

SUMMARY OF MINUTES

COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

4:00 P.M., TUESDAY, APRIL 15, 2008

COMMITTEE ROOM

ROOM 239, CITY HALL

MEMBERS PRESENT: Council Member Nelson L. Malloy, Jr. Chair
Council Member Evelyn A. Terry (in at 4:25 p.m.)
Council Member Molly Leight

MEMBER ABSENT: Council Member Dan Besse, Vice Chair

OTHERS PRESENT: Council Member Joycelyn V. Johnson
Council Member Robert C. Clark (in at 6:00 p.m.)

Chair Malloy called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda.

CONSENT AGENDA

C-1. RESOLUTION AUTHORIZING SUBMISSION OF CONTINUUM OF CARE HOMELESS GRANT APPLICATION, ACCEPTANCE OF GRANT FUNDS, AND EXECUTION OF SUBGRANTEE AGREEMENTS.

Ms. Mellin Parker, Director, Housing/Neighborhood Development Department, stated this item is a repeated allocation from Housing and Urban Development where the City will anticipate receiving \$1.8 million under the Continuum of Care Grant. She also stated that there are 20 sponsors who will receive allocations of funds to continue on-going projects, such as the Bethesda Center project, Samaritan Ministries and the Salvation Army that the City will continue to assist.

Mr. Derwick Paige, Deputy City Manager, noted that the grant comes through the Winston-Salem Forsyth County Council on the Homeless who reviews proposals and assists in assembling the funds and the City serves as a pass-through on the grants.

Council Member Johnson expressed concern with the loss of the Juvenile Crime Prevention Council funding and other similar agencies as they support teen court programs. She noted that the City needs to advocate for replacement funds and the concern to the City's legislative agenda along with gang violence.

Chair Malloy stated that the item should be added to Town Hall day as well.

Council Member Leight made a motion to approve the item. The motion was duly seconded by Chair Malloy and carried unanimously.

C-2. REPORT ON THE CITY'S BROWNFIELDS INITIATIVES.

Mr. John Allen, Development Director, stated that included in the agenda book is a memo from himself to Mr. Lee Garrity, City Manager, regarding Brownfield incentives available to the City for Brownfield projects, such as a local tax abatement incentive enacted in 2004, along with a local revolving loan grant from the Environmental Protection Agency (EPA), an assessment grant, and a job training grant. He also stated that there are some recommendations of what can be done to promote the reuse of Brownfield sites, such as pursuing users for revolving loan fund grant money, Revitalizing Urban Commercial Areas (RUCA) and Neighborhood Revitalization Strategy Area Building Rehab Loan programs, and applying for another Brownfields assessment grant. He further stated that he would like to see the formation of a City of Winston-Salem Brownfields Revolving Loan Fund to provide loans to individuals to clean up Brownfields sites, as the EPA Revolving Loan Fund money is difficult to use. Mr. Allen noted that he sees value in hiring a City Brownfields coordinator and continuing to expand the RUCA program.

Council Member Leight noted that having a Brownfields fund on hand would be helpful for those wanting to develop Brownfields areas.

Mr. Paige stated that staff has been in conversations with local groups and trying to use funds on Brownfields sites but there are restrictions that prove the funding to be problematic.

In response to Chair Malloy's questions, Mr. Tim Binkley, Earth Movements, stated that students who have participated in training programs from the EPA through Forsyth Technical Community College (FTCC) have gone on to work in all aspects of the environmental business, such as contractors, environmental service companies, consulting firms, and industrial and manufacturing firms to name a few. He also stated that the application for a two-year program at FTCC will be completed in one month for review and approval.

C-3. REPORT ON RECREATION CENTER FACILITY RENEWAL PROGRAM.

Mrs. Martha Wheelock, Assistant City Manager, shared a diagram placing recreation centers within the City for the Committee to view. She stated that this program will address needed improvements and repairs within recreation centers in a systematic manner. She also stated that staff coordinates repair efforts so that services are still provided within the facilities and any safety concerns are addressed. She further stated that the funding for these projects is included in the six-year Capital Improvement Plan.

In response to Council Member Malloy's question, Mr. Randy Rogers, Property Maintenance Director, stated that a general facility renewal addresses immediate repair concerns, such as the replacement of a Heating, Ventilating and Air Conditioning unit. A complete facility renewal addresses repairs that can be completed at any given time, such as replacement of light fixtures and painting.

In response to Chair Malloy's concern that wheelchair and handicap accessibility was not available to access the gym from the interior of the 14th Street Recreation Center nor the restrooms at Martin Luther King, Jr. Recreation Center, Mr. Tim Grant, Recreation and Parks Director, stated that Recreation and Parks staff is addressing the issue of handicap and wheelchair accessibility. He also stated that these repairs are not listed as part of the facility renewal but they will be completed soon, hopefully before May 6, 2008.

Council Member Terry in at 4:25 p.m.

Council Member Johnson requested that repairs be completed prior to May 6, 2008 to accommodate the influx of visitors participating in voting.

Chair Malloy also expressed concern that wheelchairs cannot access picnic tables in shelters.

Mr. Grant stated that Recreation and Parks staff is addressing issues related to the Americans with Disabilities Act and are meeting with Property Maintenance staff as well.

Chair Malloy requested that help be solicited from volunteer groups such as the Pioneers Club, as well as Boy Scout troops to help with repairs and modifications.

Mrs. Wheelock stated that staff plans to provide quarterly updates on recreation centers.

In response to Chair Malloy's question, Mr. Grant stated that no date has been set to dedicate the Roscoe Anderson Jr., Recreation Center, but information will be forthcoming in the next few weeks. He also stated that the display honoring Josh Howard and a few others are already in place.

In response to Council Member Johnson's concern, Mr. Rogers stated that the cause of the warped floor at Sedge Garden Recreation Center is unknown, but the problem does appear to be confined to the lobby floor.

In response to Chair Malloy's question, Mr. Grant stated that there are six recreation centers that are in need of bleacher replacement or repair. He also stated that basketball teams utilizing the Roscoe Anderson Jr. Recreation Center were given the option to hold their games at the Hanes Hosiery Recreation Center but decided to stay where they are.

Council Member Johnson requested that the Historic Designation letter for 14th Street and Rupert Bell Recreation Centers be put on display until the framed certificate arrives.

C-4. REPORT ON THE CITY OF WINSTON-SALEM'S GREEN INITIATIVES AND SUSTAINABILITY PROGRAM.

Mrs. Wheelock stated that the City will develop an interdepartmental task force to address sustainability issues within the City and will conduct a greenhouse gas emissions inventory. Mr. Rogers will be spearheading a task force of 16 departments along with Lindsey Smith, who will input technical data and present specific action items to the City Council to help achieve a specific greenhouse gas emissions target. She also stated that the City is already doing a lot, but there is a need to incorporate it into a comprehensive program.

In response to Council Member Leight's concern, Mr. Rogers stated that the City will be able to utilize the International Council for Local Government Initiatives' software for collecting data, even though the City is not using its program.

Council Member Johnson requested that the Marketing Department find ways to communicate this information to citizens to make them aware of the City's green initiatives, possibly through a water bill insert.

GENERAL AGENDA

G-1. RESOLUTION APPROVING THE FY 09 HOUSING AND COMMUNITY DEVELOPMENT PROGRAM AND AUTHORIZING SUBMISSION OF THE 2009-2013 CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Ms. Mellin Parker, Director, Housing/Neighborhood Development Department, stated that staff is in the process of submitting the five-year plan to Housing and Urban Development which will cover 2009-2013. She also stated that this plan will allow the City to receive Community Development Block Grant, Home Allocation, Down Payment Initiative, and Emergency Shelter Grant funds. She further stated that the five areas of the plan are housing conservation/neighborhood revitalization areas, local development and housing production, expand access and opportunities in transitional housing, expand economic development activities, and enhance/leverage funding for other programs. Ms. Parker outlined the Fiscal Year 2009 Budget Appropriations and noted changes in two amounts concerning the Program Income: Loan Repayments/Interest, and the General Fund HFF Program Income/Fund Balance.

Council Member Terry requested a report indicating the collection of large scale funding loans.

Mr. Paige stated that program income is a projection of a reduction in the amount of money that the City is anticipating to be paid back. He also stated that with the restructuring of loans and longer forgiveness periods, the same amount of income is not generated. He further stated that some income is received in one lump sum rather than annual payments and while revenue is generated from the interest on dollars that are generated, with fluctuating interest rates, certain program incomes have been reduced. Mr. Paige noted that housing rehabilitation loans are another main source of program income, but they are based on income and often are deferred by the individual. He also noted that there is some income on economic development loans which are made to be paid. He further noted that he would report back to the Committee on income that the City is receiving.

Council Member Terry stated that with increased urban inner-city problems there is decreased funding and a need for examination of resources to jumpstart the collection of these loans. She requested that a task force be developed to support the maintenance of inner-city housing stock.

Mr. Paige noted that there are several open loans and that the City has looked into the private sector to see if there is an interest in buying out loans.

Council Member Johnson requested that staff make residents aware of the need to apply early for earned income tax credit and for staff to review Project Re-Entry participants in the work-release program for one year as having job training skills so they may directly apply for employment.

In response to Council Member Terry's question, Mr. Paige stated that programs or non-profits providing services are funded rather than individuals.

In response to Council Member Terry's inquiry, Ms. Parker noted that the economic impact of funding is tracked and provided to Council each year in the Annual Consolidation Plan.

Chair Malloy stated that there have been some complaints stemming from citizens who have moved into Section 8 homes and mistreat the property. He requested to know if there was a program that takes new homeowners through the steps of home or property management.

Council Member Johnson stated that there is a specific concern regarding Section 8 homes in the Reynoldstown area and that staff met with Larry Woods, Director, Housing Authority of Winston-Salem (HAWS), and that a program has been set in place.

Mr. Ritchie Brooks, Director, Neighborhood Services, stated that there is a program available, but there is no capability to address the need of escrow to pay for the needed maintenance once repairs have been made. He also stated that there is a need to set funding aside for ongoing maintenance.

Council Member Terry requested that private sector property management companies be enlisted to assist with property maintenance efforts.

Chair Malloy requested that Council Member Johnson keep the Council abreast of HAWS progress.

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

G-2. RESOLUTION ADOPTING THE CITY OF WINSTON-SALEM LEGISLATIVE PROGRAM FOR THE 2008 LEGISLATIVE SESSION.

Mrs. Angela Carmon, City Attorney, stated that there are five local acts proposed for the 2008 Legislative Session: a technical correction from last year addressing chronic violators; an act concerning demolitions allowing the City to acquire properties to promote rehabilitation or restoration; an amendment to zoning violations allowing notices to be served by certified mail, a reduction in the notice period, and an increase in fines; an act allowing the City to complete its own construction or repair that does not exceed a specified amount; and an act allowing the City to sell certain properties with limitations of future uses.

Council Member Terry expressed concern with the ability of eminent domain involving demolition orders.

Mrs. Carmon stated that the City can acquire and sell a property in its possession and that by law, it is allowed to buy, repair or demolish properties.

In response to Council Member Terry's concern, Mr. Paige stated that in-rim repair can be used to rehabilitate and occupy certain properties based on surrounding housing stock, even if it is not designated as an historic property. He also stated that the only option currently is to repair or demolish.

Council Member Terry requested that standards for strong neighborhoods and housing need to be established as guidelines.

In response to Council Member Johnson's question regarding drainage, Mrs. Carmon stated that the only item being added is subsection ten on page 56 and that existing 70/30 programs will probably be covered under that and she will provide more information.

Council Member Johnson expressed concern that a zoning sign on Old Greensboro Road near Waterworks Road has been in place for some time and the public hearing date has already passed.

Mr. Garrity stated that private contractors objected to allowing the City to complete its own repairs but a reasonable amount was set to give the City the option and ability to continue repairs that were already underway.

In response to Chair Malloy's question, Mr. Turner stated that an example of a project would be improvements on 4th and Broad Streets.

In response to Council Member Leight's question, Mr. Garrity stated that the City acquires many lots through demolition orders but then comes a need to maintain the properties. He also stated that Council is hesitant to sell small lots and act five as outlined by Mrs. Carmon will give the City the option to sell the lots with restrictions, and keep the property on the City's tax books.

Council Member Johnson stated this item will help with infill development so as not to allow modular units to be placed on small lots.

Mrs. Carmon stated that the resolution also authorizes support for the North Carolina League of Municipalities advocacy agenda, which is in support of the gang prevention act and housing options.

In response to Chair Malloy's question, Council Member Johnson stated that the Council's gang prevention efforts can be included in May during the legislative visit.

Mrs. Carmon stated that the last piece of the League's agenda is to consider adding an amendment to the nuisance abatement statute to address crime in multi-family complexes. In response to Chair Malloy's question, Mrs. Carmon noted that Council Member Merschel alerted staff to a multi-family complex where the proposed amendment would be helpful.

Mr. Garrity stated that stronger restrictions in legislation will allow the City to hold property owners more accountable.

In response to Council Member Johnson's question regarding the closing of individual units, Mrs. Carmon stated that a case out of Salisbury, N.C. raised the level of evidence required to substantiate a claim and now there is a one year waiting period before closing a unit.

Mr. Alan Andrews, Assistant City Attorney, stated that he is not aware of differences in the treatment of single family nuisance dwellings in comparison to multi-family nuisance dwellings, but that multi-family dwellings are generally pursued at a greater degree.

Mrs. Carmon stated that she is not aware of any differences in the law, but in terms of evidence, multi-family dwellings may be treated differently from single-family dwellings.

Mr. Garrity stated that any instances pursued within the City have been in line with the law and only one case has gone to court. He also stated that these nuisances are an issue state-wide.

Council Member Terry stated that the nuisance portion and the legal portion should come together for clarification.

Council Member Johnson stated that research has shown a large percentage of street violence occurs with guns secured from gun shows directly and indirectly and requested to know if there is a way to close the loophole regarding gun shows in North Carolina to help keep those guns off the street. She asked that this issue be addressed on next year's Legislative agenda.

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

Mr. Garrity noted that staff is looking to schedule a meeting with legislative delegation in May.

G-3. REPORT ON THE DRAFT NORTHEAST WINSTON-SALEM AREA PLAN AND CONSIDERATION OF A RESOLUTION ADOPTING THE PLAN - Public Hearing: May 5, 2008.

Mr. Marco Andrade, Project Planner presented the item.

Mr. Hobart Jones, 4645 Palace Avenue, stated that he is a representative of Emanuel Baptist Church and a building program that they are pursuing. He also stated that some funding was lost from Local Initiatives Support Corporation and has recently been secured. He further stated that there is a need to change the zoning recommendations set forth in the plan and requested an update on a surrounding dump site. Mr. Jones expressed concern that the City does not want the church to make a positive change within the community and that the church is trying to provide a much-needed service.

Council Member Leight stated that the plan is a generalized idea and it cannot stop the church's building project from going forward.

Council Member Terry stated that the plan is a recommendation and vision of various stakeholders and there is no need for anxiety. She also stated that the church's site plan for development should be submitted and it will be taken through the process and Mr. Jones should have no reason to think the building plan will not move forward.

Mr. Paul Norby, Planning Director, stated that staff uses adopted area plans as guides and are not prohibited to go against the recommendations of the plan. He also stated that the Committee should address any comments or concerns and reconcile them prior to the public hearing in May.

In response to Council Member Johnson's question, Mr. Jones stated that the church will have a site plan within the next 25 days.

Council Member Johnson expressed concern that there are drainage issues downstream from the proposed building site and the addition of more impervious surface will increase those drainage issues, so there is a need to prevent those downstream from being adversely affected.

In response to Council Member Johnson's question, Mr. Turner stated that he would provide an update on the dump site.

Mrs. Zola Paul, 856 Rich Avenue, stated that she appreciates the hard work of the Planning staff and Mr. Andrade's willingness to meet with citizens. She expressed concern that building proprietors allow residents to move in and destruct a property but no one is held accountable to make repairs or maintain the property. She suggested that stricter laws be enforced to hold property owners accountable.

Council Member Johnson stated that Neighborhood Assistance Specialists are trying to identify property owners on Cameron, 10th, Ferrell and other streets who are absent. She also stated that HAWS is working with Section 8 tenants and individual property renters on maintaining the property.

Mr. Billy Paul, 856 Rich Avenue, stated that he is in favor of the proposed area plan. He also stated that the proposition to close the 3rd, 4th, 5th Street Exit off of Highway 52 will take away from the good that has been done in East Winston-Salem.

Council Member Johnson stated the proposed exit closure is one part of the Salem Connector plan. She also stated that the accident rate at that location is high and there are various other opportunities to enter or exit Highway 52 in the surrounding area. She further stated that there is a need to improve Martin Luther King, Jr. Drive from Stadium Drive to the other end where it meets Highway 52. Council Member Johnson noted that this is a state road project and the City does not have the final say. She also noted that the exit closure will reduce the number of accidents and that the entrance and exit ramps were wrongly constructed from the start.

Mr. Paul stated that his neighborhood will be isolated if the ramps are closed.

Mrs. Paul stated that even if the ramps are closed for repairs, it will increase her commute. She also stated that she would like to see the accident information for that area.

Council Member Terry requested a contact at the North Carolina Department of Transportation that citizens can share their concerns with, along with accident information.

Council Member Clark in at 6:00 p.m.

Ms. Marva Reed, 1334 Cameron Avenue, thanked Mr. Andrade for his hard work. She stated that local neighborhood association representatives met with Congressman Mel Watt to express their concerns and have sent petitions to local representatives opposing the closure of the ramps. Council Member Johnson requested that the name of the plan be changed to "East, Northeast" to more accurately reflect the areas represented.

Mr. Norby stated that the public hearing should still be heard in May and at the end of the public hearing, Council can decide to make changes, take action or move the item back to Committees.

Council Member Leight made a motion to forward the item to Council without a recommendation. The motion was duly seconded by Council Member Terry.

Council Member Terry stated that she has seen incremental improvement on area plans and complimented staff for their hard work.

Council Member Johnson expressed her thanks to the community for their hard work and participation in making the area plan a success.

In response to Chair Malloy's question, Mr. Norby stated that Council can elect to change the name of the area plan when it is adopted.

Council Member Clark recognized Boy Scout Troop 958 from St. Leo's Catholic Church.

G-4. PRESENTATION BY THE ARTS COUNCIL.

Mr. Milton Rhodes, 219 Tar Branch Court, President of the Arts Council, stated that the Arts Council is requesting two things from the City: City staff to help with the Downtown Arts Center and an architect or team of architects to help with the design and development of Winston Square Park. He also stated that he could meet with Chair Malloy at another time to give him the full presentation.

Mr. Paige noted that staff received guidance from the Finance Committee on Monday when the presentation was originally given.

Council Member Terry suggested that Chair Malloy hear the presentation in a timely manner to meet the Arts Council's timeline.

Mr. Garrity noted that staff was given direction after the presentation to the Finance Committee and that staff will bring an item back to Committee next month.

ADJOURNMENT: 6:15 p.m.