

## SUMMARY OF MINUTES

### COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

4:00 P.M., TUESDAY, DECEMBER 13, 2005

COMMITTEE ROOM

ROOM 239, CITY HALL

---

*MEMBERS PRESENT:* Council Member Nelson L. Malloy, Jr. Chair  
Council Member Dan Besse, Vice Chair  
Council Member Evelyn Terry  
Council Member Molly Leight

*OTHERS PRESENT:* Council Member Joycelyn V. Johnson  
Council Member Robert C. Clark (in at 5:27 p.m.)

Chair Malloy called the meeting to order and recognized the two new Committee Members, Council Members Leight and Terry. He noted that the Committee would be reviewing a revised agenda and asked if any items needed to be pulled from the Consent Agenda.

Council Member Besse requested to pull Item C-7 and Council Member Johnson noted that she had a question concerning Item C-6(a) and (b).

Council Member Besse made a motion to approve Item C-8. The motion was duly seconded by Council Member Leight and unanimously carried.

#### CONSENT AGENDA

8. CONSIDERATION OF APPROPRIATE AND VERIFIABLE PERCENTAGE GOALS FOR PARTICIPATION BY MINORITY AND WOMEN OWNED BUSINESSES FOR THE CITY'S STREET ASPHALT RESURFACING CONTRACT – *For Information.*
6. CONSIDERATION OF ITEMS RELATING TO THE PROPOSED LIBERTY STREET CORRIDOR REDEVELOPMENT PLAN:
  - a. RESOLUTION OF THE CITY COUNCIL ACTING IN ITS REDEVELOPMENT CAPACITY ACCEPTING THE RECOMMENDATION OF THE CITY-COUNTY PLANNING BOARD ON THE LIBERTY STREET CORRIDOR REDEVELOPMENT PLAN.
  - b. RESOLUTION OF THE CITY COUNCIL, ACTING IN ITS REDEVELOPMENT AND MUNICIPAL CAPACITIES, APPROVING THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR THE LIBERTY STREET

### CORRIDOR REDEVELOPMENT PROJECT.

Mr. Derwick Paige, Assistant City Manager, responded to Council Member Johnson's questions, stating that the Auto Springs lots at the corner of Old Northwest Boulevard and Liberty Street and the residential property between 17<sup>th</sup> Street and New Hope Lane are now all part of Phase I.

Council Member Besse made a motion to approve Item 6(a) and (b). The motion was duly seconded by Council Member Leight and unanimously carried.

#### 7. RESOLUTION ADOPTING AMENDMENT TO THE GROWTH MANAGEMENT PLAN.

Council Member Besse requested that the proposed thruway on Map 4, Page 11, be changed to reflect using the Queen Street line consistently as its southernmost border, and made a motion to approve that item as amended. He inquired as to why the thruway had been reflected to dip below Queen Street at the western and eastern corners.

Ms. Judith Hunt, Planning Department, explained that staff had debated including the park areas at those two corners, but the change could be made without issue.

Council Member Johnson pointed out that Belews Street, shown on Map 5, Page 12, had recently been renamed to C.E. Gray Drive.

Council Member Besse repeated his motion to approve the document as amended to change Map 4 with the Thruway's southernmost border running along the border of Queen Street. The motion was duly seconded by Council Member Leight and unanimously carried.

### GENERAL AGENDA

#### 1. PRESENTATION BY NIEMANN CAPITAL, LLC REGARDING REDEVELOPMENT PLAN FOR THE AREA SOUTH OF FOURTH STREET BETWEEN LIBERTY STREET AND THE STROLLWAY.

Mr. Paige explained that Niemann Capital, LLC had been chosen as the approved developer for this project and stated that Mr. Tom Niemann, President and Mr. Josh Parker, Niemann Capital, LLC were in attendance to make a presentation to the Committee.

Mr. Parker, 2318 Heron Street, Durham, explained that stakeholder meetings, as well as community meetings had been conducted to determine the needs for the property. He stated that the massing scheme had been presented to the Statement of Intent (S.O.I.) Committee, an initial plan was developed, taking into consideration its impact on the surrounding community, as well as Forsyth County. The initial plan includes an acre of Civic Plaza area, 100 residential units with 14,000 square feet per floor of the building, 220 underground parking spaces, 50,000 square feet for office space, as well as 15,900 square feet for retail space. He noted that parking issues would be a major constraint on the project. Mr. Parker pointed out that the project would result in a development employing 80 people and housing approximately 175 residents. He presented an illustration of possible building massings and noted that it had been determined that in order to achieve desired results, it would not be feasible to preserve the Pepper Building. Mr. Parker stated that options for the Courthouse included preservation of the building with or without removal of the wings, or removal of the building to be used as greenspace or new development. He explained that Niemann

would take into consideration the importance of public art in the Civic Plaza area, the need to bridge the gap between this area and the Research Park, as well as environmental sustainability of the project. Mr. Parker stated that currently, the Memorandum of Understanding (MOU) is being finalized with the Downtown Winston-Salem Partnership (DWSP), financial partnerships are being assessed, and consideration is being given to utilization of local and historically underutilized businesses.

Council Member Besse expressed a concern that initially, it had been represented that with the addition of City-owned land, that this could be a self-financing project. He inquired about the type of public financing anticipated.

Mr. Paige indicated that the developer is aware that there should be limited public financing of the project, and noted that consideration would be given to the possibility of self-financing bonds. He explained that the Finance Committee supported the proposal, but expressed some concern about financing. Mr. Paige stated that actual financing requirements and options would be discussed as part of the next planning phase during the next 120 days.

Council Member Besse expressed his concern about whether or not significant public investment in the project would be the best use of the City's limited resources available for downtown redevelopment at this time.

In response to Council Member Besse, Mr. Parker explained that the addition of office space in the project was a result of a prospective tenant's request to be included in the project with office space and its connection to the Civic Plaza.

Council Member Besse noted that the City is currently overextended in its investment in downtown parking, and expressed his concern that the public investment not involve parking projects.

Mr. Niemann, 3816 Dover Road, Durham, stated that although Niemann Capital is reviewing the project from the taxpayers' perspective, the project would be costly. He noted that the larger the development and more consumers brought in for retail offerings, the currently existing decks and lots could be filled up.

Responding to Council Member Terry, Mr. Paige stated he had recently been asked by the County Manager to hold plans for the Courthouse for at least six months, allowing further consideration by the County to using the Courthouse as opposed to making it available for private use at this time.

Mr. Parker explained to Council Member Leight that most community members and stakeholders had expressed their desire that the Pepper Building be torn down. He pointed out that the building would only allow for approximately 25 useable units, whereas, tearing it down and rebuilding would allow for 65 useable units.

Mr. Paige indicated that staff would continue to update the Committee on the progress of the development.

## 2. CONSIDERATION OF ITEMS RELATING TO FEDERAL GRANT ASSISTANCE:

- a. RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE FERGUSON GROUP FOR FEDERAL GRANT ASSISTANCE AND

APPROVING THE FFY 2007 FEDERAL AGENDA FOR WINSTON-SALEM AND FORSYTH COUNTY.

- b. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM FOR FY 2005-2006.

Mr. Paige presented the staff report and introduced Ms. Leslie Mozingo, Ferguson Group, for an update on the FFY2006 and FFY2007 agendas.

Ms. Mozingo noted that the amount of success achieved with the FFY2006 agenda was impressive and the Congressional delegation deserves most credit for obtaining the items.

In response to Council Member Leight, Mr. Paige stated that the Intermodal Center listed on the FFY2006 agenda is to be a multi-transportation center to be located at Martin Luther King, Jr. Drive and Business I-40. He noted that this is the former train station and would house locations for the Winston-Salem Transit Authority (WSTA), Piedmont Authority for Regional Transportation (PART), a light rail system, as well as any other form of transportation deemed viable for the station. He explained that these funds would be used for acquisition of the property and this would be a multi-year funded project.

Council Member Johnson mentioned that suggestions had been made in the Finance Committee to add requests for funding re-entry projects and summer youth programs to the FFY2007 agenda.

Ms. Mozingo explained that in order to develop the agenda, she initially gets a list of needs from City staff and then compares the list to the dynamics of the upcoming Congressional year to verify the possibility of obtaining the funding. She pointed out that some projects may be repeated in subsequent years due to the need to request funding in increments, or if a project is rejected, requests will continue to be made until approved. Ms. Mozingo indicated that the FFY2007 agenda is aggressive and continues to evolve.

Mr. Paige responded to Council Member Terry's question, stating that the amount requested for stormwater infrastructure would be in addition to funding currently in the City's capital budget. He also stated that if the federal funding is received, the actual use for the money has not yet been identified.

Council Member Besse noted that approximately \$25 million in stormwater infrastructure needs in the City had been identified.

Council Member Johnson reminded staff that a request had been made for a breakdown by City and County of the money received for FFY2006.

Ms. Mozingo explained that the Ferguson Group had previously worked with Charlotte/Mecklenburg County but Charlotte and Mecklenburg County decided to split and utilize separate lobbying firms. She stated that Charlotte had requested Ferguson to limit their work within North Carolina, and the Group turned them down, thus ending their relationship with Charlotte. Ms. Mozingo noted that it was the policy of the Ferguson Group not to work with more than two communities within one Congressional district. She pointed out that the other group worked with in the City's district is Sparta/Alleghany County.

In response to Council Member Besse, Ms. Mozingo stated that in order for the City to be eligible for funding of the streetcar item under Transportation, there would have to be a line item for the project. She stated that the request would remain on the list as a placeholder, and possibly have the language amended to request the Federal Transit Administration continue to work with the community.

Council Member Besse noted the success experienced with the Ferguson Group and expressed his support for the resolution.

Council Member Besse made a motion to approve the item. The motion was duly seconded by Council Member Terry and unanimously carried.

3. ORDINANCES AMENDING SECTIONS 26-14 AND 62-2 OF THE CITY CODE TO REDEFINE A "CHRONIC VIOLATOR" WITH REGARD TO GARBAGE AND TRASH AND WEEDED LOTS VIOLATIONS.

Mr. Ritchie Brooks, Director of Housing/Neighborhood Services, presented the staff report.

Council Member Besse expressed a concern that having to remind a property owner to cut their grass three times a year should be enough to constitute chronic violator, without stipulating abatement as part of the terms. He noted, however, that there should not be an abatement issue for property owners with dumping issues.

Ms. Stephanie Stimpson, Housing/Neighborhood Services, pointed out that the chronic violator notice would be per property and not per property owner.

Mr. Glenn Cobb, Homebuilders and Realtors Association, 195 Executive Park Boulevard, expressed a concern that, under the current ordinance, property owners making a good faith effort to abate their property were being unfairly penalized compared to owners who choose not to abate their property.

*(Council Member Clark entered the meeting at 5:27 p.m.)*

Council Member Leight expressed a concern that property owners should be able to maintain their grass mowing responsibilities.

Mr. Cobb noted that many lease contracts with tenants specify that the tenant is responsible for yard maintenance, and property owners have to continually follow-up, resulting in periodic notices being sent.

Council Member Besse pointed out that the property manager could amend lease contracts to address maintenance issues with their tenants.

Council Member Besse made a motion to approve the amendment to Section 26-14 (Garbage and Trash) of the City Code, but hold the amendment addressing Section 62-2 (Weeded Lots) until the January meeting for further discussion. The motion was duly seconded by Council Member Terry and unanimously carried.

In response to Council Member Clark, Mr. Brooks stated that although the surveillance cameras had not caught anyone in the act of dumping, they had discouraged the amount of dumping. He stated

that as a result of the Trashbusters program, there had been one successful investigation which would result in a payout, and a second tip is in the process of being researched.

4. PRESENTATION ON THE TEN YEAR PLAN TO END CHRONIC HOMELESSNESS.
5. REPORT REGARDING FINANCIAL RELATIONSHIP BETWEEN THE CITY AND THE HOUSING AUTHORITY OF WINSTON-SALEM – *For Information.*

In response to Chair Malloy's question, Mr. Tim West, Housing/Neighborhood Development, stated that the next stakeholders meeting on Chronic Homelessness would be in February.

Due to time constraints, by consensus, the Committee decided to delay consideration of Items 4 and 5 until the January Committee meeting.

ADJOURNMENT: 5:39 p.m.