

D-26883

Summary of Minutes

May 16, 2005

A Regular Meeting of the Winston-Salem City Council was held on Monday, May 16, 2005 at 7:30 p.m. in the Council Chamber at City Hall, Mayor Allen Joines presiding and the following members present:

Members Present:	Robert C. Clark Dan Besse Joycelyn V. Johnson	Vivian H. Burke Nelson L. Malloy, Jr. Wanda Merschel
Members Absent:	Council Members Vernon Robinson and Frederick N. Terry	
Secretaries:	Renée P. Henderson, City Secretary; and Melanie Johnson, Recording Secretary	
Sergeants at Arms:	Lieutenant C.W. (Bill) Cobb and Lieutenant Connie Southern	
Invocation:	Imam Khalid Griggs of Community Mosque Of Winston-Salem	
Pledge of Allegiance		

Mayor Joines recognized middle and high school student participants in an art project to promote racial harmony. He thanked Dr. Angelia Fryer, Assistant Superintendent, and Ms. Lynn Foltz of the Visual Arts Program of Winston-Salem/Forsyth County Schools, as well as co-sponsors the Links, Inc. and Dr. Constance Johnson. The Mayor noted that a grant from the Winston-Salem Foundation assisted in funding the program.

At this time, Mayor Joines recognized Ms. Nicki Hargrove, a Senior at Carver High School, who is the recipient of Stephen J. Bollinger Memorial Scholarship under the Public Housing Authority Director's Association.

Ms. Hargrove read her essay describing the advantages of receiving assistance through the

Section 8 program.

Council Member Burke recognized Ms. Hargrove's mother and Dr. Reid Lawrence from the Housing Authority of Winston-Salem, (HAWS). She pointed out that several parents and students had received scholarships through HAWS.

Mayor Joines stated that the Council would now consider the Consent Agenda and asked if anyone wished to remove items for separate discussion. Council Member Johnson asked that Item C-5 be removed for discussion. Council Member Besse requested removal of Items C-2 and C-9, and the Mayor requested Item C-17. No other items were removed from the Consent Agenda.

CONSENT AGENDA

All items listed below were enacted by one motion for approval or adoption, as appropriate, which motion is as follows:

Council Member Johnson made a motion that these items be approved/adopted at this meeting. The motion was duly seconded by Council Member Malloy and unanimously carried.

1. CONSIDERATION OF ITEMS RELATING TO THE ACQUISITION/SALE/LEASE OF PROPERTY: *[Recommended by Finance Committee.]*
 - a. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY UNDER THE PROVISIONS OF N.C.G.S. 160A-269 – *5445 Woodcliff Drive.*
 - b. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY UNDER THE PROVISIONS OF N.C.G.S. 160A-269 – *Property located at 419 W. 23rd Street.*
 - c. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY UNDER THE PROVISIONS OF N.C.G.S. 160A-269 – *Property located at 1214 Pleasant View Drive.*
 - d. RESOLUTION AUTHORIZING REINSTATEMENT OF A LEASE TO THE ARTS COUNCIL, INC. UNDER THE PROVISIONS OF N.C.G.S. 160A-272.

- 3. RESOLUTION AUTHORIZING SUBMISSION OF GRANT APPLICATION, ACCEPTANCE OF HOMELESS ASSISTANCE GRANT FUNDS, AND EXECUTION OF SUBGRANTEE AGREEMENTS. *[Recommended by Finance Committee.]*
- 4. CONSIDERATION OF ITEMS RELATING TO SUBSTANDARD STRUCTURES: *[Recommended by Community Development/Housing/General Government Committee.]*

ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(1) OF THE CITY CODE: *(Repairs Less Than 50% of Value of Structure)*

	<u>Property Owner</u>	<u>Property Location</u>
a.	George Mitchell, Heirs	1334 Revere Road
b.	Tomel Properties, LLC	1804 Center Street
c.	Louis S. and Shirley Werts	2008 Bloomfield Drive

ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CITY CODE: *(Repairs More Than 50% of Value of Structure)*

	<u>Property Owner</u>	<u>Property Location</u>
d.	M. E. Simpson/D. E. Barfield	4944 Pinewood Drive

ORDINANCE ORDERING THE HOUSING SERVICES DEPARTMENT TO REMOVE OR DEMOLISH STRUCTURES UNFIT FOR HUMAN HABITATION AND OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: *(Repairs More than 65% of Value of Structure)*

	<u>Property Owner</u>	<u>Property Location</u>
e.	Mercy Seat Holy Church	129 Clayton Street

- 6. CONSIDERATION OF ITEMS RELATING TO AMENDMENTS TO THE CITY CODE: *[Recommended by Public Safety Committee.]*
 - a. ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS – *Pilot View Street, Overdale Road, Shouse Boulevard, Breeze Hill Road, Cheshire Woods Drive, Esquire Place Drive, Cheshire Place Drive, and Cheshire Place Court.*

- b. ORDINANCE AMENDING SECTION 42-124(a) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS IN SCHOOL ZONES – *Atkins High School – Old Greensboro Road from Barry Street to Wales Street.*
7. RESOLUTION SUPPORTING THE FIRE DEPARTMENT’S EFFORTS IN SEEKING A FEDERAL GRANT UNDER THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE FIREFIGHTERS (SAFER) ACT. [*Recommended by Public Safety Committee.*]
8. CONSIDERATION OF ITEMS RELATING TO STREET CLOSING PETITIONS: [*Recommended by Public Works Committee.*]
 - a. RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON TWIN BRANCH STREET IN THE SOUTHEAST WARD (Council Member Terry) – *Petition of Margaret Fowler. Public Hearing: June 20, 2005.*
 - b. RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON A PORTION OF EIGHTH STREET IN THE EAST WARD (Council Member Johnson) – *Petition of James H. Perkins. Public Hearing: June 20, 2005.*
 - c. RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON SEVERAL STREETS IN THE HAPPY HILLS HOPE VI REDEVELOPMENT AREA IN THE EAST WARD (Council Member Johnson) – *Petition of the Housing Authority of Winston-Salem. Public Hearing: June 20, 2005.*
10. RESOLUTION DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF SPECIAL OBLIGATION BONDS, REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY’S SPECIAL OBLIGATION BONDS, AND CERTAIN RELATED MATTERS. [*Recommended by Finance Committee.*]
11. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM FOR FISCAL YEAR 2004-2005 – *Purchase of Additional 5,500 Roll-Out Carts. [Recommended by Finance Committee.]*
12. ORDINANCE AMENDING SECTION 10-2 OF THE CITY CODE TO ALLOW LOCAL GOVERNMENTS TO USE A LINE OF CREDIT. [*Recommended by Finance Committee.*]
13. RESOLUTION APPROVING THE FISCAL YEAR 2005-2006 OPERATING MEMORANDUM BETWEEN THE CITY OF WINSTON-SALEM AND THE RISK ACCEPTANCE MANAGEMENT CORPORATION (RAMCO). [*Recommended by Finance Committee.*]

14. RESOLUTION AWARDED CONTRACT FOR RESURFACING CITY STREETS – *APAC Atlantic, Thompson Arthur Division - \$965,510.86. [Recommended by Finance Committee.]*
15. RESOLUTION DIRECTING FILING OF PRELIMINARY ASSESSMENT ROLL, FIXING TIME OF MEETING TO HEAR OBJECTIONS, AND DIRECTING PUBLICATION OF NOTICE OF MEETING, RELATING TO THE DEMOLITION OF HOUSING UNFIT FOR HUMAN HABITATION – *Public Hearing: June 20, 2005.*
16. RESOLUTION AUTHORIZING THE ABANDONMENT OF A SANITARY SEWER EASEMENT AND A WATER EASEMENT LOCATED IN SOUTHSIDE SQUARE OFF OF SOUTH MAIN STREET IN KERNERSVILLE – *Request of Kernersville Redevelopment Company. [Recommended by Public Works Committee.]*
18. APPROVAL OF SUMMARY OF MINUTES – *April 18, 2005.*
2. CONSIDERATION OF ITEMS RELATING TO AN ECONOMIC DEVELOPMENT PROJECT: *[Recommended by Finance Committee.]*
 - a. RESOLUTION APPROVING LOAN TO DEVELOPING DESIGNS AND RENOVATIONS, INC. FOR REDEVELOPMENT OF FORMER SMITH DRY CLEANERS SITE ON MARTIN LUTHER KING, JR. DRIVE.
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM FOR FY 2004-2005.

Mr. Derwick Paige, Assistant City Manager, indicated to Council Member Besse that the collateral value would be enough to cover the principal loan, as well as the City's loan.

Council Member Johnson: Motion for adoption.

Council Member Burke: Second.

Council Member Johnson mentioned that this property would now add to the value of the Martin Luther King, Jr. Drive corridor.

The motion to approve the item was unanimously carried.

5. RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY STORMWATER DIVISION AND THE NORTHWEST PIEDMONT COUNCIL OF GOVERNMENTS TO REQUEST THE NORTH CAROLINA

DIVISION OF WATER QUALITY FOR THE RESTORATION OF BRUSHY FORK CREEK. [Recommended by Finance Committee.]

Mr. Gregory M. Turner, Assistant City Manager/Public Works, explained that staff is currently pursuing a relocation project for the portion of Brushy Fork Creek at Old Greensboro Road. He noted that due to previous activities on a portion of the property, the State had declined funding for rehabilitation under the stream restoration project.

Council Member Besse requested staff consider a similar review to address stormwater issues at Little Creek.

Council Member Johnson: Motion for adoption.

Council Member Burke: Second. Unanimous.

9. **RESOLUTION AUTHORIZING TEMPORARY CHANGES TO ENSURE CONTINUED ACCESS BY CITY EMPLOYEES TO ALL MAJOR HEALTH CARE PROVIDERS. [Recommended by Finance Committee.]**

Mr. Bill Stuart, City Manager, explained that this item would cover the cost difference to employees affected by the contract negotiations between Blue Cross/Blue Shield (BCBS) and Baptist Hospital.

In response to Council Member Besse's concern, Mr. Stuart noted that the City's portion of covered employees is relatively small and should not adversely affect negotiations between BCBS and Baptist Hospital.

Council Member Besse expressed his concern over this remedy and would consider it to be unacceptable as a long-term solution.

Council Member Clark: Motion for adoption.

Council Member Burke: Second.

Council Member Johnson requested to be excused from voting due to her employment with Baptist Hospital.

Council Member Clark: Motion to excuse Council Member Johnson.

Council Member Burke: Second. Unanimous.

Those voting in favor of the original motion were Council Members Clark, Besse, Burke, Malloy, and Merschel. Excused from voting: Council Member Johnson. The motion carried on a vote of five in favor and one excused from voting.

Mayor Joines stated that, without objection, Item C-17 would be considered at the end of the General Agenda.

GENERAL AGENDA

1. PUBLIC HEARING AND RESOLUTION APPROVING FINANCIAL ASSISTANCE TO TENGION, INC. [*Recommended by Finance Committee.*]

Mr. Paige pointed out that Winston-Salem Business, Inc. (WSBI) had committed to raising \$100,000 over a five-year period to match the City's assistance.

Mr. Bob Leak, WSBI, 1080 West Fourth Street, stated that WSBI believes this development to be vital to the city's future, and Tengion, Inc. would promote development of the Piedmont Triad Research Park and expansion of the biotech and medical technology industry.

Mr. Bill Dean, 3105 Bentley Court, indicated it was necessary to create clusters of biotechnology-based companies and employees to attract more of the same industry to the city.

Mr. Ben Salt, 805 Conway Court, Vice President Public Policy/Communications, Chamber of Commerce, presented a resolution by the Chamber endorsing support of Tengion, Inc.

Mr. Russ Reid, 9004 Stanford Club Court, Rural Hall, stated he had seen two communities

economically transformed by the biotechnology industry and stressed the importance of bringing Tengion, Inc. into the community.

Mr. Jack Smith, 1105 Glade Street, indicated that he is a fifth grade teacher at Sherwood Forest Elementary School. He stated his students had been studying economic development in Winston-Salem and expressed his support for Tengion, Inc.

Council Member Burke pointed out recent successes with economic development projects such as Dell and expressed her support for Tengion, Inc. She made a motion to approve the item.

Council Member Clark: Second.

Council Member Merschel thanked everyone who had worked on this project. She pointed out the importance of bringing all aspects of the biomedical field into the community.

Council Member Johnson requested a WSBI representative report on efforts to educate students on the importance of biotechnology.

Mr. Dean explained that there were several community outreach and training programs, including summer camps to enable all children to obtain hands-on science experience and follow-up with it in their classrooms.

Council Member Clark expressed his appreciation to WSBI for agreeing to raise funds in addition to the City's support. He noted that many communities are competing for the biotech industry and pointed out one of Winston-Salem's biggest strengths as Wake Forest University and Baptist Hospital.

Council Member Besse pointed out his record on encouraging Congress to regulate the use of economic incentives. However, he stated that this deal falls within the categories that the City is trying to recruit and would provide an immediate economic return for taxpayers.

Council Member Malloy expressed his support for Tengion and thanked WSBI for its efforts in recruiting companies to Winston-Salem.

Mayor Joines thanked the private sector for their contributions to the project and noted that he had been contacted by someone today interested in contributing \$30,000 to the project.

The motion to approve the resolution was unanimously carried.

Council Member Burke thanked staff for their willingness to work closely with the private sector to achieve these goals.

Council Member Merschel asked the people involved in getting Tengion to the community to stand up and be recognized.

The Mayor thanked Mr. Smith and his fifth grade class for their citizen participation in economic development projects.

2. PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF TRADE STREET IN THE EAST WARD (Council Member Johnson) – *Petition of the City of Winston-Salem. [Recommended by Public Works Committee.]*

No one heard.

Council Member Johnson: Motion for approval.

Council Member Merschel: Second. Unanimous.

3. PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A 20-FOOT ALLEY OFF OF CHAPEL STREET IN THE SOUTHEAST WARD (Council Member Terry) – *Petition of the North Carolina School of the Arts. [Recommended by Public Works Committee.]*

No one heard.

Council Member Johnson: Motion for approval.

Council Member Burke: Second. Unanimous.

4. PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF HIGHLAND STREET IN THE SOUTHEAST WARD (Council Member Terry) -*Petition of Ralph J. Cochran. [Recommended by Public Works Committee.]*

Mr. Ralph J. Cochran, 139 Holbrook Street, explained that he wanted to have the street closed to allow him to move a mobile home onto the property for his sister, who is ill.

Mayor Joines declare the public hearing closed.

Council Member Johnson: Motion for approval.

Council Member Burke: Second

In response to Council Member Johnson's request, Mr. Turner presented a map and pointed out the location of the street closing. He explained to Council Member Clark that the closing would not present an access problem for the adjoining property owner.

The motion to approve the resolution was unanimously carried.

17. CONSIDERATION OF MAYOR JOINES' RECOMMENDATIONS FOR APPOINTMENTS/REAPPOINTMENTS:

a. WINSTON-SALEM TRANSIT AUTHORITY

Robert Garcia – Appointment – Term Expiring July 2005

Ruth Elizabeth Carter – Reappointment – Term Expiring March 2008

Council Member Burke: Motion for approval.

Council Member Malloy: Second. Unanimous.

b. CITY/COUNTY PLANNING BOARD

Lewis Wesley Curtis, Jr. – Appointment – Term Expiring February 2009

Jerry Lewis Clark – Reappointment – Term Expiring February 2009

Council Member Johnson: Motion to approve.

Council Member Burke: Second. Unanimous.

5. UPDATE ON STRATEGIC PLAN.

Mr. Lee Garrity, Assistant City Manager, explained that 90% of the objectives in the plan are on schedule or had been met. He presented a video highlighting accomplishments of the plan, including strategies to address social vitality, community participation, service excellence, economic vitality and diversity, as well as improvements in local governance. Mr. Garrity noted that this video would also be presented to residents via TV-13 and brochures made available to the public.

In response to Council Member Clark, Mr. Garrity stated that street maintenance was bid out but no bids were received from outside contractors. He noted the only bid received was from the Streets Department, which was higher than their operating budget, so the bid was rejected.

Council Member Burke complimented the Marketing Department on the brochure.

Council Member Merschel reminded residents that she and the Mayor would conduct the Talk of the Town for the Northwest Ward this Thursday, May 19, 2005 at the YWCA. She pointed out that a copy of the City Manager's Budget would be available that evening.

Mayor Joines recognized fire and police personnel in attendance, and noted that progress on their issues should be made this year.

Council Member Burke explained that the Council is sensitive to the concerns of public safety personnel. She also pointed out that City Secretary Renée Henderson had been recognized by the Convention and Visitors Bureau and the Tourism Development Authority as an outstanding woman in our community.

ADJOURNMENT: 8:31 p.m.