

**WINSTON-SALEM CITY COUNCIL
REGULAR MEETING**

Council Chambers

101 N. Main Street

October 7, 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 October 7-11, 2019 as Customer Service Week.

Mayor Joines presented the Proclamation to Vernetta DeVane, outgoing Chair of the Service Excellence Design Team, and Julie Carter, incoming Chair of the Service Excellence Design Team.

H-2. Proclamation Declaring October 20-26, 2019 National Massage Therapy Awareness Week.

Mayor Joines presented the Proclamation to Kim Moore, Therapeutic Massage Program Coordinator at Forsyth Technical Community College.

H-3. Resolution Honoring Dr. Kenneth Simington for His Dedication and Service to the Citizens of Winston-Salem.

Mayor Pro Tempore Burke presented the Resolution to Dr. Kenneth Simington.

Dr. Simington thanked the Mayor, Mayor Pro Tempore, and City Council.

A motion was made by Mayor Pro Tempore Burke, seconded by Council Member Scippio, that this Honorary 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

Z ZONING AGENDA

Z-1. Continuation of Public Hearing on Site Plan Amendment of Truliant Federal Credit Union (W-3417) for an Office use in a CPO-S zoning district: property is located on the north side of I-40, between Hanes Mall Boulevard and Burke Mill Road – Containing approximately 17.09 acres located in the SOUTHWEST WARD (Council Member Besse) [Planning Board recommends approval of petition.] (This item was continued from the September 3, 2019 City Council Meeting).

A motion was made by Council Member Besse, seconded by Council Member Taylor, to continue item Z-1, including the public hearing, to the City Council’s October 21, 2019 meeting. 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

Z-2. Continuation of Public Hearing on Zoning Petition of Bobby Joe Carmichael and NCDOT (W-3418) from RS9 and CPO-S to CPO-S (Restaurant (without drive-through service); Banking and Financial Services; Offices; Services, A; Testing and Research Lab; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; College or University; Government Office, Neighborhood Organization or Post Office; Hospital or Health Care Center; Police or Fire Station; and School, Vocational or Professional): property is located on the west side of Burke Mill Road, north of I-40 – Containing approximately 1.15 acres located in the SOUTHWEST WARD (Council Member Besse) [Planning Board recommends approval of petition.] (This item was continued from the September 3, 2019 City Council Meeting).

A motion was made by Council Member Besse, seconded by Council Member Clark, to continue item Z-2, including the public hearing, to the City Council’s October 21, 2019 meeting. 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

Z-3. Continuation of Public Hearing on Zoning Petition of Muhammad Azam and Iffet

Saeed (W-3415) from RS9 to NO: property is located on the west side of Cole Road, between Waughtown Street and Sprague Street – Containing approximately 0.44 acres located in the SOUTHEAST WARD (Council Member Taylor). [Planning Board recommends denial of petition.] (This item was continued from the September 3, 2019 City Council Meeting).

A motion was made by Council Member Taylor, seconded by Council Member Scippio, to remand item Z-3 to the Planning Board. 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

Z-4. Public Hearing on Final Development Plan and Master Plan Amendment of Brookstown Development Partners, LLC (W-2936) for a 277 unit multifamily development in a PB-S (Two Phase) zoning district: property is located on the west side of North Broad Street, north side of West First Street and east side of West Second Street – Containing approximately 4.7 acres located in the NORTHWEST WARD (Council Member MacIntosh) [Planning Board recommends approval of petition.]

A motion was made by Council Member MacIntosh, seconded by Council Member Scippio, to continue item Z-4, including the public hearing, to the City Council’s November 4, 2019 meeting. 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

Z-5. Continuation of Public Hearing on Zoning Petition of Gateway Management Services, Ltd (W-3413) from RS9 to RM5-S (Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development): property is located on the east side of Germanton Road, north of Hanes Mill Road; – Containing approximately 4.43 acres located in the NORTHEAST WARD (Council Member Burke) [Planning Board recommends approval of petition. This item was continued from the June 3, 2019 and August 5, 2019 City Council Meetings.]

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

A motion was made by Mayor Pro Tempore Burke, seconded by Council Member Taylor, for approval of: (1) the Statement of Consistency for approval of this item and (2) W-3413. 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**Z-6.**

Continuation of Public Hearing on Special Use Permit Application of Gateway Management Services, Ltd (W-3413) for access : property is located on the east side of Germanton Road, north of Hanes Mill Road; – Containing approximately 0.24 acres located in the NORTHEAST WARD (Council Member Burke) [This item was continued from the June 3, 2019 and August 5, 2019 City Council meetings.]

Mayor Joines read the guidelines for a Quasi-Judicial Hearing: "This is a public hearing regarding the petitioner's application for an access easement for RM5-S zoned property across RS9 zoned property. Because of the nature of this proceeding, speakers must present testimony and evidence under oath. All testimony and evidence must relate to the special use permit requested and the four findings on the screen.

Speakers should rely on their own information and not base their remarks on what someone else has said or knows. The petitioner and other witnesses have the right to ask questions of each other. Council must only consider evidence provided at the hearing. Each side will be given 15 minutes. Additional time, if requested, will be allowed, within reason. All those wishing to present testimony and evidence, please come forward to be sworn in."

Proponents and Opponents wishing to speak concerning this item were sworn in.

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

A motion was made by Mayor Pro Tempore Burke, seconded by Council Member MacIntosh, that, based upon the application, testimony and evidence presented at the public hearing, that Council:

- 1) affirm the four findings as required by Section 6-1.5(F) of the Unified Development Ordinances, and detailed on the first page of the special use permit;**
- 2) approve the site plan that is included with this special use permit request, along with the conditions included in the special use permit and staff report; and**
- 3) issue a special use permit to Gateway Management Services, Ltd. for an access easement, private off-site, in accordance with the UDO.**

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

Z-7. Public Hearing on Site Plan Amendment of Quality Oil Company, LLC and NCDOT (W-3419) for a Convenience Store in a GB-S zoning district: property is located on the southwest corner of Union Cross Road and Solomon Drive – Containing approximately 1.90 acres located in the EAST WARD (Council Member Scippio) [Planning Board recommends approval of petition.]

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 Council Member Scippio.

A motion was made by Council Member Scippio, seconded by Council Member Taylor, for approval of: (1) the Statement of Consistency for approval of this item and (2) W-3419. 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

Z-8. Public Hearing on Consideration of Items Relating to Economic Development Assistance to Renfro Corporation: (Recommended by Finance Committee)

Resolution Approving Financial Assistance to Renfro Corporation Pursuant to N.C.G.S. 158-7.1.

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

Evan Raleigh, Assistant City Manager, gave the staff report.

Stanley Jewell, CEO and President of Renfro Corporation, 1931 Buena Vista Road, spoke on behalf of Renfro Corporation.

Mayor Joines opened the Public Hearing.

Proponents:

Bob Leak, 1080 W Fourth Street

Calvin McRae, 715 Green Street

Opponents:

Yuseff Suggs El, 27106

Jo Ann Allen, PO Box 284

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

Z-9. Public Hearing on Resolution Regarding the Eligibility of Evergreen Farm for the National Register of Historic Places (Southwest Ward). [Recommended by Community Development/Housing/General Government Committee]

Heather Bratland, Project Planner, gave the staff report.

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

A motion was made by Council Member Adams, seconded by Council Member Larson, 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

Z-10. Public Hearing on Resolution Adopting the Peters Creek Parkway Growth Corridor Plan (Recommended by Community Development/Housing/General Government Committee).

Marco Andrade, Project Planner, gave the staff report.

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 Council Member Adams.

A motion was made by Council Member Adams, seconded by Council Member Besse, 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

Z-11. Resolution Approving a Long-Term Lease Agreement with New Cingular Wireless PCS, LLC for Space on the Jointly Owned City-County Radio Tower Located off of Fairlawn Drive (Northwest Ward) [Recommended by Finance Committee].

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

Z-12. Mayor Pro Tempore Burkes' Recommendation for Appointment to the Outstanding Women Leaders Program Committee.

Melinda Hash - Term Expiring December 2022

A motion was made by Mayor Pro Tempore Burke, seconded by Council Member Adams, that this Appointment 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

Z-13. Closed Session.

At 7:53 pm, a motion was made by Council Member Taylor, seconded by Council Member Besse, that the Winston-Salem City Council go into closed session pursuant to G.S. §143-318.11(a)(3) to discuss:

(1) the City’s opioid lawsuit- City v. Amerisourcebergen Drug Corporation 1:18-op-45658; and

(2) the City’s brief in the case of Winston-Salem Industries for the Blind v. United States of America and PDS Consultants, Inc., 19-329,

and to preserve the attorney-client privilege.

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

End Closed Session.

At 8:36, a motion was made by Council Member Taylor, seconded by Council Member MacIntosh, to end Closed Session. The motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:36 pm.