

**DURHAM, NORTH CAROLINA  
MONDAY, AUGUST 4, 2014  
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers located at 101 City Hall Plaza with the following members present: Mayor William V. "Bill" Bell, Mayor Pro Tempore Cora Cole-McFadden and Council Members Eugene Brown, Diane Catotti, Eddie Davis, Don Moffitt and Steve Schewel. Absent: None.

Also present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker and City Clerk D. Ann Gray.

Mayor Bell called the meeting to order with the Pledge of Allegiance led by Council Member Brown.

Mayor Bell read a proclamation recognizing "National Night Out" in the City of Durham on Tuesday, August 5, 2014.

The Mayor asked if there were any announcements from the Council.

Mayor Pro Tempore Cole-McFadden commented on her attendance at the recent National League of Cities Meeting in St. Paul, Minnesota.

Mayor Bell asked for priority items from the City Manager, City Attorney and City Clerk.

City Attorney Baker stated he attended the North Carolina Association of Municipal Attorneys Summer Conference and had the honor of presenting the Ernest H. Ball Life Time Achievement Award In Municipal Law to former City Attorney Henry Blinder. He said there have been 14 attorneys that have received this award and 3 of them have been awarded to former attorneys employed by the City of Durham, Claude Jones, Bill Thornton and Henry Blinder.

There were no priority items from the City Manager and City Clerk.

The Mayor explained that the Consent Agenda was approved with a single motion and any items pulled by a citizen or council member would be discussed at the end of the end of the agenda. Consent Item #31 (Controlled Residential Parking Area on Rosewood) was pulled by a council member.

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to approve the Consent Agenda as amended was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**[CONSENT AGENDA]**

**August 4, 2014**

**SUBJECT: APPROVAL OF CITY COUNCIL MINUTES**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to approve City Council minutes for May 5, 2014 City Council Meeting, May 8, 2014 City Council Work Session, May 19, 2014 City Council Meeting, May 22, 2014 City Council Work Session, May 23, 2014 Special Meeting, June 2, 2014 City Council Meeting, June 5, 2014 City Council Work Session and June 16, 2014 City Council Meeting was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: EQUAL BUSINESS OPPORTUNITY PROGRAM ADVISORY COMMITTEE - APPOINTMENT**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to reappoint Ronald Williams to the Equal Business Opportunity Program Advisory Committee representing SDBE Construction Firm Owner with the term expiring on April 1, 2016 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: DURHAM CULTURAL ADVISORY BOARD – APPOINTMENTS**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to reappoint Frank Konhaus and Cynthia Mebane Watts and to appoint Dorothy C. Browne, Margaret DeMott and Peter L. Holsapple to the Durham Cultural Advisory Board with the terms to expire on June 30, 2016 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: CITIZENS ADVISORY COMMITTEE - APPOINTMENTS**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to reappoint Kevin W. McLaughlin and to appoint Leah Denise Wyatt to the Citizens Advisory Committee with the terms expiring on June 30, 2017 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: HOMELESS SERVICES ADVISORY COMMITTEE - APPOINTMENT**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to appoint Latasha Wilson to the Homeless Services Advisory Committee representing Corporate/Private Sector Business with the term expiring on June 30, 2017 was approved at 7:16

**August 4, 2014**

p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: RECREATION ADVISORY COMMISSION - APPOINTMENTS**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to reappoint Loren S. Darden and to appoint Gene Carleton to the Recreation Advisory Commission with the terms expiring on August 8, 2017 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: HOUSING APPEALS BOARD - APPOINTMENT**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to appoint Samantha Perry to the Housing Appeals Board as a Regular Member representing Tenant with the term expiring on June 30, 2017 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: WORKFORCE DEVELOPMENT BOARD - APPOINTMENTS**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to reappoint the following citizens to the Workforce Development Board Janis M. Clark representing Private Sector (Term expires June 30, 2016), Autrice Campbell Long representing Private Sector (Term expires June 30, 2016), John L. Martin representing Labor Organization (Term expires June 30, 2018), Del Mattioli representing Private Sector (Term expires June 30, 2018) and Edward C. Wood, Jr. representing Public Sector Employment Agency (Term expires June 30, 2018) was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: DURHAM BICYCLE AND PEDESTRIAN ADVISORY COMMISSION - APPOINTMENT**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to appoint Andrew Jacobson to the Durham Bicycle and Pedestrian Advisory Commission representing Urban Trails and Greenways with the term expiring on August 31, 2017 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: DURHAM BOARD OF ADJUSTMENT - APPOINTMENT**

**August 4, 2014**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to appoint Regina DeLacy to the Durham Board of Adjustment as an Alternate Member with the term expiring on June 30, 2015 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: BID REPORT - MAY 2014**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of May 2014 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**City of Durham | North Carolina**

**Date:** July 8, 2014  
**To:** Thomas J. Bonfield, City Manager  
**Through:** Wanda S. Page Deputy City Manager  
**From:** David Boyd, Finance Director  
Sue Sandhoff, Financial Operations Manager  
**Subject:** Bid Report - May 2014

**Recommendation**

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of May 2014.

**Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:**

- 1. **Bid:** 175kW Generator  
Purpose of Bid: Provides the General Services Department with a 175kW generator for use at the Fay Street location, to include installation and set up.  
Comments: Pricing per National Joint Powers Alliance (NJPA) Co-Op Contract #080613-CAT.  
Opened: 5/1/14  
Bidders: Gregory Poole Equipment Company \* \$51,216.15  
Raleigh, NC

\*Awarded based on: \_\_\_\_\_ Low Bid X \_\_\_\_\_ Other (See Comments)

August 4, 2014

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	379		# Black Males	22	6%
Total # Females	63	17%	# White Males	282	74%
Total # Males	316	83%	# Other Males	12	3%
			# Black Females	5	2%
			# White Females	55	14%
			# Other Females	3	1%

**2. Bid: Replacement Computers**

Purpose of Bid: Provides the Technology Solutions Department with 82 desk top and 88 notebook computers to support the computer replacement program.

Comments: Pricing per N.C. State Contract No. 204A

Opened: 5/2/14

Bidders: Lenovo United States, Inc. \* \$105,070.00  
Tempe, AZ

\*Awarded based on: \_\_\_\_\_ Low Bid    X    Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	2289		# Black Males	129	5%
Total # Females	725	32%	# White Males	1234	54%
Total # Males	1563	68%	# Other Males	200	9%
			# Black Females	90	4%
			# White Females	533	24%
			# Other Females	102	4%

**3. Bid: UV Lighting Replacement Parts**

**August 4, 2014**

Purpose of Bid: Provides the Water Management Department Engineering and Maintenance Division with Trojan System UV3000 replacement parts to support the treatment process at the City's water reclamation facilities.

Comments: EW2 Environmental is the designated local supplier of Trojan System replacement parts, which are required to maintain equipment guarantee.

Opened: 5/6/14

Bidders: EW2 Environmental, Inc. \* \$36,394.00  
Charlotte, NC

\*Awarded based on: \_\_\_\_\_ Low Bid X \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	11		# Black Males	0	0%
Total # Females	3	27%	# White Males	8	73%
Total # Males	8	73%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	3	27%
			# Other Females	0	0%

**4. Bid: Sewer Line Repair/Rehabilitation Parts**

Purpose of Bid: Provides the Water Management Department, Water and Sewer Operations Division with sewer line repair/rehabilitation parts and accessories to be used on flush trucks.

Comments:

Opened: 5/9/14

Bidders: Environmental Products and Accessories, LLC \* \$10,687.49  
Hixson, TN

Rodders & Jets Supply Company \$13,759.40  
Sumter, SC

Bruder/Sharpe, Inc. \$12,791.57  
Madison, NC

\*Awarded based on: \_\_\_\_\_ X \_\_\_\_\_ Low Bid \_\_\_\_\_ Other (See Comments)

August 4, 2014

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	11		# Black Males	2	18%
Total # Females	<u>3</u>	27%	# White Males	<u>6</u>	55%
Total # Males	<u>8</u>	<u>73%</u>	# Other Males	<u>0</u>	0%
			# Black Females	<u>0</u>	0%
			# White Females	<u>3</u>	27%
			# Other Females	<u>0</u>	0%

**5. Bid: Computer Server Operating System Software**

Purpose of Bid: Provides the Police Department with operating system software to support upgrades for the data center.

Comments:

Opened: 5/7/14

Bidders:	Software House International Corporation	*	\$16,154.36
	Somerset, NJ		
	CDW Government		\$16,828.28
	Vernon Hills, IL		

\*Awarded based on:           X           Low Bid            Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	1196		# Black Males	69	6%
Total # Females	<u>463</u>	39%	# White Males	<u>516</u>	43%
Total # Males	<u>733</u>	<u>61%</u>	# Other Males	<u>148</u>	12%
			# Black Females	<u>56</u>	5%
			# White Females	<u>295</u>	25%
			# Other Females	<u>112</u>	9%

**August 4, 2014**

**6. Bid: Laptop Computer Replacement**

Purpose of Bid: Provides the Police Department with 10 laptop computers to replace existing aged equipment.

Comments: Pricing per N.C. State Contract No. 204A

Opened: 5/8/14

Bidders: Dell Marketing LP \* \$16,410.20  
Round Rock, TX

\*Awarded based on: \_\_\_\_\_ Low Bid X Other (See Comments) \_\_\_\_\_

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	35984		# Black Males	1661	5%
Total # Females	12124	34%	# White Males	1723	48%
Total # Males	23860	66%	# Other Males	9	13%
			# Black Females	1400	4%
			# White Females	8167	23%
			# Other Females	2557	7%

**7. Bid: Microwave Dish Removal - Six City Locations**

Purpose of Bid: Removal of microwave dish and associated lines from six tower locations throughout the City of Durham.

Comments: Triangle Tower Services provides coordinated removal of old microwave radio systems in conjunction with current radio system upgrades underway for the City.

Opened: 5/1/14

Bidders: Triangle Tower Services \* \$19,200.00

\*Awarded based on: \_\_\_\_\_ Low Bid X Other (See Comments) \_\_\_\_\_

WORKFORCE STATISTICS  
CORPORATION STATISTICS

**August 4, 2014**

Total Workforce	15		# Black Males	0	0%
Total # Females	1	6%	# White Males	12	80%
Total # Males	14	94%	# Other Males	2	14%
			# Black Females	0	0%
			# White Females	1	6%
			# Other Females	0	0%

**8. Bid: Access Control / Security System**

Purpose of Bid: Provides the Police Department with a Paxton Net2 access control / security system for the District 4 Substation.

Comments: Security Integration Group is the sole source distributor for the Paxton Net2 access control system, which integrates into the existing system currently in use by the City.

Opened: 5/1/14

Bidders: Security Integration Group \* \$10,295.00  
Durham, NC

\*Awarded based on: \_\_\_\_\_ Low Bid X \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	3		# Black Males	0	0%
Total # Females	0	0%	# White Males	3	100%
Total # Males	3	100%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

**9. Bid: Plantronics Radio Headsets**

Purpose of Bid: Provides the Emergency Communications (911) with 72 radio headsets for use by the Emergency Operations Division.

**August 4, 2014**

Comments: The Plantronics radio headsets are required to work interchangeably with the existing Motorola radio and 911 phone system utilized by the Emergency Operations Division.

Opened: 5/1/14

Bidders: Call One Inc. \* \$14,052.00  
Cape Canaveral, FL

\*Awarded based on: \_\_\_\_\_ Low Bid X Other (See Comments) \_\_\_\_\_

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	76		# Black Males	1	1%
Total # Females	26	34%	# White Males	49	64%
Total # Males	50	66%	# Other Males	1	1%
			# Black Females	4	5%
			# White Females	21	28%
			# Other Females	1	1%

**10. Bid: Diesel Tank Rehabilitation**

Purpose of Bid: Provides the Department of Water Management with corrective / rehabilitation and permitting services for the diesel tank located at the Brown Treatment Plant.

Comments:

Opened: 5/19/14

Bidders: Vital Fuel Systems \* \$14,116.00  
Apex, NC  
First Service Sales \$16,210.00  
Greensboro, NC  
J D Plumbing NO BID  
Durham, NC

\*Awarded based on: \_\_\_\_\_ X Low Bid \_\_\_\_\_ Other (See Comments) \_\_\_\_\_

WORKFORCE STATISTICS  
CORPORATION STATISTICS

**August 4, 2014**

Total Workforce	14		# Black Males	0	0%
Total # Females	<u>2</u>	14%	# White Males	<u>12</u>	<u>86%</u>
Total # Males	<u>12</u>	<u>86%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>2</u>	<u>14%</u>
			# Other Females	<u>0</u>	<u>0%</u>

**11. Bid: Work Stations**

Purpose of Bid: Provides the Police Department Victim Services Division with seven work stations.

Comments: Pricing per U. S. Communities Co-Op Contract #44000000370 and matches existing work station units.

Opened: 5/19/14

Bidders: PMC Commercial Interiors \* \$17,724.88  
Morrisville, NC

\*Awarded based on: \_\_\_\_\_ Low Bid    X \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	46		# Black Males	3	7%
Total # Females	<u>28</u>	61%	# White Males	<u>14</u>	<u>30%</u>
Total # Males	<u>18</u>	<u>39%</u>	# Other Males	<u>1</u>	<u>2%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>28</u>	<u>61%</u>
			# Other Females	<u>0</u>	<u>0%</u>

**12. Bid: Fire Department Extrication Equipment**

Purpose of Bid: Provides the Fire Department with Hurst rescue equipment to be used when necessary for extrication.

**August 4, 2014**

Comments: Newton's Fire and Safety Equipment is the sole authorized dealer in the Durham area which has been certified by Hurst to provide equipment, operation, and service of their product. The Hurst rescue equipment is required to provide compatibility with existing equipment in use by the Fire Department.

Opened: 5/21/14

Bidders: Newton's Fire and Safety Equipment \* \$32,905.00  
Swepsonville, NC

\*Awarded based on: \_\_\_\_\_ Low Bid X Other (See Comments) \_\_\_\_\_

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	24		# Black Males	1	4%
Total # Females	2	8%	# White Males	21	88%
Total # Males	22	92%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	8%
			# Other Females	0	0%

**SUBJECT: BID REPORT - JUNE 2014**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of June 2014 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**City of Durham | North Carolina**

**Date: July 8, 2014**

**To: Thomas J. Bonfield, City Manager**

**Through: Wanda S. Page Deputy City Manager**

**From: David Boyd, Finance Director**

August 4, 2014

Sue Sandhoff, Financial Operations Manager

Subject: Bid Report - June 2014

**Recommendation**

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of June 2014

**Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:**

**1. Bid: Eyewash / Shower Stations**

Purpose of Bid: Provides the Water Management Department with replacement eyewash / shower stations for the Brown Plant.

Comments: 5 outdoor insulated units @ \$2264 and 12 indoor units @ 921.14.

Opened: 6/1/14

Bidders:	Atlantic Coastal Supply	*	\$22,373.68
	Greenville, NC		
	Grainger		\$34,239.20
	Greensboro, NC		
	Kully Supply		\$34,708.67
	Burnsville, MN		

\*Awarded based on:     X     Low Bid                      Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	<u>13</u>		# Black Males	<u>1</u>	<u>8%</u>
Total # Females	<u>2</u>	<u>15%</u>	# White Males	<u>10</u>	<u>77%</u>
Total # Males	<u>11</u>	<u>85%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>2</u>	<u>15%</u>
			# Other Females	<u>0</u>	<u>0%</u>

**2. Bid: Parking Pay Stations**

Purpose of Bid: Provides the City with two additional fully operational parking pay stations. Units to be located at Lot #8, Church Street and Lot #10, 9th Street.

**August 4, 2014**

Comments: Discounted equipment rate provided by the City's parking services provider; new units integrate with existing parking system programming and operations.

Opened: 6/27/14

Bidders: Lanier Parking Meter Services LLC \* \$18,928.00

\*Awarded based on: \_\_\_\_\_ Low Bid X Other (See Comments) \_\_\_\_\_

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	21		# Black Males	8	37%
Total # Females	10	48%	# White Males	1	5%
Total # Males	11	52%	# Other Males	2	10%
			# Black Females	9	43%
			# White Females	1	5%
			# Other Females	0	0%

**3. Bid: Fire View Desktop Software Upgrade**

Purpose of Bid: Provides the Fire Department with an upgrade package to an existing software program (FireView Desktop System) to enhance import capabilities.

Comments: The Omega Group is the sole source provider of the FireView program.

Opened: 6/17/14

Bidders: The Omega Group \* \$29,050.00  
San Diego, CA

\*Awarded based on: \_\_\_\_\_ Low Bid X Other (See Comments) \_\_\_\_\_

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	26		# Black Males	1	4%
Total # Females	7	27%	# White Males	17	65%

**August 4, 2014**

Total # Males	19	<u>73%</u>	# Other Males	1	4%
	<u>          </u>	<u>          </u>	# Black Females	1	4%
			# White Females	5	19%
			# Other Females	1	4%

**4. Bid: Lift Station Emergency Pumpset**

Purpose of Bid: Provides the Water Management Department, Engineering and Maintenance Division with an Emergency Pump for lift stations.

Comments: Xylem Dewatering Solutions is the sole source manufacturer of the Godwin Dri-Prime pumpset, which minimizes sound during operation, and meets the department's requirements to ensure there is no loss of pumping operation due to the self-priming feature of the pumpset.

Opened: 6/19/14

Bidders: Xylem Water Solutions USA, Inc \* \$56,927.20  
Charlotte, NC

\*Awarded based on:            Low Bid            X Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	17		# Black Males	1	6%
Total # Females	<u>1</u>	6%	# White Males	15	88%
Total # Males	<u>16</u>	<u>94%</u>	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	6%
			# Other Females	0	0%

**5. Bid: 2014 Ford F150 Regular Cab Pick Up Truck**

Purpose of Bid: Provides the Public Works Department with a 2014 F150 Regular Cab Pick Up Truck for use by the Street Cleaning Division.

Comments:

Opened: 6/19/14

Bidders: University Ford \* \$22,925.00

August 4, 2014

Durham, NC  
 Sir Walter Chevrolet  
 Raleigh, NC

\$24,416.39

\*Awarded based on:            X            Low Bid            Other (See Comments)

WORKFORCE STATISTICS  
 CORPORATION STATISTICS

Total Workforce	<u>          </u> 133		# Black Males	<u>          </u> 16	<u>          </u> 12%
Total # Females	<u>          </u> 19	<u>          </u> 14%	# White Males	<u>          </u> 97	<u>          </u> 73%
Total # Males	<u>          </u> 114	<u>          </u> 86%	# Other Males	<u>          </u> 1	<u>          </u> 1%
			# Black Females	<u>          </u> 1	<u>          </u> 1%
			# White Females	<u>          </u> 18	<u>          </u> 13%
			# Other Females	<u>          </u> 0	<u>          </u> 0%

**6. Bid: Replacement Water Meters**

Purpose of Bid: Provides the Water Management Department, Water and Sewer Operations Division with replacement water meters.

Comments: 144 5/8" water meters @ \$185.00 each.

Opened: 6/19/14

Bidders:	HD Supply Waterworks LTD	*	\$26,640.00
	Morrisville, NC		
	Neptune Technology Group, Inc.		\$28,800.00
	Tallahassee, AL		
	Diversified Mechanical, LTD		\$30,816.00
	Durham, NC		

\*Awarded based on:            X            Low Bid            Other (See Comments)

WORKFORCE STATISTICS  
 CORPORATION STATISTICS

Total Workforce	<u>          </u> 15		# Black Males	<u>          </u> 3	<u>          </u> 20%
Total # Females	<u>          </u> 1	<u>          </u> 7%	# White Males	<u>          </u> 11	<u>          </u> 73%
Total # Males	<u>          </u> 14	<u>          </u> 93%	# Other	<u>          </u> 0	<u>          </u> 0%

August 4, 2014

			Males		
			# Black Females	0	0%
			# White Females	1	7%
			# Other Females	0	0%

**7. Bid: Software License - NetMotion Program**

Purpose of Bid: Provides the Police Department, Emergency Information Division with Criminal Justice Information Services (CJIS) encryption software to the remote sites within the City.

Comments:

Opened: 6/19/14

Bidders:	CDW Government, Inc.	*	\$22,365.00
	Vernon Mills, IL		
	Seamless Mobility Solutions, Inc.		\$23,520.00
	Mooreville, NC		
	SHI, Somersesst, NJ		\$23,823.79

\*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	6408		# Black Males	236	4%
Total # Females	1776	27%	# White Males	3565	56%
Total # Males	4632	73%	# Other Males	831	13%
			# Black Females	127	2%
			# White Females	1327	20%
			# Other Females	322	5%

**8. Bid: Treatment Plant - Ultraviolet Lamps**

Purpose of Bid: Provides the Water Management Department, Engineering and Maintenance Division with ultraviolet lamps and component parts for the South Durham Water Reclamation Facility UV Treatment System.

Comments:

Opened: 6/16/14

**August 4, 2014**

Bidders:	First Light Technologies, Inc.	*	\$15,240.00
	Poultney, VT		
	EW2 Environmental, Inc.		\$30,040.00
	Charlotte, NC		
*Awarded based on:	X	Low Bid	Other (See Comments)
	_____	_____	_____

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	64		# Black Males	0	0%
Total # Females	28	44%	# White Males	36	56%
Total # Males	36	56%	# Other Males	0	0%
	_____	_____	# Black Females	0	0%
			# White Females	27	42%
			# Other Females	1	2%
				_____	_____

**9. Bid: Gas Detectors**

Purpose of Bid: Provides the Water Management Department with eight gas detectors, with chargers and air line components, for use by the Engineering and Maintenance Division.

Comments:

Opened:	6/20/14		
Bidders:	Hagemeyer North America	*	\$15,725.45
	Raleigh, NC		
	Grainger		\$17,002.52
	Greensboro, NC		

*Awarded based on:	X	Low Bid	Other (See Comments)
	_____	_____	_____

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	52		# Black Males	6	12%
Total # Females	9	17%	# White Males	35	67%
	_____	_____		_____	_____



**August 4, 2014**

p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

Lucas Middle School

- 1) Nova Glen Road – from the north curb line of Snow Hill Road northeast to and around the loop (658’).

Lucas Middle School – Additional Infrastructure

- 1) 16” Water Line Extension – along Snow Hill Road from the existing water main at Snow Hill Drive west past the entrance road to Lucas Middle School (1,450’).
- 2) 12” Sewer Line Extension – along Snow Hill Road from the existing sewer manhole west 1,921 feet, then going north/northwest 1,932 feet to the Lucas Middle School site (3,853’).

**SUBJECT: RALEIGH-DURHAM INTERNATIONAL AIRPORT - FEDERAL AVIATION ADMINISTRATION GRANT OFFER FOR TERMINAL 1 AIRCRAFT APRON REHABILITATION**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to accept the Federal Aviation Administration Grant Offer in an amount of \$1,293,030.00 for Terminal 1 Aircraft Apron Rehabilitation, RDUAA Project 070509 FAA AIP Grant Number 3-37-0056-45-2014;

To authorize the City Manager to execute the grant agreement; and

To authorize the City Attorney to give assurances with respect thereto was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: PIGGYBACK PURCHASE - FOUR (4) AUTOMATED REFUSE COLLECTION TRUCKS - TRANSOURCE, INC. OF RALEIGH, NORTH CAROLINA**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to enter into a contract with Transource, Inc. of Raleigh, North Carolina under piggyback purchase from City of Durham contract of December 2012, in the amount of \$1,048,368.00 for providing four (4) automated refuse collection trucks at \$262,092.00 each was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**August 4, 2014**

**SUBJECT: BIDS - FIRE DEPARTMENT SELF-CONTAINED BREATHING APPARATUS (SCBA) - MUNICIPAL EMERGENCY SERVICES**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to enter into a contract with Municipal Emergency Services in the amount of \$1,555,556.94 for providing the City with Self-Contained Breathing Apparatus (SCBA) was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: SELECTION OF FINANCIAL ADVISOR - DEC ASSOCIATES, INC.**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to enter into an agreement to engage DEC Associates, Inc. as the City's financial advisor for a period of three years with three optional one year extensions was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: CONTRACT BETWEEN MUSCO SPORTS LIGHTING, LLC AND THE CITY OF DURHAM FOR SPORTS LIGHTING AT SNOW HILL ROAD PARK SOCCER FIELDS**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to approve the purchase and installation of new Musco Light-Structure Green Lighting System without competitive bidding on the basis of the following: (a) performance and price competition for critical elements of the patented lighting technology are not available; (b) The Musco Light-Structure Green Lighting System is available from only one source of supply; and (c) The integral remote monitoring system is compatible with systems already in place in 37 City of Durham fields and facilities, which helps to standardize citywide remote monitoring systems;

To authorize the City Manager to enter into a contract with Musco Sports Lighting, LLC, in the amount of \$261,800.00 for the Purchase and Installation of Sports Lighting for the Snow Hill Road Park Soccer Fields which includes (8) new light poles with mounted fixtures, accompanying ballast boxes and providing electrical connections for the remote Control Link monitoring system;

To establish a project contingency in the amount of \$26,000.00; and

To authorize the City Manager to negotiate and execute change orders on the Purchase and Installation of Sports Lighting for the Snow Hill Road Park Soccer Fields contract, provided the total project cost does not exceed the amount budgeted for the installation phase plus the project contingency was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro

**August 4, 2014**

Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel.  
Noes: Noes. Absent: None.

**SUBJECT: SALE OF PROPERTY BETWEEN THE CITY OF DURHAM AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE WIDENING OF OLD OXFORD ROAD AT DANUBE LANE (PARCEL #172089)**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to declare parcel #172089 as surplus property;

To propose to accept the offer of \$600.00 from the North Carolina Department of Transportation; and

To authorize the City Manager to sell and the City Manager or the Mayor to convey parcel #172089 by deed to the North Carolina Department of Transportation was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: CELL TOWER LEASE AND LICENSE AGREEMENT WITH ALLTEL COMMUNICATIONS, LLC D/B/A VERIZON WIRELESS**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to execute a Cell Tower Lease and License Agreement for a ten year term with Alltel Communications, LLC d/b/a Verizon Wireless to attach antenna to the City-owned communication tower located at 1701 Cole Mill Road, Durham, NC 27705 (Parcel #174121) and 2) authorize the City Manager to execute a Memorandum of Lease and License Agreement was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: PLANNING DEPARTMENT FY15 WORK PROGRAM**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to approve the FY15 Planning Department Work Program was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: STORMWATER RETROFIT PROJECT WITH NORTH CAROLINA STATE UNIVERSITY FOR REGENERATIVE STORMWATER CONVEYANCE**

**August 4, 2014**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to execute a contract with North Carolina State University to design, construct, and monitor a regenerative stormwater conveyance device for the amount of \$66,066.00 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: U-0071 EAST END CONNECTOR NORFOLK SOUTHERN RAILROAD PERMIT**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to execute a Railroad Permit with Norfolk Southern for the relocation of City water utilities associated with the East End Connector project (U-0071) was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: WBS 41731 NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) ROUNDABOUT AT HERNDON, BARBEE AND MASSEY CHAPEL**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to execute a Utility Agreement with NCDOT for the relocation of water utilities associated with the Roundabout at the intersection of Herndon Road, Barbee Road and Massey Chapel Road under Project WBS 41731;

To authorize the expenditure of \$155,000.00 from the Water Extensions and Improvements Account; and

To establish a contingency fund in the amount of \$15,500.00 (10%) the total expenditure of utility funds is \$170,500.00 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: LICENSE AGREEMENT WITH SWIFT AVENUE-FCA, LLC**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to enter into a license agreement with Swift Avenue-FCA, LLC to install and maintain street trees and an irrigation system within the public right-of-way was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**August 4, 2014**

**SUBJECT: PROPOSED FEE ORDINANCE AMENDMENTS FOR THE SOLID WASTE MANAGEMENT DEPARTMENT**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to adopt an Ordinance Amending Chapter 14 of the Fee Schedule, Setting Fees Charged by the Solid Waste Management Department was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**Ordinance #14656**

**SUBJECT: DEPARTMENT OF WATER MANAGEMENT ON-CALL MASTER SERVICE AGREEMENTS**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to execute Master Service Agreements with 1) Arcadis G&M of North Carolina, Inc.; 2)Brown and Caldwell, Inc.; 3) CDM Smith Inc.; 4) GHD Consulting Services Inc.; 5)Hazen and Sawyer, P.C.; 6) Hydrostructures, P.A.; 7) McKim & Creed, Inc.; 8) Raftelis Financial Consultants, Inc.; 9) Schnabel Engineering South, P.C.; 10) URS Corporation -- North Carolina; and, 11) W.K. Dickson & Co., Inc. for On-Call Professional Services; and

To authorize the City Manager to negotiate and execute Supplemental Service Agreements pursuant to the Master Service Agreement for services up to \$100,000 for each project without additional Council approval was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**SUBJECT: DURHAM DOWNTOWN LOOP WATERLINE REPLACEMENT CONSTRUCTION CONTRACT – J.F. WILKERSON CONTRACTING COMPANY, INC.**

**MOTION** by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to execute a contract with J.F. Wilkerson Contracting Company, Inc. in an amount not to exceed \$6,448,779.75 for the Downtown Loop Waterline Replacement Construction Contract;

To establish a contingency fund for the contract in an amount not to exceed \$651,220.25; and

To authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$7,100,000.00 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: Noes. Absent: None.

**August 4, 2014**

*The City Council disposed of the following agenda items at the July 24, 2014 Work Session:*

5. Durham Open Space and Trails Commission – Appointments  
(This item was referred back to the City Clerk’s Office)
7. Durham Housing Authority Board of Commissioners – Appointment  
(This item was referred back to the City Clerk’s Office)
34. Presentation of the Vermilion Affordable Housing Project  
(A presentation was received at the 07-24-14 Work Session)
35. Presentation on the Downtown Open Space Plan  
(A presentation was received at the 07-24-14 Work Session)
39. William Jennetta  
(Citizen did not appear at the 07-24-14 Work Session)
40. Jamayah Parrish  
(Comments were received at the 07-24-14 Work Session)

**[GENERAL BUSINESS AGENDA]**

**SUBJECT: Durham Cultural Advisory Board - Appointments**

To appoint a citizen to fill one (1) vacancy on the Durham Cultural Advisory Board with the term to expire on June 30, 2016.

City Clerk Gray announced by ballot (5 votes), Tess Mangum Ocana was appointed to the Durham Cultural Advisory Board.

**SUBJECT: Durham Planning Commission - Appointment**

To appoint a citizen to fill one (1) vacancy on the Durham Planning Commission with the term expiring on June 30, 2016.

City Clerk Gray announced by ballot (5 votes), Brian Buzby was appointed to the Durham Planning Commission.

**[PUBLIC HEARINGS]**

**SUBJECT: Unified Development Ordinance Text Amendment - Technical Changes VIII  
(TC1300001)**

Michael Stock, of the City/County Planning Department, said all required notification and advertisements have taken place for this public hearing and are on file.

**August 4, 2014**

Mr. Stock said this item is a text amendment that would make technical revisions and minor policy changes to various provisions of the Unified Development Ordinance. The amendments are grouped into three categories: amendments necessary to comply with state or federal regulations; amendments identified as necessary corrections, clarifications, reorganization, or other minor changes to more accurately comply with the intent of the regulations or codify interpretations of regulations; and additional corrections or clarifications from review of standards established through the changes to discretionary regulations as approved through text amendment TC1100007.

Mr. Stock noted the Planning Commission recommended approval by a vote of 11-0 at their May 13, 2014 meeting.

Mayor Bell opened the public hearing. There being no one present to speak in support or in opposition to this item, the public hearing was closed.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions to Article 2, Review Authority; Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; Article 11, Sign Standards; Article 12, Infrastructure and Public Improvements; Article 13, Additional Requirements for Subdivisions; Article 15, Enforcement; and Article 16, Definitions was approved at 7:19 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

**Ordinance #14658**

**SUBJECT: Zoning Map Change - 2919 Fayetteville Street (Z1400003)**

To conduct a public hearing to receive comments on the zoning map change for 2919 Fayetteville Street (Z1400003);

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400003 out of Office Institutional (OI) and placing same in and establishing same as Commercial Neighborhood (CN); and

To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the Comprehensive Plan and is reasonable and in the public interest in light of information presented in the public hearing and in the accompanying agenda materials. [

Alternatively, in the event that a motion to approve the item fails, the Council adopts as support for its action on the proposed zoning map change the determination that, notwithstanding its consistency with the Comprehensive Plan, the request is neither reasonable nor in the public

**August 4, 2014**

interest in light of information presented in the public hearing and in the accompanying agenda materials.

Staff Determination: Staff determines that this request is consistent with the Comprehensive Plan and other adopted policies and ordinances.

Planning Commission Recommendation and Vote: Approval 10-0 on June 10, 2014. The Planning Commission finds that the ordinance request is consistent with the adopted Comprehensive Plan. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

[The site is located at 2919 Fayetteville Street, between Fayetteville Street Elementary School and the American Tobacco Trail, PIN 0820-12-75-7724, -7680].

City/County Planning Director Steven Medlin certified for the record that proper notification for both state statutes and the unified development ordinance have been performed and affidavits are a part of the case file.

Mr. Medlin said that this zoning map change, 2919 Fayetteville, is a request to change the zoning designation of 1.409 acres located at 2919 Fayetteville Street, between Fayetteville Street Elementary School and the American Tobacco Trail from Office Institutional to Commercial Neighborhood to allow a range of commercial and retail uses including a laundromat. There is no development plan associated with this request.

This request is consistent with the future land use designation of the Comprehensive Plan which designates the site as Commercial. Staff has determined that this request is consistent with the Comprehensive Plan and other policies and ordinances, and the Planning Commission recommended approval on June 10, 2014 by a vote of 10-0.

Mayor Bell opened the public hearing. There being no one present to speak in support or in opposition to this item, the public hearing was closed.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400003 out of Office Institutional (OI) and placing same in and establishing same as Commercial Neighborhood (CN); and

To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the Comprehensive Plan and is reasonable and in the public interest in light of information presented in the public hearing and in the accompanying agenda materials was approved at 7:21 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

**Ordinance #14659**

**August 4, 2014**

**SUBJECT: Zoning Map Change - Harmony Road II Revisions (Z1400008)**

To conduct a public hearing to receive comments on the zoning map change for Harmony Road II Revisions (Z1400008);

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400008 out of Planned Development Residential – 2.710 (PDR 2.710) zoning and placing the same in PDR 2.710 zoning with a change to the committed elements as found in attachment 4; and

To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the Comprehensive Plan and is reasonable and in the public interest in light of information presented in the public hearing and in the accompanying agenda materials.

Alternatively, in the event that a motion to approve the item fails, the Council adopts as support for its action on the proposed zoning map change the determination that, notwithstanding its consistency with the Comprehensive Plan, the request is neither reasonable nor in the public interest in light of information presented in the public hearing and in the accompanying agenda materials.

Staff Determination: Staff determines that this request is consistent with the Comprehensive Plan and other adopted policies and ordinances.

Planning Commission Recommendation and Vote: Approval 7-3 on June 10, 2014. The Planning Commission finds that the ordinance request is consistent with the adopted Comprehensive Plan. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

[The site is located along Victorian Oaks Drive between Cook Road and Morningside Drive, PIN 0729-01-25-7170, et. al.]

City/County Planning Director Steve Medlin certified for the record that proper notification for both state statutes and the unified development ordinance have been performed and affidavits are a part of the case file.

Mr. Medlin said this zoning case, Harmony Road II Revisions, is a request to change proffered committed elements from the existing development plan of record. The zoning designation of the site will remain as Planned Density Residential 2.710. This development plan was originally approved by the City Council on June 19, 2006. The existing development plan governing the site allows a residential subdivision of a maximum of 185 units currently under construction. The development plan associated with the zoning district includes a number of text commitments, and the applicant is requesting the following changes:

**August 4, 2014**

- Remove a text commitment that would require the construction of an offsite asphalt trail connection from the property to the Woodcroft community trail system
- Remove a text commitment that would require the construction of an onsite mulch trail along the southern boundary of the site
- Modify the timing mechanism for three text commitments relative to infrastructure improvements (sidewalks and traffic calming devices) that would allow the staff to track and ensure compliance with these commitments

The staff has determined that this request is consistent with the Comprehensive Plan and other policies and ordinances. The Planning Commission recommended approval on June 10, 2014 by a vote of 7 to 3.

Mayor Bell opened the public hearing.

### Proponents

Attorney Patrick Byker, representing Standard Pacific (the developer of Chamberlynn) noted this is a single-family development located off Harmony Road. Attorney Byker said they were requesting council's approval of a couple of minor modifications for a 2005 development plan for this neighborhood which was approved. He acknowledged the presence of the residents from Chamberlynn who were in support this zoning. He said the people representing the two neighborhoods did try hard to work out the trail connection, and in regards to both trails reflected in committed elements 12 and 18 from a 2005 development plan, he felt it was important to allow the affected homeowners to have their perspectives honored; therefore, he requested that the council approve this zoning request to eliminate committed elements 12 and 18 which were perhaps improvidently adopted eight or nine years ago.

In conclusion, Attorney Byker said the Chamberlynn neighborhood went into foreclosure during the recession and Standard Pacific bought this property from a bank and they are now building very nice homes which has created many construction related jobs. He said they would like to keep this momentum going and asked the council to approve this item.

Mark Avitabile, a resident of the Chamberlynn neighborhood, spoke in support of the item and the Recreation Committee he represented along with homeowners. He said the developer, despite having the initial requirement to building the connector trail, has worked very diligently with the community to try to do what is best for everyone, and the developer has decided to use the budget they set aside for this connector trail providing those funds to the Chamberlynn Homeowners Association for uses they will determine as a Recreation Fund Committee for needs they feel are best for their community.

Mr. Avitabile said his neighborhood is not so much opposed to the trail; however, the adjacent neighborhood Woodcroft is opposed, and as he understood it, Standard Pacific worked over a year with Woodcroft trying to resolve this issue. Given the circumstance that the Woodcroft Community does not desire to have the connector trail, Mr. Avitabile requested that the council approve the changes desired by Standard Pacific as represented by Attorney Patrick Byker.

**August 4, 2014**

It was noted that the original developer is no longer a part of this request due to the 2008 real estate crash, and its successor, Standard Pacific Homes, was unable to come to an agreement with the Woodcroft Community Association for crossing rights.

Attorney Patrick Byker said they proposed many different alignments over a year and none of them were acceptable to the Woodcroft community.

Also, it was referenced that the council did receive a letter from the attorney representing the Woodcroft community stating that his clients were opposed to the construction of the trail and were in favor of deleting the connection requirement.

At this time, the residents present from the Chamberlyne neighborhood stood showing their support for the zoning case and the changes being recommended.

No citizens were present to speak in opposition to this item.

Council Members Catotti and Schewel spoke in support of having the trail connector link between the Chamberlyne and Woodcroft neighborhoods.

Council Member Catotti said we hear time and time again that people want off-road trails, they do not want their children on city streets.

Council Member Schewel said trails are a community resource and the trail could be an incredible resource for everyone in the adjoining neighborhoods. He said he did not like the idea of de-committing this element which could be a tremendous community resource. Also, Mr. Schewel said he did understand the developer's dilemma.

Council Member Moffitt said he was probably on the Planning Commission when the committed elements were approved; however, at this point he would no longer support committed elements that are off the property in question and he would reluctantly support this item.

Council Member Davis asked if there were concerns from the neighborhoods regarding safety and security.

Mark Avitabile, of the Chamberlyne Neighborhood, said that safety and security has been a very minimal non-existing topic of conversation regarding this trail from the Chamberlyne neighborhood; however, he had heard that is a concern from some of the Woodcroft community residents.

Mayor Bell spoke in support of the zoning map change as recommended by the staff with the recommended revisions. The Mayor said the trails in Woodcroft were built before people moved there and now we are talking about a neighborhood that is established and changes are being discussed. He also referenced the Planning Commission's vote not being unanimous.

Mayor Bell closed the public hearing.

**August 4, 2014**

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to receive comments on the zoning map change for Harmony Road II Revisions (Z1400008);

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400008 out of Planned Development Residential – 2.710 (PDR 2.710) zoning and placing the same in PDR 2.710 zoning with a change to the committed elements (indicated as attachment 4 of the staff report); and

To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the Comprehensive Plan and is reasonable and in the public interest in light of information presented in the public hearing and in the accompanying agenda materials was approved at 8:09 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Davis and Moffitt. Noes: Council Members Catotti and Schewel. Absent: None.

**Ordinance # 14660**

**[ITEM PULLED FROM CONSENT AGENDA]**

**SUBJECT: Controlled Parking Residential Area (1300 - 1400 Rosewood Street)**

Ms. Linda Brannon, a resident of Rosewood Street, spoke at the previous work session on this item and asked the council to deny the ordinance request for controlled parking on Rosewood Street.

Council Member Davis asked whether the issuance of parking decals associated with designated controlled residential parking areas could be issued by mail rather than having eligible citizens picking them up in person.

The administration will provide an answer to Council Member Davis' question on how the Transportation Department managed the residential on street parking decal renewal and application process.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to adopt an Ordinance to establish a controlled parking residential area on both sides of the 1300 block of Rosewood Street, between E. Lawson Street and Dayton Street; and

To adopt an Ordinance to establish a controlled parking residential area on both sides of the 1400 block of Rosewood Street from Dayton Street southward to, but not including, the 1500 block was approved at 8:22 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

**Ordinance #14657**

**August 4, 2014**

**SUBJECT: Human Relations Commission - Appointment**

To appoint a citizen to fill one (1) vacancy on the Human Relations Commission representing a Non-Minority Female with the term expiring on June 30, 2017.

Minister Rafiq Zaid spoke in support of Diane Standaert being appointed to the Human Relations Commission and asked the council for their support.

City Clerk Gray announced by ballot (4 votes), Diane Standaert was appointed to the Human Relations Commission.

There being no further business to come before the Council, the meeting was adjourned at 8:28 p.m.

D. Ann Gray, MMC, NCCMC  
City Clerk