

**DRAFT SUMMARY MINUTES OF A BUSINESS MEETING
OF THE CHAPEL HILL TOWN COUNCIL
WEDNESDAY, JUNE 25, 2008, AT 7:00 P.M.**

Present were Mayor pro tem Jim Ward, Council Member Matt Czajkowski, Council Member Laurin Easthom, Council Member Sally Greene, Council Member Ed Harrison, Council Member Mark Kleinschmidt, Council Member Bill Strom, and Council Member Bill Thorpe.

Staff members present were Town Manager Roger Stancil, Deputy Town Manager Florentine Miller, Assistant Town Manager Bruce Heflin, Town Attorney Ralph Karpinos, Public Information Officer Catherine Lazorko, Library Director Kathy Thompson, Business Management Director Ken Pennoyer, Financial Reporting Manager Jeanne Tate, Long Range & Transportation Coordinator David Bonk, Town Manager's Intern Jason Damweber, Planning Director J.B. Culpeper, Planner Rae Buckley, Human Services Coordinator Karen Rose, Parks & Recreation Director Buthch Kisiah, Mayoral Aide Carlo Robustelli, Transit Director Steve Spade, Economic Development Officer Dwight Bassett, Public Outreach Coordinator Len Cone, and Acting Town Clerk Sandra J. Kline.

1. Ceremonies:

- a. Presentation of Certificate of Excellence in Financial Reporting.

Mayor pro tem Ward opened the meeting by presenting the award to the Business Management Department for the 22nd year. Jeanne Tate accepted for the department at the request of Director Ken Pennoyer.

- b. Library Foundation Donation Presentation.

Mayor pro tem Ward introduced Gene Pease, Chapel Hill Public Library Foundation President. Mr. Pease presented to the Town and the library a check for \$3600 earmarked for the purchase of a new DVD collection for children, as well as 500 books. Director Kathy Thompson accepted for the library.

Mayor pro tem Ward said before he went any further, he wanted to mention the absence of Mayor Ken Foy, who was at the National Mayor's Convention, and following that some well deserved R and R with his family, and will be back next week.

2. Public Forums and Hearings: None.

3. Petitions by citizens and announcements by Council Members.

- a. Petitions by citizens on items not on the agenda.

1. Chapel Hill Carrboro City Schools petition requesting Expedited Review for Elementary School #11.

Mayor pro tem Ward said they had a hard copy of the petition stating that school enrollment projections indicate a need for an eleventh elementary school in 2011 and they expect approval to site the new school in the Northside neighborhood.

Council Member Strom said he also wanted to find out about the Council's interest in the inclusion of a gym in the new school.

COUNCIL MEMBER BILL STROM MOVED, SECONDED BY COUNCIL MEMBER MARK KLEINSCHMIDT, TO RECEIVE AND REFER THE PETITION TO THE MANAGER AND STAFF. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

2. Petition to increase Sustainability Committee Membership Size and add UNC Liaison. (R-1 if desired)

Mayor pro tem Ward said he would like to present on behalf of the Sustainability Committee, which was a new committee, and was asking approval to increase its membership from nine to 11. He said they were to include a formal liaison position in a non-voting capacity from the University. He said Cindy Schago was currently serving in that capacity, and they would like to give her official status in this respect.

COUNCIL MEMBER MARK KLEINSCHMIDT MOVED, SECONDED BY COUNCIL MEMBER BILL STROM, TO ADOPT R-1. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION ESTABLISHING A TOWN SUSTAINABILITY COMMITTEE (2008-06-25/R-1)

3. Greg Gerdau presented petition on elected officials health insurance.

Mr. Gerdau said 600 people signed the petition to rescind the lifetime health insurance for two-term Council members. He thanked them for rescinding their vote, and said it was the right thing to do.

COUNCIL MEMBER MARK KLEINSCHMIDT MOVED, SECONDED BY COUNCIL MEMBER LAURIN EASTHOM, TO RECEIVE THE PETITION TO THE TOWN COUNCIL. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

4. Miriam Thompson regarding The Peoples Channel and comments on process.

Ms. Thompson said she was a supporter of their public access channel - The People's Channel. She said the legislature designated a portion of the funds for public access, and she urged the Council to oversee this important conversation, and assure that The Peoples Channel's access to the two years legislative allocation was awarded according to the legislative intent.

COUNCIL MEMBER MARK KLEINSCHMIDT MOVED, SECONDED BY COUNCIL MEMBER BILL STROM, TO RECEIVE AND REFER THE PETITION TO THE STAFF. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

5. Jeanne Brown petition regarding Mt. Carmel Church Road and Bennett Road traffic calming.

Ms. Brown said she was there on behalf of 60 neighbors who live along Mt. Carmel Church Road. She said this road was fast becoming one of the most dangerous in the area. She said they were asking for safe roads along Mr. Carmel Church and Bennett roads, including safe intersections with sidewalks and crosswalks.

COUNCIL MEMBER MATT CZAJKOWSKI MOVED, SECONDED BY COUNCIL MEMBER ED HARRISON, TO RECEIVE AND REFER THE PETITION TO THE STAFF, DOT, AND ORANGE COUNTY COMMISSIONERS. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

6. Jerry Neville and Al McSurely regarding investigation on graffiti at TOCH.

Mr. Neville said he was a lifelong resident of Carrboro, and had worked for the Town for 20 years. He said in the new Town Operation Center they have allowed vandalism and hate crimes to go unchecked. He said he had been singled out personally, his rights had been violated, and nothing was being done about it. He asked if the Town had a policy in place to help employees when being harassed.

Mr. McSurley, Chair of the NAACP, showed a picture of a noose that had been on the wall in a bathroom at TOC for several weeks. He said after Mr. Neville and some others had reported this, a police investigation was begun. He said the Chief of Police said they could not provide them with any information on the investigation at this time. He said the racial harassment that was creating a hostile work environment was intolerable, and there seemed to be very little sense from management that they thought anything was wrong with it.

Mr. Stancil said he had conferred with their attorney, and did agree that police files were not a public record in an ongoing investigation. He said clearly the behavior described in the pictures, and by Mr. McSurley, were not acceptable behavior by their workforce, or in their facilities. Mr. Stancil said they have directed the police investigation to determine the perpetrator of these actions and take appropriate action.

Mayor pro tem Ward apologized to Mr. Neville. He said to the extent that they can, they will go out of their way to keep Mr. Neville informed on what has and will be done on his behalf.

Mr. Stancil said the graffiti had been derogatory and they were pursuing it with due diligence and will continue to communicate with Mr. Neville. He said by the end of the week he planned to provide additional information to him.

Council Member Kleinschmidt said he shared the outrage, and knew every Council member did. He said there could be few things more challenging than presenting yourself to the community as a victim of this kind of harassment. He said he wanted Mr. Neville to know how much he respected him for coming out and doing that, and that Mr. Neville's brave actions deserved a loud and strong statement.

COUNCIL MEMBER MARK KLEINSCHMIDT MOVED, SECONDED BY COUNCIL MEMBER BILL THORPE, TO RECEIVE AND REFER THE PETITION TO THE MANAGER AND POLICE. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

7. Mary Wolff and Kevin Wolff on Voter Owned Elections.

Mrs. Wolff said she was there to voice her opposition to the Voter Owned Elections program. She said she believed the Public Finance Program was too complex and would significantly decrease the number of citizens participating in the democratic process.

Council Member Strom stated it was a voluntary program, and Mrs. Wolff could have run the same campaign whether or not it was in existence.

Council Member Czajkowski said he would point out as he did in the debate, that it was not voluntary for citizens, they were paying for it - they did not have a choice.

Kevin Wolff said he wanted to comment on extending health care benefits for the Mayor and Town Council. He said he did not oppose the extension of the benefits on June 9th because of the way it was described on the Consent Agenda. He said the language on the agenda was ambiguous at best, giving no indication that the insurance benefits were going to be increased. He said had he known it, he probably would have stood up and spoken. He said he would encourage the Council to change the way they present things that may be controversial, and give the citizens an opportunity to view them, and oppose them if they wish.

Mr. Wolff said his second item was a renewed petition by him which they had. He said he was renewing his petition with minor modifications, and asked that they rescind their June 9, 2008 vote regarding the public tax dollar campaign financing program (Voter Owned Elections). He said his change stated "that the Mayor and Town Council disqualify themselves for approval of this proposal because of self-interest, bias and prejudice toward an enactment of this proposal, and that the proposal be placed on the upcoming 2008 ballot."

Council Member Kleinschmidt said he wanted everyone to understand that this pilot program allows them to conduct the Voter Owned Election Program for two election cycles, at which time they will be reporting to the North Carolina General Assembly, who will decide whether or not their program was successful. He said that authority was granted to them following a multi-year process. He said the conversations for the Voter Owned Elections in this community had been going on since the 1999 election cycle, and they had been loud and public. Council Member Kleinschmidt said it bothered him that anyone would characterize this as self-interest. He said he did not contribute anymore to his campaign than he asked for; he limited contributions to \$100 and that was all he gave himself too. He said nowhere in the program they approved, would it allow for one penny of the grant to return to the candidate's pocket.

COUNCIL MEMBER LAURIN EASTHOM MOVED, SECONDED BY COUNCIL MEMBER BILL STROM, TO RECEIVE THE PETITION. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

8. Delores Bailey of Empowerment regarding Council financial support.

Ms. Bailey said she was there to thank the Council for their financial support of Empowerment, Inc. for their property management position and their Career Explorers program.

COUNCIL MEMBER BILL THORPE MOVED, SECONDED BY COUNCIL MEMBER MATT CZAJKOWSKI, TO RECEIVE COMMENTS. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

9. Will Raymond regarding transparency of agenda items.

Mr. Raymond said he was there to talk about health insurance. He said the criticism of the plan seemed to be due to the lack of the impact analysis, and the other impropriety was how the extension was introduced. He said it was buried in the Consent Agenda and was introduced at an end of term meeting, and omitted any previous public discussion or disclosure. Mr. Raymond said he had been pushing for greater transparency and accountability in local government for some time. He said this may have been a mistake the way it was put on the agenda, but it was no accident. He asked them again to make sure the agenda was complete seven business days prior to a business meeting.

COUNCIL MEMBER MATT CZAJKOWSKI MOVED, SECONDED BY COUNCIL MEMBER BILL STROM, TO RECEIVE PETITION. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

b. Petitions by citizens on items on the agenda.

c. Announcements by Council members.

1. Council Member Harrison Annual "Kick Gas" tomorrow.

Council Member Harrison said tomorrow morning was the annual "Kick Gas" celebration hosted by the Go Triangle Transportation Demand Management Partners and Smart Commute at RTP. He said it was a regional event and was in RTP. He said he was happy to be able to go.

2. Council Member Thorpe made a statement about petitions and topics that have been previously decided.

Council Member Thorpe said they had wasted a lot of time tonight on petitions they had already taken care of. He said he hoped they would hold off until after November, and then start the season for Town elections.

3. Council Member Strom relayed Smart Commute Challenge information.

Council Member Strom said he was the Council's member on the Triangle Transit Board, and they had asked citizens of Chapel Hill and Orange County to join the Smart Commute Challenge this year. He said 12,210 people in the service area did join for the period of April 15th to May 30th, to do one alternative commute a week.

Council Member Strom said this Friday the DATA (Durham City Public Transit) and CAT (Raleigh City Public Transit) were going to be fare free. He said Triangle Transit had dramatically improved service and ridership was up.

Council Member Strom said on Friday, June 27 from 4 p.m. until 7 p.m. at the old McFarland Exxon station RAM was having a symbolic kickoff for the project they were calling 140 West Franklin, formerly known as Lot 5. He said there will be a reception with refreshments and he hoped folks would go down and enjoy it.

4. Council Member Harrison added comments and offered apology on Health Insurance Benefits for Elected Officials. Council Member Easthom concurred.

Council Member Harrison said he had read the whole petition on line about the health insurance, and speaking for himself, he wanted to offer an apology to anyone who was offended by the way it had been presented.

Council Member Easthom said she wanted to offer the same. She said she did not agree that the Council tried to slip in this item, though it did appear that way. She said it was something that she did not pay that much attention to when it came forward and she regretted that.

4. Consent agenda: action items (R-2).

Council Member Strom said he wanted to comment on 4n which was a recommendation for funding for the Chapel Hill Orange County Visitors Bureau. He said he wanted to thank the manager for fulfilling his commitment and bringing back an ordinance that will increase the money that the Council was giving the Visitors Bureau by up to \$50,000.

Council Member Strom said he wanted to comment on 4F, a project ordinance for a Surface Transportation Program Capital Grant, and 4Q, a resolution to accept a Surface Transportation Program Operating Grant. He said at the last meeting Mayor Foy mentioned they had received a \$2.3 million CMAC Grant they were using to purchase buses. He said the Capital Grant they were receiving tonight costs them \$50,000, and they were getting \$400,000 from the Federal Government and \$50,000 from the DOT, to replace engines in their buses and make other capital improvements in Chapel Hill Transit. He said the Operating Grant costs them \$50,000 and they get a \$200,000 Federal Grant that they can use for operations; for planning, personnel and other matters. He said they had a \$83 million budget; if you take the CMAC grant and the two STP grants that was over 3.5 percent of their budget coming to them on these grants. He said he wanted to commend Chapel Hill Transit for pursuing this, and David Bonk who was their Long Range and Transportation Planner for staying on top of it.

Council Member Strom said on 4K he was supportive of proceeding on the Amber Alley improvement, and thinks using streetscape funds was a great idea. He said he wanted to make a comment to staff that there were murals on the back of those buildings, and he knew there had been a lot of conversations in the community about murals, and finding ways to preserve them. He asked if they had thought of addressing restoration of the murals as part of this process.

Mr. Stancil said the agreement calls for the plans to be approved by the Town Manager and he was talking to Jeff York, their Public Arts Administrator, who will be a part of the review of those plans. He said Mr. York's focus will be on the murals, and how they will make sure they were maintained and preserved.

Council Member Greene said she would like to pull Amber Alley, and in the process that they keep the Preservation Society in the loop, because they have been very involved in preserving murals.

Council Member Czajkowski said he would like to pull 4O.

Mayor pro tem Ward said on behalf of some citizens 4i and 4j have been pulled.

COUNCIL MEMBER ED HARRISON MOVED, SECONDED BY COUNCIL MEMBER BILL STROM, TO ADOPT R-2 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ORDINANCES (2008-06-25/R-2)

A RESOLUTION NOMINATING APPLICANTS TO VARIOUS BOARDS AND COMMITTEES (2008-06-25/R-3)

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2007 (2008-06-25/O-1)

AN ORDINANCE TO AMEND THE PUBLIC SAFETY BOND FUND (2008-06-25/O-2)

A RESOLUTION AMENDING THE COUNCIL'S 2007-2008 MEETING CALENDAR (2008-06-25/R-4)

A RESOLUTION APPROVING 2008-2009 FUNDING FOR PERFORMANCE AGREEMENTS WITH HUMAN SERVICE AGENCIES AS RECOMMENDED BY THE HUMAN SERVICES ADVISORY BOARD (2008-06-25/R-5)

A RESOLUTION APPROVING ACTIVITIES FOR THE 2008-2009 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (2008-06-25/R-6)

AN ORDINANCE ESTABLISHING THE 2008-2009 COMMUNITY DEVELOPMENT ENTITLEMENT GRANT PROJECT ORDINANCE (2008-06-25/O-3)

AN ORDINANCE ESTABLISHING A PROJECT BUDGET FOR A SURFACE TRANSPORTATION PROGRAM-DIRECT ATTRIBUTABLE GRANT (2008-06-25/O-4)

A RESOLUTION AUTHORIZING SUBMITTAL OF 2007-08 PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS) MANAGEMENT OPERATIONS CERTIFICATION (2008-06-25/R-7)

AN ORDINANCE TO AMEND THE TRANSITIONAL HOUSING PROGRAM PROJECT ORDINANCE (2008-06-25/O-5)

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO INITIATE THE PROCESS OF SOLICITING APPLICANTS FOR MEMBERSHIP ON THE CEMETERIES ADVISORY BOARD (2008-06-25 /R-11)

AN ORDINANCE CREATING THE CEMETERIES ADVISORY BOARD (2008-06-25/O-6)

A RESOLUTION AWARDDING A CONTRACT FOR RESURFACING OF STREETS (2008-06-25/R-12)

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT INCREASING ALLOCATIONS TO THE CHAPEL HILL/ORANGE COUNTY VISITORS BUREAU (2008-06-25/R-13)

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S) TO GRANT A RIGHT-OF-WAY ON TOWN PROPERTY TO DUKE ENERGY FOR THE INSTALLATION OF PUBLIC UTILITIES ALONG PRESTWICK ROAD AND HAMILTON ROAD(2008-06-25/R-15)

A RESOLUTION ACCEPTING A SURFACE TRANSPORTATION PROGRAM-DIRECT ATTRIBUTABLE OPERATING GRANT (2008-06-25/R-16)

i. Acceptance of Glen Lennox Area Neighborhood Petition to initiate Phase One of Neighborhood Conservation District Process. (R-8)

Annie Hager Blunk said she had been a resident of Flemington Road in the Glen Lennox neighborhood for 17 years, and was speaking for herself and her neighbors in encouraging the Council to approve the next step in the process to establish a Neighborhood Conservation District in the Glen Lennox area neighborhood. She said they were concerned that Grubb Properties was working to curtail the citizen's participatory process that an NCD process would provide. She said they were prepared to sit down with Grubb Properties, and other Town members to decide collectively what was best for preservation of a neighborhood important to Chapel Hill.

Clay Grubb of Grubb Properties said his family had owned Glen Lennox for over 20 years. He said it was built after World War II in a golden era, but times change and Glen Lennox must change, if it wants its future to be as bright as its past. He said he believed if they worked together they could come up with a plan that incorporates smart growth, sustainable design, and truly enhances the entire neighborhood.

Council Member Strom said he thought it would be useful if J.B. Culpepper, Planning Director, would explain to them what this item before them was. He said the Neighborhood Conservation District is a multi-step process, and this would be a small step forward.

Ms. Culpepper explained the process of the NCD, and said that the first step which they were being asked to initiate now was informational in nature.

Council Member Greene asked Mr. Grubb if she was correct in that he was not in favor of being part of the NCD. She said that was what she thought she heard him say, and she said a NCD can include an area that has been rezoned, and these two projects are not incompatible in theory. She asked Ms. Culpepper if that was correct.

Ms. Culpepper said their action tonight to refer this to the Planning Board will help them to begin to explore that process.

Council Member Czajkowski asked Ms. Culpepper what was the second step of the process.

Ms. Culpepper said a second petition would have to come forward. She said once those who had signed the original petition would then have to take a second step to begin more detailed steps in the process. She said she did think there would be an opportunity for dialogue between the

residents in favor of the NCD, and the owners of the property while working with the planning board.

Mr. Grubb said they would be happy to stop everything until after the election, or until after the first of next year.

Council Member Greene said that she had participated in all six of the NCDs they have, and it was constant dialogue. She said she encouraged Grubb Properties to be at that table with the dialogue; they have the possibility of coming up with a workable neighborhood conservation concept that includes a redeveloped property that fits into the neighborhood that was the result of a broad community dialogue.

Council Member Czajkowski said his fundamental question was why in the next month some of the residents of Glen Lennox don't feel it was worth sitting down with the Grubb Properties and saying was there any common ground here; and if it ends up being a NCD process, so be it.

Mayor pro tem Ward said what confounded him was that Mr. Grubb was not interested in participating in the NCD, and he hoped Mr. Grubb would change his mind.

Council Member Czajkowski said in terms of the resolution if they could include some language that says they strongly urge the planning department, the planning board, the neighbors and the developers to engage in dialogues.

Council Member Kleinschmidt said the Council would look favorably on a NCD project and petition that was inclusive of all these interests.

Mary Dexter said she had been a homeowner on Rogerson Drive for 20 years. She said she was the initial petitioner for the NCD, and was working on saving a neighborhood, not just the apartments. She said there were other issues in neighborhood. She said she understood Grubb Properties met a few of the residents four months ago, but they had made no attempt to contact the continuous property owners on the longest side of their proposed redevelopment, the west side of Oakwood Drive. She said the NCD process included Grubb and all stake holders in the Glen Lennox neighborhood, and they were expected to be there.

Molly McConnell said she was a tenant in the apartments and found out about this redevelopment through the newspaper. She said it was not them that didn't want the dialogue; they believed the NCD was the only way they could get dialogue.

Council Member Czajkowski said he agreed with Ms. McConnell, but he thought it was a shame if they couldn't sit down and least give it a try.

Mr. Grubb said they would participate in a NCD dialogue. He said they had never hinted that they wouldn't. He said this process had moved much faster than they were prepared for; clearly they had not met with all the neighborhoods because they were not planning on filing anything this quickly. He said if the NCD was going to be equitable and move slowly, and have dialogue they would be very supportive of going through the process.

Council Member Czajkowski stated that he believed some structured conversations would be helpful.

Mayor pro tem Ward said the language Council Member Czajkowski wanted to add to R-8 would be that the planning board and the planning department would pay close attention to facilitation of constructive dialogue with all property owners within the NCD and beyond just the one meeting.

MAYOR PRO TEM JIM WARD MOVED, SECONDED BY COUNCIL MEMBER MATT CZAJKOWSKI, TO ADOPT R-8 AS AMENDED. THE MOTION WAS ADOPTED BY A VOTE OF 7-1, WITH MAYOR PRO TEM JIM WARD, COUNCIL MEMBER MATT CZAJKOWSKI, COUNCIL MEMBER LAURIN EASTHOM, COUNCIL MEMBER SALLY GREENE, COUNCIL MEMBER ED HARRISON, COUNCIL MEMBER MARK KLEINSCHMIDT, AND COUNCIL MEMBER BILL STROM VOTING AYE AND WITH COUNCIL MEMBER BILL THORPE VOTING NAY.

A RESOLUTION TO ACCEPT A PETITION TO INITIATE PHASE ONE OF THE NEIGHBORHOOD CONSERVATION DISTRICT PROCESS FOR THE GLEN LENNOX AREA NEIGHBORHOOD (2008-06-25/R-8)

j. Response to Petition on Affordable Housing Policy. (R-9)

Doug Schworer said he thought they should not be moving this to committee at this time. He said Robert Dowling made some specific requests. He said he would recommend it be rewritten and resubmitted.

Council Member Greene said she agreed with Mr. Schworer that this was just one piece of the large puzzle, but for that reason, believed it needed to be referred to the Affordable Housing Committee because they can fold it into their thinking about the inclusionary zoning ordinance, that they were still moving forward with, and see how those things fit together.

Council Member Kleinschmidt said he thought they should go ahead and send it to the committee.

Council Member Strom agreed, but said they should refer Mr. Schworer's comments to the committee as well.

Mayor pro tem Ward said they were amending the resolution to include the referral of comments made by Doug Schworer.

COUNCIL MEMBER MARK KLEINSCHMIDT MOVED, SECONDED BY COUNCIL MEMBER MATT CZAJKOWSKI, TO ADOPT R-9. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION TO REFER A PETITION TO THE COUNCIL COMMITTEE ON AFFORDABLE HOUSING (2008-06-25/R-9)

k. Resolution Authorizing an Agreement for Improvements to Amber Alley. (R-10)

George Draper said he wanted to ask for the Council's support and vote in favor of Resolution R-10. He said they had been contacted by the Preservation Society regarding the murals. He said

they would like to replace the murals that were on the two buildings as they had not heard tremendous support for keeping them.

Council Member Greene said she would like to amend the resolution to include keeping Ernie Dollar in the loop until they make this decision about the murals.

COUNCIL MEMBER SALLY GREENE MOVED, SECONDED BY COUNCIL MEMBER BILL THORPE, TO ADOPT R-10 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION AUTHORIZING THE USE OF UP TO \$60,000 IN STREETSCAPE BOND FUNDS FOR IMPROVEMENTS TO AMBER ALLEY AND THE EXECUTION OF AN AGREEMENT TO ASSURE LONG TERM PUBLIC USE OF THE ALLEY 2008-06-25/R-10)

- o. Chapel Hill Transit General Policy and Fee Schedule Change for Shared Ride Feeder Services. (R-14)

Council Member Czajkowski said he wanted to understand this resolution.

Steve Spade, Transit Director, said they provided shared ride feeder service during the day, and also in the evenings and weekends. He said the current fare structure was rather confusing, and they operated at a time when they had low demand. He explained their fare schedule.

Council Member Czajkowski said his main concern was that while they had free bus service, perhaps the people that had to avail themselves to this were the least able to pay.

Mr. Spade said that was not the case; it was not the disabled or the elderly that were paying.

Council Member Easthom said in their memo it said that Chapel Hill Transit will seek public comment, and if the comment was significant the staff will bring this comment back to the Council for further consideration in September.

Mr. Spade said they will prepare written materials in September. He said they generated about 6.7 million rides on the Transit System this year, and only a small number of the population, about 500 annually, ride at inconvenient times of the day.

Council Member Harrison said yes, but they still wanted it to exist.

Council Member Easthom requested that the public comments be submitted to Council whether significant or not.

COUNCIL MEMBER MARK KLEINSCHMIDT MOVED, SECONDED BY COUNCIL MEMBER BILL STROM, TO ADOPT R-14. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION ADOPTING A MODIFICATION TO THE CHAPEL HILL TRANSIT GENERAL POLICY AND FEE SCHEDULE (2008-06-25/R-14)

5. Information items.

a. Response to Petition on Concept Plans.

Kathryn James said she was with the Community Design Commission and was there to ask for their support for the petition to review the Concept Plan process.

Council Member Strom addressed Mr. Stancil and said that he mentioned in his report that the next logical step in studying the Town's development and review process would be to reexamine LUMO in the role of the advisory boards. He asked how they would proceed.

Mr. Stancil said he was looking for process improvements that he and the staff can decide and implement. He said any review of the ordinance itself involves Council's discussion and decision to undertake that review. He said his goal was to come to the Council to report the improvements they had made at the staff level. Mr. Stancil said they had finished the process of gathering ideas and suggestions, and were trying to narrow them down into five or six things they could actually accomplish. He said they could come back to the Council in early fall with the report.

b. Response to Complete Streets Petition.

Council Member Harrison commenting on 5b, said he thought there were issues on how projects were getting implemented. He said he was not seeing the implementation going the way he thought the Council would want it to.

Mayor pro tem Ward said Complete Streets was about creating safe access for all users. He said he wanted the task force to have that in mind, and come back with how they can make this happen.

All other information reports accepted as presented.

6. Update on 10-Year Plan to End Chronic Homelessness.

Carson Dean, Coordinator for the Orange County Partnership to End Homelessness, said one of their major strategies in their 10-year plan was the Homeless Connect which was a one stop, one day access to services for homeless people; a place they could go and plug into the services that they needed. He said that they were bringing all the partners they could assemble including the business community, local government, non-profit and the faith community into doing this.

Council Member Greene said Mr. Dean had done some amazing things when he was director of the men's shelter in Raleigh. She said she was confident that he had a lot to offer, and was thankful that he was here.

Council Member Easthom asked about criminalization around homelessness, and asked if he could comment on this vicious cycle that some get caught up in.

Mr. Dean said that one of the best practices that was going on in some other parts of the country that they wanted to look at, involved the local court system. He said they had Homeless Courts where it was agreed upon that the person would plead guilty and accept their punishment, but it was usually community services or voluntary commitment to a program that would help them,

instead of the mounting legal fees that will keep them homeless.

7. Update on Water Supply and Demand.

Pat Davis with OWASA gave a drought update. He said their water storage was at 77 percent capacity which was up from 40 percent full in early March, which was the lowest that they reached. He showed graphs of daily customer demands, and said they were 5 percent below their projections. He said right now they were well positioned.

Mayor pro tem Ward asked what was in their plan to take advantage of reclaimed water.

Mr. Davis said the big challenge for them would be getting the finances for the pipeline for the reclaimed water, and they do not have the finances to put toward it at this time.

Council Member Strom asked at what point of the draw downs would they put water restrictions back in place.

Mr. Davis said if they were drawing down 60-65 percent they would be looking at possible stage one restrictions.

8. Committee Report on Economic Development Strategy. (R-17)

Council Member Kleinschmidt gave the report on the Economic Development Strategy, and said it clearly identified their target areas; it addressed the tax base, employment opportunities, locally owned businesses, their relationship with the University, their commitment to their environmental values, working toward developing ecologically sound business practices, and their commitment to the larger social issues, and protection of their community character. He said the committee was asking the Council to adopt this strategy.

Anita Badrock said she was representing the Chapel Hill/Carrboro Chamber of Commerce and was Chair of the Economic Development Committee for the Chamber. She said she wanted to encourage them to support this strategy, it represented a new opportunity to make an affirmative case for the kind of economic development they wanted in Chapel Hill.

Council Member Easthom said she would like to know more about the 11 prospects that were considering Chapel Hill; what their opinions were, what they saw, what were some of their perceptions about coming to Chapel Hill.

Mr. Stancil said they could summarize that information and present it to the Council.

Council Member Czajkowski ask for more information and clarification on why businesses were leaving Chapel Hill and what barriers they may be facing.

Council Member Kleinschmidt said that kind of information had been very valuable, and he thanked them.

COUNCIL MEMBER MARK KLEINSCHMIDT MOVED, SECONDED BY COUNCIL MEMBER ED HARRISON, TO ADOPT R-17 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION ADOPTING THE TOWN OF CHAPEL HILL ECONOMIC DEVELOPMENT STRATEGY (2008-06-25/R-17)

9. Carolina North.

Mr. Stancil said their recommendations ask the Council to endorse the continued work of the Town and UNC staffs, and authorize them to move forward with creating a framework for a potential development agreement, and possible new zoning district. He said what they envisioned was that over the summer months they would create an outline of what could be addressed in the development agreement, and in the underlying He said they would be pointing out what the policy questions would be, then for the Council and the Trustees to sit down and talk; to go through a process where the public would have tremendous opportunity to participate in that discussion. He gave a time-line, and said their goal would be to adopt these in May or June of 2009.

Mr. Stancil said the second part of the recommendation was for the Council to authorize the Mayor to appoint a committee of Council members to meet with representatives of the Trustees to plan that joint meeting in September.

Mayor pro tem Ward said anyone who was interested in serving on that committee should direct their comments to Mayor Foy.

Mr. Stancil commented on the long range transit plan and status of the fiscal impact analysis.

COUNCIL MEMBER BILL STROM MOVED, SECONDED BY COUNCIL MEMBER MARK KLEINSCHMIDT, TO ADOPT R-18. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO CONTINUE TO DEVELOP A PROCESS FOR GUIDING THE DEVELOPMENT OF CAROLINA NORTH (2008-06-25/R-18)

10. Highway 54 Moratorium Petition Response.

Ms. Culpepper said they were providing a response to a petition made by a citizen for a temporary development moratorium in the NC 54 East corridor. She said they recommended no action at this time while the Council proceeds with discussions about population and future development. She said this may be revisited in the fall after the discussions were completed.

Michael Collins, Vice Chair of the Planning Board, said they supported the petition for the moratorium submitted by the citizen.

Kristina Peterson said she was speaking on behalf of the Neighborhoods for Responsible Growth, and they also supported the moratorium on NC 54.

Council Members Strom, Easthom and Thorpe all agreed with the staff report that there should be no action until after the discussions were completed.

Council Member Harrison said when they have the conversations in the fall, he hopes they keep the congestion issues in full view. He said the issues were very acute here.

11. Regional Transportation Issues.

a. Special Transit Advisory Commission. (R-19)

David Bonk, Long Range and Transportation Coordinator, said on June 9 they brought to the Council the final report of the Special Transit Advisory Commission and included their recommendations. He said along with those for service, they also had some recommendations for funding.

COUNCIL MEMBER BILL STROM MOVED, SECONDED BY COUNCIL MEMBER LAURIN EASTHOM, TO ADOPT R-19 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION PROVIDING THE DURHAM-CHAPEL HILL-CARRBORO TRANSPORTATION ADVISORY COMMITTEE WITH RECOMMENDATIONS REGARDING THE SPECIAL TRANSIT ADVISORY COMMISSION FINAL REPORT (2008-06-25/R-19)

b. 21st Century Legislation. (R-20)

Mr. Spade said that Mr. Bonk presented the summary of the STAC report, and said it was an aggressive plan to improve public transportation. He said one of the keys, obviously, was paying for it. He said the purpose of his discussion was to summarize the legislation that effects Chapel Hill Transit, which he then did. He said there were some real benefits from this legislation and he thought it deserved their support.

COUNCIL MEMBER ED HARRISON MOVED, SECONDED BY COUNCIL MEMBER SALLY GREENE, TO ADOPT R-20. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION ADOPTING A LEGISLATIVE POSITION REGARDING HOUSE BILL 2363 AND SENATE BILL 1894 (2008-06-25/R-20)

c. Metropolitan Planning Organization 2035 Long Range Transportation Plan Alternatives.

Mr. Bonk said they had in their packet an item which summarized the process and state of the efforts by the MPO to develop a 2035 Regional Long Range Transportation Plan. He said the process had an additional few steps to it which he wanted to highlight to give them a heads up on what will be coming in September. He said in October there will be a draft plan for the Council to consider, with a final MPO approval expected in November.

12. Appointments:

a. Bicycle and Pedestrian Advisory Board.

12a-BPAB Master Ballot

The Council appointed to the Bicycle and Pedestrian Advisory Board Dylan Sandler as the Carrboro applicant, Christopher Clemmons as the Orange County representative, and Linda Gaines and Theresa Jimenez representing the Town.

- b. Chapel Hill Active Living by Design.

12b-CHALbD Master Ballot

The Council appointed to the Chapel Hill Active Living by Design David Jones and Diana Straughan.

- c. Chapel Hill Downtown Partnership.

12c-CHDP Master Ballot

The Council appointed Cheryl Lin to the Chapel Hill Downtown Partnership.

- d. Human Services Advisory Board.

12d-HSAB Master Ballot

The Council appointed to serve on the Human Services Advisory Board Barbara Hall, Patrica Richardson, and Arthur Whittle.

- e. Justice in Action Committee.

12e-JiAC Master Ballot

The Council appointed to serve on the Justice in Action committee Eugene Farrar, Tom Greene, and Emily Kelahan.

- g. OWASA Board of Directors.

12g-OWASA Master Ballot

The Council appointed Mac Clarke to the OWASA Board of Directors.

- h. Public Housing Program Advisory Board.

12h-PHPAB Master Ballot

The Council appointed to the Public Housing Advisory Board Louise Mitchell as the applicant, and Karen Stegman, Kyle Kaplan, and Donald Shaw to serve for the Town.

- i. Sustainability Committee.

12i-SC Master Ballot

The Council appointed to serve on the Sustainability Committee Sherif Ghobrial, Bharathwajan Iyengar, and John Noor.

j. Transportation Board.

12j-TB Master Ballot

The Council appointed to the Transportation Board Carol Hazard, Nicholas Montgomery, and Adrian Randall.

f. Library Board of Trustees.

Mayor pro tem Ward said due to some confusion on the library board he would like to entertain a motion to reconsider the Council's vote on June 9.

Mayor pro tem Ward said they had new ballots for the appointment.

COUNCIL MEMBER BILL STROM MOVED, SECONDED BY COUNCIL MEMBER ED HARRISON, TO RESCIND VOTE FROM 06-09-08 AND REVOTE ON THE LIBRARY BOARD. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

The Council appointed Brandon Rector, Floyd Fried and Talmadge Neece to serve on the Library Board of Trustees.

12f-LBOT Master Ballot

13. Petitions:

a. By the Mayor and Council Members.

1. Council Member Matt Czajkowski regarding Challenges Facing Downtown.

Council Member Czajkowski said a frequent topic was whether they had an issue downtown, and if so, were there things they could do to remedy it. He said it might be helpful if they asked the staff to take a good comprehensive look at what other municipalities were doing and what has worked.

Council Member Greene said much of this research has already been done, and she she didn't think the staff needed to do more. She said she thought Carson Dean had his hands on a lot of research that had already been done.

Council Member Czajkowski said he was asking the staff to look at what their options were, and evaluate what they were against what they were doing. He said he thought it was a very significant issue that was worthy of that kind of effort.

Mayor Pro tem Ward said he did not think the comments made by other Council members were contradictory, or rule out support for the petition. He said he thought it would be easier to get the information since they already had a lot of it on hand. He said he thought this kind of effort would bring these strategies to the surface and he supported the petition.

COUNCIL MEMBER MATT CZAJKOWSKI MOVED, SECONDED BY COUNCIL MEMBER ED HARRISON, TO RECEIVE AND REFER THE PETITION THE MANAGER AND STAFF. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

2. Council Member Greene citizen petition wanted traffic calming for pedestrian traffic at Martin Luther King Jr. Blvd.

Council Member Greene said she was bringing up this petition on behalf of a citizen, Winkie LaForce, who was concerned about the foot traffic across Martin Luther King Jr. Blvd where the two bus stops were. She said the citizen suggested at least putting up signs saying slow down pedestrian crossing.

COUNCIL MEMBER SALLY GREENE MOVED, SECONDED BY COUNCIL MEMBER BILL STROM, TO RECEIVE AND REFER TO THE MANAGER AND STAFF. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

3. Council Member Thorpe recognize UNC baseball.

Council Member Thorpe said his petition was to recognize the UNC baseball team for the effort they made this year.

The meeting adjourned at 12:22 a.m.