

# WINSTON-SALEM CITY COUNCIL

## REGULAR MEETING

Council Chambers

101 N. Main Street

June 17, 2019

### CALL TO ORDER

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

### ROLL CALL

**Present:** Council Member John C. Larson, Council Member Robert C. Clark, Council Member Dan Besse, Council Member Annette Scippio, 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. Horace Bryant*

### H HONORARIUMS

H-1. Proclamation Declaring June 17-23, 2019 as National Pollinator Week.

*Johnnie Taylor, Director of Operations, accepted the Proclamation and stated he was grateful for the opportunity to recognize pollinator week as a City.*

H-2. Recognition of Mayor Pro Tempore Vivian H. Burke by Senator Paul Lowe.

*Senator Paul Lowe presented Mayor Pro Tempore Burke with the Senatorial Statement and thanked her for her 40+ years of service to the City of Winston-Salem.*

*Mayor Pro Tempore Burke thanked Senator Lowe and gave a short speech thanking current and past elected officials, as well as the citizens of the Northeast Ward and the City of Winston-Salem as a whole.*

### C CONSENT AGENDA

**A motion was made by Council Member Adams, seconded by Council Member Taylor, to approve the Consent Agenda. The motion carried by the following vote:**

**Aye:** Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

C-1. Resolution of the City of Winston-Salem, North Carolina Adopting the 2019 Update to the 2017-2021 Strategic Plan.

**Approved by Consent Vote.**

- C-2. Resolution Authorizing an Extension of the Terms and Conditions of the City's Financing of the Sale of City-Owned Land to Brookstown Development Partners, LLC and an Extension of the City's Lease Back of the Subject Land (Northwest Ward).

**Approved by Consent Vote.**

- C-3. Resolution Authorizing the Sale of Certain City-Owned Property at 310 Martin Luther King, Jr. Drive Under the Upset Bid Procedure (N.C.G.S. 160A-269) (East Ward).

**Approved by Consent Vote.**

- C-4. Consideration of Amendments to the Fiscal Year 2018-2019 Budget Ordinances for the City of Winston-Salem, North Carolina:

Ordinance Amending the Annual Appropriation and Tax Levy Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2018-2019.

Ordinance Amending the Project Budget Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2018-2019.

**Approved by Consent Vote.**

- C-6. Resolution to Enter into an Agreement with Ersoy Brake Appleyard Architects, P.A. for Professional Architectural and Engineering Services for the Design and Construction Oversight for the Replacement of Fire Station #3 (Northeast Ward) - \$260,000.

**Approved by Consent Vote.**

- C-7. Consideration of Items Related to the Pilot Program for Transit-Oriented Development Planning - Section 20005b Funding through Federal Transit Administration: (\$1,000,000)

Resolution Authorizing the City Manager to Enter into Agreements for a Pilot Program for Transit-Oriented Development Planning - Section 20005b Funding through the Federal Transit Authority.

Ordinance Amending the Project Budget Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2018-2019.

**Approved by Consent Vote.**

- C-8. Ordinance Amending Section 42-123(c) of the City Code Relating to 45 Miles per Hour Speed Limits (North Ward) - Shattalon Drive.

**Approved by Consent Vote.**

- C-9. Ordinance Amending Section 42-122(f) of the City Code Relating to 25 Miles Per Hour Speed Limits (Southwest Ward) - Whisperwood Street, Longshadow Street, Bentbrush

Street, Burnside Street, Weatherend Drive, Aurora Glen Drive, Pinnacle Drive, Scofield Court, Kilstrom Street.

**Approved by Consent Vote.**

- C-10. Ordinance Amending Section 42-122(f) of the City Code Relating to 25 Miles Per Hour Speed Limits (Northwest Ward) - West End Boulevard.  
**Approved by Consent Vote.**
- C-11. Resolution Authorizing Submission of Continuum of Care Homeless Grant Application, Acceptance of Grant Funds, and Execution of Agreements (Recommended by Finance and Community Development/Housing/General Government Committees).  
**Approved by Consent Vote.**
- C-12. Resolution Authorizing Submission of Emergency Solutions Grant Application, Acceptance of Grant Funds, and Execution of Subgrantee Agreements.  
**Approved by Consent Vote.**
- C-13. Renewal of the Programmatic Agreement for Housing Rehabilitation Programs for FY 2019-2020 to FY 2023-24.  
**Approved by Consent Vote.**
- C-14. Resolution Authorizing the City Manager to Enter into a Municipal Agreement with the North Carolina Department of Transportation for Improvements to Meadowlark Drive (West Ward).  
**Approved by Consent Vote.**
- C-15. Resolution Authorizing The City Manager To Enter Into An Agreement With Securian/North Carolina Mutual For The Provision Of Employee Life And Accidental Death & Dismemberment Insurance (\$174,000).  
**Approved by Consent Vote.**
- C-16. Resolution Authorizing a Change Order for Quality Oil Company - \$200,000.  
**Approved by Consent Vote.**
- C-17. Resolution Awarding Purchase Orders for Sole Source Vendors (\$1,848,000).  
**Approved by Consent Vote.**
- C-18. Resolution Awarding Purchase Orders for Auto and Truck Tires (\$662,000).  
**Approved by Consent Vote.**
- C-19. Resolution Awarding Purchase Orders for Various Parts and Services (\$2,224,400).

**Approved by Consent Vote.**

- C-20. Resolution Awarding Purchase Order for Vehicle Parts and Supplies - NAPA Auto Parts, Inc. - \$234,000.  
**Approved by Consent Vote.**
- C-21. Resolution Awarding Purchase Order for Quarry Products - Vulcan Construction Materials, LP - \$483,010.30.  
**Approved by Consent Vote.**
- C-22. Resolution Awarding Contract with Aquatic Designs, Inc., for Long Creek Pool Improvements (\$210,000).  
**Approved by Consent Vote.**
- C-23. Resolution Awarding Contract with Aquatic Designs, Inc. for Bolton Pool Renovation (\$425,000).  
**Approved by Consent Vote.**
- C-24. Resolution Awarding a Contract for HEPA Filter Maintenance at the Joint Firearms Training Facility - EVO Corporation - \$93,475.  
**Approved by Consent Vote.**
- C-25. Resolution Approving a Contract with NWN, Inc. for New Firewall Equipment - \$307,013.70.  
**Approved by Consent Vote.**
- C-26. Resolution Authorizing the City Manager to Contract with Surry Insurance for Insurance Brokerage Services, and to Purchase Property, Boiler/Machinery Insurance - \$456,762.09.  
**Approved by Consent Vote.**
- Ordinance Ordering the Demolition and Removal of a Structure [Repairs exceeding sixty-five percent (65%) of value of structure.]
- C-27. Nathaniel Phifer, 2018 Greenway Ave (Northeast Ward) Ordinance Ordering the Demolition and Removal of a Structure [Repairs exceeding sixty-five percent (65%) of value of structure.]  
**Approved by Consent Vote.**
- C-28. Approval of Summary of Minutes.  
**Approved by Consent Vote.**

- C-5. Ordinance Amending the Project Budget Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2018-2019 (Affordable Housing).

**This item was pulled by staff and referred back to the August 13, 2019 Community Development/Housing/General Government Committee Meeting.**

## G GENERAL AGENDA

- G-1. Public Hearing on the Fiscal Year 2019-2020 Budget for the City of Winston-Salem.

*Patrice Toney, Budget and Evaluation Director, gave the staff report.*

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

*Speakers:*

*Tawana Roebuck, 3480 Dominion Street*

*Phillip Summers, 2422 Peachtree Street*

*Mayor Joines closed the Public Hearing.*

- G-2. Annual Appropriation and Tax Levy Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2019-2020.

**A motion was made by Council Member Clark, seconded by Council Member Taylor, to approve the Annual Appropriation and Tax Levy Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2019-2020, which sets the tax rate at 63.74 cents per \$100 of assessed value and a tax rate of 9 cents per \$100 of assessed value for property owners within the Downtown Winston-Salem Business Improvement District.**

*Council Member Besse: This proposed budget includes a number of positives for our city, and I would like to be able to support it. Unfortunately, it also includes one major gap, which if not corrected, will, I believe, result in a serious long-term problem. It fails to provide any opportunity for a merit pay increase for Winston-Salem city employees this year. Of our approximately 2,452 city employees, 1,520 will receive no pay increase this fiscal year. Meanwhile, our peer cities in North Carolina are providing merit pay increases for their employees at an average of 3% or higher. Greensboro, High Point, and Charlotte are all providing 3%. Durham is providing 4% for general employees and 5% for police and fire. Winston-Salem is just completing a multi-year process of climbing out of a steep employee pay hole, which saw us failing to keep multiple key city employee positions adequately staffed. In part because we couldn't retain all of our skilled and experienced employees in departments like police where we'd trained great officers, and then after a couple years, many would leave for better pay in other cities. It was also in part because we couldn't get qualified applicants in a number of positions, like equipment operators, because they could make too much more in the local private*

*market. We still can't hire all the engineers we need and for which we have positions. If we pass this budget without any employee merit pay raises, we will immediately start to fall back into that hole. We cannot afford to sit still with no progress because our competitor peer cities, including the ones next door in Guilford County, are not sitting still. In a moment, I'll make a motion to address that problem. If that motion passes, I'll be able to support the budget. If it fails, I will make a second motion addressing an equity issue regarding elected official salaries. If both fail, I will vote no on the budget.*

**Council Member Besse made a substitute motion to amend the annual appropriation and tax levy ordinance for fiscal year 2019-2020 to, A: provide a 2% average annual merit salary increase for all employee positions effective August 2019, and B: increase the general property tax rate by 1 additional cent to pay for the additional expense. The substitute motion failed due to a lack of second.**

*Council Member Besse: I will address the second budget issue regarding elected official salaries. As part of the second stage of implementing the recommendation of Winston-Salem's recent pay disparity study in April, City Council Members received a significant salary increase of \$6,755. That represented an approximately 59% salary increase for City Council Members. My colleagues have supported this change on the technically correct grounds, that our City Council pay level was substantially lower than most of our other peer cities in the state. However, I believe that when compared to the pay increases available to other Winston-Salem City employees, the size of the increase was and remains disproportionate. For that reason, I declined the increase at that time, and will continue to decline it if it remains in the budget. I was prepared to stop there. However, this proposed budget confirms that disproportionate increase for Council Members, while denying a modest average merit pay increase to rank and file city employees. I believe that is inconsistent, and I cannot support it.*

**Council Member Besse made a second substitute motion to amend the annual appropriation and tax levy ordinance for fiscal year 2019-2020 to reset the salary levels for Mayor and City Council Members to the level effective before the market pay adjustment took place in April of this year. The second substitute motion failed due to a lack of second.**

*Council Member Adams noted that Council worked hard to not increase taxes, outside of the voter approved Bonds.*

**The original motion made by Council Member Clark, seconded by Council Member Taylor, carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**

**Nay: Council Member Besse**

G-3. Project Budget Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2019-2020.

**A motion was made by Council Member Clark, seconded by Council Member Taylor, to approve the Project Budget Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2019-2020. The motion carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**

G-4. Motion to Excuse Council Member Taylor from Voting on Items G-5 and G-6.

**A motion was made by Council Member Adams, seconded by Council Member Scippio, to Excuse Council Member Taylor from Voting on Items G-5 and G-6. The motion carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**

G-5. Annual Appropriation and Tax Levy Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2019-2020 Advertising Fund.

**A motion was made by Council Member Adams, seconded by Council Member Scippio, that this Ordinance be approved. The motion carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, and Council Member MacIntosh**

**Excused: Council Member Taylor**

G-6. Project Budget Ordinance for the City of Winston-Salem, North Carolina for the Fiscal Year 2019-2020 Advertising Fund.

**A motion was made by Council Member Clark, seconded by Council Member Scippio, to approve the Project Budget Ordinance for advertising and select books, magazines, and periodical budgets for the City of Winston-Salem, North Carolina for the Fiscal Year 2019-2020. The motion carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, and Council Member MacIntosh**

**Excused: Council Member Taylor**

G-7. Resolution Approving the Capital Plan for Fiscal Years 2019-2020 through 2024-2025 as a Financial Planning Guide.

**A motion was made by Council Member Clark, seconded by Council Member**

**Taylor, to approve a Resolution approving the Capital Plan for the Fiscal Years 2019-2020 through 2024-2025 as a financial planning guide. The motion carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**

G-8. Resolution Amending Article I of the City of Winston-Salem Personnel Resolution Clarifying Provisions of the Code of Conduct Relating Conduct Unbecoming a City Employee, and Revising the Drug and Alcohol Testing Policy for Applicants and Employees, and Amending Article II to Increase the Minimum Hourly Rate of Pay, Add and Revise Certain Position Classifications, and Make Technical Adjustments to Pay Plans.

**A motion was made by Council Member Clark, seconded by Council Member Scippio, to approve a resolution amending Article I of the City of Winston-Salem Personnel Resolution clarifying provisions of the code of conduct relating to conduct unbecoming of a City employee, and revising the Drug and Alcohol Testing Policy for applicants and employees, and amending Article II to increase the minimum hourly rate of pay, add and revise certain position classifications, and make technical adjustments to pay plans. The motion carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**

G-9. Resolution Authorizing an Interlocal Agreement between the City of Winston-Salem and Forsyth County for Grant Funds to Support the District Attorney's Domestic Violence Unit.

**A motion was made by Council Member Clark, seconded by Council Member Taylor, to approve a Resolution authorizing an interlocal agreement between the City of Winston-Salem and Forsyth County for grant funds to support the District Attorney's Domestic Violence Unit. The motion carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**

G-10. Ordinance Amending Chapter 26, Garbage and Trash, Article I in General.

**A motion was made by Council Member Clark, seconded by Council Member MacIntosh, to approve adoption of an amendment to Chapter 26, Section 26-3 (g) of the Winston-Salem City Code, Bulk Container and other receptacles, relating to Yard Waste collections, for the Fiscal Year 2019-2020. The motion carried by the following vote:**

**Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**



- G-11. Public Hearing on 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 wished 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 Taylor, that this Resolution be approved. The motion carried by the following vote:**

- Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**

- G-12. Resolution Authorizing Acquisition of a Vacant Lot on Bethel Methodist Church Lane for a New Fire Station (South Ward) [\$210,050].

*Trey Mayo, Fire Chief, gave the staff report.*

*Council Member Adams stated that she had no issue with building the fire station in this location, but wanted the item to be sent back to Committee to discuss the agreement with Bethel United Methodist Church.*

*Council Member Clark echoed Council Member Adams concerns, and noted he was worried about the precedent of having a perpetual agreement with the church.*

**A motion was made by Council Member Adams, seconded by Council Member Besse, to send this item back to the Finance and Public Safety Committees.**

**A substitute motion was made by Council Member Besse, seconded by Council Member MacIntosh, to approve the purchase of the land at full appraised value, with no agreement with the church. The motion carried by the following vote:**

- Aye: Council Member Larson, Council Member Clark, Council Member Besse, Council Member Scippio, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor**

- G-13. Ordinance Amending Chapter 38, Article I., Section 38-10(i) of the Winston-Salem City Code to Allow State and/or Federal Wildlife Officers to Discharge Rifles for the Purpose of Eliminating Deer within the Boundaries of Smith Reynolds Airport.

**A motion was made by Council Member MacIntosh, seconded by Council Member Scippio, to approve this Ordinance.**

*Council Member Taylor noted that he would like more opportunities for input from the public regarding this item.*

*Lee Garrity, City Manager, clarified that the community would be notified the weekend prior to the use of rifles on Airport property.*

**By consensus, this item was sent back to the Public Safety Committee to be further discussed.**

G-14. Public Comment Period:

Public Comment Period is 30 minutes.

Persons may sign up to speak with the City Secretary in the lobby outside of Council Chambers from 6:30-6:55 p.m. or by calling 336-727-2224 between the hours of 8:00 a.m. – 5:00 p.m.

Persons addressing City Council are asked to limit their comments to 3 minutes.

*Public Comment Period was held.*

#### ADJOURNMENT

*There being no further business to come before the City Council, the meeting adjourned at 8:12 pm.*