

City of Winston-Salem

101 North Main Street Winston-Salem, NC 27101

Summary

City Council

Monday, December 18, 2017

7:00 PM

Council Chamber Room 230, City Hall

CALL TO ORDER

ROLL CALL

Present: 8 - Council Member John C. Larson, 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 Jeff MacIntosh, and Council Member James Taylor Jr.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

18 -0007 Mayors Announcement/Comments

Title: Mayors Announcement/Comments

Mayor Joines announced that Mayor Pro Temp Burke had attended 3,614 hours of City Council and Committee Meetings and 41,000 hours of Elected Official work such as Community meetings, and ribbon cuttings etc. He thanked Mayor Pro Temp for her serivce to the Community.

G GENERAL AGENDA

G-1. <u>17-913</u>

Continuance of Public Hearing on Special Use Permit of Twin City Bible Church (W-3347) for a Transmission Tower in a RS9 zoning district: property is located on the east side of Ebert Street, across from Boone Avenue – Containing approximately 7.14 acres located in the SOUTHWEST WARD (Council Member Besse). [Planning Board recommends approval of petition.] (Item continued from the November 6, 2017 City Council meeting.)

Attachments: Filed Order - W3347 Cell Tower

Smith Impact Analysis FOR-AddendumREV2

<u>Davidson County Broadcasting Co Inc v Iredell County</u>

Cumulus Broadcasting LLC v Hoke County Bd Of Comrs

Blair Investments LLC v Roanoke Rapids City Council

160A-393 Appeals in the nature of certiorari

Verified Motion

S. Hawthorne Power Point

W-3347 Verified Petition - Opposition - Castro

Castro Presentation 12.18.17

W-3347 Verified Petition - Opposition - Ide

Staff Presentattion

W-3347 CARF.docx

W-3347 Permit.docx

W-3347 Staff Report.docx

W3347 Location Map.pdf

W-3347 Area Plan Map.pdf

W-3347 Cell Tower.pdf

W-3347 Revised Site Plan a.pdf

W-3347 Revised Site Plan b.PDF

W-3347 Revised Site Plan c.PDF

W-3347 ID Site Plan Review Chart.docx

W-3347 Special Use Permit Quasi-Judicial Proceeding November

2017.docx

W-3347 Attachment A.docx

W-3347 Report of Community Meeting.DOCX

W-3347 Attachment B Photo Simulations.pdf

W-3347 Transmittal letter.pdf

W-3347 Survey.pdf

W-3347 Cell Split Propagation Map.PPT

W-3347 Impact Study

Mayor Joines read guidelines conerning the process of the Quisi-Judicial Hearing.

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

Paul Norby, Director of Planning and Development Services Department, gave a presentation on this item.

Proponents:

Tom Johnson, Attorney with Nexiesn/Puret, 4141 Parklake Aveunue Suite 200, Raleigh, NC 27612.

Opponents:

Daniel Castro, President of the Ardmore Neighborhood Association, 2218 Maplewood Avenue, 27103.

Rebuttal:

Proponents:

Tom Johnson.

David Smith, President of David A. Smith & Associates, 3 Morristown Circle, Durham NC 27705.

Opponents:

David Castro.

Council Member Besse: I move that, based upon the staff report, testimony and evidence presented at the Public Hearing: (1) The City Council affirm the four findings as required by Section 6-1.5 (F) of the Unified Development Ordinance; and (2) The City Council issue a special use permit to Twin City Bible Church for a transmissin tower in RS-9 Zoning District, per the site plan submitted, subject to the conditions proposed in the staff report.

Council Member Clark: Second.

At this time Council Member Taylor walked out of the meeting stating he would not vote on this item.

Motion carried with the following vote: Voting in favor: Council Members Clark, Besse, Burke, Adams, and MacIntosh; Opposed: Council Members Larson and Montgomery; A none vote recorded for Council Member Taylor.

G-2. 17-636 Public Hearing on Petition to Close and Abandon a Portion of a 15 foot

Unnamed Alley Located off of Sunnyside Avenue (Southeast Ward) -

Petition of Stephen L. Holleman Sr. and John S. Holleman II.

(Recommended by Public Works Committee.)

Attachments: Right of Way Closure for a 15foot Alley off of Sunnyside Av CARF

Resolution Adopting Alley off Sunnyside

Alleyway closure off Sunnyside

Alleyway closure off Sunnyside w Aerial

A motion was made by Council Member Taylor, seconded by Council Member Clark, that this Resolution be Approved. The motion carried by the following

vote:

G-3. Public Hearing on Resolution Confirming Assessment Roll for Demolition

of Housing Unfit for Human Habitation.

<u>Attachments:</u> Demolition Assessment Roll Confirmation

CARF-Service-Excellence.doc

Demolition Assessment Roll Confirmation - Resolution.doc

Demolition Assessment Roll - December 2017- ExhibitA.doc

Demolition Assessment Roll -December 2017-Exhibit B.doc

This Resolution was Approved as Amended.

G-4. 17 -1061 Motion to Excuse Council Member Montgomery from Voting on Item G-5.

This Report was Approved.

G-5. 17-1021 Ordinance Amending the Project Budget Ordinance for the City of

Winston-Salem for the Fiscal Year 2017-2018 – Federal Housing Funds.

(Recommended by Finance Committee.)

<u>Attachments:</u> December 2017 Budget Amendment - CARF - Federal Housing

Funds.doc

December 2017 Budget Amendment - PBO - Federal Housing

Funds.docx

This Ordinance was Approved.

G-6. 17-1023

Consideration of Amendments to the Fiscal Year 2017-2018 Budget Ordinances for the City of Winston-Salem: (Finance Committee forwarded this item to Council with three in favor, none opposed; one abstaining.)

Ordinance Amending the Annual Appropriation and Tax Levy Ordinance for the Fiscal Year 2017-2018.

Ordinance Amending the Annual Appropriation and Tax Levy Ordinance for the Fiscal Year 2017-2018. (Poverty Reduction Initiative)

Ordinance Amending the Project Budget Ordinance for the Fiscal Year 2017-2018.

Attachments: December 2017 Budget Amendment - CARF

December 2017 Budget Amendment - AATLO

December 2017 Budget Amendment (Poverty Reduction Initiative) -

AATLO

December 2017 Budget Amendment - PBO.docx

This Ordinance was Approved.

G-7. 17-1039

Resolution Acknowledging the Receipt of the Final Report of the Citizens' Capital Needs Committee. (Finance Committee forwarded this item to Council without recommendation.)

Attachments: Citizens' Capital Needs Committee Final Report - CARF

FINAL - Citizens' Capital Needs Committee Final Report - Resolution

CCNC Report Executive Summary - FINAL 12-1-17

A motion was made by Council Member Adams, seconded by Council Member Larson, that this Report be Approved. The motion carried by the following vote:

G-8. 18-0001 Mayor Joines' Recommendation for Appointment to the Recreation and

Parks Commission.

Attachments: Mayor Joines Recommendation for Appointment to the Recreation and

Parks Commission Tadhq O'Gara

A motion was made by Council Member Larson, seconded by Council Member Clark, that this Appointment be Approved. The motion carried by the following

Tadhg O'Gara - Appointment - Term Expiring May 2020.

G-9. <u>17-1055</u> Mayor Joines' Recommendations for Reappointments to the Public Art

Commission.

Attachments: Mayor Joines Recommendations for Reappointments to the Public Art

Commission

A motion was made by Council Member Taylor, seconded by Council Member MacIntosh, that this Appointment be Approved. The motion carried by the following vote:

Harry Knabb - Reappointment (Professional Arts Category) - Term Expiring December 2021.

Elizabeth M. Repetti - Reappointment (Experienced in Grant Writing Category) - Term Expiring December 2021.

G-10. 17-1059 Public Comment Period.

This Report was Presented.

C CONSENT AGENDA

Mayor Joines stated without objection that Council would consdier the Consent Agenda first and asked if there were any items Council wished to pull.

Council Member Montgomery pulled C-5.

Council Member Clark pulled C-4.

Motion carried with the following vote:

Aye: 8 - Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

C-1. 17-1019 Resolution Approving the 2018 Federal Action Plan for the City of

Winston-Salem. (Recommended by Community

Development/Housing/General Government Committee.)

Attachments: Strategics - CARF

Federal Action Plan - RES

2018 Federal Action Plan WS - DRAFT

<u>Strategics Performance Report Dec 2016 - Nov 2017</u> 2018 Strategics Consulting Performance Measures

C-2. <u>17-1018</u> Ordinance Amending the Project Budget Ordinance for the City of

Winston-Salem for the Fiscal Year 2017-2018 for Select 2014 Bond

Projects. (Recommended by Finance Committee.)

Attachments: Benton Renovation Project Update (12-18-17)

2014 Bond Project Adjustments - CARF 2014 Bond Project Adjustments - PBO

This Ordinance was Approved.

C-3. 17-1024 Resolution to Dedicate and Name the Clock Tower on the Winston-Salem

Fairgrounds in Honor of Thomas W. Fredericks. (Recommended by Community Development/Housing/General Government Committee.)

Attachments: Naming of Fairgrounds Clock Tower for Thomas W Fredericks - CARF

Naming of Fairgrounds Clock Tower for Thomas W Fredericks - RES

This Resolution was Approved.

C-4. 17-1050 Resolution Releasing the Deed Restrictions on a 1.5 Acre

Portion of the 20 Acre Parcel of Land Sold to Greater Tabernacle Worship

Center on March 25, 2013. (Recommended by Finance Committee.)

Attachments: Tabernacle memo regarding revised resolution

Greater Tabernacle Sale - Ltr2

Releasing Deed Restrictions Greater Tabernacle Worship Center -

CARFv2

Revised Greater Tabernacle Worship Center v3 - RESOLUTION

Releasing Deed Restrictions Greater Tabernacle Worship Center -

EXHIBIT A

Releasing Deed Restrictions Greater Tabernacle Worship Center -

MAP

Greater Tabernacle Worship Center

Greater Tabernacle Worship Center Aerial

GTWC - Dimensions for 1.5 acre tract & easement

2017-12-14 Tabernacle of Faith

Letter - Tabernacle of Faith Church

Council Member Clark requested Angela Carmon, City Attorney, give an update

for this item.

Council Member Clark: Motion for approval.

Council Member Adams: Second.

Motion carried with the following vote:

C-5. 17-998 Resolution Approving a Progressive Discipline Policy for Contractors

Failing to Make a "Good Faith Effort" to Satisfy Their Contractual M/WBE

Participation Goals. (Recommended by Community

Development/Housing/General Government Committee.)

Attachments: CARF - Progressive Discipline Policy

Resoultion - Progressive Discipline Policy

MWBE Progressive Discipline Schedule

Evan Raleigh, Director of Business Inclusion and Advancement, gave a presentation on this item.

Council Member Montgomery: Motion for approval

Council Member Adams: Second.

Motion carried with the following vote:

Aye: 8 - Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

C-6. 17-993 Consideration of Items Regarding Modifying a Previously Approved Authorization for the City Manager to Enter into an Inter-Local Agreement with the Airport Commission: (Recommended by Finance Committee.)

Resolution Modifying a Previously Approved Authorization for the City Manager to Enter into an Inter-Local Agreement with the Airport Commission of Forsyth County for Infrastructure and Hangar Improvements.

Ordinance Amending the Annual Appropriation and Tax Levy Ordinance for the City of Winston-Salem for the Fiscal Year 2017-2018.

<u>Attachments:</u> <u>Inter-Local Agrmt. with Airport Commission - Economic Vitality and</u>

Diversity - CARF

Inter-Local Agrmt. with Airport Commission - Resolution

Inter-Local Agrmt. with Airport Commission - Economic Vitality and

Diversity - AATLO

This Resolution was Approved.

C-7. 17-1026 Resolution Authorizing the City Manager to Enter into an Agreement with

Wake Forest Baptist Health for Biometric Screening Services.

(Recommended by Finance Committee.)

Attachments: FY 17-18 Biometrics Screening Contract-CARF

FY 16-17 Biometrics Screening Contract - Resolution

FY 17-18 Biometrics Screening Contract Renewal - Proposal

C-8. 17-1003 Consideration of Items related to a 2017 Homeland Security Grant

Program: (Recommended by Public Safety Committee.)

Resolution Authorizing Acceptance of a 2017 Homeland Security Grant Program Award Through the North Carolina Department of Public Safety's

Emergency Management Division.

Ordinance Amending the Project Budget Ordinance for the City Of

Winston-Salem for the Fiscal Year 2017-2018.

Attachments: 2017 NCDEM Grant CARF

2017 NCDEM Grant Resolution
Public Safety Radios - PBO

This Resolution was Approved.

C-9. 17-974 Resolution Declaring Self-Contained Breathing Apparatus (SCBA) Packs

(No SCBA Air Cylinders Included) as Surplus to the Needs of the City and

Authorizing their Donation to the Smith Grove Fire Department.

(Recommended by Public Safety Committee.)

Attachments: CARF-Safe-and-Secure-Community 112717

smith-grove-resolution. Chief Harry Brown

SMITH-GROVE-ACKNOWLEDGMENT. Chief Harry Brown

This Resolution was Approved.

C-10. 17-1004 Resolution Authorizing a Lease for Office Space in Suites 203, 205, and

207 of Albert Hall. (East Ward) (Recommended by Finance Committee.)

Attachments: Lease Agreement - Albert Hall - CARF

Lease Agreement - Albert Hall - RESOLUTION

Lease Agreement - Albert Hall - MAP

This Resolution was Approved.

C-11. 17-1030 Resolution Awarding Contract for Asphaltic Concrete - Yadkin Valley

Paving, Inc. (Recommended by Finance Committee.)

<u>Attachments:</u> CARF - Asphaltic Concrete 12-18-17

RE - Asphaltic Concrete 12-18-17

Exhibit A - Bid list-Bid Tab-Demographics- asphaltic concrete

11-20-17

C-12. 17-1031 Resolution Awarding an On-Call Service Contract for Stormwater

Maintenance Repairs - Carolina Asphalt Paving, Inc. (Recommended by

Finance Committee.)

Attachments: CARF - Stormwater Maint Repairs 12-18-17

RE - Stormwater Maint Repairs 12-18-17

Exhibit A - Bid List and demographics - Stormwater Maint Repairs

<u>12-18-17</u>

This Resolution was Approved.

C-13. 17-1029 Resolution Awarding Purchase Order for Side Loading Refuse Trucks -

Carolina Environmental Systems, Inc. (Recommended by Finance

Committee.)

<u>Attachments:</u> CARF - Side Loading Refuse Trucks 12-17

RE - Side Loading Refuse Trucks 12-17

Workforce Demographics - CES

This Resolution was Approved.

C-14. 17-1032 Resolution Awarding Purchase Order for NIST Manager Express Software.

(Recommended by Finance Committee.)

Attachments: CARF - NIST Manager Express Software - DataWork Plus 12-18-17

RE - NIST Manager Express Software - DataWork Plus 12-18-17
Exhibit A - Workforce Demographics - Dataworks Plus 12-18-17

This Resolution was Approved.

C-15. 17-1033 Resolution Awarding Purchase Order for an Integrated Ballistic

Identification System - Ultra Electronics Forensic Technology, Inc.

(Recommended by Finance and Public Safety Committees.)

Attachments: CARF - Integrated Ballistic Identification System 12-18-17

RE - Integrated Ballistic Identification System 12-18-17

Exhibit A - IBIS Memo 12-18-17

Exhibit B - Workforce Demographics - Ultra Electronics Forensic

Technology, Inc. 12-18-17

C-16. 17-769 Ordinance Establishing Standards for the Operation of Trolley Pubs in City

Streets by the Addition of Article XIII to Chapter 78 of the City Code.

(Recommended by Public Safety Committee.)

<u>Attachments:</u> Trolley Pub CARF for December 11th Public Safety Committee

Meeting

Trolley Pub Ordinance v.3 for December 11th Public Safety

Committee Meeting

TrolleyPubNovember2017 - Memo

TROLLEY PUB PHOTOS

This Report was Approved.

C-17. 17-1038 Resolution Authorizing Acquisition of 13 Pay Stations to Replace the

Existing 13 Pay Stations in Downtown. (Recommended by Finance

Committee.)

Attachments: ReplacementPayStation - CARF

ReplacementofPayStation - Resolution

ReplacementofPayStation - Map

This Resolution was Approved.

C-18. 17-1010 Resolution Approving an Amendment to Agreement with the Hillcrest

Towncenter Amster Association, Inc. to Install and Maintain Additional

Decorative Streetlights in the Hillcrest Development.

(Southwest Ward). (Recommended by Public Works Committee.)

<u>Attachments:</u> <u>HillcrestStreetlightingDecember2017 - CARF</u>

HillcrestStreetlightingDecember2017- resolution
HillcrestSreetlightingDecember2017- agreement
HillcrestStreetlightingDecember2017 - Map

HillcrestStreetlightDecember2017 - letter of intent

C-19. 17-1009 Resolution Approving Encroachment Agreements with MOBILITIE, LLC.

(Recommended by Public Works Committee.)

Attachments: Mobilitie Encroachment Agreement - CARF

Mobillitie Encroachment Agreement - RES

Eleventh Street - Site A

Eleventh Street - Site A Aerial

Geneva Rd - Site B

Geneva Rd - Site B_Aerial

Weatherwood Ct - Site C

Weatherwood Ct - Site C Aerial

Black Steel Pole - Mobilitie

This Resolution was Approved.

C-20. 17-1007 Resolution Authorizing Acquisition of 13.75 acres of land on Gun Club

Road, Clemmons, North Carolina. (Recommended by Finance and Public

Works Committees.)

Attachments: Property Acquisition-Gun Club Road Clemmons-CARF

Property Acquisition-Gun Club Road Clemmons-RESOLUTION

Property Acquisition-Gun Club Road Clemmons-MAP

This Resolution was Approved.

C-21. 17-1008 Resolution Authorizing the Acceptance by Donation of Permanent

Easements from Old Salem, Inc. and Salem Academy and College for the Old Salem Infrastructure Bond Project. (South Ward) (Recommended by

Finance and Public Works Committees.)

Attachments: Acceptance of Donation-Old Salem, Inc and Salem Academy-CARF

Acceptance of Donation-Old Salem, Inc and Salem

Academy-RESOLUTION

Acceptance of Donation-Old Salem, Inc and Salem Academy-EXHIBIT

Α

Acceptance of Donation-Old Salem, Inc and Salem Academy-MAP

C-22. 17-1006 Resolution Authorizing the Quit Claim Abandonment of Sewer Easements

for the Wave Wash Express Carwash Project. (South Ward)

(Recommended by Public Works Committee.)

Attachments: Property Abandonment - Wave Wash Express Carwash - CARF

Property Abandonment - Wave Wash Express Carwash -

RESOLUTION

Property Abandonment - Wave Wash Express Carwash - EXHIBIT A

Property Abandonment Wave Wash Express Carwash - Map

This Resolution was Approved.

C-23. <u>17-1037</u> Ordinance Amending Section 42-97 of the City Code Relating to Weight

Limitations on Thru Traffic on Certain City Streets (North Ward) - Lakeview Drive, Broadview Drive, Sweetbriar Road, Kapp Road, Meadow Lane and

Whippoorwill Drive. (Recommended by Public Safety Committee.)

<u>Attachments:</u> <u>TruckProhibitionDecember2017 - CARF</u>

<u>TruckProhibitionDecember2017 - Ordinance</u>

TruckProhibitionDecember2017 - Map

This Ordinance was Approved.

C-24. 17-1012 Ordinance Amending Section 42-122(f) of the City Code Relating to 25

miles per hour speed limits (West Ward). - Prestwick Crossing, Prestwick Place and Jacobs Way. (Recommended by Public Safety Committee.)

Attachments: 25mphSpeedlimitsDecember2017 - CARF

<u>25mphSpeedlimitsDecember2017 - Ordinance</u> 25mphSpeedLimitsDecember2017 - Attachment A

This Ordinance was Approved.

C-25. <u>17-1013</u> Ordinance Amending Section 42-124 of the City Code Relating to School

Zones (Northwest and West Wards). - Summit School - Reynolda Road from 210 feet north of Monticello Drive to 850 feet north of Monticello Drive.

(Recommended by Public Safety Committee.)

Attachments: SchoolZonesSpeedLimitsDecember2017 - CARF

SchoolZoneSpeedLimitsDecember2017 - Ordinance

<u>SchoolZoneSpeedLimitDecember2017 - Map</u>

This Ordinance was Approved.

C-26. 17-1015

Second Reading of Ordinances Renewing the Certificate of Public Convenience and Necessity of Two Taxicab Services and Four Limousines Services in the City of Winston-Salem: (Recommended by Public Safety Committee.)

Ordinance Renewing the Certificate of Public Convenience and Necessity of Classic Cab Company LLC for the Operation of Sixty Taxicabs in the City of Winston-Salem.

Ordinance Renewing the Certificate of Public Convenience and Necessity of Universal Taxi for the Operation of Eight Taxicabs in the City of Winston-Salem.

Ordinance Renewing the Certificate of Public Convenience and Necessity of Cape Fear Regional Transport, Inc. for the Operation of Ten Limousines in the City of Winston-Salem.

Ordinance Renewing the Certificate of Public Convenience and Necessity of Here '2 There Van Service, Inc. for the Operation of Twenty Limousines in the City of Winston-Salem.

Ordinance Renewing the Certificate of Public Convenience and Necessity of Heritage Carriages for the Operation of Four Horse Drawn Carriages in the City Of Winston-Salem.

Ordinance Renewing the Certificate of Public Convenience and Necessity of Sky Transportation for the Operation of Two Limousines in the City of Winston-Salem.

<u>Attachments:</u> CertificateofPublicConvenienceandNecessityRenewalsDecember2017

- CARF

RenewalofCertificateofPublicConvandNecessityClassicCabCompany20

17 - Ordinance

RenewalofCertificateofPublicConvandNecessityUniversalTaxiInc2017 -

Ordinance

RenewalofCertificateofPublicConvandNecessityCapeFearRegionalTran

sport2017 - Ordinance

RenewalofCertificateofPublicConvandNecessityHere'2ThereVanService

Inc.2017 - Ordinance

RenewalofCertificateofPublicConvandNecessityHeritage

CarriageCo.2017 - Ordinance

RenewalofCertificateofPublicConvandNecessitySkyTransportation.201

7 - Ordinance

This Ordinance was Approved.

C-27. 17-1027 Resolution Declaring Certain City-Owned Equipment Surplus and

Authorizing the Sale Thereof. (Recommended by Finance Committee.)

Attachments: CARF - Surplus Vehicles and Equipment 12-18-17

RE - Surplus Vehicles and Equipment 12-18-17

Exhibit A - Surplus list 12-18-17

This Resolution was Approved.

C-28. 17-964 Ordinance Amending Chapter 2, Section 2-44 Regarding Minutes.

(Recommended by Community Development/Housing/General

Government Committee.)

Attachments: Code Amendment - Chapt 2 Minutes - CARF

ORDINANCE AMENDING CHAPTER 2 ENTITLED ADMINSTRATION

MINUTES v 3November 2017

2319 Nov 14 CDHGG Mtg - Memo 112917

This Resolution was Approved.

C-29. 17-1060 Approval of City Council Summary of Minutes - October 16, 2017.

<u>Attachments:</u> Summary of Minutes - October 16, 2017.

This Minutes was Approved.

ADJOURNMENT