

A = APPROVAL
AD = APPROVAL DENIED
NA = NO ACTION
D = DEFERRED
R = REFERRED

C = REFERRED TO COMMITTEE
T = TABLED
RA = REMOVED FROM AGENDA
I = INTRODUCED
RW = REQUEST WITHDRAWN
O = OTHER

**ACTION AGENDA FOR A REGULAR MEETING OF THE CITY COUNCIL
GEORGE W. DUDLEY CITY COUNCIL CHAMBER
FREDERICK E. TURNAGE MUNICIPAL BUILDING
FEBRUARY 13, 2017
6:00 P.M.**

**SIXTH ANNUAL
STATE OF THE CITY ADDRESS**

Prayer

**State of the City
Mayor David W. Combs**

Recess

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**Agenda for Regular Meeting**

1. Meeting Called to Order by the Mayor.
2. Roll Call by the City Clerk.
- A~** 3. Approval of the Minutes of the Regular Meeting of the City Council Held January 23, 2017.
4. Petitions to be Received from the Public.

*Note: Citizens shall state their name and address for public record and limit presentations to three (3) minutes. Time will be monitored*

**Nehemiah Smith** of 1620 East Virginia Street reiterated his complaint regarding a lack of commitment to diversity in the Fire Department and stated there is a difference between mandate and desire. He said ultimately he will not be satisfied until there is a black, female or other minority Fire Chief.

**Bronson Williams** of 611 Hargrove Street also voiced concerns relative to diversity in the Fire Department and the hiring process. He added he would like to see the time for public comment period extended.

**Lewis Turner** of 158 S. Washington Street suggested the City needs a campaign to ask people to “clean up where they are” to encourage residents to clean around their yards and pick up trash. He noted he personally is working on projects on E. Thomas Street and Rose and Lexington where properties have burned.

5. Consideration of the Following Tax Releases and/or Refunds:

- Schedule A - Report of taxes under \$100 approved for release and/or refund by the City Manager.
- Schedule B - Report of taxes over \$100 recommended for release and/or refund by the City Council.

**A~** Recommended Action: Approve Tax Releases.

6. Consideration of the Minutes and Recommendations from a Regular Rescheduled Planning Board Meeting held January 17, 2017:

**A. Public Hearing** Relative to the Following Conditional Use Rezoning Request Recommended for Approval and Found in Compliance with the Comprehensive Plan by the Planning Board:

- Request by Doug Smith to rezone  $\pm 0.84$  acres at 101 Patrick Court from O-I to B-2CU

**NOTE: Speakers must be sworn.**

**A~** Recommended Action: 1) Acknowledge Receipt of Planning Board Minutes;  
2) Adopt Ordinance Amending the Land Development Code and Map; and  
3) Adopt Resolution Authorizing Conditional Use Permit Required in Connection with said Rezoning.

**B. Public Hearing** Relative to the Following Rezoning Request Recommended for Approval and Found in Compliance with the Comprehensive Plan by the Planning Board:

- Request by Terry Wethington to rezone  $\pm 4.59$  acres at 4053 Sunset Avenue from B-1 & R-15 to B-2

**D\*~** Recommended Action: Adopt Ordinance Amending the Land Development Code and Map.

*\*Consideration Deferred Until February 27, 2017 City Council Meeting*

**C. Public Hearing** Relative to the Following Conditional Use Rezoning Request Recommended for Approval and Found in Compliance with the Comprehensive Plan by the Planning Board:

- Request by Terry Wethington to rezone ±11.5 acres at a vacant lot adjacent to 4053 Sunset Avenue from O-I to B-2CU

**NOTE: Speakers must be sworn.**

- A~** Recommended Action: 1) Adopt Ordinance Amending the Land Development Code and Map; and  
2) Adopt Resolution Authorizing Conditional Use Permit Required in Connection with said Rezoning.

7. **Public Hearing** and Explanation of Feasibility Study Relative to Annexation No. 307 – CT Trucking/Claremont Landholdings, Inc.

- A~** Recommended Action: 1) Explanation of Feasibility Study by the City Manager and Receive Public Comment; and  
2) Acknowledge Receipt of Feasibility Study and Adopt Ordinance Extending the Corporate Limits (effective June 30, 2017).

8. Consideration of Applications for Renewal of Existing Taxi Rights and New Taxi Rights:

a. Renewals/Taxi:

|                      |         |
|----------------------|---------|
| Robert E. Lancaster  | #27     |
| Lonnie Parker        | #4      |
| Kendrick P. Scott    | #25, 26 |
| Otis T. Battle Jr.   | #53     |
| Mable R. Page        | #5      |
| Christopher R. Baker | #1      |
| Lareston R. Lewis    | #2      |

b. New/Additional Taxi:

|                   |     |
|-------------------|-----|
| Lareston R. Lewis | (1) |
|-------------------|-----|

- A~** Recommended Action: Approve Renewal of Existing Taxi Rights and Issuance of New Taxi Right as Recommended and Authorize the City Clerk to Execute the Same on Behalf of the City.

9. Consideration of Ordinance Ordering the Community Code Inspector to Proceed with Demolition of the Following Substandard Property:

a. 732 Tarboro Street

- A~** Recommended Action: Adopt Ordinance.

10. Consideration of the Following Recommendations from the Traffic Engineer:

- Adopt:
  - 25 MPH speed limit on Recreation Drive from Powell Drive to Boone Street

A~ Recommended Action: Adopt Ordinance Amending the Traffic Control Ordinance Map.

11. Consideration of Municipal Agreements with North Carolina Department of Transportation:

- a. Hunter Hill Road Widening Project (U-3621 A) - sidewalk construction on south side Hunter Hill Road from N. Winstead Avenue to Country Club Road - (City responsible for 40% of costs estimated at \$37,674);
- b. Wesleyan Boulevard Widening Project (U-3330) - sidewalk construction on both sides of Sunset Avenue (US 64 Business) through Wesleyan Boulevard (US 301 Bypass) interchange area - (City responsible for 40% of costs estimated at \$15,070); and
- c. Falls Road/Peachtree Street Traffic (WBS Elements 36249.3709) – conversion of one travel lane to a buffered bike lane - (City responsible for all costs including estimated cost of \$22,500 for NCDOT to review traffic signal plans and inspect traffic signal revisions).

A~ Recommended Action: Approve Agreements and Authorize the Mayor and City Clerk to Execute Agreements on Behalf of the City.

12. Consideration of Amended and Restated Renewable Energy Development and Service Agreement with the North Carolina Eastern Municipal Power Agency (NCEMPA) (allows NCEMPA to continue operating as the City's agent for renewable energy and energy efficiency portfolio standards compliance purposes).

A~ Recommended Action: Approve Agreement and Authorize the Mayor and City Clerk to Execute the Same on Behalf of the City.

13. Consideration of Bids:

- a. Substation Power Transformer – increases contract awarded to Pennsylvania Transformer Technology, Incorporated on September 12, 2016 @ cost of \$1,330,442 to \$1,420,422 (increase of \$30,000 per transformer = \$90,000);
- b. Eight (8) Police Chevrolet Caprice Full-Sized Rated Sedans – based on bid awarded through the NC Sheriff's Association (Bid 17-03-0912) – award to Parks Chevrolet, Incorporated @ per vehicle cost of \$25,574 for total cost of \$204,592; and
- c. One (1) Terex Hi-Ranger LMT40 Articulating/Telescoping Aerial Device – based on bid awarded by the National Joint Powers Alliance (NJPA) – award to Terex LLC @ total cost of \$235,344 under NJPA Contract RFP #042815-TER.

A~ Recommended Action: 1) Award Bids as Recommended;  
2) Authorize the Mayor and City Clerk to Execute the Bid Contract(s) on Behalf of the City and the Purchasing Division to Issue Purchase Order(s) in Accordance with the Council's Award.

14. Consideration of Wesleyan Village Deed of Release.

**A~** Recommended Action: Approve Deed of Release and Authorize the Mayor and City Clerk to Execute the Same on Behalf of the City.

**A~** 15. Consideration of Scheduling City Council Retreat for February 22 - 24, 2017 at Doubletree, Downtown Charlotte, North Carolina.

16. Appointments:

**NA~**

- a. Braswell Memorial Library – term expires 12/31/20;
- b. STEP Board – term expires 12/31/2017 ; and
- c. Tar River Transit Governing Board – term expires 12/31/19.

17. Closed Session:

- 1) Attorney-Client Privilege
- 2) Personnel Matter