

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
January 22, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Molly Leight, Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Vivian H. Burke, Council Member Denise Adams, Council Member Wanda Merschel and Council Member James Taylor, Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lieutenant Steve Osborne

MARTIN LUTHER KING, JR. YOUNG DREAMER AWARD RECOGNITION

Derwick Paige, Deputy City Manager, presented the award to Reynita McMillan.

Ms. McMillan thanked Dorothy Jackson, the Human Relations Commission, Mayor Allen Joines and Members of the City Council for the award.

RECOGNITION OF OUTSTANDING PLANNING AWARD FOR THE LEGACY 2030 COMPREHENSIVE PLAN UPDATE

Mayor Joines recognized Paul Norby, City/County Planning Director, Mr. Kelly Bennett, Planner, and Mr. Ed McNeal, Marketing and Communications Director. He noted the North Carolina Chapter of the American Planning Association has awarded the Legacy 2030 Comprehensive Plan Update with the Innovation in Public Involvement Award.

Mr. Norby thanked Mayor Joines and the City Council for their support of Planning for the Future. He thanked City staff for their comments and thanked Mr. McNeal and the Marketing and Communications Department for putting together the videos to generate interest in the Plan. He also thanked Mr. Bennett for serving as the mastermind of the public outreach process.

CONSENT AGENDA

Mayor Joines stated without objection, the Council would consider the Consent Agenda first, and asked if there were any items that needed removed for discussion.

Council Member Taylor requested to remove Item C-9(c). No other items were removed.

Council Member Burke made a motion, seconded by Council Member Montgomery, to approve the balance of the Consent Agenda. Motion carried unanimously.

C-1 CONSIDERATION OF ITEMS RELATING TO A LOAN TO SOUTHEAST PLAZA INVESTORS, LLC: [Recommended by Finance Committee.]

a. RESOLUTION APPROVING A LOAN FOR SOUTHEAST PLAZA INVESTORS, LLC.

Approved by the Consent Vote.

b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

C-2 RESOLUTION AUTHORIZING SUBMISSION OF A LEAD-BASED PAINT HAZARD CONTROL AND HEALTHY HOMES GRANT APPLICATION FOR FY 2013 TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-3 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) six months. [Recommended by Community Development/Housing/General Government Committee.]

a. Kalo Properties, LLC 1505 E. 23rd Street

Approved by the Consent Vote.

b. Edith Robinson 1904 Marble Street

Approved by the Consent Vote.

c. Donald D. Weaver and Ronald L. Weaver 965 Clemmonsville Road

Approved by the Consent Vote.

C-4 ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: Repairs more than 50% of value of structure six months. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

a. Jose Macia 439 Buick Street

Approved by the Consent Vote.

C-5 ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General Government Committee.]

a. Reid Land Trust 2836 Reid Street

Approved by the Consent Vote.

b. Ada H. Grant, Heirs 1238 E. 23rd Street

Approved by the Consent Vote.

C-6 ORDINANCE AMENDING CHAPTER 86 OF THE CITY CODE ENTITLED “ZONING AND DEVELOPMENT”. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-7 ORDINANCES RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF FIVE LIMOUSINE SERVICES IN THE CITY OF WINSTON-SALEM: [Recommended by Public Safety Committee. The first reading of these items was at the December 17, 2012 City Council meeting.]

Approved by the Consent Vote.

a. SECOND READING OF ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF ABC DOOR 2 DOOR TRANSPORTATION FOR THE OPERATION OF FIVE LIMOUSINES IN THE CITY OF WINSTON-SALEM.

Approved by the Consent Vote.

b. SECOND READING OF ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF ACE TRANSPORTATION FOR THE OPERATION OF THREE LIMOUSINES IN THE CITY OF WINSTON-SALEM.

Approved by the Consent Vote.

c. SECOND READING OF ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF ALL OCCASION LIMOUSINE, LLC FOR THE OPERATION OF TWO LIMOUSINES IN THE CITY OF WINSTON-SALEM.

Approved by the Consent Vote.

d. SECOND READING OF ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF DAVE’S EXECUTIVE TRANSPORTATION FOR THE OPERATION OF FOUR LIMOUSINES IN THE CITY OF WINSTON-SALEM.

Approved by the Consent Vote.

- e. SECOND READING OF ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF INDEPENDENT WHEELS FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.

Approved by the Consent Vote.

- C-8 ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - Shillington Drive. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-9 CONSIDERATION OF ITEMS RELATING TO CONTRACTS:

- a. RESOLUTION AWARDED PURCHASE ORDER FOR CHEVROLET TAHOE POLICE VEHICLES - Modern Chevrolet Company - \$130,112.90.

Approved by the Consent Vote.

- b. RESOLUTION AWARDED PURCHASE ORDER FOR CHEVROLET CAPRICE POLICE VEHICLES - Terry Labonte Chevrolet - \$793,837.50.

Approved by the Consent Vote.

- C-10 CONSIDERATION OF AMENDMENTS TO THE FISCAL YEAR 2012-2013 BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA: [Recommended by Finance Committee.]

Approved by the Consent Vote.

- a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- C-11 RESOLUTION OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT TO DEFINING AND ESTABLISHING A MUNICIPAL SERVICE DISTRICT. Public Hearing: February 18, 2013. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-12 RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT ON BEHALF OF THE CITY OF WINSTON-SALEM WITH MORRIS-BERG ARCHITECTS. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-13 RESOLUTION TO ENTER INTO A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO RECEIVE STP-DA FUNDS FOR KIRKLEES ROAD, HERTFORD ROAD AND CHESTER ROAD SIDEWALK PROJECT AND PEDESTRIAN IMPROVEMENTS. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-14 RESOLUTION AUTHORIZING PARTICIPATION IN THE NORTH CAROLINA NEXT GENERATION NETWORK REQUEST FOR PROPOSAL. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-15 RESOLUTION ADOPTING THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES’ 2013 ADVOCACY GOALS. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-9 CONSIDERATION OF ITEMS RELATING TO CONTRACTS:

c. RESOLUTION AWARDED CONTRACT FOR SPRAGUE STREET AND WAUGHTOWN STREET INTERSECTION IMPROVEMENTS - Atlantic Contracting Company, Inc. - \$188,849 (Estimated Amount).

Jerry Bates, City/County Purchasing Director, provided the staff report for this item.

Council Member Taylor made a motion, seconded by Council Member Merschel, to approve this Resolution. Motion carried unanimously.

GENERAL AGENDA

EXTRA ITEM - RESOLUTION SUPPORTING A CONSTITUTIONAL AMENDMENT TO REVERSE THE EFFECTS OF THE UNITED STATES SUPREME COURT DECISION IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION.

Mayor Joines stated Council Member Taylor has asked to add a resolution to the agenda for the City Councils consideration. He noted unanimous consent is required to add an item to the agenda and inquired if there was any objection to adding the item.

Council Member Merschel expressed her objection due to the lack of time to review the item.

Council Member Clark suggested a Committee consider the item and the City Attorney answer legal questions regarding the matter. Council Member Clark indicated the citizens of Winston-Salem have a right to know what the City Council is voting on and that cannot be done by adding an item to the agenda at the last minute.

Council Member Besse asked the City Council to determine if the topic should be considered for full debate before going to a Committee. He indicated the item is an extremely complex legal issue impacting campaign finance regulation and is beyond the purview of City Government.

Council Member Montgomery noted the information about the item was presented for review during the last City Council meeting. He expressed concern about postponing consideration of the item.

Council Member Leight suggested the City Council study the item and asked Council Member Besse to place the item on the Community Development/Housing/General Government Committee's meeting agenda.

Council Member Taylor stated the item is germane to City business and noted twelve cities in North Carolina have passed similar resolutions. He added he would prefer the City Council at large, not a Committee, consider the item.

Council Member Burke indicated other groups have been given the courtesy to present items to the City Council and she hopes Council Member Besse will extend the same courtesy to these citizens.

Council Member Clark made a motion, seconded by Council Member Burke, to remand the item to the Community Development/Housing/General Government Committee. The motion carried unanimously.

Council Member Montgomery noted the Committee will meet on February 12th and the following City Council meeting will be held on February 18th.

Mayor Joines expressed his appreciation to the citizens who brought the item to the City Council.

G-1 PUBLIC HEARING AND RESOLUTION CONFIRMING ASSESSMENT ROLL FOR COST OF HOUSING RELOCATION FROM HOUSING UNFIT FOR HUMAN HABITATION.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Besse, seconded by Council Member Adams, to approve the Resolution Confirming Assessment Roll for Demolition of Housing Unfit for Human Habitation. Motion carried unanimously.

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Besse, seconded by Council Member Adams, to approve the Resolution Confirming Assessment Roll For Cost Of Housing Relocation From Housing Unfit For Human Habitation. Motion carried unanimously.

Council Member Montgomery requested staff ensure the Vernon Ferrell estate has been settled prior to the assessments.

G-3 PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF MANLY STREET (NORTH WARD) - Petition of Whisper Development, Inc. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Adams, seconded by Council Member Merschel, to approve the Resolution Ordering the Closing of a Portion of Manly Street. Motion carried unanimously.

G-4 PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF PARK CIRCLE (NORTHWEST WARD) - Petition of Arthur Samet, Empire Holdings, LLC. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Merschel, seconded by Council Member Burke, to approve the Resolution Ordering the Closing of a Portion of Park Circle. Motion carried unanimously.

G-5 PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF WINGHAVEN FOREST COURT (SOUTHEAST WARD) - Petition of the City of Winston-Salem. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item.

Rebecca Farley, 955 Winghaven Forest Court, stated she has a petition with several signatures from citizens who are in favor of the closing.

Mayor Joines asked if there were anyone else in the Council Chamber that wished to be heard regarding this matter. Seeing none, he closed the Public Hearing and recognized Council Member Taylor.

Council Member Taylor stated he met with the Easton Neighborhood Association, which is also in favor of the closing.

Council Member Taylor made a motion, seconded by Council Member Burke, to approve the Resolution Ordering the Closing of a Portion of Winghaven Forest Court. Motion carried unanimously.

G-6 PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF PORTIONS OF GILBERT STREET AND LAURA AVENUE (EAST WARD) - Petition of Jose Isasi. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Montgomery made a motion, seconded by Council Member Taylor, to approve the Resolution Ordering the Closing of Portions of Gilbert Street and Laura Avenue. Motion carried unanimously.

G-7 PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF BOWEN BOULEVARD (NORTHEAST WARD) - Petition of Edward Goode and Stephen Craver. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item.

Jim Conrad, 3088 New Walkertown Road, requested an explanation of the proposed closing.

Greg Turner, Assistant City Attorney, provided a report.

Charlesetta Jennings, 3100 Carver School Road, expressed concern about traffic caused by drivers using Teresa Avenue to access Bowen Boulevard.

Mr. Turner responded the right-of-way closing will not affect existing traffic movement and noted the closing will not affect Atlee Street.

Mayor Joines asked if there were anyone else that wished to be heard regarding this item. Seeing none, he closed the Public Hearing.

Council Member Burke made a motion, seconded by Council Member Adams, to approve the Resolution Ordering the Closing of a Portion of Bowen Boulevard. Motion carried unanimously.

G-8 CONSIDERATION OF ITEMS RELATING TO THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A LIMOUSINE/TAXICAB SERVICE IN THE CITY OF WINSTON-SALEM: [Recommended by Public Safety Committee.]

a. PUBLIC HEARING ON ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO AIRPORT LIMO FOR THE OPERATION OF TWO LIMOUSINES IN THE CITY OF WINSTON-SALEM.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Burke, seconded by Council Member Taylor, to approve the Ordinance Authorizing The Issuance Of A Certificate Of Public Convenience And Necessity To Airport Limo For The Operation Of Two Limousines In The City Of Winston-Salem. Motion carried unanimously.

- b. PUBLIC HEARING ON ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SERVICE WITH A SMILE TRANSPORTATION FOR THE OPERATION OF TWO LIMOUSINES IN THE CITY OF WINSTON-SALEM.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Burke, seconded by Council Member Taylor, to approve the Ordinance Authorizing The Issuance Of A Certificate Of Public Convenience And Necessity To Service With A Smile Transportation For The Operation Of Two Limousines In The City Of Winston-Salem. Motion carried unanimously.

- c. PUBLIC HEARING ON ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO LET'S RIDE FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Burke, seconded by Council Member Taylor, to approve the Ordinance Authorizing The Issuance Of A Certificate Of Public Convenience And Necessity To Let's Ride For The Operation of One Limousine In The City Of Winston-Salem. The motion carried unanimously.

- d. PUBLIC HEARING ON ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FIVE STAR TAXI FOR THE OPERATION OF FOUR TAXICABS IN THE CITY OF WINSTON-SALEM.

A motion was made by Council Member Burke, seconded by Council Member Taylor, to approve the Ordinance Authorizing The Issuance Of A Certificate of Public Convenience and Necessity To Five Star Taxi For The Operation Of Four Taxicabs in the City of Winston-Salem.

- e. PUBLIC HEARING ON ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CORONA TAXI FOR THE OPERATION OF THREE TAXICABS IN THE CITY OF WINSTON-SALEM.

A motion was made by Council Member Burke, seconded by Council Member Taylor, to approve the Ordinance Authorizing The Issuance Of A Certificate Of Public Convenience and Necessity to Corona Taxi For The Operation of Three Taxicabs In The City Of Winston-Salem. Motion carried unanimously.

- G-9 CONTINUATION OF CONSIDERATION OF ORDINANCE AMENDING CHAPTERS A AND B OF THE UNIFIED DEVELOPMENT ORDINANCES TO ALLOW MULTIPLE DWELLING UNITS TO BE PLATTED ON A SINGLE ZONING LOT WITHIN PLANNED RESIDENTIAL DEVELOPMENTS - UDO-237 - Proposal of BSC Holdings, Inc. [Recommended by Planning Board. Public hearing conducted and item continued from the December 3, 2012 City Council meeting.]

Mayor Joines requested a brief staff report.

Paul Norby, City/County Planning Director, provided the report.

A motion was made by Council Member Clark, seconded by Council Member Merschel, to approve the Ordinance Amending Chapters A and B Of The Unified Development Ordinances To Allow Multiple Dwelling Units To Be Platted On A Single Zoning Lot Within Planned Residential Developments - UDO 237 with added language inserted by the County Commissioners preventing a landlord from installing a master utility meter in the subdeivison and subleasing utility services to tenants. Motion carried unanimously.

- G-10 PUBLIC COMMENT PERIOD.

Public Comment Period was heard.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:31 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
February 4, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Wanda Merschel, and Council Member James Taylor Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Mayor Joines recognized the Sergeant at Arms.

RESOLUTION HONORING THE 2012 CITY OF WINSTON-SALEM RETIRED EMPLOYEES

Mayor Joines recognized the retired employees of the City Winston-Salem and thanked them all for their years of service.

CITY STARS PRESENTATION

Lee Garrity, City Manager, introduced Shantell Davis.

Ms. Davis, new Director of CityLink 311, stated she is serving on the City Design Team, and recently assumed the role as Coordinator. She is happy to report that employees continue to provide great customer service on a wide range of services.

Mr. Garrity stated the Archie Elledge Wastewater Treatment Plant was hit by lightning on July 14th causing the power to go out. It was then determined that the generator was not working properly. He noted that a lot of water flows in and out of the plant and without the quick actions of the employees, large overflow of raw sewage and environmental damage could have occurred. He stated the actions of the employees in working with the electrician help prevent a major crises. He presented the City Stars Awards to Bobby McManning and Brent Spencer, and noted that Mr. Frank Crump was the Plant Supervisor.

The Mayor and City Council commended the actions of the City Employees and asked they come to shake hands.

2. PUBLIC HEARING ON ZONING PETITION OF QUALITY HOMES OF THE TRIAD, LLC FROM AG TO RS-20 (Residential, Single Family District; 20,000 SF

Minimum Lot Size): Property located on the southwest side of Willard Road, north of Union Cross Road - Containing approximately 1.2 acres located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3164. [Planning Board recommends approval of petition.]

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

APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines stated without objection Council Member Taylor would like to continue Item 2 and request the Council consider this item first.

Council Member Taylor stated a community meeting is scheduled for February 19, 2013, at 6:00 p.m. at the Sedge Garden Recreation Center and requested this item be continued to the first zoning meeting in March.

Council Member Taylor made a motion, seconded by Council Member Merschel, to continue this item including the Public Hearing to the March 4, 2013 City Council Meeting. Motion carried unanimously.

1. PUBLIC HEARING ON ZONING PETITION OF ONE AT A TIME PROPERTIES, LLC FROM RS-9 AND PB-L [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Residential Building, Townhouse; Boarding or Rooming House; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Retail Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Shopping Center; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Funeral Home; Hotel or Motel; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Care Institution; Child Day Care Center; Child Day Care (Small Home); Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Correctional Institution; Dirt Storage; Government Offices, Neighborhood Organization, or Post Office; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Institutional Vocational Training Facility; Landfill, LCID; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; Postal Processing Facility; School, Private; School, Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Borrow Site; Access Easement, Private, Off-Site; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities] TO PB-L [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Combined Use; Family Group Home B; Family Group Home C; Life Care Community; Arts and Crafts Studio; Food or

Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Building Contractors, General; Offices; Services A; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Child Care Institution; Child Day Care Center; Child Day Care (Small Home); Church or Religious Institution, Neighborhood; Club or Lodge; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Library, Public; Museum or Art Gallery; Nursing Care Institution; Government Offices, Neighborhood Organization, or Post Office; And Access Easement, Private, Off-Site]; Property located on the south side of Waughtown Street across from Butler Street - containing approximately 0.76 acre located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3166. [Planning Board recommends approval of petition.]

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

SUFFICIENT PROTEST PETITION

Mayor Joines noted that the Sufficient Protest Petition has been withdrawn. He opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to be heard for or against this item. Seeing none, he closed the Public Hearing.

Paul Norby, City/County Planning Director, provided a staff report for this item.

Council Member Taylor made a motion, seconded by Council Member Montgomery, for (1) adoption of the Statement of Consistency set forth on page 25 of the Agenda Book and (2) approval of W-3166. Motion carried unanimously.

3. CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF DEACON RENTAL PROPERTIES, LLC FOR PROPERTY OWNED BY FIRST ASSEMBLY OF GOD, INC. AND DEACON RENTAL PROPERTIES, LLC FROM RS-9 TO RM-5-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; Family Group Home A; Swimming Pool, Private; Church or Religious Institution, Neighborhood; Landfill, Land Clearing/Inert Debris; Parking, Off-Site for Multifamily or Institutional Uses; and Utilities): Property located on the north side of Palm Drive between University Parkway and Ewing Street - Containing approximately 5.78 acres located in the NORTH WARD (Council Member Adams) - Zoning Docket W-3155. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations. This item was continued from the November 5, 2012 and December 3, 2012 City Council meetings.]

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

Mayor Joines reminded the Council that Council Member Adams has been excused from voting on this item.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item.

Proponents:

Wilson Summerville, President of the University Area Neighborhood Association

Robert Wooten, 1330 Pheasant Lane, Developer.

Mayor Joines asked if there were anyone else in the Council Chamber that wished to speak for or against this item. Seeing none he closed the Public Hearing.

Council Member Merschel made a motion, seconded by Council Member Taylor, for adoption of (1) The Statement of Consistency set forth on page 111 of the agenda book and (2) approval of W-3155 including the Site Plan. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Merschel, and Taylor

Excused: Council Member Adams

- 4. CONSIDERATION OF ITEMS RELATING TO THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A LIMOUSINE/TAXICAB SERVICE IN THE CITY OF WINSTON-SALEM: [Recommended by Public Safety Committee. The first reading and public hearing on these items was at the January 22, 2013 City Council Meeting.]
 - a. SECOND READING OF ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO AIRPORT LIMO FOR THE OPERATION OF TWO LIMOUSINES IN THE CITY OF WINSTON-SALEM.
 - b. SECOND READING OF ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SERVICE WITH A SMILE TRANSPORTATION FOR THE OPERATION OF TWO LIMOUSINES IN THE CITY OF WINSTON-SALEM.
 - c. SECOND READING OF ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO LET’S RIDE FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.
 - d. SECOND READING OF ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FIVE STAR TAXI FOR THE OPERATION OF FOUR TAXICABS IN THE CITY OF WINSTON-SALEM.

- e. SECOND READING OF ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CORONA TAXI FOR THE OPERATION OF THREE TAXICABS IN THE CITY OF WINSTON-SALEM.

Council Member Burke made a motion, seconded by Council Member Taylor, for approval of Issuance of Certificates of Public Convenience and Necessity for the Operation of a Limousine/Taxicab Service in the City of Winston-Salem (Items 4 a-e). Motion carried unanimously.

- 5. CONSIDERATION OF COUNCIL'S MEETING SCHEDULE.

A motion was made by Council Member Besse, seconded by Council Member Clark, to approve the City Council's Meeting Schedule. Motion carried unanimously.

- 6. MAYOR PRO TEMPORE BURKE'S RECOMMENDATIONS FOR APPOINTMENT/REAPPOINTMENTS TO THE COMMUNITY APPEARANCE COMMISSION:

A motion was made by Council Member Burke, seconded by Council Member Adams to approve the appointment/reappointments to the Community Appearance Commission. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:32 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
February 18, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Molly Leight, Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Vivian H. Burke, Council Member Denise Adams, Council Member Wanda Merschel and Council Member James Taylor, Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Christa Long

RESOLUTION CELEBRATING THE LIFE AND LEGACY OF MR. CHARLES HARDESTY

Council Member Montgomery presented the resolution to Mrs. Hardesty and their daughter. He thanked her for all that she and her husband contributed to the community.

Mrs. Hardesty thanked everyone for the recognition. She noted that her husband believed in hard work and stated what a blessing the business had been for the family and the community.

Council Member Burke stated that Elizabeth City State University was a great school and noted that the Chancellor sent his sympathies.

Council Member Montgomery asked all who came in support to please stand and be recognized.

Council Member Montgomery made a motion, seconded by Council Member Taylor, to approve the Honorary Resolution celebrating the life and legacy of Mr. Charles Hardesty. Motion carried unanimously.

Introduction of Paul Kortenaar, Executive Director of SciWorks.

Mayor Joines introduced Michael Myers, Chair of the Board of SciWorks.

Mr. Myers, Attorney, stated he serves as current Chair to the Board of SciWorks and the Executive Director recently retired in June 2012. He stated he would like to introduce the new Executive Director, Paul Kortenaar, from Toronto Canada.

Mr. Kortenaar stated he was pleased to be able to relocate to Winston-Salem, and is excited to be able to work with everyone to make the SciWorks Center an even better place.

Approved by the Consent Vote.

- a. Clarence L. Jones 304 W. 23rd Street

Approved by the Consent Vote.

- C-4 RESOLUTION OF SUPPORT FOR THE CLEAN WATER MANAGEMENT TRUST FUND TO RECEIVE RECURRING FUNDING FROM THE GOVERNOR AND THE NORTH CAROLINA GENERAL ASSEMBLY FOR THE 2013-2015 BIENNIAL BUDGET. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-5 ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - Neighborhood Limits: Kaymore Drive, Cahill Drive, Lochmoore Court, Cahill Court, and Creighton Lane. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-6 ORDINANCE AMENDING SECTION 42-97 OF THE CITY CODE RELATING TO WEIGHT LIMITATIONS ON THRU TRAFFIC ON CERTAIN CITY STREETS - Mineola Street. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-8 RESOLUTION ADOPTING THE DRAFT MASTER PLAN FOR JAMISON PARK. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- C-9 CONSIDERATION OF AMENDMENTS TO THE BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2012-2013: [Recommended by Finance Committee.]

Approved by the Consent Vote.

- a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- C-10 RESOLUTION AWARDED CONTRACT FOR FIRE PUMPER TRUCK - The Sutphen Corporation - \$494,512.82. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-13. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY FOR

CONSTRUCTION AND IMPROVEMENTS TO THE AT-GRADE RAILROAD CROSSING ON FOURTH STREET AT CHESTNUT STREET AS PART OF THE FOURTH STREET TWO-WAY PROJECT. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-14. CONSIDERATION OF ITEMS RELATED TO THE WEST FIRST STREET BRIDGE REPLACEMENT PROJECT: [Recommended by Finance Committee.]

a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH STV/RALPH WHITEHEAD ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE REPLACEMENT OF BRIDGE #296 ON WEST FIRST STREET.

Approved by the Consent Vote.

b. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL DESIGN PHASE FUNDING FOR A PROJECT TO REPLACE BRIDGE #296 ON WEST FIRST STREET.

Approved by the Consent Vote.

C-15. CONSIDERATION OF ITEMS RELATED TO THE PIEDMONT REGIONAL GREENWAY PROJECT: [Recommended by Finance Committee.]

a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE PIEDMONT REGIONAL GREENWAY.

Approved by the Consent Vote.

b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

C-16. CONSIDERATION OF STREET CLOSING PETITIONS

a. RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON A PORTION OF HAWTHORNE ROAD EXTENSION LOCATED IN THE SOUTHWEST WARD – Petition of Blue Sky W-S, LLC. Public Hearing: March 25, 2013.

Approved by the Consent Vote.

C-17. RESOLUTION APPROVING THE FEDERAL FISCAL YEAR 2014 AGENDA FOR THE CITY OF WINSTON-SALEM. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Approved by the Consent Vote.

- C-18.** RESOLUTION AUTHORIZING THE CITY MANAGER TO DONATE TWO SURPLUS VEHICLES TO THE GUARDIANS OF THE RIBBON-TRIAD NC CHAPTER, INC., OF WINSTON-SALEM. [Recommended by Finance and Public Safety Committees.]
- Approved by the Consent Vote.**
- C-19.** CONSIDERATION OF ITEMS RELATING TO ENCROACHMENT AGREEMENTS
- a.** RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH HART & HICKMAN, P.C. - Placid Street (West Ward).
- Approved by the Consent Vote.**
- b.** RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH HART & HICKMAN, P.C. - Lechworth Place (West Ward).
- Approved by the Consent Vote.**
- C-20.** RESOLUTION APPROVING A MUNICIPAL RECORDS RETENTION AND DISPOSITION SCHEDULE WITH THE NORTH CAROLINA DEPARTMENT OF CULTURAL RESOURCES. [Recommended by Community Development/Housing/General Government Committee.]
- Approved by the Consent Vote.**
- C-1.** ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: Repairs more than 50% of value of structure (<50) six months. [Recommended by Community Development/Housing/General Government Committee.]
- b.** Richard M. Miller - 1457 Douglas Street
- Council Member Montgomery requested to remove this item for discussion and requested a brief report.*
- Mr. Bruce Bailiff, Senior Project Code Enforcement Supervisor, provided the staff report.*
- In response to Council Member Montgomery, Mr. Bailiff indicated that some improvements have been made, but there are still some violations and repairs needed.*
- Council Member Montgomery stated he has no issue with delaying this item to the next Council Meeting.*
- Council Member Montgomery made a motion, seconded by Council Member Besse, to continue this item the March 4, 2013, City Council Meeting. Motion carried unanimously.**
- C-7.** RESOLUTION ADOPTING THE DRAFT MASTER PLAN FOR THE VULCAN QUARRY PROPERTY. [Recommended by Community Development/Housing/General Government Committee.]

Council Member Clark removed this item for discussion.

Tim Grant, Recreation and Parks Director, addressed questions and concerns regarding this item.

A motion was made by Council Member Clark, seconded by Council Member Besse, to approve this Resolution. Motion carried unanimously.

C-11. CONSIDERATION OF ITEMS RELATED TO WIRELESS NETWORK SERVICES AT THE BENTON CONVENTION CENTER. [Recommended by Finance Committee.]

Council Member Burke removed this item for discussion.

Martha Wheelock, Assistant City Manager provided a report for this item.

Council Member Montgomery requested staff to address the issues of the wireless microphones at the Benton Convention Center.

Council Member Burke made a motion, seconded by Council Member Adams, to approve this Resolution and Ordinances. Motion carried unanimously.

- a. RESOLUTION APPROVING PURCHASE OF WIRELESS EQUIPMENT AND SERVICES FROM INTERNETWORK ENGINEERING - \$216,980.**

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR FISCAL YEAR 2012-2013.**

Approved by the Consent Vote.

- c. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.**

Approved by the Consent Vote.

C-12. CONSIDERATION OF ITEMS RELATING TO THE ISSUANCE OF SPECIAL OBLIGATION BONDS, SERIES 2013: [Recommended by Finance Committee.]

- a. BOND ORDER AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION 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, SPECIAL OBLIGATION 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. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.**

Council Member Adams requested to remove this item for discussion. She stated she has some issues with this project and would like to refer this back to the Finance Committee.

Council Member Adams made a motion, seconded by Council Member Taylor, to refer this item back to the Finance Committee scheduled for March 18, 2013. Motion carried unanimously.

C-16. CONSIDERATION OF STREET CLOSING PETITIONS

- b. RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON A PORTION OF MASTEN STREET LOCATED IN THE EAST WARD – Petition of the Revealed Church of Christ, Inc. Public Hearing: March 25, 2013.**

Mayor Joines stated there is a need to excuse Council Member Taylor from voting on this item.

A motion was made by Council Member Burke, seconded by Council Member Adams, to excuse Council Member Taylor from voting on this item. Motion carried unanimously.

Council Member Montgomery made a motion, seconded by Council Member Adams, to approve this Resolution. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Adams, and Merschel

Excused: Council Member Taylor

GENERAL AGENDA

- G-1 PUBLIC HEARING ON RESOLUTION DEFINING AND ESTABLISHING A MUNICIPAL SERVICE DISTRICT.**

Council Member Merschel made a motion, seconded by Council Member Adams, to refer this item back to the Finance Committee scheduled for March 18, 2013. Motion carried unanimously.

- G-2 CONSIDERATION OF ITEMS RELATING TO RIDGEWOOD PLACE SUBDIVISION: [Finance Committee forwarded this item to Council without a recommendation.]**

Mr. Derrick Paige, Deputy City Manager, provided a report regarding this item.

- a. RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN CITY-OWNED PROPERTY TO UNITY BUILDERS, INC. AS A NON-PROFIT ENTITY CARRYING OUT A PUBLIC PURPOSE AS PERMITTED BY N.C.G.S. 160A-279 AND 157-3 - Ridgewood Place Subdivision, located near Hines Drive and I-40.**

- b. RESOLUTION AUTHORIZING FINANCING FOR DEVELOPMENT OF THE RIDGEWOOD PLACE SUBDIVISION.**

A motion was made by Council Member Merschel, seconded by Council Member Clark to refer this item to the Finance Committee meeting scheduled for March 18, 2013. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Adams, and Merschel

Nay: Council Member Taylor

G-3 CONSIDERATION OF CITIZENS UNITED RESOLUTION. [Community Development/Housing/General Government Committee forwarded this item as amended with three in favor and one opposed.]

Council Member Besse provided a brief history of this item. He stated that the Community Development/Housing/General Government Committee made a small amendment to the original resolution and forwarded it to Council on a split vote.

Council Member Taylor read the resolution and noted the amendments that were made after the Committee Meeting.

Council Member Taylor made a motion, seconded by Council Member Montgomery, to approve this Resolution with the amendments.

Council Member Taylor made a substitute motion, seconded by Council Member Montgomery, to remand this item back to Committee.

Council Member Clark made a motion of no consideration.

Mayor Joines stated this item would be considered at the March 4, 2013, City Council Meeting.

G-4 FORSYTH COUNTY TAX OFFICE PRESENTATION ON THE 2013 REVALUATION.

Ben Rowe, Budget Director, introduced John Burgess, Forsyth County Tax Assessor.

Mr. Burgess provided a presentation to the Mayor and City Council regarding Forsyth County Tax Administration 2013 Reappraisal Winston-Salem Information.

G-5 PUBLIC COMMENT PERIOD.

Public Comment Period was heard.

CLOSED SESSION

Council Member Clark made a motion, seconded by Council Member Montgomery that the City Council go into Closed Session pursuant to N.C.G.S. §143-318.11a (4) to discuss the location or expansion of industry and/or business within the city. Motion carried unanimously. Closed session began at 9:04 p.m.

Council Member Taylor left the Closed Session at 10:08 p.m.

Council Member Besse made a motion, seconded by Council Member Adams, to end Closed Session and Resume Regular Session. Motion carried unanimously. Closed Session ended at 10:13 p.m.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 10:13 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
March 4, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Wanda Merschel, and Council Member James Taylor Jr.

Absent: Council Member Molly Leight

MOMENT OF SILENCE

Mayor Joines asked the Council and Citizens to remember Mayor Pro Tempore Burke's family as they mourn the loss of Logan Burke (husband) that passed away.

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Bart Stone

PRESENTATION OF AWARD FROM THE CENTER FOR DIGITAL GOVERNMENT

- 6.** CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF QUALITY HOMES OF THE TRIAD, LLC FROM AG TO RS-20 (Residential, Single Family District; 20,000 SF Minimum Lot Size): Property located on the southwest side of Willard Road, north of Union Cross Road - Containing approximately 1.2 acres located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3164. [Planning Board recommends approval of petition. This item was continued from the February 4, 2013 City Council meeting.]

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

APPROVAL OF SITE PLAN

SUFFICIENT PROTEST PETITION

REQUEST FOR WITHDRAWAL

Mayor Joines stated without objection, Council would consider Item six first and recognized Council Member Taylor.

Council Member Taylor stated the petitioner wishes to withdraw this petition.

Council Member Taylor made a motion, seconded by Council Member Adams, to withdraw this Zoning Petition.

Motion carried with the following vote:**Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor****Absent: Council Member Leight**

8. 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) six months. [Recommended by Community Development/Housing/General Government Committee. This item was continued from the February 18, 2013 City Council meeting.]

Council Member Besse requested Council consider item eight next.

Mayor Joines stated without objection, Council would consider item eight.

- a. Richard M. Miller 1457 Douglas Street

Council Member Besse stated he spoke with staff earlier and that all the conditions have been satisfied, and unless Council Member Montgomery objects, he motions that the item be returned to staff. Council Member Taylor seconded the motion.

Council Member Adams suggested that in the future pictures of before and after should be provided.

Council Member Besse stated he would ask staff to provide pictures at the next Community Development/Housing/General Government Committee.

Motion carried with the following vote:**Aye: Council Members: Clark, Besse, Montgomery, Burke, Merschel, and Taylor****Nay: Council Member Adams****Absent: Council Member Leight**

1. PUBLIC HEARING ON ZONING PETITION OF GOODWILL INDUSTRIES OF NORTHWEST NORTH CAROLINA, INC. FROM HB AND LI TO GB: Property located on the northwest corner of Waughtown Street and Haled Street - Containing approximately 1.30 acres located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3167. [Planning Board recommends approval of petition.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chambers that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Paul Norby, Planning Director, for a staff report.

Mr. Norby provided a brief staff report.

Council Member Taylor made a motion, seconded by Council Member Montgomery, for (1) adoption of the Statement of Consistency set forth of page 25 of the Agenda Book and (2) approval of W-3167.

Motion carried with the following vote:

Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Absent: Council Member Leight

- 2. PUBLIC HEARING ON ZONING PETITION OF BOB NEILL OF WINSTON-SALEM, INC. FROM RS-9 TO HB-L (Parking, Commercial and Outdoor Display, Retail): Property located on the northeast corner of Kester Mill Road and Char-Lou Lane - Containing approximately 0.75 acre located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-3168. [Planning Board recommends approval of petition.]

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

APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Besse made a motion, seconded by Council Member Taylor, for (1) Adoption of the Statement of Consistency set forth on page 47 of the Agenda Book and (2) approval of W-3168.

Motion carried with the following vote:

Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Absent: Council Member Leight

- 3. PUBLIC HEARING ON ZONING PETITION OF COLUMBIA DEVELOPMENT FOR PROPERTY OWNED BY ARP WINSTON-SALEM, LLC FROM HB-S (Shopping Center) - TWO-PHASE TO HB-S [Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (Without Drive-Through Service); Restaurant (With Drive-Through Service); Retail Store; Shopping Center; Banking and Financial Services; Building Contractors, General; Car Wash; Funeral Home; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Offices; Services A; Testing and Research Lab; Recreation Services, Indoor; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Child Care, Drop-In; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; and School, Vocational or Professional] - TWO-PHASE: Property located on the northeast corner of Country Club Road and Meadowlark Drive - Containing approximately 4.77 acres located in the WEST WARD

(Council Member Clark) - Zoning Docket W-3169. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chambers that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Clark requested a staff report.

Mr. Norby provided a staff report regarding this item.

A motion was made by Council Member Clark, seconded by Council Member Adams, for (1) Adoption of the Statement of Consistency set forth on page 79 of the Agenda Book and (2) Approval of W-3169 including the Site Plan.

Motion carried with the following vote:

Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Absent: Council Member Leight

- 4. PUBLIC HEARING ON ZONING PETITION OF THE MASONIC TEMPLE OF WINSTON-SALEM, INC. FOR PROPERTY OWNED BY EFR PROPERTIES, LLC AND EQUITY TRUST COMPANY FROM LO-S (Offices) AND RS-9 TO GO-S (Club or Lodge and Offices): Property located on the north side of Country Club Road, east of Old Vineyard Road - Containing approximately 2.67 acres located in the WEST WARD (Council Member Clark) - Zoning Docket W-3165. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there is anyone in the Council Chamber that wishes to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Clark requested a staff report.

Mr. Norby provided the staff report noting that Council has been provided a revised condition and a revised Site Plan.

Greg Turner, Assistant City Manager, provided an overview of Stormwater management for this item.

A motion was made by Council Member Clark, seconded by Council Member Merschel, for (1) Adoption of the Statement of Consistency set forth on page 111 of the Agenda Book and (2) Approval of W-3165, including the revised Site Plan submitted tonight.

Motion carried with the following vote:

Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Absent: Council Member Leight

5. PUBLIC HEARING ON ZONING PETITION OF 7GS, LLC FROM RS-9 TO RM-5-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; and Residential Building, Multifamily): Property located on the east side of Butler Street, south of Reynolds Park Road - Containing approximately 10.45 acres located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3163. [Planning Board recommends denial of petition and approval of the site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing.

Proponents:

Garry Merritt, 229 Whispering Creek Road, King 27021 - Petitioner

Opponents:

Bill Tatum, 1930 Bedford Street

Nancy Byrum, 1836 Flatrock Street 27107

Mike Byrum, 1836 Flatrock Street 27107

Rebuttal Proponents:

Garry Merritt

Rebuttal Opponents:

Bill Tatum

Nancy Byrum

Everett Gentry

Mayor Joines closed the Public Hearing, and asked Mr. Norby to provide the Planning Board report for this item.

Council Member Taylor made a motion, seconded by Council Member Adams, for (1) Approval of the Statement of Consistency set forth on page 147 of the Agenda Book and (2) Denial of W-3163.

Motion carried with the following vote:

Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Absent: Council Member Leight

7. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES TO MODIFY THE PARKING REQUIREMENTS FOR PEDESTRIAN BUSINESS (PB) ZONING WITHIN GROWTH MANAGEMENT AREA 1 - UDO-238 - Proposal of City-County Planning Staff. [Recommended by Planning Board.]

Mayor Joines requested Mr. Norby to provide a report on this text amendment.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Merschel made a motion, seconded by Council Member Adams, to approve the Ordinance Amending Chapter B of the Unified Development Ordinances to Modify the Parking Requirements for Pedestrian Business.

Motion carried with the following vote:

Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Absent: Council Member Leight

9. CONSIDERATION OF CITIZENS UNITED RESOLUTION. [Community Development/Housing/General Government Committee forwarded this item as amended with three in favor and one opposed. At the February 18, 2013 City Council meeting, this item received a vote of No Consideration on a motion to Remand it to the Community Development/Housing/General Government Committee.]

Mayor Joines stated the motion on the table is to remand this item back to the Community Development/Housing/General Government Committee. There is typically no discussion regarding this item, unless Council wishes to vote to open the floor for discussion.

Council Member Clark made a motion, seconded by Council Member Taylor, to open the floor for discussion.

Motion carried with the following vote:

Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Absent: Council Member Leight

Council Member Taylor stated the Council has heard all the comments that needed to be heard regarding this item. The concern was if there is going to be any motions

made on the floor, they need to be done in Committee. We have had sufficient time to review the revised Resolution, so it is my original motion to remand this item to the Community Development/Housing/General Government Committee.

Mayor Joines stated Council Member Taylor made the original motion to remand this item back to Committee, and asked Council Member Taylor if he wished to withdraw that motion?

Council Member Taylor stated he formally withdraws the motion.

Council Member Besse stated he withdraws his second for the original motion.

Council Member Taylor made a motion, seconded by Council Member Adams, to approve the revised Resolution.

Motion carried with the following vote:

Aye: Council Members: Besse, Montgomery, Burke, Adams, and Taylor

Nay: Council Members: Clark and Merschel

Absent: Council Member Leight.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:16 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
March 25, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Wanda Merschel, and Council Member James Taylor Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Mike Weaver

RESOLUTION HONORING MR. RUSSELL DUBOIS FOR HIS SERVICE TO COMMUNITY APPEARANCE COMMISSION

Council Member Burke presented the resolution to Mr. Dubois. She stated that Mr. Dubois truly loves the community and expressed appreciation on behalf of the Mayor, and the City Council for his efforts in improving the community.

Mr. Dubois recognized the members of Citizens Appearance Commission and their efforts, noting that he would not have been able to complete this without their support. He also thanked the previous Chair Katy Pepper.

A motion was made by Council Member Taylor, seconded by Council Member Merschel, to approve the Honorary Resolution honoring Mr. Russell Dubois. Motion carried unanimously.

CONSENT AGENDA

Mayor Joines stated without objection the Council would first consider the Consent Agenda and asked if there were any items that needed removed for consideration.

Items C-1, C-12, C-13, and C-24 were removed for discussion.

Council Member Burke made a motion, seconded by Council Member Clark, to approve the balance of the Consent Agenda. The motion carried unanimously.

C-2. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY UNDER THE UPSET BID PROCEDURE (N.C.G.S. 160A-269) AND THE CITY'S FINANCING OF THE SALE - Located at the Waightown Street roundabout

adjacent to the property at 411 Waughtown Street. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-3 RESOLUTION AUTHORIZING AN ECONOMIC DEVELOPMENT INITIATIVE - NEIGHBORHOOD REVITALIZATION STRATEGY AREA COMMERCIAL PROPERTY LISTING. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Approved by the Consent Vote.

C-4 RESOLUTION APPROVING A TWELVE-MONTH EXTENSION TO THE DOWNTOWN DEVELOPMENT AGREEMENT FOR PROPOSED MIXED-USE DEVELOPMENT WITH GOLER COMMUNITY DEVELOPMENT CORPORATION. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Approved by the Consent Vote.

C-5 RESOLUTION AUTHORIZING MODIFICATION OF A DEVELOPMENT AGREEMENT WITH S.G. ATKINS COMMUNITY DEVELOPMENT CORPORATION. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Approved by the Consent Vote.

C-6 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) six months. [Recommended by Community Development/Housing/General Government Committee.]

a. Jake J. Johnson 1881 Kentucky Avenue

Approved by the Consent Vote.

C-7 ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General Government Committee with a 120-day Voluntary Demolition Agreement.]

a. Glenn Dexter Odell 2552 Old Greensboro Road

Approved by the Consent Vote.

b. Jake J. Johnson 1881 Kentucky Avenue Accessory Bldg.

Approved by the Consent Vote.

- c. Robert and Preshia McRae 848 W. 12th Street
Approved by the Consent Vote.
- d. Ivy House Center for 504 15th Street Self Sufficiency
Approved by the Consent Vote.
- e. Bill W. Everhart 4118 Old Greensboro Road
Approved by the Consent Vote.
- f. Ranzy C. Dozer 1315 N. Dunleith Avenue
Approved by the Consent Vote.
- C-8** ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General Government Committee.]
- a. Claus W. Hinrichsen 3631 Cash Drive
Approved by the Consent Vote.
- C-9** RESOLUTION RESCINDING CONFIRMATION OF THE ASSESSMENT ROLL RELATING TO THE COST OF HOUSING RELOCATION FROM HOUSING UNFIT FOR HUMAN HABITATION THAT WAS ADOPTED ON DECEMBER 15, 2008. [Recommended by Community Development/Housing/General Government Committee.]
Approved by the Consent Vote.
- C-10** ORDINANCE AMENDING SECTION 10-203(b) OF THE CITY CODE ENTITLED ORDER TO REPAIR OR DEMOLISH. [Recommended by Community Development/Housing/General Government Committee.]
Approved by the Consent Vote.
- C-11** RESOLUTION APPROVING AN APPLICATION FOR NORTH CAROLINA CLEAN WATER STATE REVOLVING FUND LOANS ASSOCIATED WITH VARIOUS WASTEWATER PROJECTS. [Recommended by Finance and Public Works Committees.]
Approved by the Consent Vote.
- C-14** ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - Neighborhood Limits: Ridgewood Place Drive, Ridgeback Drive North and South of Ridgewood Place Drive, Talladega Court, Misty Ridge Drive, and Ridge Hollow Drive. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-15** ORDINANCE AMENDING SECTION 42-97 OF THE CITY CODE RELATING TO WEIGHT LIMITATIONS ON THRU TRAFFIC ON CERTAIN CITY STREETS - Sprague Street between Thomasville Road and Old Lexington Road. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-16** ORDINANCE AMENDING SECTION 42-124 OF THE CITY CODE RELATING TO SCHOOL ZONES. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-17** ORDINANCE REDUCING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF SERVICE WITH A SMILE TRANSPORTATION FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-18** RESOLUTION ADOPTING THE DRAFT MASTER PLAN FOR WINSTON LAKE. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- C-19** CONSIDERATION OF AMENDMENTS TO THE FISCAL YEAR 2012-2013 BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA: [Recommended by Finance Committee.]

- a.** ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- b.** ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- C-20** CONSIDERATION OF ITEMS RELATING TO CONTRACTS: [Recommended by Finance Committee)

- a.** RESOLUTION AWARDDING CONTRACT FOR VACUUM LEAF COLLECTION MACHINES - White's International Trucks - \$599,562.12.

Approved by the Consent Vote.

- b.** RESOLUTION AWARDDING CONTRACT FOR PURCHASE OF ONE TANDEM AXLE DUMP TRUCK - White's International Trucks - \$114,931.25.

Approved by the Consent Vote.

- c. RESOLUTION AWARDDING CONTRACT FOR PURCHASE OF ONE MOTOR GRADER - ASC Construction Equipment - \$170,465.

Approved by the Consent Vote.

- d. RESOLUTION AWARDDING CONTRACT FOR PURCHASE OF ONE HYDRAULIC EXCAVATOR - ASC Construction Equipment - \$179,492.

Approved by the Consent Vote.

- e. RESOLUTION AWARDDING CONTRACT FOR MINERAL SPRINGS POOL RENOVATIONS - Mackie Brothers, Inc. - \$248,733.

Approved by the Consent Vote.

- f. RESOLUTION AWARDDING CONTRACT FOR TREE TRIMMING - Asplundh Tree Expert Co. - \$180,688.28.

Approved by the Consent Vote.

- C-21 ORDINANCE RENAMING "BETHEL CHURCH ROAD" TO "BETHEL METHODIST CHURCH LANE" - South Ward. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-22 RESOLUTION FIXING DATE FOR HEARING ON A PETITION TO CLOSE AND ABANDON A 15-FOOT ALLEY OFF OF DACIAN STREET LOCATED IN THE SOUTHEAST WARD – Petition of Ignacio and Delia Alvarado. Public Hearing: May 6, 2013. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-23 RESOLUTION GRANTING AN ENCROACHMENT AGREEMENT TO ART FOR ART’S SAKE FOR AN ART TOWER TO BE LOCATED ON TRADE STREET (EAST WARD) – Petition of Art for Art's Sake. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-25 RESOLUTION OPPOSING LEGISLATION THAT PROVIDES FOR THE FORCED TAKING OF MUNICIPAL WATER SYSTEM. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-26 RESOLUTION SUPPORTING THE ELIGIBILITY OF PROPERTY FOR THE NATIONAL REGISTER OF HISTORIC PLACES - Forsyth County Courthouse, 11 West Third Street. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-27 ORDINANCE DELETING CHAPTER 2, ARTICLE III, DIVISION 7 OF THE CITY CODE ENTITLED HISTORIC PROPERTIES COMMISSION. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-28 ORDINANCE AMENDING SECTION 2-63(a) OF THE CITY CODE ENTITLED PUBLIC BODIES DESIGNATED. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-1 CONSIDERATION OF ITEMS RELATING TO RIDGEWOOD PLACE SUBDIVISION: [Recommended by Finance and Community Development/Housing/General Government Committees.]

a. RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN CITY-OWNED PROPERTY TO UNITY BUILDERS, INC. AS A NON-PROFIT ENTITY CARRYING OUT A PUBLIC PURPOSE AS PERMITTED BY N.C.G.S. 160A-279 AND 157-3 - Ridgewood Place Subdivision, located near Hines Drive and I-40.

b. RESOLUTION AUTHORIZING FINANCING FOR DEVELOPMENT OF THE RIDGEWOOD PLACE SUBDIVISION.

Council Member Taylor asked for this item to be removed for discussion and asked Mr. Ritchie Brooks, Community Development Director, to provide a staff report for this item.

Council Member Taylor made a motion, seconded by Council Member Montgomery, to approve the Resolution Authorizing the Conveyance of Certain City-Owned Property to Unity Builders, Inc. as a Non-Profit Entity Carrying Out a Public Purpose as Permitted by N.C.G.S. 160A-279 and 157-3 and Resolution Authorizing Financing for Development of the Ridgewood Place Subdivision. Motion carried unanimously.

C-12 ORDINANCE AMENDING SECTION 75-404 OF THE POST CONSTRUCTION STORMWATER ORDINANCE TO ESTABLISH AN ALTERNATE FUNDING ARRANGEMENT FOR STATE AND COUNTY AGENCIES. [Recommended by Public Works Committee.]

Council Member Leight requested this item be removed for discussion and recognized Greg Turner, Assistant City Manager.

Mr. Turner provided a brief report.

A motion was made by Council Member Leight, seconded by Council Member Clark, to approve the Ordinance Amending Section 75-404 of the Post Construction Stormwater Ordinance to Establish an Alternate Funding Arrangement for State and County Agencies. Motion carried unanimously.

- C-13** RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION. [Recommended by Public Works Committee.]

A motion was made by Council Member Leight, seconded by Council Member Clark, to approve the Resolution Approving an Interlocal Cooperation Agreement with the Winston-Salem/Forsyth County Board of Education. Motion carried unanimously.

- C-24** RESOLUTION OF THE WINSTON-SALEM CITY COUNCIL REGARDING LEGISLATION INTRODUCED DURING THE 2013 LEGISLATIVE SESSION. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Mayor Joines removed this item for discussion and recognized Angela Carmon, City Attorney.

Ms. Carmon provided a brief report and answered questions regarding this item.

A motion was made by Council Member Taylor, seconded by Council Member Montgomery to approve this Resolution of the Winston-Salem City Council Regarding Legislation Introduced During the 2013 Legislative Session. Motion carried unanimously.

GENERAL AGENDA

- G-1** PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF HAWTHORNE ROAD EXTENSION (SOUTHWEST WARD) – Petition of Blue Sky W-S, LLC. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Besse.

A motion was made by Council Member Besse, seconded by Council Member Clark, to approve this Resolution Ordering the Closing of a Portion of Hawthorne Road Extension. Motion carried unanimously.

- G-2** PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF MASTEN STREET (EAST WARD) – Petition of the Revealed Church of Christ, Inc. [Recommended by Public Works Committee.]

Mayor Joines stated a vote to excuse Council Member Taylor from voting on this item was needed.

Council Member Besse made a motion, seconded by Council Member Merschel, to excuse Council Member Taylor from voting on item G-2. Motion carried unanimously.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Montgomery, seconded by Council Member Clark, to approve the Resolution Ordering the Closing of a Portion of Masten Street. Motion carried unanimously.

G-3

RESOLUTION AUTHORIZING THE MODIFICATION OF THE PREVIOUSLY APPROVED SALE OF CERTAIN CITY-OWNED PROPERTY TO GREATER TABERNACLE WORSHIP CENTER TO BE BASED ON N.C.G.S. 160A-279, A SALE TO AN ENTITY CARRYING OUT A PUBLIC PURPOSE - Property located off of Old Walkertown Road. [Finance Committee forwarded this item to Council without a recommendation.]

Derwick Paige, Assistant City Manager, provided a staff report regarding this item.

A motion was made by Council Member Burke, seconded by Council Member Taylor, to approve the Resolution Authorizing The Modification Of The Previously Approved Sale Of Certain City-Owned Property To Greater Tabernacle Worship Center To Be Based On N.C.G.S. 160a-279, A Sale To An Entity Carrying Out A Public Purpose. Motion carried unanimously.

G-4

CONSIDERATION OF ITEMS RELATING TO STORMWATER FEE REVENUE BONDS: [Finance Committee forwarded this item to Council with three in favor and one opposed. Recommended by Public Works Committee.]

a.

BOND ORDER AUTHORIZING THE ISSUANCE OF STORMWATER FEE 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 NOT TO EXCEED \$14,000,000 CITY OF WINSTON-SALEM, NORTH CAROLINA STORMWATER FEE REVENUE BONDS; PROVIDING FOR THE SALE OF THE BONDS; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS.

Denise Bell, Chief Financial Officer, provided a brief report and answered questions regarding this item.

A motion was made by Council Member Leight, seconded by Council Member Clark, to approve the Bond Order Authorizing The Issuance Of Stormwater Fee Revenue Bonds Of The City Of Winston-Salem, North Carolina and 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 Not To Exceed \$14,000,000 City Of Winston-Salem, North Carolina Stormwater Fee Revenue Bonds; Providing For The Sale Of The Bonds; And

Providing For Certain Other Matters In Connection With The Issuance, Sale, And Delivery Of The Bonds. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Burke, Adams, and Taylor

Nay: Council Members: Montgomery and Merschel

G-5 CONSIDERATION OF ITEMS RELATED TO THE BATH BRANCH/PIEDMONT TRIAD RESEARCH PARK STORMWATER MANAGEMENT FACILITY PROJECT AND THE RESEARCH PARK BOULEVARD PROJECT: [Finance Committee forwarded this item to Council with three in favor and one opposed.]

a. RESOLUTION APPROVING A CONTRACT CHANGE ORDER TO BLYTHE CONSTRUCTION, INC. FOR ADDITIONAL WORK ASSOCIATED WITH BATH BRANCH/PIEDMONT TRIAD RESEARCH PARK STORMWATER PROJECT AND THE RESEARCH PARK BOULEVARD PROJECT.

b. RESOLUTION APPROVING A CONTRACT CHANGE ORDER TO HDR ENGINEERING OF THE CAROLINAS FOR ADDITIONAL CONSTRUCTION PHASE ENGINEERING SERVICES ASSOCIATED WITH THE BATH BRANCH/PIEDMONT TRIAD RESEARCH PARK STORMWATER PROJECT AND THE RESEARCH PARK BOULEVARD PROJECT.

Greg Turner, Assistant City Manager, provided the staff report for this item.

Council Member Taylor made a motion of No Consideration.

This item will be considered at the April 1, 2013, City Council Meeting

G-6 PUBLIC COMMENT PERIOD.

Public Comment was heard.

CLOSED SESSION

Council Member Besse made a motion, seconded by Council Member Montgomery, to enter into Closed Session pursuant to N.C.G.S. 143-318.11a(1) to prevent the disclosure of information deemed confidential pursuant to N.C.G.S. 160A-160A. Motion carried unanimously.

Closed Session began at 8:02 p.m.

A motion was made by Council Member Taylor, seconded by Council Member Adams, to end Closed Session and resume Regular Session. Motion carried unanimously.

Regular Session resumed at 8:53 p.m.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:54 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
April 1, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Wanda Merschel, and Council Member James Taylor Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Rick Newnum

1. PUBLIC HEARING ON ZONING PETITION OF JERRY AND CAROLYN BAUGUESS FROM LB-S (Outdoor Display, Retail) AND RS-9 TO HB-S [Outdoor Display, Retail; Food or Drug Store; Offices; Restaurant (Without Drive-Through Service); Retail Store; Arts and Crafts Studio; Convenience Store; Motorcycle Dealer; Car Wash; Services A; Kennel, Indoor; Nursery, Lawn and Garden Supply Store, Retail; Club or Lodge; Motor Vehicle, Rental and Leasing; Childcare, Drop-In; Veterinary Services; and Animal Shelter, Public]; Property located on the northwest corner of Peters Creek Parkway and Friedberg Church Road - Containing approximately 0.68 acre located in the SOUTH WARD (Council Member Leight) - Zoning Docket W-3170. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there was anyone in the Council Chambers that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

Paul Norby, Planning Director, provided the staff report for this item.

Council Member Leight made a motion, seconded by Council Member Taylor, for (1) Adoption of the Statement of Consistency set forth on page 23 of the Agenda

Book and (2) Approval of W-3170 including the Site Plan. Motion carried unanimously.

2. PUBLIC HEARING ON ZONING PETITION OF JCM WAKE FOREST ACQUISITIONS, INC. FROM RS-9 TO RM-8-L (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; and Planned Residential Development): Property located on the southwest corner of Owen Drive and Quincy Drive - Containing approximately 0.24 acre located in the NORTHWEST WARD (Council Member Merschel) - Zoning Docket W-3172. [Planning Board recommends approval of petition.]

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

APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there was anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Merschel, seconded by Council Member Montgomery for (1) Adoption of the Statement of Consistency set forth on page 45 of the Agenda Book and (2) Approval of W-3172. Motion carried unanimously.

3. PUBLIC HEARING ON ZONING PETITION OF SOUTHSIDE ASSOCIATES FROM HB-S (Building Materials Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Retail Store; and Nursery, Lawn and Garden Supply Store, Retail) AND RM-18 TO GB-S [Arts and Crafts Studio; Building Materials Supply; Convenience Store; Food or Drug Store; Fuel Dealer; Furniture and Home Furnishings Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (With Drive-Through Service); Restaurant (Without Drive-Through Service); Retail Store; Shopping Center; Wholesale Trade A; Banking and Financial Services; Car Wash; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Offices; Services A; Services B; Storage Services Retail; Testing and Research Lab; Veterinary Services; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Theater Indoor; Academic Biomedical Research Facility; Academic Medical Center; Child Daycare Center; College or University; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility B; Hospital or Health Center; Institutional Vocational Training Facility; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Private; School Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Manufacturing A; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities] TWO-PHASE: Property located on the northwest corner of Peters Creek Parkway and Brewer Road - Containing approximately 15.23 acres located in the SOUTH WARD (Council Member Leight) - Zoning Docket W-3173. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

Paul Norby, Planning Director, provided a staff report.

A motion was made by Council Member Leight, seconded by Council Member Taylor, for (1) Adoption of the Statement of Consistency set forth on page 73 of the Agenda Book and (2) Approval of W-3173. Motion carried unanimously.

Council Member Leight stated she wanted to amend her motion to indicate page 71 of the Agenda Book. Council Member Taylor seconded the amendment. Motion carried unanimously.

- 4. PUBLIC HEARING AND RESOLUTION OF THE WINSTON-SALEM CITY COUNCIL TO ADOPT THE PROPOSED 2013 DOWNTOWN PLAN. [Recommended by Community Development/Housing/General Government Committee.]

Mayor Joines asked Mr. Norby to provide a brief update regarding this plan.

Jason Thiel, 305 W 4th, Suite 2E 27101, President of the Downtown Winston-Salem Partnership, explained the semantics of the project.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chambers that wished to speak for or against this item.

Adam Sebastian, 5219 Dot Davis Rd spoke in favor of this item.

Mayor Joines asked if there were anyone else in the Council Chamber that wished to speak regarding this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Besse, seconded by Council Member Taylor, to approve the Resolution of the Winston-Salem City Council to Adopt the Proposed 2013 Downtown Plan. Motion carried unanimously.

- 5. PUBLIC HEARING ON ORDINANCE DESIGNATING CERTAIN PROPERTY AS A HISTORIC LANDMARK - Forsyth County Courthouse, 11 West Third Street. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Mayor Joines asked LeAnn Pegram to provide a staff report.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to be heard for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Merschel, seconded by Council Member Adams, to approve the Ordinance Designating Certain Property As A Historic Landmark - Forsyth County Courthouse, 11 West Third Street. Motion carried unanimously.

- 6.** CONSIDERATION OF ITEMS RELATED TO THE BATH BRANCH/PIEDMONT TRIAD RESEARCH PARK STORMWATER MANAGEMENT FACILITY PROJECT AND THE RESEARCH PARK BOULEVARD PROJECT: [Finance Committee forwarded this item to Council with three in favor and one opposed. This item received a motion of No Consideration at the March 25, 2013 City Council meeting.]
- a.** RESOLUTION APPROVING A CONTRACT CHANGE ORDER TO BLYTHE CONSTRUCTION, INC. FOR ADDITIONAL WORK ASSOCIATED WITH BATH BRANCH/PIEDMONT TRIAD RESEARCH PARK STORMWATER PROJECT AND THE RESEARCH PARK BOULEVARD PROJECT.
- b.** RESOLUTION APPROVING A CONTRACT CHANGE ORDER TO HDR ENGINEERING OF THE CAROLINAS FOR ADDITIONAL CONSTRUCTION PHASE ENGINEERING SERVICES ASSOCIATED WITH THE BATH BRANCH/PIEDMONT TRIAD RESEARCH PARK STORMWATER PROJECT AND THE RESEARCH PARK BOULEVARD PROJECT.

Mayor Joines stated this item received a no consideration at the March 25, 2013, City Council Meeting. He stated the motion on the floor is to approve the Resolution Approving A Contract Change Order To Blythe Construction, Inc. For Additional Work Associated With Bath Branch/Piedmont Triad Research Park Stormwater Project And The Research Park Boulevard Project and Resolution Approving A Contract Change Order To Hdr Engineering Of The Carolinas For Additional Construction Phase Engineering Services Associated With The Bath Branch/Piedmont Triad Research Park Stormwater Project And The Research Park Boulevard Project. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, and Taylor

Nay: Council Members: Montgomery, Burke, Adams, and Merschel

Mayor Joines voted Aye to break the tie.

- 7.** SECOND READING ON ORDINANCE REDUCING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF SERVICE WITH A SMILE TRANSPORTATION FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM. [Recommended by Public Safety Committee. The first reading of this ordinance was at the March 25, 2013 City Council meeting.]

A motion was made by Council Member Burke, seconded by Council Member Taylor to approve the Ordinance Reducing The Certificate Of Public Convenience And Necessity Of Service With A Smile Transportation For The Operation Of One Limousine In The City Of Winston-Salem. The motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:54 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
April 15, 2013**

CALL TO ORDER

Mayor Joines call the meeting to order and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Wanda Merschel, and Council Member James Taylor Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Troop 934 of Mt. Tabor United Methodist Church.

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Steve Osborne

PRESENTATION OF AWARD FROM THE CENTER FOR DIGITAL GOVERNMENT

Council Members Montgomery and Taylor presented the award to Dennis Newman, Chief Information Officer, noting the city ranked third place in its population category for its IT service.

Mr. Newman stated this is the 10th year in a row that this award has been received. He thanked the Mayor and City Council for the recognition.

RESOLUTION HONORING THE 2013 CITY OF WINSTON-SALEM UNIVERSITY

Mayor Joines requested the graduates to stand for recognition. He expressed appreciation on behalf of the City Council for their effort to take time to learn about City Government. The City Council greeted each graduate individually. Mayor Joines wished them much success in the future.

CONSENT AGENDA

Mayor Joines stated that Council would first consider the Consent Agenda and asked if there any items that needed removed for discussion. No items were removed.

A motion was made by Council Member Merschel, seconded by Council Member Adams, to approve the Consent Agenda. Motion carried unanimously.

C-1 RESOLUTION APPROVING THE FY 14 HOUSING AND COMMUNITY DEVELOPMENT PROGRAM AND AUTHORIZING SUBMISSION OF THE 2014-2018 CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

[Recommended by Finance and Community Development/Housing/General Government Committees.]

Approved by the Consent Vote.

- C-2** RESOLUTION AUTHORIZING SUBMISSION OF EMERGENCY SOLUTIONS GRANT APPLICATION, ACCEPTANCE OF GRANT FUNDS, AND EXECUTION OF SUBGRANTEE AGREEMENTS. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Approved by the Consent Vote.

- C-3** CONSIDERATION OF ITEMS RELATING TO FINANCING TO NORTHWEST CHILD DEVELOPMENT CENTERS, INC.: [Recommended by Finance Committee.]

- a.** RESOLUTION AUTHORIZING FINANCING TO NORTHWEST CHILD DEVELOPMENT CENTERS, INC. FOR CONSTRUCTION OF A CHILD DEVELOPMENT CENTER.
- b.** ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- C-4** ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM:

Repairs more than 50% of value of structure (>50) six months. [Recommended by Community Development/Housing/General Government Committee.]

- a.** Anita D. Reynolds 440 Buick Street

Approved by the Consent Vote.

- C-5** 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) one year. [Recommended by Community Development/Housing/General Government Committee.]

- a.** Thomas and Gloria 1308 E. 4th Street
Cornell

Approved by the Consent Vote.

- C-6** ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General Government Committee.]

- a. James and Clyde Morrison 4158 MacArthur Street
- b. Sampson and Sharon Smalls, Sr. 2835 N. Patterson Avenue
- c. Anita D. Reynolds 440 Buick Street Accy. Building

Approved by the Consent Vote.

C-7 RESOLUTION ACKNOWLEDGING THE NORTH CAROLINA ASSOCIATION OF RESCUE AND EMERGENCY MEDICAL SERVICES TECHNICAL RESCUE CERTIFICATION FOR THE WINSTON-SALEM FIRE DEPARTMENT. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

C-8 CONSIDERATION OF ITEMS RELATING TO RECOMMENDATIONS FOR ABC PERMITS: [Recommended by Public Safety Committee.]

- a. ORDINANCE AMENDING CHAPTER 38 OF THE CITY CODE RELATING TO RECOMMENDATIONS FOR ABC PERMITS.
- b. RESOLUTION AUTHORIZING EXECUTION OF AN ACCESS AGREEMENT BETWEEN THE POLICE DEPARTMENT AND THE STATE BUREAU OF INVESTIGATION FOR ACCESS TO THE DIVISION OF CRIMINAL INVESTIGATION DATABASE FOR THE SAME PURPOSE.

Approved by the Consent Vote.

C-9 RESOLUTION ADOPTING THE DRAFT MASTER PLAN FOR SALEM LAKE. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-10 RESOLUTION TO MAINTAIN AND SUPPORT THE CURRENT INTEGRITY AND FUNDING FOR THE PARKS AND RECREATION TRUST FUND. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-11 RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MOBILE DOC, PLLC FOR MEDICAL REVIEW OFFICER AND EMPLOYEE MEDICAL SERVICES. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-12 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA, AMENDING THE INVESTMENT POLICY AUTHORIZING

INVESTMENT OF CITY FUNDS AND DESIGNATING CAPITAL RESERVE FUNDS. [Recommended by Finance Committee.]

Approved by the Consent Vote.

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

a. RESOLUTION AWARDDING CONTRACT FOR CLOVERDALE AVENUE AREA PEDESTRIAN IMPROVEMENTS - Larco Construction, A Division of Branscome, Inc. - \$696,702 (Estimated Amount).

b. RESOLUTION AWARDDING CONTRACT FOR CLOSED CIRCUIT TELEVISION VIDEO CAMERAS AND CLOSED LOOP SIGNAL SYSTEM ON HANES MILL ROAD - Colter Electric Company - \$228,155.50 (Estimated Amount).

Approved by the Consent Vote.

C-14 CONSIDERATION OF AMENDMENTS TO THE FY 12-13 BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA: [Recommended by Finance Committee.]

a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2012-2013.

b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

C-15 CONSIDERATION OF ITEMS RELATING TO THE ISSUANCE OF CITY OF WINSTON-SALEM, NORTH CAROLINA, SPECIAL OBLIGATION BONDS, SERIES 2013: [Recommended by Finance Committee.]

a. BOND ORDER AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION 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, SPECIAL OBLIGATION 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. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- C-16** RESOLUTION TO CONSTRUCT A NEW SIDEWALK ALONG THE SOUTH SIDE OF ARDMORE ROAD (FROM HIGHFIELD PARK DRIVE TO CAMDEN FOREST DRIVE) AS A REPLACEMENT PROJECT FOR THE LONDON LANE SIDEWALK PROJECT. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-17** CONSIDERATION OF ITEMS RELATED TO THE WAKE FOREST INNOVATION QUARTER (FORMERLY PIEDMONT TRIAD RESEARCH PARK) RAIL WITH TRAIL PROJECT: [Recommended by Finance Committee.]

- a.** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE WAKE FOREST INNOVATION QUARTER RAIL WITH TRAIL PROJECT.
- b.** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE WAKE FOREST INNOVATION QUARTER TO PROVIDE MATCHING FUNDS FOR THE RAIL WITH TRAIL PROJECT AND TO ASSUME MAINTENANCE RESPONSIBILITIES FOR THE COMPLETED PROJECT.
- c.** ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- C-18** RESOLUTION AUTHORIZING PERMANENT HONORARY STREET NAME SIGN - Logan Burke Road. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-19** CONSIDERATION OF REQUEST TO REMOVE THE ST. CLAIRE ROAD SIDEWALK PROJECT FROM THE CITY COUNCIL APPROVED SIDEWALK LIST. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-20** RESOLUTION APPROVING THE INSTALLATION OF DECORATIVE, CENTENNIAL-THEMED BICYCLE RACKS AT THE PROPOSED LOCATIONS. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

GENERAL AGENDA

- G-1** PUBLIC HEARING ON RESOLUTION OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA, DEFINING AND ESTABLISHING A MUNICIPAL SERVICE DISTRICT. [Recommended by Finance Committee.]

Denise Bell, Chief Financial Officer, provided a staff report regarding this item.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Merschel, seconded by Council Member Adams, to approve the Resolution of the City of Winston-Salem, North Carolina, Defining and Establishing a Municipal Service District. Motion carried unanimously.

G-2 CONSIDERATION OF ITEMS RELATING TO FINANCING REQUESTS FOR PROPOSED LOW-INCOME HOUSING TAX CREDIT DEVELOPMENTS: [Finance Committee forwarded this item to Council with three in favor, none opposed and one abstaining from the vote. Recommended by Community Development/Housing/General Government Committee.]

- a. RESOLUTION AUTHORIZING PERMANENT FINANCING FOR A 64-UNIT FAMILY RENTAL DEVELOPMENT KNOWN AS THE ENCLAVE II.
- b. RESOLUTION AUTHORIZING PERMANENT FINANCING FOR A 54-UNIT FAMILY RENTAL DEVELOPMENT KNOWN AS THE HEIGHTS AT PATTERSON AVENUE.
- c. RESOLUTION AUTHORIZING PERMANENT FINANCING FOR A 64-UNIT FAMILY RENTAL DEVELOPMENT KNOWN AS ROCKWOOD AT OLIVER’S CROSSING APARTMENTS.

Ritchie Brooks, Community Development Director, provided a staff report and answered questions regarding this item.

Michael Suggs, 615 Lowberg Court, Kernersville, answered questions, regarding acreage and location of the daycare.

Tony Burton, 3890 Thornby Circle, WS 27107, answered questions regarding the daycare.

A motion was made by Council Member Merschel, seconded by Council Member Clark for approval of Resolution Authorizing Permanent Financing For A 64-Unit Family Rental Development Known As The Enclave II, Resolution Authorizing Permanent Financing For A 54-Unit Family Rental Development Known As The Heights At Patterson Avenue, and Resolution Authorizing Permanent Financing For A 64-Unit Family Rental Development Known As Rockwood At Oliver’s Crossing Apartments. Motion carried unanimously.

G-3 MAYOR JOINES’ RECOMMENDATIONS FOR APPOINTMENTS /REAPPOINTMENTS TO BOARDS/COMMISSIONS:

a. PLANNING BOARD (CITY-COUNTY)

Darryl Little - Reappointment - Term Expiring February 2017

Paul W. Mullican - County Reappointment - Term Expiring February 2017

A motion was made by Council Member Burke, seconded by Council Member Taylor, to approve the reappointment of Darryl Little and Paul W. Mullican (County Reappointment) to the Planning Board, with terms expiring February 2017. Motion carried unanimously.

RECREATION AND PARKS COMMISSION

JoAnn Morgan - Appointment - Term Expiring May 2014

A motion was made by Council Member Taylor, seconded by Council Member Adams, to approve the appointment of JoAnn Morgan term expiring May 2014 to the Recreation and Parks Commission. Motion carried unanimously.

PUBLIC COMMENT PERIOD.

Public Comment Period was heard.

CLOSED SESSION

A motion was made by Council Member Montgomery, seconded by Council Member Leight that the City Council enter into Closed Session pursuant of N.C.G.S. 143-318.11 to prevent the disclosure of information considered confidential pursuant of N.C.G.S. 160A-16a. Motion carried unanimously.

Closed Session began at 7:31 p.m.

At 7:51 p.m., Council Member Merschel made a motion, seconded by Council Member Taylor, to end Closed Session and resume Regular Session. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:52 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
May 6, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Molly Leight, Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin Montgomery, Mayor Allen Joines, Council Member Vivian H. Burke, Council Member Wanda Merschel, and Council Member James Taylor, Jr.

Absent: Council Member Denise D. Adams.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

Troop 722 from Highland Presbyterian Church lead the Pledge of Allegiance.

RECOGNITION OF SERGEANT-AT-ARM

Lt. Bart Stone

1. PUBLIC HEARING ON ZONING PETITION OF TAMMY ERWIN AND TAMMY GREEN FROM NB-L [Access Easement, Private Off-Site; Adult Daycare Center; Adult Daycare Home; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Borrow Site; Child Care, Drop-In; Child Care, Sick Children; Child Daycare Center; Child Daycare, Large Home; Child Daycare, Small Home; Church or Religious Institution, Neighborhood; Combined Use; Convenience Store; Dirt Storage; Food or Drug Store; Government Offices, Neighborhood Organization, or Post Office; Landfill, Land Clearing and Inert Debris; Library, Public; Limited Campus Uses; Motor Vehicle, Repair and Maintenance; Museum or Art Gallery; Offices; Park and Shuttle Lot; Police or Fire Station; Recreation Facility, Public; Residential Building, Single Family; Restaurant (Without Drive-Through Service); Retail Store; Services A; Utilities; and Veterinary Services] TO LB-L [Access Easement, Private Off-Site; Adult Daycare Center; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Borrow Site; Child Care, Drop-In; Child Care, Sick Children; Child Daycare Center; Church or Religious Institution, Neighborhood; Combined Use; Convenience Store; Dirt Storage; Food or Drug Store; Government Offices, Neighborhood Organization, or Post Office; Landfill, Land Clearing and Inert Debris; Library, Public; Limited Campus Uses; Museum or Art Gallery; Offices; Park and Shuttle Lot; Police or Fire Station; Recreation Facility, Public; Restaurant (Without Drive-Through Service); Retail Store; Services A; Utilities; and Veterinary Services]: Property is located on the north side of Union Cross Road, west of Wallburg Road - Containing approximately 0.79 acre located in the

SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3176. [Planning Board recommends approval of petition.]

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

APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Taylor.

Council Member Taylor asked Paul Norby, Planning Director, to provide the report.

Council Member Taylor made a motion, seconded by Council Member Montgomery, for adoption of (1) the Statement of Consistency set forth on page 21 of the Agenda Book and (2) Approval of W-3176. Motion carried unanimously.

- 2. PUBLIC HEARING ON ZONING PETITION OF TINA BENNETT FROM RS-7 TO RSQ-S (Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse and Residential Building, Multifamily): Property located on the west side of Ogburn Avenue, north of Kapp Street - Containing approximately 0.68 acre located in the NORTHEAST WARD (Council Member Burke) - Zoning Docket W-3178. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations].

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

Mayor Joines asked if there was anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Burke.

Council Member Burke made a motion, seconded by Council Member Merschel, for adoption of (1) the Statement of Consistency set for on page 45 of the Agenda Book and (2) approval of W-3178 including the Site Plan. Motion carried unanimously.

- 3. PUBLIC HEARING ON ZONING PETITION OF VIRGINIA HILL FROM RS-9 AND HB-S (Outdoor Display, Retail) TO RM-12-S (Residential Building, Multifamily; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; Residential Building, Single Family; and Planned Residential Development): Property located on the west side of Peters Creek Parkway, north of Fishel Road - Containing approximately 6.18 acres located in the SOUTH WARD (Council Member Leight) - Zoning Docket W-3179. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations].

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Leight.

Council Member Leight made a motion, seconded by Council Member Clark, for adoption of (1) the Statement of Consistency set forth on page 75 of the Agenda Book and (2) approval of W-3179 including the Site Plan. Motion carried unanimously.

- 4. PUBLIC HEARING ON ZONING PETITION OF FLORIDA TOWER PARTNERS, LLC FOR PROPERTY OWNED BY REEDS ENTERPRISES FROM GI-S (Freight Terminal) TO GI-S (Freight Terminal and Transmission Tower): Property located at the southeast terminus of Reed Street, west of Thomasville Road - Containing approximately 3.32 acres located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3180. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations].

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Taylor.

Council Member Taylor made a motion, seconded by Council Member Burke for adoption of (1) the Statement of Consistency set forth on page 97 of the Agenda Book and (2) approval of W-3180 including the Site Plan. Motion carried unanimously.

- 5. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTER B, SECTION 5-2.8 OF THE UNIFIED DEVELOPMENT ORDINANCES TO CLARIFY VAGUE AND AMBIGUOUS LANGUAGE RELATING TO THE LOSS OF NONCONFORMING USE STATUS - UDO-240 - Proposal of the City Attorney’s Office. [Recommended by Planning Board.]

Mayor Joines asked Mr. Norby, to provide a staff report.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Leight made a motion, seconded by Council Member Merschel to approve the Ordinance Amending Chapter B, Section 5-2.8 of the Unified

Development Ordinances to Clarify Vague and Ambiguous Language Relating to the Loss of Nonconforming Use Status - UDO-240.

Council Member Besse made a substitute motion, seconded by Council Member Montgomery, to refer this item back to the Planning Board to reconsider the limitation on number of times someone could renew a building permit. Motion carried unanimously.

6. PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A 15-FOOT ALLEY OFF OF DACIAN STREET (SOUTHEAST WARD) – Petition of Ignacio and Delia Alvarado. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Taylor made a motion, seconded by Council Member Burke, to approve the Resolution Ordering the Closing of a 15-Foot Alley off of Dacian Street. Motion carried unanimously.

7. RESOLUTION ADOPTING A STATEMENT RELATING TO THE FEBRUARY 18, 2013 PUBLIC COMMENT PERIOD.

Council Member Taylor made a motion, seconded by Council Member Merschel, to approve the Resolution Adopting a Statement Relating to the February 18, 2013 Public Comment Period

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:29 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
May 20, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Molly Leight, Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin Montgomery, Mayor Allen Joines, Council Member Vivian H. Burke, Council Member Wanda Merschel, and Council Member James Taylor, Jr.

Absent: Council Member Denise D. Adams

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

Mayor Joines stated that he proclaimed today as Delta Day in Winston-Salem. He recognized all the members in the Chamber acknowledging them wearing red and recognized the President Lisa Smith and Tracy Murphy, Social Action Chairman. He stated this sorority does a lot for not only Winston-Salem but across the Country. He asked Ms. Smith and Ms. Murphy to lead the Pledge of Allegiance.

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Crista Long

PRESENTATION OF GEORGE C. FRANKLIN AWARD TO MR. TOM KURECZKA

Mayor Joines stated this was a prestigious award given by the North Carolina League of Municipalities and the North Carolina School of Government. He introduced Art Schools, Mayor of Emerald Isle, North Carolina and the President of the North Carolina League of Municipalities.

Mr. Schools presented the award to Tom Kureczka and explained the award is given annually to the student with the most distinguished record in the Municipal Administration course at the North Carolina School of Government.

Tom Kureczka, Chief Information Officer, thanked Mr. Schools, Mayor Joines, and Members of the City Council for their support.

RESOLUTION RECOGNIZING HONORARY FIREFIGHTERS OF THE 2012 CITIZENS' FIRE SAFETY ACADEMY

Antony Farmer, Fire Chief, explained the logistics of the Academy, and recognized each participant of the Honorary Firefighter Citizens' Academy.

Council Member Clark made a motion, seconded by Wanda Merschel, to approve the Resolution Recognizing Honorary Firefighters of the 2012 Citizens' Fire Safety Academy. Motion carried unanimously.

CONSENT AGENDA

Mayor Joines stated Council would consider the Consent Agenda first and asked if there are items that needed removed for discussion. Council Member Montgomery removed Item C-1.

Council Member Merschel made a motion, seconded by Council Member Besse, to approve the balance of the Consent Agenda. Motion carried unanimously.

C-2 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) six months. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- a. Robert Patrick and 3844 Clinard Avenue
Joyce Ryan

Approved by the Consent Vote.

C-3 ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: Repairs more than 50% of value of structure (>50) six months. [Recommended by Community Development/Housing/General Government Committee.]

- a. William A. McClain 905 Camel Avenue Accy. Building

Approved by the Consent Vote.

- b. Phillip Alan Kendall 731 Mulberry Street Accy. Building 1

Approved by the Consent Vote.

- c. Phillip Alan Kendall 731 Mulberry Street Accy. Building 2

Approved by the Consent Vote.

C-4 ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General Government Committee.]

- a. Fannie D. Davis 418 E. 25th Street Accy. Building

Approved by the Consent Vote.

- C-5 ORDINANCE AMENDING SECTION 42-122 (f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - Neighborhood Limits: Gilmer Avenue and Bon Air Avenue. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-6 ORDINANCE AMENDING SECTION 42-123(c) OF THE CITY CODE RELATING TO 45 MILES PER HOUR SPEED LIMITS - SR 2698 (Ridgewood Road). [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-7 RESOLUTION AUTHORIZING A LAND LEASE AT SOUTH FORK PARK TO THE SOUTHBOUND MODEL RAILROADERS, INC. FOR 20 YEARS. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- C-8 RESOLUTION AUTHORIZING FUNDING POLICY FOR THE WINSTON-SALEM POLICE OFFICERS' RETIREMENT SYSTEM.

[Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-9 RESOLUTION AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO. Public Hearing: June 3, 2013. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-10 RESOLUTION APPROVING THE FISCAL YEAR 2013-2014 OPERATING MEMORANDUM BETWEEN THE CITY OF WINSTON-SALEM AND THE RISK ACCEPTANCE MANAGEMENT CORPORATION. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-11 RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE PROPERTY, BOILER/MACHINERY INSURANCE AND EMBEZZLEMENT INSURANCE - Surry Insurance. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-12 CONSIDERATION OF ITEMS RELATING TO CONTRACTS: (Recommended by Finance Committee)

- a. RESOLUTION APPROVING A CONTRACT WITH PRESIDIO NETWORKED SOLUTIONS FOR NETWORK INFRASTRUCTURE SUPPORT SERVICES - Presidio Networked Solutions, Inc. - \$285,928.

Approved by the Consent Vote.

- b. RESOLUTION AWARDED CONTRACT FOR CONSTRUCTION OF LITTLE CREEK GREENWAY, PHASE 1 - Smith-Rowe, LLC - \$969,989.10 (Estimated Amount).

Approved by the Consent Vote.

- C-13 CONSIDERATION OF ITEMS RELATING TO CONSTRUCTION OF BROOKWOOD BUSINESS PARK BUILDING: [Recommended by Finance Committee.]

- a. RESOLUTION AWARDED CONTRACT FOR CONSTRUCTION OF BROOKWOOD BUSINESS PARK BUILDING - W.C. Construction, LLC - \$925,900 (Estimated Amount).

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2012-2013. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-14 ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- C-15 RESOLUTION APPROVING AN AMENDED AND EXPANDED LIST OF RESURFACING PROJECTS TO BE COMPLETED IN THE SUMMER MONTHS OF FISCAL YEAR 2013-2014. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-16 RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY – 5309 Ember Lane. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-17 REQUEST TO REMOVE THE MULBERRY STREET SIDEWALK PROJECT FROM THE CITY COUNCIL APPROVED SIDEWALK LIST. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

C-18 RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH HART & HICKMAN, P.C. FOR GRAYSTONE DRIVE (NORTHEAST WARD) - Petition of Hart & Hickman, P.C. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

C-1 RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR REHABILITATION AT SUMMIT SQUARE GARDEN APARTMENTS. [Recommended by Finance Committee.]

Council Member Montgomery stated this property is one of the best kept apartments in the neighborhood, and thanked the owner and management of the complex for their hard work.

Council Member Montgomery made a motion, seconded by Council Member Merschel, to approve the Resolution Authorizing Additional Funds for Rehabilitation at Summit Square Garden Apartments. Motion carried unanimously.

GENERAL AGENDA

G-1 RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY KNOWN AS LAWRENCE JOEL VETERANS MEMORIAL COLISEUM AND 33.0199 ACRES OF LAND UNDER THE UPSET BID PROVISIONS OF N.C.G.S. 160A-269.

Mayor Joines stated without objection from the Council, he would allow a 20 minutes for public comment for items G-1 and G-2.

The following persons spoke regarding the sale of the Lawrence Joel Veteran's Memorial Coliseum and 33.0199 acres of land under the upset bid provision of N.C.G.S. 160A-269 and the Resolution Stating Intent To Sell Certain City-Owned Property Known As Bowman Gray Stadium And Approximately 50 Additional Acres Of Associated Property To The State Of North Carolina And Winston-Salem State University:

Speakers:

Barry Faircloth, 1020 Wellington Road

Jeremy Hancock, 3024 Sell Road

Anita Conrad, 414 Westover Ave.

Martha Wood, 1426 Old Towne Road

Jimmy Strickland, 251 S W Pinevalley Road

Frank Wood, 1426 Old Towne Road

Skip Bowen, 97 Shadylawn Drive

Richard Budd, 4432 Bent Tree Farm Road

Richard Miller, 626 N. Trade Street

Carol Guth, 105 Willowbrook, Advance

Willie Wall, 172 Springfield Court

Donald Goodine, 1308 Bruce Street

Cyndi Hall 3130 Brookhill Drive

Jeremy Hancock, 3420 Sell Road

Martha Wood, 1426 Old Towne Road

A motion was made by Council Member Merschel, seconded by Council Member Leight to approve the Resolution Authorizing The Sale Of Certain City-Owned Property Known As Lawrence Joel Veterans Memorial Coliseum And 33.0199 Acres Of Land Under The Upset Bid Provisions Of N.C.G.S. 160a-269.

Council Member Taylor made a substitute motion, seconded by Council Member Montgomery, to hold this item until more information could be provided.

Motion failed with the following vote:

Aye: Council Members: Montgomery and Taylor

Nay: Council Members: Leight, Clark, Besse, Burke, and Merschel

Mayor Joines called for a vote on the original motion approving the sale.

Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Burke, and Merschel

Nay: Council Members: Montgomery and Taylor

G-2 RESOLUTION STATING INTENT TO SELL CERTAIN CITY-OWNED PROPERTY KNOWN AS BOWMAN GRAY STADIUM AND APPROXIMATELY 50 ADDITIONAL ACRES OF ASSOCIATED PROPERTY TO THE STATE OF NORTH CAROLINA AND WINSTON-SALEM STATE UNIVERSITY.

Mayor Joines stated without objection from the Council, he would allow 20 minutes for public comment for items G-1 and G-.

Please see item G-1 for a list of Speakers.

Council Member Merschel made a motion, seconded by Council Member Leight, to approve the Resolution Stating Intent To Sell Certain City-Owned Property Known As Bowman Gray Stadium And Approximately 50 Additional Acres Of Associated Property To The State Of North Carolina And Winston-Salem State University. Motion carried unanimously.

G-3 MAYOR PRO TEMPORE BURKE'S RECOMMENDATION FOR APPOINTMENT TO THE COMMUNITY APPEARANCE COMMISSION:

A motion was made by Council Member Merschel, seconded by Council Member Burke, to approve the appointment of Daniell Nagle term expiring February 2015, to the Community Appearance Commission. Motion carried unanimously.

Daniell Nagle - Term Expiring February 2015

G-4 PUBLIC COMMENT PERIOD.

Public Comment Period was heard.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 9:43 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
June 3, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Molly Leight, Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery (arrived at 7:04), Mayor Allen Joines, Council Member Vivian H. Burke, Council Member Wanda Merschel, and Council Member James Taylor, Jr.

Absent: Council Member Denise D. Adams

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

Mayor Joines recognized Troop 744 from Ardmore United Methodist Church and 703 Friedburg Moravian Church to lead the Pledge of Allegiance.

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Tyrone Phelps

1. PUBLIC HEARING ON ZONING PETITION OF ALLEGACY FEDERAL CREDIT UNION FOR PROPERTY OWNED BY CAROL POWELL, HENRY HEITMAN, AND GILBERT FRANK FROM RS-9 TO LO-S (Banking and Financial Services; Offices; and Services A): Property located on the southwest corner of Reynolda Road and Briarcliffe Road - Containing approximately 2.93 acres located in the NORTHWEST WARD (Council Member Merschel) - Zoning Docket W-3181. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.]

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

REQUEST FOR WITHDRAWAL

Council Member Merschel made a motion, seconded by Council Member Burke, for this item to be withdrawn. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Burke, Merschel, and Taylor

Absent: Council Members: Montgomery and Adams

2. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES TO REVISE THE REQUIREMENTS FOR PROPERTY DESCRIPTIONS SUBMITTED WITH ZONING MAP AMENDMENTS - UDO-241 - Proposal of City-County Planning Staff. [Recommended by Planning Board.]

Mayor Joines asked for a staff report.

Paul Norby, City/County Planning Director, provided a brief report.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Montgomery arrived at 7:04 p.m.

Council Member Clark made a motion, seconded by Council Member Taylor, to approve the Ordinance Amending Chapter B Of The Unified Development Ordinances To Revise The Requirements For Property Descriptions Submitted With Zoning Map Amendments - Udo-241 - Proposal Of City-County Planning Staff. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Merschel, and Taylor

Absent: Council Member Adams

3. PUBLIC HEARING AND RESOLUTION OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH THE NORTH CAROLINA MUNICIPAL LEASING CORPORATION TO FINANCE CERTAIN FACILITIES AND CAPITAL ASSETS AND RELATED MATTERS.

Mayor Joines asked for a staff report.

Denise Bell, Chief Financial Officer, provided a brief report for this item.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Merschel, seconded by Council Member Burke, to approve the Resolution Of The City Of Winston-Salem, North Carolina Approving An Amendment To An Installment Purchase Contract With The North Carolina Municipal Leasing Corporation To Finance Certain Facilities And Capital Assets And Related Matters. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Merschel, and Taylor

Absent: Council Member Adams

CLOSED SESSION

Council Member Clark made a motion, seconded by Council Member Burke, to enter into Closed Session pursuant to N.C.G.S 143-318.11(a)4 to discuss the location or expansion of an industry and/or business within the city.

Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Merschel, and Taylor

Absent: Council Member Adams

Closed Session began at 7:13 p.m.

Council Member Clark left at 7:40 p.m.

At 8:00 p.m. Council Member Taylor made a motion, seconded by Council Member Montgomery, to end Closed Session and resume Regular Session. Motion carried with the following vote:

Aye: Council Members: Leight, Besse, Montgomery, Burke, Merschel, and Taylor

Absent: Council Members: Clark and Adams

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:00 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
June 17, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Wanda Merschel, and Council Member James Taylor Jr.

Absent: Council Member Denise D. Adams

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Steve Osborne

NORTH CAROLINA STATE TREASURER AWARD PRESENTATION

Ms. Sharon Edmondson from the North Carolina State Treasurer's Office provided a short presentation and presented Ms. Denise Bell, Chief Financial Officer, with the award.

Ms. Bell invited Mr. Clark Case and Lisa Saunders to stand to be recognized for their hard work and thanked the Mayor and City Council for their support.

SENATOR RICHARD BURR'S RECOGNITION OF THE WINSTON-SALEM CENTENNIAL ANNIVERSARY

Mike Finley from Senator Burr's Office presented a copy of Congressional Record and a flag that flew over the State Capital.

Mayor Joines thanked Senator Burr and accepted the flag and the Congressional Record on behalf of the Citizens and the City Council.

RESOLUTION HONORING THE CENTENNIAL CELEBRATION COMMISSION

Mayor Joines asked the Commission Members to stand for recognition and noted copies of the Resolution would be provided to each member.

A motion was made by Council Member Taylor, seconded by Council Member Montgomery, to approve the Resolution Honoring the Centennial Celebration Commission. Motion carried unanimously.

CONSENT AGENDA

Mayor Joines stated without objection the Council would first consider the Consent Agenda and asked if there were any items that needed removed for discussion.

Council Member Clark removed C-9.

A motion was made by Council Member Merschel, seconded by Council Member Besse, to approve the balance of the Consent Agenda. Motion carried unanimously.

- C-1** RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH FIFTH STREET INVESTMENTS, LLC PROVIDING SPACE FOR THE POLICE DEPARTMENT'S CRIME PREVENTION UNIT - Property located at 1225 East Fifth Street. [\$1,625 per month.] [Recommended by Finance and Public Safety Committees.]

Approved by the Consent Vote.

- C-2** RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 2930 EDWARDS STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269. [\$60,000.] [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-3** RESOLUTION AUTHORIZING ACQUISITION OF EASEMENTS FOR KINGSTON ROAD CULVERT REPLACEMENT PROJECT BY DEED OR CONDEMNATION - Property located on Briarcliffe Road and Kingston Road. [\$8,300.] [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-4** RESOLUTION AUTHORIZING DEDICATION OF RIGHT-OF-WAY ON CITY-OWNED PROPERTY FOR CONSTRUCTION OF THE CLEMMONSVILLE ROAD WIDENING PROJECT AND THE MOTOR ROAD EXTENSION PROJECT - Properties located on Brewer Road, West Clemmons Road and Old Walkertown Road. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-5** RESOLUTION APPROVING LOAN FORGIVENESS TO SOUTHEAST GATEWAY VENTURES ON BEHALF OF GATEWAY ENVIRONMENTAL INITIATIVE. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Approved by the Consent Vote.

- C-6** 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) six months. [Recommended by Community Development/Housing/General Government Committee.]

- a.** George Richardson 4640 Indiana Avenue

Approved by the Consent Vote.

- C-7** ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - Sunset Drive, Lomond Street, Snyder Drive, and Rominger Road. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-8** RESOLUTION AUTHORIZING THE WINSTON-SALEM CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE DISPOSITION OF CITY PROPERTY WITH THE CITY OF CHARLOTTE, NORTH CAROLINA, FOR THE DONATION OF CERTAIN SURPLUS EQUIPMENT AND PROPERTY OF THE CITY OF CHARLOTTE TO THE CITY OF WINSTON-SALEM. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-10** RESOLUTION OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA, APPROVING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT AND AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT RELATED TO THE CITY'S SALE OF THE LAWRENCE JOEL VETERANS MEMORIAL COLISEUM. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-11** CONSIDERATION OF ITEMS RELATING TO CONTRACTS

- a.** RESOLUTION AWARDED CONTRACT FOR QUARRY PRODUCTS - Vulcan Construction Materials, LP - \$604,489.05 (Estimated Amount). [Recommended by Finance Committee.]

Approved by the Consent Vote.

- b.** RESOLUTION AWARDED CONTRACT FOR RESURFACING CITY STREETS - Contract #1 - Larco Construction, a Division of Sloan Construction Co., Inc. - \$1,142,600 (Estimated Amount). [Recommended by Finance and Public Works Committees.]

Approved by the Consent Vote.

- c.** RESOLUTION AWARDED CONTRACT FOR RESURFACING CITY STREETS - Contract # 2 - APAC-Atlantic, Inc., Thompson-Arthur Division - \$1,526,297.89 (Estimated Amount). [Recommended by Finance and Public Works Committees.]

Approved by the Consent Vote.

- d.** RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR RESURFACING CITY STREETS - Contract #3 - Larco Construction, a Division of Sloan Construction Co., Inc. - \$143,869.42 (Estimated Amount). [Recommended by Finance and Public Works Committees.]

Approved by the Consent Vote.

- e. RESOLUTION AWARDDING CONTRACT FOR CONSTRUCTION OF THE SOUTH MAIN STREET-ACADIA AVENUE BIKE LANE PROJECT - Smith-Rowe, LLC - \$178,006.25 (Estimated Amount). [Recommended by Finance Committee.]

Approved by the Consent Vote.

- f. RESOLUTION AWARDDING CONTRACT RENEWAL FOR ANNUAL MAINTENANCE AND SOFTWARE SUPPORT - Sungard Public Sector, Inc. - \$203,284.61. [Recommended by Finance and Public Safety Committees.]

Approved by the Consent Vote.

- g. RESOLUTION APPROVING RENEWAL OF MAINTENANCE AND SUPPORT SERVICES FROM KRONOS, INCORPORATED - \$122,987.38. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-12 CONSIDERATION OF ITEMS RELATED TO THE LIBERTY STREET VENDOR MARKET: [Recommended by Finance Committee.]

- a. RESOLUTION AWARDDING A CONTRACT FOR CONSTRUCTION OF THE LIBERTY STREET VENDOR MARKET.

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

C-13 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF AN AMENDMENT TO THE SERIES INDENTURE GOVERNING THE ISSUANCE OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA'S TAXABLE SPECIAL OBLIGATION BOND, SERIES 2009; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH SUCH AMENDMENT. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-14 CONSIDERATION OF AMENDMENTS TO THE FY 12-13 BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA. [Recommended by Finance Committee.]

- a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2012-2013.

Approved by the Consent Vote.

- C-15** RESOLUTION AUTHORIZING CONSTRUCTION OF A SIDEWALK ON MAGNOLIA STREET TO REPLACE THE SIDEWALK PROJECT ON HANES MALL BOULEVARD. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-16** RESOLUTION DECLARING CERTAIN CITY-OWNED EQUIPMENT SURPLUS AND AUTHORIZING THE SALE THEREOF. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-17** ORDINANCE AMENDING SECTIONS 26-1, 26-3, AND 26-6 OF THE CITY CODE RELATING TO RECYCLING SERVICES. [Recommended by Finance and Public Works Committees.]

Approved by the Consent Vote.

- C-18** RESOLUTION APPROVING THE ABANDONMENT OF A SANITARY SEWER EASEMENT LOCATED OFF OF CLOVERHURST DRIVE (CLEMMONS) - Petition of Jerri Banner, Realtor for Fannie Mae. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-9** RESOLUTION APPROVING THE RIVER CHASE NEIGHBORHOOD TRAFFIC CALMING PLAN FOR FUNDING AND CONSTRUCTION. [Recommended by Public Safety Committee.]

Greg Turner, Assistant City Manager, provided a report on this item.

Council Member Clark made a motion, seconded by Council Member Taylor, to approve the Resolution Approving the River Chase Neighborhood Traffic Calming Plan for Funding and Construction.

Council Member Besse stated because of financial concerns, he would like this item to be referred to the Public Works Committee.

Council Member Clark amended his motion, seconded by Council Member Merschel, to send this item to the Public Works Committee. The motion carried unanimously.

GENERAL AGENDA

- G-1** PUBLIC HEARING ON THE FISCAL YEAR 2013-2014 BUDGET FOR THE CITY OF WINSTON-SALEM.

Ben Rowe, Assistant City Manager, provided a brief synopsis of the budget.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for against this item.

Twanna Wellman, 1550 University Court, WS

Mayor Joines asked if there were anyone else that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

G-2 ORDINANCE AMENDING CHAPTER 14 OF THE WINSTON-SALEM CITY CODE RELATING TO CEMETERIES.

A motion was made by Council Member Merschel, seconded by Council Member Taylor, to approve the Ordinance Amending Chapter 14 of the Winston-Salem City Code Relating to Cemeteries. Motion carried unanimously.

G-3 ORDINANCE AMENDING CHAPTER 26 OF THE WINSTON-SALEM CITY CODE RELATING TO GARBAGE AND TRASH.

A motion was made by Council Member Merschel, seconded by Council Member Taylor, to approve the Ordinance Amending Chapter 26 of the Winston-Salem City Code Relating to Garbage and Trash. Motion carried unanimously.

G-4 ORDINANCE AMENDING CHAPTER 62 OF THE WINSTON-SALEM CITY CODE RELATING TO SANITATION.

A motion was made by Council Member Merschel, seconded by Council Member Clark, to approve the Ordinance Amending Chapter 62 of the Winston-Salem City Code Relating to Sanitation. Motion carried unanimously.

G-5 ORDINANCE AMENDING CHAPTER 10 OF THE WINSTON-SALEM CITY CODE RELATING TO BUILDING REGULATIONS.

A motion was made by Council Member Merschel, seconded by Council Member Leight, to approve Ordinance Amending Chapter 10 of the Winston-Salem City Code Relating to Building Regulations. Motion carried unanimously.

G-6 ORDINANCE AMENDING SECTION 42-175 OF THE WINSTON-SALEM CITY CODE RELATING TO CIVIL PENALTIES FOR VIOLATIONS OF PARKING ORDINANCES.

A motion was made by Council Member Merschel, seconded by Council Member Montgomery to approve the Ordinance Amending Section 42-175 of the Winston-Salem City Code Relating to Civil Penalties for Violations of Parking Ordinances. Motion carried unanimously.

G-7 ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2013-2014

Council Member Merschel made a motion, seconded by Council Member Leight, to approve the Annual Appropriation and Tax Levy Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2013-2014 authorizing the City's annual operating appropriations and adopting the property tax rate .53 cents per \$100.00 of access evaluation as recommended by the Finance Committee.

Council Member Besse made a motion, seconded by Council Member Montgomery, to amend the budget to authorize elected officials to decline the pay increase and direct to another line item of their choice.

Mayor Joines called for a vote on the amended motion.

Aye: Council Members: Besse, Montgomery, and Taylor

Nay: Council Members: Leight, Clark, Burke, and Merschel

Motion fails 3-4.

Council Member Montgomery made a Substitute Motion, seconded by Council Member Taylor, to remove the increase in pay for elected officials. Motion carried unanimously.

Mayor Joines called for a vote on the original motion regarding the Annual Appropriation and Tax Levy Ordinance made by Council Member Merschel, and seconded by Council Member Leight. Motion carried unanimously.

G-8 PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2013-2014.

A motion was made by Council Member Merschel, seconded by Council Member Leight, to approve the Project Budget Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2013-2014. Motion carried unanimously.

G-9 RESOLUTION APPROVING THE CAPITAL PLAN FOR FISCAL YEARS 2013-2014 THROUGH 2018-2019 AS A FINANCIAL PLANNING GUIDE.

A motion was made by Council Member Merschel, seconded by Council Member Montgomery, to approve the Resolution Approving the Capital Plan for Fiscal Years 2013-2014 through 2018-2019 as a Financial Planning Guide. Motion carried unanimously.

G-10 RESOLUTION ESTABLISHING A MERIT PAY ADJUSTMENT FOR FY 2013-14, TWO SPECIAL HOLIDAYS AND AMENDING ARTICLE III OF THE CITY OF WINSTON-SALEM PERSONNEL RESOLUTION.

A motion was made by Council Member Merschel, seconded by Council Member Taylor, to approve the Resolution Establishing Merit Pay Adjustment for Fiscal Year 2013-2014, Two Special Holidays and Amending Article III of the City of Winston-Salem Personnel Resolution. Motion carried unanimously.

G-11 RESOLUTION AMENDING THE SPANISH INCENTIVE PROGRAM FOR EMPLOYEES WHO ATTAIN COMPETENCY IN ORAL SPANISH.

A motion was made by Council Member Merschel, seconded by Council Member Taylor, to approve the Resolution Amending the Spanish Incentive Program for Employees Who Attain Competency in Oral Spanish. Motion carried unanimously.

G-12 PUBLIC COMMENT PERIOD.

Public Comment period was heard.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:16 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
July 1, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Wanda Merschel, and Council Member James Taylor Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Rick Newnum

1. PUBLIC HEARING ON ZONING PETITION OF ROBINHOOD PEDIATRICS, LLC FROM HB-S TWO-PHASE (Offices) TO SITE PLAN AMENDMENT: Property located on the west side of Whitaker Ridge Road, north of Robinhood Road - Containing approximately 2.69 acres located in the NORTHWEST WARD (Council Member Merschel) - Zoning Docket W-3182. [Planning Board recommends approval of petition and site plan with staff recommendations.]

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

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item.

Paul Norby, Planning Director, provided a presentation.

Council Member Merschel made a motion, seconded by Council Member Taylor, to continue this item to the August 5, 2013, City Council meeting. Motion carried unanimously.

2. PUBLIC HEARING ON ZONING PETITION OF HOUSING AUTHORITY OF WINSTON-SALEM FROM RM-18 TO RMU-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; and Residential Building, Multifamily): Property located on the northeast corner of Cleveland Avenue and Twelfth Street - Containing approximately 1.31 acres located in the EAST WARD (Council Member Montgomery) - Zoning Docket W-3185.

[Planning Board recommends approval of petition and site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wanted to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Montgomery.

Council Member Montgomery requested a report.

Paul Norby, Planning Director, provided a staff report on this item.

Council Member Montgomery made a motion, seconded by Council Member Taylor, for approval of: (1) the Statement of Consistency on page 47 of the Agenda Book and (2) approval of: W-3185. Motion carried unanimously.

- 3. PUBLIC HEARING ON ZONING PETITION OF SAM AND SAMMY, INC. FROM GB-S [Convenience Store; Restaurant (With Drive-Through Service); and Restaurant (Without Drive-Through Service)] TO GB-S [Offices; Restaurant (With Drive-Through Service); Restaurant (Without Drive-Through Service); Retail Store; Shopping Center; Shopping Center, Small; Arts and Crafts Studio; Banking and Financial Services; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; and Services A]: property located on the north side of Hanes Mall Boulevard, west of Stratford Road - Containing approximately .60 acre located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-3188. [Planning Board recommends approval of petition and site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Besse.

A motion was made by Council Member Besse, seconded by Council Member Clark, for approval of: (1) the Statement of Consistency set for on page 75 of the agenda book and (2) approval of W-3188. Motion carried unanimously.

- 4. PUBLIC HEARING ON ZONING PETITION OF PILGRIM ASSOCIATES II, INC. FROM RS-9 TO LO-S (Church or Religious Institution, Neighborhood; Library, Public; Museum or Art Gallery; Offices; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Multifamily; and

Residential Building, Townhouse): Property located on the southwest corner of Pilgrim Court and Bumgardner Street and the north side of Twenty-Fifth Street, east of Pilgrim Court - Containing approximately 3.70 acres located in the NORTHWEST WARD (Council Member Merschel) - Zoning Docket W-3186. [Planning Board recommends approval of petition and site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item.

Johnny Clayburn, 813 W. 26th Street, Winston-Salem, had some questions regarding the type of zoning that was being proposed.

Paul Norby, Director of Planning, explained the zoning and listed what properties were included in this zoning matter.

Mayor Joines asked if there were anyone else in the Council Chamber that wished to be heard regarding this item. Seeing none he closed the Public Hearing and recognized Council Member Merschel.

Council Member Merschel requested a presentation.

Mr. Norby provided a presentation regarding this item.

Council Member Merschel made a motion, seconded by Council Member Clark, for approval of: (1) the Statement of Consistency set forth on page 101 of the Agenda Book and (2) approval of WW-3186. Motion carried unanimously.

- 5. PUBLIC HEARING ON ZONING PETITION OF DREW GERSTMYER FOR MULTIPLE PROPERTY OWNERS FROM PB & GB TO E (Entertainment Zoning District): Property located on the east and west sides of Trade Street between Seventh Street and Ninth Street and on the East Side of Main Street between Martin Luther King, Jr. Drive and Ninth Street - Containing approximately 4.43 acres located in the EAST WARD (Council Member Montgomery) - Zoning Docket W-3187. [Planning Board recommends approval of petition.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that would like to speak for or against this item.

Proponents

Drew Gerstmyer, 1315 S. Main Street

Jason Thiel, President, Downtown Winston-Salem Partnership, 305 W. 4th St., Ste. 2E

Eric Tomlinson, 909 S. Main Street, President of Innovation Quarter

Michael Suggs, Goler Community Development Corporation

Opponents

Antonina Whaples, 537-A N. Trade Street, Winston-Salem 27101

Kathryn Gauldin, 600 N. Trade Street

Will Knott, 608 N. Trade Street

Larry Folds, 290 Picadilly Drive

Rebuttal

Proponents:

Drew Gerstmyer, 1315 S. Main Street

Mayor Joines closed the Public Hearing and recognized Paul Norby.

Mr. Norby provided a staff report.

A motion was made by Council Member Montgomery, seconded by Council Member Taylor, for approval of: (1) the Statement of Consistency set forth on page 137 of the Agenda Book and (2) the approval of W-3187. Motion carried with the following vote:

Aye: Council Members: Clark, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Nay: Council Member Leight

6. PUBLIC HEARING ON ZONING PETITION OF REDEEMER PRESBYTERIAN CHURCH FROM RS-9 TO IP-S (Residential Building, Single Family; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; and School, Private): Property located on the west side of Miller Street between Gaston Street and Ardsley Street - Containing approximately 0.21 acre located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-3184. [Planning Board recommends approval of petition and site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Besse.

Council Member Besse asked for a report on this item.

Mr. Norby, provided a report.

Robert Alexander, Redeemer Presbyterian Church, 1046 Miller Street, answered questions of the City Council and stated the canopy tree would be preserved.

Council Member Besse made a motion, seconded by Council Member Taylor, for approval of: (1) the Statement of Consistency set forth on page 175 of the Agenda Book and (2) approval of W-3184 with the revised site plan regarding the tree. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Adams, and Taylor

Nay: Council Member Merschel

PRESENTATION OF THE COMMUNITY APPEARANCE COMMISSION ANNUAL REPORT.

Steve Zorn, Chairman of the Community Appearance Commission provided a presentation of the Community Appearance Commission.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:49 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
July 15, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, and Council Member James Taylor Jr.

Absent: Council Member Wanda Merschel

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

Mayor Joines asked Boy Scout Troop 942 from Calvary Baptist Church to lead the Pledge of Allegiance.

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Steve Osborne

CONSENT AGENDA

Mayor Joines stated before the Consent Agenda is considered there are three items that need to be removed. Item C-2 will need to be placed on the General Agenda for a Public Hearing, C-15 will be pulled because there is a need for a Public Hearing, and C-18 will need to be removed.

Mayor Joines asked if there are any items that Council would like to remove for discussion. Council Member Taylor removed C-3 and Council Member Montgomery removed C-14.

A motion was made by Council Member Clark, seconded by Council Member Adams, to approve the balance of the Consent Agenda. Motion carried unanimously.

C-1 CONSIDERATION OF ITEMS AUTHORIZING THE SALE OF CITY-OWNED PROPERTY: [Recommended by Finance Committee.]

a. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 427 WEST TWENTY-THIRD STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269.

Approved by the Consent Vote.

- b. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 503 EAST FOURTEENTH STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269.

Approved by the Consent Vote.

- C-4 CONSIDERATION OF CHANGES TO THE FISCAL YEAR 2013-2014 CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: [Recommended by Finance Committee.]

- a. RESOLUTION ADOPTING REVISIONS TO THE LIST OF FISCAL YEAR 2013-2014 HOUSING/NEIGHBORHOOD DEVELOPMENT SUBGRANTEE AGENCIES.

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- C-5 RESOLUTION APPROVING AN AMENDMENT TO AN AGREEMENT FOR HOUSING PRODUCTION AT DRAYTON PINES WITH THE HOUSING AUTHORITY OF WINSTON-SALEM AND EXECUTION OF A RELEASE DEED AND DECLARATION OF COVENANT PERTAINING, THERETO. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-6 RESOLUTION AUTHORIZING THE CITY TO PARTICIPATE IN CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS FOR THE HILLTOP HOUSE SOUTH PROJECT. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-7 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) six months. [Recommended by Community Development/Housing/General/Government Committee.]

- a. Southside Properties, LLC 1021 Louise Road

Approved by the Consent Vote.

- b. Robbie and Shelbia Watson 1011 Louise Road

Approved by the Consent Vote.

- c. Robbie and Shelbia Watson 1011 Nancy Lane

Approved by the Consent Vote.

- d. Southside Properties, LLC 1029 Louise Road

Approved by the Consent Vote.

- e. Southside Properties, LLC 1023 Louise Road

Approved by the Consent Vote.

- f. Chester and Betty Smith 3798 High Point Road

Approved by the Consent Vote.

- C-8** ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General/Government Committee.]

- a. Dwight Sluder 4623 Circle Drive

Approved by the Consent Vote.

- b. Annie Armstrong 1507 Gholson Avenue

Approved by the Consent Vote.

- c. Vickie Lawson 1701 Leight Street

Approved by the Consent Vote.

- d. Olivia Scott, Heirs 1670 Bethania-Rural Hall Road

Approved by the Consent Vote.

- C-9.** RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES PERTAINING TO LAND USE RESTRICTIONS AT CITY YARD. [Recommended by Finance Committee. Reviewed by Public Works Committee.]

Approved by the Consent Vote.

- C-10.** RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT TO SHARE FUNDS WITH FORSYTH COUNTY UNDER THE 2013 JUSTICE ASSISTANCE GRANT PROGRAM AWARD. [Recommended by Finance and Public Safety Committees.]

Approved by the Consent Vote.

- C-11** ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - West Devonshire Street, Nelson Street, Velma Avenue, Suget Street, South Hill Avenue, Wilma Avenue and Advent Street. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-12** ORDINANCE WITHDRAWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF MS. LUCY RAMIREZ D.B.A CORONA TAXI FOR THE OPERATION OF THREE TAXICABS IN THE CITY OF WINSTON-SALEM. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-13.** ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2013-2014. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-16** RESOLUTION APPROVING THE COMMISSIONING OF A CENTENNIAL ART PIECE AND A PUBLIC ART FUNDRAISING CAMPAIGN. [Recommended by Finance and Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- C-17** RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY ACCORDING TO SECTION 75-35 OF THE CITY CODE – 300 and 352 Torrance Drive. [Reviewed by Public Works Committee.]

Approved by the Consent Vote.

- C-3** RESOLUTION REQUESTING THE ARMY NOT TO DEMOLISH THE BUILDINGS ASSOCIATED WITH THE THOMAS B. SMOTHERS ARMY RESERVE CENTER ON MARTIN LUTHER KING, JR. DRIVE. [Reviewed by Public Works Committee.]

Greg Turner, Assistant City Manager, provided a report and update regarding this item.

A motion was made by Council Member Taylor, seconded by Council Member Burke, to approve the Resolution requesting the Army not to demolish the buildings associated with the Thomas B. Smothers Army Reserve Center on Martin Luther King, Jr. Drive. Motion carried unanimously.

- C-14** CONSIDERATION OF ITEMS RELATED TO THE MARTIN LUTHER KING, JR. DRIVE STREETScape ENHANCEMENT PROJECT: [Recommended by Finance Committee.]

- a.** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR STREETScape ENHANCEMENTS TO MARTIN LUTHER KING, JR. DRIVE.

- b.** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CREATIVE CORRIDORS COALITION TO PROVIDE MATCHING FUNDS FOR THE MARTIN LUTHER KING, JR. DRIVE STREETScape ENHANCEMENT PROJECT.

Council Member Montgomery requested a report on this item.

Greg Turner, Assistant City Manager, answered questions, and provided a report.

A motion was made by Council Member Montgomery, seconded by Council Member Adams, to approve the Resolution authorizing the City Manager to enter into an agreement with the North Carolina Department of Transportation for streetscape enhancements to Martin Luther King, Jr. Drive and Resolution authorizing the City Manager to enter into an agreement with the Creative Corridors Coalition to provide matching funds for the Martin Luther King, Jr. Drive streetscape enhancement project. Motion carried unanimously.

- C-15** RESOLUTION AUTHORIZING PERMANENT HONORARY STREET NAME SIGN - Robert Leak, Sr. Lane. [Reviewed by Public Works Committee.]

This item was removed by staff.

- C-18** RESOLUTION AUTHORIZING THE DEVELOPMENT OF A PROGRAM TO MAKE WINSTON-SALEM, NORTH CAROLINA A PARTICIPANT IN THE CAMPAIGN FOR COMPASSIONATE CITIES - Requested by Council Member Besse. [Recommended by Community Development/Housing/General Government Committee.]

Mayor Joines introduced Jerry McGleese.

Jerry McGleese, 851 W. 4th Street, represents Interfaith Winston-Salem. Provided comments supporting this commitment.

A motion was made by Council Member Besse, seconded by Council Member Taylor, to approve this Resolution authorizing the development of a program to make Winston-Salem, North Carolina a participate in the campaign for compassionate Cities. Motion carried unanimously.

GENERAL AGENDA

- G-1.** MAYOR JOINES' RECOMMENDATIONS FOR APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS:

- a.** HUMAN RELATIONS COMMISSION

Barbara Saulpaugh - Appointment - Term Expiring December 2016

Manjunath Cshamanna - Appointment - Term Expiring December 2016

Philomena Rego - Appointment - Term Expiring December 2016

A motion was made by Council Member Burke, seconded by Council Member Adams, to approve the appointment of Barbara Saulpaugh term expiring December 2016, appointment of Manjunath Cshamanna term expiring December 2016, and appointment of Philomena Rego term expiring December 2016 to the Human Relations Commission.

- b.** UTILITY COMMISSION

Randall S. Tuttle - Reappointment - Term Expiring June 2018

A motion was made by Council Member Taylor, seconded by Council Member Montgomery, to approve the reappointment of Randall S. Tuttle term expiring June 2018 to the Utility Commission. Motion carried unanimously.

C-2

PUBLIC HEARING ON RESOLUTION ESTABLISHING THE MINIMUM FAIR MARKET REUSE VALUE AND AUTHORIZING THE SALE OF A SINGLE-FAMILY LOT WITHIN THE OLD CHERRY NO. 2 REDEVELOPMENT AREA TO A REDEVELOPER AT A PRIVATE SALE IN ACCORDANCE WITH N.C.G.S. 160A-457. [Recommended by Finance Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Leight, seconded by Council Member Clark, to approve the Resolution establishing the minimum fair market reuse value and authorizing the sale of a single-family lot within the Old Cherry No. 2 Redevelopment area to a redeveloper at a private sale in accordance with N.C.G.S. 160A-457. Motion carried unanimously.

G-2. PUBLIC COMMENT PERIOD.

Heard.

CLOSED SESSION

Council Member Montgomery made a motion, seconded by Council Member Clark, that the City Council go into Closed Session pursuant to N.C.G.S. 143-318.11A4 to discuss the location or expansion of an industry and/or business within the City.

Closed session began at 7:49 p.m.

Council Member Taylor made a motion, seconded by Council Member Adams, to end Closed Session and Resume Regular Session. Motion carried unanimously.

Regular Session resumed at 8:23 p.m.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:23 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N Main Street
August 5, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member James Taylor Jr., and Council Member Wanda Merschel

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Christa Long

RESOLUTION ESTABLISHING THE CITY OF WINSTON-SALEM, NORTH CAROLINA AS A PURPLE HEART CITY

Mayor Joines stated the Resolution was presented this past Saturday at an event for Veterans.

Council Member Merschel stated her brother-in-law was a recipient.

Council Member Besse noted his neighbor received recognition for his efforts in the Korean War.

A motion was made by Council Member Taylor, seconded by Council Member Montgomery, to approve the Resolution establishing the City of Winston-Salem, North Carolina as a Purple Heart City. Motion carried unanimously.

MAYOR/COUNCIL COMMENTS

Mayor Joines stated the City just completed a wonderful week of the National Black Theatre Festival and recognized Council Member Burke.

Council Member Burke thanked the City Staff who joined with the Mayor and City Council in making everyone feel welcome. She recognized Martha Wheelock, Assistant City Manager.

Mrs. Wheelock stated this was the best festival ever in which 60,000 people attended the festivities. She thanked everyone who worked hard to ensure a successful event.

- 1. PUBLIC HEARING ON ZONING PETITION OF NEW FRIENDSHIP BAPTIST CHURCH FROM RS-9 AND IP TO IP-S (Church or Religious Institution, Neighborhood and Church or Religious Institution, Community):** Property located on the northwest corner of Barnes Road and Old Lexington Road - Containing approximately

9.29 acres located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3183. [Planning Board recommends approval of petition and site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if anyone wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Taylor.

Council Member Taylor asked for a report.

Paul Norby, Planning Director, provided a staff report.

Council Member Taylor made a motion, seconded by Council Member Montgomery, for adoption of: (1) the Statement of Consistency set forth on page 27 of the Agenda Book and (2) approval of W-3183 including Site Plan. Motion carried unanimously.

2. PUBLIC HEARING ON ZONING PETITION OF REED'S ENTERPRISES FROM GI-S (Freight Terminal and Transmission Tower) TO GI-S (Freight Terminal; Transmission Tower; Building Contractors, General; Building Materials Supply; Manufacturing A; Manufacturing B; and Warehousing): Property located at the western terminus of Reed Street, west of Thomasville Road - Containing approximately 3.32 acres located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3189. [Planning Board recommends approval of petition and site plan with staff recommendations.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak regarding this item. Seeing none, he closed the Public Hearing and recognized Council Member Taylor.

A motion was made by Council Member Taylor, seconded by Council Member Montgomery, for adoption of: (1) the Statement of Consistency set forth on page 49 of the Agenda Book and (2) approval of W-3189 including the Site Plan. Motion carried unanimously.

3. PUBLIC HEARING ON ZONING PETITION OF FIRST WAUGHTOWN BAPTIST CHURCH AND CONSIDERATION OF FOUR FINDINGS OF FACT FOR A SPECIAL USE PERMIT FOR THE EXPANSION OF INSTITUTIONAL PARKING IN A RESIDENTIAL ZONING DISTRICT: Property located on the south side of Moravia Street, west of Clemmons Road - Containing approximately 0.52 acre located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3191. [Planning Board determined that this proposal addresses all applicable findings of fact and recommends approval of the petition, permit and approval of the site plan with staff recommendations.]

ORDINANCE ISSUING A SPECIAL USE PERMIT FOR THE EXPANSION OF INSTITUTIONAL PARKING IN A RESIDENTIAL ZONING DISTRICT

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE PERMIT

Mayor Joines stated this was a Quasi-Judicial Hearing and read the rules and the finding of facts for this item noting they were listed in the Agenda Book. He opened the Public Hearing and asked if there were anyone that opposed this Special Use Permit. Seeing none, he closed the Public Hearing and recognized Council Member Taylor.

Council Member Taylor made a motion, seconded by Council Member Montgomery, that 1. The City Council affirm the four findings as required by section 6-1.5f of the Unified Development Ordinance in detail on the first page of the Ordinance in the Agenda Packet. 2. The City Council approve the Site Plan that is included with this Special Use Permit request along with the conditions included in the Special Use Permit Staff Report and 3. The City Council also issue a Special Use Permit to First Waughtown Baptist Church for the expansion of institution parking in a residential zoning district. Motion carried unanimously.

4. CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF ROBINHOOD PEDIATRICS, LLC FROM HB-S TWO-PHASE (Offices) TO SITE PLAN AMENDMENT: Property located on the west side of Whitaker Ridge Road, north of Robinhood Road - Containing approximately 2.69 acres located in the NORTHWEST WARD (Council Member Merschel) - Zoning Docket W-3182. [Planning Board recommends approval of petition and site plan with staff recommendations. This item was continued from the July 1, 2013 City Council meeting.]

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

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Merschel.

A motion was made by Council Member Merschel, seconded by Council Member Burke, for (1) Adoption of the Statement of Consistency set forth on page 93 of the Agenda Book and (2) approval of W-3182 including the Site Plan. Motion carried unanimously.

5. PUBLIC HEARING ON ORDINANCE AMENDING CHAPTER B, SECTION 5-2.7 AND SECTION 5-2.8 OF THE UNIFIED DEVELOPMENT ORDINANCES TO CLARIFY VAGUE AND AMBIGUOUS LANGUAGE RELATING TO THE LOSS OF NONCONFORMING USE STATUS - UDO-240 - Proposal of City Attorney's Office. [Recommended by Planning Board and Community Development/Housing/General Government Committee.]

Paul Norby, Director of Planning, provided a staff report.

Mayor Joines opened the Public Hearing.

Eric Brushnell, Walker Town Road, Winston-Salem Alliance, spoke against this item.

Mayor Joines closed the Public Hearing.

Council Member Besse made a motion, seconded by Council Member Taylor, for approval of Ordinance Amending Chapter B, Section 5-2.7 of the Unified Development Ordinances to Clarify Vague and Ambiguous Language Relating to the Loss of Nonconforming Use Status. - UDO 240. Motion carried unanimously.

6. SECOND READING ON ORDINANCE WITHDRAWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF MS. LUCY RAMIREZ D.B.A CORONA TAXI FOR THE OPERATION OF THREE TAXICABS IN THE CITY OF WINSTON-SALEM. [Recommended by Public Safety Committee. The first reading on this item was at the July 15, 2013 City Council meeting.]

A motion was made by Council Member Burke, seconded by Council Member Taylor, to approve the Ordinance Withdrawing the Certificate of Public Convenience and Necessity of Ms. Lucy Ramirez D.B.A Corona Taxi for the Operation of Three Taxicabs in the City of Winston-Salem. Motion carried unanimously.

7. MAYOR JOINES' RECOMMENDATIONS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS:

- a. M/WBE ADVISORY COMMITTEE

Emma S. Allen - Appointment - Term Expiring February 2015

A motion was made by Council Member Taylor, seconded by Council Member Burke, to approve the appointment of Emma S. Allen to the M/WBE Advisory Committee with term expiring February 2017. Motion carried unanimously.

- b. PLANNING BOARD

Tommy Hicks - Appointment - Term Expiring February 2017

A motion was made by Council Member Montgomery, seconded by Council Member Adams, to approve the appointment of Tommy Hicks term expiring February 2017 to the Planning Board. Motion carried unanimously.

8. CONSIDERATION OF SUMMARIES OF MINUTES:

APPROVAL OF SUMMARY OF MINUTES

A motion was made by Council Member Burke, seconded by Council Member Merschel, to approve the minutes as presented. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:36 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
August 19, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Dan Besse, Council Member Derwin L. Montgomery, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member James Taylor Jr., and Council Member Wanda Merschel

Absent: Council Member Robert C. Clark, and Council Member Molly Leight

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Tyrone Phelps

PRESENTATION OF AWARD TO ELIZABETH DIMMETTE COYNE, BUSINESS PLAN COMPETITION WINNER

Ruben Gonzolas, Business Development Office, gave a presentation regarding the award noting a \$5000.00 grant.

Mayor Joines presented a certificate and Council Member Montgomery presented Ms. Coyne with a check.

PRESENTATION OF AN AWARD TO THE CITY OF WINSTON-SALEM FOR OUTSTANDING WORK IN ACCIDENT PREVENTION

Council Member Adams, provided information regarding this award and presented it to Lisa Saunders, Chief Financial Officer, and staff.

RESOLUTION RECOGNIZING S. ELLIS HANKINS

Mayor Joines stated the Resolution would be forwarded to the North Carolina League of Municipalities for a surprise event later this year for Mr. Hankins.

Council Member Besse made a motion, seconded by Council Member Adams, to approve the Resolution Recognizing S. Ellis Hankins. Motion carried unanimously.

CONSENT AGENDA

Mayor Joines stated the Council would first consider the Consent Agenda and asked if there were any items that needed removed for discussion. Council Member Taylor removed C-2 a and b, C-14 and C-17.

A motion was made by Council Member Burke, seconded by Council Member Merschel, to approve the balance of the Consent Agenda. Motion carried unanimously.

C-1 RESOLUTION ACCEPTING OFFER FROM NORTH CAROLINA BAPTIST HOSPITAL - Property located at 121 Polo Road. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-2 CONSIDERATION OF ITEMS RELATED TO THE SALE OF CITY-OWNED PROPERTY: [Recommended by Finance Committee.]

C-2 a & C-2 b were removed for discussion.

c. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 308 W. TWENTY THIRD STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269.

Approved by the Consent Vote.

C-3 RESOLUTION OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT TO DEFINING AND ESTABLISHING A MUNICIPAL SERVICE DISTRICT IN DOWNTOWN WINSTON-SALEM. Public Hearing: October 7, 2013. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-4 RESOLUTION APPROVING A NINE-MONTH EXTENSION TO A SUBGRANTEE AGREEMENT WITH UNITED WAY OF FORSYTH COUNTY, INC. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-5 ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: Repairs more than 50% of value of structure (< 50) six months. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

a. Antonio L. Younger 4057 Sheraton Street

Approved by the Consent Vote.

b. Fannie D. Davis 418 E. 25th Street

Approved by the Consent Vote.

c. Randy B. Gibson 118 Dillon Street Accy. Building

Approved by the Consent Vote.

- d. James M. Walter 1830 Meadowbrook Drive

Approved by the Consent Vote.

- C-6 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) six months. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- a. Antonio L. Younger 4057 Sheraton Street Accy. Building

Approved by the Consent Vote.

- b. Randy B. Gibson 118 Dillon Street

Approved by the Consent Vote.

- C-7 ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- a. Joseph E. Morgan 507 Duke Street

Approved by the Consent Vote.

- C-8 ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - 7th Street; Barber Street; Emerson Street; Lemly Street; Lomond Street; Lomond Court; Emerson Court; and Neighborhood Limits: Chancery Lane, Brookmeade Drive, Brookmeade Court, Surrey Way Court, and Wickersham Lane. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-9 RESOLUTION APPROVING THE PECAN RIDGE NEIGHBORHOOD TRAFFIC CALMING PLAN FOR FUNDING AND CONSTRUCTION. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-10 CONSIDERATION OF ITEMS RELATING TO CONTRACTS: [Recommended by Finance Committee]

- a. RESOLUTION AWARDED CONTRACT FOR CONSTRUCTION OF KINGSTON ROAD CULVERT REPLACEMENT - D.H. Griffin Infrastructure, LLC - \$389,907 (Estimated Amount).

Approved by the Consent Vote.

- b. RESOLUTION AWARDED PURCHASE ORDER FOR TRUCK MOUNTED VACUUM LEAF COLLECTION MACHINES - White's International Trucks - \$299,781.06.

Approved by the Consent Vote.

- C-11 RESOLUTION RATIFYING, APPROVING AND AUTHORIZING EXECUTION OF A CITY OF WINSTON-SALEM/FORSYTH COUNTY INTERLOCAL AGREEMENT FOR A MASTER ADDRESS DATABASE PURSUANT TO N.C.G.S. 160A-461. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-12 RESOLUTION ACCEPTING THE FISCAL YEAR 2013 ANNUAL TAX SETTLEMENT AND ADOPTION OF AN ORDER TO COLLECT CURRENT TAXES FOR 2013 (FISCAL YEAR 2013-2014) AND DELINQUENT TAXES FROM 2004 THROUGH 2012. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-13 CONSIDERATION OF AMENDMENTS TO THE FISCAL YEAR 2013-2014 BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA: [Recommended by Finance Committee.]

Approved by the Consent Vote.

- a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- C-15 RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON A PORTION OF HOBSON STREET LOCATED IN THE EAST WARD – Petition of Salem College and Academy. Public Hearing: September 16, 2013. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-16 RESOLUTION APPROVING THE ADOPTION OF A STRATEGIC PLAN FOR THE WINSTON-SALEM TRANSIT AUTHORITY. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-2** CONSIDERATION OF ITEMS RELATED TO THE SALE OF CITY-OWNED PROPERTY: [Recommended by Finance Committee.]
- a.** RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 3301 KIRBY STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269.
- b.** RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 828 EAST DEVONSHIRE STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269.

Council Member Taylor made a motion, seconded by Council Member Merschel, to send the Resolution authorizing the sale of certain city-owned property at 3301 Kirby Street under the provisions of N.C.G.S. 160A-269 and Resolution authorizing the sale of certain city-owned property at 828 East Devonshire Street under the provisions of N.C.G.S. 160A-269 to the Finance Committee. Motion carried unanimously.

- C-14** RESOLUTION AUTHORIZING PERMANENT HONORARY STREET NAME SIGN - Robert Leak, Sr. Lane. [This item was remanded to the Public Works Committee by City Council on July 15, 2013. Recommended by Public Works Committee.]

Council Member Taylor recognized Robert Leak for his leadership in the success of the Easton Community.

Council Member Taylor made a motion, seconded by Council Member Montgomery, to approve the Resolution authorizing permanent Honorary Street Name Sign Robert Leak, Sr. Lane. Motion carried unanimously.

- C-17.** RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE FORSYTH COUNTY FARM BUREAU FOR A NEW PUBLIC ADDRESS SYSTEM FOR THE CATTLE BARN AT THE DIXIE CLASSIC FAIRGROUNDS. [Recommended by Finance Committee.]

Council Member Taylor stated he would like to see more partnerships between the Ag District and the Farm Bureau.

Council Member Taylor made a motion, seconded by Council Member Burke, to approve the Resolution authorizing the acceptance of a donation from the Forsyth County Farm Bureau for a new public address system for the cattle barn at the Dixie Classic Fairgrounds. Motion carried unanimously.

GENERAL AGENDA

- G-1** PUBLIC HEARING ON RESOLUTION AUTHORIZING ECONOMIC DEVELOPMENT ASSISTANCE TO WAKE FOREST UNIVERSITY HEALTH SCIENCES FOR THE EXPANSION OF WAKE FOREST INNOVATION QUARTER. [Finance Committee voted to send this item to the September 3, 2013 Council Meeting without a recommendation.]

This item will be continued to the September 16, 2013, City Council meeting.

A motion was made by Council Member Merschel, seconded by Council Member Taylor, to continue the Public Hearing on Resolution authorizing economic development assistance to Wake Forest University Health Sciences for the expansion of Wake Forest Innovation Quarter. Motion carried unanimously.

G-2 ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE FISCAL YEAR 2013-2014 - Institute for Dismantling Racism. [Finance Committee forwarded this item to Council with three in favor, none opposed and one abstaining.]

A motion was made by Council Member Merschel, seconded by Council Member Burke, to approve the Ordinance amending the annual appropriation and tax levy Ordinance for the FY 2013-2014 - Institute for Dismantling Racism. Motion carried unanimously.

G-3 PUBLIC COMMENT PERIOD.

Public Comment Period was heard.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:28 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
September 3, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Wanda Merschel, and Council Member James Taylor Jr. (*arrived at 7:05 p.m.*)

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Mike Weaver

PRESENTATION OF THINK GREEN GRANT CHECK TO KEEP WINSTON-SALEM

Mayor Joines stated that Mr. Stan Joseph from Waste Management was here to present the award to Wendy Hartup, Board Chairman of Keep Winston-Salem Beautiful and Chairman of the Community Appearance Commission and Mr. George Stilphen.

Mr. Joseph stated he was honored to have a partnership with Keep America Beautiful. He presented the check and stated it was the second year in a row that Winston-Salem was awarded the grant and noted that there are only ten awarded in the United States each year.

Ms. Hartup and Mr. Stiphen thanked Waste Management, Mayor and City Council for their support.

PROCLAMATION DECLARING THE MONTH OF SEPTEMBER HUNGER ACTION MONTH

Mayor Joines recognized Council Member Clark.

Council Member Clark presented the Proclamation to Mr. Clyde Fitzgerald, Executive Director of the Food Bank of Northwest North Carolina.

Mr. Fitzgerald thanked the Mayor and City Council for their continued support of the Second Harvest Food Bank. He noted that the Nissen and Reynolds buildings are illuminating the color orange in honor of Hunger Action Month.

1. PUBLIC HEARING ON ZONING PETITION OF 700 SOUTH STRATFORD, LLC FROM RS-7, RS-9, HB, AND LI TO GB-L [Academic Biomedical Research Facility; Academic Medical Center; Arts and Crafts Studio; Banking and Financial Services; Building Contractors, General; Building Materials Supply; Car Wash; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Convenience Store; Food or Drug Store; Funeral Home; Furniture and Home; Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Hotel or Motel; Institutional Vocational Training Facility; Kennel, Indoor; Library, Public; Manufacturing A; Motorcycle Dealer; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (With Drive-Through Service); Restaurant (Without Drive-Through Service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center; Shopping Center, Small; Testing and Research Lab; Theater, Indoor; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; Child Care Institution; Child Care, Sick Children; Child Day Care Center; School, Private; School, Public; and Transmission Tower]: Property located on the northeast corner of Stratford Road and Ricks Drive - Containing approximately 26.58 acres located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-3190. [Planning Board recommends approval of petition.]

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

APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak against this item. Seeing none, he closed the Public Hearing and recognized Council Member Besse.

Council Member Besse requested a staff report.

Paul Norby, Planning Director, provided a staff report for this item.

A motion was made by Council Member Besse, seconded by Council Member Taylor, for (1) Adoption of the State of Consistency set forth on page 33 of the Agenda Book and (2) Approval of W-3190 with the following conditions added which have been approved by the petitioner.

Under "Other Requirements":

1. Any use involving electronic Sweepstakes operations as defined in section 3412 including future amendments to the code of ordinances shall be prohibited
2. No vehicular connection to Mission Road shall be permitted.

Mayor Joines asked Mr. Dockery to agree to the added conditions. Mr. Dockery agreed. Motion carried unanimously.

2. PUBLIC HEARING ON RESOLUTION ADOPTING THE PROPOSED SOUTHEAST WINSTON-SALEM AREA PLAN - BOUNDED BY US 52, BUSINESS 40, SALEM LAKE, AND I-40. [Recommended by Planning Board and Community Development/Housing/General Government Committee.]

Mayor Joines requested a presentation.

Mr. Norby provided a short presentation and introduced Mr. Marco Andrettie, Project Planner. Mr. Andrettie was in charge of updating the plan, and provided further explanation of the updates as well as the community involvement.

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak regarding this item. Seeing none, he closed the Public Hearing and recognized Council Member Taylor.

A motion was made by Council Member Taylor, seconded by Council Member Burke, to approve the Resolution Adopting the Southeast Winston-Salem Area Plan - Bounded by US 52, Business 40, Salem Lake, and I-40. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:49 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
September 16, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Wanda Merschel and Council Member James Taylor Jr.,

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Bart Stone

CITY STARS PRESENTATION

Shantell Davis, representing Service Excellence Design Team, presented the second quarter City Stars Award to Bobby Barko, Senior Chemist.

Mr. Barko, thanked the Mayor and City Council for the recognition.

PRESENTATION ON PIEDMONT TRIAD REGIONAL COUNCIL

Matthew Dogle, Executive Director, gave a presentation regarding the Piedmont Triad Regional Council. He introduced William Pass, Assistant Director for the Work Force Program.

Mr. Pass updated the Mayor and City Council regarding how the organization is strengthening work force and other initiatives such as collaborating with the Housing Authority of Winston-Salem as well as collaborating with the Head Start Program. He thanked the Mayor and City Council for their continued support.

CONSENT AGENDA

Mayor Joines stated the Council would now consider the Consent Agenda and asked if there were any items that needed removed for discussion. Council Member Burke removed item C-10.

Council Member Clark made a motion, seconded by Council Member Adams, to approve the balance of the Consent Agenda. Motion carried unanimously.

C-1 CONSIDERATION OF ITEMS RELATED TO THE SALE OF CITY-OWNED PROPERTY: [Recommended by Finance Committee.]

- a. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 3301 KIRBY STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269.

Approved by the Consent Vote.

- b. RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 828 EAST DEVONSHIRE STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269.

Approved by the Consent Vote.

- C-2 CONSIDERATION OF ITEMS RELATED TO THE 2013 GOVERNOR’S HIGHWAY SAFETY PROGRAM GRANT FUNDING OF THE FORSYTH COUNTY DRIVING WHILE INTOXICATED (DWI) TASK FORCE: [Recommended by Finance Committee.]

- a. RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE NORTH CAROLINA GOVERNOR’S HIGHWAY SAFETY PROGRAM FOR SECOND YEAR FUNDING OF THE FORSYTH COUNTY JOINT DWI TASK FORCE AND AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF WINSTON-SALEM, NORTH CAROLINA, THE COUNTY OF FORSYTH, NORTH CAROLINA AND THE TOWN OF KERNERSVILLE, NORTH CAROLINA TO ACCEPT GRANT FUNDING AND EXECUTION OF A MUTUAL ASSISTANCE AGREEMENT BETWEEN THE SAME PARTIES FOR CONTINUED IMPLEMENTATION OF THE DWI JOINT TASK FORCE. [Receipt of \$256,400.]

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- c. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- C-3 ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - Lawndale Drive and Romara Drive. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-4 RESOLUTION AUTHORIZING THE CITY OF WINSTON-SALEM TO ACCEPT A DONATION OF IMPROVEMENTS TO THE WASHINGTON PARK DOG PARK. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-5 CONSIDERATION OF ITEMS RELATED TO CONTRACTS: [Recommended by

- a. RESOLUTION APPROVING A CONTRACT FOR PERSONAL COMPUTER EQUIPMENT - NWN Corporation - \$179,678.45.

Approved by the Consent Vote.

- b. RESOLUTION AWARDED CONTRACT FOR PURCHASE OF FIVE ONE-TON CREW CAB TRUCKS - Capital Ford of Wilmington, LLC - \$162,240.00.

Approved by the Consent Vote.

- c. RESOLUTION AWARDED PURCHASE ORDER FOR SELF-CONTAINED BREATHING APPARATUS EQUIPMENT - MES-Municipal Emergency Services, Inc. - \$627,049.03. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- d. RESOLUTION AMENDING THE AGREEMENT WITH MOBILE DOC, PLLC, FOR MEDICAL REVIEW OFFICER AND EMPLOYEE MEDICAL SERVICES - Amount not to exceed \$109,500.

Approved by the Consent Vote.

- C-6 ORDINANCE RENAMING A PORTION OF “MANLY STREET” TO “MILL WORKS STREET” - Northwest Ward. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-7 RESOLUTION FIXING DATE FOR HEARING ON PETITION TO CLOSE AND ABANDON A PORTION OF COLLINS STREET LOCATED IN THE NORTH WARD – Petition of Habitat for Humanity of Forsyth County. Public Hearing: October 28, 2013. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-8 ORDINANCE AMENDING CHAPTER 10 OF THE CITY CODE ENTITLED “BUILDING REGULATIONS”. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-9 CONSIDERATION OF ITEMS RELATING TO CITY PARTICIPATION IN DRAINAGE PROJECTS ACROSS PRIVATE PROPERTY: Recommended by Public Works Committee

- a. RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY – 209 Sedge Meadow Drive.

Approved by the Consent Vote.

- b. RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY – 742 Rankin Street.

Approved by the Consent Vote.

- c. RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY – 846 Clovelly Road.

Approved by the Consent Vote.

- d. RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY – 5576 Fairway Forest Drive.

Approved by the Consent Vote.

- C-10 RESOLUTION NAMING CIVIC PLAZA MERSCHEL PLAZA. [Recommended by Community Development/Housing/General Government Committee.]

Council Member Burke pulled this item for discussion.

Council Burke made a motion, seconded by Council Member Montgomery, to excuse Council Member Merschel from voting on item C-10. Motion carried unanimously.

Council Member Montgomery asked that the Resolution be read into the record.

The City Secretary read the Resolution into the record.

Council Member Merschel stated she is honored and humbled and can think of no greater honor than to have a green space named for her family.

Council Member Montgomery made a motion, seconded by Council Member Taylor, to approve the Resolution Naming Civic Plaza Merschel Plaza. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Adams, and Taylor

Excused: Council Member Merschel

GENERAL AGENDA

- G-1 CONTINUATION OF PUBLIC HEARING ON RESOLUTION AUTHORIZING ECONOMIC DEVELOPMENT ASSISTANCE TO WAKE FOREST UNIVERSITY HEALTH SCIENCES FOR THE EXPANSION OF WAKE FOREST INNOVATION QUARTER. [Finance Committee voted to send this item to City Council without a recommendation. The item was continued from the August 19, 2013 City Council meeting.]

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak in opposition of this item. Seeing none, he declared the Public Hearing closed and called for a vote.

In response to Council Member Taylor, Mr. Paige, Assistant City Manager, stated Wake Forest University Health Sciences will conduct and provide information regarding taxes and MWBE efforts.

A motion was made by Council Member Clark, seconded by Council Member Besse, for approval of the Resolution Authorizing Economic Development Assistance to

Wake Forest University Health Sciences for the Expansion of Wake Forest Innovation Quarter. The motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Adams, and Taylor

Nay: Council Member Merschel

G-2 PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF HOBSON STREET (EAST WARD) – Petition of Salem College and Academy. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone that would like to speak regarding this item. Seeing none, he declared the Public Hearing closed and recognized Council Member Montgomery.

A motion was made by Council Member Montgomery, seconded by Council Member Taylor, to approve the Resolution Ordering the Closing of a Portion of Hobsons Street. Motion carried unanimously.

G-3 RESOLUTION APPROVING THE THREE AREAS FOR POLICE DISTRICT SITES AND APPROVING THE LUCIA FACILITY SITE FOR DISTRICT 200 STATION. [Finance Committee forwarded this item to Council with two in favor, none opposed and one abstaining. Recommended by Public Safety Committee.]

Council Member Montgomery requested an update on transition of Crime Prevention.

A motion was made by Council Member Burke, seconded by Council Member Taylor, for approval of Resolution Approving the Three Areas for Police District Sites and Approving the Lucia Facility Site for District 200 Station. Motion carried with the following vote:

Aye: Council Members: Leight, Besse, Montgomery, Burke, Adams, Merschel, and Taylor

Nay: Council Member Clark

G-4 ORDINANCE AMENDING CHAPTER 38 OF THE CITY CODE ENTITLED “MISCELLANEOUS OFFENSES AND PROVISIONS”. [Public Safety Committee forwarded this item to Council with a recommendation to deny with two in favor and one abstaining from the vote. Community Development/Housing/General Government Committee forwarded the item to Council without a recommendation with three in favor, none opposed and one abstaining.]

Angela Carmon, City Attorney, provided a report regarding this item.

Council Member Taylor stated he would abstain, but will count as a yes vote.

Mayor Joines stated abstaining at Council is not allowed and the vote will count as a yes.

A motion was made by Council Member Clark, seconded by Council Member Merschel for approval of Ordinance Amending Chapter 38 of the City Code Entitled "Miscellaneous Offenses and Provisions". Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Adams, Merschel, and Taylor (Taylor Abstained which counts as a yes vote).

Nay: Council Member Montgomery

G-5 RESOLUTION EXPRESSING OPPOSITION TO SESSION LAWS 2011-268 AND 2013-369 RELATING TO MUNICIPAL PARKS. [Public Safety Committee forwarded this item to Council with two in favor and two abstaining from the vote. Revised version recommended by CD/H/GG Committee.]

Lee Garrity, City Manager, provided a report regarding the details of this Resolution.

A motion was made by Council Member Besse, seconded by Council Member Taylor to approve the Resolution Expressing Opposition to Session Laws 2011-268 and 2013-369 Relating to Municipal Parks. Motion carried with the following vote:

Aye: Council Members: Leight, Besse, Montgomery, Merschel, and Taylor

Nay: Council Members: Clark, Burke, and Adams

G-6 RESOLUTION APPROVING THE RIVER CHASE NEIGHBORHOOD TRAFFIC CALMING PLAN FOR FUNDING AND CONSTRUCTION. [Public Works Committee forwarded this item to Council with two in favor and one opposed.]

Greg Turner, Assistant City Manager, provided options regarding Traffic Calming measures.

Council Member Clark made a motion, seconded by Council Member Merschel, to approve the Resolution Approving the River Chase Neighborhood Traffic Calming Plan for Funding and Construction. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Montgomery, Burke, Adams, Merschel, and Taylor

Nay: Council Member Besse

G-7 MAYOR JOINES' RECOMMENDATION FOR COUNCIL MEMBER APPOINTMENT TO BOARDS AND COMMISSIONS:

a. TRANSPORTATION ADVISORY COMMITTEE

Council Member James Taylor, Jr.

A motion was made by Council Member Montgomery, seconded by Council Member Clark, for approval of the appointment of Council Member Taylor to the Transportation Advisory Committee.

Council Member Merschel made a motion, seconded by Council Member Clark, to excuse Council Member Taylor from voting on item G-7. Motion carried unanimously.

Mayor Joines called for a vote on the original motion regarding approval of appointment. Motion carried with the following vote:

Minutes

Regular Meeting September 16, 2013

City Hall
Room 230

Aye: Council Members: Leight, Clark, Besse, Montgomery, Burke, Adams, and Taylor

Excused: Council Member Taylor

PUBLIC COMMENT PERIOD.

Public Comment Period was heard.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:38 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
October 7, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, and Council Member James Taylor Jr.

Absent: Council Member Wanda Merschel

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Steve Osborne

RESOLUTION RECOGNIZING THE PARTICIPANTS OF PROJECT WE CARE

Mayor Joines stated without objection the Council will consider the Project We Care Resolution as the first order of business.

Council Member Burke requested Chris Mack, Community Assistance Liaison, to provide information regarding the Ceremony.

Council Member Burke asked for the Liaisons and Volunteers to be recognized.

A motion was made by Council Member Taylor, seconded by Council Member Montgomery, to approve the Resolution recognizing the Participants of Project We Care. Motion carried unanimously.

RESOLUTION RECOGNIZING THE WOMEN'S HOME AND OVERSEAS MISSIONARY SOCIETY, PARENT BODY II

Council Member Burke presented the Resolution to Ms. Guess and Ms. Stowe.

A motion was made by Council Member Taylor, seconded by Council Member Montgomery, to approve the Resolution Recognizing the Women's Home and Overseas Missionary Society, Parent Body II. Motion carried unanimously.

RECOGNITION OF DAN DOCKERY, CHIEF BUILDING OFFICIAL, FOR NORTH CAROLINA.

Council Member Clark presented the Award to Dan Dockery.

Mr. Dockery thanked the Mayor and City Council for the recognition.

PROCLAMATION DECLARING CUSTOMER SERVICE WEEK OCTOBER 7 – 11, 2013

Mayor Joines presented the Proclamation to Shantell Davis, Director of City Link.

Ms. Davis thanked the Mayor for the Proclamation.

- 1. PUBLIC HEARING ON ZONING PETITION OF PAT AND PATSY TAYLOR FROM RS-9 TO RSQ-L (Residential Building, Single Family): Property located on the southwest corner of Frazier View Lane and Manchester Street - Containing approximately 0.49 acre located in the NORTHEAST WARD (Council Member Burke) - Zoning Docket W-3192. [Planning Board recommends approval of petition.]

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE
APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Burke.

A motion was made by Council Member Burke, seconded by Council Member Taylor, for (1) Adoption of the Statement of Consistency set forth on page 25 of the Agenda Book and (2) Approval of W-3192. Motion carried unanimously.

- 2. PUBLIC HEARING ON ZONING PETITION OF U & F DEVELOPMENT, LLC FROM LO-S (Funeral Home; Offices; and Adult Daycare Center) TO LO-S (Funeral Home; Offices; Adult Daycare Center; and Banking and Financial Services): Property located on the west side of Peace Haven Road, south of Robinhood Road - Containing approximately 1.44 acres located in the WEST WARD (Council Member Clark) - Zoning Docket W-3193. [Planning Board recommends approval of petition and site plan with staff recommendations.]

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE
APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

Mayor Joines asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Clark.

Council Member requested Paul Norby, Planning Director, to provide a brief overview of this item. Mr. Norby provided the report.

A motion was made by Council Member Clark, seconded by Council Member Burke, for approval of this item. Motion carried unanimously.

- 3. PUBLIC HEARING ON ZONING PETITION OF WESLEY LIVENGOOD, TRUSTEE AND THOMAS LIVENGOOD, TRUSTEE FROM RS-9 TO NB-L (Retail Store; Services A; Food or Drug Store; Arts and Crafts Studio; and Government Office,

Neighborhood Organization, or Post Office): Property located on the north side of Hawthorne Road, east of Bodford Street - Containing approximately 0.44 acre located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-3195. [Planning Board recommends approval of petition.]

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE
APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak regarding this item. Seeing none, he closed the Public Hearing and recognized Council Member Besse.

Council Member Besse requested a report.

Mr. Norby, provided a report for this item.

A motion was made by Council Member Besse, seconded by Council Member Adams for (1) Adoption of the Statement of Consistency on page 77 of the Agenda Book and (2) Approval of W-3195. Motion carried unanimously.

- 4. PUBLIC HEARING ON ZONING PETITION OF B/E AEROSPACE, INC. FROM GO TO GI: Property located on the southeast corner of Hanes Mill Road and Oak Plaza Boulevard - Containing approximately ±4.93 acres located in the NORTHEAST WARD (Council Member Burke) - Zoning Docket W-3197. [Planning Board recommends approval of petition.]

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to be heard on this item. Seeing none, he closed the Public Hearing and recognized Council Member Burke.

Mr. Norby provided a brief report.

A motion was made by Council Member Burke, seconded by Council Member Taylor, for (1) Adoption of the Statement of Consistency set forth on page 101 of the Agenda Book and (2) Approval of W-3197. Motion carried unanimously.

- 5. PUBLIC HEARING ON ZONING PETITION OF PETERS CREEK PROPERTIES, LLC FROM RS-9 AND RM-18 TO HB-S (Outdoor Display Retail; Motor Vehicle, Repair and Maintenance; and Access Easement, Private Off-Site): Property located on the north side of Southpark Boulevard, west of Peters Creek Parkway - Containing approximately 0.27 acre located in the SOUTH WARD (Council Member Leight) - Zoning Docket W-3198. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.]

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Leight.

A motion was made by Council Member Leight, seconded by Council Member Burke, for (1) Adoption of the Statement of Consistency on page 127 of the Agenda Book and (2) Approval of W-3198 including the Site Plan. Motion carried unanimously.

- 6. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES TO REFLECT CHANGES MADE BY THE GENERAL ASSEMBLY OF NORTH CAROLINA TO THE NORTH CAROLINA GENERAL STATUTES IN SESSION LAW 2013-126/HOUSE BILL (H.B.) 276 ENTITLED "AN ACT TO CLARIFY AND MODERNIZE STATUTES REGARDING ZONING BOARDS OF ADJUSTMENT." - UDO-242 - Proposal of City-County Planning and Development Services staff. [Recommended by Planning Board.]

Mr. Norby provided a report for this item.

Mayor Joines opened the Public Hearing.

The following Citizens spoke regarding this item.

Allan Hancock, 515 Asbury Drive

Michelle Soyars, 4965 Shady Maple Lane

Richard Miller, 626 N Trade St.

A motion was made by Council Member Adams, seconded by Council Member Clark, for approval of Ordinance Amending Chapter B of the Unified Development Ordinances to Reflect Changes made by the General Assembly of North Carolina to the North Carolina General Statues in Session Law 2013-126/House Bill (H.B.) 276 Entitled "An Act to Clarify and Modernize Statutes Regarding Zoning Boards of Adjustment".

Council Member Montgomery made a Substitute motion, seconded by Council Member Taylor, to add the requirement for an abbreviated legal notice. Motion failed with the following vote:

Aye: Council Members: Montgomery and Taylor

Nay: Council Members: Leight, Clark, Besse, Burke, and Adams

Mayor Joines called for a vote on the original motion. Motion carried with the following vote:

Aye: Council Members: Leight, Besse, Clark, Burke, Adams, and Taylor

Nay: Council Member Montgomery

7. PUBLIC HEARING AND RESOLUTION ADOPTING THE PROPOSED SOUTHEAST FORSYTH COUNTY AREA PLAN. [Recommended by Planning Board and Community Development/Housing/General Government Committee.]

Mr. Norby and Steve Smotherman, Project Planner, provided a presentation for this item.

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for this item. See none, he closed the Public Hearing.

A motion was made by Council Member Taylor, seconded by Council Member Adams, to approve the Resolution Adopting the Proposed Southeast Forsyth County Area Plan. Motion carried unanimously.

8. PUBLIC HEARING ON THE CREATION OF THE DOWNTOWN WINSTON-SALEM BUSINESS IMPROVEMENT DISTRICT. [Recommended by Finance Committee.]

Ben Rowe, Assistant City Manager, provided a staff report on this item.

Mayor Joines opened the Public Hearing.

The following citizens spoke regarding this item:

Harry Knabb, 5208 Cedarwood Creek Drive

Mark Chirello, 410 E. St., Vice President of Downtown Residents Association

Mark Dunnagan, 1260 Yorkshore Road, Chair Downtown Winston-Salem Partnership

Richard Miller, 626 N. Trade St.

Ralph Womble, 635 N. Trade St.

Gayle Anderson, 411 W 4th Street

John Andronica, 1732 Meadowbrook Drive.

Jason Theil, Downtown Winston-Salem

Davide Nutter, 169 flint St. Asheville

Joe Potter 216 Surrey Path Court

Betsy Hamilton 702 Summit St.

Jamie Bartholmus 638 W 4th St.

Shawn Talbot, 675 N. Main St.

Susan Baxter and Bradly Davis 310 W 4th St.

Frank James 530 One Park Vista

Michael Suggs 545 N. Trade

Mayor Joines closed the Public Hearing and noted this item would come to Council on November 25th for a formal vote.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:31 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
October 28, 2013**

CALL TO ORDER

Mayor Joines called the meeting to Order and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery (arrived at 7:05 p.m.), Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Mayor Pro Tempore Denise D. Adams, and Council Member James Taylor Jr.

Absent: Council Member Wanda Merschel

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Steve Osborne

PRESENTATION OF HOUSING NORTH CAROLINA AWARDS

Sylvia Oberle, Director of Habitat for Humanity for Forsyth County, presented the award to the City and specifically to Mellin Parker, Planning Senior Project Supervisor.

Garry Merritt, North Carolina Housing Foundation, presented an award on behalf of the North Carolina Housing Foundation to Ms. Mellin Parker and Council Member Adams.

CONSENT AGENDA

Mayor Joines stated the Council would now consider the Consent Agenda and stated items C-2 and C-6 - b. has been requested to be removed and asked if there were any other items that needed to remove for discussion. Items C-3, C-4, C-9, and C-12 were removed.

Council Member Clark made a motion, seconded by Council Member Montgomery, to approve the balance of the Consent Agenda. Motion carried unanimously.

C-1 RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY AT 1920 DAISY STREET UNDER THE PROVISIONS OF N.C.G.S. 160A-269. [Reviewed by Finance Committee.]

Approved by the Consent Vote.

C-5. 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) six months. [Recommended by Community Development/Housing/General Government Committee.]

- a. Legacy Investments, LLC 2331 Dunbar Street
Approved by the Consent Vote.
- c. Beverly Watkins 411 Eldora Street
Approved by the Consent Vote.
- d. Beverly Watkins 409 Eldora Street
Approved by the Consent Vote.
- e. David and Charmine O'Shields 1118 E. 23rd Street
Approved by the Consent Vote.
- f. Gerold and Cynthia Sutton 955 Panola Road
Approved by the Consent Vote.
- g. Earl and Theresa Branscomb 958 Panola Road
Approved by the Consent Vote.
- h. Jerry Shepherd 212 N. Spring Street
Approved by the Consent Vote.

C-6

ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: Repairs more than 50% of value of structure (>50) six months. [Recommended by Community Development/Housing/General Government Committee.]

- a. Jerome and Brenda Burke 206 E. 27th Street
Approved by the Consent Vote.
- b. David M. Powers 2656 Bluebird Lane
Approved by the Consent Vote.

C-7

ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General Government Committee.]

- a. Hallie M. Davis, Heirs 1852 E. 4th Street
Approved by the Consent Vote.
- b. Mae C. Kershaw, Heirs 2378 Greenway Avenue

Approved by the Consent Vote.

- c. Pender C. Cates 2601 Manchester Street

Approved by the Consent Vote.

- d. Jeanette D. Gilmore 711 E. 16th Street

Approved by the Consent Vote.

- e. Slade Trading Post, Inc. 405 E. 30th Street

Approved by the Consent Vote.

- C-8** RESOLUTION APPROVING DESIGNATION OF APPLICANT'S AGENT FORM ALLOWING STAFF TO EXECUTE AND SUBMIT APPLICATIONS FOR FEDERAL EMERGENCY MANAGEMENT ASSISTANCE (FEMA) GRANT ASSISTANCE. [Reviewed by Finance Committee. Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-10** CONSIDERATION OF ITEMS RELATED TO THE 2013 PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANTS PROGRAM: [Reviewed by Finance Committee. Recommended by Public Safety Committee.]

- a. RESOLUTION AUTHORIZING ACCEPTANCE OF A 2013 PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANTS PROGRAM AWARD.

Approved by the Consent Vote.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- C-11** ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - Swing Drive; Parnell Road; Fairview Boulevard; Monte Vista Street; Neighborhood Limits: Fox Ridge Lane, Fox Point Circle, Vixen Lane, and Hollow Wood Court. [Recommended by Public Safety Committee.]

Approved by the Consent Vote.

- C-13** RESOLUTION IN SUPPORT OF A POLICY CHANGE REGARDING BACK-BILLING OF UNDISCOVERED STORMWATER FEES. [Reviewed by Finance Committee. Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-14** RESOLUTION APPROVING THE REVISED CITY/COUNTY COOPERATIVE GOVERNMENTAL SERVICES FUNDING AGREEMENT. [Reviewed by Finance Committee.]

Approved by the Consent Vote.

C-15. CONSIDERATION OF AMENDMENTS TO THE FISCAL YEAR 2013-2014 BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA: [Reviewed by Finance Committee.]

- a.** ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- b.** ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

C-16 CONSIDERATION OF ITEMS RELATING TO CONTRACTS: [Reviewed by Finance

- a.** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE MOWING MAINTENANCE OF SELECT STATE MAINTAINED ROADS. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- b.** RESOLUTION AWARDED CONTRACT FOR AUTOMATED VEHICLE LOCATION SOLUTION - RMJ Marketing, Inc., dba RMJ Technologies - \$641,300.

Approved by the Consent Vote.

- c.** RESOLUTION AWARDED CONTRACT FOR ROAD SALT FOR STREETS DIVISION - Detroit Salt Company - \$156,400.

Approved by the Consent Vote.

- d.** RESOLUTION AWARDED CONTRACT FOR PURCHASE OF ONE SEWER JET VACUUM TRUCK - Jet-Vac Sewer Equipment Co., Inc. - \$294,900.

Approved by the Consent Vote.

- e.** RESOLUTION AWARDED CONTRACT FOR PURCHASE OF TWO SINGLE AXLE DUMP TRUCKS - Piedmont Truck Center, Inc. - \$182,348.

Approved by the Consent Vote.

- f.** RESOLUTION AWARDED PURCHASE ORDER FOR COMPUTER EQUIPMENT FOR THE CITY OF WINSTON-SALEM POLICE DEPARTMENT - Dell Marketing, L.P. in the amount of \$101,472.63.

Approved by the Consent Vote.

- g.** RESOLUTION AWARDED CONTRACT FOR CRS2L ASPHALT EMULSION CEMENT - Hammaker East, Ltd. - \$132,090 (Estimated Amount).

Approved by the Consent Vote.

- h.** RESOLUTION AWARDED CONTRACT FOR PURCHASE OF ONE FRONT LOADING REFUSE TRUCK - Carolina Environmental Systems, Inc. - \$220,220.
- Approved by the Consent Vote.**
- i.** RESOLUTION AWARDED CONTRACT FOR PURCHASE OF FIVE SIDE LOADING REFUSE TRUCKS - Carolina Environmental Systems, Inc. - \$1,194,000.
- Approved by the Consent Vote.**
- j.** RESOLUTION AWARDED CONTRACT FOR PURCHASE OF ONE TANDEM AXLE TRUCK WITH DO-AL SPREADER - White's International Trucks - \$122,174.
- Approved by the Consent Vote.**
- C-17** RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A REVISED MEMORANDUM OF UNDERSTANDING FOR THE WINSTON-SALEM URBAN AREA METROPOLITAN PLANNING ORGANIZATION. [Recommended by Public Works Committee.]
- Approved by the Consent Vote.**
- C-18** RESOLUTION DECLARING CERTAIN CITY OWNED EQUIPMENT SURPLUS AND AUTHORIZING THE SALE THEREOF. [Reviewed by Finance Committee.]
- Approved by the Consent Vote.**
- C-19** 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: November 25, 2013.
- Approved by the Consent Vote.**
- C-20** RESOLUTION DIRECTING FILING OF PRELIMINARY ASSESSMENT ROLL, FIXING TIME OF MEETING TO HEAR OBJECTIONS, AND DIRECTING PUBLICATION OF NOTICE OF MEETING, RELATING TO THE COST OF HOUSING RELOCATION FROM HOUSING UNFIT FOR HUMAN HABITATION. Public Hearing: November 25, 2013.
- Approved by the Consent Vote.**
- C-2** CONSIDERATION OF ITEMS RELATING TO THE RELEASE OF DEED RESTRICTIONS ON PROPERTIES PURCHASED IN URBAN RENEWAL PROJECTS: [Reviewed by Finance Committee.]
- a.** RESOLUTION AUTHORIZING THE RELEASE OF DEED RESTRICTIONS ON THREE PROPERTIES LOCATED IN THE EAST WINSTON URBAN RENEWAL PROJECT 3 AND THE KIMBERLY-NORTH WINSTON URBAN RENEWAL PROJECT.

- b. RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURSUE THE RELEASE OF DEED RESTRICTIONS ON URBAN RENEWAL PROJECTS.

Mayor Joines stated Council Member Burke needed to be excused from voting on this item.

Council Member Clark made a motion, seconded by Council Member Adams, to excuse Council Member Burke from voting on item C-2. Motion carried unanimously.

Council Member Montgomery made a motion, seconded by Council Member Clark, to send this item to the Finance Committee. Motion carried with the following vote:

Aye: Council Member Leight, Clark, Besse, Montgomery, Adams, and Taylor

Excused: Council Member Burke

Absent: Council Member Merschel

- C-3 RESOLUTION AUTHORIZING SUBMISSION OF CONTINUUM OF CARE HOMELESS GRANT APPLICATION, ACCEPTANCE OF GRANT FUNDS, AND EXECUTION OF AGREEMENTS. [Reviewed by Finance Committee. Recommended by Community Development/Housing/General Government Committee.]

Tim West, Program Supervisor Community Development Department, provided a staff report for this item.

Council Member Burke requested the percentage of homeless people in the Community.

A motion was made Council Member Burke, seconded by Council Member Clark, to approve the Resolution Authorizing Submission of Continuum of CARE Homeless Grant Application, Acceptance of Grant Funds, and Execution of Agreements. Motion carried unanimously.

- C-4 CONSIDERATION OF ITEMS RELATING TO FUNDING FOR WIRELESS BROADBAND INTERNET SERVICE AT SEVEN MULTI-FAMILY RENTAL DEVELOPMENTS: [Reviewed by Finance Committee.]

- a. RESOLUTION AUTHORIZING FUNDING TO NOVATION BROADBAND FOR CONTINUATION OF WIRELESS BROADBAND INTERNET SERVICE AT SEVEN MULTI-FAMILY RENTAL DEVELOPMENTS.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Mr. Derwick Paige, Assistant City Manager, provided a staff report for this item.

Council Member Burke made a motion, seconded by Council Member Clark, to send this item back to the Finance Committee. Motion carried unanimously.

- C-6. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2)

OF THE CODE OF THE CITY OF WINSTON-SALEM: Repairs more than 50% of value of structure (<50) six months. [Recommended by Community Development/Housing/General Government Committee.]

- b. Beverly Watkins 413 Eldora Street

Mayor Joines stated this property has been brought up to code.

- C-9** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MULKEY, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PERFORM FLOOD STUDIES FOR THREE MUDDY CREEK GREENWAY PROJECTS. [Reviewed by Finance Committee. Recommended by Public Works Committee.]

Council Member Clark provided some information regarding this item for the West Ward residence.

A motion was made by Council Member Clark, seconded by Council Member Besse, to approve the Resolution Authorizing the City Manager to Enter Into an Agreement with Mulkey, Inc. for Professional Engineering Services to Perform Flood Studies for Three Muddy Creek Greenway Projects. Motion carried unanimously.

- C-12** CONSIDERATION OF ITEMS RELATED TO THE CITY OF WINSTON-SALEM POLICE OFFICERS' RETIREMENT PLAN: [Reviewed by Finance Committee. Recommended by Public Safety Committee.]

- a. ORDINANCE AMENDING CHAPTER 50 OF THE CITY CODE RELATED TO RETIREMENT, CREATING DIVISION 8. – WINSTON-SALEM POLICE OFFICERS' DEFINED CONTRIBUTION RETIREMENT PLAN.

- b. RESOLUTION TO EXECUTE AN ADMINISTRATIVE SERVICES AGREEMENT WITH ICMA RETIREMENT CORPORATION AND ADOPT TRUST AGREEMENTS FOR THE CITY OF WINSTON-SALEM POLICE OFFICERS' DEFINED CONTRIBUTION RETIREMENT PLAN.

Lisa Saunders, Chief Financial Officer, provided a staff report for this item.

A motion was made by Council Member Clark, seconded by Council Member Adams to approve the Ordinance Amending Chapter 50 of the City Code Related to Retirement, Creating Division 8. – Winston-Salem Police Officers' Defined Contribution Retirement Plan and the Resolution to Execute an Administrative Services Agreement with ICMA Retirement Corporation and Adopt Trust Agreements for the City of Winston-Salem Police Officers' Defined Contribution Retirement Plan. Motion carried unanimously.

GENERAL AGENDA

- G-1** PUBLIC HEARING ON ZONING PETITION OF ARP WINSTON-SALEM, LLC FROM HB-S (Shopping Center) TO HB-S TWO-PHASE [Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Nursery,

Lawn and Garden Supply Store, Retail; Restaurant (Without Drive-Through Service); Restaurant (With Drive-Through Service); Retail Store; Shopping Center; Banking and Financial Services; Building Contractors, General; Car Wash; Funeral Home; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Offices; Services A; Testing and Research Lab; Recreation Services, Indoor; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Child Care, Drop-In; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; and School, Vocational or Professional]; Property located on the north side of Country Club Road, east of Meadowlark Drive - Containing approximately 7.52 acres located in the WEST WARD (Council Member Clark) - Zoning Docket W-3200. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.]

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

A motion was made by Council Member Clark, seconded by Council Member Montgomery, to continue this item to the November 25, 2013, City Council Meeting. Motion carried unanimously.

- G-2** PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF COLLINS STREET (NORTH WARD) – Petition of Habitat for Humanity of Forsyth County. [Recommended by Public Works Committee.]

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public

Hearing, and recognized Greg Turner, for the staff report.

A motion was made by Council Member Clark, seconded by Council Member Adams, to approve the Resolution Ordering the Closing of a Portion of Collins Street. Motion carried unanimously.

- G-3** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MORRIS-BERG ARCHITECTS, INC. FOR PROFESSIONAL ARCHITECTURAL DESIGN SERVICES FOR THE PROPERTY LOCATED AT 2000 LOWERY STREET. [Reviewed by Finance Committee. Public Works Committee forwarded this item with two in favor, none opposed and one abstaining.]

A motion was made by Council Member Clark, seconded by Council Member Adams to approve the Resolution Authorizing the City Manager to Enter into an Agreement with Morris-Berg Architects, INC for Professional Architectural Design Services for the Property Located at 2000 Lowery Street. Motion fails with the following vote:

Aye: Council Member Leight, Clark, and Besse

Nay: Council Members: Montgomery, Burke, Adams, and Taylor

Council Member Besse asked the Council Members that voted to no, to reconsider because of the need for Professional Services.

Council Member Adams stated she would reconsider, but wanted the Council to speak to the North Carolina League of Municipalities.

Mayor Joines stated under Robert Rules of Order a vote to reconsider the items is necessary. He asked for a vote to reconsider the item.

Aye: Council Members Leight, Clark, Besse, and Adams

Nay: Council Members: Montgomery, Burke, and Taylor

Mayor Joines called for the motion to approve the Resolution Authorizing the City Manager to Enter into an Agreement with Morris-Berg Architects, INC for Professional Architectural Design Services for the Property Located at 2000 Lowery Street. Motion carried with the following vote:

Aye: Council Members Leight, Clark, Besse, and Adams

Nay: Council Members Montgomery, Burke, and Taylor

G-4 MAYOR PRO TEMPORE BURKE'S RECOMMENDATION FOR APPOINTMENT TO THE COMMUNITY APPEARANCE COMMISSION:

A motion was made by Council Member Burke, seconded by Council Member Adams, to approve the appointment of Christopher Freeman, term expiring February 2016, to the Community Appearance Commission. Motion carried unanimously.

G-5 MAYOR JOINES' RECOMMENDATIONS FOR REAPPOINTMENTS TO BOARDS AND COMMISSIONS:

a. POLICE OFFICERS' RETIREMENT COMMISSION

Brenda B. Diggs - Reappointment - Term expiring May 2015

A motion was made by Council Member Burke, seconded by Council Member Adams to approve the reappointment of Brenda B. Diggs, term expiring May 2015 to the Police Officers' Retirement Commission. Motion carried unanimously.

b. CITIZENS' POLICE REVIEW BOARD

Vanessa McDowell - Reappointment - Term Expiring May 2016

Georgiana Yonuschot - Reappointment - Term Expiring May 2016

A motion was made by Council Member Montgomery, seconded by Council Member Burke to approve the reappointments of Vanessa McDowell and Georgiana

Yonuschot, terms expiring May 2016, to the Citizens' Police Review Board. Motion carried unanimously.

c. TEN-YEAR PLAN COMMISSION ON HOMELESSNESS

David Harold - Reappointment - Term Expiring November 2015

Alan K. Hodges - Reappointment - Term Expiring November 2014

Paula Stephen - Reappointment - Term Expiring November 2014

A motion was made by Council Member Burke, seconded by Council Member Leight, to approve the reappointments of David Harold, term expiring November 2015, Alan K. Hodges, term expiring November 2014, and Paula Stephen, term expiring November 2014, to the Ten Year Plan Commission on Homelessness.

Motion carried unanimously.

d. UTILITY COMMISSION

Randal Tuttle - Reappointment - Term Expiring June 2018

A motion was made by Council Member Burke, seconded by Council Member Adams, to approve the reappointment of Randal Tuttle, term expiring June 2018, to the Utility Commission. Motion carried unanimously.

PUBLIC COMMENT PERIOD.

There were no citizens signed up to speak for Public Comment Period.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 7:52 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
November 4, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Mayor Pro Tempore Denise D. Adams, and Council Member James Taylor Jr.

Absent: Council Member Wanda Merschel

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Christa Long

Mayor Joines recognized Officer Billy with the Downtown Patrol and thanked him for his hard work and wished him well for his retirement.

RECOGNITION OF STATEWIDE OUTSTANDING PLANNING AWARD FOR THE LEGACY

Mayor Joines stated the North Carolina Planning Association gave the Outstanding Planning Award for the Legacy 2030 Comprehensive Plan to the Winston-Salem/Forsyth County Planning Department. He presented the award to Paul Norby, Planning Director.

Mr. Norby thanked the Mayor and the City Council for their leadership and guidance and thanked the City Manager and other departments for their support.

PROCLAMATION DECLARING AMERICA RECYCLES DAY

Council Member Besse presented the Proclamation to Ms. Lorelie Elkins, Triad Awareness.

Mrs. Elkins thanked the Mayor and Council for their support and provided information regarding the benefits of recycling.

1. PUBLIC HEARING ON ZONING PETITION OF GATEWAY HOLDINGS, LLC FROM GI TO GB-L [Academic Biomedical Research Facility; Academic Medical Center; Animal Shelter, Public; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Boarding or Rooming House; Building Contractors, General; Building Materials Supply; Car Wash; Cemetery; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Convenience Store; Food or Drug Store; Fraternity or Sorority; Fuel Dealer; Funeral Home; Furniture and Home

Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Hotel or Motel; Institutional Vocational Training Facility; Kennel, Indoor; Library, Public; Manufacturing A; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Storage Yard; Motorcycle Dealer; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Nursing Care Institution; Offices; Outdoor Display Retail; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (With Drive-Through Service); Restaurant (Without Drive-Through Service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center; Shopping Center, Small; Stadium, Coliseum, or Exhibition Building; Storage Services, Retail; Swimming Pool, Private; Terminal, Bus or Taxi; Testing and Research Lab; Theater, Indoor; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Family Group Home B; Family Group Home C; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Landfill, Construction and Demolition; Landfill, Land Clearing/Inert Debris; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Transmission Tower; Borrow Site; Dirt Storage; Helistop; Access Easement, Private Off-Site; and Shelter for Homeless]: Property located on the northwest corner of Waughtown Street and Old Lexington Road - Containing approximately 4.54 acres located in the EAST WARD (Council Member Montgomery) - Zoning Docket W-3202. [Planning Board recommends approval of petition].

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to be heard regarding this item. Seeing none, he closed the Public Hearing and recognized Council Member Montgomery.

Council Member Montgomery requested a report.

Paul Norby, Planning Director, provided a presentation regarding this item.

Council Member Montgomery would like to remove the following uses from consideration:

- 1. Sweepstakes*
- 2. Group Facilities b*
- 3. Homeless Shelter,*
- 4. Landfill.*

Mr. Frank Hindman, CEO Gateway Holdings, LLC agreed to remove those four items.

A motion was made by Council Member Montgomery, seconded by Council Member Taylor, for adoption of (1): the Statement of Consistency on page 25 of

the Agenda Book and (2): Adoption of W-3202 with the exception of the following uses Sweepstakes, Group Facilities B, Homeless Shelter, and Landfill. Motion carried unanimously.

2. PUBLIC HEARING ON ZONING PETITION OF WILLIAM AND SHIRLEY GREGORY FROM LI TO GB-L [Academic Biomedical Research Facility; Academic Medical Center; Animal Shelter, Public; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Boarding or Rooming House; Building Contractors, General; Building Materials Supply; Car Wash; Cemetery; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Convenience Store; Food or Drug Store; Fraternity or Sorority; Fuel Dealer; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Hotel or Motel; Institutional Vocational Training Facility; Kennel, Indoor; Library, Public; Manufacturing A; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Storage Yard; Motorcycle Dealer; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Nursing Care Institution; Offices; Outdoor Display Retail; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (With Drive-Through Service); Restaurant (Without Drive-Through Service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center; Shopping Center, Small; Stadium, Coliseum, or Exhibition Building; Storage Services, Retail; Swimming Pool, Private; Terminal, Bus or Taxi; Testing and Research Lab; Theater, Indoor; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Family Group Home B; Family Group Home C; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Landfill, Construction and Demolition; Landfill, Land Clearing/Inert Debris; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Transmission Tower; Borrow Site; Dirt Storage; Heli-stop; Access Easement, Private Off-Site; and Shelter for Homeless]: Property located on the southwest corner of Haled Street and Glendale Street - Containing approximately 0.62 acre located in the SOUTHEAST WARD (Council Member Taylor) - Zoning Docket W-3203. [Planning Board Recommends approval of petition].

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Taylor.

Council Member Taylor requested a report.

Paul Norby provided a presentation for this item.

Council Member Taylor requested the following uses be removed from consideration:

1. *Motor Vehicle Storage Yard*
2. *Sweepstakes*
3. *Group Facilities b*
4. *Shelter for the Homeless*
5. *Landfill*

Bill Gregory, owner of Bill's Lawn and Garden, 432, Haled Street, stated he was agreeable to the removal of the five items.

Council Member Taylor made a motion, seconded by Council Member Adams, for (1) Adoption of the Statement of Consistency on page 47 of the Agenda Book and (2) approval of W-32032 with the removal of motor vehicle storage yard, sweepstakes, group facilities b, shelter for the homeless, and landfill. Motion carried unanimously.

3. PUBLIC HEARING ON ZONING PETITION OF PAVILION CAPITAL, LLC FOR PROPERTY OWNED BY E. V. FERRELL, JR. AND DOUGLAS DILLARD FROM GB-S (Shopping Center) TO GB-S [Shopping Center; Retail Store; Convenience Store; Restaurant (With Drive-Through Service); Restaurant (Without Drive-Through Service); Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Wholesale Trade A; Banking and Financial Services; Building Contractor, General; Car Wash; Funeral Home; Hotel or Motel; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Offices; Services A; Services B; Testing and Research Lab; Veterinary Services; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Animal Shelter, Public; Child Care Institution; Child Daycare Center; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; School, Vocational or Professional; and Transmission Tower - Two-Phase]: Property located on the north side of Hanes Mall Boulevard, west of Westgate Center Drive, and east of I-40 - Containing approximately 21.59 acres located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-3204. [Planning Board recommends approval of petition and site plan with staff recommendations.]

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Besse.

Council Member Besse requested a staff report.

Paul Norby provided a staff report.

Council Member Besse noted a modification to a condition on page 57 of the agenda book prior to issue of occupancy permit (d) - that should read NCDOT and/or City of Winston-Salem.

Wesley Walls, agreed to the modification.

A motion was made by Council Member Besse, seconded by Council Member Taylor, for (1) Adoption of the Statement of Consistency on page 79 of the Agenda Book and (2) Approval of W-3204 as amended and approval of the Site Plan. Motion carried unanimously.

4. PUBLIC HEARING ON ZONING PETITION OF GATEWAY MANAGEMENT SERVICES, LTD FOR PROPERTY OWNED BY COMMUNITY ONE BANK, NA FROM MU-S [Residential Building, Townhouse; Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (Without Drive-Through Service); Banking and Financial Services; Offices; Services A; Services B; Testing and Research Lab; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Government Offices, Neighborhood Organization, or Post Office; Library, Public; and Museum or Art Gallery] TO SITE PLAN AMENDMENT: Property located on the south side of Hanes Mill Road and southern terminus of Northern Quarters Drive - Containing approximately 8.05 acres located in the NORTHEAST WARD (Council Member Burke) - Zoning Docket W-3206. [Planning Board recommends approval of petition and site plan with staff recommendations].

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public Hearing and recognized Council Member Burke.

Council Member Burke made a motion, seconded by Council Member Adams, for (1) Adoption of the Statement of Consistency on page 109 of the Agenda Book and (2) Approval of W-3206 including Site Plan. Motion carried unanimously.

5. PUBLIC HEARING ON ZONING PETITION OF BRADLEY AND RACHEL KELLY FROM RS-9 TO RM-5-L (Residential Building, Single Family; and Residential Building, Duplex): Property located on the east side of Brent Street, south of Academy Street - Containing approximately 0.21 acre located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-3196. [Planning board recommends approval of petition].

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

APPROVAL OF SPECIAL USE LIMITED DISTRICT PERMIT

SUFFICIENT PROTEST PETITION

Mayor Joines opened the Public Hearing.

Proponents:

Bradly Kelly, 409 3rd Ave. East Wilson, North Dakota

Amanda Lyon, 617-B Brent Street

Laura Ferrell, 1125 Watson Avenue

Opponents:

Rita Georgegolius, 620 Brent Street

Jim Mathis, 605 Gales Avenue

Della Page, 936 Aquaview Drive Kernersville

Rebuttal:

Proponents

Bradley Kelly, 409 3rd Ave. East Wilson, North Dakota

Opponents

None

Mayor Joines closed the Public Hearing and asked Mr. Norby for the report of the Planning Board.

A motion was made by Council Member Besse, seconded by Council Member Adams, for (1) Adoption of the Statement of Consistency on page 81 of the Agenda Book and (2) Denial of W-3196.

A substitute motion was made by Council Member Taylor, seconded by Council Member Montgomery, to continue this item to the November 25, 2013, City Council Meeting. Motion failed with the following vote:

Aye: Council Members: Clark, Montgomery, and Taylor

Nay: Council Members: Leight, Besse, Burke and Adams

Mayor Joines called for the vote on the original motion. Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Burke, Adams, and Taylor

Nay: Council Member Montgomery

Angela Carmon, City Attorney, clarified the Statement of Consistency is on page 153 of the Agenda Book. Council Member Besse amended his motion to clarify Agenda Book page 153.

MAYOR/COUNCIL COMMENTS

Mayor Joines and Council Member Burke reminded citizens Tuesday is Election Day to go out and vote.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:29 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
November 25, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Pro Tempore Vivian H. Burke, Mayor Pro Tempore Denise D. Adams, and Council Member James Taylor Jr.

Absent: Council Member Wanda Merschel

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Nick Newnum

Mayor Joines asked that the members of the Winston-Salam Youth Council stand to be recognized.

RECOGNITION OF JAE'LIN PARKER-FREEMAN

Mayor Joines invited Jae'lin Parker-Freeman and his family to come to the Podium. Jae'Lin saved his grandmother's life 9 years ago when he was 5 by dialing 911 when she passed out from a diabetic attack. He is an honor student and has since continued to serve his Community. They Mayor presented a letter of appreciation.

BICYCLE FRIENDLY COMMUNITY AWARD PRESENTATION

Council Member Besse stated the League of American Bicyclist has recognized Winston-Salem as a bicycle friendly community. He presented the award to Toneq McCullough and Matthew Burczyk.

Mr. Burczyk thanked the Mayor and City Council for their support.

CONSENT AGENDA

Mayor Joines stated Council would consider the Consent Agenda first and asked if there were any items that needed to be removed for discussion.

Council Member Clark pulled item C-8 and recommended it return to Committee's.

Council Member Clark made a motion, seconded by Council Member Adams, to approve the balance of the Consent Agenda. Motion carried unanimously.

C-1 RESOLUTION AUTHORIZING THE NEGOTIATION OF A PURCHASE PRICE AND OTHER ITEMS RELATED TO THE PURCHASE OF A PORTION OF THE

LUCIA FACILITY AT 1539 WAUGHTOWN STREET. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-2** RESOLUTION AUTHORIZING FEE SIMPLE AND EASEMENT ACQUISITIONS BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RELATING TO CONSTRUCTION OF THE SALEM CREEK CONNECTOR AND PURSUANT TO N.C.G.S. 160A-274 - Various lots located: Humphrey Street, Diggs Boulevard, Civitan Park, Between Vargrave Street and East of Existing Highway 52, West of Existing Highway 52, Entrance to Thomas Water Treatment Plant, Army Reserve Center and Salem Avenue. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-3** RESOLUTION AUTHORIZING THE EXCHANGE OF CERTAIN PROPERTY OWNED BY THE CITY OF WINSTON-SALEM WITH CERTAIN PROPERTY OWNED BY THE COUNTY OF FORSYTH PURSUANT TO THE PROVISIONS OF N.C.G.S. 160A-274 - Properties located off of Balsom Road and Rolling Hills Drive. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-4** CONSIDERATION OF ITEMS AUTHORIZING ADDITIONAL FINANCIAL ASSISTANCE FOR TWO PREVIOUSLY APPROVED PROJECTS: [Recommended by Finance and Community Development/Housing/General Government Committees.]
- a.** RESOLUTION AUTHORIZING ADDITIONAL FINANCIAL ASSISTANCE FOR TWO PREVIOUSLY APPROVED REVITALIZING URBAN COMMERCIAL AREA PROJECTS - Southeast Plaza Shopping Center and Ogburn Station Shopping Center.

Approved by the Consent Vote.

- b.** ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- C-5** ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: Repairs more than 50% of value of structure (>50) six months. [Recommended by Community Development/Housing/General Government Committee.]

- a.** Dianne Smithdeal Hodges and 4842 Monte Vista Street
Foss T. Smithdeal

Approved by the Consent Vote.

- C-6** ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT 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). [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- a. Mark A. and Rebecca R. Underwood 1726 Waightown Street
- b. Elizabeth Frazier 1117 E. 24th Street

Approved by the Consent Vote.

- C-7** RESOLUTION AUTHORIZING THE CITY OF WINSTON-SALEM TO APPLY FOR A BROWNFIELDS ASSESSMENT GRANT AND A REVOLVING LOAN GRANT FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-9** CONSIDERATION OF ITEMS RELATING TO CONTRACTS: [Recommended by Finance Committee.]
- a. RESOLUTION APPROVING A THREE-YEAR AGREEMENT WITH SUMTOTAL SYSTEMS TO PROVIDE SOFTWARE SUBSCRIPTIONS AND MAINTENANCE SERVICES - \$526,263.

Approved by the Consent Vote.

- b. RESOLUTION AWARDED CONTRACT FOR PURCHASE OF FIVE ONE-TON EXTENDED CAB UTILITY TRUCKS - Earl Tindol Ford, Inc. - \$141,960.

Approved by the Consent Vote.

- C-10** CONSIDERATION OF AMENDMENTS TO THE FISCAL YEAR 2013-2014 BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA: [Recommended by Finance Committee.]

- a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE FISCAL YEAR 2013-2014.
- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2013-2014.

Approved by the Consent Vote.

- C-11** RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF PLANTED MATERIAL ALONG HIGHWAY 52 BETWEEN BUSINESS 40/US 421 AND AKRON DRIVE. [Recommended by Public Works Committee.]

Approved by the Consent Vote.

- C-12** RESOLUTION APPROVING DONATION OF A PUBLIC ART SCULPTURE TO HABITAT FOR HUMANITY OF FORSYTH COUNTY. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

- C-8** CONSIDERATION OF ITEMS RELATED TO THE PROPOSED GUN BUYBACK CONCEPT: [Recommended by Finance and Public Safety Committees.]

- a.** ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2013-2014.

Sent back to the Public Safety Committee.

- b.** ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2013-2014.

Council Member Clark pulled this item and asked it be sent back to the Public Safety Committee.

Council Member Besse stated regarding Item C-10 includes public information program regarding a grant for the Fair Housing Program.

Wanda Allen-Abraha, Director of the Human Relations Department, provided information regarding the grant.

GENERAL AGENDA

- G-1** CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF ARP WINSTON-SALEM, LLC FROM HB-S (Shopping Center) TO HB-S TWO-PHASE [Arts and Crafts Studio; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (Without Drive-Through Service); Restaurant (With Drive-Through Service); Retail Store; Shopping Center; Banking and Financial Services; Building Contractors, General; Car Wash; Funeral Home; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Offices; Services A; Testing and Research Lab; Recreation Services, Indoor; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Child Care, Drop-In; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; and School, Vocational or Professional]: Property located on the north side of Country Club Road, east of Meadowlark Drive - Containing approximately 7.52 acres located in the WEST WARD (Council Member Clark) - Zoning Docket W-3200. [Planning Board recommends approval of petition and approval of the site plan with staff recommendations. City Council voted to continue the public hearing on this item at its October 28, 2013 meeting.]

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

Mayor Joines recognized Paul Norby, Planning Director, to provide a presentation noting the changes that have been made to this item.

Mayor Joines opened the Public Hearing.

Proponents:

David Brandy, Genesis, NC

Opponents:

None

Rebuttal:

Sue Burden 810 Poplar Grove

Kirk Lentz (did not provide an address)

Mayor Joines closed the Public Hearing and called for a motion.

Council Member Clark made a motion, seconded by Council Member Adams, for adoption of the the Statement of Consistency set for on page 69 of the Agenda Book and (2) Approval of W-3200 with approval of the Site Plan. Motion carried unanimously.

G-2

PUBLIC HEARING ON ORDINANCE DESIGNATING CERTAIN PROPERTY AS A HISTORIC LANDMARK - YWCA Administration Building, 1201 Glade Street (Building Exterior). [Reviewed by Finance Committee. Recommended by Community Development/Housing/General Government Committee.]

David Read, Principal Planner, provided a presentation for this item.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to be heard regarding this item. Seeing none, he closed the Public Hearing.

In response to Council Member Montgomery, Mr. Garrity, City Manager, stated once the designation is granted, the owner would then have the option to get approval from the Tax Office for exemption on taxes.

Bill Benton, Developer, 71 Park Blvd, Winston-Salem stated they would not apply for the tax credit or the tax reduction, but could not assure the buyer would not apply.

Council Member Besse made a motion, seconded by Council Member Clark, for approval of the Ordinance Designating Certain Property as A Historic Landmark - YWCA Administration Building, 1201 Glade Street. Motion carried unanimously.

G-3 PUBLIC HEARING AND RESOLUTION CONFIRMING ASSESSMENT ROLL FOR THE COST OF HOUSING RELOCATION FROM HOUSING UNFIT FOR HUMAN HABITATION.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to be heard regarding this item. Seeing none, he closed the Public Hearing and called for a motion.

A motion was made by Council Member Besse, seconded by Council Member Adams, for Approval of the Resolution Confirming Assessment Roll for Demolition of Housing Unfit for Human Habitations. Motion carried unanimously.

G-4 PUBLIC HEARING AND RESOLUTION CONFIRMING ASSESSMENT ROLL FOR DEMOLITION OF HOUSING UNFIT FOR HUMAN HABITATION.

Mayor Joines stated that Staff has asked to pull number 3 on page 99 of the Agenda Book and noted the Public Hearing would be on items 1 and 2. He opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to be heard regarding this item. Seeing none, he closed the Public Hearing. Confirmed at 8:04 p.m.

A motion was made by Council Member Clark, seconded by Council Member Adams, to approve items 1 & 2 regarding the Resolution Confirming Assessment Roll for the Cost of Housing Relocation from Housing unfit for Human Habitation. Motion carried unanimously.

Mayor Joins noted pulled item 3, Scott Hill and Nance Hill, the Public Hearing for that item will be continued to January 21, 2014.

G-5 CONSIDERATION OF ITEMS RELATED TO CREATION OF THE DOWNTOWN WINSTON-SALEM BUSINESS IMPROVEMENT DISTRICT:

- a. RESOLUTION DEFINING AND ESTABLISHING A MUNICIPAL SERVICE DISTRICT IN DOWNTOWN WINSTON-SALEM.
- b. ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION".

Ben Rowe, Assistant City Manager, provided a report for this item.

A motion was made by Council Member Leight, seconded by Council Member Montgomery to approve the Resolution Defining and Establishing a Municipal Service District in Downtown Winston-Salem and the Ordinance Amending Chapter 2 of the City Code Entitled "Administration". Motion carried unanimously.

G-6 ORDINANCE AMENDING CHAPTER 38 OF THE CITY CODE ENTITLED "MISCELLANEOUS OFFENSES AND PROVISIONS". [Public Safety Committee forwarded this item to City Council without a recommendation.]

Angela Carmon, City Attorney, provided the staff report for this item.

Council Member Burke made a motion, seconded by Council Member Taylor, to approve the Ordinance Amending Chapter 38 of the City Code Entitled "Miscellaneous Offenses and Provisions". Motion carried with the following vote:

Aye: Council Members: Leight, Clark, Besse, Adams, Burke, and Taylor

Nay: Council Member Montgomery

G-7 ORDINANCE RENAMING "LINDEN STREET" TO "N. RESEARCH PARKWAY" - East Ward. [Public Works Committee forwarded this item to Council with two in favor, one opposed and one abstaining.]

Council Member Montgomery made a motion, seconded by Council Member Taylor, to rename "Linden Street" to "N. Research Parkway" provided that (1) the City erect a monument or some recognition of a significant nature of the previous neighborhood within six months of tonight's approval or (2) An outside organization erect on site a monument of some recognition of significant nature of the previous neighborhood within in 12 months of tonight's approval. All of the above with the understanding that the Public Works Committee shall retain the authority to determine the meaning of significant nature and to extend the time frame set forth herein if necessary and the extending street name Linden Street will be retained if neither condition is satisfied. Motion carried unanimously.

G-8 RESOLUTION AMENDING A CONTRACT WITH HDR ENGINEERING FOR THE DESIGN OF DRAINAGE SYSTEM IMPROVEMENTS AS PART OF THE TWENTY-EIGHTH STREET DRAINAGE IMPROVEMENT PROJECT. [Recommended by Finance Committee. Public Works Committee forwarded this item to Council with three in favor, none opposed and one abstaining.]

Greg Turner, Assistant City Manager, provided a staff report on this item.

Council Member Leight made a motion, seconded by Council Member Burke, to approve the Resolution Amending a Contract with HDR Engineering for the Design of Drainage System Improvements as part of the Twenty-Eighth Street Drainage Improvement Project. Motion carried unanimously.

G-9 MAYOR PRO TEMPORE BURKE'S RECOMMENDATION FOR APPOINTMENT TO THE COMMUNITY APPEARANCE COMMISSION:

Scott Arnold - Term Expiring February 2016

A motion was made by Council Member Leight, seconded by Council Member Burke to approve Mayor Pro Tempore Burke's Recommendation for Appointment to the Community Appearance Commission. Motion carried unanimously.

G-10 MAYOR JOINES' RECOMMENDATIONS FOR APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS:

a. HUMAN RELATIONS COMMISSION

Sonny S. Haynes - Appointment - Term Expiring December 2016

Timothy L. Auman - Appointment - Term Expiring December 2014

Robert Leak, III - Appointment - Term Expiring December 2015

A motion was made by Council Member Taylor, seconded by Council Member Besse, to approve Mayor Joines' Recommendations for Appointments/Reappointments to the Human Relations Commission.

Motion carried unanimously.

b. CITIZENS' POLICE REVIEW BOARD

Franklin L. Stowe, II - Appointment - Term Expiring December 2016

Jeffery Alan Cross - Appointment - Term Expiring April 2016

A motion was made by Council Member Adams, seconded by Council Member Montgomery to approve Mayor Joines Recommendations for Appointments to the Citizens' Police Review Board. The motion carried unanimously.

c. TEN-YEAR PLAN COMMISSION ON HOMELESSNESS

Gary Gunderson - Appointment - Term Expiring November 2016

Vivian V. Joiner - Appointment - Term Expiring November 2015

A motion was made by Council Member Montgomery, seconded by Council Member Leight, to approve Mayor Joines Appointments to the Ten-year Plan Commission on Homelessness. Motion carried unanimously.

d. RECREATION AND PARKS COMMISSION

Antonio Lamar Caldwell - Appointment - Term Expiring May 2016

Suzy Fielders - Appointment - Term Expiring May 2015

Nicole Little - Appointment - Term Expiring May 2016

A motion was made by Council Member Montgomery, seconded by Council Member Adams, to approve Mayor Joines' Recommendations for Appointments to the Recreation and Parks Commission. Motion carried unanimously.

e. CITIZENS' BUDGET ADVISORY COUNCIL

Phillip G. McCloud - Appointment - Term Expiring July 2016

Shannon McKeen - Appointment - Term Expiring September 2016

Bruce K. Shelton - Reappointment - Term Expiring September 2016

Brenda T. Hodges - Reappointment - Term Expiring June 2016

A motion was made by Council Member Adams, seconded by Council Member Taylor, to approve Mayor Joines' Recommendations for Appointments/Reappointments to the Citizens' Budget Advisory Council. The motion carried unanimously.

f. ZONING BOARD OF ADJUSTMENT

William Greene - Appointment - Term Expiring October 2014

Rev. Joseph L. Nance - Appointment (Alternate) - Term Expiring October 2016

A motion was made by Council Member Taylor, seconded by Council Member Montgomery, to approve Mayor Joines Recommendations for Appointments to the Zoning Board of Adjustment. Motion carried unanimously.

g. TRIAD MUNICIPAL ABC BOARD

Keith Green - Appointment - Term Expiring June 2016

A motion was made by Council Member Montgomery, seconded by Council Member Adams, to approve Mayor Joines Recommendation for Appointment to the Triad Municipal ABC Board. Motion carried unanimously.

h. YOUTH ADVISORY COUNCIL

A motion was made by Council Member Montgomery, seconded by Council Member Adams for Approval of Mayor Joines Recommendations for Appointments/Reappointments to the Youth Advisory Council. Motion carried unanimously.

Appointments:

Bryan Christ - Forsyth Country Day, Griffin Mueller - Forsyth Country Day, Anusha Doshi - Reagan High School, Anna Hattle - Reagan High School, Devika Ghosh - Atkins High School, Brandon Rogers - Atkins High School, Ashley Schell - East Forsyth High School, Earl Bonoan - Bishop McGuinness High School, Quentin McCullough - Paisley High School, Zach Skillings, - Paisley High School, Asia Wallace - Barthell - Glenn High School, Evan Smith - Glenn High School, Keyla Lewis-Fleming - Winston-Salem Preparatory Academy, Zamier Gillespie - Winston-Salem Preparatory Academy, Daelon Robinson - West Forsyth High School, Morgan Musumeci - Carver High School

Reappointments:

Anna Pate Glover - Mount Tabor High School, Saidi Martinez - Mount Tabor High School, Dalia Namak - Parkland High School, Darian Thompson - Parkland High school, Alexis Acree - Reynolds High School, Hope Arcuri - Career Center, Garrett Locklear - Walkertown High School, Ryan Carter - Walkertown High School, Kristy Sakano - East Forsyth, Asia Catral - Early College of Forsyth, Jocelyn Ganzert - Bishop McGuinness High school, Corrina Parriman - North Forsyth High School

i. COLLEGE ADVISORY BOARD**Appointments:**

Cortney Graham - Winston-Salem University, Leah Darby - Winston-Salem State University, Beverly Dosso - Winston-Salam State University, Shelby Ashley - Salem College, Sara Otero - Salem College, Layne Poplin - Salem College, Lauren

Formica - Wake Forest University, Mattos Paschal - Wake Forest University, John Scott - Wake Forest University, Rae-Ling Lee - Wake Forest University

Reappointments:

Sharon Nyerere - Forsyth Technical Community College, Ebonee Funderburk - Winston-Salem State University

Council Member Montgomery made a motion, seconded by Council Member Adams, for approval of Mayor Joines' Recommendations for Appointments/Reappointments to the College Advisory Board. Motion carried unanimously.

g. PUBLIC COMMENT PERIOD.

Public Comment Period was heard.

Closed Session.

A motion was made by Council Member Montgomery, seconded by Council Member Clark, that the City Council go into Closed Session pursuant to N.C.G.S. 143-318.11 to discuss several legal matters with the City Attorney and protect the Attorney Client Privilege. Motion carried unanimously.

Closed session began at 8:26 p.m.

At 8:37 p.m. Council Member Taylor made a motion, seconded by Council Adams to end the Closed Session and return to Regular Session. The motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:38 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
December 2, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Mayor Pro Tempore Denise D. Adams, and Council Member James Taylor Jr.

Absent: Council Member Wanda Merschel

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Steve Osborne

1. COMMENTS BY OUTGOING OFFICIAL.

Mayor Joines stated Council Member Merschel could not be present tonight due to health reasons and recognized Lee Garrity, City Manager, to read a statement on her behalf.

Mr. Garrity read the statement that included appreciation to the residents of the Northwest Ward, City Staff, and the Mayor and City Council.

Mayor Joines invited Jeff MacIntosh to the Dias.

2. OATH OF MAYOR ADMINISTERED BY THE HONORABLE LISA V. MENEFEE, CHIEF DISTRICT COURT JUDGE.

J. Allen Joines was sworn in as the Mayor of the City of Winston-Salem by the Honorable

3. OATHS OF COUNCIL MEMBERS ADMINISTERED BY THE HONORABLE LISA V. MENEFEE, CHIEF DISTRICT COURT JUDGE; THE HONORABLE DENISE HARTSFIELD, CHIEF DISTRICT COURT JUDGE; AND L. TODD BURKE SUPERIOR COURT JUDGE.

The following Council Members were sworn into office by the Honorable Lisa V. Menefee, Chief District Court Judge:

Molly Leight; Robert Clark, Dan Besse, Derwin Montgomery, Vivian H. Burke, Denise D. Adams, Jeff MacIntosh, and James Taylor, Jr.

4. ROLL CALL.

Mayor Joines asked the City Secretary to call the roll. The following Council Members were present:

Council Member Molly Leight, Council Member Robert Clark, Council Member Dan Besse, Council Member Derwin Montgomery, Council Member Vivian H. Burke, Council Member Denise D. Adams, Council Member Jeff McIntosh, and Council Member James Taylor, Jr.

AGENDA

5. RESOLUTION EXPRESSING APPRECIATION TO THE HONORABLE WANDA MERSCHER FOR HER SERVICE AS COUNCIL MEMBER.

A motion was made by Council Member Montgomery, seconded by Council Member Burke, to approve the Resolution Expressing Appreciation to the Honorable Wanda Merschel for her Service as Council Member of the Northwest Ward. Motion carried unanimously.

6. COMMENTS BY MAYOR AND COUNCIL MEMBERS.

Council Member Leight thanked her family and friends for helping her attain re-election. She stated she is very grateful to her colleagues who aided and educated her. She noted that she would miss Council Member Merschel greatly and is delighted for Council Member MacIntosh.

Council Member Clark thanked the citizens of the West Ward and his wife.

Council Member Besse thanked the citizens of the Southwest Ward, volunteers, supporters, and noted he is looking forward to working with everyone to help make the City safe, clean, and green.

Council Member Montgomery thanked his family, supporters, and campaign team. He noted there is a need to continue to ensure that residents can be educated for jobs in the City and bring Economic Development to neighborhoods that haven't seen them thus far.

Council Member Taylor stated it is an honor to serve the citizens of Winston-Salem and the Southeast Ward and looks forward to another term.

Council Member MacIntosh thanked the Northwest Ward voters for support, and thanked his campaign committee. He noted a special thanks to his family and looks forward to working with the Mayor and City Council.

Council Member Adams thanked her family and noted if it weren't for her faith 2013 would have been much more difficult. She thanked the constituents of the North Ward.

Council Member Burke thanked family, friends, volunteers, and staff and noted she was grateful for the confidence they have in her. She stated the first priority of Council should be to add jobs to the economy.

7. ELECTION OF MAYOR PRO TEMPORE.

Mayor Joines stated he would like to recommend Council Member Vivian H. Burke as the Mayor Pro-Tempore.

Council Member Taylor made a motion, seconded by Council Member Adams to approve Mayor Joines' recommendation for Vivian H. Burke to be appointed Mayor Pro-Tempore. Motion carried unanimously.

8. ELECTION OF COUNCIL MEMBERS TO COMMITTEES.

Mayor Joines stated he recommends the Election of Council Members to Committees as presented.

Council Member Burke made a motion, seconded by Council Member Taylor, for approval of the election of Council Members to the following Committee:

Finance Committee: Robert Clark, Chair; Denise Adams, Vice Chair; Vivian H. Burke, and Derwin Montgomery

Public Safety Committee: James Taylor, Jr. Chair; Vivian H. Burke, Vice Chair; Molly Leight, and Jeff MacIntosh

Community Development/Housing/General Government Committee: Molly Leight, Chair; Jeff MacIntosh, Vice Chair; Denise Adams, and Dan Besse

Public Works Committee: Dan Besse, Chair; Derwin Montgomery, Vice Chair; Robert Clark, and James Taylor

Motion carried unanimously.

ADJOURNMENT

Mayor Joines invited members of the audience for a brief reception.

Council Member Burke stated she was Public Safety Chair for 36 years and felt it was time for her to pass the position of Chair to James Taylor. She stated the City will be in good hands with Council Member Taylor, Jr. serving as the Public Safety Chair.

There being no further business to come before the City Council, the meeting adjourned at 7:51 p.m.

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING
Council Chambers
101 N. Main Street
December 16, 2013**

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and asked the City Secretary to call the roll.

ROLL CALL

Present: Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Council Member Molly Leight, Mayor Allen Joines, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Jeff MacIntosh and Council Member James Taylor Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. Chris Fishe

CITY STARS PRESENTATION

Lee Garrity, City Manager, noted that each quarter, the City recognizes outstanding employees for their customer service. He introduced Ms. Shantell Davis, City Link Director, for the presentation.

Ms. Davis thanked the City Council for its continued support of the City Stars program. She recognized the Consistent Service Winner, Ms. Chris Frye from the Planning Department. She noted that Ms. Frye was nominated because of her willing attitude, cooperative spirit, and strong work ethic. She further noted Ms. Frye has managed the Moonlight Madness 5K and Fun Run for the past three years, adding that this year's race raised \$17,000 toward the City's United Way contribution. Ms. Davis also recognized the Wow Service Winners, Ms. Angie Swain, Mr. Dan Baptist, Mr. Joe Johnson, and Mr. Eddie King from the Winston-Salem Police Department's Hazardous Device Team. She noted the team partnered with the National Guard to make a terminally ill young man's dream of becoming an explosives disposal technician a reality for a day.

Mayor Joines stated the City is always glad to recognize its employees through the City Stars program.

CONSENT AGENDA

Items on the Consent Agenda have been unanimously recommended by a Committee of the City Council or are submitted in accordance with established procedure. There will be no discussion of the items unless a Council Member so request, in which event the item will be removed from the Consent Agenda and considered individually. Items not removed from the Consent Agenda will be enacted with one motion.

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

Council Member Leight requested to remove Item C-9 for discussion.

A motion was made by Council Member Montgomery, seconded by Council Member Clark, to approve the balance of the Consent Agenda. Motion carried unanimously.

- C-1** CONSIDERATION OF ITEMS RELATING TO FUNDING FOR WIRELESS BROADBAND INTERNET SERVICE AT SEVEN MULTI-FAMILY RENTAL DEVELOPMENTS: [Recommended by Finance Committee.]
- a.** RESOLUTION AUTHORIZING FUNDING TO NOVATION BROADBAND FOR CONTINUATION OF WIRELESS BROADBAND INTERNET SERVICE AT SEVEN MULTI-FAMILY RENTAL DEVELOPMENTS.
- b.** ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE FISCAL YEAR 2013-2014.
- Approved by the Consent Vote.**
- C-2** ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - Azalea Drive; Myrtle Avenue; Lochurst Drive; Willow Wind Drive; Campton Ridge Drive; Pebble Lake Drive; Neighborhood Limits: Old Towne Village Circle and Odenton Lane. [Recommended by Public Safety Committee.]
- Approved by the Consent Vote.**
- C-3** CONSIDERATION OF ITEMS RELATING TO ORDINANCES RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF TAXICAB SERVICES IN THE CITY OF WINSTON-SALEM:
- a.** ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF LA RAZA TAXI FOR THE OPERATION OF THREE TAXICABS IN THE CITY OF WINSTON-SALEM.
- b.** ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF WILLARD'S CAB FOR THE OPERATION OF 50 TAXICABS IN THE CITY OF WINSTON-SALEM.
- Approved by the Consent Vote.**
- C-4** CONSIDERATION OF ITEMS RELATING TO ORDINANCES RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY LIMOUSINE SERVICES AND A HORSE DRAWN CARRIAGE COMPANY: [Recommended by Public Safety Committee.]

- a. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF ALL AIRPORT EXPRESS FOR THE OPERATION OF FOUR LIMOUSINES IN THE CITY OF WINSTON-SALEM.
- b. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF BAREFOOT TRANSPORTATION FOR THE OPERATION OF TEN LIMOUSINES IN THE CITY OF WINSTON-SALEM.
- c. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF BLACK TIE LIMOUSINE FOR THE OPERATION OF 18 LIMOUSINES IN THE CITY OF WINSTON-SALEM.
- d. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF READY LIMOUSINE FOR THE OPERATION OF FOUR LIMOUSINES IN THE CITY OF WINSTON-SALEM.
- e. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF CAMEL CITY CARRIAGE COMPANY FOR THE OPERATION OF THREE HORSE DRAWN CARRIAGES IN THE CITY OF WINSTON-SALEM.

Approved by the Consent Vote.

- C-5 RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH UNITED HEALTHCARE FOR THE PROVISION OF A RETIREE MEDICARE ADVANTAGE PLAN. [Recommended by Finance Committee.]

Approved by the Consent Vote.

- C-6 CONSIDERATION OF ITEMS RELATING TO CONTRACTS: [Recommended by Finance Committee.]
 - a. RESOLUTION AWARDDING CONTRACT FOR PURCHASE OF READY MIXED CONCRETE - Hartley Ready Mix Concrete Mfg., Inc. - \$305,055 (Estimated Amount).
 - b. RESOLUTION AWARDDING CONTRACT FOR ASPHALTIC CONCRETE FOR STREETS DIVISION - Yadkin Valley Paving, Inc. - \$2,473,810.
 - c. RESOLUTION AWARDDING CONTRACT FOR CONCRETE PIPE - Foltz Concrete Pipe Co. - \$122,355.10.
 - d. RESOLUTION AWARDDING PURCHASE ORDER FOR CHEVROLET IMPALAS - Bobby Murray Chevrolet, Inc. - \$177,600.
 - e. RESOLUTION AWARDDING CONTRACT FOR ROOF REPLACEMENT AT THE UTILITIES CONSTRUCTION AND MAINTENANCE ADMINISTRATION BUILDING - Radco Construction Services, Inc. - \$102,500 (Alternate Bid).

Approved by the Consent Vote.

C-7 RESOLUTION APPROVING AN INCREASE IN THE PURCHASE ORDER TO SMITH-ROWE, LLC FOR WORK ASSOCIATED WITH THE MOTOR ROAD EXTENSION PROJECT - \$150,000. [Recommended by Finance and Public Works Committees.]

Approved by the Consent Vote.

C-8 RESOLUTION DECLARING CERTAIN CITY OWNED EQUIPMENT SURPLUS AND AUTHORIZING THE SALE THEREOF. [Recommended by Finance Committee.]

Approved by the Consent Vote.

C-10 RESOLUTION AWARDED COMMISSION FOR CENTENNIAL ART PIECE. [Recommended by Community Development/Housing/General Government Committee.]

Approved by the Consent Vote.

C-9 RESOLUTION DEDICATING A BUST IN HONOR OF COUNCIL MEMBER VIVIAN H. BURKE. [Recommended by Community Development/Housing/General Government Committee.]

Council Member Leight expressed her thanks to Council Member Burke for her many years of service on the City Council. She noted the Community Development/Housing/General Government Committee unanimously recommended the item.

Council Member Burke indicated she is most grateful for the honor.

A motion was made by Council Member Leight, seconded by Council Member Taylor, to approve the Resolution Dedicating a Bust in Honor of Council Member Vivian H. Burke. The motion carried unanimously.

GENERAL AGENDA

G-1 PUBLIC HEARING ON ZONING PETITION OF GROUT FAMILY PROPERTIES, LLC FROM RS-9 TO RS-7: Property located on the north side of Shawnee Street west of Broad Street - Containing approximately 0.17 acre located in the SOUTH WARD (Council Member Leight) - Zoning Docket W-3205. [Planning Board recommends approval of petition.]

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber. Seeing none, he closed the Public Hearing and recognized Council Member Leight.

A motion was made by Council Member Leight, seconded by Council Member Adams, for the adoption of the Statement of Consistency set forth on page 21 of the Agenda Book and approval of W-3205. Motion carried unanimously.

G-2 PUBLIC HEARING ON ORDINANCE AMENDING CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES TO ADD THE USE ELECTRONIC

SWEEPSTAKES OPERATION - Proposal of the City Attorney's Office - UDO-243. [Revised Version 2 recommended by Planning Board. Revised Version 1 recommended by Community Development/Housing/General Government Committee.]

Chris Murphy, Planning and Development Services Deputy Director, provided the staff presentation on this item.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item.

Caroline Highsmith, 3335 Anderson Drive, representing Konnoak Hills spoke against this item.

Leslie Kamtamn, 29 Gloria Avenue spoke against this item.

Mayor Joines asked if there were anyone else in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Adams inquired if there are any sweepstakes operations in the Southeast and West Wards.

Mr. Ben Rowe, Assistant City Manager, indicated there are no sweepstakes operations in those wards.

Council Member Burke asked staff to look at grouped locations of sweepstakes operations.

Council Member Clark inquired about the provisions of Version 1, Revised.

Mr. Murphy explained Version 1, revised only permits electronic sweepstakes operations in the HB zoning district and does not allow sweepstakes machines as an accessory use anywhere. Existing operations that are currently zoned HB-S are not subject to amortization. If the owners of an establishment petition for an HB-S rezoning, they must request the use electronic sweepstakes operations.

Council Member Clark inquired if the item allocates sweepstake revenue by ward?

Mrs. Angela Carmon, City Attorney, noted the revenue allocation is a separate item.

Mr. Lee Garrity, City Manager, indicated there is a budget amendment on the agenda that proposes allocating electronic sweepstakes revenues for Revitalizing Urban Commercial Areas (RUCA) projects.

Council Member Besse noted Version 1, Revised does not require amortization. He further noted electronic sweepstakes operations draw driver traffic, are not neighborhood service-oriented, and are not appropriate for accessory uses.

Council Member Leight noted the Community Development/Housing/General Government Committee held a good discussion on the item and unanimously recommended Version 1, Revised. She made a motion to approve the item, seconded by Council Member Adams. Motion carried unanimously.

- G-3** PUBLIC HEARING ON ORDINANCE DESIGNATING CERTAIN PROPERTY AS A HISTORIC LANDMARK - Chatham Manufacturing Company - Western Electric Company Complex, 800 Chatham Road. [Recommended by Finance and Community Development/Housing/General Government Committees.]

Mayor Joines asked for a staff presentation on this item.

Mr. David Reed, Principal Planner, provided the presentation.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

Council Member Clark made a motion, seconded by Council Member Adams, for approval of the Ordinance Designating Certain Property as a Historic Landmark. Motion carried unanimously.

- G-4** RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH COLISEUM PARK PLAZA CORPORATION PROVIDING SPACE FOR THE RELOCATION OF EMPLOYEE MEDICAL/HR TRAINING/ENGINEER FIELD OFFICE - 710 Coliseum Drive. [Finance and Public Works Committees forwarded this item to Council without a recommendation.]

Mayor Joines requested a staff presentation on the item.

Mr. Greg Turner, Assistant City Manager, provided the staff presentation.

Council Member Clark made a motion, seconded by Council Member Leight to adopt the first option.

Council Member Clark noted the temporary location offers the potential to provide economic development in certain areas of the city for two and a half years. He added there is 80% to 90% vacancy in the area surrounding the Coliseum drive site. He stated the difference in the cost of the three options moved him to support the first option.

Council Member Leight indicated she is also concerned about the cost of the project, adding the City has a responsibility to save as much money as possible. She stated she supports relocating the departments to the Coliseum Drive site, which is the least expensive option.

Council Member Montgomery stated he supports separating the operations because of the impact that will be seen after the City's lease ends. He noted the relocation will bring more traffic, create opportunities for commerce, and revitalize the sites' office space for future occupants. He added citizens expressed support for the third option at a recent Town Hall meeting.

Council Member Adams expressed concern that there are parts of the community that are hurting more than others and asked staff to consider placing City offices at sites outside of the downtown area. She made a substitute motion, seconded by

Council Member Montgomery, to adopt the third option moving Employee Medical to the Thirty-Second Street site and the Engineer Field Office to the Fifth Street site.

Council Member Besse expressed support for using available funds for the more costly option if it will bring economic development leverage to the challenged area. Of the proposed sites, the Thirty-Second Street facility is in an area that is the most in need of economic development. He inquired about how a temporary site would help that area.

Council Member Adams stated that the City cannot continue to concentrate tax dollars in certain parts of the community. She indicated that using the Thirty-Second Street site would bring more individuals to the surrounding area.

Council Member Montgomery noted both the Fifth Street and Thirty-Second Street sites have experienced a lack of occupancy. Relocating to these facilities would reinvigorate these areas.

Council Member Besse offered a friendly amendment to the motion to require an option to extend the lease past the two-and-a-half-year term at the base rental rate excluding the upfit costs.

Council Member Adams accepted Council Member Besse's amendment.

Council Member Besse noted there is the possibility that delays in preparing the permanent site would require the City exercise its option to extend the lease on the temporary site.

Council Member Clark inquired if the lease is based on the square footage amount and the upfit charges.

Mr. Turner explained staff added an upfit adder to the base lease rate for the Thirty-Second Street site. Staff does not know the upfit adder for the Fifth Street site, but has some data that allows them to calculate the upfit costs for the Coliseum Drive site.

Council Member Clark expressed concern about wasting \$56,000 that could be used for another project, adding that a short-term lease will not have long-term impact.

The substitute motion carried on a vote of five in favor and three opposed. Those voting in favor of the motion were Council Members Besse, Montgomery, Burke, Adams, and Taylor, with Council Members Leight, Clark, and MacIntosh voting in opposition.

Council Member Burke stated property owners should be responsible for upfitting their facilities.

Mr. Garrity noted the property owners will upfit the buildings and the City will pay for the upfit with an increased rental rate.

G-5

ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2013-2014. [Finance Committee forwarded this to Council with three in favor and one opposed.]

A motion was made by Council Member Adams, seconded by Council Member Taylor to approve the Ordinance Amending the Project Budget Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2013-2014

G-6 PUBLIC COMMENT PERIOD.

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

MAYOR/COUNCIL COMMENTS

Council Member Montgomery noted Nelson Mandela was laid to rest this past week, adding that he had international implications on humanity and the way individuals treat one another. He further noted that this country has benefitted from the thinking that has grown out of South Africa.

CLOSED SESSION

Council Member MacIntosh made a motion, seconded by Council Member Leight for the City Council to enter into Closed Session pursuant to G.S. 143-318.11(a)(3) to provide instructions to the City Attorney regarding a legal matter and to preserve the attorney-client privilege, and G.S. 143-318.11(a)(1) to prevent the disclosure of information considered privileged or confidential pursuant to G.S. 132-1.2 confidential information. Motion carried unanimously.

The City Council entered into Closed Session at 8:02 p.m.

At 8:38 p.m., Council Member Adams made a motion, seconded by Council Member Besse, to end the

Closed Session and return to Regular Session. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:39 p.m.