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MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, JULY 7, 1986 7:30 P.M.

Mayor Pro-tem Bill Thorpe called the meeting to order. Council Members present were:

Julie Andresen
David Godschalk
Jonathan Howes
David Pasquini
Nancy Preston
R. D. Smith

Mayor Wallace arrived late. Council Member Arthur Werner was absent, excused. Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ron Secrist, and Town Attorney, Ralph Karpinos.

Public Hearing on Proposed Paving of Roads with Assessments

Manager Taylor asked that this item be removed from the agenda due to an error in the advertising for this hearing. The Council agreed.

Public Hearing on Proposed Changes in Transit Services

Manager Taylor asked Transportation Director, Bob Godding, to give the staff report.

Mr. Godding gave a brief presentation on the proposal to add two new routes and modify the existing "S" route to provide additional service on the University of North Carolina (UNC) campus. He said the proposal was at the request of the University who would also pay for the entire local cost for the provision of these services.

One of the new routes, according to Mr. Godding, would provide service between the University's "P" lot located at the corner of Airport and Estes Drive and the campus, while the second new route would provide service between the University's "F" and "FR" (newly constructed parking lots by the Smith Athletic Center) lots. The former route would operate year-round, while the latter would only operate during Full Service weekdays during peak hours. He said the modification to the "S" route was to make more direct service between the "F" and "FR" lots and NC Memorial Hospital and would operate year-round during peak hours. He said the Town was also proposing to modify the service hours for the A and T routes, with the T route to operate all day long and the A route reduced to peak hour service only.

There were no citizen comments.

Council Member Pasquini asked for clarification on the financing of the proposal. Mr. Godding replied that the University would pay for all the local costs associated with the two new proposed routes. He said the net cost for the new routes was approximately \$75,000 and that the University would be assigned its costs (approximately 50%) through the normal contract procedure.

Council Member Smith asked if the proposed new routes would have any impact on the Olympic Festival next year. Mr. Godding replied that he did not believe the new routes would interfere with the Town's ability to provide transportation services during the Festival next year, especially since the proposed routes were to operate primarily during full service times (while UNC was in its Fall/Spring schedule) and the Festival events would be in July.

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COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH TO REFER TO THE MANAGER AND ATTORNEY. THE MOTION PASSED UNANIMOUSLY, (8-0).

Certificate of Excellence in Financial Reporting

Mayor Wallace presented Manager Taylor a Certificate of Excellence for Financial Reporting for the efforts of the Town staff in reporting its 1984/85 fiscal year operations.

Mayor Wallace also presented James Baker, Finance Director, a separate award from the Government Finance Officers Association for his contributions and ability to report the financial operations of the Town. Mr. Baker, upon accepting the award, noted and recognized Ms. Kathleen McBride, the Town's Accounting Supervising Manager who had played a major role in the Town's ability to win the award for excellence in financial reporting.

Petitions

Robert Joesting, representing the Board of Adjustment, petitioned the Council to make public the Board's disagreement with some comments made in the recent Rusten Associates Report on the Development Review process. He said the statements in the Report which implied more often than not, that eight or more members of the Board were not present at regular meetings, and that as such, votes were sometimes taken by the Board without the necessary number of members present to render a positive decision simply to clear the agenda were grossly untrue. Mr. Joesting said that according to his records, over the last four and a half years there had been only four regular meetings and one special meeting with fewer than eight members in attendance. He said three of those meetings resulted in a delay of consideration of Resource Conservation District variances and that in no case had the Board of Adjustment considered a variance or appeal without at least eight members present. (For copy of text, see Clerk's files.)

Mr. Joesting also introduced into the record a memorandum from the Board of Adjustment regarding nonconforming fraternity and sorority houses in Chapel Hill, especially in the Historic District. He said when the Council amended the Development Ordinance in February, reducing the allowable floor area ratios, it resulted in creating nonconformities among the local fraternity and sorority buildings. He commented that the Board of Adjustment had had to deny two recent requests from a fraternity and sorority for variances so they could renovate their structures. Mr. Joesting pointed out that Chapter 14 of the Ordinance calls for "the eventual elimination, as expeditiously as possible," of nonconforming structures. Under the current ordinance there seems little encouragement to maintain or upgrade many of the large older buildings in the central part of town. He said the Board hoped some mechanism could be found in which to encourage the improvements of such structures. He offered examples of what the Council could possibly do. These ranged from rezoning some of the lots which were currently holding nonconforming structures to allowing increased levels of intensity for certain uses of structures certified as historic. He urged the Council to review the situation and act as promptly as possible. (For copy of text, see Clerk's files.)

Council Member Preston asked why the variances were not granted since the purpose of a variance was to allow modifications to the Development Ordinance. Mr. Joesting replied that as the Board of Adjustment interpreted the Development Ordinance, a variance could only be granted if the applicant was denied any reasonable use of the property. He said that if the site could be used in another manner, then a variance could not be granted.

Council Member Thorpe commended Mr. Joesting for his perfect attendance on the Board of Adjustment as reported in Agenda item #17.

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COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO RECEIVE THE PETITION AND REFER IT TO THE MANAGER AND ATTORNEY. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Andresen petitioned the Council to defer agenda item #17, Appointments to Boards and Commissions, until the next regular meeting. She said that since Council Member Werner was absent, it might be better to wait until everyone was present.

Council Members Godschalk and Smith spoke against the delay pointing out that the Council had already delayed this item once and that the Boards/Commissions and nominees were expecting action this evening. Council Member Smith also pointed out that there was no guarantee that there would be a full complement of Council Members present at the next meeting or at any meeting.

Council Member Howes agreed with Council Members Godschalk and Smith but said there was a precedent for delaying the appointments, however he thought it should be understood that this kind of delay should not become a normal occurrence.

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO DEFER THE APPOINTMENTS TO THE COUNCIL ADVISORY BOARDS AND COMMISSIONS UNTIL THE NEXT REGULAR MEETING. THE MOTION PASSED (6-2), WITH COUNCIL MEMBERS GODSCHALK AND SMITH VOTING AGAINST.

Minutes

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT THE MINUTES OF JUNE 10, 1986 AS AMENDED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT THE MINUTES OF JUNE 16, 1986 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT THE MINUTES OF JUNE 23, 1986 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Site Plan Review Procedures

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO ADOPT ORDINANCE 86-7-7/O-1A.

Council Member Godschalk spoke against the motion saying the Council should not make changes to the site plan review process at this time, especially since the staff and Planning Board recommended waiting until further information could be gathered on measuring traffic impact and the scale of a project in relation to surrounding areas.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON FOR A SUBSTITUTE MOTION TO ADOPT RESOLUTION 86-7-7/R-1.

Council Member Smith said the purpose of reviewing the site plan review process was because of Council and citizen concern over traffic impacts of developments on certain areas of Chapel Hill. He questioned the purpose of the review if the Council did not change the procedures.

Council Member Thorpe asked, if the site plan review process were changed, would a development like the Siena Hotel have come before the Council for approval. Manager Taylor replied that under ordinance 0-1A the Council would review the proposal and under resolution R-1, the Planning Board would review.

Mayor Wallace spoke in support of the original motion to change the site plan review process saying he felt the Council should

have more control and be held accountable for its actions and not delegate this authority to a Council appointed advisory board.

Council Member Preston spoke in support of the substitute motion saying the Planning Board and staff had recommended no change at this time to give the staff time to get other procedures (public facilities ordinance, design standards, time and pace controls) in place.

THE SUBSTITUTE MOTION FAILED TO PASS, (4-4), WITH COUNCIL MEMBERS GODSCHALK, HOWES, PRESTON, AND THORPE VOTING IN FAVOR.

Council Member Andresen said she agreed it would be good to approach the site plan review process from design standards but she stated she was concerned that another proposal like the Siena Hotel or Chapel Hill Center would be brought before the Planning Board before there was a change in the site plan review process.

Council Member Godschalk asked if there were any such projects in the development process at present. He reiterated that both the staff and Planning Board had recommended delaying action on this and expressed concern at the reactionary actions being proposed by the Council. Mr. Waldon replied that there were not, but said that was no indication that one could not come in for review at any time.

Council Member Thorpe said he agreed with the staff recommendation to delay action until further information could be made available.

Council Member Pasquini and Mayor Wallace both spoke in support of making the necessary changes now instead of delaying six months as the staff recommended.

THE MOTION TO ADOPT ORDINANCE 86-7-7/O-1A CARRIED 5-3, WITH COUNCIL MEMBERS GODSCHALK, HOWES, AND THORPE VOTING AGAINST.

The ordinance requires a second reading at the next meeting.

Height Limits

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT ORDINANCE 86-7-7/O-2D.

Council Member Preston asked if the building design envelope included single family homes. Mr. Waldon replied that single family homes would be included under the development ordinance provisions.

Council Member Andresen suggested using an envelope of allowing buildings to go up one foot in height for each 3 additional feet of setback up to a maximum secondary height limit. Mr. Waldon stated that this would be possible but that buildings would have to be set back further on the lots.

Council Member Godschalk asked if the single family home illustration in the packet would be allowed if the Council adopted an ordinance with a 1:3 ratio. Mr. Waldon replied that unless the building could be set further back onto the lot the roof of the single family home in question would be outside of the allowable envelope.

THE MOTION TO ADOPT ORDINANCE 86-7-7/O-2D CARRIED, (5-3), WITH COUNCIL MEMBERS PASQUINI AND SMITH AND MAYOR WALLACE VOTING AGAINST.

The ordinance requires a second reading at the next meeting.

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Blue Cross/Blue Shield Offices - Request for Abandonment of Unified Business Development Special Use Permit

Roger Waldon, Planning Director, gave a presentation on this proposal saying that Blue Cross/Blue Shield (BC/BS) of North Carolina had requested abandonment of its Special Use Permit for an existing office development located at 5901 Chapel Hill-Durham Boulevard. He said the applicant had indicated that it planned to add approximately 120 parking spaces to its southernmost employee parking lot. Mr. Waldon stated that if the SUP was still binding the application would be one for modification of the SUP and would be decided by the Council following a public hearing, but if the SUP was no longer binding the application would be for a zoning compliance permit involving site plan review.

Mr. Waldon said the Development Ordinance provides for the abandonment of a SUP for an existing development if the Council determined that the development authorized by the Permit no longer required a SUP and all conditions of the Permit had been satisfied. He pointed out that BC/BS did not comply with all the provisions of its 1970 SUP, but that the staff felt these provisions would now be considered undesirable. However, as such, the Manager suggested that conditions for abandonment could not be met and therefore recommended revocation instead. Mr. Waldon stated that if the Council revoked the SUP, any major modification to the site would still require site plan review by the Council since the original SUP had been approved by the Council.

Council Member Andresen asked if the applicant was aware of the staff recommendation and its ramifications. Mr. Waldon replied that the staff had had several discussions on this issue with the applicant.

Council Members Smith and Preston asked why the applicant had not met all the required stipulations of the 1970 SUP and if this was a normal occurrence. Mr. Waldon replied that he did not know why all the provisions had not been met. Manager Taylor responded that non compliance with all the provisions of a SUP was not a normal occurrence and that the staff knew not to grant a certificate of occupancy without all the provisions being met.

Mr. Carroll T. Willis, Jr., a Vice-President with Blue Cross/Blue Shield, also said he was not sure why all the provisions had not been met.

Council Member Howes pointed out that the staff felt that it had been beneficial that all of the stipulations had not been met and resulted in a better final product.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 86-7-7/R-3A. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION DENYING A REQUEST FOR ABANDONMENT OF THE BLUE CROSS AND BLUE SHIELD OFFICES UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT (86-7-7/R-3a)

BE IT RESOLVED by the Council of the Town of Chapel Hill that having considered the request by Blue Cross/Blue Shield of North Carolina for abandonment of the Unified Business Development Special Use Permit for the Blue Cross/Blue Shield offices in accord with the provisions of Subsection 8.6.4 of the Development Ordinance, it fails to find that all conditions of the Special Use Permit have been satisfied, specifically those conditions requiring the eastward extension of the Chapel Hill-Durham Boulevard service road to Lakeview Drive and the relocation of access to the northernmost employee parking lots from Lakeview Drive West to the extended service road.

BE IT FURTHER RESOLVED that the Council hereby denies the request for abandonment of the Blue Cross/Blue Shield Unified Business Development Special Use Permit, recorded in Record Book 227, Page 307 at the office of the Orange County Register of Deeds.

This the 7th day of July, 1986.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO ADOPT RESOLUTION 86-7-7/R-3B. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION REVOKING THE BLUE CROSS AND BLUE SHIELD OFFICES UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT (86-7-7/R-3b)

BE IT RESOLVED BY THE Council of the Town of Chapel Hill that it finds that the Blue Cross/Blue Shield office development, located on property identified as Chapel Hill Township Tax Map 27, Block C, Lot 5 and Tax Map 27B, Block B, Lot 7, exists in violation of those conditions of its approval requiring the eastward extension of the Chapel Hill-Durham Boulevard service road to Lakeview Drive and the relocation of access to the northernmost employee parking lots from Lakeview Drive West to the required service road extension.

BE IT FURTHER RESOLVED that the Council hereby revokes the Blue Cross/Blue Shield Offices Unified Business Development Special Use Permit, recorded in Record Book 227, Page 307 at the office of the Orange County Register of Deeds, for the violations listed above.

This the 7th day of July, 1986.

Design Task Force

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT THE IDEA AND CHARGE OF A DESIGN TASK FORCE AS INDICATED IN AGENDA MEMORANDUM #9.

Council Members Andresen, Howes, and Thorpe suggested the Council review the members suggested by the Planning Board for the Task Force, discuss additions or deletions, and make the nominations and appointments at the next regular meeting.

Council Member Smith commented that he felt citizens not already serving on Town boards should also be considered for this Task Force.

THE MOTION PASSED UNANIMOUSLY, (8-0).

Affordable Housing - Requests for Proposals

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 86-7-7/R-4.

Council Member Pasquini expressed concern over the lack of a way of evaluating the types and number of people who would take advantage of this program. He said he was worried that most of the funds would be used by people on the upper end of the scale and that those whose incomes were 50% or less of the median would not be able to participate in the program because all the funds would have already been used. He also asked if there was a mechanism to require the developers to have a bond for their part of the project in case the developer has financial problems.

Manager Taylor said the staff was attempting to build in significant flexibility in the program in order to be responsive to people qualifying for the program.

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Council Member Smith commented that he felt the sales price range in the requests for proposals was too high. He felt a new house could be built for less than \$50,000, and suggested the Manager lower this figure. Manager Taylor agreed to change the sales price range from \$50-70,000 to \$35-70,000.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING PUBLICATION OF A REQUEST FOR PROPOSALS FOR A JOINT PUBLIC/PRIVATE PROJECT TO PRODUCE AFFORDABLE HOME-OWNERSHIP OPPORTUNITIES (86-7-7/R-4)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to issue the Request for Proposals for the joint public/private development of property owned by the Town or the Housing Authority off Legion Road (Tax Map 27-D-21) and off McCauley Street and Merritt Mill Road (Tax Map #'s 91-G-4; 91-G-5; 91-G-8; 91-G-9; 91-G-10; 91-H-21; 91-H-22; 91-I-18; 91-I-19; 91-I-20; 91-I-22; and 91-I-22A), as presented to the Council on April 28 and June 9, 1986; and to receive and evaluate responsive proposals for consideration by the Council.

BE IT FURTHER RESOLVED that the Council will hold a public hearing on Wednesday, October 22, 1986, at 7:30 p.m. to consider proposals received.

This the 7th day of July, 1986.

Recycling Proposal

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 86-7-7/R-5. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION REFERRING THE ISSUE OF RECYCLING TO A SOLID WASTE COMMITTEE OF THE THREE OWNERS OF THE LANDFILL (86-7-7/R-5)

WHEREAS, a group of citizens designated as the Orange County Solid Waste Task Force has requested the governing bodies of the Towns of Chapel Hill and Carrboro and County of Orange to proceed with establishment of a recycling program, including consideration of joint programming with recycling services in Durham; and

WHEREAS, a group comprised of an elected official from each of the three owner jurisdictions of the Orange Regional landfill, Towns of Chapel Hill and Carrboro and County of Orange, has considered solid waste management issues previously;

WHEREAS, the funding of a recycling program by the Regional Landfill Fund would require approval by the governing bodies of the Towns of Chapel Hill and Carrboro and of Orange County;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council respectfully requests the Board of Aldermen of the Town of Carrboro and the Orange County Board of Commissioners to each appoint a representative to serve with a representative of the Chapel Hill Town Council to consider a comprehensive refuse recycling program in Orange County and related issues; with such consideration to include a response to the proposal submitted by the Orange County Solid Waste Task Force dated June 9, 1986.

This the 7th day of July, 1986.

Cable Television - Request for Transfer of Control of Village Cable, Inc.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 86-7-7/R-13.

Council Member Thorpe said he would like the representatives of Prime Venture, Inc. to be introduced to the Council and citizens.

Mr. Jerry Lindauer, representing Prime Venture, Inc., addressed the Council saying Prime Venture was looking forward to operating in Chapel Hill.

Council Member Godschalk commented that when he had first taken office on the Council, there had been some controversy over the programming on the cable system, especially with regard to the Playboy Channel. He asked what would be content of the cable programming for Prime Venture in Chapel Hill. Mr. Lindauer replied that Prime Venture did include the Playboy Channel in some of their subsidiaries but that generally when Prime took over another system, they kept virtually the same programming as the previous system had.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

RESOLUTION OF THE TOWN OF CHAPEL HILL TOWN COUNCIL APPROVING TRANSFER OF THE CONTROL OF VILLAGE CABLE TO PRIME VENTURE I (86-7-7/R-13)

WHEREAS, the Town Council of Chapel Hill by an ordinance adopted November 19,1979, granted to Village Cable, Inc. ("Village Cable") a franchise to operate a cable television system in Chapel Hill; and

WHEREAS, Village Cable, on June 11, 1986, entered into an asset purchase agreement with Prime Venture I, Inc. ("Prime Venture"), a Delaware Corporation, for the sale and transfer of substantially all of Village Cable's assets, including its cable television system in Chapel Hill, to Prime Venture; and

WHEREAS, Village Cable has requested approval from the Town Council for transfer of its control to Prime Venture;

NOW, THEREFORE, BE IT RESOLVED by the Chapel Hill Town Council that the Council hereby approves the transfer of control of Village Cable Inc. cable system to Prime Venture I, Inc. upon consummation of the asset purchase agreement between Village Cable and Prime Venture and the successful transfer of the assets of Village Cable to Prime Venture, and upon the signed acceptance of the terms and conditions of the franchise, including Article V of Chapter 10 of the Town Code, by a duly authorized corporate officer of Prime Venture. The acceptance of this resolution by signature of a duly authorized corporate officer of Prime Venture I, Inc. shall constitute an acceptance by Prime Venture I of all terms and conditions of the cable television franchise for Village Cable, Inc., including such terms which are in Chapter 10 of the Town Code.

This the 7th day of July, 1986.

Merritt Mill Road Right-of-Way Acquisition

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 86-7-7/R-14.

Council Member Smith asked for clarification of the location of this and Mr. Brooks' property and why there was such a difference between the cost per square foot for each property.

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Sonna Loewenthal, Assistant Town Manager, replied that she was not sure of the exact location of the properties, but that the difference between the cost per square foot for the two properties was that the Hunt Electric Company property included the loss of parking spaces which were estimated at a higher replacement cost than that of residential property.

Council Member Smith spoke against taking any right-of-way on the lot with Mr. Brook's house saying he thought the Town had purchased land on the opposite side of the road for the road improvements and therefore the Town would not need to infringe upon Mr. Brook's property.

Mayor Wallace suggested that Mr. Smith meet with the Town Engineer to discuss this issue. The Council agreed. This agenda item was deferred to the next regular meeting.

Transit Privatization

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT RESOLUTION 86-7-7/R-16.

Manager Taylor said this resolution was in response to recent federal regulations concerning private enterprise participation in federally funded transit programs. He said the new regulations require the Town to notify citizens of the Town's receipt of federal transit funds and if any private concern had a proposal to operate the transit system, then the Town would have to consider such a proposal.

Council Member Howes spoke against the proposal stating he felt it was an unwarranted intrusion of the federal government into the functions of a municipality.

Council Member Smith commented that the municipalities had been told to adopt this program but that the U.S. House and Senate were considering modifications due questions on its statutory authority.

THE MOTION CARRIED, (5-3), WITH COUNCIL MEMBERS HOWES AND SMITH AND MAYOR WALLACE VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION ADOPTING A POLICY FOR PRIVATE ENTERPRISE PARTICIPATION IN PROJECTS FINANCED BY THE URBAN MASS TRANSPORTATION ACT (86-7-7/R-16)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopts a policy for private enterprise participation in projects financed by the Urban Mass Transportation Act; and

BE IT FURTHER RESOLVED that the Town of Chapel Hill shall comply with the Federal Urban Mass Transportation Administration provisions relating to the encouragement of private sector participation in the provision of public transit services; and

BE IT FURTHER RESOLVED that the Town of Chapel Hill will identify those public transit services which provide an opportunity for private sector participation and will afford the private sector an opportunity to fully participate in a variety of activities based on the overall feasibility and competitiveness of private sector services; and

BE IT FURTHER RESOLVED that the Town will develop procedures that will ensure adequate notice to the private sector; and

BE IT FURTHER RESOLVED that the Town Manager will develop and implement a private sector service program as required by UMTA regulations. The Town Manager will also coordinate the development of these procedures with the Durham-Chapel Hill-Carrboro Transportation Advisory Committee as specified in the federal regulations.

This the 7th day of July, 1986.

Firefighter's Roster

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 86-7-7/R-17. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING CERTIFICATION OF FIREFIGHTERS (86-7-7/R-17)

BE IT RESOLVED by the Council of the Town of Chapel Hill that Mayor James C. Wallace is hereby authorized to certify to the North Carolina Firefighter's Pension Fund the attached roster of Firefighters and Public Safety Officers employed by the Town of Chapel Hill on June 30, 1986.

This the 7th day of July, 1986.

Executive Session

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned to executive session at 9:25 p.m.

Mayor Wallace called the meeting back into regular session at 10:14 p.m.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADJOURN. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned at 10:15 p.m.