

City of Greensboro

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

Meeting Minutes - Final City Council

Tuesday, November 20, 20185:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:38 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

Present:	8 -	Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember		
		Marikay Abuzuaiter, Councilmember Sharon M. Hightower, Councilmember Nancy		
		Hoffmann, Councilmember Justin Outling, Councilmember Tammi Thurm and		
		Councilmember Goldie F. Wells		

Absent: 1 - Councilmember Michelle Kennedy

Also present were City Manager David Parrish, Interim City Attorney Jim Hoffman, 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 Boy Scout Troop #244 from Saint Pius Catholic Church to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

Mayor Vaughan asked for a motion to excuse Councilmember Kennedy from the meeting.

Moved by Councilmember Wells, seconded by Mayor Pro-Tem Johnson to excuse Councilmember Kennedy from the meeting. The motion carried by voice vote.

City Manager David Parrish recognized Andrew Harvey of the Guilford Metro 911 Department who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

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

38. <u>ID 18-0706</u> Ordinance Rezoning Property Located at 5300 High Point Road - Henry Isaacson, for KSL Sedgefield Pilot LLC

Mayor Vaughan stated that Council had received a request to postpone item #38, an Ordinance Rezoning Property Located at 5300 High Point Road - Henry Isaacson, for KSL Sedgefield Pilot LLC to the December 18th meeting of Council; and that each side would be allowed five minutes for discussion on the postponement of the item.

Speakers In favor of a postponement:

Don Vaughan, 612 West Friendly Avenue voiced concern with property owners being properly notified of the rezoning; recognized those that were opposed to the item in the audience; spoke to the need to meet with the

applicant; and requested a continuance of the item.

Speakers In opposition of a postponement:

Henry Isaacson, 804 Green Valley Road provided a handout to Council; recognized Co-Counsel Richard Tranter from Cincinnati Ohio; outlined meetings that had been held for the project; reviewed dates of meetings with neighboring property owners and the Zoning Commission; stated 203 letters had been mailed using a list provided by the City; spoke to conditions that had been requested and met; last minute requests; to a redesign of the site plan; stated neighbors had been given ample time to express concerns; and voiced a continuance would not be beneficial.

Attorney Tranter spoke to the appeal of the opposing group; and requested Council move the item forward tonight.

Discussion took place regarding granting the first request for a zoning postponement; valid reasons for a postponement; and information that had been provided to the neighboring property owners.

Moved by Councilmember Hoffmann, seconded by Councilmember Abuzuaiter, to DENY the request for postponement. The motion carried on the following roll call vote:

- Ayes, 7 Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells
- Nays, 1 Sharon M. Hightower
- Absent, 1 Michelle Kennedy

Mayor Vaughan confirmed the item would be heard during the Public Hearing portion of the agenda.

I. CONSENT AGENDA

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

Councilmember Outling spoke to a conflict of interest with Items #12 and #13; and requested to be recused from said items.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Thurm to excuse Councilmember Outling from items #12 and #13 on the consent agenda. The motion carried by voice vote.

Councilmember Hightower requested Items #1, #2 and #5 be removed for the purpose of voting 'No' on said items.

12. ID 18-0709 Resolution Authorizing Acceptance of Dedication of Nine Floodplain, Drainageway and Open Space Parcels from Kavanaugh Associates, Inc., Westminster Homes, Inc./Saddle Creek Homeowners Association Carrolland Corporation, Westminster Homes of North Carolina, Inc., Portrait Homes Construction Co, Koury Corporation, Chatoyancy, LLC/Keystone Group, Inc., Westtown Ltd./Carriage Crossing Homeowner Association and Jarret Construction Co., Inc.

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

Ayes, 7 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Tammi Thurm and Goldie F. Wells

Excused, 1 - Justin Outling

Absent, 1 - Michelle Kennedy

276-18 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION OF TEN FLOOD PLAIN, DRAINAGEWAY AND OPEN SPACE PARCELS FROM KAVANAUGH ASSOCIATES INC. WESTMINSTER HOMES, INC./SADDLE CREEK HOMEOWNERS ASSOCIATION CARROLLAND CORPORATION WESTMINSTER HOMES OF NORTH CAROLINA, INC. PORTRAIT HOMES CONSTRUCTION CO. KOURY CORPORATION CHATOYANCY, LLC/KEYSTONE GROUP, INC. WESTTOWN LTD./CARRIAGE CROSSING HOMEOWNERS ASSOCIATION JARRETT CONSTRUCTION CO., INC.

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 #0072963 was dedicated by Kavanaugh Associates Inc. to the City of Greensboro as drainageway and open space on the Final Plat for Old Towne @ Richland Creek a.k.a. The Grande at Lake Jeanette, Section A, Phase II in Plat Book 158 Page 76 recorded on February 9, 2005. This parcel, also known as 4017 Near Lake Jeanette Road, is approximately 0.17 acres, zoned Planned Unit Development, and is located in Council District 3. A proposed portion of the Hickory Greenway is located near this parcel;

WHEREAS, Parcel #0082350 was dedicated by Westminster Homes, Inc. to the City of Greensboro as drainageway and open space in Plat Book 124 Page 13 recorded on March 25, 1997, as part of Phase 3-A Saddle Creek a.k.a Brassfield. This parcel, also known as 3400 YY Bardwell Road, is approximately 3.1 acres, zoned R-5, and is located in Council District 4. A proposed portion of the Price Park Extension is located on this parcel;

WHEREAS, Parcel #0091111 was dedicated by Carrolland Corporation to the City of Greensboro and the public as drainageway and open space in Plat Book 156 Page 18 recorded on August 16, 2004, as part of Phase 3, Map 2 Storrington. This parcel, also known as 5621 Near Waterpoint Drive, is approximately 0.63 acres, zoned R-3, and is located in Council District 2. A proposed portion of the Utility Trail #4 is located on this parcel;

WHEREAS, Parcel #0082355 was dedicated by Westminster Homes of North Carolina, Inc. to the City of Greensboro, Guilford County, and the public as drainageway and open space and utility easement in Plat Book 118 Page 41 recorded on October 19, 1995 and re-recorded in Plat Book 119 Page 79 in 1996, as part of Phase 2A Saddle Creek a.k.a Brassfield. This parcel, also known as 3206 YY Bardwell Road, is approximately 1.6 acres, zoned R-3, and is located in Council District 4. The proposed Price Park Ext. Spur is located on this parcel;

WHEREAS, Parcel #0073168 was dedicated by Portrait Homes Construction Co. to the City of Greensboro and the public as drainageway and open space in Plat Book 144 Page 39 recorded on December 3, 2001, as part of the Final Plat of Coble Farm. This parcel, also known as 1226 Rear Satinwood Drive, is approximately 0.96 acres, zoned CD-RM-8, and is located in Council District 5. A portion of the Bicennential Greenway is located on this parcel;

WHEREAS, Parcel #0057243 was dedicated by Koury Corporation to the City of Greensboro as flood plain in Plat Book 62 Page 38 on September 15, 1978, as part of Section 2 Westridge Valley, and later dedicated as flood plain and open space in Plat Book 86 Page 85 on July 27, 1987, as part of Section 3 Westridge Valley. This parcel, also known as 1709 Foxhollow Road, is approximately 3.47 acres, zoned R-3, and is located in Council District 4. The proposed Red Greenway is located on this parcel;

WHEREAS, Parcel #0093545 was dedicated by Chatoyancy, LLC to the City of Greensboro and the public for drainageway and open space and utility easement in Plat Book 175 Page 43 on August 13, 2008, as part of the Final Plat of Cardinal Vista. This parcel, also known as 5909 Cardinal Lake Drive, is approximately 6.3 acres, zoned R-3, and is partially located in Council District 3 and partially located in Council District 5. This parcel is currently listed by the Guilford County Tax Department as owned by the Keystone Group, Inc. A proposed portion of the Northwest School is located on this parcel;

City Council

WHEREAS, Parcel #0062353 was dedicated by Westtown Ltd. to the City of Greensboro as flood plain and open space in Plat Book 79 Page 62 on November 5, 1985, as part of Phase I of Carriage Crossing. This parcel, also known as 804 YY Carriage Crossing Lane, is approximately 0.73 acres, is partially zoned CD-RM-8 and partially zoned R-3, and is located in Council District 5. This parcel is currently listed by the Guilford County Tax Department as owned by the Carriage Crossing Homeowners Association Inc. A portion of Bicentennial Greenway is located near this parcel;

WHEREAS, Parcel #0081799 was dedicated by Jarrett Construction Co., Inc. to the City of Greensboro, Guilford County, and the public as drainageway and open space and utility easement in Plat Book 112 Page 73 on June 8, 1994, as part of the Final Plat of Section 5 of Woodland Hills. This parcel, also known as 3303 YY Crosstimbers Court, is approximately 0.69 acres, zoned R-3, and is located in Council District 4. A portion of the Price Park Extension crosses this parcel;

WHEREAS, the indicated 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 the flood plain, drainageway, and open space parcels referenced above.

(Signed) Tammi Thurm

13.	<u>ID 18-0708</u>	Resolution Authorizing Acceptance of Dedication of Twenty-four
		Drainageway and Open Space Parcels from Reedy Fork East, LLC,
		Reedy Fork Limited Partnership, Evangel Word Ministries, Inc.,
		Bentsen-Minor Holdings, LLC, Woodberry, LLC, Weaver Investment
		Company, Connecticut Mutual Life Insurance Company, Linder
		Ventures III, LLC, M&F Properties/WTA Holdings, LLC and Highwood
		Forsyth Limited Partnership
		Moved by Councilmember Abuzuaiter, seconded by Councilmember Thurm, to adopt the resolution. The motion carried on the following roll call vote:
	Aves.	7 - Nancy Vaughan, Yyonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower

- Ayes, 7 Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Tammi Thurm and Goldie F. Wells
- **Excused**, 1 Justin Outling
- Absent, 1 Michelle Kennedy

277-18 RESOLUTION AUTHORIZING ACCEPTANCE OF DEDICATION OF TWENTY-FOUR DRAINAGEWAY AND OPEN SPACE PARCELS FROM REEDY FORK EAST, LLC REEDY FORK LIMITED PARTNERSHIP EVANGEL WORD MINISTRIES INC. BENTSEN-MINOR HOLDINGS, LLC WOODBERRY LLC WEAVER INVESTMENT COMPANY CONNECTICUT MUTUAL LIFE INSURANCE COMPANY LINDER VENTURES III, LLC M & F PROPERTIES/WTA HOLDINGS, LLC HIGHWOODS FORSYTH LIMITED PARTNERSHIP

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 #0090637 was dedicated by Reedy Fork East, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat for The Villages of Reedy Fork Sycamore Glen aka Phase 2 Village 2B – Section 2 in Plat Book 169 Page 49 recorded on April 12, 2007. This parcel, also known as 6001 Rear Trailshead Drive, is approximately 8.7 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0083998 was dedicated by Reedy Fork East, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat for Map 1 of 2 "Willow Creek" at Reedy Fork Ranch in Plat Book 147 Page 63 recorded on August 15, 2002. This parcel, also known as 6001 Near Black Willow, is approximately 18.45 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090530 was dedicated by Reedy Fork East, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat for The Towns at South Village – Section One in Plat Book 161 Page 17 recorded on August 18, 2005. This parcel, also known as 4322 Reedy Fork Parkway, is approximately 3.82 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0084332 was dedicated by Reedy Fork East, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat for "Elderbrush Way" at Reedy Fork Ranch in Plat Book 147 Page 65 recorded on August 15, 2002. This parcel, also known as 4211 Pepperbush Drive, is approximately 7.22 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090634 was dedicated by Reedy Fork East, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat of South Village Place aka The Towns at South Village – Section Two in Plat Book 164 Page 90 recorded on May 8, 2006. This parcel, also known as 4429 Reedy Fork Parkway, is approximately 2.39 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090632 was dedicated by Reedy Fork East, LLC to the City of Greensboro and public for drainage way and open space on the Final Plat of The Villages of Reedy Fork Sycamore Glen aka Phase 2 Village 2 – Section 1 in Plat Book 166 Page 28 recorded on July 26, 2006. This parcel, also known as 4428 Reedy Fork Parkway, is approximately 3.91 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0083997 was dedicated by Reedy Fork East, LLC to the City of Greensboro as drainage way and open space on the Final Plat for Map 2 of 2 "Willow Creek" at Reedy Fork Ranch aka Village 2 – Phase 1 The Villages of Reedy Fork in Plat Book 147 Page 64 recorded on August 15, 2002. This parcel, also known as 6214 YY Black Willow Drive, is approximately 0.73 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090537 was dedicated by Reedy Fork East, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat for The Village of Reedy Fork – Phase 1 Recreation Center in Plat Book 149 Page 86 recorded on February 14, 2003. This parcel, also known as 4310 YY Reedy Fork Parkway, is approximately 8.21 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090534 was dedicated by Reedy Fork East, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat for "Arrowwood" at Reedy Fork Ranch aka Village 5 – Phase 1 The Villages of Reedy Fork in Plat Book 147 Page 67 recorded on August 15, 2002. This parcel, also known as 17 Open Bluestem Court, is approximately 3.79 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090905 was dedicated by Reedy Fork East, LLC to the City of Greensboro and public as drainage way and open space on the Plat of The Villages of Reedy Fork Oakgate Subdivision aka Phase 4 Section 3B1 in Plat Book 172 Page 1 recorded on October 19, 2007. This parcel, also known as 5500 Near Oakgate Drive, is approximately 0.37 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0084237 was dedicated by Reedy Fork Limited Partnership to the City of Greensboro and the public as drainage way and open space on the Final Plat Sheet 2 of 2 Reedy Fork Ranch Arrowwood – Phase 2 in

Plat Book 154 Page 117 recorded on May 20, 2004. This parcel, also known as 3944 A Bluestem Drive, is approximately 0.834 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090876 was dedicated by Reedy Fork East, LLC to the City of Greensboro and public as drainage way and open space on the Plat of The Villages of Reedy Fork Hardie Farm Place aka – Phase 4 Section 3A1 in Plat Book 171 Page 150 recorded on October 19, 2007. This parcel, also known as 5500 Rear Hardie Farm Drive, is approximately 4.22 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090533 was dedicated by Reedy Fork East, LLC to the City of Greensboro and the public as drainage way and open space on the Final Plat for "Boxelder Landing" at Reedy Fork Ranch aka Village 4 - Phase 1 The Villages of Reedy Fork in Plat Book 147 Page 66 recorded on August 5, 2002. This parcel, also known as 4301 Pepperbush Drive, is approximately 21.17 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0090606 was dedicated by Reedy Fork East, LLC to the City of Greensboro and public for drainage way and open space on the Final Plat for The Villages of Reedy Fork Sycamore Glen aka Phase 2 – Village 1 in Plat Book 161 Page 6 recorded on August 12, 2005. This parcel, also known as 4317 Reedy Fork Parkway, is approximately 8.63 acres, zoned Planned Unit Development, and is located in Council District 2;

WHEREAS, Parcel #0079177 was dedicated by Evangel Word Ministries Inc. to the City of Greensboro and public as drainage way and open space on the Final Plat for Evangel Word Ministries Inc. in Plat Book 160 Page 4 recorded on May 27, 2005. This parcel, also known as 2210 YY E. Cone Boulevard, is approximately 6.74 acres, zoned R-3, and is located in Council District 2;

WHEREAS, Parcel #0082358 was dedicated by Westminster Homes, Inc. to the City of Greensboro as drainage way and open space on the Final Plat Phase 2-B Saddle Creek aka Brassfield in Plat Book 122 Page 38 recorded on October 11, 1996. This parcel, also known as 3701 YY Terrault Drive, is approximately 3.14 acres, zoned R-3, and is located in Council District 4;

WHEREAS, Parcel #0073474 was dedicated by Bentsen-Minor Holdings LLC to the City of Greensboro and the public as drainage way and open space on the Condominium Plat & Easement Dedication at Brassfield Professional Center in Condominium Plat Book 7 Page 92 recorded on December 14, 2001. This parcel, also known as 2006 YY New Garden Road, is approximately 1.18 acres, zoned CD-O, and is located in Council District 4;

WHEREAS, Parcel #0085660 was dedicated by Woodberry LLC to the City of Greensboro as drainage way and open space on the Phase 1 Final Plat of Woodberry Park in Plat Book 129 Page 47 recorded on July 14, 1998. This parcel, also known as 5816 Wildrose Drive, is approximately 1.27 acres, zoned CD-R-3, and is located in Council District 3;

WHEREAS, Parcel #0082192 was dedicated by Weaver Investment Company to the public, City of Greensboro and Guilford County as drainage way, open space, and utility easement on the Final Plat Camden Falls Phase II in Plat Book 116 Page 122 recorded on June 23, 1995. This parcel, also known as 3625 YY Camden Falls Circle, is approximately 1.73 acres, zoned R-3, and is located in Council District 4;

WHEREAS, Parcel #0055992 was dedicated by Connecticut Mutual Life Insurance Company to the City of Greensboro as drainage way and open space on the Final Plat for Property of Connecticut Mutual Life Insurance Company in Plat Book 114 Page 111 recorded on December 19, 1994. This parcel, also known as 2400 YY Sixteenth Street, is approximately 1.7 acres, zoned LI, and is located in Council District 2;

WHEREAS, Parcel #0056004 was dedicated by Linder Ventures III, LLC to the City of Greensboro by Deed of Dedication recorded in Book 6027 Page 2225 on February 4, 2004. This parcel, also known as 2206 Sixteenth Street, is approximately 3.895 acres, zoned LI, and is located in Council District 2;

WHEREAS, Parcel #0098259 was dedicated by M & F Properties to the City of Greensboro as drainage way and open space on the Final Plat of M & F Properties in Plat Book 144 Page 106 recorded on January 8, 2002, and re-dedicated by WTA Holdings, LLC to the City of Greensboro as drainage way and open space on the IMUD Final Plat Sheet 1 of 1 498 and 500 Gallimore Dairy Road in Plat Book 193 Page 34 recorded on December 8, 2016. This parcel, also known as 498 Rear Gallimore Dairy Road, is approximately 1.55 acres, zoned CD-HI, and is located in Council District 5;

WHEREAS, Parcel #0098254 was dedicated by Highwoods Forsyth Limited Partnership to the City of Greensboro as drainage way and open space on the Right-of-Way and Open Space Dedication Survey for Highwoods Forsyth Limited Partnership Airpark South in Plat Book 128 Page 94 recorded on May 7, 1998. This parcel, also known as 430 Rear Gallimore Dairy Road, is approximately 6.6 acres, zoned LI, and is located in Council District 5;

WHEREAS, Parcel #0098260 was dedicated by M & F Properties to the City of Greensboro as drainage way and open space on the Final Plat of M & F Properties in Plat Book 144 Page 106 recorded on January 8, 2002, and re-dedicated by WTA Holdings, LLC to the City of Greensboro as drainage way and open space on the IMUD Final Plat Sheet 1 of 1 498 and 500 Gallimore Dairy Road in Plat Book 193 Page 34 recorded on December 8, 2016. This parcel, also known as 600 Rear Gallimore Dairy Road, is approximately 2.63 acres, zoned CD-LI, and is located in Council District 5;

WHEREAS, the indicated drainage way 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 drainage way 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 the drainage way and open space parcels referenced above.

(Signed) Marikay Abuzuaiter

Mayor Vaughan asked for a motion to adopt the Consent Agenda as amended.

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

3. <u>ID 18-0728</u> Resolution Approving Sewer Connection to Serve the Proposed Guilford County Animal Shelter Located at 980 Guilford College Road

278-18 RESOLUTION APPROVING SEWER CONNECTION TO SERVE THE PROPOSED GUILFORD COUNTY ANIMAL SHELTER LOCATED AT 980 GUILFORD COLLEGE ROAD

WHEREAS, the City of Greensboro Policy for Water and Sewer Services "Outside the Corporate Limits" was adopted with amendments by City Council on May 20, 2014;

WHEREAS, the Water Resources Department received a request from Guilford County's proposed Animal Shelter requesting consideration of a connection to the sewer main north of the existing property located at 980 Guilford College Road;

WHEREAS, the property is outside the City's Water Sewer Service Area (WSSA) and the Water and Sewer Services "Outside the Corporate Limits" policy does not administratively allow approval of this type of request, so the connection requires the approval of City Council;

WHEREAS, the new connection will have to be submitted for plan development review as part of the extension and according to the feasibility a new 8-inch sewer extension is acceptable to the Water Resources Department;

WHEREAS, a "Utility and Development Agreement and Petition for Annexation" signed by the current property owner will be delivered to the City of Greensboro in consideration of the sewer connection.

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

That City Council authorizes a sewer connection to serve 980 Guilford College Road in accordance with the City of Greensboro Policy for Water and Sewer Services "Outside the Corporate Limits."

(Signed) Goldie Wells

4. <u>ID 18-0714</u> Resolution Approving a Contract in the Amount of \$250,000 with Hydrostructures, P.A. for Cleaning and Video Inspection of Gravity Sewer Lines

279-18 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$250,000 WITH HYDROSTRUCTURES, P.A. FOR CLEANING AND VIDEO INSPECTION OF GRAVITY SEWER LINES

WHEREAS, on September 10, 2018, the Water Resources Department issued a Request for Proposals (RFP) for cleaning and video inspection of gravity sewer lines;

WHEREAS, Hydrostructures, P.A. and Precision Measurements, Inc. (PMI Inc.) were the two firms that submitted proposals and were selected to provide the department with flexibility and timely assessments for next year's sewer rehabilitation contract;

WHEREAS, the services of Hydrostructures, P.A. will be utilized to inspect large diameter sewer with CCTV and sonar. The services team will include Hydrostructures, P.A., CriTek Engineering Group, and KRG Utility, Inc.

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

That the City is authorized to enter into a contract with Hydrostructures, P.A. to provide Cleaning and Video Inspection of Gravity Sewer Lines 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 \$250,000 from Water Resources Capital Fund Account No. 503-7028-02.5615 and the associated budget adjustment.

(Signed) Goldie Wells

6. <u>ID 18-0675</u> Resolution Approving Bid in the Amount of \$486,043.00 and Authorizing Execution of Contract 2018-010 with Yates Construction Company, Inc. for the Construction of the Hobbs Road Sidewalk Improvements

280-18 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2018-010 WITH YATES CONSTRUCTION COMPANY, INC. FOR THE CONSTRUCTION OF THE HOBBS ROAD SIDEWALK IMPROVEMENTS

WHEREAS, after due notice, bids have been received for the Hobbs Road Sidewalk Improvements project;

WHEREAS, Yates Construction Company, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$486,043.00 as general contractor for Contract No. 2018-010, 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 Yates Construction Company, Inc. is hereby accepted, and the City is authorized to enter into a contract with Yates Construction Company, Inc. for the Hobbs Road Sidewalk Improvements 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 \$486,043.00 from 471-4502-15.6015 A11132.

(Signed) Goldie Wells

7. <u>ID 18-0631</u> Resolution Authorizing Additional Funds for Contract 2016-10489 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Solid Waste Collections Services in the Field Operations Department

281-18 RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR CONTRACT 2016-10489 TO HIRE QUEST, LLC DBA TROJAN LABOR FOR TEMPORARY LABOR SERVICES FOR SOLID WASTE COLLECTIONS IN THE FIELD OPERATIONS DEPARTMENT

WHEREAS, the Field Operations Department contracted with temporary labor staffing firm, Hire Quest, LLC dba Trojan Labor to ensure that it delivers services in an efficient and effective manner;

WHEREAS, the Field Operations Department is requesting additional funds of \$85,000 annually for Contract 2016-10489 for temporary labor services for Solid Waste Collections services;

WHEREAS, the initial contract term is for three years, with two potential one-year renewals. The contract is currently in its third year and the contract amount is now estimated at \$300,000 annually;

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

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

That the resolution authorizing additional funds for Contract 2016-10489 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Solid Waste Collections in the Field Operations Department is hereby approved.

(Signed) Goldie Wells

8. <u>ID 18-0737</u> Resolution Approving Water and Sewer Connections to Serve the Proposed National Guard Regional Readiness Center and Surface Equipment Maintenance Facility Located at 4250 Camp Burton Road

282-18 RESOLUTION APPROVING WATER AND SEWER CONNECTIONS TO SERVE THE PROPOSED NATIONAL GUARD REGIONAL READINESS CENTER AND SURFACE EQUIPMENT MAINTENANCE FACILITY LOCATED AT 4250 CAMP BURTON ROAD

WHEREAS, the City of Greensboro Policy for Water and Sewer Services "Outside the Corporate Limits" was adopted with amendments by City Council on May 20, 2014;

WHEREAS, the Water Resources Department received a request from the North Carolina National Guard for a proposed Regional Readiness Center and Surface Equipment Maintenance Facility requesting water and sewer connections;

WHEREAS, the property is in Growth Tier III and unable to be immediately annexed and the Water and Sewer Services "Outside the Corporate Limits" policy does not administratively allow approval of this type of request, so the connections requires the approval of City Council;

WHEREAS, the new connections will have to be submitted for plan development review as part of the extension and

according to the feasibility prepared by the Water Resources Department;

WHEREAS, a "Utility and Development Agreement and Petition for Annexation" signed by the current property owner will be delivered to the City of Greensboro in consideration of the water and sewer connections.

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

That City Council authorizes water and sewer connections to serve 4250 Camp Burton Road in accordance with the City of Greensboro Policy for Water and Sewer Services "Outside the Corporate Limits."

(Signed) Goldie Wells

9. <u>ID 18-0727</u> Resolution Approving Amendment #12 to 800 MHZ Interlocal Agreement with Guilford Metro 911 and Guilford County

283-18 RESOLUTION APPROVING AMENDMENT #12 TO 800 MHZ INTERLOCAL AGREEMENT WITH GUILFORD METRO 911 AND GUILFORD COUNTY FOR CITY AND COUNTY SHARED COSTS FOR FY 2018-2019

WHEREAS, State Statutes require municipalities to have governing board approval for interlocal agreements; and

WHEREAS, the attached amendment #12 to Guilford County Contract No. 36460-04/95-211 between the City of Greensboro and Guilford County for the 800 MHz Radio System amends the terms and conditions of the current agreement; and

WHEREAS, in accordance with North Carolina General Statutes 153A-445(a) and 160A-461, City Council authorization is required for interlocal agreements; and

WHEREAS, the City and Guilford County have collaborated in a joint Public Safety Radio System since 1995 to benefit the communications of public safety responders; and

WHEREAS, the parties have reaffirmed their ownership interests in a series of amendments and desire to reaffirm their commitment through the attached amendment #11; and

WHEREAS, the current system faces technical obsolescence of components and needs technology enhancements not supported by current infrastructure; and

WHEREAS, the City of Greensboro and Guilford County have committed funds to the first four years of a multi-year improvement process to upgrade the P25 system and mutually desire to assure that the radio infrastructure is maintained in a high state of readiness and operates on current technology platforms; and

WHEREAS, the City of Greensboro and Guilford County have mutually determined the terms and conditions of the attached interlocal agreement, which has been approved by Guilford County; and

WHEREAS, this amendment allows the City to accept 50% of the annual costs for the 800 MHz Radio System from Guilford County for the expenses the City has incurred to satisfy obligations of the Motorola Migration Assurance Plan (MAP) and annual radio services, and 100% of the costs for maintenance of UHF paging equipment; and

WHEREAS, the agreement provides that the County will reimburse the City for 50% of radio system expenses and 100% of the costs for maintenance of UHF paging equipment. The total reimbursement to be received by the City is approximately \$1,246,160.73.

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

That a resolution authorizing amendment #12 to Guilford County Contract No. 36460-04/95-211 for the 800 MHz Radio System is hereby approved.

(Signed) Goldie Wells

10. <u>ID 18-0704</u> Resolution Authorizing an Easement Encroachment Agreement Between the City of Greensboro and Piedmont Natural Gas Company, Inc. to Install a Compressed Natural Gas Fueling Station in the City's Drainage Easement

284-18 RESOLUTION AUTHORIZING AN EASEMENT ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND PIEDMONT NATURAL GAS COMPANY, INC. TO INSTALL A COMPRESSED NATURAL GAS FUELING STATION IN THE CITY'S DRAINAGE EASEMENT

WHEREAS, the Greensboro City Council is enabled to allow encroachments on City rights-of-way provided such encroachments will neither cause a public nuisance nor unreasonably interfere with the use of the City's infrastructure;

WHEREAS, the property is owned by BT-OH, LLC and the owner desires to make improvements to the property by allowing Piedmont Natural Gas Company, Inc. (PNG) to construct a compressed natural gas fueling station in the City's 20-foot drainage easement;

WHEREAS, PNG has agreed to enter into an Easement Encroachment Agreement with the City which, among other things, will indemnify the City from any claim or damages that may occur due to the installation of the station;

WHEREAS, the owner/PNG agree to temporarily remove or relocate its equipment, given adequate notice to allow for the maintenance, upgrade or replacement of the City's infrastructure within the easement.

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

That the City Manager is hereby authorized to execute on behalf of the City of Greensboro an appropriate Easement Encroachment Agreement with PNG for the installation of a compressed natural gas fueling station.

(Signed) Goldie Wells

11. <u>ID 18-0686</u> Resolution Authorizing a Global Encroachment Agreement Between the City of Greensboro and AT&T to Install Small Cell Infrastructure in the City's Rights-of-Way

285-18 RESOLUTION AUTHORIZING A GLOBAL ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND AT&T TO INSTALL SMALL CELL INFRASTRUCTURE IN THE CITY'S RIGHTS-OF-WAY

WHEREAS, AT&T has requested that the City permit installation of their small cell facilities in the City's rights-of-way, and AT&T will embark on this project through its subsidiary New Cingular Wireless;

WHEREAS, AT&T has agreed to enter into a Global Encroachment Agreement with the City which, among other things, will indemnify the City from any claim or damages that may occur due to the installation of the small cell facilities;

WHEREAS, it is deemed in the best interest of the City to permit the Global Encroachment of said small cell facilities by entering into the Global Encroachment Agreement presented herewith this day.

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

That the City Manager is hereby authorized to execute on behalf of the City of Greensboro an appropriate Global

Encroachment Agreement with AT&T for the installation of small cell facilities within City rights-of-way.

(Signed) Goldie Wells

14. <u>ID 18-0674</u> Resolution Authorizing the Sale of Surplus City Property Located at 1309 Glendale Drive to Jerry Hare and Lisa Hare

286-18 RESOLUTION AUTHORIZING THE SALE OF PROPERTY LOCATED AT 1309 GLENDALE DRIVE TO JERRY HARE AND LISA HARE

WHEREAS, the City of Greensboro owns surplus property located at 1309 Glendale Drive, Parcel 0053518, said property being shown on the attached map, for which the City has no municipal need;

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

WHEREAS, the property was appraised by Lynn B. Ritchy at a value of \$6,000, and the final highest bid of \$5,100 was accepted, which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this sale will be credited in the Sale of Real Estate Proceeds Account No. 301-1001-01.8616 of the Debt Service Fund.

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 \$5,100 is hereby approved and the sale of property located at 1309 Glendale Drive 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) Goldie Wells

15. <u>ID 18-0680</u> Resolution Authorizing the Sale of Surplus Foreclosure Property Located at 1516 Tucker Street to Tarig Mushaw

287-18 RESOLUTION AUTHORIZING THE SALE OF SURPLUS FORECLOSURE PROPERTY LOCATED AT 1516 TUCKER STREET TO TARIG MUSHAW

WHEREAS, the City of Greensboro owns surplus foreclosure property located at 1516 Tucker Street, Parcel 0018848 said property being shown on the attached map, for which the City has no governmental or other public need;

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

WHEREAS, the property was appraised by Lynn Ritchy, at a value of \$6,700, and the final highest bid of \$6,030 was accepted, which amount, in the opinion of the City Council is fair and reasonable;

WHEREAS, revenue proceeds from this sale 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 surplus property in the amount of \$6,030 is hereby approved and the sale of property located at 1516 Tucker 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 sell

said property.

(Signed) Goldie Wells

16. <u>ID 18-0701</u> Resolution Authorizing Purchase of Property Located at 5417 Sapp Road from Wendover, LLC for the W. Wendover/Sapp Road Sidewalk Project

288-18 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY LOCATED AT 5417 SAPP ROAD FROM

WENDOVER, LLC FOR THE W. WENDOVER/SAPP ROAD SIDEWALK PROJECT

WHEREAS, in connection with the W. Wendover/Sapp Road Sidewalk Project, a portion of the property owned by Wendover, LLC, Parcel 0074476 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised by Matthew Foster of Foster Appraisals a value of \$35,300, which appraisal, in the opinion of the City Council, is fair and reasonable;

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

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

That the appraisal of the above mentioned portion of property in the amount of \$35,300 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 471-4502-15.6012, Activity #A11171.

(Signed) Goldie Wells

17. <u>ID 18-0719</u> Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Roy Chilton and Linda Chilton Located at 7059 Old 421 Road in Connection with the Guilford/Randolph Mega-Site Water and Sewer Extension Project

289-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF ROY CHILTON AND LINDA CHILTON IN CONNECTION WITH THE GUILFORD/RANDOLPH MEGA-SITE WATER AND SEWER EXTENSION PROJECT

WHEREAS, Roy Chilton and Linda Chilton are the owners of certain property located at 7059 Old 421 Road, designated as Parcel #0012511, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Guilford/Randolph Mega-Site Water and Sewer Project;

WHEREAS, negotiations with the owner at the appraised value of \$1,750.00 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 portions 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 in the amount of \$1,750.00.

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 \$1,750.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 507-7013-01.6012 Activity #A16121

(Signed) Goldie Wells

18. <u>ID 18-0720</u> Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Carolyn C. Hall Located at 5858 Liberty Road in Connection with the Guilford/Randolph Mega-Site Water and Sewer Extension Project

290-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF CAROLYN C. HALL IN CONNECTION WITH THE GUILFORD/RANDOLPH MEGA-SITE WATER AND SEWER EXTENSION PROJECT

WHEREAS, Carolyn C. Hall is the owner of certain property located at 5858 Liberty Road, designated as Parcel #0122676, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Guilford/Randolph Mega-Site Water and Sewer Project;

WHEREAS, negotiations with the owner at the appraised value of \$3,800.00 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 portions 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 in the amount of \$3,800.00.

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 \$3,800.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 507-7013-01.6012 Activity #A16121

(Signed) Goldie Wells

19. <u>ID 18-0722</u> Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Carolyn C. Hall and Hall Irrevocable Trust Located at 5870 Liberty Road in Connection with the Guilford/Randolph Mega-Site Water and Sewer Extension Project

291-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF CAROLYN C. HALL AND HALL IRREVOCABLE TRUST IN CONNECTION WITH THE GUILFORD/RANDOLPH MEGA-SITE WATER AND SEWER EXTENSION PROJECT

WHEREAS, Carolyn C. Hall and Hall Irrevocable Trust are the owners of certain property located at 5870 Liberty Road, designated as Parcel #0122658, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Guilford/Randolph Mega-Site Water and Sewer Project;

WHEREAS, negotiations with the owner at the appraised value of \$5,475.00 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 portions 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 in the amount of \$5,475.00.

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 \$5,475.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 507-7013-01.6012 Activity #A16121

(Signed) Goldie Wells

20. <u>ID 18-0591</u> Ordinance in the Amount of \$8,000 Amending State, Federal and Other Grants Fund Budget for the Appropriation of the SETRAC Grant from the Greensboro Convention and Visitors Bureau

18-134 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE SETRAC GRANT FROM THE GREENSBORO CONVENTION AND VISITORS BUREAU

Section 1

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

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

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

Account	Description	Amount
220-7505-01.6059	Other Capital Improvements	\$8,000
Total		\$8,000

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

Account	Description	Amount
220-7505-01.8620	Donations & Private Contributions	\$8,000
Total		\$ 8,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Goldie Wells

21. <u>ID 18-0592</u> Ordinance in the Amount of \$23,750 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of the SETRAC Grant from the Greensboro Convention and Visitors' Bureau

18-135 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE SETRAC GRANT FROM THE GREENSBORO CONVENTION AND VISITORS BUREAU

Section 1

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

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

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

Account	Description	Amount
220-7506-01.6059	Other Capital Improvements	\$23,750
Total		\$23,750

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

Account	Description	Amount
220-7506-01.8620	Donations & Private Contributions	\$23,750
Total		\$23,750

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Goldie Wells

22. <u>ID 18-0721</u> Ordinance in the Amount of \$59,700 Amending the State, Federal and Other Grants Fund Budget for the Appropriation of FY 2018 Fair Housing Training Program Grant Funds

18-136 ORDINANCE IN THE AMOUNT OF \$59,700 AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FY 2018 FAIR HOUSING TRAINING PROGRAM GRANT FUNDS

Section 1

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

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

Account	Description	Amount
220-0310-01.4110	Salaries	\$37,300
220-0310-01.4510	FICA Contribution	\$2,940
220-0310-01.4520	Retirement Contribution	\$2,460
220-0310-01.4610	Health Coverage ~ Active	\$1,200
220-0310-01.4650	Dental Coverage ~ Active	\$1,000
220-0310-01.4710	Life Insurance ~ Active	\$500
220-0310-01.5253	Rent-Parking Subsidy	\$500
220-0310-01.5949	Miscellaneous	\$ 5,000
220-0310-01.5520	Seminar/Training Expenses	\$ 8,800
Total		\$59,700

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

Account	Description	Amount
220-0310-01.7100	Federal Grant	\$59,700
Total		\$59,700

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Goldie Wells

23. <u>ID 18-0658</u> Resolution Authorizing Neighborhood Development to Purchase a Single Family Dwelling at 402 E. Whittington Street

292-18 RESOLUTION AUTHORIZING NEIGHBORHOOD DEVELOPMENT TO PURCHASE A SINGLE FAMILY DWELLING AT 402 E. WHITTINGTON STREET

WHEREAS, the City of Greensboro has carried out acquisition, rehabilitation and resale activities in the Ole Asheboro neighborhood to address foreclosed, distressed or abandoned properties and create affordable homeownership opportunities;

WHEREAS, 402 E. Whittington Street is vacant, boarded and cited for code violations and the owner has agreed to sell the property to the City for the current as is appraised value of \$29,000;

WHEREAS, Neighborhood Development plans to acquire the property at 402 E. Whittington Street (Parcel Number 0003226) and rehabilitate and sell the home for affordable homeownership.

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

That the Neighborhood Development Department is authorized to purchase 402 E. Whittington Street and for the City Manager to execute acquisition documents.

(Signed) Goldie Wells

24. <u>ID 18-0689</u> Resolution Listing Loans and Grants for City Council Approval

293-18 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) Goldie Wells

25. ID 18-0725 Budget Adjustments Requiring Council Approval 10/9/18 - 11/14/18

Motion to approve the budget adjustments of 10/9/18 - 11/12/18 over the amount of \$50,000 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 24, which is hereby referred to and made a part of these minutes.)

26. ID 18-0726 Budget Adjustments Approved by Budget Officer 10/9/18 - 11/12/18

Motion to accept the report of budget adjustments of 10/9/18 - 11/12/18, 2018 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 24, which is hereby referred to and made a part of these minutes.)

27. <u>ID 18-0712</u> Motion to Make a Part of the Official Record the Listing of the Destruction Project 2018 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 Destruction Project listing is filed in Exhibit Drawer A, Exhibit No. 24, which is hereby referred to and made a part of these minutes.)

28. ID 18-0695 Motion to Adopt the 2019 City Council Regular Meeting Schedule

Motion to adopt the 2019 City Council Regular Meeting Schedule was adopted.

29. <u>ID 18-0661</u> Motion to Approve the Minutes of the Regular Meeting of September 25, 2018

Motion to approve the minutes of the Regular meeting of September 25, 2018 was adopted.

30. <u>ID 18-0688</u> Motion to Approve the Minutes of the Work Session Meeting of October 2, 2018.

Motion to approve the minutes of the Work Session meeting of October 2, 2018 was adopted.

31. <u>ID 18-0684</u> Motion to Approve the Minutes of the Regular Meeting of October 2, 2018

Motion to approve the minutes of the Regular meeting of October 2, 2018 was adopted.

32. <u>ID 18-0703</u> Motion to Approve the Minutes of the Work Session of October 16, 2018

Motion to approve the minutes of the Work Session meeting of October 16, 2018 was adopted.

33. <u>ID 18-0705</u> Motion to Approve the Minutes of the Regular Meeting of October 16, 2018

Motion to approve the minutes of the Regular meeting of October 16, 2018 was adopted.

34. <u>ID 18-0745</u> Motion to Approve the Minutes of the Regular Meeting of November 5, 2018

Motion to approve the minutes of the Regular meeting of November 5, 2018 was adopted.

1. <u>ID 18-0731</u> Resolution Approving a Contract in the Amount of \$197,437.60 with Hilco Transport, Inc. for Residual Dewatered Sludge Hauling Services from the T.Z. Osborne Water Reclamation Facility Councilmember Hightower voiced concern with the Minority/Women Business Enterprise (M/WBE) participation for items #1, #2, and #5.

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

- Ayes, 6 Nancy Vaughan, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells
- Nays, 2 Yvonne J. Johnson and Sharon M. Hightower
- Absent, 1 Michelle Kennedy

294-18 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$197,437.60 WITH HILCO TRANSPORT, INC. FOR RESIDUAL DEWATERED SLUDGE HAULING SERVICES FROM THE T.Z. OSBORNE WATER RECLAMATION FACILITY

WHEREAS, an operational emergency due to both incinerators being down at the same time necessitated residual dewatered sludge hauling services at the T.Z. Osborne Water Reclamation facility;

WHEREAS, Section 2-90 of the Greensboro Code of Ordinances allows the City Manager to approve a contract that exceeds his approval threshold in the event of an emergency;

WHEREAS, Hilco Transport, Inc., was the selected vendor chosen to provide these services due to previous experience providing this service to the City.

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

That the contract with Hilco Transport, Inc. is hereby approved and ratified with Hilco Transport, Inc. for the residual dewatered sludge hauling services from the T.Z. Osborne Water Reclamation facility 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 \$197,437.60 from Account No. 501-7056-01.5437.

(Signed) Marikay Abuzuaiter

2. <u>ID 18-0700</u> Resolution Approving Contract in the Amount of \$285,000 With Duke's Root Control, Inc. to Provide Chemical Treatment Services to Inhibit the Growth of Roots in the Sanitary Sewer System

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

- Ayes, 6 Nancy Vaughan, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells
- Nays, 2 Yvonne J. Johnson and Sharon M. Hightower
- Absent, 1 Michelle Kennedy

295-18 RESOLUTION APPROVING CONTRACT IN THE AMOUNT OF \$285,000 WITH DUKE'S ROOT CONTROL, INC. TO PROVIDE CHEMICAL TREATMENT SERVICES TO INHIBIT THE GROWTH OF ROOTS IN THE SANITARY SEWER SYSTEM

WHEREAS, Water Resources is requesting the City enter into a three-year contract with Duke's Root Control, Inc.

to provide chemical treatment of sanitary sewers to inhibit the growth of roots which are one of the primary causes of sanitary sewer backups;

WHEREAS, Duke's Root Control, Inc. was the only respondent to the City's August 2018 Request for Proposals;

WHEREAS, there are only two vendors that were found to provide this type of service in this area and neither vendor qualify under the City's M/WBE program;

WHEREAS, funding for year one of the contract is budgeted in the Water and Sewer Operating Fund account and funding for years two and three will also be from this account provided that sufficient appropriations are approved by City Council in succeeding fiscal years.

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

That the contract with Duke's Root Control, Inc. to provide chemical treatment services to inhibit the growth of roots in the sanitary sewer system is hereby approved with funding in the amount of \$285,000 to come from the Water and Sewer Operating Fund, Account No. 501-7041-01.5429.

(Signed) Marikay Abuzuaiter

5. <u>ID 18-0716</u> Resolution Approving a Contract in the Amount of \$250,000 with Precision Measurements, Inc. for Cleaning and Video Inspection of Gravity Sewer Lines

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

- Ayes, 6 Nancy Vaughan, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells
- Nays, 2 Yvonne J. Johnson and Sharon M. Hightower
- Absent, 1 Michelle Kennedy

296-18 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$250,000 WITH PRECISION MEASUREMENTS, INC FOR CLEANING AND VIDEO INSPECTION OF GRAVITY SEWER LINES

WHEREAS, on September 10, 2018, the Water Resources Department issued a Request for Proposals (RFP) for cleaning and video inspection of gravity sewer lines;

WHEREAS, Hydrostructures, P.A. and Precision Measurements, Inc. (PMI) were the two firms that submitted proposals and were selected to provide the department with flexibility and timely assessments for next year's sewer rehabilitation contract;

WHEREAS, the services of PMI will be utilized to inspect smaller diameter sewer with CCTV.

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

That the City is authorized to enter into a contract with PMI to provide Cleaning and Video Inspection of Gravity Sewer Lines 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 \$250,000 from Water Resources Capital Fund Account No. 503-7028-02.5615 and the associated budget adjustment.

(Signed) Marikay Abuzuaiter

II. PUBLIC HEARING AGENDA

35. <u>ID 18-0681</u> Ordinance Rezoning Portion of Property Located at 1603 West Friendly Avenue (Michael S. Fox for Marshton Enterprises, LLC.)

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Rezoning Portion of Property Located at 1603 West Friendly Avenue (Michael S. Fox for Marshton Enterprises, LLC); and that the item had been postponed from the October 16th meeting of Council without further advertising.

Planning Manager Mike Kirkman reviewed the request, presented maps, aerial photographs and diagrams to illustrate the site and surrounding property, spoke to the conditions attached to the zoning request, and stated that the Zoning Commission and staff had recommended approval of the request.

Speaking in favor of the rezoning:

Mike Fox, 100 N Greene Street recognized Marshton Enterprises representatives in attendance; provided the history of the item; spoke to split zonings; updated requirements for commercial parking; referenced neighborhood concerns regarding noise and parking; spoke to continued efforts to resolve concerns; clarified the zoning issue before Council; and requested approval of the zoning for commercial parking.

Speakers in opposition of the rezoning:

Patrick Rowe, 211 Hill Crest Drive referenced conversations with Attorney Fox; voiced concerns regarding noise and parking; explained the purpose for the appeal; spoke to the need to address parking issues; and voiced the need for additional conditions to cover business hours and capacity.

Mayor Vaughan clarified the authority of Council in zoning matters.

Mr. Rowe voiced concerns regarding the potential of the property exchanging ownership; with the number of parking spaces available; and reiterated the need for continued dialogue.

Discussion took place regarding businesses on Walker Avenue; late night activities; Common Ground Coffee Shop; and identifying appropriate land use.

Councilmember Hightower requested staff research auto zone parking options.

In rebuttal in favor/opposition to the rezoning:

Neither party chose to use the five minute rebuttal time.

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

Councilmember Abuzuaiter clarified the area in question had been a parking lot for approximately 20 years; voiced concern with incurred cost to rezone the area; and inquired about items being grandfathered in.

Mr. Kirkman explained previous ordinances; commercial uses in residential areas; and issues to bring zoning into compliance.

(A copy of the Power Point Presentation is filed in Exhibit Drawer A, Exhibit No.24, which is hereby referred to and made a part of these minutes.)

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hoffmann, to adopt the ordinance and stated that the Greensboro City Council believed that its

action to approve the zoning amendment, for a portion of the property located at 1603 West Friendly Avenue from R-5 (Residential Single Family - 5) to CD-C-L (Conditional District Commercial Low) 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 Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy; the request is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; 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, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells
- Absent, 1 Michelle Kennedy

18-137 AMENDING OFFICIAL ZONING MAP

PORTION OF 1603 WEST FRIENDLY AVENUE, GENERALLY DESCRIBED AS THE SOUTHWEST CORNER OF WEST FRIENDLY AVENUE AND WESTOVER TERRACE

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-5 (Residential Single Family) to CD-C-L (Conditional District Commercial Low).

The area is described as follows:

"Being a portion of the property described as BEGINNING at the new iron pin, said new iron pin being located at the intersection of the southern edge of the right of way of West Friendly Avenue and the western edge of the right of way of Westover Terrace; running thence, with the western edge of the right of way of Westover Terrace, South 04 degrees 24' 38" West, 67.34 feet, to an existing iron pin in the western edge of the right of way of Westover Terrace; thence North 85 degrees 09' 30" West, 140.89 feet, to a new iron pin; thence North 01 degrees 59' 50" East, 96.73 feet, to a cross in the concrete in the southern edge of the right of way of West Friendly Avenue; thence, with the southern edge of the right of way of West Friendly Avenue; thence, with the southern edge of the right of way of West Friendly Avenue, South 73 degrees 45' 37" East, 148.11 feet, to a new iron pin at the intersection of the southern margin of West Friendly Ave and the western margin of Westover Terrace, the point and place of BEGINNING, and being part of Lots 1 and 2 of West Market Terrace as is more particularly shown on the plat recorded in Plat Book 3, at Pages 158 and 159 in the Office of the Register of Deeds of Guilford county, North Carolina."

Section 2. That the zoning amendment from R-5 (Residential Single Family) to CD-C-L (Conditional District Commercial Low) is hereby authorized subject to the following use limitations and conditions:

1. All uses permitted in the C-L zoning district EXCEPT the following: All agricultural uses; all residential uses; Animal Shelters; Cemeteries, all educational facilities; all government facilities; all social service facilities; all overnight accommodations; Convenience Stores with Fuel Pumps; Caretaker Dwellings; Junked Motor Vehicles; Recycling Collection Points; Satellite Dishes/TV and Radio Antennae Towers; Swimming Pools; Land Clearing & Inert Debris Landfills, Minor; Portable Storage Units; and Temporary Wireless Telecommunication Facilities.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-C-L (Conditional District Commercial Low) 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 November 20, 2018.

(Signed) Yvonne Johnson

36. <u>ID 18-0646</u> Ordinance Annexing Territory into the Corporate Limits for Property Located at 4316 Burlington Road - 1.08-Acres (Kevin Buchanan for Robert, Joyce, Anthony, Tania and Tammy Ruffolo)

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #36, an Ordinance Annexing Territory into the Corporate Limits for Property Located at 4316 Burlington Road - 1.08-Acres (Kevin Buchanan for Robert, Joyce, Anthony, Tania and Tammy Ruffolo) and item #37, an Ordinance Establishing Original Zoning for Property Located at 4316 Burlington Road - Kevin Buchanan for Anthony Ruffolo, Robert Ruffolo, Jr. and Tania Crawford.

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

Mr. 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 Zoning Commission and staff had recommended approval of the request.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 24 which is hereby referred to and made a part of these minutes)

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

- Ayes, 8 Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells
- Absent, 1 Michelle Kennedy

18-138 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 4316 BURLINGTON ROAD – 1.08 ACRES)

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

BEGINNING at the southwest corner of Lot 15 of Subdivision of John W. King Property, as recorded at Plat Book 10, Page 9 in Office of the Register of Deeds of Guilford County; thence with the western line of said Lot $15 \text{ N} \text{ O} \square$ 48' E approximately 445.9 feet to a point in the southern right-of-way line of Burlington Road; thence in an easterly direction with said right-of-way line approximately 102.30 feet to a point in the eastern line of Lot 16 of said Subdivision; thence with said eastern line S \square 48' W approximately 464.8 feet to the southeast corner of said Lot 16; thence with the southern lines of said Lots 16 and 15 N $86\square$ 54' W 100 feet to the point and place of BEGINNING, and containing approximately 1.08 acres.

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 November 20, 2018, the liability for municipal taxes for the 2018-2019 fiscal year shall be prorated on the basis of 7/12 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, 2019. Municipal ad valorem taxes for the 2019-2020 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.

(Signed) Marikay Abuzuaiter

37. <u>ID 18-0683</u> Ordinance Establishing Original Zoning for Property Located at 4316 Burlington Road - Kevin Buchanan for Anthony Ruffolo, Robert Ruffolo, Jr. and Tania Crawford

> Moved by Councilmember Hightower, seconded by Councilmember Thurm, to adopt the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment, for the property located on a portion of 4316 Burlington Road from County LI (Light Industrial to City R-3 (Residential Single-family - 3) 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 Comprehensive Plan's Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities; and the request is consistent with the Comprehensive Plan's Growth at the Fringe goal to encourage development at the fringe that follows a sound, sustainable pattern of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. The motion carried on the following roll call vote:

- Ayes, 8 Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells
- Absent, 1 Michelle Kennedy

18-139 AMENDING OFFICIAL ZONING MAP

4316 BURLINGTON ROAD, GENERLALY DESCRIBED AS SOUTH OF BURLINGTON ROAD AND WEST OF WAGONER BEND ROAD

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

Section 1. The Official Zoning Map is hereby amended by original zoning from County LI (Light Industrial) to City R-3 (Residential Single Family).

The area is described as follows:

BEGINNING at the southwest corner of Lot 15 of Subdivision of John W. King Property, as recorded at Plat Book 10, Page 9 in Office of the Register of Deeds of Guilford County; thence with the western line of said Lot 15 N O 48' E approximately 445.9 feet to a point in the southern right-of-way line of Burlington Road; thence in an easterly direction with said right-of-way line approximately 102.30 feet to a point in the eastern line of Lot 16 of said Subdivision; thence with said eastern line S 0 48' W approximately 464.8 feet to the southeast corner of said Lot 16; thence with the southern lines of said Lots 16 and 15 N 86 54' W 100 feet to the point and place of

BEGINNING, and containing approximately 1.08 acres.

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the R-3 (Residential Single Family) 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 3. 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 4. This ordinance shall be effective on November 20, 2018.

(Signed) Sharon Hightower

38. <u>ID 18-0706</u> Ordinance Rezoning Property Located at 5300 High Point Road -Henry Isaacson, for KSL Sedgefield Pilot LLC

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Rezoning Property Located at 5300 High Point Road - Henry Isaacson, for KSL Sedgefield Pilot LLC.

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 Zoning Commission and staff had recommended approval of the request.

Speaking in favor of the rezoning:

Henry Isaacson, 804 Green Valley Road, recognized Project Counsel, Attorney Tranter and Cameron General Contractors, Director of Development Bob Lewis to speak to the item.

Attorney Tranter provided a PowerPoint Presentation (PPP); spoke to the history of the item; highlighted the track to be rezoned; spoke to increased density; occupancy; building elevation; existing conditions; to the location of the parking garage; to the Resort Lifestyle Communities (RLC); highlighted the success of the independent living community; spoke to the need for senior living housing; to an age restricted community; confirmed there would be no impact on the school system; highlighted a low traffic generation; spoke to construction value; architecture styles; additional conditions that had been included at the Zoning Commission meeting; and highlighted a revised site plan.

Bob Lewis, 7101 South 82nd Street, Lincoln, Nebraska stated RLC was the largest building of independent living communities; spoke to current development; and explained that RLC was builder owned and operated.

Sedgefield Homeowners Association Vice President, Laura Allred, 3103 Sedgefield Gate Road voiced support for the project; reiterated there would be no impact on schools in the area; and spoke to the quality of proposed construction.

President of the Neighborhood Association, Huge Black, 3103 Sedgefield Gate Road stated his property was adjacent to track one; spoke to minimal impact to the neighborhood; to conditions; referenced a tour of a facility in Raleigh; and voiced support for the project.

Speakers in opposition of the rezoning:

Don Vaughan, 612 West Friendly Avenue highlighted neighborhoods that would be affected by the project; and provided handouts to Council.

Chris Morris, 5512 High Point Road spoke to life experiences in the area; voiced concerns with not being notified of the project; spoke to the denial for a request to continue the item; voiced concerns with increased density; the

property height; spoke to applicant presentations; referenced the zoning meeting; a site visit with Councilmember Thurm; expressed concern that the rezoning of track 4 would impact other tracks on the property; referenced the 2015 visual aspirations; spoke to maintaining the original site; to setting a precedence; and requested Council to hold the developers responsible.

Carolyn Gorga, 4102 Brambletywe Drive voiced opposition to the project; spoke to life experiences in the area; outlined the history of the annexation and zoning of the property; spoke to the proposed number of units; the business model of the developer; recognized the area was outside City limits; and requested Council reject the rezoning request.

Michael Holliday, 5313 High Point Road explained the location of his home to the proposed project; and voiced concerns with property values.

In rebuttal in favor to the rezoning:

Attorney Tranter spoke to land use impact factors; traffic impact; to addressing housing for the senior population; and reiterated the zoning request.

Craig Taylor, 117 South Tremont Drive spoke to the quality of the development; to modifications of the plan; to a high and low intensity use; and requested Council to approve the rezoning.

In rebuttal in opposition to the rezoning:

Attorney Vaughan voiced concerns with other tracks of property not included in the rezoning; with changes to the neighborhood; recognized those in attendance that opposed the item; reiterated the request for a continuance; and voiced the need for time to work with the developer.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter to close the pubic hearing. The motion carried by voice vote.

Mayor Pro-Tem Johnson explained Council's consideration of the item; spoke to reviewing development photos; and to the benefits of the project to senior citizens.

Councilmember Abuzuaiter voiced concerns with inconsistent comments on petitions.

Councilmember Hightower spoke to requirements for a traffic study; development plans for other tracks on the property; and to the need for affordable housing in District 1.

Councilmember Wells acknowledged concerns by the neighborhood; spoke to being open to change; to an aging population; and referenced three story homes in the neighborhood.

Councilmember Thurm voiced support for the item; and spoke to the retirement facility.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 24 which is hereby referred to and made a part of these minutes)

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wells, 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 5300 High Point Road from PUD (Planned Unit Development) to PUD (Planned Unit Development) 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 Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy; the request is consistent with the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; and the request is consistent with the Comprehensive Plan's Growth at the Fringe goal to encourage development at the fringe that follows a sound, sustainable pattern of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. The motion carried on the following roll call vote:

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

Absent, 1 - Michelle Kennedy

18-140 AMENDING OFFICIAL ZONING MAP

5300 HIGH POINT ROAD, NORTH OF HIGH POINT ROAD AND WEST OF ALAMANCE ROAD.

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

Section 1. The Official Zoning Map is hereby amended by rezoning from PUD (Planned Unit Development) to PUD (Planned Unit Development).

The area is described as follows:

"Beginning at a point in the existing Greensboro corporate limits (as of December 31, 2014), said point being the northeast corner of that 19.07-acre annexation effective June 30, 1998, and shown on City of Greensboro Annexation Drawing D-2417; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a westerly direction across the northern terminus of Atwater Drive to the southeast corner of Crofton Springs Subdivision Phase II, as recorded in Plat Book 110, Page 114; thence with the southeast lines of said Phase II and of Phase I of Crofton Springs Subdivision, as recorded in Plat Book 106, Page 151, N 38° 58' 01" E 831.42 feet to the easternmost corner of said Phase I; thence with the projection of the southwest line of Lot 1 of Property of Guilford County Board of Education, as recorded in Plat Book 121, Page 101, S 49° 55' 15" E approximately 93.6 feet to a point on the former centerline of the Norfolk Southern track; thence in a northeasterly direction with said centerline approximately 2,210 feet to its intersection with the northwestwardly projection of the northeast line of KSL Sedgefield Pilot, LLC, as recorded in Deed Book 6920, Page 1579; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with said projection and said northeast line S 45° 57' 15" E approximately 308 feet to an existing iron pin in the northwest right-of-way line of Norwood Drive (S.R.#1385); thence with said right-of-way line S 44° 08' 45" W approximately 370 feet to its intersection with the southwest right-of-way line of Alamance Road (S.R.#1385), a variable width right-of-way; thence in a southeasterly direction with said southwest right-of-way line approximately 650 feet to a new iron pin in the southeast right-of-way line for the newly relocated High Point Road; thence continuing with the southwest right-of-way line of Alamance Road the following seventeen (17) courses and distances: (1) S 37° 27' 45" E 22.60 feet to an existing iron pin, (2) S 33° 51' 11" E 183.41 feet to a monument, (3) S 37° 20' 13" E 459.05 feet to an existing iron pin, (4) S 52° 39' 08" W 4.98 feet to an existing iron pin, (5) along a curve to the right having a radius of 502.78 feet and a chord bearing and distance of S 31 20' 47" E 104.95 feet to an existing iron pin, (6) S 25° 17' 30" E 249.60 feet to an existing iron pin, (7) along a curve to the left having a radius of 1,318.27 feet and a chord bearing and distance of S 30° 17' 32" E 229.82 feet to a new iron pin, (8) S 35° 17' 57" E 36.26 feet to a new iron pin, (9) along a curve to the right having a radius of 464.99 feet and a chord bearing and distance of S 21° 36' 24" E 220.14 feet to an existing iron pin, (10) along a curve to the left having a radius of 321.14 feet and a chord bearing and distance of S 32° 32' 31" E 267.65 feet to an existing iron pin, (11) along a curve to the right having a radius of 1,192.05 feet and a chord bearing and distance of S 53° 35' 30" E 148.80 feet to an existing iron pin, (12) S 43° 21' 44" E 137.53 feet to an existing iron pin, (13) S 44° 19' 00" E 0.46 feet to an existing iron pin, (14) along a curve to the right having a radius of 133.70 feet and a chord bearing and distance of S 21° 17' 08" E 104.61 feet to an existing iron pin, (15) S 00° 35' 40" W 133.19 feet to an existing iron pin, (16) along a curve to the left having a radius of 351.76 feet and a chord bearing and distance of S 13° 11' 09" E 167.58 feet to an existing iron pin, and (17) S 26° 58' 00" E 12.16 feet to the intersection of the southwest right-of-way line of Alamance Road and the north right-of-way line of High Point Road, a 100-foot right-of-way (a/k/a U.S. Highway 29-70); thence running

with the north right-of-way line of High Point Road the following eleven (11) courses and distances: (1) S 67° 46' 45" W 99.78 feet to an existing iron pin, (2) S 71° 57' 26" W 99.91 feet to an existing iron pin, (3) S 79° 11' 56" W 99.77 feet to an existing iron pin, (4) S 85° 42' 34" W 100.05 feet to an existing iron pin, (5) S 86° 39' 50" W 1,023.62 feet to an existing iron pin, (6) S 88° 39' 09" W 66.99 feet to an existing iron pin, (7) S 83° 43' 39" W 68.00 feet to an existing iron pin, (8) S 80° 48' 22" W 99.94 feet to an existing iron pin, (9) S 76° 40' 25" W 100.32 feet to an existing iron pin, (10) S 76° 25' 52" W 525.41 feet to an existing iron pin, and (11) S 77° 10' 20" W 99.99 feet to an existing iron pin in the southeast corner of the property of Henry R. Canipe, as recorded in Deed Book 5917, Page 199; thence with Canipe's east line N 13° 47' 55" W 576.86 feet to an existing iron pin in concrete at Canipe's northeast corner; thence with Canipe's north line S 77° 16' 44" W 183.81 feet to an existing iron pin in the northeast corner of the property of Sedgefield Gate, recorded in Plat Book 72, Page 87; thence with the north line of Sedgefield Gate S 77° 09' 02" W 199.84 feet to a new iron pin in the southeast corner of Sedgefield Gate Phase II, recorded in Plat Book 123, Page 27; thence with the east lines of said Phase II the following two (2) courses and distances: (1) N 12° 03' 39" W 75.10 feet to an existing iron pin, and (2) N 33° 29' 32" W 149.92 feet to a monument at the northernmost corner of said Phase; thence with the east lines of Sedgefield Gate Phase 3, Map 1, recorded in Plat Book 134, Page 8, and Sedgefield Gate Phase 3, Map 2, recorded in Plat Book 134, Page 71, the following two (2) courses and distances: (1) N 38° 21' 20" W 359.51 feet to a new iron pin, and (2) N 43° 11' 56" W 112.57 feet to an existing iron pin in the east corner of the property of The John and Lou Ann Mothershead Family Trust - Trust B, recorded in Deed Book 7059. Page 317: thence with the northeast line of the Mothershead property N 43° 11' 56" W 119.61 feet to a monument in the southeast right-of-way line of Harnett Drive, a 40-foot right-of-way (a/k/a S.R. #1625), at its northeastern terminus; thence across said terminus N 45° 56' 51" W 27.35 feet to a new iron pin in the southeast right-of-way line for the newly relocated High Point Road; thence crossing said road N 45° 56' 51" W 200.43 feet to a new iron pin in the northwest right-of-way line of said road; thence with the northeast line of the Tucker/Siegal property the following two (2) courses and distances: (1) N 45° 56' 51" W 12.24 feet to an existing iron pin in the southeast right-of-way line of Norfolk Southern Railway, and (2) N 45° 56' 35" W 99.98 feet to an existing iron pin in the centerline of the right-of-way of Norfolk Southern Railway in the north corner of the Tucker/Siegal property; thence in a westerly direction approximately 130 feet to the POINT AND PLACE OF BEGINNING, containing approximately 146.3 acres. All deeds referred to herein are recorded in the Guilford County Register of Deeds Office ... "

Section 2. That the zoning amendment from PUD (Planned Unit Development) to PUD (Planned Unit Development) is hereby authorized subject to the following use limitations and conditions:

1) Uses: All uses permitted in the PUD zone except Manufactured Dwellings; Manufactured Dwelling Parks; Sexually Oriented Businesses; Rooming Houses; Fraternities and Sororities; Cemeteries; Wireless Communication Facility; Junk Motor Vehicles; Portable Storage Units; Animal Shelters; TV/HDTV/AM/FM Broadcast Facilities; Amusement and Water Parks/Fairgrounds; Campgrounds and Recreational Vehicle Parks; Pawn Shops; Satellite Dishes/TV and Radio Antennae Towers.

2) Tract 1 and Tract 2, proposed mixed use/commercial, shall be limited to uses permitted in the R, RM, TN, MU, CL, CM, CH, CN and O zoning districts.

a) A mix of residential and commercial uses is allowed. The number of residential units in Tract 1 (18.91 acres) shall not exceed 445 units with a maximum building height of four stories and a minimum open space of 1.89 acres. Commercial square footage in this tract shall not exceed 225,000 (GFA), with a minimum open space of .52 acres

b) A mix of residential and commercial uses is allowed. The number of residential units in Tract 2 (16.72 acres) shall not exceed 380 units. If developed as residential, there will be a minimum open space of 1.67 acres. Commercial square footage in this tract shall not exceed 260,000 (GFA), with a minimum of .6 acres of the Tract reserved for open space. No building in Tract 2 shall exceed 5 stories in height.

2A) The following Conditions will apply to the western property boundary of Tract 1 contiguous with the Sedgefield Landing community.

a) In conjunction with the initial phase of any new construction, a minimum 84 inch (where permitted) opaque fence will be constructed along the western side of Tract 1 that abuts Sedgefield Landing. The fence will be continuous (no breaks), and will continue along the entire Tract 1 property line beginning with the southernmost point of the Duke Power right-of-way, if permitted, and continuing to the point where the fence meets the existing NCDOT sound wall,

City Council

if the DOT permits.

b) A gate will be constructed in the fence, if permitted, at the point where the fence crosses the Duke Power right-of-way.

c) There shall be a 35 foot wide buffer along the entire property line of Tract 1 that abuts Sedgefield Landing consisting of evergreen plantings in order to achieve a consistent visual screen. The initial evergreen plantings in this buffer shall be 6' tall and shall be installed on the Sedgefield Landing side of the fence, with the fence installed no closer than 15 feet to the property line where there are Sedgefield Landing residences within 25 feet of the property line and will be at least 5 feet from the property line in all other instances.

d) Buildings located within 75 feet of the property line on Tract 1 which directly abuts the Sedgefield Landing community shall be no more than one story in height (structures outside of this 75 foot boundary may exceed one story). Businesses located in those buildings shall have operating hours of no earlier than 6 a.m. and no later than midnight; and, subject to City approval, there shall be no vehicle access behind these buildings.

e) Trash dumpsters shall be screened and located at least 50 feet from the western property boundary of Tract 1 that abuts Sedgefield Landing.

f) There will be no vehicular traffic access from the end of Sedgefield Gate Road in Sedgefield Landing onto the subject property, or from the subject property onto Sedgefield Gate Road.

3) Tract 3 (43.1 acres), proposed mixed use/commercial/residential/adaptive reuse, shall be limited to:

a) All uses permitted in R, RM, and TN districts with dwelling units not to exceed 571 units with a maximum building height of 4 stories;

b) Uses permitted in a retail, office or an institutional setting containing uses permitted in R, RM, MU, PI, CL, CM, CH, CN and O zoning districts. New commercial square footage will not exceed 200,000 square feet (GFA), in addition to the square footage of existing buildings located on Tract 3 as of March 9, 2015.

c) A mix of residential and commercial uses is allowed.

4) Tracts 4 (11.79 acres) and 5 (24.08 acres), proposed residential, shall be limited to uses permitted in R, RM and TN districts and shall be further conditioned as follows:

a) The number of residential units in Tract 4 shall not exceed 130 units with a maximum building height of three stories. Additionally, uses shall be limited to multifamily (Elderly). Chain link fencing is prohibited. No garages or storage buildings shall be located between High Point Road and the principal structure. Vinyl or stucco materials are prohibited on all exterior building elevations.

b) The number of residential units in Tract 5 shall not exceed 226 units, with a maximum building height of two stories and a minimum open space of 3.61 acres.

5) Tract 6 (16.81 acres) will be reserved as a buffer and mitigation site, with permitted uses limited to those consistent with the PNR district, with an exception to allow construction necessary for wetland mitigation and storm water control.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the PUD (Planned Unit Development) 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 November 20, 2018.

(Signed) Yvonne Johnson

III. GENERAL BUSINESS AGENDA

39. <u>ID 18-0682</u> Ordinance Amending Section 21-8 of the Greensboro Code of Ordinances with Respect to Personnel

Mayor Vaughan stated the item had been postponed from the October 16th meeting of Council.

Councilmember Abuzuaiter explained the purpose of postponing the item; recognized the work done by staff; and requested staff provide an update on the ordinance.

Interim City Attorney Hoffman referenced competing ordinances; spoke to the rights of employees and employers; explained a proper balance with the proposed ordinance; and spoke to employees right to civic duties and to free speech.

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

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

Absent, 1 - Michelle Kennedy

18-141 ORDINANCE TO AMEND CHAPTER 21 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO PERSONNEL

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

Section 1. Section 21-8 is hereby amended to read as follows:

Sec. 21-8. - Political activity.

(a) No officer, agent, or employee of the city shall:

(1) Become a candidate for nomination, election, or appointment to political office for a position in the city of Greensboro or Guilford County.

(2) While on duty or in the workplace: use her, or his, official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for political office; coerce, solicit, or compel contributions for political or partisan purposes by another employee; or actively campaign for a candidate or for a partisan issue.

(3) Be required as a duty or condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes.

(4) Use city funds, supplies, equipment, official uniforms, the city logo or seal for partisan or political purposes.

(b) Nothing in subsection (a) shall be construed to prevent any employee from becoming or continuing to be a member or officer of a political party, or while off duty from attendance at a political meeting, or from enjoying the freedom from all interference in casting her, or his, vote. (Ord. No. 93-109, § 1, 9-2-93)

Section 2. Severability. If any provision of this article is declared invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall be severable and shall continue in full force and effect.

Section 3. This ordinance shall become effective upon adoption.

(Signed) Marikay Abuzuaiter

Mayor Vaughan declared a recess at 7:18 p.m. Council reconvened at 7:49 p.m. with all members in attendance

except Councilmember Kennedy.

40. <u>ID 18-0739</u> Resolution Adopting a Participatory Budgeting Program Policy and Authorizing the Creation of a Participatory Budgeting (PB) Commission

Councilmember Outling inquired about the history of the Participatory Budget (PB) Commission.

Budget and Evaluation Director Larry Davis provided the history of voters and volunteers; and spoke to a change for programmatic programs.

Councilmember Outling spoke to the decision to implement PB; to his previous support for PB; voiced concern with continued support of the program; the lack of elected official input; the need for increased participation prior to expanding the program; and spoke to possible expenditures.

Councilmember Hightower spoke to support of PB; asked for confirmation regarding the programmatic piece; voiced the need to increase capital projects; concern with the process of vetting projects; and the need to provide clarity to the community on capital and programmatic programs.

Mr. Davis outlined the first cycles of PB; the identification of programmatic programs; and spoke to the submission of ideas from community block parties.

Councilmember Thurm spoke to the level of increased participation to include high schools, local universities; and the faith community; outlined previous challenges; spoke to the vetting process; to concerns with project duplication; stated an amendment to offset concerns be would acceptable; spoke to project designs; and to the appeal of the PB program.

Councilmember Abuzuaiter echoed concerns with duplication of ideas from groups; spoke to the need for heightened community outreach; staff vetting ideas to move projects forward; and voiced support for the item.

Councilmember Wells expressed support for PB; spoke to proponents coming before Council; to staff vetting of projects; and stated it was a good opportunity for citizens.

Councilmember Hoffmann spoke to maximizing participation; voiced concerns with the lack of community participation with budget meetings; spoke to community engagement; and to the hope for greater participation.

Discussion took place regarding the community's desire to be engaged; a recent neighborhood meeting; being judicious with taxpayer funds; an increased focus on participation; program efforts; and challenges within the scope of projects.

Councilmember Hightower spoke to a cap for programmatic projects.

Councilmember Thurm reiterated her openness for an amendment on the item.

Councilmember Wells spoke to vetting criteria; and to the limitations of assigning a specific budget for projects that had not been proposed.

Discussion continued regarding potential challenges; the voting process for ideas; empowerment of community selections; and the need for funding limitations.

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

- Ayes, 6 Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Tammi Thurm and Goldie F. Wells
- Nays, 2 Sharon M. Hightower and Justin Outling

Absent, 1 - Michelle Kennedy

297-18 RESOLUTION ADOPTING A PARTICIPATORY BUDGETING PROGRAM POLICY AND AUTHORIZING THE CREATION OF A PARTICIPATORY BUDGETING (PB) COMMISSION

WHEREAS, the City has conducted a Participatory Budgeting Program since FY 15-16; and

WHEREAS, unless otherwise directed by action of City Council, the City of Greensboro Participatory Budgeting Program will operate continuously with each project approval cycle taking two (2) years to complete; and

WHEREAS, five (5) City Council districts will take part in the Participatory Budgeting Program, each district will be allocated an equal share of project funds, and its residents will develop their own district projects and vote on them; and

WHEREAS, eligible Participatory Budgeting projects may be capital or programmatic if they benefit the public, are located on City-owned property, do not require hiring of permanent staff, and are a one-time budget expenditure;

WHEREAS, a council appointed citizen Participatory Budgeting Commission is necessary to bridge the partnership between the City Staff and the public and to provide oversight of the Participatory Budgeting process; and

WHEREAS, the composition of a Participatory Budgeting Commission will reflect Greensboro's diversity and ensure representation for key stakeholders in the community; and

WHEREAS, the Participatory Budgeting Commission will consist of up to eleven (11) members with up to two (2) members per district, which will be appointed by the respective Councilmember, and (1) at-large position. The at-large position will be appointed in a rolling manner pursuant to the 2016 Council Policy on Appointment Procedures for Greensboro's Boards and Commissions; and

WHEREAS, Commission members will be eligible to serve three (3) 2-year terms for a maximum of six (6) years on the Commission; and

WHEREAS, the Commission may develop and provide recommendations for projects, funding, and program guidelines to the City Council. If guidelines are changed, any changes must be approved by the City Council; and

WHEREAS, the City Council may appoint a liaison to the Participatory Budgeting Commission; and

WHEREAS, City Council shall retain final authority over project and funding decisions; and

WHEREAS, all previous resolutions establishing a Participatory Budgeting Steering Committee are hereby rescinded and replaced by this resolution.

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

That the proposed Participatory Budgeting Program policy presented herewith this day is hereby adopted; and the formation of the Participatory Budgeting Commission is hereby authorized.

(Signed) Tammi Thurm

41. <u>ID 18-0723</u> Ordinance Amending Chapter 16 of the Greensboro Code of Ordinances with Respect to Scooters

Mayor Vaughan introduced the item; spoke to a staff presentation; and stated there were speakers to the item that would be allowed ten minutes each to speak.

City Manager Parrish spoke to an amended ordinance based on Council discussions; referenced ordinances from

other municipalities; limitations outlined within the ordinance; and recognized Transportation Director Adam Fischer and Transportation Engineering Manager Chris Spencer.

Mr. Fischer referenced conversations since a work session; ordinance changes to mirror other municipalities; spoke to private industry contributions; and to issues with scooters.

Mr. Spencer made a PowerPoint Presentation (PPP); outlined the use of electric scooters; deployment of Lime bikes versus the Bird scooters; spoke to the lack of communication from Bird prior to deployment; the number of Bird riders; the request and compliance to remove scooters from the street; outlined scooter user agreements; highlighted national trends; spoke to anticipated action by the North Carolina Legislature; referenced ordinances from other municipalities; outlined the permitting requirements and process; the regulations of the proposed ordinance; spoke to proposed fees; the Americans with Disabilities Act (ADA) and accessibility; outlined an application reporting systems; and spoke to staff discreation with issuance of permits.

Discussion ensued regarding usage of scooters on sidewalks; maximum speed limitations; and regulations on scooters versus bikes.

Councilmember Outling voiced concern with operational restrictions; regulations on electric bikes; the need to embrace different modes of transportation; requested the permitting process be reviewed by Council at a future meeting; and expressed the need for Council involvement in the process.

Mr. Fischer reviewed safety measures; and voiced concerns with visibility of the scooters at night.

Discussion continued regarding embracing change; public safety; restrictions on skateboards and rollerblades; the inclusion of an indemnification statement on permits; following vehicular laws; enforcement of the use of helmets; regulating speeds; methods of reporting usage violation; the need for better visibility; and concerns with a 9 p.m. cut off for usage.

Councimember Abuzuaiter spoke to regulations; voiced concerns regarding Bird putting scooters out without talking to the City; spoke to the implementation of the Vision Zero program; pushback on the removal of scooters; and voiced concerns with public safety.

Councilmember Thurm spoke in favor of scooters in the City; to people being responsible for themselves; and voiced concern with the business model used by Bird.

Bird Senior Manager Servando Esparza spoke to development of operations; response times; the public benefit as a transportation option; to the business model in relation to dealing with governmental agencies; and recognized Bird representative April Bird.

Ms. Bird acknowledged safety as a concern; highlighted Charlotte partnerships; spoke to misuse of scooters; to efforts to educate the public; to the benefits of the scooters; and expressed a desire to partner with Greensboro.

Discussion ensued regard ADA concerns; use of the reporting application; penalizing riders; comments and disrespect regarding government responses; limitations on the number of scooters placed within the City; concerns with minors using the scooters; Bird fleet coordinators; and the operational features of the scooters.

Councilmember Abuzuaiter left the meeting at 9:04 p.m. and returned at 9:08 p.m.

Councilmember Outling echoed concerns with deployment methods; spoke to regulating new modes of transportation; to the possibility of accidents; the need to craft a proper ordinance; addressing safety issues; reiterated the benefits of scooters; prohibitions on usage after 9 p.m.; and proposed the removal of hours of operation regulations.

Mayor Vaughan recognized LimeBike representative Matt Phillips; and voiced appreciation for the partnership.

Mr. Phillips thanked Council for the partnership; stated Greensboro had been the first market for LimeBikes; the company had the distinction of being the first dock free smart bike; outlined the companies business model; and voiced appreciation for the positive comments.

Councilmember Outling spoke to voter approved bonds; voiced appreciation for technology; and made a motion to adopt the ordinance striking the provision on the permitting process that limited hours of operation.

Staff confirmed that said language was not part of the ordinance; and that the permit policy would reflect said change.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 24 which is hereby referred to and made a part of these minutes)

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

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

Absent, 1 - Michelle Kennedy

18-142 ORDINANCE TO AMEND CHAPTER 16 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO SCOOTERS

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

Section 1. Section 16-1 of Chapter 16, Motor Vehicles and Traffic, is hereby amended to add a new definition as follows:

Sec. 16-1. – Definitions.

Standup electric scooter means a two-wheeled device that has handlebars, a floorboard, designed to be stood upon when riding, and is powered by electricity with a motor of 750 watts or less.

The electricity is stored on board in a rechargeable battery. The maximum motor-assist speed shall be less than 20 miles per hour (mph) on level ground.

Section 2. Section 16-221, of Chapter 16, Motor Vehicles and Traffic, is hereby amended as follows:

ARTICLE V. – BICYCLES, SKATEBOARDS, AND SCOOTERS

DIVISION 1. - GENERALLY

Sec. 16-221. - Impoundment of bicycles and scooters.

Any law enforcement officer or parking enforcement employee of this city may impound any bicycle or standup electric scooter operated or parked in violation of the provisions of this article and retain possession of the same until ownership is established; provided that nothing herein contained shall be construed to limit the authority of law enforcement officers to take into custody any bicycle or standup electric scooter believed to be stolen.

An administrative fee incurred by the city set by the city manager or his designee incident to impounding and storing a bicycle or scooter shall be paid by the owner or person in charge of the impounded bicycle or scooter to the city.

Section 3. Section 16-222 of Chapter 16, Motor Vehicles and Traffic, is hereby amended as follows:

Sec. 16-222. - Use of skateboards, roller skates, and scooters.

(a) It shall be unlawful for any person riding on a skateboard, roller skates or non-motorized scooter to ride any of such devices on any street, on the premises of the municipal building or of any municipal parking facility, or to ride any of such devices on any sidewalk located in the central business district of the city. In addition, it shall be unlawful for

any person riding on a skateboard, roller skates or a non-motorized scooter to ride any such device on the sidewalks adjacent to South Elm Street between McGee Street and West Gate City Boulevard.

(b) It shall be unlawful for any person to operate a standup electric scooter on the premises of any municipal parking facility or on any sidewalk.

(c) It shall be unlawful for any person to operate a standup electric scooter on streets with a speed limit exceeding 35 miles per hour.

(d) It shall be unlawful for any person to operate a standup electric scooter unless that scooter is equipped with reflectors or reflective paint on the base and handle-bar support column.

Section 4. Section 16-228, of Chapter 16, Motor Vehicles and Traffic, is hereby amended as follows:

Sec. 16-228. - Bicycle-street lanes.

The street or portions of streets designated in traffic schedule no. 11 are established as bicycle- street lanes for the use of bicycles or standup electric scooters. When official traffic signs are in place designating a bicycle-street lane, it shall be unlawful for any person to park, drive, or enter any vehicle (except a bicycle or standup electric scooter as defined above) within a bicycle-street lane as designated by traffic schedule no. 11.

Section 5. Chapter 16, Motor Vehicles and Traffic, is hereby amended by adding a new section as follows:

Sec. 16-229. – Standup electric scooter share permit.

(a) It shall be unlawful for any person or persons to operate a commercial standup electric scooter share program within any public right-of-way without first obtaining a permit from the Director of Transportation and paying the proper fees.

(b) The Director of Transportation may issue a permit for the operation of a Standup Electric Scooter Share Program.

(c) For good cause, the Director of Transportation may revoke any permit issued under this Section. Good cause shall include, but shall not be limited to the following:

(1) Permittee failed to pay a fine imposed by the City of Greensboro within 30 days;

(2) Permittee failed to pay a permit fee within 30 days following notice of nonpayment;

(3) Permittee has violated any statute or ordinance governing operation of the powered scooters; or

(4) Permittee has violated one or more conditions of the permit.

(d) Any authorized employee of the City or designated official may impound any standup electric scooters found in violation of this section and charge an impound fee.

Secs. 16-230—16-240. - Reserved.

Section 5. That this ordinance shall become effective upon adoption.

(Signed) Justin Outling

42. <u>ID 18-0710</u> Resolution Approving Addendum to Contract with TransDev Services Inc. (Contract #2014-5377) to Increase Annual Maximum Compensation

Mayor Vaughan introduced items #42 and #43 together.

Councilmember Hightower spoke to the need for a budget increase; and expressed the need to implement projects.

City Manager Parrish spoke to funding with the new budget year; and confirmed staff would research.

Moved by Councilmember Hightower, 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, Sharon M. Hightower, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells
- Absent, 1 Michelle Kennedy

298-18 RESOLUTION APPROVING ADDENDUM TO CONTRACT WITH TRANSDEV SERVICES, INC. TO INCREASE ANNUAL MAXIMUM COMPENSATION

WHEREAS, a contract addendum totaling \$390,000 is required in order to pay TransDev Services Inc. for providing these services through December 31, 2018; and

WHEREAS, City Council approved rescinding Resolution 17-0630 awarding the Contract for the Management and Operation of Transit Services provided by the Greensboro Transit Authority to Transdev Services Inc. at the December 19, 2017 meeting; and

WHEREAS, City Council authorized the City Manager to extend Transdev Services Inc.'s contract for an additional twelve months from January 2018 through December 31, 2018 for a sum not to exceed \$18 million; and

WHEREAS, the City's contract with Transdev Services, Inc. for the ADA Complementary Paratransit service is based upon a set fee for each completed passenger trip; and

WHEREAS, the budget for the ADA Complementary Paratransit service for Transdev contract extension was based on 258,928 completed passenger trips; and

WHEREAS, based on the ten month actual average of completed passenger trips and projections to December 31, 2018, GTA's ADA Complementary Paratransit service will have provided over 272,545 completed passengers trips, representing a 5.26% or 13,617 increase in passenger trips over the amount budgeted.

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

The City Manager and the Greensboro Transit Authority Board are hereby authorized to execute the contract addendum between the City of Greensboro and Transdev Services Inc., to increase the maximum amount of compensation for TransDev contract extension from \$18,000,000 to \$18,390,000.

(Signed) Sharon Hightower

43 . <u>ID 18-0718</u>	Ordinance in the Amount of \$9 Transit Authority FY 2018-2019	19,000 Increasing the Greensboro 9 Transit Operations Budget
	-	econded by Councilmember Hightower, to arried on the following roll call vote:
Ayes,		hnson, Marikay Abuzuaiter, Sharon M. Hightower, g, Tammi Thurm and Goldie F. Wells
Absent,	1 - Michelle Kennedy	
18-143 ORDINANCE AMENDIN – 2019	NG THE GREENSBORO TRANSIT	AUTHORITY BUDGET FOR FISCAL YEAR 2018
Section 1		
BE IT ORDAINED BY THE CITY	COUNCIL OF THE CITY OF GREEN	ISBORO
That the Greensboro Transit Aut	hority Fund Budget of the City of Gree	ensboro is hereby amended as follows:
That the appropriation to the Gre	eensboro Transit Authority Fund Budg	et be increased as follows:
ACCOUNT 564-4531-03.5423 Total	DESCRIPTION Contracted Transportation	AMOUNT \$919,000 \$919,000
And, that this increase be financ	ed by increasing the following Greens	boro Transit Authority Fund Accounts:
ACCOUNT	DESCRIPTION	AMOUNT

ACCOUNT	DESCRIPTION	AMOUNT
564-00000-00.8900	Appropriated Fund Balance	\$919,000
Total		\$919,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Goldie Wells

44. <u>ID 18-0717</u> Resolution Authorizing Interlocal Agreement Between the City of Greensboro and Guilford County for the Joint Ownership of Bryan Park North at Guilford County

Mayor Vaughan introduced the item.

City Manager Parrish recognized the work of Assistant City Manager Chris Wilson and Parks and Recreational Director Nasha McCray on a positive partnership; spoke to the history of the property; to voter approved bonds; and to 50% City ownership.

Assistant City Manager Wilson spoke to the opportunity to expand the economic impact; revenues from Bryan Park; and to the expansion to approximately 50 fields.

Moved by Councilmember Wells, seconded by Councilmember Abuzuaiter, 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, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Michelle Kennedy

299-18 RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT BETWEEN THE CITY OF GREENSBORO AND GUILFORD COUNTY FOR THE JOINT OWNERSHIP OF BRYAN PARK NORTH

WHEREAS, the City of Greensboro and Guilford County have a long and rich history of collaborating on initiatives related to park and trail development, conservation, and open space preservation; and

WHEREAS, in 1999, 534.43 acres of land was given to the City of Greensboro and Guilford County by the Joseph M. Bryan Foundation of Greater Greensboro, Inc. for the purposes of developing a park and open space, herein referred to as Bryan Park North, with the desire of both entities to share equally in all capital and operating expenses; and

WHEREAS, City of Greensboro voters approved a bond referendum in 2016 to provide funding for continued development of the site as a park supporting an intergovernmental partnership for Bryan Park North; and

WHEREAS, the City of Greensboro and Guilford County recognize a need to promote and provide park and open spaces for the public to use and enjoy; and a need to promote economic development and quality of life opportunities; and

WHEREAS, the City of Greensboro and Guilford County also recognize that given its adjacency to Bryan Park, joint ownership and collaborative development planning for Bryan Park North will present an opportunity to provide over 1,000 acres dedicated to competitive sports tournaments, events, and recreation; and

WHEREAS, through an interlocal agreement, the City of Greensboro and Guilford County each agree to assume one-half interest in ownership of approximately 534.43 acres of land located Southeast of intersection of NC Highway 150 and Doggett Road, near Brown Summit, known as Bryan Park North, for the purpose of developing a park and open space in accordance with the Master Plan and given availability and appropriation of funds; and

WHEREAS, pursuant to N.C. General Statute 160A-461 et seq. entering into such an interlocal agreement requires City Council approval.

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

That the City Manager is authorized to negotiate and execute an interlocal agreement involving the City of Greensboro and Guilford County for acceptance of joint property ownership of Bryan Park North, and that the Mayor is authorized to execute any necessary deeds, easements, or other closing documents to effectuate joint ownership and development of the property.

(Signed) Goldie Wells

45. <u>ID 18-0711</u> Resolution Approving an Application and Subsequent Grant Agreement with the Department of Commerce for \$1.5 Million to Assist with the Construction of the Birch Creek Utility Extension Project

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Thurm, 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, Justin Outling, Tammi Thurm and Goldie F. Wells
- Absent, 1 Michelle Kennedy

300-18 RESOLUTION APPROVING AN APPLICATION AND SUBSEQUENT GRANT AGREEMENT WITH THE DEPARTMENT OF COMMERCE FOR \$1.5 MILLION TO ASSIST WITH THE CONSTRUCTION OF THE BIRCH CREEK UTILITY EXTENSION PROJECT

WHEREAS, on March 20, 2018 City Council approved a resolution authorizing an Economic Development Incentive Grant to Publix Supermarkets, Inc. and extension of Water and Sewer Infrastructure;

WHEREAS, the resolution also indicated that the cost of the new water and sewer infrastructure was estimated to be \$3,000,000.00 and it was planned to be funded by the City's Water and Sewer Extension Reserve Fund;

WHEREAS, the resolution listed the North Carolina Industrial Development Utility Fund Grant Program, if available, as a funding source for the water and sewer infrastructure;

WHEREAS, Publix Supermarkets, Inc. announced on August 29 their commitment to the site;

WHEREAS, a grant from the Department of Commerce through the City of Greensboro will be made to assist with the utility services extension for the Birch Creek Utility extension;

WHEREAS, the City of Greensboro will administer this grant in accordance with the rules and regulations of the Department of Commerce;

WHEREAS, the grant will be monitored quarterly to assure compliance with the Department of Commerce regulations.

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

That the City is authorized to submit an application and subsequently enter into a Grant Agreement with the Department of Commerce for the Birch Creek Utility extension. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute the Grant Agreement on behalf of the City of Greensboro.

(Signed) Yvonne Johnson

46. <u>ID 18-0713</u> Resolution Authorizing Execution of a Contract in the Amount of \$1,296,000 with J & J Underground Utilities, LLC for Underground Utility Location Services

Councilmember Hightower asked for clarification on the item.

Interim Assistant City Manager Steve Drew explained the Minority/Women Business Enterprise (M/WBE) capacity; and spoke to innovated ideas.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Wells, 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, Justin Outling, Tammi Thurm and Goldie F. Wells

Absent, 1 - Michelle Kennedy

301-18 RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT IN THE AMOUNT OF \$1,296,000 WITH J & J UNDERGROUND UTILITIES, LLC FOR UNDERGROUND UTILITY LOCATION SERVICES

WHEREAS, the City of Greensboro was required by the North Carolina General Statue; Article 8A "Underground Utility Safety and Damage Prevention Act" to become a member of NC811 in September of 2014, and membership requires the City to receive and process all locate requests received by NC811 that are within 10 feet of our infrastructure;

WHEREAS, the City maintains over 1,509 miles of water mains and 1,503 miles of sewer mains, serving approximately 105,781 homes and businesses, and professional underground locating services are needed to

accommodate the increased volume of locates received through the NC811 service;

WHEREAS, J & J Underground Utilities, LLC was one of two firms that submitted for the work and was selected to perform underground utility locate services over a three-year period in the amount of \$1,296,000.

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

That a three-year contract with J & J Underground Utilities, LLC for underground utility locate services is hereby authorized. 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 \$1,296,000 from account 501-7071-01.5419, with the amount for each fiscal year as follows: \$432,000 in FY18-19, \$432,000 in FY19-20, and \$432,000 in FY20-21, provided that sufficient appropriations are approved by City Council in succeeding fiscal years.

(Signed) Marikay Abuzuaiter

47. <u>ID 18-0715</u> Resolution Approving Bid in the Amount of \$1,710,000 and Authorizing Execution of Contract 2015-085 with MV Electric, LLC for Water Supply SCADA Communications - Phase 1 PLC Panels

Moved by Councilmember Hightower, seconded by Councilmember Thurm, 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, Justin Outling, Tammi Thurm and Goldie F. Wells
- Absent, 1 Michelle Kennedy

302-18 RESOLUTION APPROVING BID IN THE AMOUNT OF \$1,710,000 AND AUTHORIZING EXECUTION OF CONTRACT 2015-085 WITH MV ELECTRIC, LLC FOR WATER SUPPLY SCADA COMMUNICATIONS – PHASE 1 PLC PANELS

WHEREAS, after due notice, bids have been received for the Water Supply SCADA Communications – Phase 1 PLC Panels;

WHEREAS, MV Electric, LLC, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,710,000 as general contractor for Contract No. 2015-085, 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 MV Electric, LLC is hereby accepted, and the City is authorized to enter into a contract with MV Electric, LLC for the Water Supply SCADA Communications – Phase 1 PLC Panels 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 \$1,710,000 from account 503-7028-04.6019 A19049 and the associated budget adjustment.

(Signed) Sharon Hightower

48. <u>ID 18-0685</u> Boards and Commissions Listing for November 20, 2018

Mayor Vaughan stated Council would provide Boards and Commission appointments along with Council Comments.

Mayor Pro-Tem Johnson wished everyone a happy and safe Thanksgiving; spoke to feeding those in need; and to the candlelight vigil for fallen officer Jared Franks.

Councilmember Abuzuaiter spoke to a vacancy on the Board of Adjustment for a District 5 representative; expressed condolences to the Franks family; and spoke to representatives from public safety officers and particularly those from the New York Police Department who attended the service.

Councilmember Outling spoke to the contribution to the City by the Franks family; highlighted upcoming Comprehensive Planning community events; extended well wishes for Thanksgiving; and congratulated Mayor Vaughan for being elected Chair of the North Carolina Metropolitan Mayors Coalition.

Councilmember Thurm extended wishes for a happy Thanksgiving; and congratulations to Mayor Vaughan.

Councilmember Hightower placed the name of Kim Isaac into the databank for an appointment to the Greensboro Transportation Authority (GTA); spoke to the resignation of Brantly Greer; and the need to make the appointment tonight. Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson to appoint Kim Isaac to GTA. The motion carried by voice vote. Councilmember Hightower spoke to a vacancy on the Police Community Review Board (PCRB); to confirming an appointment at a future meeting; and stated her request to view the Marcus Smith body worn camera footage.

Mayor Pro-Tem Johnson referenced conversations with Police Chief Wayne Scott; spoke to the loss of life; and to future discussions.

Mayor Vaughan explained the process of the reviewing footage; spoke to City policy; to actions required by the family; and the need to allow the PCRB and the Greensboro Criminal Justice Advisory Commission (GCJAC) to make a determination in the case.

Discussion took place regarding the filing of complaints; following the process; time spent to revamp the process; contributions from community advocates; and condolences for the Smith family.

Councilmember Hightower reiterated her request to view the footage.

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

Council comments were included with Boards and Commissions appointments.

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

There were no items for discussion by the Interim City Attorney.

<u>Adjournment</u>

Moved by Councilmember Outling, seconded by Councilmember Wells, to adjourn the meeting. The motion carried by voice vote 7-1 with Councilmember Hightower voting 'No'.

THE CITY COUNCIL ADJOURNED AT 9:37 P.M.

ANGELA R. LORD DEPUTY CITY CLERK

NANCY VAUGHAN MAYOR