

DRAFT
MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING

2 OCTOBER 2012

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Robert V. Perkins, presiding; Mayor Pro-Tem Yvonne Johnson; and Councilmembers Marikay Abuzuaite, T. Dianne Bellamy-Small, Nancy Hoffmann, Jim Kee, Zachery Matheny, Nancy Vaughan and Trudy Wade. Absent: None. Also present were Denise Turner Roth, City Manager; Mujeeb Shah-Khan, City Attorney; and Dianalynn L. Schreiber, Deputy City Clerk.

The meeting opened with a moment of silence.

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Mayor Perkins led the Pledge of Allegiance to the Flag.

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City Manager Roth recognized Kimberly Smith, employee of the Transportation Department, who served as courier for the meeting.

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

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Mayor Perkins asked for a motion to remove from the agenda Item #15, resolution authorizing purchase of property of the Gold Exchange for the installation of a median island on Merritt Drive at its intersection with High Point Road.

Mayor Pro-Tem Johnson made a motion to remove Item #15 from the agenda. The motion was seconded by Councilmember Bellamy-Small and adopted by voice vote of Council.

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Mayor Perkins stated that a motion was required to excuse Councilmember Wade from her attendance at the meeting. Mayor Pro-Tem Johnson made a motion to excuse Councilmember Wade; the motion was seconded by Councilmember Kee and adopted by voice vote of Council.

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Councilmember Bellamy-Small introduced and read into the record the resolution honoring the memory of the late Emma Morgan McAdoo.

A family member spoke in appreciation of the honor.

Mayor Pro-Tem Johnson made a motion to adopt the resolution. The motion was seconded by Councilmember Abuzuaite; the resolution was adopted on the following roll call vote: Ayes: Abuzuaite, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins and Vaughan. Noes: None. Absent: Wade.

251-12 RESOLUTION HONORING THE MEMORY OF THE LATE EMMA MORGAN McADOO

WHEREAS, on March 23, 2012, this community lost one of its outstanding community leaders with the death of the late Emma Morgan McAdoo at the age of 97;

WHEREAS, Ms. McAdoo was a retired educator with the Greensboro City Schools/Head Start Program and a graduate of North Carolina A&T State University;

WHEREAS, as a lifetime member of Union Memorial United Methodist Church Ms. McAdoo served as chairperson of the Finance Committee, past president of the United Methodist Women, and former district president of the Women’s Society of Christian Services;

WHEREAS, Ms. McAdoo served on additional committees and community organizations including but not limited to charter member of Greensboro’s Black Child Development Institute, Former Vice President of Arlington Park Neighborhood Organization, Vice President of Eastside Community Club, member of the Everachievers’ Retired Teachers, member of North Carolina A&T State University Gate City Alumni Chapter, member of James B. Dudley Senior High School National Alumni Association, past presidents/secretary for the PTA’s at Washington Elementary, Lincoln Middle, James B. Dudley High School and Bennett College, and as a storyteller at Uhuru Bookstore.

WHEREAS, awards included Urban Ministry Five Year Service Award, named Honorary Board Member of United Daycare Services Project Independence, recipient of four Mission pins for Service from the United Methodist Women, National Council of Negro Women certificate, Union Memorial United Methodist Church Kindergarten Service Award (1980-1986), Las Amigas, Inc. Service Rendered to the Community Award, Headstart Outstanding Teacher Award, 1993 Mother of the Year Award - Union Memorial United Methodist Church, inducted into the African American Women of Distinction Hall of Fame, inducted into the Grassroots Hall of Fame ‘Women of the Village’ and was honored by Greensboro Unit of Church Women United on May Friendship Day for her contributions in the Piedmont Community;

WHEREAS, on Ms. McAdoo’s 90th birthday, her family established the Emma Morgan McAdoo Scholarship Fund for graduating seniors at James B. Dudley Senior High School;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by Emma Morgan McAdoo, the outstanding contributions she has made to the community, and the legacy she leaves.

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

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Emma Morgan McAdoo.
2. That a copy of this resolution shall be delivered to the family of the late Emma Morgan McAdoo as a symbol of the gratitude of the people of Greensboro for her many contributions to this community.

(Signed) Yvonne Johnson

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Councilmember Wade entered the meeting at 5:43 p.m.

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Mayor Pro-Tem Johnson introduced and read into the record a resolution congratulating John Thompson on being awarded the Congressional Gold Medal.

Councilmember Bellamy-Small made a motion to adopt the resolution. The motion was seconded by Councilmember Matheny; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan and Wade. Noes: None.

John Thompson spoke to the Montford Point Marines as the first African-Americans to serve in the US Marine Corps and expressed appreciation for the recognition and honor.

252-12 RESOLUTION CONGRATULATING JOHN THOMPSON ON BEING AWARDED THE CONGRESSIONAL GOLD MEDAL

WHEREAS, former Marine John R. Thompson was among the four hundred plus Montford Point Marines awarded the Congressional Gold Medal on June 28, 2012 in Washington, D.C.;

WHEREAS, Thompson volunteered for training with the newly formed Black Marine battalions during World War II at Montford Point, near Camp Lejeune;

WHEREAS, approximately 19,000 Black Marines trained at the facility and became known as the Montford Pointers;

WHEREAS, the Montford Pointers were the first Black Americans permitted to enter the United States Marine Corps;

WHEREAS, the Montford Pointers provided outstanding, meritorious service during campaigns in the Pacific;

WHEREAS, after being Honorably Discharged from the Marine Corps in 1946, Corporal Thompson earned Bachelor's and Master's degrees from North Carolina A&T State University and went on to teach in the Greensboro Public Schools for over thirty years;

WHEREAS, the City Council wishes to express its congratulations to Corporal John Thompson on being awarded the Congressional Gold Medal.

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

That the City Council hereby congratulates, on behalf of the citizens of Greensboro, Corporal John Thompson on being awarded the Congressional Gold Medal on June 28, 2012.

(Signed) T. Dianne Bellamy-Small

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Mayor Perkins introduced a presentation by the Kresge Foundation.

Beth McGee Huger, 408 Woodlawn Avenue, introduced a representative of the Kresge Foundation.

Stacey Barbas, representing the Kresge Foundation of Southeastern Michigan, spoke to the multi-year grant awarded by the Foundation to the Greensboro Housing Coalition.

Ms. Huger elaborated that the City was chosen for a grant to reduce substandard housing in order to address solutions for unhealthy housing in Greensboro.

Council extended appreciation to the Kresge Foundation for their support of improving safe, affordable and energy-efficient housing in Greensboro.

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Mayor Perkins introduced resolution declaring the Month of October 2012 as Fire Prevention Month.

Fire Chief Greg Grayson spoke to the special programs relative to fire safety as the cooler weather was approaching; emphasized preventative measures such as of having working smoke detectors in homes; and introduced numerous fire safety programs available to the public during the month of October.

Deputy Fire Marshal Todd Lynch, Fire and Life Safety Division, encouraged public attendance of fire prevention week programs; reiterated the need for having 'two ways out' in the home; described events, vendors and weekly fire activities for families and residents; and spoke to an award to the Greensboro Fire Department by the Energizer Corporation to canvass the Cone Mills Community in District 2 and provide free batteries/smoke detectors on Sunday, October 14.

Councilmember Bellamy-Small made a motion to adopt the resolution and read the resolution into the record. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan and Wade. Noes: None.

253-12 RESOLUTION DECLARING THE MONTH OF OCTOBER 2012 “FIRE PREVENTION MONTH”

WHEREAS, U.S. fire departments responded to 369,500 home structure fires. Household fires have caused 13,350 civilian injuries, 2,640 civilian deaths, and \$6.9 billion in direct damage;

WHEREAS, the reality is that when fire strikes, residences could be engulfed in smoke and flames in just a few minutes;

WHEREAS, the 2012 National Fire Prevention Month Theme is “Have Two Ways Out”;

WHEREAS, having a tried and true escape plan with ‘two ways out’ is essential to ensure a family’s safety through alternative escape routes should a fire break out in one’s home.

WHEREAS, the Greensboro Fire Department encourages citizens to attend special activities that promote and educate about the power of fire prevention in residential structures;

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

That the month of October 2012 be designated as “Fire Prevention Month”.

(Signed) T. Dianne Bellamy-Small

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Mayor Perkins introduced the Breast Density Awareness Presentation.

Addy Jeffrey, 3715 Hazel Lane, provided a testimonial regarding her experiences with breast density and cancer; spoke to the limitations of mammograms in detecting cancer; stated that dense breast tissue was a stronger indicator of cancer; and encouraged interested parties to request breast density levels from attending physicians.

Gail Foy, 3912 Woodberry Lake Drive, spoke to the activities of the Commission on the Status of Women in regard to breast density awareness.

Gina Waters, 7631 Henson Forest Drive, spoke to her experiences with breast cancer and the knowledge earned in retrospect regarding breast density; urged Council support of the item and stated that it would save lives.

City Manager Roth was requested to place the request for breast density legislation on the upcoming Legislative Agenda.

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Mayor Perkins stated it was time for speakers from the floor.

Ben Holder, 1306 Oak Street, reference previous comments to Council regarding properties on Florida, Maywood and Dillard Streets; and expressed concern regarding the City’s delay in addressing dilapidated properties.

After discussion, Council requested the City Manager to provide the histories of the structures located at 2208 Florida Street and at 805, 809, 810, 812, 816, 908 and 1121 Lexington Avenue in the Glenwood Neighborhood; to provide a comprehensive plan within the next two weeks that would address dilapidated structures on a systematic basis; and determine the budget impact if remediation and compliance were required resources to remedy the situation.

Susan Schwartz, Director of Planning and Community Development, spoke to the compliance issue and elaborated on timelines involved with processing structures through the Minimum Housing Board, inspections and insurance.

City Attorney Shah-Khan summarized the established legal process and measures that could be taken to address timeframe for demolition of dilapidated structures that posed dangers to public safety; stated that the City's aggressiveness was limited by state law; and added that Council could ask the General Assembly for a local act or by modifying state law via the Legislative Agenda.

City Manager Roth confirmed that staff was working on providing Council details on the process.

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Leon Nutes, 214 Peach Orchard Drive, spoke to charging panhandlers for soliciting, food truck sales and cautioned Council against spending taxpayers' money.

Mayor Pro-Tem Johnson inquired with City Attorney Shah-Khan regarding the ACLU letter addressed to the City which concerned the 1st and 14th Constitutional Amendments.

City Attorney Shah-Khan stated that he had briefly reviewed the letter; stated his initial opinion was that the City had properly complied and met the requirements; and that if needed, a response would be presented to Council.

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Dr. John Martin, 1801 Highview Street, Burlington, announced an event in Greensboro called the Greensboro Odyssey Event that showcased alternative energy and advanced vehicle technology on Saturday, October 20.

City Manager Roth was requested to coordinate in-kind Police assistance for the Greensboro Odyssey Event.

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Charles Cherry, 2104 Liberty Valley Road, expressed appreciation for Dr. Trudy Wade's leadership; spoke to claims against police officers; and inquired about investigative processes.

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Reverend Nelson Johnson, 2115 Murray Hill Road, spoke to the mediated settlement of a lawsuit by Clarence Lipsom who claimed he had been injured in the course of an arrest by Police Officer Pryor; that Police Officer Pryor was not guilty of misconduct as affirmed by the City; stated that the active-duty officer was required to pay his own attorney fees; and expressed concern about establishing a precedent whereby officers would have to finance their own legal protection against claims.

City Attorney Shah-Khan was requested to provide additional information regarding the provision of monetary and/or legal defense for former Police Officer Pryor.

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Molly Burns, Five Lake Forest Court, reported on the Third Annual *Run 4 the Greenway* event held on September 15th; stated there were five-hundred runners and one-hundred thirty volunteers; and raised over \$10,000 for the Downtown Greenway Endowment Fund.

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Katei Cranford, 601 South Chapman Street, addressed various food truck and cultural events held in Downtown and in the university area; and advocated for the successful creative culture in Greensboro.

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Mayor Perkins asked if anyone wished to remove any items from the Consent Agenda. Councilmembers Wade and Abuzuaiter requested Items #10, 13, 16, 17, 19 and 22 be removed for discussion.

Councilmember Bellamy-Small moved adoption of the ordinances, resolutions and motions listed on the Consent Agenda with the exception of Items #10, 13, 16, 17, 19 and 22. The motion was seconded by Mayor Pro-Tem Johnson; the Consent Agenda ‘as amended’ was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

254-12 RESOLUTION AUTHORIZING THE GOVERNOR’S HIGHWAY SAFETY PROGRAM GUILFORD COUNTY MULTI-AGENCY DWI TASK FORCE INTERLOCAL AGREEMENT

WHEREAS, N.C. Gen. Stat. § 160A-461 authorizes one or more units of local government to enter into mutual contracts or agreements of reasonable duration, as determined by the participating units, subject to the contract or agreement being ratified by the governing board of each participating unit;

WHEREAS, the North Carolina Governor’s Highway Safety Program has awarded a grant to Guilford County, to be administered by the Guilford County Sheriff’s Office, for the formation of a Guilford County Multi-Agency DWI Task Force and the parties to the Task Force (the City of Greensboro, the Greensboro Police Department, Guilford County, the Guilford County Sheriff’s Office, and the City of High Point, the High Point Police Department), wish to formalize their respective roles and obligations in the form of an Interlocal Agreement as attached hereto as Exhibit B; and

WHEREAS, it is necessary and desirable that the Guilford County Multi-Agency DWI Task Force be governed by a written agreement among its parties and the Interlocal Agreement which has been proposed is appropriate for that purpose.

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

That staff take all steps necessary to execute an Interlocal Agreement between the City of Greensboro, the Greensboro Police Department, Guilford County, the Guilford County Sheriff’s Office, and the City of High Point, the High Point Police Department, in substantially the form that has been proposed, for the purpose of governing the parties with respect to the Guilford County Multi-Agency DWI Task Force, is hereby approved.

(Signed) T. Dianne Bellamy-Small

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12-110 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF INTEREST EARNED ON JUSTICE ASSISTANCE GRANT (JAG) FUNDS AWARDED 2009-2011

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 name – 2009 Rec Act Justice (ARRA)

<u>Account</u>	<u>Description</u>	<u>Amount</u>
221-3501-01.5235	Small Tools & Equipment	<u>\$137</u>
TOTAL		<u>\$137</u>

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

<u>Account</u>	<u>Description</u>	<u>Amount</u>
221-3501-01.8504	Interest Earned-NCCMT	<u>\$137</u>
TOTAL		\$137

Section 2

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

Account name – JAG 2010

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3595-01.6013	Buildings	<u>\$55</u>
TOTAL		\$55

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

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3595-01.8504	Interest Earned-NCCMT	<u>\$55</u>
TOTAL		\$55

Section 3

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

Account name – JAG Grant FY 2011

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3512-01.5235	Small Tools & Equipment	<u>\$94</u>
TOTAL		\$94

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

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3512-01.8504	Interest Earned-NCCMT	<u>\$94</u>
TOTAL		\$94

Section 4

And, that this ordinance should become effective upon adoption.

(Signed) T. Dianne Bellamy-Small

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255-12 RESOLUTION AUTHORIZING VOIDING OF PARTIAL PAYMENT FOR CITY INVOICE NO. 2200126895 DATED NOVEMBER 17, 2011 TO THE NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY FOR TRANSPORTATION SERVICES KNOWN AS HIGHER EDUCATION AREA TRANSIT (HEAT) RENDERED FOR THE 2011-2012 SCHOOL YEAR

WHEREAS, beginning in 2009, the HEAT partners were required to fund 100% of the total operating costs of the program;

WHEREAS, the estimated costs for the July 1, 2009 through June 30, 2012 were based on participating schools reimbursing the Greensboro Transit Authority (GTA) at a cost of \$15.00 per student, per semester for the HEAT Service based on the total student enrollment;

WHEREAS, the City received a letter from North Carolina Agricultural and Technical State University on March 15, 2011 requesting a refund totaling \$49,010 for HEAT costs as the university provided the wrong total numbers for 2008 through 2010;

WHEREAS, the Greensboro Transit Authority’s Board agreed to refund the university in the amount of \$22,170 for the 2010 school year but declined to refund the amount requested for school years 2008 and 2009 at its April 19, 2011 meeting;

WHEREAS, the City of Greensboro requested payment from North Carolina Agricultural and Technical State University for services rendered in the amount of \$301,980 dated November 17, 2011;

WHEREAS, North Carolina Agricultural and Technical State University adjusted the payment and remitted payment in the amount of \$254,970 (84% of the amount billed) December 15, 2011, which is less \$47,010 representing the discrepancy of student enrollment for school years 2009 and 2010;

WHEREAS, the Transportation Department – Public Transportation Division requests that City Council authorize voiding of the partial payment in the amount of \$47,010 for Invoice Number 2200126895 dated November 17, 2011 to North Carolina Agricultural and Technical State University for transportation services known as Higher Education Area Transit (HEAT) rendered for the 2011-2012 School Year.

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

That voiding of partial payment in the amount of \$47,010 for City Invoice No. 2200126895 dated November 17, 2011 to North Carolina Agricultural and Technical State University for transportation services known as Higher Education Area Transit (HEAT) rendered for the 2011-2012 School Year is hereby authorized.

(Signed) T. Dianne Bellamy-Small

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12-111 ORDINANCE AMENDING THE STORMWATER CAPITAL IMPROVEMENT FUND BUDGET FOR THE FLEMING MEADOWS RETENTION POND PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF GREENSBORO:

Section 1

That the Stormwater Capital Improvement Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for Fleming Meadows – Stormwater Pond Budget be established as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
506-7099-08.6025	Construction-Non City Owned	<u>\$16,800</u>
Total		\$16,800

And that this increase be financed by increasing Bordeaux Retreat – Erosion Control Budget account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
506-7099-08.8647	Private Development Defaults	<u>\$16,800</u>
Total		\$16,800

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) T. Dianne Bellamy-Small

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256-12 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.

During its October 2 meeting, the Greensboro City Council approved a new loan program to help renovate large, vacant retail buildings that have an adverse affect on City neighborhoods. The program allows developers to apply for market-rate loans from the City that they may not otherwise get from a bank.

Council also approved a resolution in support of a constitutional amendment to reverse the effects of the Supreme Court decision in Citizens United vs. Federal Election Commission. The decision allows corporations to spend unlimited amounts of money to support candidates under protection of the First Amendment.

(Signed) T. Dianne Bellamy-Small

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Motion to approve the budget adjustments over the amount of \$50,000 was adopted.

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Motion to approve minutes of the regular meeting of Council on September 4, 2012 was adopted.

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Councilmember Abuzuaiter requested additional information on the remedial investigation at the location on Item #10, resolution authorizing easement agreement between the City of Greensboro and Valley Proteins, Inc. for 401 Patton Avenue.

Butch Simmons, Director Engineering and Inspections, clarified that the wells were monitoring ground water at the site under the oversight of NCDENR (North Carolina Department of Environment and Natural Resources).

Councilmember Abuzuaiter made a motion to adopt the resolution. The motion was seconded by Councilmember Matheny; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

257-12 RESOLUTION AUTHORIZING EASEMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND VALLEY PROTEINS, INC. FOR 401 PATTON AVENUE

WHEREAS, Valley Proteins, Inc. has contracted with Kleinfelder Southeast, Inc. as their environmental consultant to conduct a remedial investigation of the Valley Proteins, Inc. property located at 2410 Randolph Avenue;

WHEREAS, 2410 Randolph Avenue is under active regulatory oversight by the North Carolina Department of Environment and Natural Resources to monitor groundwater quality;

WHEREAS, Greensboro Department of Transportation has determined that the well will not impede nor obstruct foot traffic;

WHEREAS, the City of Greensboro's Engineering and Inspections Department recommends the use of City property at 401 Patton Avenue for installation of one monitoring well to conduct a remedial investigation of Valley Proteins, Inc. property located at 2410 Randolph Avenue as set out in the Easement 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 Easement Agreement with Valley Proteins, Inc. for 401 Patton Avenue for installation of one monitoring well to conduct a remedial investigation of Valley Proteins, Inc. property located at 2410 Randolph Avenue all in accordance with the Easement Agreement presented herewith this day.

(Signed) Marikay Abuzuaiter

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Councilmember Abuzuaiter requested additional information on the Request for Proposals in the professional service contract process on Item #13, resolution authorizing professional services contract with Synagro Central LLC for the Lake Townsend Water Treatment Plant Ferric Sludge Removal.

Steve Drew, Director of Water Resources, stated that four RFPs were issued; stated that three proposals had been received and provided the names of the bidders.

City Manager Roth stated that moving forward the additional RFPs would be included in professional service contract processing, similar to the process used for construction contracts.

Councilmember Abuzuaiter made a motion to adopt the resolution. The motion was seconded by Councilmember Matheny; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

258-12 RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH SYNAGRO CENTRAL LLC FOR THE LAKE TOWNSEND WATER TREATMENT PLANT FERRIC SLUDGE REMOVAL

WHEREAS, Water Resources has identified a need to properly remove and dispose of approximately 1,500 dry tons of ferric sludge generated annually by the water treatment process at the Townsend Water Treatment Plant;

WHEREAS, the work is required to remain in compliance with North Carolina Department of Environment and Natural Resources (NCDENR) permits and is considered an on-going maintenance evolution;

WHEREAS, normal conditions require cleaning of the lagoon in 18 to 24 month intervals with the last contract completed in the fall of 2010;

WHEREAS, all labor, equipment and materials will be supplied by the contractor at a cost of \$547,500.

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

That the Professional Services Contract with Synagro Central LLC for the Lake Townsend Water Treatment Plant Ferric Sludge Removal is hereby authorized and the Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment in the amount of \$547,500 from Account No. 501-7025-01.5627.

(Signed) Marikay Abuzuaiter

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Councilmember Abuzuaiter requested additional information on the future use of the property listed in Item #16, ordinance amending the Neighborhood Stabilization Program Fund Budget to include funds from Sale of Real Property.

Cynthia Blue, spoke to the value of the property in the historic Old Asheboro neighborhood, and the rehabilitation and sale process.

Councilmember Abuzuaiter made a motion to adopt the ordinance. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

12-112 ORDINANCE AMENDING THE NEIGHBORHOOD STABILIZATION PROGRAM FUND BUDGET TO INCLUDE FUNDS FROM SALE OF REAL PROPERTY

Section 1

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

That the FY 12-13 Neighborhood Stabilization Program Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the FY 12-13 Neighborhood Stabilization Program Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
221-2201-04.5282	Real Estate Loans	\$79,103
	Total	\$ 79,103

And, that this increase be financed by increasing the following accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
221-2201-01.8616	Sale of Real Estate	\$ 79,103
	Total	\$ 79,103

Section 2

And, that this Ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

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Councilmember Abuzuaiter requested additional information on Item #17, resolution approving use of \$113,098 in Neighborhood Stabilization Program Funds for rehabilitation of city owned property located at 1115 Bellevue Street and authorizing the City Manager to execute said rehabilitation contract.

Councilmember Abuzuaiter made a motion to adopt the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

259-12 RESOLUTION APPROVING USE OF \$113,098 IN NEIGHBORHOOD STABILIZATION PROGRAM FUNDS FOR REHABILITATION OF CITY OWNED PROPERTY LOCATED AT 1115 BELLEVUE STREET AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID REHABILITATION CONTRACT

WHEREAS, the City is the owner of a single family house located at 1115 Bellevue Street which is in dilapidated condition;

WHEREAS, the location and rehabilitation of the house are eligible under the Neighborhood Stabilization Program grant and meet the priorities outlined in the City’s approved action plan for the program;

WHEREAS, Planning and Community Development staff prepared a work write up and bid the rehabilitation through the City’s rehab contractor pool;

WHEREAS, the winning bid in the amount of \$107,712 was received by Pull Construction Company and the contract of \$113,098 includes a five percent contingency;

WHEREAS, the City anticipates the sale or use of the house for affordable housing.

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

That the use of \$113,098 in Neighborhood Stabilization Program funds to be allocated from 221-2201-04.5282 for a rehabilitation contract with Pull Construction Company for rehabilitation of City owned property located at 1115 Bellevue Street is hereby approved and the City Manager is hereby authorized to execute said rehabilitation contract documentation.

(Signed) Marikay Abuzuaiter

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Councilmember Wade requested additional information regarding matching grant and set-aside funds that were budgeted for the current fiscal year for Item #19, ordinance increasing fiscal year 2011-12 Grant Project Budget for the Emergency Shelter Grant (Re-named the Emergency Solutions Grant) to include additional grant funds.

Gwen Torain, Planning and Community Development, addressed the cash and non-cash allocations required by HUD (Housing and Urban Development); and stated that the City was utilizing the cash portion of the funding that was allocated to homeless preventing funding and that was the portion the City was matching.

Councilmember Wade made a motion to adopt the ordinance. The motion was seconded by Councilmember Matheny; the ordinance was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

12-113 ORDINANCE INCREASING FY 11-12 GRANT PROJECT BUDGET FOR THE EMERGENCY SHELTER GRANT (RE-NAMED THE EMERGENCY SOLUTIONS GRANT) TO INCLUDE ADDITIONAL GRANT FUNDS

Section 1

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

That the FY 11-12 Emergency Solutions Grant Program Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the FY 11-12 Emergency Shelter Grant (Re-named Emergency Solutions Grant) be increased as follows:

by an additional \$47,437 and appropriated for the life of the project as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
212-2320-01.5931	Contributions to Non-Governmental Agencies	<u>\$47,437</u>
	Total	<u>\$47,437</u>

And, that this increase be financed by increasing the following accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
212-2320-01.7100	Federal Grant	<u>\$47,437</u>
	Total	<u>\$47,437</u>

Section 2

And, that this Ordinance should become effective upon adoption.

(Signed) Trudy Wade

.....

Councilmember Wade requested additional information on insurance funds relevant to two parking booths in Item #22, motion to accept the report of budget adjustments of 9/11/12 through 9/24/12.

Budget Director Larry Davis addressed the accounting issue in the budget adjustment; and stated the cost of the booth would be fronted by the City in current appropriations until reimbursement was received from insurance.

Councilmember Wade made a motion to accept the report. The motion was seconded by Councilmember Matheny; the report was accepted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

.....

Mayor Perkins introduced an ordinance amending Sections 30-3-3, 30-3-4, 30-3-5, 30-3-7, 30-3-10, Table 3-1, Table 4-1, Table 4-4, 30-4-2, 30-4-11, 30-4-13, , 30-4-28, and 30-12-1 of the Land Development Ordinance (LDO) to transfer the responsibilities of the Advisory Commission on Trees (ACT) to the Planning Board and Board of Adjustment (BOA).

City Manager Roth referenced an April 2012 meeting of the Advisory Commission; stated that the revisions had been approved by the Commission; and spoke to establishing a subcommittee in the Planning Board.

Mayor Perkins stated that there were no speakers to the item.

Councilmember Matheny made a motion to close the public hearing. The motion was seconded by Councilmember Bellamy-Small and adopted by voice vote of Council.

Councilmember Matheny made a motion to adopt the ordinance. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

12-114 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO LAND DEVELOPMENT ORDINANCE WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

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

Section 1. That Section 30-3-3.4, Powers and Duties, is hereby amended by adding Subsection (D) to read as follows:

(D) The Planning Board shall form a Tree Conservation and Landscaping (Tree Board) subcommittee, composed of three members, and led by a member of the Planning Board to perform the following powers and duties:

- 1) To provide professional expertise for developing program goals and policy related to tree conservation and landscape;
- 2) To review and provide recommendations for the long term tree management and maintenance plan for the city;
- 3) To evaluate and monitor current regulations for effectiveness, and recommend appropriate changes regarding the tree conservation and landscape provisions of this ordinance to the city council; and
- 4) To gather information from the public, development and business communities with respect to the tree conservation and landscape provisions of this ordinance.

Section 2. That Subsection 1) of Section 30-3-4.5(B), Final Action, is hereby amended by to read as follows:

- 1) Type 2 Modifications (Sec. 30-4-11), ~~except that the Advisory Commission on Trees has final decision-making authority for Type 2 modifications of the tree conservation requirements of Sec. 30-12-1;~~

Section 3. That Section 30-3-5, Design Review Team (DRT) is hereby deleted in its entirety and mark the section as [RESERVED].

Section 4. That Subsection 3) of Section 30-3-7.4(B), Appeals, is hereby deleted in its entirety.

Section 5. That Section 30-3-10, Advisory Commission on Trees (ACT) is hereby deleted in its entirety and mark the section as [RESERVED].

Section 6. That Table 3-1, Summary of Review and Decision-making Authority, is hereby amended by deleting the column for “Advisory Commission on Trees (ACT)” and the “Design Review Team (DRT)”; deleting the row for “Appeal of Tree Conservation Admin. Decision” and Footnote #3 is hereby amended to read as follows:

1) ~~The Advisory Commission on Trees (ACT) makes recommendations to the Board of Adjustment on applications for a Variance when related to tree conservation regulations. ACT makes final decisions on modifications to the tree conservation regulations.~~ [Reserved]

Section 7. That Table 3-1, Summary of Review and Decision-making Authority, is hereby amended by replacing the “[R]” in the Planning Board column for Street, Alley and Walkway Closings with an “R” to denote that it is not an item requiring a public hearing.

Section 8. That Table 4-1, Notice Requirements for City Council, is hereby amended to indicate that a published notice is required for Street, Alley and Walkway Closing.

Section 9. That Table 4-4 Hearing Requirements, is hereby amended by deleting the column for “Advisory Commission on Trees (ACT)” and deleting the row for “Appeal of Tree Conservation Adm. Decision”

Section 10. That Subsection (B) of Section 30-4-2.1, Final Action, is hereby amended by to read as follows:

(B) Appeal

- 1) ~~Appeals of administrative decisions related to the Tree Conservation regulations may be appealed to the Advisory Commission on Trees in accordance with Sec. 30-4-28.~~
- 2) Appeals of administrative official interpretations of all other portions of this ordinance may be appealed to the BOA in accordance with the appeal procedures of Sec. 30-4-27.

Section 11. That Subsections 3) and 4) of Section 30-4-11.3(C), Final Action, is hereby amended by to read as follows:

- 3) Decisions of the Planning and Community Development Director regarding alternate methods of compliance for landscaping, tree conservation and reforestation may be appealed to the Technical Review Committee as requests for modifications. ~~Decisions of the Planning and Community Development Director regarding alternate methods of compliance for tree conservation and reforestation may be appealed to the Advisory Commission on Trees.~~
- 4) Appeals from decisions of the ~~Advisory Commission on Trees~~ Technical Review Committee may be taken to the ~~Board of Adjustment in accordance with Sec. 30-4-1.7~~ Planning Board.

Section 12. That Subsection 1) of Section 30-4-11.5(B), Technical Review Committee, is hereby amended to read as follows:

- 1) The Technical Review Committee has final decision-making authority on all Type 2 Modifications, ~~except that the Advisory Commission on Trees has final decision-making authority for Type 2 Modifications of the tree conservation requirements of Sec. 30-12-1.~~ Standards and regulations eligible for modification through the Type 2 Modification procedure are expressly identified in the text of this ordinance.

Section 13. That Subsection (C) of Section 30-4-13.1, General, is hereby amended to read as follows:

(C) The Board of Adjustment, ~~after review and recommendation from the Advisory Commission on Trees,~~ may grant variances relating to tree conservation provisions of Sec. 30-12-1.

Section 14. That Section 30-4-28, Appeal of Tree Conservation Administrative Decision, is hereby deleted in its entirety and mark the section as [RESERVED].

Section 15. That Section 30-12-1, Tree Conservation, is hereby amended by added a new Subsection 30-12-1.8, Modifications to read as follows:

30-12-1.8 Modifications

The Technical Review Committee is authorized to approve Type 2 Modifications of the standards of this section in accordance with Sec. 30-4-11.

Section 16. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 17. This ordinance shall become effective upon adoption.

(Signed) Zachery Matheny

.....

Mayor Perkins introduced an ordinance establishing budget for Project C-5555A: Greensboro Fiscal Year 2013 CMAQ Sidewalks; and resolution authorizing agreement between the City of Greensboro and the North Carolina Department of Transportation for the Greensboro Fiscal Year 2013 Congestion Management and Air Quality (CMAQ) Sidewalk Project C-5555A.

City Manager Roth indicated that a report had been provided to Council and that staff was available for questions.

Councilmember Kee stated that he was a team player; cared for all of Greensboro; and expressed support for the items.

Mayor Pro-Tem Johnson made a motion to adopt the ordinance. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

12-115 ORDINANCE ESTABLISHING THE BUDGET FOR PROJECT C-5555A: GREENSBORO FY 13 CMAQ SIDEWALKS

Section 1

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

That the appropriation for the Project C-5555A Greensboro FY 13 CMAQ Sidewalk Project Budget be established as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
401-4555-01.6015	Sidewalk Construction	\$1,406,648
TOTAL		\$1,406,648

And, that this appropriation be financed by establishing the following Project C-5555A Greensboro FY 13 CMAQ Sidewalk Budget accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
401-4555-01.7110	State Grant	\$1,125,318
401-4555-01.9471	Local Match	\$ 281,330
TOTAL		\$1,406,648

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

.....

Mayor Pro-Tem Johnson made a motion to adopt the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

260-12 RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF GREENSBORO AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE GREENSBORO FISCAL YEAR 13 CONGESTION MANAGEMENT AND AIR QUALITY (CMAQ) SIDEWALK PROJECT C-5555A

WHEREAS, the North Carolina Department of Transportation in its effort to support and implement multi-modal transportation needs in the Greensboro area has directed funding to the City of Greensboro for Greensboro FY 13 CMAQ Sidewalk Project;

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation are to enter into Municipal Agreements in order to receive \$1,125,318 in federal funding;

WHEREAS, the City of Greensboro will provide a local match of \$281,330.

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

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the agreements with the North Carolina Department of Transportation for Project C-5555A.

(Signed) Yvonne Johnson

.....

Mayor Perkins introduced a resolution supporting the nomination of the Sunset Hills Historic District to the National Register of Historic Places.

Stefan-leih Geary, Planning and Community Development, displayed a PowerPoint presentation; spoke to the historic significance of the architectural styles and municipal planning; displayed maps, photographs of residences and churches; explained the nomination process and implications of establishing a historic district; that homeowners would not be restricted on their properties; that the nomination would be submitted to the National Park Service for approval; and requested Council’s support the placement of Sunset Hills for nomination.

Council expressed support of the nomination for the Sunset Hills neighborhood; and spoke to the walkability factor of the neighborhood.

Councilmember Hoffmann read the resolution into the record.

Councilmember Bellamy-Small made a motion to adopt the resolution. The motion was seconded by Mayor Pro-Tem Johnson; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

261-12 RESOLUTION SUPPORTING THE NOMINATION OF THE SUNSET HILLS HISTORIC DISTRICT TO THE NATIONAL REGISTER OF HISTORIC PLACES

WHEREAS, the Sunset Hills Historic District is under consideration for nomination to the National Register of Historic Places;

WHEREAS, the National Register is the nation’s official list of historic buildings, districts, archaeological sites, and other resources worthy of preservation;

WHEREAS, the Sunset Hills Historic District is associated with events that have made a significant contribution to the broad patterns of Greensboro’s built environment and development history;

WHEREAS, the Greensboro Historic Preservation Commission, in accordance with its responsibility to review proposed National Register nominations under the Certified Local Government Program, has reviewed the nomination and believes that the district meets the criteria for listing in the National Register of Historic Places;

WHEREAS, opportunity for public comment has been adequately provided.

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

That the Greensboro City Council, in recognizing the need to preserve properties and areas that embody important elements of the community's architectural and cultural heritage, hereby supports the nomination of the Sunset Hills Historic District to the National Register of Historic Places.

(Signed) T. Dianne Bellamy-Small

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer U, Exhibit Number 15, which is hereby referred to and made a part of the minutes).

.....

Mayor Perkins introduced resolution to advertise real estate liens on 830 West Market Street.

Council inquired about the necessity to advertise the liens.

City Attorney Shah-Khan clarified the process of foreclosure on the property and specified the ability to collect and the process thereof; and stated that the City would collect prior to the lender.

City Manager Roth spoke to the meeting between the receivers, the lender's attorney and the City regarding the uncollected water bills; expressed the need for pro-activity; and emphasized the importance of having a contingency plan in place.

Councilmember Bellamy-Small made a motion to adopt the resolution. The motion was seconded by Mayor Pro-Tem Johnson; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

262-12 RESOLUTION TO ADVERTISE REAL ESTATE LIENS ON 830 WEST MARKET STREET

WHEREAS, City Council authorization is required to direct the City Tax Collector to advertise the liens on 830 West Market Street for delinquent public utility services in accordance with Section 6.31 and 6.83 of the City Charter and North Carolina General Statute 105-369; and

WHEREAS, these services were provided to the student housing/rental complex located at 830 West Market Street under the name University Square and Cascades Grandview. The real property to which these liens have attached may be foreclosed upon by the City and sold to satisfy the City's claim.

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

1. That the City Tax Collector be and is hereby directed to prepare and publish, in accordance with law, a list showing: (1) the names of the owner of the real estate where water rents are due and (2) the amount of each such water rent charge. Such publication shall commence no earlier than October 13, 2012.
2. That the City Tax Collector be and is hereby directed to cause the publication of the above-mentioned list in the Greensboro News and Record.
3. That, in addition to following the foreclosure method prescribed by G.S. 105-374, the City Tax Collector be and is hereby authorized to institute the In Rem method of foreclosure pursuant to G.S. 105-375.
4. That this resolution shall become effective on and after October 2, 2012.

(Signed) T. Dianne Bellamy-Small

.....

Mayor Perkins introduced resolution adopting Urban Development Investment Guidelines – long-term vacant big box revitalization loan program addendum (for evaluating requests for city loan participation from private developers in redeveloping or repurposing long-term vacant big box shells).

John Shoffner, Economic Development Manager, displayed a PowerPoint presentation explained the purpose of the item; that the resolution did not establish an entitlement program; clarified the Urban Development Investment Guidelines; and made the staff recommendation.

Council spoke to the benefits and drawbacks of such a program; could be used to stimulate economic development; and inquired if developers would provide tax returns when applying for a program that required comprehensive disclosure.

City Attorney Shah-Khan stated that certain portions of tax returns were protected.

Mayor Perkins stated there was a speaker to the item.

George Hartzman, 2506 Baytree Drive, expressed apprehensions about the revitalization program and inquired about the program’s beneficiaries.

Mayor Perkins stated for the record, ‘I doubt this item will be used based on the requirements that were set up, I think it’s going to be a moot deal.’

Councilmember Bellamy-Small made a motion to adopt the resolution. The motion was seconded by Councilmember Hoffmann; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Matheny, Perkins, Vaughan, and Wade. Noes: None.

263-12 RESOLUTION ADOPTING URBAN DEVELOPMENT INVESTMENT GUIDELINES – LONG-TERM VACANT BIG BOX REVITALIZATION LOAN PROGRAM ADDENDUM (FOR EVALUATING REQUESTS FOR CITY LOAN PARTICIPATION FROM PRIVATE DEVELOPERS IN REDEVELOPING OR REPURPOSING LONG-TERM VACANT BIG BOX SHELLS)

WHEREAS, the Connections 2025 Comprehensive Plan recommends the reuse and redevelopment of previously developed properties and buildings that are no longer economically viable for their intended uses and targeting City actions or funding to make specific projects happen;

WHEREAS, due to the likelihood that the City will receive requests for loan participation from developers proposing the redevelopment or repurposing of vacant big box shells in the City of Greensboro, City Staff has developed a process and tool for evaluating such requests;

WHEREAS, the City of Greensboro desires to reduce blight and crime and increase employment prospects in existing neighborhoods in the City;

WHEREAS, the staff has developed the Urban Development Investment Guidelines - Long-Term Vacant Big Box Revitalization Loan Program Addendum, said Addendum presented herewith this day;

WHEREAS, the Urban Development Investment Guidelines - Long-Term Vacant Big Box Revitalization Loan Program Addendum will aid interested private developers by providing consistent guidance and information on the characteristics of loan requests acceptable for review by the City, data that must be provided, and criteria for evaluating and recommending requests for City loan funding;

WHEREAS, any decisions regarding financial assistance in any form or the waiver of any aspect of these guidelines, are at the sole discretion of City Council.

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

That the Urban Development Investment Guidelines – Long-Term Vacant Big Box Revitalization Loan Program Addendum presented herewith this day is hereby adopted.

(Signed) T. Dianne Bellamy-Small

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer U, Exhibit Number 15, which is hereby referred to and made a part of the minutes).

.....

Mayor Perkins announced that Council would adjourn to closed session.

Councilmember Matheny made a motion to go into closed session pursuant to N.C.G.S. Section 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in Greensboro, including potential economic development incentives that may be offered in negotiations. The motion was seconded by Mayor Pro-Tem Johnson and adopted by voice vote of Council.

Council adjourned to closed session at 7:40 p.m.

.....

Council reconvened from closed session at 8:10 p.m. with all members in attendance.

.....

Mayor Perkins introduced resolution supporting a Constitutional Amendment to reverse the effects of the United States Supreme Court Decision in Citizens United v. Federal Election Commission.

Councilmember Abuzuaiter read the resolution into the record.

City Attorney Shah-Khan spoke to the form of the resolution; specifically, modifying the resolution with the addition of the word ‘union’ which Council had the option to insert or not; and confirmed the semantics of the resolution.

Councilmember Matheny referenced the federal case that involved corporations and unions; and requested Council look at the entire case instead of bringing out certain aspects of the case that were being considered for repeal.

City Attorney Shah-Khan summarized the parties involved in the original case.

Councilmember Matheny made a motion to include as it is stated in the case of Citizens United against the Federal Election Commission, to include as it stated corporations and unions. The motion was seconded by Councilmember Wade. The motion FAILED on the following roll call vote: Ayes: Matheny and Wade. Noes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Perkins and Vaughan.

Mayor Perkins stated there were speakers to the item.

Barbara Carrano, 3701 South Rockingham Road, requested supporters to stand; spoke to the number of supporters of the grassroots, repeal campaign; and requested a unanimous decision by Council.

Michael Roberto, 317 South Chapman Street, provided a historical perspective on the discussion; referenced the Investigation of the Concentration of Economic Power from 1938 to 1941 and quotations by President Roosevelt regarding fascism; and that the Supreme Court decision represented a culmination of a seventy-year process reflecting the rise of corporate power superseding democracy.

Jerry Anthony, 2705 Lilac Drive, requested Council to support the resolution overturning the Supreme Court case relevant to Citizen’s United decision; and spoke to the need for campaign finance reform to prevent corruption and undue influence.

Mark Dimondstein, 2518 Burgundy Drive, voiced concern regarding the numerous flyers he had received funded by political action committees advocating for local candidates; and spoke in favor of a political process controlled by the people.

Oliver Sweeney, 1925 Taylor Street, spoke in support of corporations paying income tax and to stop buying people.

Mayor Pro-Tem Johnson stated that she would vote in affirmative because it was the right thing to do.

Councilmember Matheny expressed a fundamental disagreement with the speakers; spoke to the universal right to vote which equalized the process; stated that a corporation did not have a vote; stated that the federal case was a free speech case; and stated he would vote against the item.

Councilmember Vaughan summarized various contentious US Supreme Court decisions which had been eventually overturned; elaborated on cases involving campaign financing reform; expressed her support for the resolution; and insisted that Council needed to send a message to the judiciary.

Councilmember Hoffmann stated she would support the resolution which was primarily a gesture lacking authority; spoke to liberals and conservatives spending on campaigns; and differentiated between super pacs that required disclosure of donors' identities versus social welfare groups which do not.

Councilmember Wade spoke to a *New York Times* article regarding campaign financing and Citizens' United; stated that the majority of campaign financing was conducted by social welfare groups; stated that it was a function of human nature to support campaigns opposing the current administration; expressed concerns about the Council becoming a partisan board; and stated the Council should instead address unemployment and job creation.

Councilmember Bellamy-Small spoke to interesting nature of the discussion and to constituent power to vote; expressed support for elected officials to address any topic within their domain; and encouraged citizens to exercise their voting rights.

Mayor Pro-Tem Johnson spoke to her activities during the civil rights movement of the 1960s; expressed her belief that people could work toward change, and that change could happen; that campaign advertising had an impact on the voting process; and that voting in favor of the resolution helped level the playing field.

Councilmember Kee spoke to the passion of the issue; that he did not believe corporations were actual people; that the danger in the process was that a foreign entity had the possibility to affect American elections; and stated he would support the resolution.

Councilmember Abuzuaiter stated that it was her responsibility as an elected official to guide the process by speaking out; stated that the freedom of speech should be protected; insisted that corporations were not people which was contrary to the Supreme Court's decision which emphasized corporations as persons; emphasized the issue was extremely important to the citizenry; and stated that Council had the right to address the topic.

Mayor Perkins spoke to the grassroots effort to address the problem of campaign finance reform; that the issue needed to be supported; that the majority of Americans preferred politicians working together to solve problems; and that he would vote in support of the resolution.

Councilmember Bellamy-Small made a motion to adopt the resolution. The motion was seconded by Mayor Pro-Tem Johnson; the resolution was adopted on the following roll call vote: Ayes: Abuzuaiter, Bellamy-Small, Hoffmann, Johnson, Kee, Perkins and Vaughan. Noes: Matheny and Wade.

264-12 RESOLUTION SUPPORTING A CONSTITUTIONAL AMENDMENT TO REVERSE THE EFFECTS OF THE UNITED STATES SUPREME COURT DECISION IN *CITIZENS UNITED V. FEDERAL ELECTION COMMISSION*

WHEREAS, natural human beings are entitled to citizenship and the rights, privileges, and benefits thereof; and

WHEREAS, corporations while generally constructive in providing important benefits, are not human beings, but "artificial immortal beings," as defined by Chief Justice John Marshall; and

WHEREAS, the 2010 Supreme Court decision, *Citizens United v. Federal Election Commission*, declared corporations to be persons and eliminated legal limits on corporate political spending; and

WHEREAS, corporate money may be spent limitlessly to influence elections at the federal, congressional, state, county, and municipal levels, thereby diluting the power of the people; and

WHEREAS, the United States Constitution has been amended many times in response to a groundswell of public opinion, local representatives may choose to give voice to the concerns of its citizenry and advise Congressional representatives of these concerns; and

WHEREAS, a growing number of people and municipalities across the nation, including ten cities in North Carolina, have joined together to call for an Amendment to the United States Constitution to abolish corporate personhood, in order to reverse the effects of the United States Supreme Court decision in *Citizens United v. Federal Election Commission*.

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

That on behalf of the citizens of our municipality, we call upon our elected representatives in the United States Congress to initiate the process to amend the Constitution of the United States to establish that:

1. Only human beings, not corporations, are endowed with constitutional rights protected by the First Amendment, and
2. Money is not speech under the First Amendment, and therefore regulating political contributions and spending is not equivalent to limiting political speech.

(Signed) T. Dianne Bellamy-Small

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Mayor Perkins stated it was time for boards and commissions appointments.

Councilmember Hoffmann made a motion to appoint Karen Stout to the ABC Board. The motion was seconded by Councilmember Matheny; the motion was adopted by voice vote of Council.

Councilmember Kee made a motion to appoint Ralph Johnson to the Zoning Commission; and Carl Brower to the Parks and Recreation Commission. The motion was seconded by Mayor Pro-Tem Johnson; the motion was adopted by voice vote of Council.

Brief discussion took place regarding Mr. Johnson's prior service.

.....

Mayor Pro-Tem Johnson left the meeting at 9:11 p.m.

.....

Councilmember Matheny made a motion to appoint Anita Bachmann to the Zoning Commission. The motion was seconded by Councilmember Wade; the motion was adopted by voice vote of Council.

Councilmember Matheny placed the names of Christopher Adams and Justin Outling into the databank for future service on a board or commission.

Councilmember Abuzuaiter placed the name of Judy Ksieniewicz into the databank for future service on a board or commission.

.....

Council discussed items of interest and community events including but not limited to Mayor Perkins' speech at Goodwill's Annual Banquet; Joey Cheek's meetup at the Interactive Resource Center; Nussbaum Center's 25th Anniversary Celebration, FEED Fest and the Fatherhood Initiative Walk; and spoke to the Murphey Traditional Academy Learn-to-Swim classes at the Greensboro Aquatic Center.

Councilmember Matheny spoke to the groundbreaking at Honda Jet, expansion of operations at Lenovo and Tencarva Machinery Company; spoke to Coliseum events, Greensboro Aquatic Center's invitationals and championships and First Fridays in Downtown Greensboro.

Councilmember Bellamy-Small reminded the community about the Early Voting schedule and registration practices; stated she had participated in the District 1 Ride-Around with the Greensboro Partnership and expressed concerns regarding zoning compliance in industrial/commercial areas.

City Manager Roth was requested to research the incentivizing of industrial/commercial properties in order to maintain minimum standards as an effort to appeal to prospective investors; and to research forgiving ad valorem taxes for one year to properties that were upgraded. City Manager Roth stated that the Planning and Community Development staff had been researching the topic and would provide an update when available.

.....

City Manager Roth updated Council by displaying a Powerpoint presentation of photographs from the Food Truck Pilot on Commerce Street and elaborated on provisions for sign-ups, trash removal and hygiene.

Council requested the City Manager obtain feedback associated with noise and traffic flow; stated that the activity would continue to be monitored along Commerce Street; and was requested to provide the amount of lost revenues from parking operations that had resulted from food truck occupation of spaces along Commerce Street.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer U, Exhibit Number 15, which is hereby referred to and made a part of the minutes).

.....

City Manager Roth inquired with Council regarding a proposed meeting date to consider recycling requests for proposals; and stated that Council would be contacted to schedule a separate meeting to consider the RFPs.

.....

Mayor Perkins announced the East Greensboro Summit on Monday, October 29 at the Dudley High School's Auditorium from 6-8 p.m. and invited Council to attend; stated the purpose of the meeting was to outline the City's goals and objectives and discuss issues affecting East Greensboro; and offered to conduct similar meetings in the City's other districts.

Mayor Perkins stated that he would be making a *State of the City* speech to be held in January 2013.

.....

Councilmember Matheny made a motion that the City Council adjourn. The motion was seconded by Councilmember Bellamy-Small and adopted unanimously by voice vote of Council.

The City Council adjourned at 9:30 p.m.

DIANALYNN SCHREIBER
DEPUTY CITY CLERK

ROBERT V. PERKINS
MAYOR

FY 2013 CMAQ Sidewalk Projects



Establish Budget Ordinance & Approve NCDOT Agreement
Greensboro City Council Items # 25 & 26
October 2, 2012

FY 2013 CMAQ Sidewalk Project Timeframe

- TAC directed CMAQ to FY 13 sidewalks: October 2009
- NCDOT Board of Transportation approval: July 2010
- **City Council approval requested: September 2012**
- NCDOT/FHWA construction approval: September 2013
- Contract award by City Council: Spring 2014

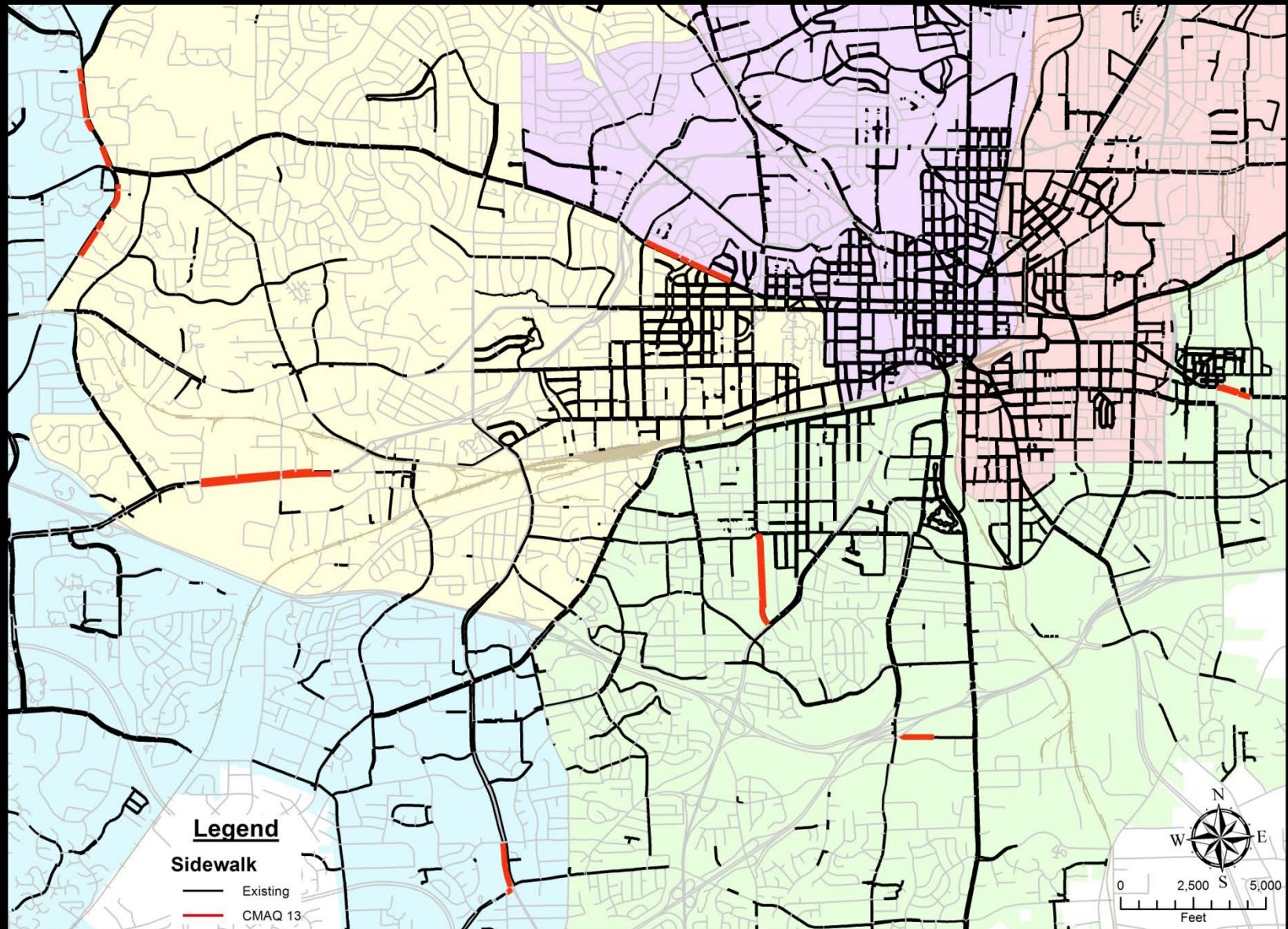
What is CMAQ?

- Congestion Mitigation & Air Quality funds (CMAQ)
- Federal transportation funds passed through NCDOT
- For use in areas with a history of air quality problems
- TAC directs CMAQ funds
- Only CMAQ-eligible projects may receive funding
- Air quality benefits must be demonstrated to qualify

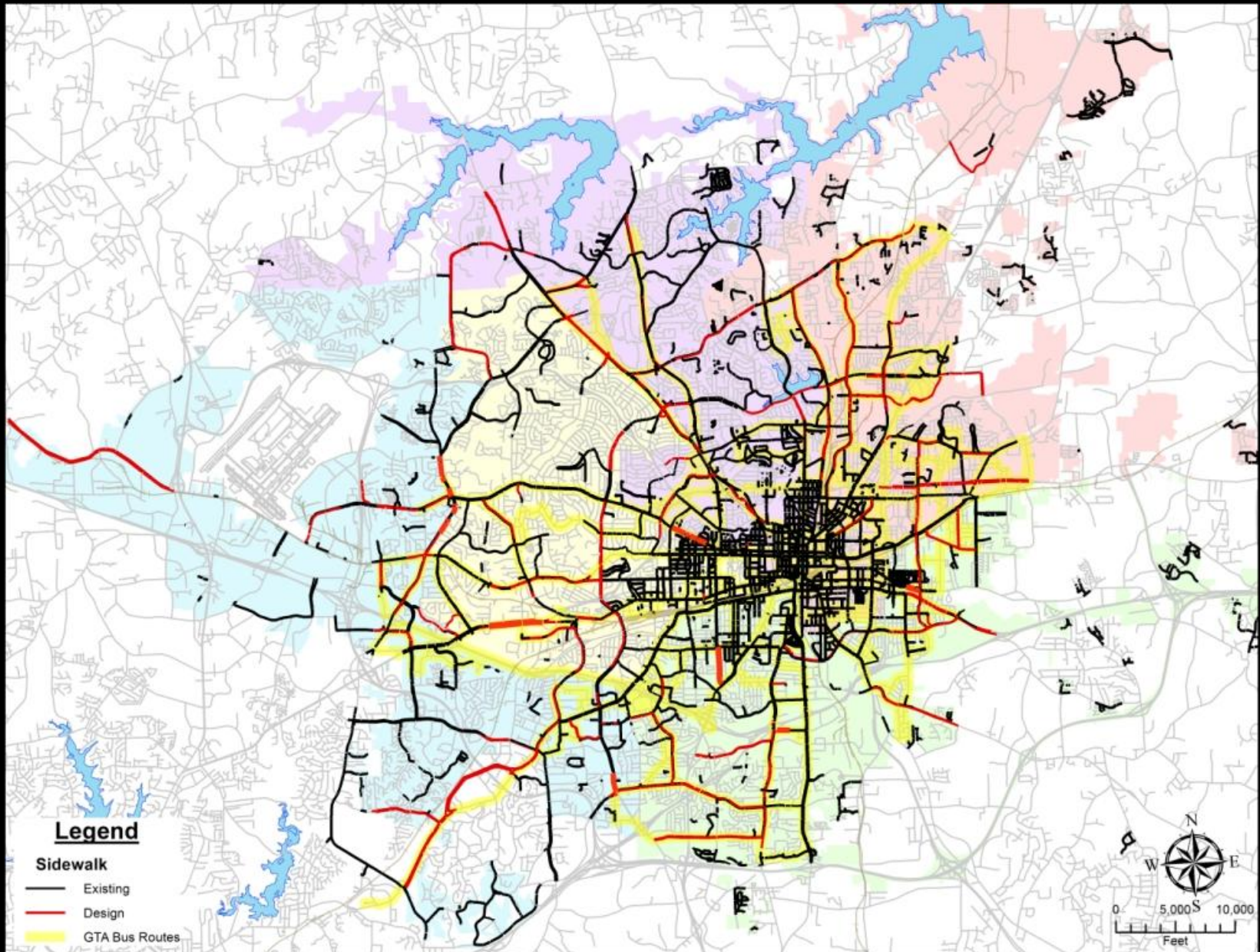
How were FY 2013 CMAQ Sidewalks identified?

- Reviewed all CMAQ-eligible sidewalk projects in design
 - restricted to transit oriented sidewalks only
- Only those expected to be ready in FY 2013 qualified
- Additional CMAQ funded sidewalk construction planned for FY 14, 15 & 17
- Other sidewalk needs are funded using STP-DA
- 20% local match is required to leverage these federal investments

FY 2013 CMAQ Sidewalks



Funded Sidewalk Projects FY 2013+



FY 2013 CMAQ Sidewalk Projects



Establish Budget Ordinance & Approve NCDOT Agreement
Greensboro City Council Items # 25 & 26

October 2, 2012



Sunset Hills

Historic District

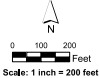


September 26, 2012



Sunset Hills Historic District Greensboro, Guilford County, NC

- National Register Boundary
- Noncontributing Resource
- Contributing Resource
- Photo View
- Vacant Lot



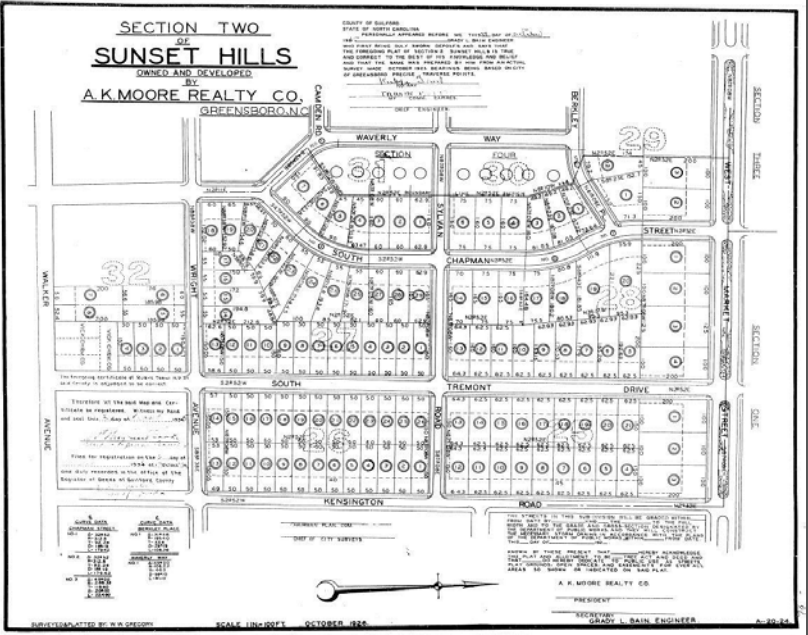
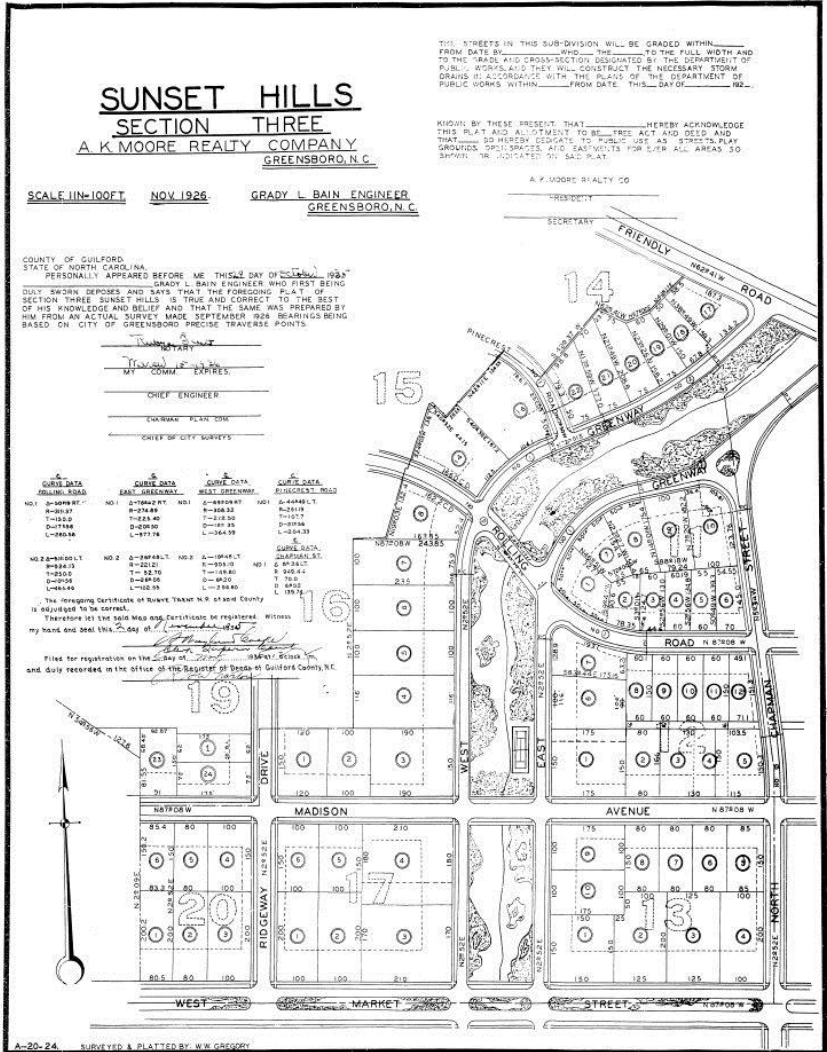
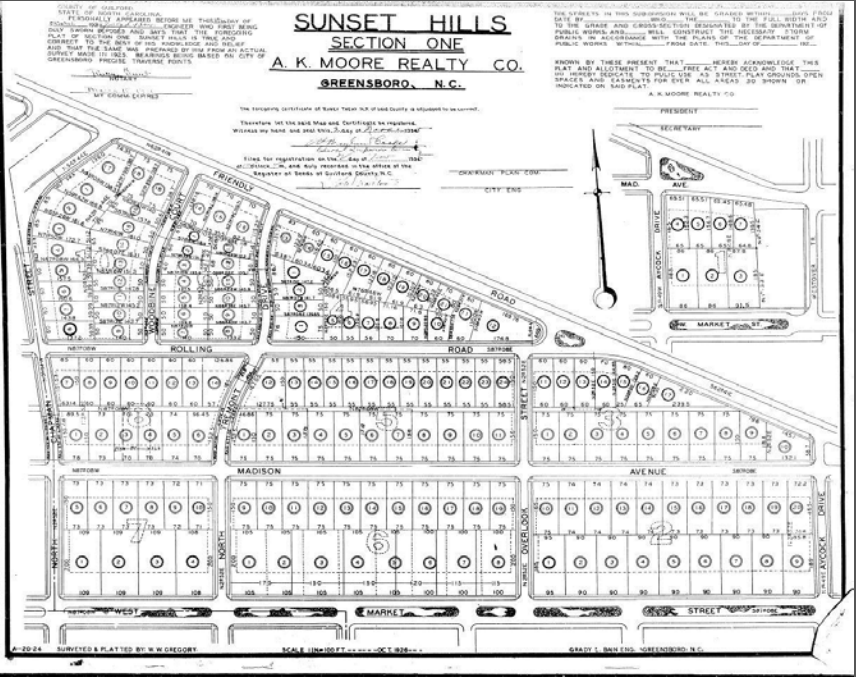
See nomination inventory for status of outbuildings



Sunset Hills Historic District Statistics:
1,079 resources (mostly houses, a few structures, and
one site—the park)







home, having two very large closets, one of which is cedar lined, also an attractive sewing alcove with pressing board installed, fire place and mantel, a most unusual attractive colored tile bath room, with separate shower, said bath connecting with another bed room. In the other bed rooms there are some unusually attractive features such as plenty of closet space, chest of drawers, window seats etc. The hall bath room is located convenient to the two rear bed rooms, having a charming color scheme of tile most pleasing to the eye. In each of the bed rooms great care has been taken to provide sufficient wall space, base receptacles, bracket lights, in fact no thought and expense has been spared in making each bed room a charm all of its own.

From the upper hall there is a stairway leading to the attic and there you will find two separately finished rooms with an additional large attic space unfinished.

In the basement, which is spacious, well lighted and ventilated, you will find ample space for the furnace and fuel, which space is cut off from the laundry room and entrance.

At the rear of the lot there is an attractive two car garage with servants room and servants bath.

On this home you will find copper gutters and down spouts of sufficient size to take care of water, with all water piped away to the street.

Space will not warrant further description, you must see it to appreciate it.

Growth Tells The Story

As owners and developers of SUNSET HILLS, we are just as proud of this development as the 179 who have established their homes there within the past five years.

Note the progress in SUNSET HILLS, year by year since, its inception and you too will find a safe guide where to make your home or homesite investment.

1924—1st year—18 Homes

1925—2nd year—53 Homes

1926—3rd year—90 Homes

1927—4th year—129 Homes

1928—5th year—172 Homes

1929—so far—179 Homes

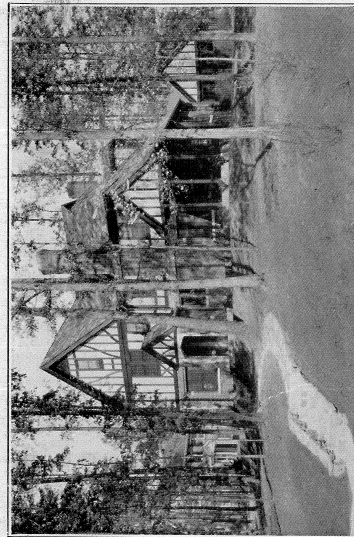
This is a total of 179 homes, in sixty-four months, representing an investment for homes alone of approximately **\$2,500,000.00**.

Again we ask, has faith in SUNSET HILLS, been justified, and do you know of any development or organization as deserving of your consideration, based on a record of past accomplishments?

Salesmen:

Paul Edgerton Alan Turner R. M. Clapp

Phones 927-928



Home No. 68—Described Within

A FEW OF
"Moore's Better
Built Homes"
IN
SUNSET HILLS

Built Up to a Standard
and Not Down to a Price

A. MOORE · K.
REALTY · CO. · K.



The COLLINGWOOD (Size 42x34')

It is appreciation that humanity really is seeking and not gold. Gold, gained honestly or dishonestly, is in turn paid for appreciation and applause. He is most appreciated by friend and neighbor who contributes to his community a substantial home of The Collingwood design, and unselfishly shares his comforts and pleasures with those of his kind.



Ferdinand Ogletree House, ca. 1927



COLONIAL REVIVAL STYLE



Margaret and Purvis Beeson House, ca. 1935



Corday and Hercules Koontz House, ca. 1937



Helen and Dr. Duncan Holt House, ca. 1927

Alice and Frank Lamb House, ca. 1937



Mary and Jay Boone House, ca. 1940



Hazel and Diffe Lambert House, ca. 1939



TUDOR REVIVAL STYLE



Winifred and Harold Pugh House, 1931



Mary and Hugh Preddy House, 1927



Olive and Lawrence Crawford House, ca. 1927



Bessie and Robert Wood House, ca. 1928

PERIOD COTTAGE STYLE



Mary and Thomas Matlock House, ca. 1935

CRAFTSMAN BUNGALOWS



Lillian and Jesse Coe House, ca. 1927



Fannie and George Russell House, ca. 1926

Minimal Traditional



Pauline and Sion Campbell House, ca. 1930



Merle and Bascom Mitchell House, ca. 1937

Ranch Houses



Laura Orleans and Sol Bernard Weinstein House, ca. 1956



First Christian Church Parsonage, ca. 1955

Carolyn and George H. Roach House, ca. 1947



Helen and Paul Lindley House, ca. 1928



What Makes a Building Noncontributing?



Next steps:

- HPC Voted to support the nomination at their September 26th meeting.
- City Council makes recommendation to the National Register Advisory Committee
- National Register Advisory Committee reviews report and makes nomination to the National Park Service on October 11th.
- National Park Service formally lists the district within 45 days of receipt of the nomination.



EDBS

Economic Development and Business Support

*Urban Development Investment
Guidelines – Long Term Vacant Big Box
Revitalization Loan Program*

October 2, 2012



Urban Development Investment Guidelines

- Provides a consistent and transparent evaluation tool for reviewing requests for public participation (loan) in private revitalization of long-term vacant big box shells.
- Tool to advance the Connections 2025 Comprehensive Plan recommendation encouraging the reuse and redevelopment of previously developed properties and buildings that are no longer economically viable for their intended use and targeting City actions or funding to make specific projects happen.
- Requires at least 1 new job per every \$50,000 borrowed.



Urban Development Investment Guidelines

- ⦿ Does not establish an entitlement program.
- ⦿ All decisions regarding specific loan requests are solely at the discretion of City Council.
- ⦿ The Guidelines are intended to be a flexible tool and City Council may waive any aspects of the Guidelines it deems appropriate during review of loan requests.
- ⦿ Big box shell must be at least 25,000 square feet and have been vacant for at least 2 years.
- ⦿ City loan will be secured by no less than a second lien against the property.
- ⦿ Developer will cover all closing costs to include environmental assessment, title insurance, legal costs, etc.



Urban Development Investment Guidelines

- Project and Developer must be creditworthy
 - Developer must have at least 10% equity in project.
 - Must fully guarantee the loan.
 - Personal credit reports will be run.
 - Borrower must provide 3 years of federal personal and business tax returns, personal financial statement, and business financial statements.
 - Project must have a lease in place with a term that matches the term of the loan.
 - 2 Years of financial statements must be provided on the tenant.
 - Project must cash flow.
 - Comprehensive sources and uses of funds for the project must be provided and total capital must be fully committed.



Urban Development Investment Guidelines

- Encourages sustainable development
 - Reuse of existing real property improvements in established neighborhoods.
 - Higher priority given to projects achieving a LEED standard or federal Energy Star designation.
 - Expected to reduce traffic and increase quality of life by providing products and services within neighborhoods.
- Loans will accrue interest at a market rate
 - Like Term Treasury Security + 4.5%.
 - 1 Year - 4.65%
 - 3 Year - 4.81%
 - 5 Year - 5.13%
 - 10 Year - 6.13%



Recommendation

- Staff recommends approval of the Long Term Vacant big Box revitalization Loan Program.
- No funding is being requested at this time.
 - Approval of specific loan requests will be contingent on funding availability.



City of **GREENSBORO** *North Carolina*

Food Truck Pilot Program Update

EDBS

October 2, 2012





Photo from Commerce Place





Statistics from Pilot Program

- Over 140 people were in attendance on Monday, October 1
- Over 250 people were in attendance on Tuesday, October 2
- Two of the four food trucks officially sold out on Tuesday
- 30-plus responses to survey / research design
- City website has received positive responses to pilot
- Complaints received are associated with road closing and noise





Cost Estimates

October Estimated Expense	
Street Closing Cost	\$400
Parking Space Rental	\$2,700
Administrative Cost	\$500
Total Cost	\$3,600

Original October Estimated Revenue	
Available Truck Spots	184
Fee per Spot	\$20
Total Estimated Revenue	\$3,680

Updated October Estimated Revenue	
Available Truck Spots	108
Fee per Spot	\$20
Total Estimated Revenue	\$2,160

- Staff estimates a net loss of \$1,440 for the month of October