DRAFT

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

REGULAR MEETING: 18 MARCH 2003

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; Councilmembers Sandra G. Carmany, Florence F. Gatten, Belvin J. Jessup, Yvonne Johnson, Thomas M. Phillips and Donald R. Vaughan. Absent: Claudette Burroughs-White and Robert V. Perkins. Also present were Ed Kitchen, City Manager; Linda Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

…….

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

…….

The City Manager recognized Andrea Turner, employee in the Organizational Development and Communications Department, who served as courier for the meeting.

…….

The Mayor outlined Council procedure for conduct of the meeting.

…….

Councilmember Gatten moved that Councilmembers Burroughs-White and Perkins be excused from attendance at the meeting. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

…….

Mayor Holliday recognized members of Boy Scout Troup 316 and Girl Scout Troup 366, who were in attendance at the meeting.

…….

The Mayor advised that a request had been made to withdraw the appeal concerning agenda item number 6, an ordinance rezoning from RS-9 Residential Single Family to Conditional Use-RM-12 Residential Multifamily, with existing structure to be renovated an retained, for property located at the northeast intersection of Four Seasons Boulevard and Bradley Street.

Councilmember Johnson moved to withdraw item number 6 from the agenda. The motion was seconded by Councilmember Vaughan and adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Jessup, Johnson, Phillips and Vaughan. Noes: None.

…….

Mayor Holliday stated that the upcoming week was Student Human Relations Week. Rosalyn Fullwood, of the Human Relations Department, presented information on the history, purpose and activities of the Student Human

Relations Commission (SHRC) and the Human Relations Commission. Members of the SHRC from various high schools, who were present in the chamber, were recognized and commended for their participation in the SHRC.

…….

Moving to the Consent Agenda, Councilmember Johnson moved adoption of the ordinances, resolutions and motions on the Consent Agenda. The motion was seconded by Councilmember Phillips; the Consent Agenda was adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Jessup, Johnson, Phillips and Vaughan. Noes: None.

03-50 ORDINANCE AMENDING THE COUNTY CONSTRUCTION PROJECTS FUND BUDGET FOR THE TWILLA ACRES SUBDIVISION ASSESSED WATER AND SEWER PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF GREENSBORO:

That the County Construction Projects Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the County Construction Projects Fund be increased as follows:

Account	Description	Amount
504-7038-01.6016	Water Lines	$237,360
504-7038-01.6017	Sewer Lines	$652,680

Total $890,040

And that this increase be financed by increasing the following County Construction Projects Fund account:

Account	Description	Amount
504-7038-01.8040	Contracted Services-Guilford County	$890,040

Total $890,040

(Signed) Yvonne Johnson

…….

54-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED EAST OF YANCEYVILLE STREET AND NORTH OF O'HENRY SUBDIVISION – 29.471 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED EAST OF YANCEYVILLE STREET AND NORTH OF O'HENRY SUBDIVISION – 29.471 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 January 31, 2003), said point being in the east right-of-way line of Yanceyville Road; THENCE DEPARTING FROM THE EXISTING CITY LIMITS and running with the east right-of-way line of Yanceyville Road N 00° 00' 14" W 111.32 feet to its intersection with the south line of Larry W., Sr. and Maurica W. Lamb, as recorded in Deed Book 3201, Page 649 in the Office of the Register of Deeds of Guilford County; thence N 86° 31' 51" E 200.03 feet along Lamb's south line to Lamb's southeast corner; thence N 00° 11' 06" W 114.27 feet along Lamb's east line to Lamb's northeast corner; thence N 86° 24' 28" E 199.96 feet along the south line of Mark C. Harris, as recorded in Deed Book 4499, Page 1540 in the Office of the Register of Deeds, to Harris's southeast corner; thence N 86° 27' 10" E 326.10 feet along the south line of Mark J. and Linda J. Pickard, as recorded in Deed Book 3794, Page 78 in the Office of the Register of Deeds, to Pickard's southeast corner; thence N 00° 52' 39" E 114.96 feet along Pickard's east line to a point; thence N 11° 19' 22" W 193.93 feet along Pickard's east line to Pickard's northeast corner; thence S 85° 51' 23" W 390.91 feet along Pickard's north line to a point; thence N 00° 13' 23" W 103.40 feet to the NCDOT's northeast corner; thence S 86° 22' 59" W 309.30 feet along NCDOT's north line to a point in the east right-of-way line of Yanceyville Road; thence with the east right-of-way line of Yanceyville Road N 00° 11' 50" W 99.84 feet to a point; thence N 85° 49' 20" E 300.00 feet along Ingold's south line to Ingold's southeast corner; thence N 00° 09' 40" W 114.05 feet along Ingold's east line to Ingold's northeast corner, said corner being in the south line of Lot 2 of James B. Barley, as recorded in Plat Book 72, Page 262 in the Office of the Register of Deeds; thence N 85° 44' 14" E 1,749.69 feet along the south lines of Lots 2, 3, and 4 of the Barley subdivision to the southeast corner of said Lot 4; thence S 00° 06' 59" E 367.71 feet to the southwest corner of Shirley M. Wyrick, as recorded in Deed Book 2995, Page 613 in the Office of the Register of Deeds; thence S 00° 47' 04" W 169.39 feet to a point in the existing city limits, said point being the northeast corner of Tract A of Phase 1 of O'Henry Subdivision, as recorded in Plat Book 149, Page 46 in the Office of the Register of Deeds; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 88° 54' 52" W 205.86 feet along the north line of said Tract A to the northwest corner of Tract A; thence S 01° 12' 59" W 125.06 feet to a point; thence S 86° 28' 12" W 383.59 feet to the northwest corner of "Future Phase 2," as shown on Phase 1 of O'Henry Subdivision, as recorded in Plat Book 147, Page 108 in the Office of the Register of Deeds; thence S 00° 53' 12" W 226.88 feet to a point in the west line of Lot 21 on said plat; thence S 86° 26' 14" W 193.29 feet to the northwest corner of Common Elements as shown on said plat; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 86° 29' 27" W 416.45 feet to a point in the existing city limits, said point being the northeast corner of property of Virginia W. Brown, as shown on City of Greensboro Drawing D-2565; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 86° 55' 01" W 337.68 feet to a point; thence N 87° 01' 03" W 491.28 feet to the point and place of BEGINNING, and containing approximately 29.471 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 owner 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

55-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 1805 WILPAR TERRACE – 1.29 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 1805 WILPAR TERRACE – 1.29 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 Greensboro satellite corporate limits (as of January 31, 2003), said point being the intersection of the northeast right-of-way line of Wilpar Drive and the northeastward projection of the northwest right-of-way line of Wilpar Terrace; THENCE DEPARTING FROM THE SATELLITE CITY LIMITS S 28° 23’ 15” W 182 feet along said projection and said northwest right-of-way line to a point; thence continuing along said right-of-way line with a curve to the right having a bearing of S 31° 37’ W and a chord distance of 42.38 feet to the southernmost corner of Lot 152 of Section 1 of Wilpar Estates, recorded at Plat Book 65, Page 3 in the Office of the Register of Deeds of Guilford County; thence N 55° 09’ 15” W 279.30 feet along the southwest line of said lot to the westernmost corner of said lot; thence N 30° 15’ 20” E approximately 193 feet along the northwest line of said lot and its northeastward projection to a point on the northeast right-of-way line of Wilpar Drive; THENCE PROCEEDING WITH THE SATELLITE CITY LIMITS along said northeast right-of-way line approximately 275 feet to the point and place of BEGINNING, and containing approximately 1.29 acres, 0.95 acres of which is in Lot 152.

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 owner 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

56-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 4009 BATTLEGROUND AVENUE – 0.4 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 4009 BATTLEGROUND AVENUE – 0.4 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 limits (as of January 31, 2001), said point being the northeast corner of property of Rachel Combs; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in an easterly direction with the north line of Harold K. and Rachel Combs approximately 145 feet to a point in the western right-of-way line of Battleground Avenue (US Highway 220), said point being in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a southerly direction along said western right-of-way line approximately 130 feet to its intersection with the north line of Lot 2 of Property of Gaines Corporation, as recorded in Plat Book 76, Page 109 in the Office of the Register of Deeds of Guilford County; thence N 86° 41’ 30” W 154.43 feet along the north line of said Lot 2 to the southeast corner of Rachel Combs; thence N 12° 27’ E 130 feet to the point and place of BEGINNING, and containing approximately 0.4 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 owner 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

57-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 3839 BURLINGTON ROAD – 3.58 ACRES

WHEREAS, the owner 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 3839 BURLINGTON ROAD – 3.58 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 (as of January 31, 2003) Greensboro satellite city limits, said point being the intersection of the west line of Lot 9 of Property E. O. Broadhurst subdivision, as recorded in Plat Book 6, Page 11 in the Office of the Register of Deeds of Guilford County, and the south line of property acquired by the North Carolina Department of Transportation in order to widen U.S. Highway 70; THENCE DEPARTING FROM THE EXISTING SATELLITE CITY LIMITS in a westerly direction along NCDOT's south line approximately 215 feet to its intersection with the primary city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS, crossing Highway 70 in a northerly direction, approximately 100 feet to a point in the north line of property acquired by the North Carolina Department of Transportation in order to widen U.S. Highway 70; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in an easterly direction along NCDOT's north line approximately 220 feet to its intersection with the west line of Lot 56 of Broadhurst subdivision; thence N 03° 43' 50" W 130.84 feet along the west line of said Lot 56 to its northwest corner; thence S 84° 45' 54" E 25.10 feet along the north line of said lot to its northeast corner; thence N 03° 42' 15" E 185.40 feet along the west line of Lot 68 of Broadhurst subdivision to the northwest corner of said Lot 68; thence in a westerly direction along the south line of a

30-foot street right-of-way shown in said subdivision approximately 165 feet to its intersection with the primary city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS, crossing said 30-foot street right-of-way in a northerly direction, approximately 30 feet to a point on the north right-of-way line of said street; thence in an easterly direction along said right-of-way line approximately 752 feet to a corner of the existing city limits; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a southerly direction, crossing said right-of-way, approximately 30 feet to the northeast corner of Lot 89 of Broadhurst subdivision; thence in a westerly direction along the south line of said 30-foot street right-of-way approximately 300 feet to the northeast corner of Lot 77 of Broadhurst subdivision; thence S 03° 59' 06" W 320.80 feet along the east lines of Lots 77 and 46 of Broadhurst subdivision to a point in the north line of property acquired by the North Carolina Department of Transportation in order to widen U.S. Highway 70; thence continuing S 03° 59' 06" W approximately 100 feet to a point in the south line of property acquired by the North Carolina Department of Transportation in order to widen U.S. Highway 70; thence in a westerly direction with said south line approximately 210 feet to its intersection with the east line of Lot 12 of Broadhurst subdivision, said point being in the existing satellite city limits; THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS in a westerly direction approximately 100 feet to the point and place of BEGINNING, and containing approximately 3.58 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

58-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 8610 AND 8612 TRIAD DRIVE – 3.779 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 8610 AND 8612 TRIAD DRIVE – 3.779 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 corporate limits (as of January 31, 2003), said point being the southeast corner of Lot 3 of Property of Frances F. Holt Heirs, as recorded in Plat Book 109, Page 30 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 85° 58' 12" W 415.93 feet along the north right-of-way line of Triad Drive to the southwest corner of Lot 4 of said subdivision; thence N 03° 59' 29" E 210.04 feet along the west line of said Lot 4 to a point; thence N 02° 53' 06" W 129.58 feet along said west line to the northeast corner of Lot 5 of said subdivision; thence N 01° 17' 49" W 42.92 feet along said west line to the northwest corner of said Lot 4; thence S 85° 14' 04" E 441.26 feet along the north lines of Lots 4 and 3 of said subdivision to the northeast corner of said Lot 3, said corner being in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 04° 52' 47" W 375.80 feet to the point and place of BEGINNING, being Lots 3 and 4 of said subdivision and containing 3.779 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 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

59-03 RESOLUTION APPROVING UTILITY AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE U-4015 B PROJECT

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements with the City of Greensboro under Project U-4015B, Guilford County, said plans consisting of improvements to SR 1556 (Gallimore Dairy Road) from International Drive (City Street) to SR 1008 (Market Street) in Greensboro;

WHEREAS, the City, at no expense to the Department, has agreed to relocate and adjust all City-owned utilities and all utilities under franchise that are in conflict with the project;

WHEREAS, the City shall reimburse the Department 100% of the actual costs, including administrative costs, of the work performed by the Department for the widening project (Estimated cost of the project is $2,000,000);

WHEREAS, the City shall provide funding for the project in the amount of $2,000,000 due thirty days prior to advertisement of the Project for bids. The Department will reimburse the City funding advanced on or before October 1, 2007. The estimated amount to be reimbursed to the City is $2,346,600 equaling the amount of $2,000,000 advanced for the project plus the Department's share of funds in the amount of $346,600 reimbursed at an inflation adjustment factor of 1.1733;

WHEREAS, the Department agrees to acquire the right of way and construct the project in accordance with the approved project plans.

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

That Project U-4015 B, Guilford County, is hereby formally approved by the City Council of the City of Greensboro and that the Mayor and Clerk of the City are hereby empowered to sign and execute the Agreement with the Department of Transportation.

(Signed) Yvonne Johnson

…….

60-03 RESOLUTION APPROVING THE TRANSFER OF 201 GANT STREET TO HABITAT FOR HUMANITY OF GREATER GREENSBORO

WHEREAS, in 1998 the City of Greensboro acquired 201 Gant Street, located in the Eastside Park neighborhood through foreclosure for the amount of $11,921.59;

WHEREAS, Habitat for Humanity of Greater Greensboro has been constructing homes in this area for the past ten years and, because of their dire need for buildable lots, has begun construction of two houses on this and the adjacent lot at 203 Gant Street (previously purchase from the City);

WHEREAS, the City requires reimbursement of the full $11,921.59 prior to the transfer of the property but has negotiated an agreement with Habitat whereby they would pay $5,000 for this lot and the City would allocate the remaining $6,921.59 from its Eastside Park Community Development Block Grant budget;

WHEREAS, it is in the best interest of the City that it transfer 201 Gant Street to Habitat for Humanity for the continued development of the Eastside Park Neighborhood.

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

That the transfer of 201 Gant Street to Habitat for Humanity of Greater Greensboro under the condition that the $11,921.59 owed to the City be paid with $5,000 provided by Habitat, and $6,921.59 allocated from the Eastside Park Community Development Block Grant budget is hereby approved.

(Signed) Yvonne Johnson

…….

61-03 RESOLUTION AUTHORIZING ENCROACHMENT OF A 4-INCH SEWER LINE TO BE CONSTRUCTED WITHIN A PUBLIC ALLEY

WHEREAS, Collins, Galyon, and Stratton General Contractors, has requested that the City permit an encroachment within the public alley beginning on East Sycamore Street 90 feet to dead end, as shown on the attached map, to install approximately 80 feet of 4-inch sewer line to service six plumbing fixtures within their space;

WHEREAS, they have agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the storm sewer line being located under the proposed building expansion;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment within the public alley in accordance with the terms and conditions of an Agreement presented herewith this day:

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

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate encroachment Agreement with Collins, Galyon, and Stratton General Contractors to permit the installation of approximately 80 feet of 4-inch sewer line within the public alley beginning on East Sycamore Street 90 feet to dead end, to service six plumbing fixtures within their space all in accordance with the terms and conditions set out therein.

(Signed) Yvonne Johnson

…….

62-03 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2001-04 WITH TRI-STATE CONSULTANTS, INC. FOR THE MARTIN LUTHER KING, JR. STREETSCAPES IMPROVEMENTS

WHEREAS, Contract No. 2001-04 with Tri-State Consultants, Inc. provides for the Martin Luther King, Jr. Streetscapes Project;

WHEREAS, a large quantity of wet material was encountered in this project causing an overrun in the estimated quantity of unclassified excavation, thereby necessitating a change order in the contract in the amount of $54,862.50.

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

That a change order in the above-mentioned contract with Tri-State Consultants, Inc. for the Martin Luther King, Jr. Streetscapes Improvements is hereby authorized at a total cost of $54,862.50, payment of said additional amount to be made from Account No. 402-4531-01-6019 CBR 009.

(Signed) Yvonne Johnson

…….

63-03 RESOLUTION APPROVING CHANGES IN STATE HIGHWAY SYSTEM STREETS WITHIN THE

CORPORATE LIMITS OF THE CITY OF GREENSBORO

WHEREAS, in reviewing the status of State Highway System Streets with officials of the State Highway Commission, it has been determined that certain deletions should be made on the State Highway System Streets within the corporate limits of the City of Greensboro;

WHEREAS, there are certain streets which should be deleted from the State Highway System Plan for state responsibility and maintenance, said streets being as follows:

1. Elm-Eugene Street (SR 3300) from I-85 to I-85 Bypass.
2. Bridford Parkway – North (SR4126) from Wendover Avenue to End of Maintenance.
3. McKnight Mill Road (SR2835) from Sands Drive to 16th Street.
4. Benjamin Parkway (SR 2176) from Aycock Street to Bryan Boulevard.

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

That the deletions in the State Highway System Streets as shown above are hereby approved and shall become effective upon approval by the State Highway Commission.

(Signed) Yvonne Johnson

…….

64-03 RESOLUTION AUTHORIZING INSTALLATION OF WATER LINE ALONG TRIAD DRIVE UNDER AGREEMENT BETWEEN CITY OF GREENSBORO AND GUILFORD COUNTY

WHEREAS, Guilford County has recently authorized the installation of an 8-inch water line from along Triad Drive from the end of the existing main approximately 275' to the west across the remainder of the frontage of the referenced property to serve property owned by Coachman Industries, in accordance with the Consolidated Water and Sewer Agreement between the County and the City;

WHEREAS, the project will be privately financed by the owner;

WHEREAS, in the opinion of the City Council, the best interest of the City will be served by the construction of the water line in accordance with said agreement;

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

That the construction of the above mentioned water line in accordance with the agreement between the City of Greensboro and Guilford County is hereby authorized; provided that there shall be no assessments levied.

(Signed) Yvonne Johnson

…….

03-51 ORDINANCE AMENDING TELECOMMUNICATIONS FUND BUDGET FOR FY 2002-03 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:

Account	Description	Amount
682-0701-04.5113	Telephone – Leased Equipment & Lines	$130,000
682-0701-04.5435	In-House Printing	$13,000
682-0701-04.5622	Maintenance & Repair – Comm. Equip.	$57,000
682-0701-04.6059	Other Capital Equipment	$50,000
Total		$250,000

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

Account	Description	Amount
682-0000-00.8900	Appropriated Fund Balance	$250,000
Total		$250,000

(Signed) Yvonne Johnson

…….

65-03 RESOLUTION AUTHORIZING THE CITY TO EXECUTE THE DESIGNATION OF APPLICANT'S AGENT TO FEMA FOR THE HAZARD MITIGATION GRANT

WHEREAS, the City's Stormwater Management Division was awarded a Hazard Mitigation Planning Grant by the Federal Emergency Management Division (FEMA) through the North Carolina Emergency Management Division;

WHEREAS, this Grant will be used to create a Hazard Mitigation Plan as required by State Law;

WHEREAS, it is necessary for the City to designate an agent to process all the necessary paperwork for the Grant, said Designation of Applicant's Agent to FEMA for the Hazard Mitigation Grant presented herewith this day.

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

That the City is hereby authorized to execute the Designation of Applicant's Agent to FEMA for the Hazard Mitigation Grant presented herewith this day.

(Signed) Yvonne Johnson

…….

66-03 RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT WITH NCDOT TO MODIFY COMPLETION DATE OF NORWALK STREET EXTENSION PROJECT

WHEREAS, on March 7, 2000 City Council authorized the City of Greensboro to enter into a Municipal Agreement with NCDOT (Rail Division) for the design and construction of the Norwalk Street Extension Project:

WHEREAS, additional time is needed to follow specific NCDOT right of way acquisition procedures on this project; to conduct plan reviews and property coordination with the NCDOT;

WHEREAS, NCDOT has requested the execution of a Supplemental Agreement for Project P-3416 extending the project completion date from April 5, 2003 to April 5, 2004, said Agreement is presented herewith this day.

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

THAT, the Mayor and the City Clerk are hereby authorized to execute the Supplemental Agreement with NCDOT for Project P-3416 to extend the completion dated to April 5, 2004.

(Signed) Yvonne Johnson

…….

68-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 4655, 4721 AND 4735 US HIGHWAY 29 NORTH AND 5900 SUMMIT AVENUE – 113.7 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 4655, 4721 AND 4735 US HIGHWAY 29 NORTH AND 5900 SUMMIT AVENUE – 113.7 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 corporate limits (as of January 31, 2003), said point being the intersection of the east right-of-way line of U.S. Highway 29 North and the southeastward projection of the northeast line of property of the State of North Carolina (former Central N. C. School for the Deaf property), as recorded in Deed Book 2662, Page 159 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a southwesterly direction with said right-of-way line approximately 2,410 feet to its intersection with the southeastward projection of the south line of Lot 2 of Frank M. Green, Executor of George Greene, Jr. Estate, as recorded in Plat Book 141, Page 20 in the Office of the Register of Deeds; thence N 57° 21’ 07” W approximately 250 feet, crossing U.S. Highway 29 North, to a rebar found at a southeast corner of said Lot 2; thence with the south line of Lot 2 the following courses and distances: N 57° 21’ 07” W 242.38 feet to a rebar, S 26° 43’ 38” W 71.45 feet to a point, N 63° 16’ 52” W 309.15 feet to a stone, S 01° 36’ 31” W 180.24 feet to a rebar, S 01° 38’ 40” W 316.55 feet to a rebar, S 01° 33’ 09” W 253.80 feet to William L. White’s northeast corner, N 55° 58’ 19” W 102.62 feet to White’s northernmost corner, N 55° 57’ 45” W 160.61 feet to William M. and Phyllis L. White’s easternmost corner, N 55° 58’ 11” W 110.63 feet to White’s northernmost corner, N 55° 53’ 20” W 110.49 feet to Michael P. Morrison’s easternmost corner, N 64° 50’ 35” W 232.77 feet to Morrison’s northernmost corner, and S 03° 16’ 22” W 193.58 feet to Morrison’s southwest corner; thence continuing S 03° 16’ 22” W approximately 60 feet, crossing Esterwood Road (NCSR # 2607), to a point on the south right-of-way line of Esterwood Road; thence S 68° 41’ E approximately 43 feet with said right-of-way line to a point shown on survey by Marvin L. Borum dated 2-23-72; thence continuing with said right-of-way line S 55° 53’ E 700.35 feet to the northeast corner of CGR Products, Inc.; thence S 32° 56’ W 422.80 feet with the west right-of-way line of U.S. Highway 29 North to the southeast corner of CGR Products; thence N 57° 04’ W 538.59 feet along the south line of CGR Products to its southwest corner; thence N 03° 46’ E 483.37 feet with the west line of CGR Products to its northwest corner; thence in a northerly direction, crossing Esterwood Road, approximately 60 feet to the southwest corner of Lot 2 of Frank M. Green; thence N 03° 16’ 22” E 401.18 feet with the west line of said Lot 2 to a point; thence N 03° 12’ 35” E 582.52 feet with the west line of said Lot 2 to its northwest corner; thence with W. H.

Worrell's northeast line N 59° 33' 17" W 296.32 feet to an existing iron pipe in Rodger's Branch; thence down the branch along the east side of the Camp Herman Addition of the Hardie Farm Subdivision, as recorded in Plat Book 14, Page 6 in the Office of the Register of Deeds, and with the center line of said branch the following courses and distances: N 38° 02' 21" E 70.56 feet to a point, N 41° 15' 11" E 126.46 feet to a point, N 57° 46' 03" E 137.42 feet to a point, N 67° 38' 03" E 122.45 feet to a point, N 29° 27' 50" E 130.77 feet to a point, N 25° 15' 39" E 220.81 feet to a point, N 71° 35' 18" E 203.96 feet to a point, N 47° 43' 46" E 325.11 feet to a point, N 36° 53' 41" E 108.92 feet to a point, N 28° 43' 24" W 64.02 feet to a point, N 02° 45' 30" E 138.26 feet to a point, N 26° 32' 47" W 140.09 feet to a point, N 07° 58' 43" W 187.68 feet to a point, N 12° 47' 37" E 260.71 feet to a point, and N 09° 21' 16" E 167.28 feet to the northeast corner of the Camp Herman Addition of the Hardie Farm Subdivision; thence with the south side of Rodger's Branch the following courses and distances: N 77° 17' 18" E 60.01 feet to an iron pipe, N 52° 23' 22" E 110.08 feet to an iron pipe, S 70° 59' 33" E 67.91 feet to an iron pipe, N 24° 02' 01" E 77.91 feet to a point, S 46° 38' 54" E 92.78 feet to an iron pipe, S 30° 10' 50" E 91.03 feet to an iron pipe, N 43° 15' 14" E 52.26 feet to a point, S 50° 40' 41" E 102.73 feet to an iron pipe, S 39° 15' 37" E 156.74 feet to an iron pipe, N 70° 43' 28" E 158.51 feet to an iron pipe, N 59° 52' 32" E 145.13 feet to an iron pipe, said pipe being in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 56° 17' 12" E 1,026.29 feet to an iron pipe in the west right-of-way line of U.S. Highway 29 North; thence in a southeasterly direction, crossing U.S. Highway 29 North, approximately 250 feet to the point and place of BEGINNING, save and except the parcel described below, and containing approximately 113.7 acres.

SAVE AND EXCEPT PARCEL: BEGINNING at the southeast corner of that "Existing Lot Not Part of Exclusion Map" shown on said Frank M. Green plat, said corner being located N 03° 14' 23" E 64.60 feet from the easternmost corner of Michael P. Morrison; thence N 64° 43' 39" W 232.52 feet to the southwest corner of said Lot; thence N 03° 14' 00" E 202.07 feet to the northeast corner of said Lot; thence S 64° 43' 39" E 232.52 feet to the northeast corner of said Lot; thence S 03° 14' 00" W 202.07 feet to the point and place of BEGINNING.

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 owner 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

68-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 5838 RUDD STATION ROAD, 6100-6104 CORPORATE PARK DRIVE, 3502 LAKE HERMAN DRIVE, 5733 SUMMIT AVENUE AND 6100-6104 TECHNOLOGY DRIVE – 119.532 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 5838 RUDD STATION ROAD, 6100-6104 CORPORATE PARK DRIVE, 3502 LAKE HERMAN DRIVE, 5733 SUMMIT AVENUE AND 6100-6104 TECHNOLOGY DRIVE – 119.532 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 1 of Map 3 of Phase 3 of Summit Industrial Park, as recorded in Plat Book 130, Page 119 in the Office of the Register of Deeds of Guilford County; thence with the south line of said Lot 1 the following courses and distances: S 77° 49’ 54” W 115.00 feet to a point, S 62° 57’ 55” W 99.38 feet to a point, N 74° 08’ 44” W 148.17 feet to a point, S 72° 17’ 16” W 122.88 feet to a point, and S 56° 58’ 09” W 123.90 feet to the southwest corner of said Lot 1; thence with the west line of Lot 1 along the east right-of-way line of Rudd Station Road the following courses and distances: N 36° 42’ 44” W 131.19 feet to a point, N 29° 11’ 44” W 88.96 feet to a point, N 23° 33’ 44” W 88.29 feet to a point, and N 20° 37’ 38” W 808.08 feet to a point; thence with a curve to the right having a radius of 20.00 feet N 24° 22’ 22” E a chord distance of 28.28 feet to a point in the southeast right-of-way line of Corporate Park Drive; thence with said right-of-way line N 69° 22’ 22” E 268.89 feet to a point in the northwest line of Lot 1 of Phase 4 of Summit Industrial Park, as recorded in Plat Book 145, Page 87 in the Office of the Register of Deeds; thence continuing with said northwest line along the southeast right-of-way line of Corporate Park Drive 413.56 feet along a curve to the left having a radius of 889.00 feet and a chord bearing and distance of N 55° 33’ 05” E 409.84 feet to the northernmost corner of said Lot 1; thence continuing along the same right-of-way curve 238.73 feet, chord bearing and distance of N 34° 31’ 54” E 238.01 feet, to a point; thence 410.93 feet along said right-of-way line with a curve to the right having a radius of 940.00 feet and a chord bearing and distance of N 39° 03’ 49” E 407.67 feet to a point; thence continuing with said right-of-way line N 52° 15’ 36” E 603.25 feet to the west corner of Shamrock Environmental Corporation, as recorded in Deed Book 4258, Page 854 in the Office of the Register of Deeds; thence S 52° 30’ 04” E 536.03 feet with Shamrock’s southwest line to Shamrock’s present south corner; thence N 39° 05’ 24” E 1,072.93 feet with Shamrock’s southeast line to Shamrock’s east corner; thence S 40° 07’ 12” E 64.29 feet with the southwest line of Lot 6 of Map Two of Lake Herman Corporate Center, as recorded in Plat Book 72, Page 110 in the Office of the Register of Deeds; thence S 59° 08’ 19” E 31.54 feet with the southwest line of Lot 7 of said Map Two to a point; thence N 48° 51’ 57” E 458.77 feet to a point in the southwest right-of-way line of Lake Herman Drive; thence with said right-of-way line the following courses and distances: 74.60 feet along a curve to the right having a radius of 989.68 feet and a chord bearing and distance of S 15° 25’ 54” E 74.58 feet to a point, 308.76 feet along a curve to the left having a radius of 430.99 feet and a chord bearing and distance of S 33° 47’ 44” E 302.20 feet to a point, and S 54° 16’ 05” E 249.43 feet to a point at the corner of Lake Herman Drive and Technology Drive; thence S 35° 06’ 36” W 69.88 feet with the northwest right-of-way line of Technology Drive to a point; thence S 54° 05’ 43” E 59.35 feet with the southwest line of Map Three of Lake Herman Corporate Center, as recorded in Plat Book 72, Page 111 in the Office

of the Register of Deeds, to a point; thence continuing with said southwest line S 48° 11' 20" E 291.83 feet to a point in the northwest line of Lot 71 of the Camp Herman Addition of Hardie Farm Subdivision, as recorded in Plat Book 14, Page 14 in the Office of the Register of Deeds; thence with the northwest lines of Lots 71-81 of said subdivision the following courses and distances: S 29° 22' 12" W 88.93 feet to a point, S 28° 58' 58" W 100.05 feet to a point, S 28° 40' 51" W 100.41 feet to a point, S 28° 46' 07" W 100.50 feet to a point, S 28° 44' 15" W 100.24 feet to a point, S 28° 34' 13" W 133.25 feet to a point, S 28° 52' 45" W 168.15 feet to a point, and S 28° 43' 39" W 200.61 feet to a point in the northwest line of said Lot 81; thence S 56° 05' 24" E 242.26 feet to a point in the northwest right-of-way line of Summit Avenue; thence with said right-of-way line S 33° 17' 19" W 191.58 feet to a point; thence continuing with said right-of-way line S 33° 55' 29" W 59.62 feet to a point; thence N 20° 54' 50" W 199.54 feet to a point; thence N 55° 51' 17" W 135.95 feet to a point; thence S 34° 06' 29" W 315.05 feet to a point; thence S 34° 02' 51" W 100.03 feet to a point; thence S 33° 55' 55" W 94.92 feet to a point; thence S 33° 59' 41" W 154.74 feet to a point; thence S 33° 51' 08" W 100.17 feet to a point; thence S 33° 57' 12" W 100.04 feet to a point; thence N 55° 15' 38" W 269.52 feet to the northernmost corner of Lot 91 of the Camp Herman Addition of Hardie Farm Subdivision; thence with the northwest lines of Lots 91 and 92 of said subdivision S 33° 58' 44" W 425.05 feet to a point; thence N 77° 52' 41" W 77.40 feet to Charles R. Pattshall's northeast corner, as recorded in Deed Book 3354, Page 225 in the Office of the register of Deeds; thence N 76° 33' 57" W 72.42 feet with Pattshall's north line to his northwest corner; thence N 76° 37' 32" W 169.46 feet with the north line of Howard E. May to his northwest corner; thence N 76° 33' 07" W 119.98 feet with G. S. Gregory's north line to his northwest corner; thence N 76° 34' 32" W 179.80 feet with J. J. Swink's north line to a point; thence S 29° 04' 42" W 299.24 feet with Swink's northwest line to the northernmost corner of Howard L. and Leo J. Swink; thence with said Swink's north line the following courses and distances: S 65° 16' 30" W 58.02 feet to a point, S 51° 17' 32" W 92.91 feet to a point, and S 77° 49' 54" W 184.39 feet to the point and place of BEGINNING, and containing approximately 119.532 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

69-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 6206-A TECHNOLOGY DRIVE – 4.20 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 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 6206-A TECHNOLOGY DRIVE – 4.20 ACRES)

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

BEGINNING at the northernmost corner of Lot No. 13-A of Redivision of Lot No. 13 of the Redivision of Lot Nos. 13 & 14, Map Three, Lake Herman Corporate Center, as recorded in Plat Book 92, Page 140 in the Office of the Register of Deeds of Guilford County; thence S 36° 47' 20" E 630.59 feet along the northeast line of said lot to the easternmost corner of said lot; thence S 63° 46' 04" W 214.92 feet along the southeast line of said lot to a point; thence S 58° 05' 04" W 42.79 feet along the southeast line of said lot to the southernmost corner of said lot; thence N 44° 56' 54" W 573.46 feet along the southwest line of said lot to the westernmost corner of said lot; thence N 39° 26' 30" E 178.66 feet along the southeast right-of-way line of Technology Drive to a point; thence continuing with said right-of-way line with a curve to the right having a radius of 220.02 feet an arc length of 161.43 feet to the point and place of BEGINNING, being Lot 13-A of said subdivision and containing 4.201 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

70-03 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 1, 2003 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 6200 AND 6201 CORPORATE PARK DRIVE – 20.0 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 18th day of March, 2003, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 6200 AND 6201 CORPORATE PARK DRIVE – 20.0 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 corporate limits (as of January 31, 2003), said point being the intersection of the city limit line and the northwestward projection of the northeast line of Lot 4 of Map Two, Lake Herman Corporate Center, as recorded in Plat Book 72, Page 110 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 38° 40' 40" E approximately 200 feet, crossing the Norfolk Southern railroad right-of-way, to the northernmost corner of said Lot 4; thence continuing S 38° 40' 40" E 839.40 feet along the northeast line of Lot 4 to its easternmost corner; thence in a southeasterly direction, crossing Corporate Park Drive, approximately 60 feet to the northernmost corner of Lot 9 on said Map Two; thence with the northeast line of Lot 9 the following bearings and distances: S 52° 57' W 82.81 feet to a point, S 77° 43' 06" W 155.08 feet to a point, S 38° 28' 35" W 138.33 feet to a point, S 24° 10' W 98.77 feet to a point, N 61° 11' 12" W 102.02 feet to a point, N 68° 46' 52" W 62.39 feet to a point, N 08° 05' 16" W 44.39 feet to a point, and S 49° 01' 18" W 201.63 feet to the southernmost corner of Lot 9; thence following the northeast right-of-way line of Lake Herman Drive with a curve to the left having a radius of 1,049.68 feet, a chord bearing and distance of N 25° 14' 06" W 168.43 feet, and an arc length of 168.62 feet to a point; thence continuing with said right-of-way line N 29° 50' 12" W 217.48 feet to the westernmost corner of Lot 9; thence in a northwesterly direction, crossing Corporate Park Drive, approximately 60 feet to the southernmost corner of Lot 4; thence N 34° 48' 36" W 868.01 feet to the westernmost corner of Lot 4; thence continuing N 34° 48' 36" W approximately 200 feet, crossing the Norfolk Southern railroad right-of-way, to a point in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northeasterly direction approximately 465 feet to the point and place of BEGINNING, and containing approximately 20.0 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, 2003, the liability for municipal taxes for the 2003-2004 fiscal year 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, 2003.

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

That April 1, 2003 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 22, 2003.

(Signed) Yvonne Johnson

…….

Motion to make a part of the minutes the report of Budget Adjustments covering period February 1-28, 2003 was unanimously approved. (A copy of the report is filed in Exhibit Drawer O, Exhibit #1 and is hereby

referred to and made a part of the minutes.)

…….

Motion to approve minutes of regular meeting of March 4, 2003 was unanimously approved.

…….

Mayor Holliday stated that staff had requested that Council delete item number 28, a resolution authorizing City Attorney to institute proceedings to condemn portion of property of Carriage Crossing in connection with the Wagon Wheel Commons Project. The City Manager stated that this item could be brought back later pending future action. Councilmember Phillips moved that item 28 be deleted from the agenda. The motion was seconded by Councilmember Gatten and adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Jessup, Johnson, Phillips and Vaughan. Noes: None.

……..

The Mayor introduced a resolution approving the submittal of EPA Brownfield Assessment Grant Proposal for the South Elm Street area. The City Manager requested that Council take action to support a grant application for this site, which had previously been discussed as a potential baseball stadium location.

Dan Curry, of the Housing and Community Development Department, spoke to the amount of the grant application and how it would be used to characterize site contaminants and develop cleanup for redevelopment. He advised that community involvement would be a key aspect, that a committee would be formed once the grant was received; and that the committee would be involved in planning and development work in the South Elm Street area.

Caroline Wells, also of the Housing and Community Development Department, provided information in a power point presentation with respect to the definition of a Brownfield, the South Elm Street site, a description of the area in terms of grant application project boundaries, the reasons cleanup was important, why the site was selected, the process that would follow if the grant were awarded, and the potential benefits to the community. Ms. Wells advised that the proposal was available for public review and comment.

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

71-03 RESOLUTION APPROVING SUBMITTAL OF EPA BROWNFIELD ASSESSMENT GRANT PROPOSAL FOR THE SOUTH ELM STREET AREA

WHEREAS, the City of Greensboro has been invited to the final round of competition for a $275,000 Brownfield Assessment Grant from the Environmental Protection Agency for the South Elm Street area;

WHEREAS, Brownfields are properties that are known or perceived to be contaminated with hazardous substances, such as fuel, toxic waste, asbestos or lead-based paint;

WHEREAS, the goals for the use of the EPA Brownfield Assessment Grant are to eliminate the uncertainties of contamination and clean-up with the development of a remediation strategy, to stimulate community involvement and awareness of Brownfield issues, and to leverage funds for clean-up and redevelopment;

WHEREAS, since community involvement is a key factor in the EPA's evaluation, City staff has notified adjacent neighborhood organizations, property owners, civic boards, non-profits and educational institutions of this proposal;

WHEREAS, it is in the best interest of the City to submit this request to secure funding through this Grant to begin renovation of the South Elm Street area.

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

THAT, the submittal of EPA Brownfield Assessment Grant Proposal for the South Elm Street area is hereby approved.

(Signed) Yvonne J. Johnson

(A copy of the above mentioned power point presentation is filed with the resolution and is hereby referred to and made a part of the minutes.)

…….

The Mayor introduced an ordinance amending in the amount of $2,000,000 General Fund FY 02-03 Budget for Storm Debris Clean-up. The City Manager advised that this appropriation would transfer money from the reserve fund to cover February 2003 storm clean up expenses. He stated that the City had taken all the necessary steps needed to apply for reimbursement by the Federal Government; advised that the process was the same as after the December 2002 storm; and noted that the Governor had recently declared Guilford County a disaster and that reimbursement would allow the reserve fund to be replenished.

Dale Wyrick, Operations Manager for the Department of Transportation, provided a report on the status of the clean up project. He detailed tonnages of debris collected, costs related to the clean up, services already contracted, services remaining to be contracted, the contractor selection process and the time line anticipated to complete the clean up. After Mr. Wyrick advised that debris bundling restrictions had gone back into effect, he spoke to related issues that could impact citizens and how these were being addressed.

Following brief Council discussion, Councilmember Phillips moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Jessup, Johnson, Phillips and Vaughan.

ORDINANCE AMENDING GENERAL FUND FY 02-03 BUDGET FOR STORM DEBRIS CLEAN-UP

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

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

Account	Description	Amount
101-9550-99.5949	Miscellaneous	$2,000,000
Total		$2,000,000

and, that this increase be financed by increasing the following General Fund accounts:

Account	Description	Amount
101-0000-00.8900	Appropriated Fund Balance	$2,000,000
Total		$2,000,000

(Signed) Thomas M. Phillips

…….

Mayor Holliday introduced a resolution approving bid in the amount of $1,804, 653 and authorizing Contract No. 2003-07 with Brooks General Contractors of Greensboro, NC for the Kathleen Clay Edwards Family Branch Library.

The Manager spoke to the dyanamic nature of the new library and asked Sandy Neerman, Library Director, to present an update on the project. Ms. Neerman stated this branch would replace the existing Quaker Village

branch. She outlined the history of acquisition of the property and presented detailed technical information pertaining to the project. Ms. Neerman emphasized the unique characteristics of this library in terms of its environmental setting in a park and the recreational and educational opportunities this would provide. She invited Council and the public to attend the upcoming ground breaking ceremony for the library branch.

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

72-03 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2003-07 WITH BROOKS GENERAL CONTRACTORS OF GREENSBORO, NC FOR THE KATHLEEN CLAY EDWARDS FAMILY BRANCH LIBRARY

WHEREAS, after due notice, bids have been received for the Kathleen Clay Family Branch Library;

WHEREAS, Brooks General Contractors of Greensboro, NC, a responsible bidder, has submitted the low base and alternate bid in the total amount of $1,804,653.00 as general contractor for Contract No. 2003-07, 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 Brooks General Contractors of Greensboro, NC 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. 447-5502-01.6013 CBR 001.

(Signed) Florence F. Gatten

(A tabulation of bids for the project is filed with the above resolution and is hereby referred to and made a part of the minutes.)

…….

After stating that she was acting on behalf of Councilmember Perkins, Councilmember Gatten moved that pending his immediate resignation from the Board of Adjustment, Bryan Byrd be appointed to fill unexpired portion of term of Ricky Majette, resigned, on the Zoning Commission; this term will expire 15 August 2003. Following brief discussion with respect to district representation, the motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

…….

Councilmember Gatten added the name of Ward Matthews to the boards and commissions data bank for consideration for future service.

Councilmember Phillips stated that for Council to appoint members to the Cultural Arts Council at the first April meeting, information would need to be provided with respect to candidates being placed in the data bank prior to the April 1 meeting. He asked the City Attorney if information could be shared among Council for placement of names in the databank at the March 25 Briefing. The City Attorney advised that this course could be followed if the appointments were made during a regular meeting.

…….

After stating that he was acting on behalf of Councilmember Perkins, Councilmember Phillips added the name of Jean Twilley to the boards and commissions data bank for consideration of future service on the Cultural Center Council.

…….

Councilmember Jessup added the name of Annie E. Slaughter in the boards and commissions databank for Consideration for future service on the Cultural Center Council.

…….

Councilmember Jessup expressed concern with respect to old cars and trucks on Britain Street; he requested that the Engineering and Inspections Department inspect the area.

…….

Members of Council and the City Manager congratulated the Coliseum staff and all who worked on the success of the Atlantic Coast Conference Tournament. The Manager spoke to many volunteers and staff had made an outstanding effort. He advised that employees would be invited to a future Council meeting for recognition.

…….

Councilmember Carmany stated she was considering nominating Trudy Atkins, whose name was already in the data bank, at the next regular Council meeting, already in the data bank, to serve on the Cultural Center Council.

…….

Council spoke to various community related events and information.

…….

The City Manager distributed information from the Board of Elections with respect to proposed voting sites and schedules to enhance "one stop voting" for the October 7, 2003 Municipal Primary Election and November 4, 2003 Municipal General Election. He spoke briefly to the cost to the City per location. Council expressed support for the Guilford County Agricultural Center (Barn) and Leonard Recreation Center for Primary Election auxiliary locations. In response to the proposed auxiliary locations for the November 4 General Election, some members of Council expressed concern that the proposal would not provide equitable opportunity citywide. The Manager advised that he would convey to the Board of Elections, the Council's support of two locations, the Guilford County Agricultural Center and Leonard Recreation Center, for both elections.

…….

After discussion with Council, the Manager advised that discussion with regard to setting the public hearing date for the Comprehensive Plan would take place at the March 25, 2003 Council Briefing. He advised that following a public hearing, the Plan would be considered by Council at the first regular meeting in May.

…….

Councilmember Johnson moved that the meeting be adjourned. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote.

THE CITY COUNCIL ADJOURNED AT 7:20 P.M.

Susan E. Crotts
Deputy City Clerk

Keith A. Holliday
Mayor

****