

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

19 MARCH 2002

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Council members Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Belvin J. Jessup, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips, and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

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The Mayor opened the meeting with a moment of silence and the Pledge of Allegiance to the Flag.

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The Mayor recognized boy scouts from troops 160 and 107 who were in attendance at the meeting.

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The City Manager recognized Betsey Richardson, employee from the legal department, who served as courier for the meeting.

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Mayor Holliday outlined Council procedure for conduct of the meeting.

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Speaking to their early departure and absence from the March 5th Council meeting, Councilmember Burroughs-White and Johnson explained their circumstances and noted that they had both reviewed a tape of the meeting.

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The Mayor introduced an ordinance rezoning from RM-18 Residential Multifamily to RS-7 Residential Single Family for property located east of Aycock Street and west of East Lake Drive between West Market Street and Northfield Street; and so that these matters could be discussed together, an ordinance rezoning from RM-26 Residential Multifamily to RS-7 Residential Single Family for property located north of West Friendly Avenue and south of Courtland Street between Adams Street and Prescott Street. He stated that this was the second reading for both items after receiving five affirmative votes at the March 5, 2002 reading.

Mayor Holliday explained that because the Chamber reached capacity occupancy limits at the past meeting and this had prevented some citizens from entering the Chamber to speak, four minutes of additional time would be allotted for those who wished to speak in opposition to the proposed rezonings.

Councilmember Vaughan moved to re-open the public hearing to allow speakers four minutes to speak in opposition to item number five and six. The motion was seconded by Councilmember Johnson

and unanimously adopted by voice vote of the Council.

Dawn Cheney, residing at 2002 W Market St., stated she owned investment property in the Westerwood neighborhood and did not believe third party rezoning should be allowed. She stated that her property would not remain zoned multi-family though her property had been originally built as multifamily; the proposed down zoning would not solve certain parking issues; and that if the zoning were approved, it would take away property rights of people who had multifamily zoning in that neighborhood.

In response to Council questions, Ms. Cheney suggested that the problem of parking on front lawns should be resolved by an ordinance. Mr. Martin clarified that such an ordinance existed for historic districts and discussed with Council the criteria for multi-family designation.

William Rightsell, residing at 810 Guilford Ave, stated he owned one of the two properties in the area considered and presented a petition opposing the proposal from residents and property owners and was against the rezoning. He shared his concern that discrepancy in allowed exemptions could permit further development of multi-family housing and that this was a third party request.

Todd Dormer, residing at 200 Wilson Street, stated he owned a home built in 1920 as a duplex, which was not slated for exemption. He questioned the selection process.

Mr. Martin advised that tax records had been researched to determine how dwellings were built and that judgment about the properties had been made by the tax appraiser.

Councilmember Vaughan moved to close the public hearing. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

Council discussed past precedents; future plans for the area in terms of University of North Carolina at Greensboro growth; property development by private owners; and the importance of third party zoning. Councilmember Perkins presented a slide to illustrate his view of an extreme negative type of rezoning that could result from this action and shared his opinion that third party zoning should only be done if needed to deter neighborhood deterioration.

Stating why they could not support the rezoning, the Mayor expressed concern that the rezoning would interfere with property rights issues; Councilmember Carmany explained why she believed this third party rezoning differed from the Martin Luther King Drive downzoning which involved a majority of city owned property; and Councilmember Jessup questioned actions in past cases and information pertaining to the current case.

Following additional discussion, Councilmember Phillips moved adoption of the ordinance rezoning from RM-18 Residential Multifamily to RS-7 Residential Single Family for property located east of Aycock Street and west of East Lake Drive between West Market Street and Northfield Street. The motion was seconded by Councilmember Gatten; the ordinance was adopted on second reading on the following roll call vote: Ayes: Burroughs-White, Gatten, Johnson, Perkins, Phillips and Vaughan. Noes: Carmany, Holliday and Jessup.

02-45 AMENDING OFFICIAL ZONING MAP

EAST OF AYCOCK STREET AND WEST OF EAST LAKE DRIVE BETWEEN WEST MARKET STREET AND NORTHFIELD STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RM-18 Residential Multifamily to RS-7 Residential Single Family uses for the area described as follows:

BEGINNING at a point in the southern right-of-way line of West Market Street, said point being the northwest corner of the property of The University of North Carolina at Greensboro, said property being Lot 1 of Guilford County Tax Map 88, Block 1; thence along said southern right-of-way line in an easterly direction approximately 2,250 feet to a point in the intersection of said southern right-of-way line with the western right-of-way line, as a straight line extension across West Market Street, of East Lake Drive; thence crossing West Market Street along said extended right-of-way line of East Lake Drive in a northwesterly direction approximately 80 feet to a point in the southeast corner of Lot 17, Guilford County Tax Map 89, Block 10; thence along said western right-of-way of East Lake Drive in a northwesterly direction approximately 350 feet to a point, said point being the northeast corner of Lot 7, Guilford County Tax Map 89, Block 10, said point also being in the intersection with the southern right-of-way line of West Friendly Avenue; thence crossing West Friendly Avenue in a northwesterly direction approximately 80 feet to a point in the intersection of the northern right-of-way line of West Friendly Avenue with the western right-of-way line of East Lake Drive, said point also being the southeast corner of Lot 2, Guilford County Tax Map 89, Block 7; thence along said northern right-of-way line of West Friendly Avenue in a westerly direction approximately 79 feet to a point, said point being a common corner of Lots 2 and 3 of Guilford County Tax Map 89, Block 7; thence along the common line of said Lots 2 and 3 in a northerly direction 150 feet to a point in the southern line of a 15-foot alley; thence along said southern line in an easterly direction approximately 40 feet to a point in its intersection with the western right-of-way line of East Lake Drive; thence along said western right-of-way line in a northwesterly direction approximately 200 feet to a point, said point being the northeast corner of Lot 1 of Guilford County Tax Map 89, Block 7; thence along the line of said Lot 1 in a westerly direction approximately 120 feet to a point, said point being the northwest corner of said Lot 1; thence along the western line of said Lot 1 in a southerly direction approximately 176 feet to a point in the southwest corner of said Lot 1, said point also being in the northern line of said 15-foot alley; thence along a straight line projection of said northern line of said 15-foot alley in a westerly direction approximately 150 feet to a point in the eastern right-of-way line of Mimosa Drive; thence continuing along said straight line projection of said northern line of said 15-foot alley and crossing Mimosa Drive in a westerly direction approximately 40 feet to a point in the intersection of the western right-of-way line of Mimosa Drive with the northern line of "Oak Lane", a 15-foot alley, said point also being the southeast corner of Lot 9 of Guilford County Tax Map 89, Block 6; thence along the northern line of "Oak Lane" in a westerly direction approximately 483.7 feet to a point in the intersection with the eastern right-of-way line of Aberdeen Terrace, said point also being the southwest corner of Lot 3, Guilford County Tax Map 89, Block 6; thence crossing Aberdeen Terrace along a straight line projection of "Oak Lane" in a westerly direction approximately 80 feet to a point in the intersection of the western right-of-way line of Aberdeen Terrace with the northern line of a 15-foot alley, said point also being the southeast corner of Lot 6, Guilford County Tax Map 89, Block 5; thence along said northern line of the 15-foot alley in a westerly direction approximately 300 feet to a point in the intersection with the eastern right-of-way line of Hillcrest Drive, said point also being the southwest corner of Lot 1, Guilford County Tax Map 89, Block 5; thence crossing Hillcrest Drive along a straight line projection of said 15-foot alley in a westerly direction approximately 50 feet to a point in the intersection with the western right-of-way line of Hillcrest Drive and the northern line of "Oak Lane", a 15-foot alley, said point also being the southeast corner of Lot 6, Guilford County Tax Map 113, Block 7; thence along said northern line of "Oak Lane" in a westerly direction approximately 300 feet to a point in the intersection with the eastern right-of-way line of Westover Terrace, said point also being the southwest corner of Lot 1, Guilford County Tax Map 113, Block 7; thence crossing Westover Terrace in a westerly direction approximately 50 feet to a point in the western right-of-way line of Westover Terrace, said point also being the northeast corner of Lot 12, Guilford County Tax Map 113, Block 4; thence along said western right-of-way line in a southerly direction approximately 170 feet to a point in the intersection with the northern right-of-way line of West Friendly Avenue; thence along said northern right-of-way line in a westerly direction approximately 104 feet to a point, said point being the southwest corner of said Lot 12; thence crossing West Friendly Avenue along a straight line projection of the western line on said Lot 12 in a southerly direction approximately 90 feet to a point in the southern right-of-way line of West Friendly Avenue, said point also being in the northern line of Lot 8, Guilford County Tax

Map 113, Block 10; thence along said southern right-of-way line of West Friendly Avenue and said northern line of said Lot 8 in a southeasterly direction approximately 50 feet to a point in an existing zoning line; thence along said existing zoning line in a southerly direction approximately 75 feet to a point in the southern line of said Lot 8; thence along said southern line of said Lot 8 in a westerly direction approximately 70 feet to a point in the eastern line of Lot 7, Guilford County Tax Map 113, Block 10; thence along the eastern line of said Lot 7 in a southerly direction approximately 50 feet to a point, said point being the southeast corner of said Lot 7; thence along the southern lines of said Lot 7 and Lots 13 and 6 in a westerly direction approximately 150 feet to a point in the eastern right-of-way line of Aycock Street; thence along said eastern right-of-way line of Aycock Street in a southerly direction and crossing West Market Street approximately 275 feet to the point and place of BEGINNING, excluding Lot 1, Guilford County Tax Map 89, Block 7.

(Signed) Thomas M. Phillips

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Councilmember Vaughan thereupon moved adoption of the ordinance rezoning from RM-18 Residential Multifamily to RS-7 Residential Single Family. The motion was seconded by Councilmember Carmany. Because Councilmember Jessup's vote did not reflect his intentions, the Clerk was instructed to clear the board. After Council revoted, the ordinance was adopted on second reading on the following roll call vote: Ayes: Burroughs-White, Gatten, Johnson, Perkins, Phillips and Vaughan. Noes: Carmany, Holliday and Jessup.

02-46 AMENDING OFFICIAL ZONING MAP

NORTH OF WEST FRIENDLY AVENUE AND SOUTH OF COURTLAND STREET BETWEEN ADAMS STREET AND PRESCOTT STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RM-26 Residential Multifamily to RS-7 Residential Single Family uses for the area described as follows:

BEGINNING at a point in the intersection of the southern right-of-way line of West Friendly Avenue and the western right-of-way line of Adams Street, said point also being the northeast corner of Lot 3, Guilford County Tax Map 60, Block 12; thence crossing West Friendly Avenue in a northerly direction approximately 60 feet to a point in the intersection of northern right-of-way of West Friendly Avenue with said western right-of-way line of Adams Street, said point also being the southeast corner of Lot 8, Guilford County Tax Map 60, Block 10; thence along said western right-of-way line of Adams Street in a northerly direction 134.15 feet to a point in the intersection with the southern right-of-way line of Hampton Street, said point also being the northeast corner of said Lot 8; thence crossing Hampton Street in a northerly direction approximately 50 feet to a point in the intersection with the northern right-of-way of Hampton Street, said point also being the southeast corner of Lot 7, Guilford County Tax Map 60, Block 9; thence continuing along said western right-of-way line of Adams Street in a northerly direction 291.46 feet to a point in the intersection with the southern right-of-way line of Guilford Avenue, said point also being the northeast corner of Lot 9, Guilford County Tax Map 60, Block 9; thence crossing Guilford Avenue in a northerly direction approximately 50 feet to a point in the intersection with the northern right-of-way line of Guilford Avenue, said point also being the southeast corner of Lot 8, Guilford County Tax Map 60, Block 5; thence continuing along said western right-of-way line of Adams Street in a northerly direction 150 feet to a point, said point being the northeast corner of said Lot 8; thence crossing Adams Street in an easterly direction approximately 40 feet to a point in the eastern right-of-way line of Adams Street, said point also being the northwest corner of Lot 11, Guilford County Tax Map 60, Block 6; thence along the northern line of said Lot 11 and the northern lines of Lots 8, 7 and 6 in an easterly direction

approximately 311 feet to a point in the western right-of-way line of Crestland Avenue, said point also being the northeast corner of said Lot 6, Guilford County Tax Map 60, Block 6; thence along said western right-of-way line of Crestland Avenue in a northerly direction approximately 50 feet to a point; thence crossing Crestland Avenue in an easterly direction approximately 50 feet to a point in the eastern right-of-way line of Crestland Avenue, said point also being the northwest corner of Lot 10, Guilford County Tax Map 60, Block 7; thence along the northern line of said Lot 10 in an easterly direction 149.89 feet to a point in the western line of a 12-foot alley; thence along said western line of the 12-foot alley in a southerly direction approximately 50 feet to a point; thence crossing said alley in an easterly direction 12 feet to a point in the eastern line, said point also being the northwest corner of Lot 6, Guilford County Tax Map 60, Block 7; thence along the northern line of said Lot 6 and the northern lines of Lots 5 and 4 150 feet to a point in the western right-of-way line of Woodlawn Avenue, said point also being the northeast corner of said Lot 4; thence crossing Woodlawn Avenue in an easterly direction approximately 50 feet to a point in the eastern right-of-way line of Woodlawn Avenue, said point also being the northwest corner of Lot 9, Guilford County Tax Map 60, Block 8; thence along the northern line of said Lot 9 and the northern lines of Lots 8 and 7 150 feet to a point in the western line of a 12-foot alley, said point also being the southeast corner of Lot 3, Guilford County Tax Map 60, Block 8; thence along said western line of the 12-foot alley in a northerly direction 148.26 feet to a point in the intersection with the southern right-of-way line of Fairmont Street, said point also being the northeast corner of said Lot 3; thence crossing Fairmont Street in a northerly direction 50 feet to a point in the northern right-of-way line, said point also being a common corner of Lots 6 and 5, Guilford County Tax Map 60, Block 4; thence along the western line of said Lot 5 and the western lines of Lots 4, 3, 2 and 1 in a northerly direction 300 feet to a point in the southern right-of-way line of Courtland Street, said point also being the northwest corner of said Lot 1, Guilford County Tax Map 60, Block 4; thence along said southern right-of-way line of Courtland Street in an easterly direction 157 feet to a point in the intersection with the western right-of-way line of Mendenhall Street; thence crossing Mendenhall Street in an easterly direction 50 feet to a point in the intersection with the eastern right-of-way line of Mendenhall Street, said point also being the northwest corner of Lot 13, Guilford County Tax Map 38, Block 1; thence along said southern right-of-way line of Courtland Street in an easterly direction approximately 445 feet to a point in the intersection with the western right-of-way line of Hillside Drive; thence crossing Hillside Drive along a straight line projection of said southern right-of-way line of Courtland Street in an easterly direction 40 feet to a point in the eastern right-of-way line of Hillside Drive; thence along said eastern right-of-way line in a northerly direction 50 feet to a point in the northern line of the now closed extension of Courtland Street; thence along said northern line in an easterly direction 142 feet to a point in the centerline of railroad right-of-way; thence along said centerline in a southeasterly direction approximately 500 feet to a point, said point being the northeast corner of Lot 8, Guilford County Tax Map 38, Block 4; thence along the northern line of said Lot 8 in a westerly direction 50.21 feet to a point, said point being the northeast corner of Lot 11; thence along the northern line of said Lot 11 in a westerly direction 54.13 feet to a point; thence continuing the line of said Lot 11 in a southwesterly direction 17.25 feet to a point; thence continuing along the line of said Lot 11 in a westerly direction approximately 75 feet to a point in the eastern right-of-way line of Hillside Drive; thence along said eastern right-of-way line in a southerly direction 188.56 feet to a point in the intersection with the northern right-of-way line of Guilford Avenue, said point also being the southwest corner of Lot 9, Guilford County Tax Map 38, Block 4; thence crossing Guilford Avenue in a southwesterly direction approximately 50 feet to a point in the southern right-of-way line of Guilford Avenue, said point also being the northeast corner of Lot 3, Guilford County Tax Map 38, Block 9; thence along the eastern line of said Lot 3 in a southerly direction 150 feet to a point, said point being the southeast corner of said Lot 3; thence along the southern line of said Lot 3 in a westerly direction approximately 35 feet to a point, said point being the northeast corner of Lot 5, Guilford County Tax Map 38, Block 9; thence along the eastern line of said Lot 5 and the eastern lines of Lots 6 and 7 in a southerly direction 163.25 feet to a point, said point being in the northern line of Lot 8; thence along said northern line of said Lot 8 in an easterly direction 2.55 feet to a point, said point being in the northeast corner of said Lot 8; thence along the eastern line of said Lot 8 in a southerly direction 59.28 feet to a point, said point being the southeast corner of said Lot 8; thence along the southern

line of said Lot 8 in a westerly direction 20.56 feet to a point, said point being the northeast corner of Lot 21, Guilford County Tax Map 38, Block 9; thence along the eastern line of said Lot 21 and the eastern line of Lot 9 in a southerly direction 109.30 feet to a point in the northern right-of-way line of Hunt Street; thence crossing Hunt Street and West Friendly Avenue in a southerly direction along a straight line projection of the eastern lines of said Lot 21 and Lot 9 approximately 100 feet to a point in the southern right-of-way line of West Friendly Avenue; thence along said southern right-of-way line of West Friendly Avenue in a westerly direction approximately 1,550 feet to the point and place of BEGINNING, Save and Except the following:

- Guilford County Tax Map 38, Block 1, Lots 1, 5, 8, 9 and 13;
- Guilford County Tax Map 38, Block 2, Lots 1 and the southern half of Lot 3;
- Guilford County Tax Map 38, Block 8, Lots 1, 12, 15 and 19;
- Guilford County Tax Map 38, Block 9, Lot 2;
- Guilford County Tax Map 60, Block 6, Lots 6, 7 and 8;
- Guilford County Tax Map 60, Block 8, Lot 6; and
- Guilford County Tax Map 60, Block 11, Lots 1, 2, 3, 15, 16, and 18.

(Signed) Donald R. Vaughan

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Mayor Holliday introduced an ordinance establishing Westerwood Historic Overlay District for the properties generally located north of West Friendly Avenue, east of Aycock Street, south of Benjamin Parkway, and west of Cedar Street Railroad Tracks. He stated this matter was continued from the March 5, 2002 City Council meeting and that the public hearing had been closed by Council action.

The City Attorney stated that Councilmembers Johnson and Burroughs-White had both watched the public hearing proceedings from the previous meeting on videotape in preparation for consideration of this matter.

Council expressed their opinions with respect to positive and negative aspects of historic designation. They discussed past historic district cases, the size of the proposed district with respect to the size of existing districts; their perceptions of the existing and desirable levels of neighborhood consensus; the role and responsibility of municipal elected officials in the decision making process; staff processes included permitting and issuing certificates of appropriateness; interaction with the community in past and present historic districting; and existing staff resources and capabilities. Council's discussion of various concerns expressed by citizens included the lack of strong consensus in the neighborhood; the parking of vehicles in yards and furniture on porches with respect to existing ordinances; and the process and results of a privately administered residents' poll.

Council discussed with staff details and criteria of the Westerwood Historic District Study and information provided by staff to area residents about the historic designation process. In response to Council's questions, the City Attorney advised that Council could direct staff to submit another historic district plan for their consideration in the future; that zoning laws were applicable in historic designation and should be considered on the rational basis of whether there was a historic district to protect; and that Council had expressed their view of historic districts in the past by passing an ordinance indicating their support of historic district designation.

Following lengthy discussion, Councilmember Phillips moved adoption of the ordinance. The motion was seconded by Councilmember Gatten, the ordinance was DEFEATED on the following roll call vote: Ayes: Gatten, Jessup, Perkins, Phillips. Noes: Burroughs-White, Carmany, Holliday, Johnson, and Vaughan.

(A copy of the ordinance as defeated is filed in Exhibit Drawer N, Exhibit Number 32, and is hereby referred to and made a part of these minutes.)

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The Mayor called for a recess at 7:55 p.m.

The meeting reconvened at 8:14 p.m.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an Ordinance rezoning from Conditional Use-RM-8 Residential Multifamily to Conditional Use—RM-8 Residential Multifamily for property located on the west side of Summit Avenue between Cody Avenue and Cherry Lane—this matter being heard on appeal filed by Sanctuary Deliverance after receiving a vote of 8-0 by the Zoning Commission to recommend denial of the rezoning.

The Mayor administered the oath to those who wished to speak to this matter.

C. Thomas Martin, director of the Planning Department, outlined details of the request, presented a land use map, slides and description of the subject property and surrounding area. Mr. Martin stated why the applicant had been unable to attend the prior hearing for this case and presented the following staff presentation:

REQUEST – ITEM 8

This request is to rezone property from Conditional Use – RM-8 Residential Multifamily to Conditional Use – RM-8 Residential Multifamily.

The RM-8 District is primarily intended to accommodate duplexes, townhouses, cluster housing and similar residential uses at a density of 8.0 units per acre or less.

The existing CU-RM-8 District contains the conditions which are listed on the agenda and in the copy of the staff presentation.

- 1) Use limited to six (6) residential units per acre.
- 2) Minimum setback of 75 feet from Summit Avenue.
- 3) A 50-foot buffer will be provided on all other sides of the property immediately adjacent to and parallel to the property line.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses: Limited to six residential units per acre, churches, church facilities, and accessory uses.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 12.3 acres and is located on the west side of Summit Avenue between Cody Avenue and Cherry Lane.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	CU-RM-8	Vacant land
North	LI	Sanctuary Deliverance Church & vacant land
East	RM-8	Summit Avenue Church of God
South	CU-RM-8	Vacant land (zoned for 66 detached residential units)

West

LI & RS-12

Railroad right-of-way

Mr. Martin stated the Planning Department and Zoning Commission had recommended denial of the ordinance.

The Mayor asked if anyone wished to be heard.

Speaking in favor of the ordinance was Vander D. Purcell, residing at 1410 Paxton Court. He explained the circumstances behind his inability to attend previous hearings, stated that he served as pastor for a church and that they needed this land. Mr. Purcell noted that there was no opposition to the request and that the only adjacent property owner was the seller.

During brief discussion with Council, Mr. Purcell confirmed his understanding of the conditions recommended by staff with respect to streams identified on the drainage and open space map of June 6, 2001.

Councilmember Johnson thereupon moved to close the public hearing. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

Mr. Martin provided the following staff recommendation:

Item 8 –Summit Avenue

The Planning Department recommends that this request, as amended, be approved.

This property was initially rezoned to a conditional multifamily classification allowing 6 residential units per acre in March 1986.

The streams bisecting this property have undoubtedly hindered its attractiveness for residential development.

Staff feels that a church would be a reasonable use for this property, especially since there are churches located adjacent to it on the north side, as well as directly across the street.

[Note: Amended Condition should read as follows:

“Streams identified on the Drainageway and Open Space Map date June 2001 adopted by the City Council shall be dedicated to the City of Greensboro as part of the development of the property.”]

Mr. Martin stated that the planning department recommended approval of the item with the addition of a condition to safeguard streams.

Councilmember Burroughs-White moved to add the condition as stated by Mr. Martin. The motion to amend the ordinance was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

Councilmember Burroughs-White moved the amended ordinance based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property for a church.

- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because there are churches adjacent to this property and directly across the street.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because either church or residential use of this property is compatible with surrounding development.

The motion was seconded by Councilmember Johnson and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-49 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

WEST SIDE OF SUMMIT AVENUE BETWEEN CODY AVENUE AND CHERRY LANE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from Conditional Use – RM-8 Residential Multifamily to Conditional Use – RM-8 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the western right-of-way line of Summit Avenue, said point being in the line of Lot 22 of the Property of Chas. S. Routh & Clyde Smith Subdivision as recorded in Plat Book 14, Page 12 in the Office of the Guilford County Register of Deeds; thence N71°16'W 1,439.60 feet to a point in the southeastern right-of-way line of Norfolk Southern Railroad; thence along said southeastern right-of-way line N45°26'E 600 feet to a point in the southern right-of-way line of Jordan Road; thence along said right-of-way line the following courses and distances: S49°23'E 339.8 feet to a point; thence S66°16'E 263.4 feet to a point; thence S79°16'E 221 feet to a point; thence S48°16'E 176.55 feet to a point; thence S41°26'E 255.8 feet to a point in the western right-of-way line of Summit Avenue; thence along said western right-of-way line S16°18'W 232.95 feet to the point and place of BEGINNING and being a portion of Lot 22 of said subdivision.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Limited to six residential units per acre, churches, church facilities, and accessory uses.
- 2) Streams identified on the Drainageway and Open Space Map dated June 2001 adopted by the City Council shall be dedicated to the City of Greensboro as part of the development of the property.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Claudette Burroughs-White

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to Conditional Use-General Office Moderate Intensity for property located on the southeast side of New Garden Road between Richfield Road and Duck Club Road. He stated this matter was being heard on appeal filed by John K. Ganim, Jr. after receiving a vote of 5-3 by the Zoning Commission to recommend denial of the rezoning.

The Mayor administered the oath to those who wished to speak to this matter.

Mr. Martin outlined details of the request, presented a land use map, slides and description of the subject property and surrounding area. He presented the following staff presentation:

REQUEST – ITEM 9

This request is to rezone property from RS-12 Residential Single Family to Conditional Use – General Office Moderate Intensity.

The RS-12 District is primarily intended to accommodate single family detached dwellings at a density of 3.0 units per acre or less.

The General Office Moderate Intensity District is primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less, and supporting service uses.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses: All uses permitted in the GO-M District except the following which shall not be permitted: Hotels or Motels, Funeral Homes or Crematoriums, Tanning Salons, Land Clearing and Inert Debris Landfills, Junked Motor Vehicles, and Kennels or Pet Grooming Services.
- 2) The buildings on the property shall be a maximum of two (2) stories in height.
- 3) The buildings on the property shall have a residential appearance; for example, brick or other residential building materials, pitched shingle roof, and residential type windows.
- 4) Applicant shall construct and maintain an opaque privacy fence along the lines of any adjoining residentially zoned property to the extent (height and perimeter) permitted under the applicable Ordinance.
- 5) Any trash containers (i.e. dumpsters) shall be screened.
- 6) Any exterior lighting shall be directed away from adjoining properties.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 0.4 acre and is located on the southeast side of New Garden Road between Richfield Road and Duck Club Road.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	RS-12	Single family dwelling
North	CU-GO-M	Single family dwelling
East	RS-12	Single family dwelling
South	RS-12	Vacant land
West	RS-12	Fellowship Presbyterian Church

Mr. Martin stated the Planning Department and Zoning Commission had recommended denial of the request.

The Mayor asked if anyone wished to be heard.

Speaking in favor of the proposal was Mark Isaacson, attorney with offices located at 101 West Friendly Avenue. Stating that he represented the property owners John Gannon, Jr. and his wife, Mr. Isaacson distributed and reviewed information for Council that pertained to the request.

Mr. Isaacson stated that due to changes in the area and the development of the Brassfield Office Center next door to the property, traffic had presented safety concerns for the Gannon's children, causing them to wish to move. Mr. Isaacson stated that in his opinion, the request met the legal criteria required for Council to approve the request.

Following brief discussion, Councilmember Gatten stated she had visited the property and believed the property to be very close to Duck Club Road. Councilmember Phillips noted that there had been a major rezoning that had impacted this property, which in his opinion, negated the New Garden Focus study and justified the request.

Councilmember Burroughs-White moved to close the public hearing. The motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of Council.

Mr. Martin provided the following staff recommendation:

Item 9 – New Garden Road

The Planning Department recommends that this request be denied.

The CU-GO-M area to the northeast of this lot was rezoned by the Zoning Commission in July 2000.

Staff recommended denial of that request for the same reasons that relate to this current request, namely that it is inconsistent with a recommendation made by the Focus Group in the New Garden Road Corridor Study which called for this area to remain zoned for single family use only.

Staff is concerned about the potential for strip development extending southwestward in this area, as well as creating a precedent for additional nonresidential rezoning requests south of New Garden Road.

Following brief comments, Councilmember Gatten moved that the property at New Garden Road be rezoned from RS-12 to Conditional Use General Office Moderate based on the following findings of fact.

1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the use of the property for office purposes.

2. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because the adjoining property is zoned CU-GO-M and subject to the same conditions as this property.

3. The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the city and its environs because this property is subject to the same conditions as the adjoining office development and is a transitional use between that office property and the residential development across Duck Club Road.

The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips, and Vaughan. Noes: None.

02-50 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

SOUTHEAST SIDE OF NEW GARDEN ROAD BETWEEN RICHFIELD ROAD AND DUCK CLUB ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-12 Residential Single Family to Conditional Use – General Office Moderate Intensity (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the southeastern right-of-way line of New Garden Road, said point being a common corner with Paul O. Austin; thence S45°20'21"E 221.39 feet to a point; thence N88°56'00"W 303.08 feet along a common line with L.D. Bogaty to a point, said point also being in the right-of-way line of New Garden Road; thence N44°08'36"E 208.99 feet to a point and place of BEGINNING, according to a survey prepared by Robert E. Wilson and dated August 30, 1995.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 6) Uses: All uses permitted in the GO-M District except the following which shall not be permitted: Hotels or Motels, Funeral Homes or Crematoriums, Tanning Salons, Land Clearing and Inert Debris Landfills, Junked Motor Vehicles, and Kennels or Pet Grooming Services.
- 7) The buildings on the property shall be a maximum of two (2) stories in height.
- 8) The buildings on the property shall have a residential appearance; for example, brick or other residential building materials, pitched shingle roof, and residential type windows.
- 9) Applicant shall construct and maintain an opaque privacy fence along the lines of any adjoining residentially zoned property to the extent (height and perimeter) permitted under the applicable Ordinance.
- 10) Any trash containers (i.e. dumpsters) shall be screened.
- 6) Any exterior lighting shall be directed away from adjoining properties.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Florence F. Gatten

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The Mayor introduced a resolution closing Murraylane Road, from twenty-five feet north of the centerline of Maybrook Drive northward to the railroad, a distance of approximately 200 feet.

Mr. Martin provided brief comments and noted that the request was 100% petition based.

The Mayor asked if anyone wished to speak to this matter. There being no one present wishing to be heard, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Jessup; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

55-02 RESOLUTION CLOSING MURRAYLANE ROAD, FROM TWENTY-FIVE FEET NORTH OF THE CENTERLINE OF MAYBROOK DRIVE NORTHWARD TO THE RAILROAD, A DISTANCE OF APPROXIMATELY 200 FEET

WHEREAS, the owners of all of the property abutting both sides of Murraylane Road have requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, March 19, 2002 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street have requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

MURRAYLANE ROAD, FROM TWENTY-FIVE FEET NORTH OF THE CENTERLINE OF MAYBROOK DRIVE NORTHWARD TO THE RAILROAD, A DISTANCE OF APPROXIMATELY 200 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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The Mayor stated this was the time and place set for a public hearing to consider a resolution closing Cherry Street from East Wendover Avenue northward to East Northwood Street.

Mr. Martin provided brief comments and noted that the request was 100% petition based.

Mayor Holliday asked if anyone wished to be heard. Speaking in favor of the street closing was Chester Brown, who spoke on behalf of Bryan Investment Companies. He stated that the street closing would have no impact on the hospital, the hospital had no plans for development at present and that the hospital had the option to purchase the land as a condition of their land lease.

Following brief discussion, Councilmember Burroughs-White moved to close the public hearing. The motion was seconded by Councilmember Perkins and unanimously adopted by voice vote of Council.

Councilmember Perkins moved adoption of the resolution. The motion was seconded by Councilmember Burroughs-White, the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

56-02 RESOLUTION CLOSING CHERRY STREET FROM EAST WENDOVER AVENUE
NORTHWARD TO EAST NORTHWOOD STREET

WHEREAS, the owners of all of the property abutting both sides of Cherry Street have requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, March 19, 2002, at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned portion of street have requested in writing that said portion of street be closed.
2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.
3. That the following portion of street is hereby permanently closed and abandoned as a public street:

CHERRY STREET FROM EAST WENDOVER AVENUE NORTHWARD TO EAST
NORTHWOOD STREET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Robert V. Perkins

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Moving to the Consent Agenda , the City Manager advised that item number 15 should read 18.52 acres. Councilmember Perkins moved adoption of the Consent Agenda. The motion was seconded by Councilmember Carmany; the Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-51 ORDINANCE AMENDING THE FEDERAL, STATE AND OTHER GRANTS PROJECT FUND
BUDGET TO REIMBURSE THE GREENSBORO POLICE DEPARTMENT FOR SERVICES
PROVIDED TO INVESTIGATE FINANCIAL CRIMES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Federal, State, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follow:

That the appropriation for the Federal, State, and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3570-01.4210	Overtime	\$6,045
220-3570-01.4510	F.I.C.A. (1.45%)	\$101
220-3570-01.4520	Retirement (12.2%)	<u>\$854</u>
Total		\$7,000

And, that this increase be financed by increasing the following Federal, State and Other Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3570-01.7100	Federal Grant	<u>\$7,000</u>
Total		\$7,000

(Signed) Robert V. Perkins

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02-52 AN ORDINANCE CHANGING NAME OF STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following street name change is hereby authorized to become effective immediately:

PRESENT NAME	PORTION	NEW NAME
Burnt Poplar Road	Section becoming a dead end because of NCDOT highway widening and road relocation	Burnt Poplar Court

(Signed) Robert V. Perkins

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57-02 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 2, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 3608 LINK ROAD -- 8.481 ACRES

WHEREAS, the owners of all the hereinafter described property, which is non-contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of March, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 3608 LINK ROAD – 8.481 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northeast corner of Lot 5 of Annie Wallington Hayes Estate, as recorded at Plat Book 99, Page 17 in the Office of the Register of Deeds of Guilford County; thence S 06° 50' E 1,146.97 feet along the east line of said Lot 5 to a point; thence S 38° 05' W 28.93 feet along the southeast line of said lot to the southernmost corner of said lot; thence N 74° 41' W 635.92 feet along the south line of said Lot 5 to the southwest corner of said lot; thence N 57° 08' E 281.26 feet along the west line of said lot to a point; thence N 12° 08' E 208.14 feet along the west line of said lot to a point; thence N 03° 16' W 145.00 feet along the west line of said lot to a point; thence N 14° 16' W 188.00 feet along the west line of said lot to a point; thence N 02° 06' W 236.50 feet along the west line of said lot to the northwest corner of said Lot 5; thence N 75° 02' E 287.91 feet along the southern right-of-way line of Link Road to the point and place of BEGINNING, and containing approximately 8.481 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2002, the liability for municipal taxes for the 2001-02 fiscal year shall and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 2, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 23, 2002.

(Signed) Robert V. Perkins

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58-02 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 2, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON THE SOUTH SIDE OF LINK ROAD -- 18.052 ACRES

WHEREAS, the owners of all the hereinafter described property, which is non-contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of March, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE SOUTH SIDE OF LINK ROAD – 18.052 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of February 28, 2002), said point being the southeast corner of Malphus L. and Ruby A. Barber, as recorded at Deed Book 4963, Page 975 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 88° 44' 06" W 519.73 feet along Barber's south line to Barber's southwest corner; thence N 00° 45' 00" E 114.47 feet along Barber's west line to a point; thence N 05° 12' 16" E 130.89 feet along said line to a point; thence N 05° 27' 23" E 45.46 feet along said west line to a point; thence N 17° 45' 00" E 163.21 feet along said line to a point; thence N 38° 05' 00" E 228.99 feet along said line to the southwest corner of Lot 6 of Annie Wallington Hayes Estate, as recorded at Plat Book 99, Page 17 in the Office of the Register of Deeds; thence N 06° 49' 28" W 1,146.93 feet along the west line of said Lot 6 to the northwest corner of said lot; thence N 75° 02' 33" E 319.65 feet along the southern right-of-way line of Link Road to the northeast corner of said Lot 6, said corner being in the existing satellite city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 16° 49' 00" E 810.28 feet to a point; thence S 05° 04' 05" W 1,214.64 feet to the point and place of BEGINNING, and containing approximately 18.052 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2002, the liability for municipal taxes for the 2001-02 fiscal year shall and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 2, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 23, 2002.

(Signed) Robert V. Perkins

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59-02 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 2, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT THE SOUTHEAST CORNER OF WOLFETRAIL ROAD AND BLACKBERRY ROAD – 52.95 ACRES

WHEREAS, the owners of all the hereinafter described property, which is non-contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of March, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT THE SOUTHEAST CORNER OF WOLFETRAIL ROAD AND BLACKBERRY ROAD – 52.95 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the southwest corner of Foxcroft, Phase 1, Map 2, as recorded at Plat Book 115, Page 67 in the Office of the Register of Deeds of Guilford County, said corner also being the southeast corner of now or formerly Beason, as recorded in Deed Book 1048, Page 431 in the Office of the Register of Deeds; thence N 85° 47' 02" W 872.00 feet along Beason's south line to the eastern right-of-way line of the 60-foot Blackberry Road right-of-way; thence the following five courses and distances along said eastern right-of-way line: N 03° 45' 10" W 115.51 feet to a point, N 00° 59' 58" E 103.09 feet to a point, N 03° 32' 58" E 201.07 feet to a point, N 04° 55' 58" E 202.39 feet to a point, N 02° 37' 58" E 1,420.81 feet to the south line of now or formerly Ammons, as recorded in Deed Book 5046, Page 1397 in the Office of the Register of Deeds; thence S 87° 31' 02" E 199.94 feet along the south line of Ammons to the southeast corner of Ammons; thence N 03° 32' 58" E 75.01 feet along the east line of Ammons to the northeast corner of Ammons; thence N 87° 31' 02" W 199.61 feet along the north line of Ammons to a point in said eastern right-of-way line; thence N 01° 37' 58" E 114.53 feet along said eastern right-of-way line to its intersection with the southern right-of-way line of the 60-foot Wolfetrail Road right-of-way; thence the following six courses and distances along said southern right-of-way line: N 70° 28' 58" E 86.07 feet to a point, S 79° 59' 02" E 140.25 feet to a point, S 80° 51' 02" E 100.48 feet to a point, S 81° 49' 02" E 100.51 feet to a point, S 82° 48' 07" E 199.19 feet to a point, S 83° 15' 02" E 344.04 feet to a point; thence S 04° 47' 58" W 492.90 feet along the west line of now or formerly Brannon, as recorded in Deed Book 4855, Page 64 in the Office of the Register of Deeds, to Brannon's southwest corner; thence S 85° 12' 13" E 180.49 feet along Brannon's south line to a point in the west line of now or formerly Rollins, as recorded in Deed Book 4855, Page 62 in the Office of the Register of Deeds; thence S 04° 21' 18" W 9.98 feet to the southwest corner of Rollins; thence S 86° 00' 00" E 180.07 feet along the south line of Rollins to the

southeast corner of Rollins, being an existing iron pipe on the west line of Foxcroft, Phase1, Map 1, as recorded at Plat Book 115, Page 66 in the Office of the Register of Deeds; thence S 04° 00' 00" W 719.86 feet along said west line to an existing iron pipe on the north line of Foxcroft, Phase2, as recorded at Plat Book 116, Page 55 in the Office of the Register of Deeds; thence N 85° 30' 35" W 370.60 feet along said north line to an existing iron pipe; thence S 04° 47' 58" W 993.23 feet along the west line of said Phase 2 to the point and place of BEGINNING, and containing approximately 52.95 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2002, the liability for municipal taxes for the 2001-02 fiscal year shall and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 2, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 23, 2002.

(Signed) Robert V. Perkins

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60-02 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 2, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED IN THE FOXCROFT SUBDIVISION, PHASES 3, 7 AND 8 AND FOUR LOTS AND COMMON AREA IN PHASE 6, ON RANDLEMAN ROAD, FOXRIDGE ROAD, MEADOWCROFT ROAD, QUAIL COVE COURT, FOX TROT ROAD AND BRUSHY FORK DRIVE – 26.240 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of March, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED IN THE FOXCROFT SUBDIVISION, PHASES 3, 7 AND 8 AND FOUR LOTS AND COMMON AREA IN

PHASE 6, ON RANDLEMAN ROAD, FOXRIDGE ROAD, MEADOWCROFT ROAD, QUAIL COVE COURT, FOX TROT ROAD AND BRUSHY FORK DRIVE – 26.240 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the southeast corner of Lot 155 in Phase 6 of Foxcroft subdivision, as recorded in Plat Book 122, Page 93 in the Office of the Register of Deeds of Guilford County; thence in a westerly direction along the north right-of-way line of Quail Cove Court approximately 68 feet to the southwest corner of said Lot 155; thence N 01° 43' 11" W 127.98 feet along the west line of said lot to the northwest corner of said lot; thence S 87° 49' 19" W 201.67 feet along the south line of a Common Area shown on said plat to the southwest corner of said Common Area; thence N 06° 46' 09" W 33.90 feet along the west line of said Common Area to the northwest corner of said Common Area; thence N 74° 01' 59" E 411.49 feet along the north line of said Common Area to said Common Area's northeast corner, a point in the west right-of-way line of Meadowcroft Road; thence in a southerly direction along said west right-of-way line approximately 142 feet to the southeast corner of Lot 153 of said Phase 6; thence S 87° 49' 19" W 87.67 feet along the south line of said Lot 153 to the northeast corner of said Lot 155; thence S 06° 34' 52" E 122.39 feet to the point and place of BEGINNING.

AND

BEGINNING at the southeast corner of Lot 171 in Phase 6 of Foxcroft subdivision, as recorded in Plat Book 122, Page 93 in the Office of the Register of Deeds of Guilford County; thence N 60° 59' 39" E approximately 50 feet, crossing Meadowcroft Road, to a point in the east right-of-way line of Meadowcroft Road; thence in a northerly direction along said right-of-way line approximately 100 feet to the northwest corner of Lot 83 of said Phase 6; thence N 77° 53' 29" E 151.36 feet along the north line of said Lot 83 to the northeast corner of said lot; thence S 11° 59' 17" E 91.28 feet along the east lines of Lots 83 and 84 of said Phase 6 to the northernmost corner of Phase 7 of Foxcroft, as recorded in Plat Book 123, Page 92 in the Office of the Register of Deeds; thence continuing S 11° 59' 17" E 41.36 feet along the east line of Lot 85 of said Phase 7 to the northwest corner of the Common Area in said Phase; thence S 88° 32' 47" E 276.85 feet along the north line of said Common Area to the northeast corner of said Common Area; thence S 05° 29' 46" W 47.95 feet along the east line of said Common Area to a point; thence S 03° 27' 30" W 644.58 feet along the east line of said Common Area to a point; thence S 03° 36' 10" W 52.80 feet to the northeast corner of Phase 8 of Foxcroft, as recorded in Plat Book 127, Page 1 in the Office of the Register of Deeds; thence continuing S 03° 36' 10" W 177.11 feet along the east line of the Common Area in said Phase to a point; thence S 87° 10' 30" E 227.75 feet along the north line of said Common Area to a point in the west right-of-way line of Randleman Road; thence S 08° 47' 02" E 61.26 feet to a point approximately 20 feet east of the new west right-of-way line of said street; thence S 08° 48' 46" E 156.91 feet to a point in the west right-of-way line of Randleman Road; thence the following eight courses and distances along the south line of said Phase 8: N 83° 10' 18" W 260.00 feet to the southwest corner of Lot 206, S 08° 37' 58" E 107.97 feet to the southeast corner of Lot 207, N 82° 03' 34" W 37.97 feet to a point in the south line of Lot 207, N 83° 00' 50" W 24.81 feet to the southwest corner of Lot 207, S 03° 04' 47" W 53.57 feet to the southeast corner of Lot 208, N 85° 48' 45" W 364.25 feet to a point in the south line of Lot 213, N 85° 51' 08" W 46.23 feet to a point in the south line of Lot 213, N 85° 59' 26" W 383.14 feet to the southwest corner of Lot 220, also the southwest corner of said Phase 8; thence the following four courses and distances along the south line of Phase 3 of Foxcroft, as recorded in Plat Book 125, Page 107 in the Office of the Register of Deeds: N 85° 59' 28" W 25.02 feet to a point near the center of Fox Trot Road, N 85° 59' 26" W 270.96 feet to a point in the south line of Lot 221, N 85° 57' 46" W 294.37 feet to a point in the south line of Lot 1, N 86° 01' 03" W 90.63 feet to the southwest corner of Lot 1, also the southwest corner of said Phase 3; thence N 07° 12' 27" E 458.85 feet along the west line of said Phase 3 to the northwest corner of Lot 7; thence S 84° 15' 40" E 110.00 feet along the north line of Lot 7 to a point on the west right-of-way line of Brushy Fork Drive; thence N 05° 44' 20" E 82.61 feet along said right-of-way line to a point; thence continuing along said right-of-way line with a curve to the left having a radius of 275.00 feet and a chord bearing and distance of N 02° 08' 25" W 75.40 feet to a point; thence N 79° 58'

50" E 50.00 feet, crossing Brushy Fork Drive, to a point on its east right-of-way line; thence in a northerly direction along said right-of-way line approximately 165 feet to the westernmost corner of the Common Area shown on said plat; thence N 50° 38' 04" E 106.74 feet along the northwest line of said Common Area to the northernmost corner of said Common Area; thence S 63° 17' 35" E 151.49 feet to a concrete monument at the northeast corner of said Common Area; thence S 04° 09' 00" W 362.76 feet to the northwest corner of Lot 198; thence S 85° 14' 21" E 236.58 feet to a point in the north line of Lot 195; thence with a curve to the right having a radius of 2,576.48 feet and a chord bearing and distance of S 83° 23' 17" E 160.98 feet to the northeast corner of said Phase 3; thence continuing along that same curve along the north line of Phase 8 of Foxcroft the following three chord bearings and distances: S 80° 51' 55" E 65.89 feet to the northwest corner of Lot 192, S 79° 20' 21" E 71.34 feet to the northwest corner of Lot 191, S 78° 04' 44" E 42.01 feet to a point in the north line of Lot 191; thence S 77° 52' 48" E 113.59 feet to a point in the north line of Lot 189; thence S 77° 39' 22" E 60.52 feet to a point in the north line of Lot 188; thence with a curve to the left having a radius of 1,879.86 and a chord bearing and distance of S 78° 19' 53" E 44.45 feet to the southwest corner of Lot 184; thence N 03° 35' 22" E 130.42 feet to the northwest corner of Lot 183; thence N 03° 35' 20" E 272.64 feet along the west line of Phase 7 of Foxcroft to a point in the west line of Lot 178; thence N 03° 35' 25" E 250.10 feet along the west line of Phase 7 of Foxcroft to a point in the west line of Lot 175; thence N 84° 29' 03" W 44.05 feet to a point in the south line of Lot 174; thence N 37° 19' 36" W 194.62 feet to the westernmost corner of Lot 172; thence N 60° 59' 39" E 120.48 feet to the point and place of BEGINNING.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2002, the liability for municipal taxes for the 2001-02 fiscal year shall and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 2, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 23, 2002.

(Signed) Robert V. Perkins

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61-02 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 2, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON BLACKBERRY ROAD – 20.769 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of March, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON BLACKBERRY ROAD – 20.769 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the southwest corner of Foxcroft, Phase 1, Map 2, as recorded at Plat Book 115, Page 67 in the Office of the Register of Deeds of Guilford County, said corner also being the southeast corner of Eunice L. Beason; thence S 85° 47' 28" E 325.27 feet along the north line of Lot 1 of Love and Faith Christian Fellowship Church, as recorded at Plat Book 132, Page 51 in the Office of the Register of Deeds; thence S 13° 07' 08" W 432.69 feet along the east line of said Lot 1 to the southeast corner of said Lot 1; thence N 88° 00' 30" W 177.43 feet along the south line of said Lot 1 to a point; thence N 88° 04' 51" W 276.77 feet along the south line of said Lot 1 to a point; thence N 88° 07' 31" W 620.02 feet along the south line of said Lot 1 to a point near the center of Blackberry Road; thence N 88° 01' 02" W 825.30 feet along the south line of Lot 2 of Love and Faith Christian Fellowship Church to the southwest corner of said Lot 2; thence N 00° 45' 50" E 503.25 feet along the west line of said Lot 2 to the northwest corner of said Lot 2; thence S 85° 47' 53" E 798.31 feet along the north line of said Lot 2 to a point near the center of Blackberry Road; thence S 85° 48' 29" E 901.82 feet along the north line of said Lot 1 to the point and place of BEGINNING, and containing approximately 20.769 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2002, the liability for municipal taxes for the 2001-02 fiscal year shall and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 2, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the

City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 23, 2002.

(Signed) Robert V. Perkins

.....

62-02 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 2, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT THE NORTHEAST CORNER OF EAST WENDOVER AVENUE AND PENRY ROAD -- 43.426 ACRES

WHEREAS, the owners of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of March, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT THE NORTHWEST CORNER OF EAST WENDOVER AVENUE AND PENRY ROAD – 43.426 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

Beginning at a point in the existing Greensboro city limit line (as of February 28, 2002), said point being on the western eighty foot right-of-way line of Penry Road at a point on the north boundary line of a parcel of land to the North Carolina State Highway Commission as recorded in Deed Book 2010 at Page 38, said point being N 77° 08' 53" W a horizontal ground distance of 1,441.44 feet from City of Greensboro monument #59E 200; thence S 68° 57' 13" W along the northwest side of said North Carolina State Highway Commission a distance of 126.17 feet; thence continuing along said North Carolina State Highway Commission S 07° 32' 36" E a distance of 25.50 feet to the point of intersection with the north one-hundred twenty foot (120') right-of-way line of U. S. Highway 70, known as East Wendover Avenue; thence N 86° 13' 38" W along said north right-of-way line a distance of 1,540.57 feet to an existing iron pipe at the southeast corner of James T. Cox (no deed found) being a point on the east boundary line of Ward Heights Revised as recorded in Plat Book 17 at Page 7; thence N 08° 14' 24" E along said Cox and along said east boundary line of Ward Heights Revised a distance of 116.49 feet to an existing iron pipe at the southeast corner of Raymond C. Cable as recorded in Deed Book 4246 at Page 395; thence N 07° 59' 11" E along said Cable and along said east boundary line of Ward Heights Revised a distance of 74.84 feet to an existing iron pipe at the southeast corner of Felts Family Limited Partnership as recorded in Deed Book 4057 at Page 1926; thence N 07° 57' 11" E continuing along said east boundary line of Ward Heights Revised and along Ward Heights as recorded in Plat Book 16 at Page 53 and along the east boundary line of said Felts Family and along the east boundary line of Gary E. Bridges as recorded in Deed Book 4463 at Page 593 and along the east boundary line of Charles T. Kivett as recorded in Deed Book 5025 at Page 1698 a distance of 224.84 feet to an existing iron pipe at the southeast corner of Wilt T. McRae as recorded in Deed Book 3753 at Page 593; thence N 07° 58' 11" E continuing along the east boundary line of said Ward Heights and said Ward Heights Revised and along the east boundary line of said McRae and along the east boundary lines of Robert R. Johnson as recorded in Deed Book 4271 at Page 670 and Ann Richardson Schisne as recorded in Deed Book 1499 at Page 1500 and Robert R. Johnson as recorded in said Deed Book 4271 at Page 670 a distance of 293.43 feet to an existing iron pipe at the southeast corner of Eastern Oaks Homeowners Association as recorded in Deed Book 3753 at Page 1150; thence N 05° 55' 11" E along the east boundary line of said Eastern Oaks a distance of 185.56 feet to a stone; thence continuing along said east boundary line of Eastern Oaks and along the east boundary line of H. Stanley Gladden as recorded in Deed Book 3789 at Page 1553 a distance of 309.82 feet to an existing iron pipe at

the southwest corner of Robert E. McConnell as recorded in Deed Book 3871 at Page 533; thence S 85° 17' 00" E along the south boundary line of said McConnell and along the south boundary line of the Janet M. Fryar Estate as recorded in Deed Book 3051 at Page 649 a distance of 1,623.31 feet to an existing concrete monument at a point on curve at the point of intersection with said westerly eighty foot right-of-way line of Penry Road; thence along said western right-of-way line along the arc of said curve to the right having a radius of 1,105.91 feet a distance of 141.66 feet (chord course S 01° 20' 08" E – 141.56 feet); thence continuing along said western right-of-way line S 02° 20' 01" W a distance of 949.77 feet to the point of beginning, containing 43.426 acres and being entirely bounded by the existing corporate limits of the City of Greensboro.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2002, the liability for municipal taxes for the 2001-02 fiscal year shall and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 2, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 23, 2002.

(Signed) Robert V. Perkins

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63-02 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF BENJAMIN CONE, JR. FOR THE NORWALK STREET IMPROVEMENTS

WHEREAS, in connection with the Norwalk Street improvements project, the property owned by Benjamin Cone, Jr., Tax Map No. 456-2-1 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$18,000.00 and the owner has agreed to settle for the price of \$19,800.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$19,800.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 402-4531-01.6012 CBR 007.

(Signed) Robert V. Perkins

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02-53 ORDINANCE AMENDING THE FEDERAL, STATE, AND OTHER GRANTS FUND
BUDGET FOR RETIREE HIRE BACK PROGRAM FOR LAW ENFORCEMENT
OPERATIONS CONDUCTED BY THE GREENSBORO POLICE DEPARTMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Federal, State, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follow:

That the appropriation for the Federal, State, and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3571-01.4140	Roster Wages	\$94,400
220-3571-01.4510	F.I.C.A.	\$1,200
220-3571-01.4520	Retirement	<u>\$4,400</u>
Total		\$100,000

And, that this increase be financed by increasing the following Federal, State and Other Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3571-01.7104	Federal Forfeiture	<u>\$100,000</u>
Total		\$100,000

(Signed) Robert V. Perkins

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A motion to approve the minutes of 6 March 2002 was unanimously adopted.

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The Mayor introduced an ordinance changing the name of Moton Drive to Willow Hope Street and so that these matters could be discussed together; an ordinance changing the name of Everitt Street, for that portion lying within the proposed alignment of Willow Hope Street as shown on the plat of Willow Oaks, Phase 1, to Willow Hope Street, and an ordinance changing the name of Bingham Drive between Carver Drive and Evans Street to Old Heritage Trail. He stated these items were continued from the February 19, 2002 meeting of Council.

Councilmember Johnson stated that a committee of residents of the Hope VI Project had selected the names. Councilmember Burroughs-White stated she would not support the resolution because she desired that consideration be given to naming these streets in honor of persons who significantly impacted this area.

Councilmember Gatten moved adoption of the ordinance changing the name of Moton Drive to Willow Hope Street. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: Burroughs-White.

02-54 AN ORDINANCE CHANGING NAME OF MOTON DRIVE TO WILLOW HOPE STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following street name change is hereby authorized to become effective immediately:

PRESENT NAME	PORTION	NEW NAME
Moton Drive	Entire	Willow Hope Street

(Signed) Florence F. Gatten

.....

Councilmember Vaughan moved adoption of the ordinance changing the name of Everitt Street, for that portion lying within the proposed alignment of Willow Hope Street as shown on the plat of Willow Oaks, phase 1, to Willow Hope Street. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: Burroughs-White.

02-55 AN ORDINANCE CHANGING NAME OF BINGHAM DRIVE BETWEEN CARVER DRIVE AND EVANS STREET TO OLD HERITAGE TRAIL

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following street name change is hereby authorized to become effective immediately:

PRESENT NAME	PORTION	NEW NAME
Bingham Drive	between Carver Drive and Evans Street	Old Heritage Trail

(Signed) Donald R. Vaughan

.....

Councilmember Vaughan moved adoption of the ordinance changing the name of Moton Drive to Willow Hope Street. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: Burroughs-White, Jessup.

02-56 AN ORDINANCE CHANGING NAME OF EVERITT STREET, FOR THAT PORTION LYING WITHIN THE PROPOSED ALIGNMENT OF WILLOW HOPE STREET AS SHOWN ON THE PLAT OF WILLOW OAKS, PHASE 1, TO WILLOW HOPE STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following street name change is hereby authorized to become effective immediately:

PRESENT NAME	PORTION	NEW NAME
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Everitt Street

Within the proposed alignment of Willow Hope Street as shown on the plat of Willow Oaks, Phase 1

Willow Hope Street

(Signed) Donald R. Vaughan

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The Mayor introduced a resolution approving bid in the amount of \$3,409,719.89 and authorizing execution of Contract No. 2002-01 with Mapco, Inc. for the resurfacing of streets. Following the City Manager's brief explanation that State Powell Bill designated for street improvements would be used for the project, Councilmember Phillips moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Noes: None.

65-02 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2002-01 WITH MAPCO, INC. FOR THE RESURFACING OF STREETS

WHEREAS, after due notice, bids have been received for the resurfacing of streets throughout the city as identified by Greensboro Department of Transportation's Pavement Management Program;

WHEREAS, Mapco, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$3,409,719.89 as general contractor for Contract No. 2002-01, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Mapco, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 202-6001-01.5611.

(Signed) Thomas M. Phillips

(A tabulation of the bid approving and authorizing contract no. 2002-01 for the resurfacing of streets is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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The Mayor introduced a resolution approving the Greensboro Department of Transportation's Community Walkability Plan. Following brief remarks by the City Manager, Councilmember Gatten spoke on behalf of the Moses Cone-Wesley Long Community Health Foundation. She stated the foundation endorsed the plan because of the health benefits associated with walking .

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

64-02 RESOLUTION APPROVING THE GREENSBORO DEPARTMENT OF TRANSPORTATION'S COMMUNITY WALKABILITY PLAN

WHEREAS, at the February City Council Briefing Council directed staff to prepare a draft policy statement on walkability;

WHEREAS, the intent of this Policy is for Greensboro to become more walkable and to have the support of City Council to help meet this goal;

WHEREAS, the staff has developed the Greensboro Walkability Policy which is presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, THAT:

The proposed Greensboro Department of Transportation's Community Walkability Plan is hereby approved.

(Signed) Yvonne J. Johnson

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Mayor Holliday introduced an ordinance amending in the amount of \$2,260,000 telecommunications fund budget for FY 2001-2002 activities. Assistant City Manager, Mitchell Johnson, spoke to the technology and cost savings anticipated from the change and stated that the funds were available in the city telecommunications fund budget. Darryl Jones, Management Information Systems Department Director stated that the system would not impact 911 lines, had been tested in the City, and was anticipated to be comparable to the present system in terms of reliability.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Burroughs White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-56 ORDINANCE AMENDING TELECOMMUNICATIONS FUND BUDGET FOR FY 2001-2002 ACTIVITIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Telecommunications Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Telecommunications Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
682-0701-02.5413	Consultant Services	\$400,000
682-0701-02.6059	Other Capital Equipment	\$1,860,000
Total		\$2,260,000

and, that this increase be financed by increasing the following Telecommunications Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
682-0000-00.8900	Appropriated Fund Balance	\$2,260,000
Total		\$2,260,000

(Signed) Sandy Carmany

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Jim Pfaff, of 201 West Market Street, Suite 409, spoke on behalf of a caterers association that opposed the recent change at Bryan Park, in terms of changing from using a variety of caterers to the

exclusive selection of Signature Catering. Mr. Pfaff shared his opinion that the change would impact Bryan Park's ability to maintain its level of event bookings that involved catering.

The City Manager explained that Signature Catering was City staffed and that the rationale for this decision was to consolidate overhead expenses for the Coliseum and Bryan Park in anticipation of saving considerable sums of money on an annual basis. He stated that staff would evaluate the impact of this change over a period of time. In response to comments by Councilmember Perkins about a paper Council received from staff on this matter, Mr. Pfaff requested to receive the information that had been provided to Council. Mr. Pfaff stated he would provide additional information about this matter to Council in the next week. The Manager stated the information requested by Mr. Pfaff would be provided and he requested to receive a copy of the same information Mr. Pfaff intended to provide to Council.

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Councilmember Vaughan requested an update on a death on Phillips Avenue. The City Manager stated the Police Department would provide this information.

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Councilmember Jessup stated he had taken a trip to Washington, DC and distributed information to Council with respect to an invitation he had received to a conference; he requested Council's consideration of the invitation.

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Councilmember Phillips expressed his concern with respect to the procedures of the recent meeting with the Guilford Legislative Delegation at Grandover. He expressed frustration at having no opportunity to speak and requested that he be advised in advance if he would not be able to ask questions.

The Mayor stated that the Guilford Legislative Delegation would hold a public hearing on April 30th in the Greensboro City Council Chambers and briefly discussed his related plans and ideas. Council discussed the possibility of televising the meeting, and strategies for presenting their collective position to the Delegation.

Councilmember Perkins moved that the Council discuss strategic issues at the April 26, 2002 Council briefing to present a collective request to the Guilford Legislative Delegation at the April 30, 2002 meeting in the Council Chambers. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

The City Manager stated he would provide information about the hearing time to Council.

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Mayor Holliday spoke to recent community events.

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In response to questions concerning his involvement in several upcoming meetings to discuss potential changes in sales tax distribution, the Mayor outlined his plans for attendance and participation.

County Commissioner Robert Landreth, who was in attendance at the meeting, answered Council's questions with respect to his knowledge of the procedures of conduct that would be followed at the upcoming March 21st County Commissioners meeting and shared his opinions with respect to criteria for sales tax distribution.

Councilmembers Perkins, Phillips and Carmany explained why they were in support of a change in the sales tax distribution system under the condition that the County pay the City for the cost of services

provided to County residents.

Following additional discussion, Councilmember Johnson agreed to attend the March 25th meeting with County Commissioners and area mayors in Jamestown to represent the City.

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The City Manager stated that he wished to cancel the briefing scheduled for March 26th due to a lack of items. Councilmember Vaughan moved to cancel the March 26, 2002 briefing. The motion was seconded by Councilmember Perkins and unanimously adopted by voice vote of Council.

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Councilmember Carmany added the name of Irene Stapleton to the boards and commissions data bank for consideration for future service on the Human Relations Commission or the Commission on the Status of Women.

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Councilmember Vaughan added the name of Richard Beard to the boards and commissions data bank for consideration of future service on the Bryan Park Golf Commission.

.....

Councilmember Johnson stated she would request at the next meeting that Council consider reappointing Joanne Schlaginhaufen to the ABC Board so that Ms. Schlaginhaufen could continue to serve on a State board.

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Councilmember Burroughs-White added the name of Doris Vincent to the boards and commissions data bank for consideration for future service.

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At the request of the City Manager, Councilmember Johnson moved that Council adjourn to Closed Session for the purpose of discussing a legal claim. The motion was seconded by Councilmember Burroughs-White and unanimously adopted by voice vote of Council.

THE COUNCIL MEETING ADJOURNED TO CLOSED SESSION AT 9:44 P.M.

SUSAN CROTTS
DEPUTY CITY CLERK

KEITH A. HOLLIDAY
MAYOR
