

**DURHAM, NORTH CAROLINA
TUESDAY, JANUARY 19, 2016
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 Eddie Davis, Jillian Johnson, Don Moffitt, Charlie Reece and Steve Schewel. Absent: None.

Also present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker, City Clerk D. Ann Gray and Senior Executive Assistant Tonette Amos.

Mayor Bell called the meeting to order with a moment of silent meditation followed by the Pledge of Allegiance led by Council Member Davis.

[CEREMONIAL ITEMS]

Mayor Bell stated that there were no ceremonial items.

[ANNOUNCEMENTS BY COUNCIL]

Mayor Bell asked Council if they had any announcements. There were no announcements.

[PRIORITY ITEMS BY THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK]

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

The City Manager and City Attorney responded that they did not have any items.

City Clerk Gray administered the oath of office to Bryant K. Sterling, who was recently appointed to the Citizens Advisory Committee.

Mayor Bell thanked Mr. Sterling for his willingness to serve and suggested that he contact Council if he needed assistance.

The Mayor explained the Consent Agenda was passed with one vote; and asked if there were any items that needed to be pulled from the Consent Agenda for discussion later in the meeting. No items were pulled from the Consent Agenda for further discussion.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to approve the Consent Agenda as printed was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

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[CONSENT AGENDA]

SUBJECT: AWARD OF DEDICATED HOUSING FUNDS TO HABITAT FOR HUMANITY OF DURHAM, INC.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to authorize the expenditure \$182,910.00 in budgeted Dedicated Housing Funds for the purpose of creating affordable housing units; and

To authorize the City Manager to execute the grant agreement and related legal documents with Habitat was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: AWARD OF DEDICATED HOUSING FUNDS TO HABITAT FOR HUMANITY OF DURHAM, INC.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to authorize the expenditure \$500,000.00 in budgeted Dedicated Housing Funds for the purpose of creating affordable housing units; and

To authorize the City Manager to execute the grant agreements and related legal documents with Habitat was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR WEB DATABASE APPLICATION DEVELOPMENT WITH VC3, INC.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to authorize the City Manager to execute a third amendment to the services contract for Web Database Application Development with VC3, Inc. in the amount of \$21,340.00 for a total contract amount not to exceed \$71,282.00 was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: LEASE AGREEMENT WITH THE STATE OF NORTH CAROLINA FOR THE MOUNTAINS-TO-SEA TRAIL

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to authorize the City Manager to execute a twenty year lease with the State of North Carolina to use the subject property known as Parcel #'s 179766, 179767, 179768, 179770, 179792 and 179790

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for conservation management and use as a hiking trail was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: GREATER DURHAM CHAMBER OF COMMERCE LEGACY
FOUNDATION GRANT PROJECT ORDINANCE**

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to authorize the City Manager to accept the Career and College Promise Grant funds as a sub recipient through the Greater Durham Chamber of Commerce Legacy Foundation by executing the grant documents; and

To adopt the Durham Youthwork Internship Program 2014-2015 Longfellow Grant Project Ordinance in the amount of \$59,000.00 was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

ORDINANCE #14882

**SUBJECT: CONTRACT AMENDMENT NO. 2 FOR CONTRACT ST-258, ANGIER-
DRIVER STREETScape – FRED SMITH COMPANY**

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to authorize the City Manager to execute Contract Amendment No. 2 for Contract ST-258, Angier-Driver Streetscape, with the Fred Smith Company for an additional \$149,408.24 for drainage improvements to correct flooding at the intersection of Driver Street, Peabody Street, as well as the North Carolina Railroad (NCR) Company and Norfolk Southern (NS) Railway Company rights-of-way;

To amend the existing contingency fund by an amount of \$35,979.72; and

To authorize the City Manager to negotiate additional change orders for Contract ST-258 provided that the cost of all amendment change orders does not exceed \$35,979.72 and the total project cost does not exceed \$4,165,452.68 was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: CONTRACT AMENDMENT NO. 2 FOR CONTRACT SD-2013-01,
STORMWATER INFRASTRUCTURE REPAIRS AND IMPROVEMENTS
WHITE OAK CONSTRUCTION CORPORATION**

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to authorize the City Manager to execute Contract Amendment No. 2 – Contract SD-2013-01,

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Stormwater Infrastructure Repairs and Improvements, with White Oak Construction Corporation for an additional \$220,000.00 to continue repairs, rehabilitation, and improvements of stormwater drainage systems;

To amend the existing contingency fund by an amount of \$33,000.00; and

To authorize the City Manager to negotiate additional change orders for contract SD-2013-01 provided that the cost of all amendment change orders does not exceed \$33,000.00 and the total project cost does not exceed \$1,268,606.62 was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: CONTRACT FOR TELECOMMUNICATION SYSTEM MANAGED SERVICES AND SUPPORT WITH NWN CORPORATION

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to authorize the City Manager to execute a service contract with NWN Corporation in the amount of \$505,100.00 to provide on-call engineering support, management, and monitoring services of the VoIP telephone system for a five-year period including a one-time enablement fee was approved at 7:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

The City Council disposed of the following agenda items at the January 7, 2016 Work Session:

9. Historic Properties Local Review Criteria Update and Consolidation
(A presentation was received at the 01-07-16 Work Session)
10. Proposed Economic Development Incentive Agreement between the City of Durham and Project Restorative
(This item was referred back to the Administration – Office of Economic and Workforce Development)
11. Thelma White
(Citizen did not appear at the 01-07-16 Work Session)
12. Fred White
(Citizen did not appear at the 01-07-16 Work Session)
13. Trans Perry
(Citizen did not appear at the 01-07-16 Work Session)

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There being no further business to come before Council, the meeting was adjourned at 7:05 p.m.

D. Ann Gray, MMC, NCCMC
City Clerk