

D-27274

Summary of Minutes

April 16, 2007

Regular Meeting of the Winston-Salem City Council was held on Monday, April 16, 2007 at 7:30 p.m. in the Council Chamber at City Hall, Mayor Allen Joines presiding and the following members present:

Council Members	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 Melanie Johnson, Recording Secretary

Pledge of Allegiance: Led by Boy Scout Troop 934 from Mount Tabor United Methodist Church

Sergeant at Arms: Lieutenant D. J. Perry

Invocation: Reverend Jefferson Caruthers of Carver School Road Church of Christ

RESOLUTION RECOGNIZING THOSE WHO HONOR WOMEN LEADERS

Council Member Clark: Motion for approval.

Council Member Merschel: Second. Unanimous.

Council Member Burke thanked all of those individuals who contribute to the community, in particular women's service to the City. She welcomed Mrs. Florence Corpening and Mrs. Carmen Caruth, as well as former National President of Alpha Kappa Alpha (AKA) Sorority, Inc., Dr. Eva Evans. She noted that the AKA Sorority was the first black sorority in the United States and was established at Howard University in 1908.

In response to Council Member Burke's question, Dr. Evans indicated that the Sorority currently has 200,000 initiated members throughout the United States.

Council Member Burke also noted that two of her husband's relatives, Mrs. Beulah Burke and Mrs. Lillie Burke were founding members of Alpha Kappa Alpha. She presented the resolution to Mrs. Corpening and Mrs. Caruth and requested that staff provide an additional framed copy so that each would receive a copy of the resolution.

Mrs. Corpening thanked the Council on behalf of the YWCA, noting that they have been in existence since 1908 and have been formally recognizing women leaders since 1980.

Mrs. Caruth thanked the City Council on behalf of Visit Winston-Salem, and invited everyone to attend a ceremony honoring women leaders at the Brookstown Inn on April 26th from 5:00 to 7:00 p.m.

(Council Member Terry entered the meeting at 7:37 p.m.)

Dr. Evans thanked the City Council and the residents of Winston-Salem for their warm welcome.

Council Member Burke noted that Mrs. Caruth was the first female Assistant City Manager for the City and recognized Mrs. Martha Wheelock, current female Assistant City Manager.

Mayor Joines stated that Council would now consider the Consent Agenda. He indicated that staff has requested to pull Items C-2(f) and C-4, and asked if there were any other items to be pulled for discussion.

Council Member Johnson pointed out that Item C-2(f) should be continued to the May 21st meeting.

Council Member Besse requested to pull Item C-13(b).

Council Member Burke made a motion to approve the balance of the Consent Agenda.

Council Member Malloy: Second. Unanimous.

- C-1. CONSIDERATION OF ITEMS REGARDING THE PURCHASE OF LAND FROM SENIOR RESIDENCES, INC. (IVY ACRES): [Recommended by Finance Committee.]
 - a. RESOLUTION AUTHORIZING THE PURCHASE OF LAND FROM SENIOR RESIDENCES, INC.
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM FOR FY 2006-2007.

- C-2. CONSIDERATION OF ITEMS RELATING TO THE ACQUISITION/SALE OF PROPERTY: [Recommended by Finance Committee.]
 - a. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY OWNED PROPERTY TO A NON-PROFIT ENTITY CARRYING OUT A PUBLIC PURPOSE AS PERMITTED IN N.C.G.S. 160A-279 - Lots 001-007 of Block 0205 located on Ninth Street between Patterson Avenue and Chestnut Street.
 - b. RESOLUTION AUTHORIZING THE FINAL DISPOSITION OF PROPERTY LOCATED AT 5430 WOODCLIFF DRIVE THROUGH A PUBLIC AUCTION AS PERMITTED IN N.C.G.S. 160A-270 - Lots 038 and 040 of Block 3643 located on Woodcliff Drive.
 - c. RESOLUTION AUTHORIZING THE DISPOSITION OF SURPLUS PROPERTY LOCATED AT 462 W. TWENTY-FOURTH STREET THROUGH A PUBLIC AUCTION AS PERMITTED IN N.C.G.S. 160A-270 AND AUTHORIZATION FOR ACCEPTANCE OF A FLAT \$500 BID DEPOSIT - Lot 111 of Block 1366 located on W. Twenty-Fourth Street.
 - d. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 1110 PLEASANT VIEW DRIVE UNDER THE PROVISIONS OF N.C.G.S. 160A-269 - Lots 103 and 201 of Block 2067 located on Pleasant View Drive.
 - e. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY ON E. FOURTH STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269 - Lot 114 of Block 0398 located on E. Fourth Street.

C-3. RESOLUTION MODIFYING TERMS AND CONDITIONS WITH SALEM RECREATIONAL FIELDS, LLC REGARDING THE SALE OF CERTAIN CITY-OWNED PROPERTY. [Recommended by Finance Committee.]

C-5. 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 (-50)] [Property Owner Location]

- a. Joseph & Janet Beck 2054 Urban Street
- b. Kel Properties LLC 2058 Urban Street

ORDINANCE ORDERING THE HOUSING SERVICES DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE 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 (+65)]

- c. Esteban Meza 700 E. Devonshire Street
- d. Darryle & Shari Miles 2548 Ansonia Street

C-6. ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS ON CITY STREETS - Neighborhood Limits: Glenn Landing Drive, Patsy Drive, Selda Drive, Glenn Knoll Lane, Glenn Knoll Court, Myrtle Street and Ras Drive. [Recommended by Public Safety Committee.]

C-7. RESOLUTION APPROVING AN AMENDMENT TO THE 800 MHz PUBLIC SAFETY RADIO SYSTEM INTERLOCAL AGREEMENT. [Recommended by Public Safety Committee.]

C-8. RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH THE SALVATION ARMY (EAST WARD) - Petition of the Salvation Army. [Recommended by Public Works Committee.]

C-9. CONSIDERATION OF STREET CLOSING PETITIONS: [Recommended by Public Works Committee.]

- a. RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON A PORTION OF AUTOSERVE STREET AND AN UNNAMED RIGHT-OF-WAY IN THE NORTHEAST WARD - Petition of Hilton and Minnie Coley. Public Hearing: May 21, 2007.

- b. RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON AN ALLEY OFF OF MAIN STREET IN THE EAST WARD - Petition of Bradley Bennett. Public Hearing: May 21, 2007.
- C-10. CONSIDERATION OF AN AMENDMENT TO THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR FY 2006-2007 TO RE-ALLOCATE AVAILABLE FUND BALANCES. [Recommended by Finance Committee as amended.]
- C-11. CONSIDERATION OF ITEMS RELATING TO THE ISSUANCE OF WATER AND SEWER SYSTEM REVENUE AND REFUNDING REVENUE BONDS: [Recommended by Finance Committee.]
- a. BOND ORDER AUTHORIZING THE ISSUANCE OF WATER AND SEWER SYSTEM REVENUE AND REFUNDING REVENUE BONDS OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA.
 - b. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF WINSTON-SALEM, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE AND REFUNDING REVENUE BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS.
- C-12. RESOLUTION APPROVING LEASE AGREEMENT BETWEEN NORTH CAROLINA MUNICIPAL LEASING CORPORATION AND CITY OF WINSTON-SALEM, AND SUBLEASE AGREEMENT BETWEEN THE CITY AND THE FORSYTH MUNICIPAL ALCOHOLIC BEVERAGE CONTROL BOARD RELATING TO THE OAK SUMMIT ABC STORE AND PROPERTY. [Recommended by Finance Committee.]
- C-13. CONSIDERATION OF ITEMS RELATING TO CONTRACTS: [Recommended by Finance Committee.]
- a. RESOLUTION AWARDING CONTRACT FOR LIGHTBARS FOR WINSTON-SALEM POLICE DEPARTMENT - Lawmen's Safety Supply, Inc. - \$119,212.60.

- C-14. RESOLUTION MODIFYING LOAN CONDITIONS FOR AIGIS MECHTRONICS, INC. [Recommended by Finance Committee.]
- C-15. ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE BY ADDING A NEW SECTION 2-5 RELATING TO PAYMENT OF CITY INVOICES. [Recommended by Finance Committee.]
- C-16. ORDINANCE AMENDING SECTIONS 75-45 AND 75-46 OF THE CITY CODE REGARDING THE CITY'S STORMWATER MANAGEMENT FEE. [Recommended by Finance Committee.]
- C-17. CONSIDERATION OF PETITIONS FOR ANNEXATION: [Recommended by Public Works Committee.]
 - a. RESOLUTION FIXING DATE AND AUTHORIZING PUBLICATION OF NOTICE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION OF CERTAIN PROPERTY - 0.24 acres located at 1891 Denise Lane (South Ward) - Petition of Anna L. Nelson. Public Hearing: May 7, 2007.
 - b. RESOLUTION FIXING DATE AND AUTHORIZING PUBLICATION OF NOTICE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION OF CERTAIN PROPERTY - 33.74 acres located off of Robinhood Road for development to be known as Robinhood Village (West Ward) - Petition of Scott C. Bortz. Public Hearing: May 7, 2007.
- C-18. RESOLUTION APPROVING AN AGREEMENT WITH MEADOWLARK GLEN HOMEOWNERS ASSOCIATION, INC. FOR MEADOWLARK GLEN TO INSTALL AND MAINTAIN A DECORATIVE STREETLIGHTING SYSTEM. [Recommended by Public Works Committee.]
- C-19. APPROVAL OF SUMMARY OF MINUTES - March 26, 2007.
- C-2. CONSIDERATION OF ITEMS RELATING TO THE ACQUISITION/SALE OF PROPERTY: [Recommended by Finance Committee.]
 - (f) RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY ON NORTH LIBERTY STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269 - Lots 108 and 110 of Block 0013 located on N. Liberty Street.

Mayor Joines noted that, as Council Member Johnson had pointed out, this item will be continued to the May 21st City Council meeting, pending additional staff work on the item.

C-4. RESOLUTION ACCEPTING CONSERVATION EASEMENT FROM THE WINSTON-SALEM/FORSYTH COUNTY SCHOOL SYSTEM. [Recommended by Community Development/Housing/General Government Committee.]

Mr. Paul Norby, City/County Planning Board Director, explained that in response to a question by the Public Works Committee, staff had explained the status of that permanency of the easement would be up to the City Council's discretion. Upon review of the current Unified Development Ordinance (UDO), staff determined that it contains language barring automatic remanding of the easement; however, he stated that this item could still be approved but the School System has requested that if they meet the impervious surface requirements for the development in the future, that a text amendment be prepared for Council's approval allowing the release of the easement. Mr. Norby noted that the School System needs to act immediately on this request so that it can accommodate expected population growth in the upcoming school year.

Council Member Besse: Motion for approval.

Council Member Terry: Second.

Council Member Besse stated that once the land has been cleared and development completed on a paired parcel easement that to return the land to its original state, allowing for water conservation, the task becomes a costly restoration effort. He expressed concern that this project should be a permanent land swap.

Council Member Leight questioned the legality of language in the paired parcel easement approved for the school system last year.

Mr. Ron Seeber, City Attorney, explained that since the current UDO does not provide for release of a paired parcel easement, the deed is not consistent with the ordinance; however,

he could not speculate on whether or not an agreement could be reached between the City and the School System on the easement.

Council Member Terry pointed out that the School System owns a large portion of land in the area in question which they need to use and stated that a permanent solution with proper language should be negotiated.

Council Member Merschel inquired about the types of changes that would be needed in the UDO.

Mr. Norby explained that under the paired parcel arrangement, the School System would install mobile units on developed sites, with the intent to remove the units upon building new schools, thereby restoring impervious surface area. They would, at that point, prefer that their undeveloped parcel be released from the easement. He noted that the UDO does not currently allow conditions under which an easement could be lifted and would need to be changed if the Council agrees to release the easement.

The motion for approval was unanimously carried.

C-13. CONSIDERATION OF ITEMS RELATING TO CONTRACTS: [Recommended by Finance Committee.]

- (b). AWARDING CONTRACT FOR AUTOMOBILES - Sir Walter Chevrolet - \$193,485.

Council Member Besse made a motion for approval and asked for brief explanation of the staff recommendation.

Council Member Burke: Second.

Mrs. Martha Wheelock, Assistant City Manager, explained that police administrative staff would be using the vehicles and upon comparison of Toyota Corollas and the Chevrolet

Malibus using the staff equipment, it was determined that the Malibus met those needs more adequately while adhering to the City's vehicle purchasing policies.

Council Member Besse commended staff for their efforts in determining the correct vehicle needs for staff in this case.

Council Member Clark pointed out that the average gas mileage of the previously used Ford Crown Victoria vehicles versus the Malibus is likely much less and he also commended staff for their efforts.

The motion for approval was unanimously carried.

GENERAL AGENDA

G-3. RESOLUTION AUTHORIZING ADDITIONAL CONSTRUCTION AND INTERIM PERMANENT FINANCING BETWEEN THE CITY OF WINSTON-SALEM AND GOLER COMMUNITY DEVELOPMENT CORPORATION. [Finance Committee forwarded this item to Council with three in favor and one opposed.]

Mayor stated staff needs to pull G-3 for additional work on the item.

G-1. PUBLIC HEARING ON ZONING PETITION OF SOUTHEAST GATEWAY VENTURES, LLC FROM MU-S TO SITE PLAN AMENDMENT: Property located on the south side of Salem Avenue between Broad Street and Main Street - Containing approximately 23.67 acres located in the SOUTH WARD (Council Member Leight) - Zoning Docket W-2923. Planning Board recommends approval of petition and site plan with staff recommendations.

Mr. Chad Davis, 301 Brookstown Avenue, Suite 100, East Coast Capital, spoke on behalf of the developer, indicating that design changes were being proposed to allow for front-door access to the property.

Mr. Barry Lyons, 948 West Academy Street, representing a neighborhood that will be affected by the development, expressed his enthusiasm for the project, but questioned why the

design change is moving the project from horizontal to vertical and from medium to high density development. He also inquired as to how the project will work into the Legacy Plan.

In rebuttal, Mr. Davis explained that a student apartment multi-story development included in the project will be considered by the Council in May. He noted that although changes have been suggested for the types of buildings, they will only affect the arrangement of those buildings and noted that the changes will be made to accommodate the needs of a proposed medical service provider for downtown residents.

Mr. Norby explained that the original plan was for a one-story structure on the east side of the project, with a multi-story building on the west side. The change will entail a one-story building with articulated facades, offering commercial and office uses on the west side of the project. He noted that the project fits into the Legacy Plan as a walkable and mixed-use development, and pointed out that there was no opposition expressed by speakers at the Planning Board.

Mayor Joines asked if anyone else wished to be heard. Seeing no one, he declared the public hearing closed.

**ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE
AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM**

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

Council Member Besse inquired if the building located on the southwest corner will contain any retail space.

Mr. Norby indicated that the ground floor of the building will be retail space, with the upper floors being residential space.

Council Member Leight noted that although she is concerned about the commercial and residential balance of the project, she trusts the judgment of the developer. She made a motion for approval of the petition, adoption of the zoning ordinance, and approval of the site plan and special use district permit.

Council Member Johnson: Second. Unanimous.

G-2. CONSIDERATION OF ITEMS RELATING TO AN ECONOMIC DEVELOPMENT PROJECT: [Finance Committee forwarded this item, as amended, to Council with two in favor, one opposed, one abstaining.]

- a. RESOLUTION APPROVING ECONOMIC DEVELOPMENT LOAN TO BANKS CHANNEL, LLC.
- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM FOR FY 2006-2007.

Mr. John Allen, Business Development Administrator, explained that Banks Channel, LLC is an existing Winston-Salem company that distributes premium wines and is requesting funds to assist with relocation of its operations. He noted that the Finance Committee recommended that City funds be used for renovations rather than acquisition of the new building.

Council Member Burke inquired about the number of jobs that would be generated and how many people are currently employed with Banks Channel.

Mr. Allen noted that they currently have twelve employees, but there will be no new jobs generated. He further responded that the employees are not all City residents.

Council Member Malloy inquired about the amount of tax revenue generated by the business.

Mr. Allen stated that the building will have a tax value of approximately \$600,000 after renovations are complete. He pointed out that the company mainly distributes to retailers in the Caribbean, and in Central and South America.

Mr. Derwick Paige, Deputy City Manger, pointed out the request is for a small business loan which would be taken from the Economic Development Loan fund, allowing for the City's participation to be no greater than 20%. He noted that the City has made numerous similar deals, for which job creation is not a requirement, and typically the purpose of the loan is the focus. Past loans have included purchase of equipment, upgrading equipment, real estate purchases, etc., to businesses such as All Points, Targacept, and Charter Medical.

Council Member Malloy asked about personal guarantees for payback of the loan.

Mr. Allen stated that the owners of Banks Channel, LLC would be personally responsible and indicated he could obtain a list of their assets. In response to Council Member Malloy's concern, he noted that the loan will be adequately collateralized by the second deed of trust and indicated the final property value will be over \$500,000.

Council Member Besse asked if there is any written eligibility or purpose criteria for this type of loan.

Mr. Paige indicated that the City's loan could be no more than 20% of the total financing package and the funds are for use by established businesses looking to expand.

Council Member Besse requested staff compare security required in the past for similar loan requests.

Mr. Paige explained that in the cases of Aegis Mechtronics and All Points Research, the City took personal guarantees of the borrowers and a subordinated position in the business.

Council Member Clark suggested requesting that the Millennium Fund take a subordinated interest in the business and set aside funding to support the loan.

Mr. Paige stated this program is the strongest in number of investments and repayment, and also has the lowest default rate.

Council Member Johnson commented that the City should always find ways to support existing businesses and since there are many questions associated with this request, she made a motion to continue the item to next City Council meeting to allow time for staff to answer those questions.

The motion was duly seconded by Council Member Burke and she encouraged staff to give close consideration and carefully review the request.

Council Member Merschel stated that her concerns raised during the Finance Committee's consideration of the item was directed towards the fact that the Economic Development Fund has a limited pool of resources with no additional funding coming in this budget cycle and noted that she has no concern with the character of the borrower. She thanked those individuals involved in the Millennium Fund and stated that the media should be obligated to recognize benevolence and community involvement and not always place community leaders in a suspect position.

Council Member Terry requested staff pull an example of four creative small business loan packages pursued by the City and how the program compares with funds used from the Community Development Block Grant (CDBG) program and the Minority/Women and Business Entrepreneurs program.

The motion to continue the item to the May 7th meeting was unanimously carried.

G-4. RESOLUTION OF THE CITY COUNCIL APPROVING THE FEDERAL FY 07 HOUSING AND COMMUNITY DEVELOPMENT PROGRAM AND AUTHORIZING SUBMISSION OF THE 2007-2008 ANNUAL PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. [Finance Committee forwarded this item to Council with three in favor, none opposed, one abstaining. Recommended by Community Development/Housing/General Government Committee.]

Council Member Malloy: Motion for approval.

Council Member Merschel: Second.

Council Member Burke stated that staff had answered the questions she previously raised concerning this item.

Council Member Besse noted that staff answered his questions about financing competing for the various projects.

Council Member Leight inquired about the difference in budgeting amounts for the Center for Homeownership this year compared to last year.

Mr. Paige explained that the current budget amount reflects CDBG funds only and last year's total was also \$150,000, but came from multiple categories. He stated that no one requested more this year than last year.

In response to Council Member Johnson's question, Ms. Mellin Parker, Director of Housing and Neighborhood Development, indicated that the YWCA did not receive recommendation for funding based on the fact that the requests had already met the 15% funding cap for CDBG funds.

Council Member Johnson requested that the agency be kept in line for future funding.

Council Member Burke inquired about the amount allocated for the Children's Home project.

Ms. Parker indicated that project is not included under the cap for CDBG funds because it is considered a renovation of a housing project and she noted that the project is housing for a teen rehabilitation program.

Council Member Burke requested staff provide a report on the project including information on expected population of the project, demographics, etc.

Council Member Malloy inquired about the status of the Urban League Summer Youth Employment program.

Mr. Parker indicated that funding for the program will come from the General Fund and would not be taken from CDBG funds.

In response to Council Member Malloy's question, Mr. Lee Garrity, City Manager, stated that meetings will be held with the Urban League and representatives from Communities Helping All Neighbors Gain Empowerment (CHANGE). He stated that staff is awaiting additional information on the effectiveness of last year's program and will evaluate the feasibility of funding the program through various resources, including the General Fund.

Council Member Malloy requested staff provide a report regarding all meetings and plans for the program.

Council Member Burke pointed out that representatives from CHANGE have indicated that they are still working with the Urban League.

Council Member Merschel stated that if the item is approved as is, there may be no funds available for the Summer Youth Employment program and she expressed concern over the possibility of program funding from the General Fund balance. She inquired if the vote could be delayed until the May 7th Council meeting.

Mr. Garrity indicated that there are other housing finance assistance funds not in the General Fund that are available for the program and he noted that this Plan has to be submitted to the Department of Housing and Urban Development (HUD) by May 15th.

Mr. Paige explained that in order to fund the Summer Youth Program with CDBG allocations, staff would need direction from the Council as to what other programs should be cut in order to remain under the public service cap for use of those funds.

Mr. Garrity responded to Council Member Merschel's question, stating that the City provided \$100,000 in funding for the program last year and if it is funded again this year, the Urban League understands it would be for a similar amount.

Council Member Merschel requested staff identify funds for the program from another source besides General Fund balances.

Council Member Terry suggested the Council vote on the item tonight in order to allow timely submission of the plan to HUD, and she noted that additional consideration can be given to funding the Summer Youth Program through other sources.

The motion for approval of the item was unanimously carried.

G-5. ORDINANCE AMENDING SECTION 74-179 OF THE CITY CODE RELATING TO CITY PARTICIPATION IN LOCAL IMPROVEMENTS OF PRIVATE STREETS. [Recommended by Finance Committee. Public Works Committee forwarded this item to Council with two in favor, one opposed.]

Mayor Joines suggested that, without objection, the Council allow residents in attendance to present questions regarding the item.

Mr. Charles Galloway, 509 Adams Gate Road, spoke on behalf of residents of the Adams Gate and Notting Hill developments. He asked what the residents can do to get their streets up to

State standards so they could compare the cost with the cost of participating in the joint project with the City.

Mayor Joines explained that staff could provide that information for residents of each street.

Mr. Mark Saunders, 3800 Crusade Drive, thanked Council Member Clark for his efforts on the proposal. He inquired as to why the 50% requirement for participating residents was changed to 60% and requested that instead of road frontage, that 50% of property owners be used as a consideration. Mr. Saunders also requested that there be a common price imposed on each lot.

Mayor Joines asked if anyone else wished to be heard. Seeing no one, he closed the public comment period.

Council Member Johnson: Motion for approval.

Council Member Clark: Second.

Council Member Besse made a substitute motion to allow City maintenance of streets with the required right-of-way and water and sewer infrastructure. He noted that alternative would not require immediate investment from the City but add mileage to the long-term repaving list and stated he felt there was a generalized misunderstanding during the annexation process regarding street maintenance.

The motion died for lack of a second.

Council Member Leight requested staff respond to some of the questions raised by residents.

Mr. Gregory M. Turner, Assistant City Manager/Public Works, explained that the 60% recommendation came from the Finance and Public Works Committees in response to fairness in comparison to other programs, such as traffic calming, which require a simple majority. He noted that the State sets the 50% sufficiency requirement for petitions, as well as allows for the City to issue assessments in those cases. That Statute would not allow for the cost to be spread evenly among the property owners, regardless of their property frontage.

Council Member Johnson stated that the purchase price of houses in the City limits are higher than those in the County because they allow for City-related expenses, and she pointed out the equity of imposing additional expenses on newly annexed residents due to that fact.

The motion for approval of the ordinance was unanimously carried.

G-6. PUBLIC COMMENT PERIOD.

Mr. Charles Humphrey, 3525 Hemlock Drive, stated that the Mayor did not allow him to finish making comments at the February 20th Talk of the Town Meeting, and indicated that he has tried previously to meet with the Mayor regarding questions about the Winston-Salem Alliance, the City's agreement with Dell. He expressed concerns about the financial stability of Dell, as well as issues with the City pursuing annexation efforts without realizing its obligation to reimburse service providers who would lose business as a result.

Mayor Joines asked Mr. Garrity to comment on the annexation issue.

Mr. Garrity indicated that the City was aware of its obligation to compensate private haulers due to annexation loss of business and noted it is required under North Carolina Statutes.

Mayor Joines asked if anyone else wished to be heard. Seeing no one, he declared the Public Comment Period closed.

Council Member Johnson reminded residents of the East Ward Town Hall meeting scheduled for April 26th at 6:00 p.m. in the Council Chamber.

Council Member Terry invited citizens to her Southeast Ward Talk of the Town meeting on April 24th at the Prodigals Community on Waughtown Street.

Council Member Besse noted that the Citizens Advisory Committee will meet to discuss the Southwest Suburban Area Plan draft on May 3rd at 6:00 p.m. at the Little Creek Recreation Center.

Council Member Burke noted that she has commented in the past that the City should be a shining example of humane progress and is open to citizens at all times. She pointed out that Winston-Salem is a diverse community and City employment of all types should be available to people of all races. She thanked the City Manager for making himself visible and approachable throughout the neighborhoods in the City.

Council Member Clark thanked Mr. Mark Saunders for the hard work he has put forth for his neighborhood and requested Mr. Saunders to keep the Council informed of the neighborhood's progress.

Council Member Burke noted that Mr. Saunders lives in Silver Chalice which is in the Northeast Ward and she has conveyed all of the residents' concerns to the appropriate staff to ensure those concerns were discussed by the Public Works Committee and handled appropriately and fairly.

ADJOURNMENT: 9:00 p.m.