

D-27250

Summary of Minutes

March 26, 2007

Special Meeting of the Winston-Salem City Council was held on Monday, March 26, 2007 at 7:30 p.m. in the Council Chamber at City Hall, Mayor Allen Joines presiding and the following members present:

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| Council Members | Molly Leight Robert C. Clark Dan Besse Joycelyn V. Johnson | Vivian H. Burke Nelson L. Malloy, Jr. Wanda Merschel Evelyn A. Terry |
| Secretaries: | Renée P. Henderson, City Secretary and Melanie Johnson, Recording Secretary | |

Pledge of Allegiance

Sergeant at Arms: Lieutenant David Perry

Invocation: Reverend John Bishop of Konnoak Baptist Church

Mayor Joines recognized a group of German exchange students who are spending two weeks in Winston-Salem, and noted that a group of students from Winston-Salem will visit Germany during the summer. He presented a proclamation declaring German/American Partnership Program Day to one of the teachers traveling with the group.

Ms. Regina Keinecker accepted the proclamation and stated that she was happy to be here with students. She stated that they had visited many impressive locations and thanked everyone for their gracious welcome.

Mayor Joines recognized Council Member Burke for comments.

Council Member Burke indicated that her grandchildren were currently visiting Germany and noted that her husband spent time in Germany while in the service.

Council Member Malloy pointed out that a class was present from Winston-Salem State University to observe tonight's meeting.

Mayor Joines noted that it was a group of students from Professor Jackie Copeland's Public Management class.

CONSENT AGENDA

Mayor Joines stated that the Council would now consider the Consent Agenda and asked if any items needed to be pulled for discussion.

Council Member Johnson requested to pull Item C-2 for information. No other items were pulled for discussion.

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

Council Member Malloy: Second. Unanimous.

C-1. RESOLUTION AUTHORIZING THE FINAL DISPOSITION OF PROPERTY LOCATED AT 224 FOREST HILL AVENUE THROUGH A PUBLIC AUCTION AS PERMITTED IN N.C.G.S. 160A-270 - Lots 061 and 062 of Block 1910 located on Forest Hill Avenue. [Recommended by Finance Committee.]

C-3. 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). This item was continued from the February 13, 2007 Community Development/Housing/General Government Committee meeting. Recommended by CD/H/GG Committee with a 4-Month Voluntary Demolition Agreement.]

Property Owner

Location

Isiah Davis

4236 Rosa Street

- C-4. ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS ON CITY STREETS - Graham Avenue; Neighborhood Limits: Ivy Bluff Trail and Greystone Place Court. [Recommended by Public Safety Committee.]
- C-5. ORDINANCE AMENDING CHAPTER 22-2 OF THE CITY CODE RELATING TO NORTH CAROLINA STATE BUILDING CODE, FIRE PREVENTION. [Recommended by Public Safety Committee.]
- C-6. RESOLUTION APPROVING HONORARY STREET NAME SIGN POLICY. [Recommended by Public Works Committee.]
- C-7. RESOLUTION APPROVING AUTHORIZATION TO ENTER INTO MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF BIKE FACILITIES, GREENWAYS, AND SIDEWALKS. [Recommended by Public Works Committee.]
- C-8. CONSIDERATION OF ITEMS RELATING TO CONTRACTS: [Recommended by Finance Committee.]
- a. RESOLUTION AWARDED CONTRACT FOR PURCHASE OF TWO FRONT LOADING REFUSE TRUCKS UNDER THE BID PROCEDURE WAIVER OF N.C.G.S.143-129(g) - Transource - \$360,166.
 - b. RESOLUTION AWARDED CONTRACT FOR CONSTRUCTION OF FIRST STREET SIDEWALK AND GRANITE CURB REPAIRS - Mayes Landscaping, Inc. - \$111,050 (Estimated Amount).
 - c. RESOLUTION AWARDED CONTRACT FOR MOBILE DATA COMPUTERS AND ACCESSORIES - Dell Marketing, LLC - \$112,181.16.
 - d. RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW CONTRACTS WITH PROVIDERS FOR ADMINISTRATION OF THE CITY'S HEALTH CARE PLANS AND SUPPORT SERVICES - Partners National Health Care Plans of North Carolina, Inc. (Medicare Supplement Contract) - \$625,000 (Estimated Amount); Blue Cross/Blue Shield of North Carolina (Medicare Supplements Plan J and Plan A12) \$360,000 (Estimated Amount); Flores and Associates (Administration of Flexible Benefits, Dental Plan, and Tuition Reimbursement Programs)- \$90,000 (Estimated Amount); REACH Employee Assistance Program (Administration of Employee Assistance Services) - \$35,000 (Estimated Amount); Mercer Human Resource Consulting (Health Plan Design and

Financial Projection Assistance for Future Plan Development) - \$85,000 (Estimated Amount).

C-9. CONSIDERATION OF ITEMS RELATING TO DECORATIVE STREETLIGHTING: [Recommended by Public Works Committee.]

a. RESOLUTION APPROVING AN AGREEMENT WITH THE WEST END VILLAGE DEVELOPMENT TO MAINTAIN DECORATIVE STREETLIGHTS AT WEST END VILLAGE.

b. RESOLUTION APPROVING AN AGREEMENT WITH THE GLENN MEADOW HOMEOWNERS ASSOCIATION, INC. TO MAINTAIN DECORATIVE STREETLIGHTS IN GLENN MEADOW.

C-10. ORDINANCE AMENDING SECTION 74-213 OF THE CITY CODE RELATING TO DRIVEWAY PERMITS. [Recommended by Public Works Committee.]

C-11. ORDINANCE AMENDING CHAPTER 10 OF THE CITY CODE RELATING TO ADOPTION OF THE STATE BUILDING CODE. [Recommended by Public Works Committee.]

C-12. CONSIDERATION OF SUMMARIES OF MINUTES:

a. APPROVAL OF SUMMARY OF MINUTES - February 5, 2007.

b. APPROVAL OF SUMMARY OF MINUTES - February 19, 2007.

C-2. RESOLUTION AUTHORIZING THE CITY TO PROVIDE FUNDS FOR CERTAIN INFRASTRUCTURE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY IN THE GOLER HEIGHTS AREA. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Council Member Johnson asked staff for a brief presentation on the project, including a demonstration of the schematic.

Mr. John Allen, Business Development Administrator, stated that this project would assist with development in the Sixth and Chestnut Streets area with streetscape improvements including tree plantings and sidewalks, as well as an arts park at the southeast corner of Sixth and Chestnut Streets.

Council Member Johnson noted that Sixth Street will be converted into a two-way street up to its intersection with Cherry Street. She made a motion for approval of the item.

Council Member Clark: Second.

Council Member Burke stated that this project would draw people to the area, but expressed concern about its impact on the Arts Based School. She also requested information on the amount of money the City has invested in Goler Community Development Corporation projects.

The motion for approval was unanimously carried.

GENERAL AGENDA

G-1. CONSIDERATION OF ITEMS RELATING TO A PETITION FOR ANNEXATION OF 32.19 ACRES LOCATED OFF OF REYNOLDA ROAD - Petition of Old Towne, LLC. [Recommended by Public Works Committee.]

a. PUBLIC HEARING AND ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF WINSTON-SALEM BY ANNEXING THERETO CERTAIN CONTIGUOUS TERRITORY.

No one heard.

b. RESOLUTION AMENDING OFFICIAL CITY MAP DESIGNATING CORPORATE LIMITS AND NORTH WARD BOUNDARIES.

Council Member Malloy made a motion for approval of Items G-1(a) and (b).

Council Member Burke: Second.

Council Member Leight inquired if this is an area with flooding issues.

Mr. Gregory M. Turner, Assistant City Manager, stated that although he was not aware of any issues, the City's stormwater policy will apply to the property once it is annexed.

The motion for approval was unanimously carried.

- G-7. ORDINANCE AMENDING SECTION 74-179 OF THE CITY CODE RELATING TO CITY PARTICIPATION IN LOCAL IMPROVEMENTS OF PRIVATE STREETS. [Finance Committee forwarded this item to Council without a recommendation, pending discussion by Public Works Committee. Public Works Committee forwarded this item, recommending Option 5.]

Council Member Besse pointed out that staff has recommended to pull Item G-7 for additional work and suggested the Council consider it at this time.

Council Member Johnson stated that there had been a lot of citizen input regarding the item and it was decided that further research may be required to adequately address all of the issues.

Council Member Burke requested that the item be remanded to the Finance Committee as well.

By consensus, it was agreed to remand the item to the Finance and Public Works Committees.

- G-2. PUBLIC HEARING AND RESOLUTION CONFIRMING ASSESSMENT ROLL FOR DEMOLITION OF HOUSING UNFIT FOR HUMAN HABITATION.

No one heard.

Council Member Malloy: Motion for approval.

Council Member Burke: Second. Unanimous.

The assessment roll was confirmed at 7:45 p.m.

- G-3. CONSIDERATION OF ITEMS REGARDING CONSIDERING AND ADOPTING APPROPRIATE AND VERIFIABLE PERCENTAGE GOALS: [Recommended by Community Development/Housing/General Government Committee.]

- a. PUBLIC HEARING AND RESOLUTION CONSIDERING AND ADOPTING APPROPRIATE AND VERIFIABLE PERCENTAGE GOALS FOR PARTICIPATION BY MINORITY AND WOMEN OWNED BUSINESSES FOR THE AIRPORT BUSINESS PARK.

No one heard.

Council Member Malloy: Motion for approval.

Council Member Johnson: Second. Unanimous.

- b. PUBLIC HEARING AND RESOLUTION CONSIDERING AND ADOPTING APPROPRIATE AND VERIFIABLE PERCENTAGE GOALS FOR PARTICIPATION BY MINORITY AND WOMEN OWNED BUSINESSES FOR THE ANNUAL CONTRACT FOR RESURFACING CITY STREETS.

No one heard.

Council Member Malloy: Motion for approval.

Council Member Merschel: Second. Unanimous.

- G-4. RESOLUTION OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA, DIRECTING APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF WATER AND SEWER SYSTEM REVENUE AND REVENUE REFUNDING BONDS; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S WATER AND SEWER SYSTEM REVENUE AND REVENUE REFUNDING BONDS; AND CERTAIN RELATED MATTERS. [Finance Committee forwarded this item to Council with three in favor, none opposed, one abstaining.]

Council Member Merschel: Motion for approval.

Council Member Malloy: Second.

Council Member Clark inquired about the interest savings over the life of the bonds.

Mrs. Denise Bell, Chief Financial Officer, indicated that approximately \$600,000 would be saved in interest over the remaining life of the debt.

Council Member Clark pointed out that the City would be saving \$600,000 on a \$28 million debt.

The motion for approval was unanimously carried.

G-5. RESOLUTION AWARDED CONTRACT FOR PURCHASE OF THREE SIDE LOADING REFUSE TRUCKS UNDER THE BID PROCEDURE WAIVER OF N.C.G.S.143-129(g) - Carolina Environmental Systems, Inc. - \$606,207. [Finance Committee forwarded this item to Council with three in favor and one opposed.]

Council Member Clark: Motion for approval.

Council Member Johnson: Second.

Council Member Besse explained that there had been concern over the ability to obtain the cleaner running 2007 models on a timely basis. He stated that although he was unable to receive new information since the Committee meetings, he is aware that the production lines are ready but the models are not available.

The motion for approval was unanimously carried.

G-6. CONSIDERATION OF RESOLUTION OF INTENT TO CONSIDER ORDINANCES/POLICIES TO IMPROVE STORMWATER MANAGEMENT. [Recommended by Community Development/Housing/General Government and Public Works Committees as amended.]

Council Member Johnson commented that many residents had shared their concerns about citywide stormwater issues. She stated that while the City has no control over the amount of rainwater, staff is trying to identify ways to manage the water to benefit residents.

Mr. Turner stated that although the resolution will not compel specific future action by Council, it does provide a guideline for tackling the issues. He explained that the five intentions of the resolution were to reduce or eliminate grading in the City's

flood fringes, reduce or eliminate the negative effects on other property from mass grading of new development sites, require stormwater management for all new development, respond to the concerns of the U.S. Environmental Protection Agency's stormwater audit, and the formation of a stormwater task force. He noted that the policy will apply only to new developments, but staff will continue to address issues with existing developments including use of funding sources such as the Federal Emergency Management Agency (FEMA). Financial options are anticipated to be brought for consideration in April by the Finance and Public Works Committees.

Council Member Malloy noted that there had been issues in the past with enforcement of stormwater guidelines, and inquired as to how enforcement efforts would be improved.

Mr. Turner noted that staff will work on programs and policies to implement the intentions of the resolution, including improvement of enforcement issues.

Council Member Burke inquired about efforts to organize the task force.

Mr. Turner indicated that although citizens would be included, there has been no specific direction in that area.

Council Member Burke requested a list of major flooding areas in the city.

Council Member Terry pointed out that since residents and staff are now aware of the various FEMA programs available to residents, steps can be taken to begin to alleviate issues.

Council Member Johnson noted that the City also offers the 60/40 program and stated that the task force should go into the community and learn about all of the issues, research what tools are available for addressing those issues, and advocate for the City.

She stated that many citizens have volunteered to serve on the task force and she invited the students in attendance to join the group.

Council Member Malloy pointed out difficulties in obtaining input from FEMA and suggested that staff remain vigilant about their programs.

Council Member Johnson: Motion for approval.

Council Member Clark: Second. Unanimous.

G-8. CONSIDERATION OF A LOCAL GOVERNMENTS JOINT RESOLUTION CONCERNING THE HEART OF THE TRIAD. [Recommended by Finance Committee with amendments to the number of representatives in Item II(a) and leaving the option of language changes in Item II(f). Public Works Committee recommended this item with all but the first sentence deleted from Item II.]

Mayor Joines pointed out that everyone had received an amended version of the Public Works Committee recommendation.

Council Member Besse made a motion for adoption of the version suggested by the Public Works Committee.

Council Member Clark: Second.

Council Member Besse commented that planning for this region is important due to rapid development rates and it is to the City's benefit to cooperate with other jurisdictions. He noted that additional discussion with the other jurisdictions is needed to balance the steering committee.

Council Member Leight stated that residents should be included in the steering committee as well.

Mayor Joines noted that Items IX and X had been added so as not to conflict with existing economic development efforts.

Council Member Burke stated that the three Chambers of Commerce joining together is a positive effort for development in the area and noted that the jurisdictions should follow suit.

The motion for approval of the Public Works Committee version was unanimously carried.

G-9. MAYOR PRO TEMPORE BURKE'S RECOMMENDATIONS FOR REAPPOINTMENT/ APPOINTMENT TO THE COMMUNITY APPEARANCE COMMISSION:

Lawrence W. Snively - Reappointment - Term Expiring February 2010

Dr. Becky Greer - Appointment - Term Expiring February 2010

Council Member Burke: Motion for approval.

Council Member Merschel: Second. Unanimous.

G-10. MAYOR JOINES' RECOMMENDATIONS FOR APPOINTMENTS/ REAPPOINTMENTS:

a. TOURISM DEVELOPMENT AUTHORITY

Dianne W. Caesar - Appointment - Term Expiring October 2009

Rahna Atwal - Appointment - Term Expiring October 2007

Council Member Johnson: Motion for approval.

Council Member Burke: Second. Unanimous.

b. TRIAD MUNICIPAL ABC BOARD

James Edward Sims, Sr. - Appointment - Term Expiring June 2009

Council Member Johnson: Motion for approval.

Council Member Burke: Second. Unanimous.

c. ZONING BOARD OF ADJUSTMENT

Dennis Keith Stanfield - Appointment - Term Expiring September 2008

Christopher B. Leak - Alternate - Appointment - Term Expiring October 2008

Council Member Burke: Motion for approval.

Council Member Malloy: Second. Unanimous.

G-11. PUBLIC COMMENT PERIOD.

Mayor Joines stated that it was now time for the Public Comment Period and asked if anyone wished to be heard. Seeing no one, he declared the public comment period closed.

Council Member Merschel invited residents to the Northwest Ward Talk of the Town Meeting scheduled for March 27, 2007 at 6:00 p.m. at Reynolda Manor Library.

Council Member Burke referred to a memo from City Attorney Ron Seeber regarding Occupancy Tax Legislation and noted that she had asked staff to ensure Council received the information. She stated that although Forsyth County officials do not support the tax, the City will be accountable for money invested to attract new citizens and entertainment to the area. She pointed out that the tax will be an important tool to ensure the success of the Sports Commission and competitiveness of the City to attract entertainment events. Council Member Burke stated that the Tourism Development Authority (TDA) Board will be considering monetary support of the Sports Commission and she asked Council Members to show their support for the work of the TDA.

Mayor Joines stated that the Sports Commission has done a great job of bringing visitors and events to the city and needs a dedicated source of funding for their efforts.

ADJOURNMENT: 8:06 p.m.