, which amount, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the plan developed for the properties are in keeping with the specifications of the Connections 2525 Comprehensive Plan; and

WHEREAS, the property was advertised for an upset bid in accordance with North Carolina Law; and

WHEREAS, the proceeds from this property conveyance will be credited to general fund account 100-000-00-0400.

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

That pursuant to NCGS 160A-269, the sale of the 1322 Bothwell Street to Haven ReDevelopment Group, Inc. in the amount of \$115,000 is hereby approved; and the City Manager is hereby authorized to execute on behalf of the City of Greensboro a sales development agreement and proper deed to convey said property.

(Signed) Yvonne Johnson

10. [ID 18-0003](#)

Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Premier Stores, Inc. Located at 3901 North Church

Street in Connection with the Pisgah Church Road Sidewalk Project

007-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF PREMIER STORES, INC. IN CONNECTION WITH THE PISGAH CHURCH ROAD SIDEWALK PROJECT

WHEREAS, Premier Stores, Inc. is the owner of that certain property located at 3901 North Church Street, designated as Parcel # 0092895 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Pisgah Church Road Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$39,442.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$39,442.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portions of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$39,422.00 to the Clerk of Superior Court as compensation to the owner, payment to be made from Account No. 401-4546-01.6012 Activity #A15138.

(Signed) Yvonne Johnson

11. [ID 18-0004](#)

Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of the Estate of Allitia S. Isaac Located at 1513 Pisgah Church Road in Connection with the Pisgah Church Road Sidewalk Project

008-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF THE ESTATE OF ALLITIA S. ISAAC IN CONNECTION WITH THE PISGAH CHURCH ROAD SIDEWALK PROJECT

WHEREAS, the estate of Allitia S. Isaac is the owner of that certain property located at 1513 Pisgah Church Road, designated as Parcel # 0054692 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Pisgah Church Road Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$4,104.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$4,104.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portions of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$4,104.00 to the Clerk of Superior Court as compensation to the owner,

payment to be made from Account No. 401-4546-01.6012 Activity #A15138.

(Signed) Yvonne Johnson

12. [ID 18-0013](#)

Resolution Calling a Public Hearing for February 20, 2018 on the Annexation of Territory into the Corporate Limits for the Property Located at 2924-2930 Liberty Rd - 3.87-Acres (Patricia P. Bradley)

009-18 RESOLUTION CALLING A PUBLIC HEARING FOR FEBRUARY 20, 2018, ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 2924-2930 LIBERTY ROAD – 3.87 ACRES ACRES

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

WHEREAS, Chapter 160A, Section 31 (contiguous) 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 20th day of February 2018, the following ordinance will be introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 2924-2930 LIBERTY ROAD – 3.87 ACRES)

Section 1. Pursuant to G.S. 160A-31 (contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

Beginning an existing iron pipe in the existing Greensboro city limit line (as of October 31, 2017) at the southeasternmost corner of the Emanuel Agapion property at 2908-A Liberty Road, described in Deed Book 7345, Page 579; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the eastern line of Agapion N 00°25'13" E 221.27 feet to a computed point in the center of a creek; thence the following 36 courses and distances along the centerline of said creek: 1) S 42°11'39" E 14.29 feet to a computed point, 2) S 59°15'16" 18.27 feet to a computed point, 3) S 16°41'46" E 13.47 feet to a computed point, 4) S 76°36'40" E 14.11 feet to a computed point, 5) S 66°29'34" E 19.05 feet to a computed point, 6) N 58°03'46" E 17.45 feet to a computed point, 7) S 66°29'46" E 17.63 feet to a computed point, 8) S 23°13'53" E 18.37 feet to a computed point, 9) S 01°40'05" W 25.40 feet to a computed point, 10) S 21°41'15" W 27.31 feet to a computed point, 11) S 24°20'29" W 23.40 feet to a computed point, 12) S 35°14'21" W 12.17 feet to a computed point, 13) S 44°52'32" E 15.03 feet to a computed point, 14) S 25°04'22" E 22.30 feet to a computed point, 15) S 52°21'57" E 19.01 feet to a computed point, 16) S 26°24'07" E 22.88 feet to a computed point, 17) S 38°44'38" E 23.42 feet to a computed point, 18) S 24°39'03" E 48.57 feet to a computed point, 19) S 39°17'33" E 39.59 feet to a computed point, 20) S 47°22'46" E a distance of 17.31' to a computed point, 21) S 60°51'53" E 30.25 feet to a computed point, 22) S 55°37'08" E 20.41 feet to a computed point, 23) S 30°29'47" E 66.07 feet to a computed point, 24) S 57°16'25" E 22.91 feet to a computed point, 25) S 31°22'42" E 15.43 feet to a computed point, 26) N 27°38'12" E 19.53 feet to a computed point, 27) S 65°07'03" E 13.17 feet to a computed point, 28) N 54°40'57" E 10.36 feet to a computed point, 29) S 46°48'06" E 6.63 feet to a computed point, 30) S 10°54'19" W 19.98 feet to a computed point, 31) S 57°48'07" E 51.33 feet to a computed point, 32) S 71°15'52" E 11.11 feet to a computed point, 33) S 47°50'19" E 15.65 feet to a computed point, 34) S 27°18'03" E 24.72 feet to a computed point, 35) S 57°02'57" E 20.54 feet to a computed point, and 36) S 07°51'06" E 18.29 feet to a computed point in the southeast line of the Patricia P. Bradley property, described in Deed Book 6450, Page 2201; thence with said line S 52°00'26" W 33.28 feet to an existing axle; thence continuing with said line S 52°06'16" W 508.32 feet to an existing iron pipe in the Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 00°29'39" E 627.41 feet to the Point and Place of Beginning, having an area of 168,417.12 square feet, 3.87 acres, as shown on the Final Plat Annexation of Part of Parcel #0130655 by Allred

Land Surveying, PLLC, dated November 2, 2017. All deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. 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 February 20, 2018, the liability for municipal taxes for the 2017-2018 fiscal year shall be prorated on the basis of 4/12 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, 2018. Municipal ad valorem taxes for the 2018-2019 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, February 20, 2018, 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 February 10, 2018.

(Signed) Yvonne Johnson

13. [ID 18-0014](#)

Resolution Calling a Public Hearing for February 20, 2018, on the Annexation of Territory into the Corporate Limits for the Property Located at 4209 Burlington Road and 109-115 Flemingfield Road - 3.4-Acres (Bryant Properties)

010-18 RESOLUTION CALLING A PUBLIC HEARING FOR FEBRUARY 20, 2018, ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – PROPERTY LOCATED AT 4209 BURLINGTON ROAD AND 109-115 FLEMINGFIELD ROAD – 3.4 ACRES

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

WHEREAS, Chapter 160A, Section 31 (contiguous) 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 20th day of February 2018, the following ordinance will be introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 4209 BURLINGTON ROAD AND 109-115 FLEMINGFIELD ROAD – 3.4 ACRES)

Section 1. Pursuant to G.S. 160A-31 (contiguous), the hereinafter-described territory is hereby annexed to City of

Greensboro:

BEGINNING at a point in the existing Greensboro city limits (as of October 31, 2017), said point being the northwest corner of Lot 28 of Property of Elsie B. Lee, as recorded in Plat Book 11, Page 92; THENCE PROCEEDING WITH THE EXISTING GREENSBORO CITY LIMITS S 86° 29' 12" E approximately 7.10 feet along the north line of said Lot 28 to an existing iron pipe; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the north lines of Lots 28-37 on said plat S 83° 00' E approximately 260.6 feet to the northeast corner of said Lot 37; thence with the east line of said Lot 37 S 06° 31' W 300.1 feet to an iron stake in the western right-of-way line of Flemingfield Road (S. R. #2848); thence with said right-of-way line S 06° 50' 30" W 160.0 feet to an iron pipe; thence continuing with said right-of-way line in a southerly direction approximately 100 feet to a point in the existing city limits; THENCE PROCEEDING WITH THE EXISTING GREENSBORO CITY LIMITS in a westerly direction approximately 260 feet to a point on the eastern right-of-way line of Elsielee Road (S. R. #2849); THENCE DEPARTING FROM THE EXISTING GREENSBORO CITY LIMITS with said eastern right-of-way line N 07° 05' 20" E approximately 170 feet to an existing iron pipe; thence continuing with said eastern right-of-way line N 05° 38' E 160.00 feet to an iron pipe; thence N 83° 29' W a short distance with the south line of property of Bryant Brothers, as recorded in Deed Book 7841, Page 2972, to an iron stake at the southwest corner of said property; thence with the west line of Lot 28 of Property of Elsie B. Lee N 05° 39' E 300 feet to the point and place of BEGINNING, and containing approximately 3.4 acres. All plats and deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. 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 February 20, 2018, the liability for municipal taxes for the 2017-2018 fiscal year shall be prorated on the basis of 4/12 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, 2018. Municipal ad valorem taxes for the 2018-2019 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, February 20, 2018, 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 February 10, 2018.

(Signed) Yvonne Johnson

14. [ID 18-0017](#)

Ordinance Amending the Funding Source of a Match Grant of up to \$250,000
for the Greensboro Housing Hub and Appropriating Nussbaum Housing
Partnership Funds

18-004 ORDINANCE AMENDING FY 17-18 NUSSBAUM FUND BUDGET

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

Section 1

That the FY 17-18 Nussbaum Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriations be increased, as follows:

Account	Description	Amount
211-2103-16.5282	Real Estate Loans	\$250,000

And, that this increase is financed by the following revenue:

Account	Description	Amount
211-0000-00.8900	Appropriated Fund Balance	\$250,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

15. [ID 17-0804](#)

Resolution Listing Loans and Grants for City Council Approval

011-18 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) Yvonne Johnson

16. [ID 18-0021](#)

Budget Adjustments Requiring Council Approval 12/13/17-1/8/18

Motion to approve the budget adjustments of 12/31/17 - 1/8/18 over the amount of \$50,000 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 2 which is hereby referred to and made a part of these minutes)

17. [ID 18-0020](#)

Budget Adjustments Approved by Budget Officer 12/12/17-1/8/18

Motion to accept the report of budget adjustments of 12/12/17 - 1/8/18 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 2 which is hereby referred to and made a part of these minutes)

18. [ID 18-0022](#)

Motion to Approve the Minutes of the Regular Meeting of December 19, 2017

Motion to approve the minutes of the Regular meeting of December 19, 2017 was adopted.

6. [ID 18-0009](#)

Resolution Authorizing Acceptance of Dedication of Ten Park, Floodplain, Drainageway and Open Space Parcels from the Starmount Company

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson, to adopt the resolution. The motion carried by voice vote 8-0 with Councilmember Outling being excused.

012-18 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION OF TEN PARK, FLOODPLAIN, DRAINAGEWAY AND OPEN SPACE PARCELS FROM THE STARMOUNT COMPANY

WHEREAS, pursuant to North Carolina General Statutes Section 160A-374, the approval of a plat does not constitute the acceptance by a city or the public of the dedication of any street or other ground or public facility shown on the plat; however, a city council may by resolution accept the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes;

WHEREAS, Parcel #0060929 was dedicated by the Starmount Company to the City of Greensboro for flood plain and open space in Plat Book 73 Page 292 recorded on April 26, 1984, as part of the Friendly Acres Section 7 subdivision. This parcel, also known as 3605 Gainsboro Drive, is approximately 4 acres and located in District 4;

WHEREAS, Parcel #0023679 was dedicated by the Starmount Company as part of a park in Plat Book 11 Page 45 recorded on December 5, 1938, as part of the Starmount Forest subdivision. This parcel which is adjacent to Lindley Park, also known as 3001 West Market Street, is approximately 0.15 acres and located in District 4;

WHEREAS, Parcel #0068979 was dedicated by the Starmount Company to the City of Greensboro as drainageway and open space in Plat Book 126 Page 126 recorded on November 6, 1997, as part of the Weston Woods subdivision. This parcel, also known as 4303 Bitternut Trail, is approximately 1.61 acres and located in District 4;

WHEREAS, Parcel #0068981 was dedicated by the Starmount Company to the City of Greensboro as drainageway and open space in Plat Book 134 Page 64 recorded on September 9, 1999, as part of the Weston Woods subdivision. This parcel, also known as 2001 Near Bearhollow Road, is approximately 4.47 acres and located in District 4;

WHEREAS, Parcel #0066666 was dedicated by the Starmount Company to the City of Greensboro as flood plain and open space in Plat Book 97 Page 88 on February 22, 1990, as part of the Friendly Acres North subdivision. This parcel, also known as 3909 Derbyshire Drive, is approximately 0.32 acres and located in District 4;

WHEREAS, Parcel #0041196 was dedicated by the Starmount Company as drainageway and flood plain in Plat Book 42 Page 86 on June 20, 1968, as part of the Forest Valley subdivision. This parcel, also known as 1900 Forest Valley Road, is approximately 6.54 acres and located in District 4;

WHEREAS, Parcel #0038627 was dedicated by the Starmount Company as a buffer strip and park in Plat Book 37 Page 54 on July 21, 1965, as part of the Green Valley Section One subdivision. This parcel, also known as 3300

Open Northampton Drive, is approximately 3.48 acres and located in District 4;

WHEREAS, Parcel #0038774 was dedicated by the Starmount Company as a 50' beautification easement in Plat Book 39 Page 86 on June 8, 1966, as part of the Forest Valley subdivision. This parcel, also known as 1612 YY Forest Valley Road, is approximately 2.8 acres and located in District 4;

WHEREAS, Parcel #0041250 was dedicated by the Starmount Company as a 50' beautification easement in Plat Book 42 Page 87 on June 20, 1968 as part of the Forest Valley subdivision. This parcel, also known as 1900 YY Red Forest Road, is approximately 1.77 acres and located in District 4;

WHEREAS, Parcel #0035919 was dedicated by the Starmount Company as a park in Plat Book 34 Page 73 on December 18, 1963, as part of the Guilford Hills subdivision. This parcel, also known as 1515 Gracewood Drive, is approximately 1.51 acres and located in District 4;

WHEREAS, the indicated park, flood plain, drainageway, and open space areas on the recorded subdivision plats have been reviewed and recommended for acceptance by the Greensboro Parks and Recreation Commission;

WHEREAS, it is deemed in the best interest of the City to formally accept the dedication of these flood plain, drainageway, and open space parcels.

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

That the City of Greensboro accepts the dedication of park, flood plain, drainageway, and open space parcels referenced above from the Starmount Company.

(Signed) Sharon Hightower

III. PUBLIC HEARING AGENDA

19. [ID 18-0011](#)

Ordinance Amending Chapter 30 of the Land Development Ordinance (LDO) With Respect To Zoning, Planning and Development - Open Air / Uncovered Terrace Front Setback Encroachments

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Amending Chapter 30 of the Land Development Ordinance (LDO) With Respect To Zoning, Planning and Development - Open Air / Uncovered Terrace Front Setback Encroachments; and referenced an email in support of the item from Triad Real Estate and Building Industry Coalition (TREBIC).

Councilmember Hightower requested a staff presentation.

Planning Manager Steve Galanti made a PowerPoint Presentation; referenced a previous amendment to the Land Development Ordinance for porches; outlined the definition for terraces and decks; the revised chart for encroachment requirements; additional technical amendments; spoke to the recommendation of the Planning Board; and to variance requests for the amendment.

Being no one to speak to the item, it was the consensus of Council to close the public hearing.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 2 which is hereby referred to and made a part of these minutes)

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-005 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 (7) of Section 30-7-1.4(C), Encroachments into Required Setbacks, is hereby amended to read as follows:

(7) Porches, stoops, terraces, and decks may encroach into the required front and rear setbacks as follows:

Type of Porch

Type of Encroachment	Setback	Maximum
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Encroachment	Maximum
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Area

Stoop, Uncovered	front	5 feet	35 sq. ft.
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Porch, Open Air / Covered and Terrace, Open Air / Uncovered (1)	front	10 feet	May extend up to 100% of the façade but not within the required side setbacks
-----------------------------------------------------------------	-------	---------	-------------------------------------------------------------------------------

Deck, Uncovered - 4 ft. or less	rear	50% of setback
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General Notes:

(1) Open air / covered porches and Open air / uncovered terraces must be located a minimum of 15 feet from the front property line.

Commentary: The dimensional requirements for front street setback can be found in Section 30-7-1.4(A) and further explained in the Planning Director's June 9, 2014 memo.

Section 2. That Section 30-15-5, Terms Beginning with "D" is hereby rewritten to add a definition for "Deck, Uncovered" within alphabetical order to read as follows:

Deck, Uncovered

A flat, roofless platform adjoining a house typically made of lumber (or similar materials), elevated from the ground and generally enclosed by a railing.

Section 3. That Section 30-15-19, Terms Beginning with "T" is hereby rewritten to add a definition for "Terrace, Open Air-Uncovered" within alphabetical order to read as follows:

Terrace, Open Air/Uncovered

An above grade addition to a dwelling forming an approach to a doorway, open on three sides, with a continuous footing foundation and with or without a rail as required by building code.

Section 4. That the term "Planning and Community Development Department" is hereby replaced with "Planning Department" throughout the entirety of Chapter 30, the term "Planning and Community Development Director" is hereby replaced with "Planning Director" throughout the entirety of Chapter 30, and the two corresponding definitions contained within Section 30-15-16, Terms Beginning with "P," are hereby amended to read as follows:

Planning and Community Development Department

The Planning and Community Development Department of the City of Greensboro.

Planning and Community Development Director

The Director of the Planning and Community Development Department of the City of Greensboro.

Section 5. That Subsection (a) of Section 30-8-10.4 (F)(1), Bars, Nightclubs, and Brewpubs Separations, is hereby amended to read as follows:

(a) Property Separation: Establishments on Tracts of 5 Acres or Less

No bar, nightclub or brewpub establishment located on a tract of 5 acres or less in area may be located within 200 feet of a place of religious assembly use, elementary or secondary school, public park or residentially zoned property.

Section 6. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 7. This ordinance shall become effective upon date of adoption.

(Signed) Marikay Abuzuaiter

20. [ID 18-0012](#)

Resolution Closing a Portion of East Terrell Street (Evonik Corporation / James Reittenger and Patsy Reittenger)

Mayor Vaughan stated this was the time and place set for a public hearing to consider a resolution Closing a Portion of East Terrell Street (Evonik Corporation / James Reittenger and Patsy Reittenger); and that there was a speaker to the item.

James Hoeger of Evonik Corporation, 2401 Doyle Street made a PowerPoint Presentation; highlighted the site of the project; provided a history of the company and sales worldwide; spoke to employment figures; and outlined the section of the road to be closed.

Councilmember Hightower inquired about the impact to residents; and thanked Mr. Hoeger for the investment in Greensboro.

Mr. Hoeger explained the area for a truck entrance; the use of golf carts and fork lifts; and spoke to the agreement with other tenants for an easement.

It was the consensus of Council to close the public hearing.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 2 which is hereby referred to and made a part of these minutes)

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower,
Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie
F. Wells

013-18 RESOLUTION CLOSING A PORTION OF EAST TERRELL STREET FROM A POINT APPROXIMATELY 200 FEET EAST OF ITS INTERSECTION WITH SOUTH ELM-EUGENE STREET EASTWARD A DISTANCE OF APPROXIMATELY 235 FEET TO ITS TERMINUS

WHEREAS, the owners of a portion of the property abutting both sides of this portion of East Terrell Street have requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, January 16, 2018, at 5:30 p.m. on the closing of said portion

of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof.

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

1. That in accordance with NCGS § 160A-299 and City Charter § 6.61, the City Council hereby finds as a fact that the owners of a portion of the property abutting both sides of the hereinafter mentioned portion of street have requested in writing that said portion of street be closed.
2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to its property.
3. That the City shall retain 20-foot utility easements over existing utility lines until such time as the lines are no longer needed for public use.
4. That the applicant shall install a five-foot wide concrete strip between the portion of street to remain public (open) and the portion to be closed prior to the recording of the recombination plat.
5. That the applicant shall dedicate a private ingress and egress easement for the benefit of Tax Parcel 0029743 within the entire portion of street to be closed.
6. That vehicles accessing the abutting property shall not be permitted to queue within the portion of street to remain open.
7. That the applicant shall dedicate a public access easement at the terminus of the street to remain public (open) with dimensions as per those depicted on City Standard #502 for a "Branch" type turn-around.
8. That the street closure is to become effective upon the recording of a recombination plat in the Guilford County Register of Deeds that depicts the portion of street to be closed being combined with the abutting property, the dedication of the private ingress and egress easement, and the dedication of the public access turn-around easement. Each property owner who has an ownership interest in the portion of street to be closed shall sign the plat.
9. That the following portion of street is hereby closed upon compliance with all terms and conditions as stated above:

A PORTION OF EAST TERRELL STREET FROM A POINT APPROXIMATELY 200 FEET EAST OF ITS INTERSECTION WITH SOUTH ELM-EUGENE STREET EASTWARD A DISTANCE OF APPROXIMATELY 235 FEET TO ITS TERMINUS.

(Signed) Sharon Hightower

21. [ID 17-0765](#)

Ordinance Amending the Future Land Use Map of the Greensboro Connections
2025 Future Land Use Plan for Property at 3522 and 3524 Lawndale Drive

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan for Property at 3522 and 3524 Lawndale Drive; introduced items #21 and #22 together; and stated there were speakers to the items.

Planning Manager Mike Kirkman reviewed the request, presented maps, aerial photographs and diagrams to illustrate the site and surrounding property, read the conditions attached to the zoning request, and stated that the request had been approved 6-1 by the Zoning Commission; and that staff had recommended approval of the request.

Speakers in favor of the item:

Attorney Mike Fox, 100 North Green Street representing the applicant spoke to an additional condition since the Zoning hearing; recognized new owners Ralph Jones and Mike Bateman; introduced Chuck Truby from CPT Engineering; provided an overview of the request; spoke to limited office use; a compatible district; an amendment to the 2025 Comprehensive Plan (Comp Plan); outlined the conditions of the request; stated the project did not qualify for a traffic impact study; and spoke to a growing area.

Councilmember Abuzuaiter left the meeting at 6:09 p.m. and returned at 6:14 p.m.

Attorney Fox spoke to an infill project; referenced meeting with neighboring homeowners and businesses; spoke to limited negative impacts; outlined concerns, laws and regulations regarding storm water runoff; spoke to a planned retention system; stated Mr. Truby was available to provide information regarding the storm water concerns; spoke to concessions to accommodate Leo Gomez's issues; confirmed traffic impact concerns had been addressed; referenced approval of the project; and reiterated the low impact on area neighbors.

Gary Shelton, 3530-B Lawndale Drive from the Brown Quarters Townhome community spoke to being north of the proposed project; signed statements from homeowners; the amendment restricting multi-family use; and voiced support for the project.

Ellyn Williams, 3528-B Lawndale Drive from the Brown Quarters Townhome community spoke to the location of the project to the townhomes; voiced appreciation to the property owners for working with the neighbors; and support of the project.

Speakers in opposition to the item:

Leo Gomez, 3520 Lawndale Drive voiced concerns with water drainage; referenced signatures of residents from Brown Quarters and Stone Gables Townhomes in opposition of the project; spoke to the businesses in the area; conflicts with the conditions being offered; voiced concerns with traffic; development since the last traffic study completed in 2012; a division of the neighborhood; reiterated the conveniences on Lawndale Drive; referenced offers to purchase his property over the years; and requested that Lawndale Drive not become like Battleground Avenue.

Discussion ensued regarding how long Mr. Gomez had been a resident in the area; and an increase of traffic over the years.

Donna Dailey, 5 Annalisa Drive from Stone Gables read two letters in opposition from homeowners that could not be in attendance; voiced concerns regarding traffic; the location of the vacant lots; spoke to the increase of development on Lawndale Drive and Pisgah Church Road; property values; commercial use; voiced concerns with information provided at the community meeting in October; the developer and attorney; spoke to the authority of the Homeowner Associations; miscommunications; referenced petitions provided by Mr. Gomez; and spoke to the number of homeowners opposed to the project.

In rebuttal in favor of the rezoning:

Attorney Fox spoke to comments regarding the neighborhood becoming all commercial property, traffic, and the storm water concerns; provided a Comp Plan map; stated he did not anticipate other business development due to the isolation of the lots; reiterated the area was prime for an infill project; recognized an increase of traffic throughout Greensboro; and highlighted a planned intersection improvement project for Lawndale Drive and Pisgah Church Road to address long term issues.

Chuck Truby, 502 Waycross Drive President of CPT Engineering spoke to a study of how the storm water would drain from the site; outlined current drainage of the properties; stated there would not be runoff to Stone Gables; explained the process for drainage across Mr. Gomez's property into an existing storm drainage system; and the

alleviation of drainage on Mr. Gomez's property.

Discussion took place regarding drainage improvements; eliminating runoff; sale of current homes on the property; addressing traffic concerns; implementation of conditions to protect homeowners; development of a potential business or dental office; and the need for approval of a site plan.

In rebuttal in opposition to the rezoning:

Ms. Daily spoke to the inaccuracy of the zoning map.

Mr. Kirkman explained that the map in question was a Comp Plan map; and provided the zoning map image.

Ms. Daily spoke to the mixed use zoning; voiced concerns regarding interactions with homeowners; Comp Plan alignment; spot zoning; with the potential of increased sale values for commercial use; and asked that the rezoning request to be reevaluated for compliance to the 2025 Comp Plan or that the developer be given mixed use zoning with the one story medical office building as initially presented.

Mayor Pro-Tem Johnson requested staff to address spot zoning to which City Attorney Tom Carruthers stated the project was not a spot zoning but an infill development.

Mayor Vaughan asked for information regarding the 2025 Comp Plan connections.

Planning Director Sue Schwartz provided a Generalized Future Land Use Map (GFLUM); spoke to a transition area; a modest impact; clarified GFLUM was not intended as another layer of the zoning ordinance; spoke to a reasonable proposal by the applicant; neighborhood protection from development; and highlighted evaluations for the Comp Plan.

Councilmember Wells asked for clarification on the recommendation by staff.

Councilmember Hightower inquired about the impact on Mr. Gomez; and the potential for an increase in property values.

Ms. Schwartz explained that staff had recommended approval of the request; and stated staff did not anticipate a negative impact on Mr. Gomez.

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

Councilmember Outling voiced appreciation to the applicant and speakers; spoke to difficult decisions; highest and best use of land; the City vision; acknowledged Lawndale Drive as a major thoroughfare; outlined the land uses in the area; referenced review of traffic concerns; planned improvements; spoke to the property impact; highlighted comments by Mr. Gomez regarding multiple offers on his property; spoke to the storm water issues; expressed his support of the rezoning; acknowledged the unfortunate misrepresentations with the community; and stated that Council should focus on what was in the best interest of the City.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 2 which is hereby referred to and made a part of these minutes)

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaite, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

18-006 ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP WITHIN THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30

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

WHEREAS, an amendment has been proposed as shown on the attached map to change the land use classifications for properties located at 3522 and 3524 Lawndale Drive.

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

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

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

Section 3. This ordinance shall become effective upon adoption.

(Signed) Nancy Hoffmann

22. [ID 17-0759](#)

Ordinance Rezoning Property Located at 3522 and 3524 Lawndale Drive owned by the Estate of Joseph M. and Janice Waynick

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter, to adopt the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment, for the property located at 3522 and 3524 Lawndale Drive from R-3 (Residential Single-Family – 3) to CD-O (Conditional District – Office) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro’s urban areas; the request is consistent with the Economic Development goal to promote a healthy, diversified economy; and the request does implement measures to protect neighborhoods from potential negative impacts. The motion carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

18-007 AMENDING OFFICIAL ZONING MAP

3522 AND 3524 LAWDALE DRIVE, GENERALLY DESCRIBED AS NORTH OF LAWDALE DRIVE AND EAST OF HATHAWAY DRIVE

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

Section 1. The Official Zoning Map is hereby amended by rezoning from R-3 (Residential Single Family) to CD-O (Conditional District Office).

The area is described as follows:

"BEGINNING at a new iron pipe in the southern margin of the right of way of Lawndale Drive (80' right of way) at the southeast corner of Brown Quarters Association (Deed Book 3408, page 1025, Plat Book 74, page 134, Guilford County Registry); thence with the eastern and southern boundary of Brown Quarters Association, the following two (2) courses and distances: (i) North 38 degrees 28 minutes 46 seconds East 314.14 feet to an existing iron pipe; and (ii) South 63 degrees 53 minutes 00 seconds East 112.83 feet (passing through an existing iron pipe at 102.41 feet) to an existing iron pipe in the western boundary of St. Francis Episcopal Church (Deed Book 4265, page 668, Plat Book 153, page 121, Guilford County Registry); thence with the western boundary of St. Francis Episcopal Church South 04 degrees 39 minutes 40 seconds West 125.45 feet to an existing iron pipe, the northern corner of Leandro Gomez, now or formerly (Deed Book 6136, page 257, Plat Book 19, page 49, Guilford County Registry); thence with the western boundary of Gomez, South 38 degrees 29 minutes 21 seconds West 234.31 feet to an existing bent rebar in the northern margin of the right of way of Lawndale Drive (80' right of way); thence with the northern margin of the right of way of Lawndale Drive North 51 degrees 26 minutes 40 seconds West 180.00 feet to the POINT and PLACE of BEGINNING containing 1.285 acres, more or less. "

Section 2. That the zoning amendment from R-3 (Residential Single Family) to CD-O (Conditional District Office) is hereby authorized subject to the following use limitations and conditions:

1. Permitted uses shall include all uses allowed in the Office (O) zoning district except the following:
 - a. All uses in the Group Living use category;
 - b. Wireless Telecommunications Facilities; and
 - c. Funeral Homes and Crematoriums
2. The only multifamily residential uses that shall be allowed are townhouses.
3. Maximum building height shall not exceed two (2) stories.
4. Maximum building square footage shall not exceed 25,000 square feet.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-O (Conditional District Office) zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on January 16, 2018.

(Signed) Tammi Thurm

IV. GENERAL BUSINESS AGENDA

23. [ID 18-0015](#)

Boards and Commissions Listing for January 16, 2018

Mayor Vaughan spoke to the plans for new Boards and Commissions procedures.

Moved by Councilmember Thurm, seconded by Mayor Pro-Tem Johnson to appoint James Bennett to the Library Board. The motion carried by voice vote. Moved by Councilmember Thurm, seconded by Councilmember Kennedy to appoint Hilary Goldberg to the Human Relations Commission. The motion carried by voice vote. Moved by Councilmember Thurm, seconded by Mayor Pro-Tem Johnson to appoint Cynthia Coleman to the Human Relations Commission. The motion carried by voice vote. Moved by Councilmember Thurm, seconded by Mayor Pro-Tem Johnson to reappoint Dr. Charles McQueary to the Redevelopment Commission. The motion carried by voice vote.

Mayor Pro-Tem Johnson placed the name of James Rosa, Jr into the databank for future use on a board or

commission.

24. [ID 18-0028](#)

Resolution Calling on Congress for Immediate Action to Pass the Dream Act

Mayor Pro-Tem Johnson and Councilmember Abuzuaiter read the resolution into the record.

Mayor Vaughan stated there were speakers to the item.

Fatima Hernandez, 5800 West Friendly Avenue spoke on behalf of Let's Learn Triad for the Dream Act; thanked Council for the resolution; and spoke to higher paying jobs.

Erendira Mendez, 3607 South Elm Eugene Street stated she had lived in the United States for 15 years; voiced concerns with policies; and requested Council support incentives for the clean Dream Act.

Jose Sandoval, 1202 Quail Drive referenced information provided in the resolution; provided a photo and information of Deferred Action for Children Arrivals (DACA) participants; and requested support of the Council.

Karen Spira, 3607 Gramercy Road representing the Temple Emmanuel spoke to deportation of Jews; applauded Council for the resolution; referenced bible scriptures regarding justice and morality; and spoke to protection of our immigrant neighbors.

Councilmember Abuzuaiter highlighted the photo shared by Mr. Sandoval that had been taken at the Martin Luther King breakfast; voiced Dr. King would have been in support of the Dream Act; recognized and named those in the photograph; spoke to the importance of the future for members of the society; and thanked the Human Relations Commission for contributions to the resolution.

Councilmember Hightower voiced concerns with the inhuman actions; stated the resolution needed to be moved forward; and voiced support for the item.

Mayor Pro-Tem Johnson voiced support for the item; concern for those living in fear; agreed with Councilmember Abuzuaiter regarding Dr. King's support of the item; and told the speakers from the floor that they were important, gifted and valuable.

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

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

014-18 RESOLUTION CALLING ON CONGRESS TO TAKE IMMEDIATE ACTION TO PASS THE DREAM ACT

WHEREAS, the City of Greensboro values its rich diversity, which has become a staple of the city's identity, and believes all residents contribute to what makes Greensboro an ideal place to live;

WHEREAS, approximately 3.3 million people within the United States, could be eligible for permanent relief from deportation, be granted a path to citizenship, and will have the opportunity to attend college, join the military, or be authorized to work;

WHEREAS, as of 2017, 49,712 young people were DACA (Deferred Action for Childhood Arrivals) beneficiaries in North Carolina;

WHEREAS, 73 percent of children born to DACA recipients are US born, and are therefore part of mixed-status families, with at least one undocumented parent who will be displaced from the home if legislation is not enacted;

WHEREAS, approximately three-quarters of Americans, both Republicans and Democrats, support the Dream Act which is a permanent legislative solution for safeguarding Dreamers from deportation;

WHEREAS, approximately 87 percent of DACA beneficiaries are employed with the majority working in education and health services, followed by wholesale and retail trade, business services and hospitality, and make a significant contribution to the pool of taxpayers and homeowners in our community;

WHEREAS, DACA recipients in Greensboro include Guilford County School students, college students, teachers, first responders, healthcare professionals, and small business owners;

WHEREAS, if DACA beneficiaries are removed from our labor market, North Carolina would experience a \$1.1 billion annual GDP loss.

WHEREAS, the City of Greensboro is committed to promoting programs and policies, such as the Dream Act, that empower and protect immigrant youth so that they can pursue their dreams as active participatory members of the City of Greensboro's education system, workforce, and overall economy;

WHEREAS, if Congress fails to enact legislation, DACA recipients could be deported beginning as soon as March 6, 2018.

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

That it calls on Congress to immediately pass the Dream Act; the City of Greensboro is committed to promoting programs and policies, such as the Dream Act, that will empower and protect immigrant youth so that they are able to pursue their dreams and be active participatory members of the City of Greensboro.

AND BE IT FURTHER RESOLVED,

That a copy of this Resolution be sent to the Chair of the Guilford Delegation to the 115th Congress, the Mayor, the Honorable Speaker of the House, the President of the North Carolina Senate, the members of the Guilford County Delegation to the General Assembly, the Chair of the Human Relations Commission and the Chair of the International Advisory Committee, and the Mayor's Legislative Liaison to the City Council.

(Signed) Yvonne Johnson

Mayor Vaughan declared a recess at 7:25 p.m. Council reconvened at 7:51 p.m. with all members in attendance.

25. [ID 17-0795](#)

Resolution Approving Bid in the Amount of \$1,055,880 and Authorizing Execution of Contract 2017-70 with Breece Enterprises, Inc. for the Church Street 12" Waterline Replacement Project

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

015-18 RESOLUTION APPROVING BID IN THE AMOUNT OF \$1,055,880 AND AUTHORIZING EXECUTION OF CONTRACT 2017-70 WITH BREECE ENTERPRICES, INC. FOR THE CHURCH STREET 12" WATERLINE REPLACEMENT PROJECT

WHEREAS, after due notice, bids have been received for 12" waterline replacement for the Church Street project;

WHEREAS, Breece Enterprises, Inc. a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,055,880 as general contractor for Contract No. 2017-70 which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

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

That the bid hereinabove mentioned submitted by Breece Enterprises, Inc. is hereby accepted, and the City is authorized to enter into a contract with Breece Enterprises, Inc. for the 12" waterline replacement for the Church Street 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 \$1,055,880 from account 503-7027-01.6016 A18038 and the associated budget adjustment.

(Signed) Marikay Abuzuaiter

26. [ID 18-0007](#)

Resolution Approving Settlement Agreement between the City of Greensboro and the Guilford County Board of Education

Mayor Vaughan asked for an update on the recent water main issues.

Water Resources Director Steve Drew spoke to approximately 140 water main breaks; crews working on an emergency schedule; to visiting crews during their shifts; and to providing hot food and beverages to crews.

Discussion ensued regarding the number of typical breaks during the winter months; the use of water and sewer funds to replace old cast iron pipes; and repairs being permanent.

Councilmember Outling spoke to a conflict of interest on item #26; and asked for a recusal from the item.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Thurm to excuse Councilmember Outling from item #26. The motion carried by voice vote.

Mayor Pro-Tem Johnson asked for clarification of the item; spoke to the red light camera program; and to the fines being paid to the school system.

City Attorney Carruthers confirmed the item was a reflection of the red light program; provided the history of the item; spoke to funding allocations for \$1.5 million for the Property Tax Late Listing penalties, Fire Code violations, non-permitted uses of water and the Handicap Parking fines; and to deductions allowed by statute for administrative fees.

Discussion ensued regarding identification of other penalties; the school system funding needs; the history of the item; red light fines; good faith negotiations; and a fair and equitable settlement.

Mayor Vaughan clarified that tickets written by the Greensboro Police Department, and court fees and fines were paid to the school system as well.

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

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Tammi Thurm and Goldie F. Wells

Excused, 1 - Justin Outling

016-18 RESOLUTION APPROVING THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND THE GUILFORD COUNTY BOARD OF EDUCATION

WHEREAS, the North Carolina Constitution Article IX, Section 7 provides in part that the "clear proceeds ("Clear Proceeds") of all penalties and forfeitures and of all fines collected in the several counties for any breach of the penal laws of the State, shall belong to and remain in the several counties, and shall be faithfully appropriated and used exclusively for maintaining free public schools;" and

WHEREAS, NCGS §115C-437 provides in part that "the clear proceeds of all penalties and forfeitures and of all fines collected . . . shall include the full amount . . . diminished only by the actual costs of collection, not to exceed ten percent (10%) of the amount collected;" and

WHEREAS, in fairly recent litigation from a neighboring jurisdiction, the court clarified the types of monies to be classified as clear proceeds. (Shavitz v. City of High Point, 177 NC App. 465 (2006)); and

WHEREAS, the Guilford County Board of Education contacted the City of Greensboro to demand payment of the clear proceeds owed to it under the North Carolina Constitution and Shavitz; and

WHEREAS, the Legal Department negotiated a proposed settlement with the Guilford County Board of Education which resulted in a reduction of \$452,080.95 in the amount demanded. The late listings penalties amount of \$463,974.34 will be paid from the General Fund in January 2018. The amount of the other penalties, which have now been determined to be \$1,057,069.76, will be expensed with the settlement recorded in the General Risk Retention Fund; 50% of the liability, \$528,534.88, will be paid December 2018, and 50% of the liability, \$528,534.88, will be paid December 2019; and

WHEREAS, moving forward, the City will pay the amounts owed on an annual basis, less a 10% administrative fee.

NOW, THEREFORE, Be it resolved by the City Council of the City of Greensboro that the Mutual Settlement Agreement concerning the payment of Clear Proceeds between the City of Greensboro and the Guilford County Board of Education attached hereto is hereby approved.

(Signed) Yvonne Johnson

27. [ID 18-0023](#)

Resolution Authorizing the Conveyance of a Shared, Non-Exclusive Access Easement over City Property Located at 112 East Market Street and Running Behind the Buildings Located at 101-117 South Elm Street out to East Market Street with an approximate width of 10 feet, subject to verification by survey, for the Benefit of the Properties Located at 101, 113, 115, and 117-119 South Elm Street To Replace Their Existing Access Easement That Will Be Acquired By The City And Closed As Part Of The February One Downtown Development Project

Councilmember Outling spoke to a conflict of interest; and requested a recusal from the item.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter to excuse Councilmember Outling from item #27. The motion carried by voice vote.

Councilmember Outling left the meeting 8:10 p.m.

Mayor Vaughan asked if item was correct as printed.

City Attorney Carruthers referenced conversations with Hester Petty during the recess regarding the language of the resolution; provided Council with a copy of the revised resolution of the easement over City property; spoke to the

publication of the survey; to the negotiations with the property owners to provide equal or better access; deeded easement rights; replacement of an approximate ten foot easement; and to minimal inconveniences during construction.

Discussion took place regarding a permanent deeded easement; the desire for an As Built Survey to be done; the need to provide an easement for the property owners; the anticipation of an approximate eighteen foot wide easement; broadening property rights; the status of property settlements; the amendments to the resolution; the permanent easement being subject to another resolution; space allotment for trashcans, a stairwell, and foot pathway without obstruction; location of the construction fence; an upcoming technical review committee meeting; conversations for negotiations with the property owners; and future development of the City.

Councilmember Hightower voiced she would not support the item due to concerns regarding the condemnation portion of the item; concern with potential future actions of Council in regards to the easement; requested that any item regarding the parking deck to be included on the business agenda; and voiced support of small businesses.

Councilmember Abuzuaiter left the meeting at 8:19 p.m. and returned at 8:25 p.m.

Hester Petty, 3402 Canterbury Street spoke to the amended resolution; voiced disagreement and concern with the item; spoke to egress and regress; to a narrow alley; the need for Fire approval; and requested the item be postponed for additional language.

Discussion continued regarding a citizen email about funding; issuance of obligation bonds; and increases in property and hotel/motel taxes.

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

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

Excused, 1 - Justin Outling

017-18 RESOLUTION AUTHORIZING THE CONVEYANCE OF A SHARED, NON-EXCLUSIVE ACCESS EASEMENT OVER CITY PROPERTY LOCATED AT 112 EAST MARKET STREET AND RUNNING BEHIND THE BUILDINGS LOCATED AT 101-117 SOUTH ELM STREET OUT TO EAST MARKET STREET WITH AN APPROXIMATE WIDTH OF 10 FEET, AS DESCRIBED BY SURVEY, FOR THE BENEFIT OF THE PROPERTIES LOCATED AT 101, 113, 115, AND 117-119 SOUTH ELM STREET TO REPLACE THEIR EXISTING ACCESS EASEMENT THAT WILL BE ACQUIRED BY THE CITY AND CLOSED AS PART OF THE FEBRUARY ONE DOWNTOWN DEVELOPMENT PROJECT

WHEREAS, as part of the construction of the February One Downtown Development Project, the City will acquire and close the existing ingress, egress, and regress easement located at 112 East Market Street and running to Davie Street, identified in DB 669, Page 576, DB 853 Page 198, and DB 1206 Page 424 and Page 436 that benefits the property owners located at 101, 113, 115, and 117-119 South Elm Street, and replace it with a new shared, non-exclusive easement to the affected property owners which will provide these property owners an equal or better ingress, egress, and regress easement to East Market Street.

WHEREAS, this new easement will be approximately ten feet wide and will begin at 112 East Market Street and run behind the buildings located at 101-117 South Elm Street out to East Market Street as more particularly described in the attached Exhibit A.

WHEREAS, this easement will be subject to a temporary construction easement in favor of the City during construction planned by the February One Downtown Development, a parking license, and a permanent utility and refuse and recycling collection easement in favor of the City and/or its assigns.

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

That the City Council authorizes the Mayor to convey a shared, non-exclusive easement over City property located at 112 East Market Street and running behind the buildings located at 101-117 South Elm Street out to East Market Street, as described in the attached Exhibit A survey, for the benefit of the properties located at 101, 113, 115, and 117-119 South Elm Street, the same to replace their existing access easement that will be acquired by the City and closed as part of the February One Downtown Development Project. This new easement will also be subject to a temporary construction easement during construction planned by the February One Downtown Development, a parking license, and a permanent utility and refuse and recycling collection easement.

(Signed) Nancy Hoffmann

Councilmember Outling returned to the meeting at 8:27 p.m.

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

Councilmember Hightower voiced concerns regarding support for the Minority/Women Business Enterprises (M/WBE) program; requested staff to provide information from the Disparity Study; highlighted M/WBE as an economic development driver; spoke to lower poverty rates; and requested staff to research enhancements to the program.

Mayor Vaughan spoke to previous conversations regarding M/WBE; voiced the need for outreach to contractors; requested staff to provide calculations for majority contractors employing minority workers above living wages to reflect good faith efforts; and to research ways to build capacity.

City Attorney Carruthers confirmed staff would review allowances within the law; spoke to the first Disparity Study in seven years; and to enabling legislation.

Councilmember Hightower referenced discussions for additional M/WBE staff; spoke to the upcoming Thrive Greensboro event on January 26th; the City's "Ban the Box" program; requested staff to increase promotion of events and opportunities for ex-offenders; and voiced appreciation for Martin Luther King (MLK) Day events.

Councilmember Wells expressed appreciation for support of the Renaissance Co-Op event; highlighted additional MLK events that took place; spoke to a food and financial desert; and stated she had attended a ribbon cutting for the Greensboro Municipal Credit Union.

Mayor Vaughan referenced to a supplemental item that needed to be addressed.

City Manager Westmoreland stated the titles reflected in the November 14, 2017 meeting minutes regarding the postponement of Items #47/ID 17-0488, #48/ID 17-0728 and #49/ID 17-0746 were incorrect; and that the minutes needed to be amended; explained how the error had occurred; and spoke to the need for a motion to amend the minutes.

Moved by Councilmember Kennedy, seconded by Councilmember Thurm to amend the November 14, 2017 meeting minutes regarding the postponement of the following items to read as follows: to amend the title for Item #47/ID 17-0488 to read Resolution Authorizing the February One Downtown Development Project Including a Construction Reimbursement Agreement Between the City of Greensboro and Elm Street Hotel, LLC in an Amount not to Exceed \$28,000,000; to amend the title for Item #48/ID 17-0728 to read Resolution Authorizing the Eugene Downtown Development Project Including a Construction Reimbursement Agreement Between the City of Greensboro and CHI Greensboro, LLC in an Amount Not to Exceed \$28,000,000; and to amend the title for Item #49/ID17-0746 to read Ordinance Appropriating Funds for Downtown Construction Reimbursement Agreements for Two Public

Parking Decks. The motion carried by voice vote.

Councilmember Thurm stated the M/WBE program was a high priority for the Council retreat.

Councilmember Abuzuaiter voiced appreciation for the DACA resolution.

Mayor Pro-Tem Johnson highlighted the MLK activities; referenced recent acts of violence; voiced excitement for the upcoming Council retreat; and spoke to addressing M/WBE concerns and goals.

Councilmember Kennedy concurred the M/WBE was a high priority as well; asked staff to research the inclusion of local preference as part of the point matrix; a quicker repayment processes; and spoke to City equity.

Matters to be presented by the City Manager

City Manager Westmoreland provided information for the Council Retreat to be held on Thursday, February 8th from 1 p.m. to 5 p.m. and on Friday, February 9th from 9 a.m. to 4 p.m. at the Atlantic Coast Conference (ACC) Hall of Champions Board room.

Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

Councilmember Wells announced a District 2 Town Hall meeting on January 30th at Union Square Campus from 6:30 p.m. to 8:30 p.m.

Adjournment

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

THE CITY COUNCIL ADJOURNED AT 8:49 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR