

D-27143

Summary of Minutes

September 18, 2006

A Regular Meeting of the Winston-Salem City Council was held on Monday, September 18, 2006 at 7:30 p.m. in the Council Chamber at City Hall, Mayor Allen Joines presiding and the following members present:

Molly Leight	Vivian H. Burke
Robert C. Clark	Nelson L. Malloy, Jr.
Dan Besse	Wanda Merschel
Joycelyn V. Johnson	Evelyn A. Terry

Secretaries: Renée P. Henderson, City Secretary and Paige Deal, Recording Secretary

Sergeant at Arms: Lieutenant Connie Southern

Invocation: Reverend Elizabeth Horton of First United Church of Christ

RESOLUTION ENDORSING PARTICIPATION IN THE NATIONAL LEAGUE OF CITIES' PARTNERSHIP FOR WORKING TOWARD INCLUSIVE COMMUNITIES

Council Member: Motion for approval.

Council Member Malloy: Second. Unanimous.

Mayor Joines stated that Council would now consider the Consent Agenda and asked if anyone wished to remove any items for separate discussion. Council Member Johnson asked that Item C-11 be removed. No other items were removed from the Consent Agenda.

Council Member Merschel: Motion for approval of the Consent Agenda.

Council Member Malloy: Second. Unanimous.

CONSENT AGENDA

- C-1. CONSIDERATION OF ITEMS RELATING TO ACQUISITION/DISPOSITION OF PROPERTY: [Recommended by Finance Committee.]
- a. RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY FOR THE EXTENSION OF THE MUDDY CREEK GREENWAY - Purchase of 5.3159 acres from Gerald R. and Rosemary Wheeler.
 - b. RESOLUTION ACCEPTING PROPERTY LOCATED AT THE CORNER OF REYNOLDS BOULEVARD AND SHOREFAIR DRIVE FOR STORMWATER BEST MANAGEMENT PRACTICE - Property Donation from R. J. Reynolds, Inc. [Also recommended by Public Works Committee.]
 - c. RESOLUTION ESTABLISHING MINIMUM FAIR REUSE VALUES FOR PARCELS IN THE OLD CHERRY NO. 2 REDEVELOPMENT AREA AND AUTHORIZING THEIR ADVERTISEMENT FOR SALE PURSUANT TO THE PROVISIONS OF N.C.G.S. 160A-269 (NEGOTIATED OFFER, ADVERTISEMENT AND UPSET BID PROCEDURE) AND N.C.G.S. 160A-457 (NEGOTIATED PRIVATE SALE) - Tax Lots 002 and 003 of Tax Block 1368; and Tax Lots 001, 002, 003, 004, 005, 006, 007 and 008 of Tax Block 1340.
 - d. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY LOCATED AT 5485 WOODCLIFF DRIVE UNDER THE PROVISIONS OF N.C.G.S. 160A-269.
 - e. RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH OLD SALEM, INC. FOR THE POLICE DEPARTMENT'S SPECIAL ENFORCEMENT TEAM AND GANG UNIT - 5,056 square feet located at 713 S. Marshall Street.
- C-2. RESOLUTION AUTHORIZING THE HOLDING OF A PUBLIC HEARING AND DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO - Acquisition of Deerwood Crossing and Dutch Village by Provident Housing Resources. [Recommended by Finance Committee.]
- C-3. 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 CODE OF THE CITY OF WINSTON-SALEM: [Repairs less than 50% of value of structure - six months]

Property Owner

Location

- a. Benjamin & Barbara Brown, et al 1404 N. Liberty Street

ORDINANCE ORDERING THE HOUSING SERVICES DEPARTMENT TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE CITY CODE: [Repairs more than 65% of value of structure]

- b. Sabrena Hatchett 2647 Dallas Drive
c. Benjamin & Barbara Brown, et al 1400 Liberty Street
d. Paul Robert Yontz, Jr., et al 2729 Peachtree Street

C-4. ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS ON CITY STREETS - Delmonte Drive, Kress Drive, and Folkstone Ridge Lane. [Recommended by Public Safety Committee.]

C-5. RESOLUTION APPROVING CHANGES IN THE STATE HIGHWAY SECONDARY ROAD SYSTEM WITHIN THE EXISTING CORPORATE LIMITS OF THE CITY OF WINSTON-SALEM - Portions of Dell Boulevard and Patterson Avenue. [Recommended by Public Works Committee.]

C-6. 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 A PORTION OF RIGHT-OF-WAY ON THE NORTH SIDE OF PINE VALLEY ROAD - Petition to Cami E. Kotsionis. Public Hearing: October 23, 2006.

- b. RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON A PORTION OF RIGHT-OF-WAY ON THE NORTH SIDE OF PARK RIDGE CIRCLE - Petition of Park Ridge Point, LLC. Public Hearing: October 23, 2006.

C-7. RESOLUTION AMENDING THE WINSTON-SALEM PERSONNEL RESOLUTION TO MAKE CHANGES TO THE DEFINITION OF PART-TIME EMPLOYMENT. [Recommended by Finance Committee.]

- C-8. ORDINANCES AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY AND PROJECT BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM FOR FY 2005-2006. [Recommended by Finance Committee.]
- C-9. RESOLUTION AUTHORIZING A PAYMENT OF \$165,208.06 TO DUKE ENERGY FOR STREETLIGHT REPAIR ON REYNOLDS BOULEVARD. [Recommended by Finance Committee.]
- C-10. CONSIDERATION OF ITEMS RELATING TO BIDS: [Recommended by Finance Committee.]
- a. RESOLUTION AWARDED CONTRACT FOR BUCHANAN STREET NEW SIDEWALK CONSTRUCTION - Finesse Enterprises, Inc. - \$104,700 (estimated amount).
 - b. RESOLUTION AWARDED CONTRACT FOR PURCHASE OF TWO FIRE PUMPER TRUCKS UNDER THE BID PROCEDURE WAIVER OF N.C.G.S. 143-129(g) FOR THE FIRE DEPARTMENT - Sutphen Corporation - \$727,980 (\$9,853.64 discount to be taken upon making a 25% down payment).
- C-12. RESOLUTION APPROVING ABANDONMENT OF A SANITARY SEWER EASEMENT LOCATED OFF CARLISLE PARK DRIVE - Request of Davis Building, Inc. [Recommended by Public Works Committee.]
- C-13. RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY - Property located behind homes on Swaim Court. [Recommended by Public Works Committee.]
- C-14. CONSIDERATION OF ITEMS RELATING TO DECORATIVE STREETLIGHTING: [Recommended by Public Works Committee.]
- a. RESOLUTION APPROVING AN AGREEMENT WITH THE ROBBINS BROOK HOMEOWNERS ASSOCIATION, INC. TO INSTALL AND MAINTAIN DECORATIVE STREETLIGHTS IN ROBBINS BROOK.
 - b. RESOLUTION APPROVING AN AGREEMENT WITH HILLCREST TOWNE CENTER MASTER ASSOCIATION, INC. TO INSTALL AND MAINTAIN A DECORATIVE STREETLIGHTING SYSTEM IN HILLCREST.
 - c. RESOLUTION APPROVING AN AGREEMENT WITH OLD TOWN VILLAGE HOMEOWNERS ASSOCIATION, INC. TO INSTALL AND MAINTAIN A DECORATIVE STREETLIGHTING SYSTEM IN OLD TOWN VILLAGE - Area to be annexed effective September 30, 2006.

- d. RESOLUTION APPROVING AN AGREEMENT WITH RIVER CHASE HOMEOWNERS ASSOCIATION, INC. TO INSTALL AND MAINTAIN A DECORATIVE STREETLIGHTING SYSTEM IN RIVER CHASE - Area to be annexed effective September 30, 2006.
- e. RESOLUTION APPROVING AN AMENDMENT TO THE JANUARY 27, 2003 AGREEMENT WITH THE LONG CREEK VILLAGE ASSOCIATION FOR ADDITIONAL DECORATIVE STREETLIGHTING ASSOCIATED WITH EXPANSION OF THE LONG CREEK VILLAGE SUBDIVISION - Area to be annexed effective September 30, 2006.

C-15. APPROVAL OF SUMMARY OF MINUTES - September 5, 2006.

C-11. ORDINANCE AMENDING CHAPTER 26 OF THE CITY CODE REGARDING THEFT FROM RECYCLING BINS. [Recommended by Public Works Committee.]

At the request of Council Member Johnson, Mr. Greg Turner, Assistant City Manager, stated that adoption of this ordinance will make it illegal to take commodities from recycling bins already placed at the curb. He advised that the City receives some modest revenue from the sale of the commodities, and if someone takes it once it is placed at the curb, it would be considered theft.

Council Member Johnson: Motion for approval.

Council Member Merschel: Second. Unanimous.

Council Member Besse noted that someone going through recycling bins may find information to contribute to identity theft. He commented that noise could also be a factor.

GENERAL AGENDA

G-1. CONSIDERATION OF MAYOR JOINES' RECOMMENDATION FOR APPOINTMENT TO THE MEDICAL REVIEW BOARD - Dr. Stephen A. Hubbard.

Council Member Clark: Motion for approval.

Council Member Burke: Second. Unanimous.

G-2. PUBLIC COMMENT PERIOD.

Mr. Charles Humphrey, 3525 Hemlock Drive, expressed his thanks to the City for acknowledging that the recent diesel spill was not handled strictly by the adopted policy, and that citizens should have been notified earlier. He voiced a concern about the City investing tax dollars with corporations such as Dell, and he urged the City to be more careful with how it conducts business.

Mayor Joines asked if anyone else wished to address the Council. Hearing no one, he declared the public comment period closed.

MAYOR/COUNCIL COMMENTS

Council Member Johnson reminded everyone that the East Ward Town Hall Meeting will be held Thursday, September 28 at 6:00 p.m. at the Sedge Garden Recreation Center on Robbins Road.

Council Member Burke spoke about the 9/11 commemoration in the City. She expressed appreciation to public safety providers in the community who work so hard for the safety and well-being of the citizens, and also that Mr. Ed McNeal and the Marketing and Communications Department for producing a very nice video.

Mayor Joines also recognized Mr. McNeal for all of the work that went into Rock the Block on September 15.

ADJOURNMENT: 7:45 p.m.