

MINUTES OF A CONTINUATION OF THE JANUARY 11, 1988 REGULAR MEETING OF THE MAYOR AND COUNCIL, MUNICIPAL BUILDING, WEDNESDAY, JANUARY 13, 1988, 7:30 P.M.

Mayor Jonathan B. Howes called the meeting to order. Council Members present were:

- Julie Andresen
- David Godschalk
- Joe Herzenberg
- David Pasquini
- James C. Wallace
- Arthur Werner
- Roosevelt Wilkerson, Jr.

Council Member Preston arrived late. Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ron Secrist, and Town Attorney Ralph Karpinos.

Petitions

Mary Penniall asked to speak to item #2, the UNC/Town Committee report.

Sam Hull, Barbara Emerson and John Winter asked to speak to items #4, Franklin Hills Phase II.

UNC/Town Committee Report

Council Member Werner, Vice-Chair of the Committee, presented the Committee's report. He named the Committee members and recognized several who were in attendance: John Sanders, Chair, William Blythe, Richard Cole, Barbara Day, Gay Eddy, Robert Eubanks, Harry Gooder, Arthur Hurow, Eric Munson, Charles Shaffer, and R.D. Smith. Mr. Werner gave a brief background on the events which resulted in the creation of the committee and stated the committee's charge. He stated that the committee was not to review the University consultant's plans but to make recommendations on the Town's Thoroughfare Plan as it related to the University's proposed land use plan. Council Member Werner said there were five main areas of contention between the Town's Thoroughfare Plan and the University's proposed land use plan which the committee reviewed: Manning Drive, Ridge Road (eastern loop), Battle Park, Cameron Avenue and South Pittsboro/Columbia Streets. He read the committee's recommendations for each area:

Manning Drive - That the issue of locating comparable housing be resolved by the University, after consultation with the Towns of Chapel Hill and Carrboro, prior to the destruction of any unit of Odum Village housing to accommodate road construction, due to the impact of such action on both housing and transportation; and that the Town Thoroughfare Plan be amended to show Manning Drive relocated along a route south of that which it now follows (as

indicated in A Guide to Physical Development, The University of North Carolina at Chapel Hill, Draft Summary, April 23, 1987), the exact route to be determined after consultation between the Town and University planners, taking into account the need to avoid a resulting increase in traffic on the residential portion of Mason Farm Road.

Ridge Road - That the Town Thoroughfare Plan be amended to show Ridge Road being re-routed to follow a new two-lane right-of-way beginning at a point on Manning Drive southeast of Hinton James Residence Hall, running northward on University property along a line lying east of Ehringhaus Residence Hall and Boshamer Stadium and west of the Coker Pinetum and joining the present Ridge Road at a point northeast of Boshamer Stadium and following substantially its present alignment from that point northward to its intersection with Country Club Road, with appropriate modifications being made in the Ridge Road - Country Club Road intersection in the interest of safe movement of pedestrians and vehicles. (Note: that this should be carried out so as not to discourage the use of campus buses by residence hall dwellers or facilitate the conversion of Ridge Road into a high-speed road between Manning Drive and South Road.

Battle Park Area - That the committee believes no road should be built that would impair the integrity of Battle Park but recognizes that some changes in the routing of traffic in that area may be needed, therefore they recommend that the Thoroughfare Plan be amended as the Town Council may find necessary to remove the current traffic hazards at the intersection of Boundary Street and Country Club Road and to solve future problems in moving traffic safely and efficiently from South Road to East Franklin Street, giving due consideration to the effects any proposed solution may have on the campus, East Franklin Street, and East Rosemary Street.

Cameron Avenue - The committee recommends that a study be conducted, the results of which would be used to determine if a trial period of closure during daytime hours is justified, to evaluate the effects of closing Cameron Avenue on traffic on Franklin, Rosemary and South Road, and to determine the effects of closure on persons of limited mobility.

South Columbia and Pittsboro Streets - That South Columbia Street be retained in its current configuration on the Thoroughfare Plan, with no portion being closed; innovative approaches to ensure pedestrian safety on S. Columbia Street be developed; the feasibility, desirability, and impact of widening S. Columbia Street from three to four traffic lanes between McCauley St. and Cameron Ave. be determined, with the object of returning both Pittsboro and S. Columbia Streets to two-way traffic; and keep Pittsboro Street within its present right-of-way and not widen it along the western edge of the campus if that would cause the involuntary taking of private property.

Mr. Werner also said the committee had expressed a strong need for park/ride facilities and recommended that satellite parking facilities be placed near the major entrances to Chapel Hill and other means of improving the transit system be explored. He said the committee recommended that to the Mayor and Chancellor determine (possibly through the medium of a joint task force) how, at what cost, at whose cost, and with what benefits an intensive park/ride strategy may be instituted and followed to move people from the periphery of Chapel Hill and Carrboro to mid-town Chapel Hill and the University campus by public transportation; other strategies, including walking, bicycling, carpooling, and vanpooling may be employed; and incentives to use alternative transportation methods. (For copy of report, see Clerk's files.)

Committee Member R. D. Smith commented that he hoped the Council would use the information and suggestions provided by the Committee in planning for transportation needs in the Town.

Mary Penniall, speaking as a resident of Laurel Hills, spoke in support of the Committee's work but said that she had some concerns with the recommendation for Ridge Road realignment. She pointed out that in order to move the road there might have to be blasting due to the large amounts of stone in the area and that this could severely affect the Pinetum and neighbors. She stated that she hoped the citizens would continue to be informed of any plans for the area.

Council Member Wallace said he was pleased with the performance with the committee and that he had not heard any criticism of the report. He pointed out that criticism would probably occur with regard to how the governing powers used the recommendations.

Council Member Andresen spoke in support of the work done by the committee. She said the committee had worked diligently and effectively together and commended them for their efforts. She said certain aspects of the recommendations would require further study and cooperation by the Town and University. She stated that as indicated in the report there was a clear need for park and ride lots and that the Town and University needed to make this a priority.

Council Member Herzenberg said he was also pleased with the report and agreed that there was a need for park/ride facilities.

Mayor Howes asked the staff for information on the status of the revisions to the Thoroughfare Plan. Manager Taylor responded that the staff was involved with Durham and Carrboro in the revisions to the Thoroughfare Plan and that a draft of the preliminary findings were to be presented to the governing bodies later this month at Jordan High School.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN THAT THE COUNCIL ACCEPT WITH APPRECIATION THE REPORT OF THE UNC -

TOWN COMMITTEE; EXPRESS THE COUNCIL'S APPROVAL OF THE REPORT; DIRECT THE MANAGER TO SEE THAT THESE SENTIMENTS ARE CONVEYED TO THE CHANCELLOR AND BOARD OF TRUSTEES; THAT THE COUNCIL EXPRESSES ITS WILLINGNESS TO DISCUSS ANY ASPECTS OF THE TOWN'S ATTITUDE REGARDING THE SUBJECT(S) AT HAND AT THE CONVENIENCE OF THE ADMINISTRATION, TRUSTEES AND OTHER PARTIES OF INTEREST; AND EXPRESS THE WISH THAT A JOINT COMMITTEE BE CONTINUED FOR THE PURPOSE OF STUDYING MAJOR PROBLEMS AFFECTING THE TOWN AND UNIVERSITY IN THE FUTURE, AND REFER THE REPORT TO THE MANAGER, PLANNING BOARD AND TRANSPORTATION BOARD.

Mayor Howes said he wanted to add his appreciation to the Committee for their work and he expected their recommendations to be used in the Thoroughfare Plan deliberations.

THE MOTION PASSED UNANIMOUSLY, (9-0).

Franklin Hills Phase II - Preliminary Plat Application

Roger Waldon, Planning Director, said the proposal was for a cluster subdivision of a 10.16 acre parcel into 13 residential building lots. He said there were three key issues: 1) background on the site; 2) the topography; and 3) the cluster subdivision concept. Mr. Waldon stated that the Council had approved a preliminary plat for Franklin Hills Phase I on November 12, 1985 which had included this parcel as future development. He said the recreation area requirement for the current application was provided in the overall Franklin Hills I cluster subdivision preliminary plat the Council approved in November, 1985. Mr. Waldon said the applicant proposed a cluster subdivision for Phase II in order to be consistent and to take advantage of the reduced street setback provision due to the steep slopes on several lots. He said the staff also recommended that the final plat include building zones on each lot to help preserve the steep slopes and vegetation. He stated that the preliminary plat showed 12 lots on a cul-de-sac off Deming Road and the 13th lot with access off Elizabeth Street due to the Resource Conservation District's impact on that lot. Mr. Waldon said off-site road improvements were being made to East Franklin as part of the Franklin Hills I subdivision approval.

Council Member Andresen asked for clarification of the recreation area requirements. Mr. Waldon said the application and approval of Franklin Hills I subdivision had included a recreation requirement based on the total acreage for the subdivision, including that area designated as future development, and which now was before the Council for consideration.

Bruce Ballentine, Engineer representing Franklin Hills Phase II, said the applicant was Goforth Properties and that the applicant agreed with the Manager's recommendation. He said there was one issue with regard to the naming of the street. He said currently part of the road was called Deming Road and another part, where the Franklin Hills townhouses were, was named Deepwood Road. He

stated that the staff recommended that the entire street be named Deming Road and that to do so would create many problems for the residents of Deepwood Road.

Council Member Preston stated that the Council had renamed the peripheral road, Deming Road, at the request of Mrs. Hoteling and that she thought the Council should honor that previous request.

Council Member Herzenberg said naming the cul-de-sac as Deepwood Lane would be confusing if the adjacent road was named Deepwood Road.

Alan Rimer, representing the Planning Board, said the Board had recommended approval of the preliminary plat, 7-2, with the two dissenting votes due to concerns that lot #13 did not fit into the subdivision and that a third lane should be added to Deming Road to allow for left turns onto Franklin Street.

Council Member Werner asked if the driveway for lot #13 would have to go through the RCD. Mr. Rimer replied yes.

John Winter, representing Franklin Hills Townhouse Homeowners Association, said they felt the cluster development was a good idea for Phase II, especially with the establishment of building zones on each lot. He said they did have concerns about whether or not the building zones applied only to structures or if the buffers and any landscaping were also precluded from being built outside of the building zones. He said the group felt the construction of the sewer and storm drainage system for the subdivision would however, cause damage to the RCD. Mr. Winter said that they would also prefer that lot #13 be eliminated, as it was covered by the RCD and had access to Elizabeth Street. Mr. Winter stated that the Development Ordinance indicated that every lot should front on a street meeting Town standards and that Elizabeth Street did not meet Town standards. He also suggested that lot #13 be used as a recreation area rather than a building lot. He concluded by reaffirming the desire to keep Deepwood Road the name of the peripheral road which fronted the Franklin Hills Townhouses. (For copy of text, see Clerk's files.)

Barbara Emerson, speaking as a resident, commended the Planning Board for including in the stipulations one which stated that construction equipment could not be stored on private property. She said this stipulation should be added to the Development Ordinance. She endorsed Mr. Winter's statements regarding lot #13, and said Deming Road should be kept as the name of the peripheral road.

Sam Hull, speaking as the Chair of the Village Green Buildings and Grounds Committee, spoke against having lot #13, especially with access to Elizabeth Street, which he felt already had too many traffic problems.

Council Member Pasquini asked if the buildable areas on lots #10, 11 and 12 were within the buffer. Mr. Waldon replied no, that the buffers and building zones were mutually exclusive.

Council Member Pasquini said that he could not remember a case similar to this where the recreation area was provided for in another phase of development. He said he felt each parcel should stand alone and have to provide its own recreation space.

Council Member Wallace left the meeting at this point, 9:00 p.m.

Mr. Waldon said that the Development Ordinance did not specifically address the issue of separate recreation area for each phase of a project. He said that in the calculation of recreation area needed for the original plat, the acreage in Phase II had been included.

Attorney Karpinos said that he did not believe the Development Ordinance clearly addressed this issue. He said what was proposed, he did not believe, violated the Ordinance. He said the staff would need to look at the record for Phase I and see if the recreation area requirement was calculated and approved for the entire site.

Council Member Godschalk said that having one recreation area requirement for the entire site was not always a deficit. He said that this could be an advantage in getting unified areas.

Council Member Andresen said the approval included the provision of the establishment of a Homeowners Association and that the Association maintain the buffers. She asked what would happen if the buffers were not maintained. Attorney Karpinos said that if the buffers were not maintained, he imagined, it would be the responsibility of one of the homeowners to complain and see that the buffers were maintained. He said the Town might be able to enforce the stipulation but that he would have to research the matter.

Council Member Andresen asked how potential homeowners would know of all the stipulations. Attorney Karpinos responded that the stipulations had to be on the final plat.

Council Member Werner said the final plat approval would occur before any lots were sold, therefore how would the Town know if a homeowners association were created. Manager Taylor stated that originally the developer would be the Homeowner's Association and that as each lot was sold, the next property owner would automatically become part of the Association.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT RESOLUTION 88-1-13/R-2A WITH THE AMENDMENT THAT LOT #13 BE ELIMINATED AS A BUILDING LOT AND THAT THE INTERIOR CUL-DE-SAC BE NAMED DEMING LANE AND THE PERIPHERAL ROAD BE KEPT AS DEEPWOOD ROAD.

Council Member Preston said that she could not support a motion to name the peripheral road as Deepwood Road since the Council had taken the action previously to name the road Deming Road, especially without knowing if Mrs. Hoteling had any objections. She suggested contacting Mrs. Hoteling to see if this were acceptable.

Council Member Godschalk suggested amending his motion to state the naming of the peripheral road be subject to contact with Mrs. Hoteling.

Manager Taylor suggested that the naming of the peripheral road not in the subdivision not be included as part of this preliminary plat approval, but rather as part of a separate motion on the road naming. He said naming the cul-de-sac within the subdivision would be appropriate in this preliminary plat approval.

Council Member Pasquini asked if there would be a stipulation on the plat which stated that the property owner could not build within the buffer zone. Manager Taylor stated that it would be clearly indicated that building would only occur within the building zone and that the buffer zone was outside the building zone.

Manager Taylor suggested the motion for approval should state that the Council approved the subdivision with 12 building lots, lot #13 as shown would be eliminated and that there be no access to any lots from Elizabeth Street.

Mayor Howes asked if the makers of the motion agreed to Manager Taylor's suggestion regarding lot #13. Council Members Godschalk and Andresen agreed.

THE MOTION TO ADOPT RESOLUTION 88-1-13/R-2A WITH THE AMENDMENT THAT THE SUBDIVISION BE APPROVED WITH 12 BUILDING LOTS, WITH LOT #13 AS SHOWN ON THE PRELIMINARY PLAT DATED MARCH 19, 1987 AND REVISED DECEMBER 8, 1987 BE ELIMINATED AND THAT THERE BE NO ACCESS TO ANY LOTS FROM ELIZABETH STREET, PASSED UNANIMOUSLY, (9-0).

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO HAVE THE MANAGER TO MEET WITH THE FRANKLIN HILLS TOWNHOUSE HOMEOWNER'S ASSOCIATION AND MRS. HOTELING TO SORT OUT THE SITUATION OF THE NAME OF THE PERIPHERAL ROAD. THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING AN APPLICATION FOR PRELIMINARY PLAT APPROVAL FOR FRANKLIN HILLS II CLUSTER SUBDIVISION (88-1-13/R-2a)

BE IT RESOLVED by the Council of the Town of Chapel Hill that Franklin Hills II cluster subdivision proposed by Goforth

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Properties, Inc., identified as Chapel Hill Township Tax Map 76, Block A, Lot 3, if developed according to the Preliminary Plat dated March 19, 1987, revised December 8, 1987, would comply with the following cluster development requirements from Subsection 17.8.2 of the Development Ordinance:

1. The tract proposed for cluster development is at least two (2) acres in size;
2. Public, separate water supply and sewerage connections are available for every subdivided lot;
3. The total number of lots proposed, excluding parcels of reserved recreation area, is not greater than the number determined by dividing the total gross land area by the minimum gross land area established in Section 13.11 for the Residential-2 zoning district; and
4. The recreation area reserved within the entire Franklin Hills tract conforms to the recreation area standards of Section 17.9 of the Development Ordinance.

These findings are conditioned on the following:

1. That Deepwood Lane be constructed with a 50-foot right-of-way and 27 feet of pavement with curb and gutter to Town standards as a Class C street.
2. That final street plans, grading plans, utility plans, street lighting plan, stormwater management plans (with hydrologic calculations), and buffer planting and maintenance plans be approved by the Town Manager before issuance of a Zoning Compliance Permit or application for final plat approval, and that such plans conform to plans approved by this application and demonstrate compliance with all applicable conditions and the design standards of the Development Ordinance and the Design Manual.
3. That sight triangle easements at Deming Road and Deepwood Lane be provided on the final plat.
4. That the developers shall be responsible for placement and maintenance of temporary regulatory traffic signs before issuance of any Certificate of Occupancy until such time that the street system is accepted for maintenance by the Town.
5. That the applicant take appropriate measures to prevent the deposit of wet or dry silt on adjacent paved roadways.
6. That final utility plans, including a street lighting plan, be approved by the Town Manager, OWASA, Duke Power, Southern Bell, Public Service Gas Co., and Carolina Cable before issuance of a Zoning Compliance Permit.



7. That prior to paving streets, utility service laterals be stubbed out to the front property lines of each lot. Sanitary sewer laterals shall be capped off above ground.
8. That easement documents as required by OWASA and the Town Manager be recorded before final plat approval.
9. That names of the development and its streets and house/building numbers be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
10. That a soil erosion and sedimentation control plan be approved by the Orange County Erosion Control Officer before issuance of a Zoning Compliance Permit.
11. That the boundaries of the Resource Conservation District be shown on the final plat and plan with a note indicating that "Development shall be restricted within the Resource Conservation District in accordance with the Development Ordinance."
12. That all variances necessary for development within the Resource Conservation District be obtained before application for final plat or final plat approval.
13. That any restrictive covenants applicable to lots adjacent to the Resource Conservation District not require greater setback than those required by the Development Ordinance.
14. That no lot be created that would require a Resource Conservation District Variance in order to be built upon.
15. That the final plat indicate the buildable area on all lots which contain a portion of the Resource Conservation District.
16. That tree protection fences be installed to protect significant existing trees and their root systems, before issuance of a Zoning Compliance Permit.
17. That a fire flow report prepared by a registered professional engineer, showing that flows meet the minimum requirements of the Design Manual, be approved prior to issuance of a Zoning Compliance Permit.
18. That no Certificate of Occupancy be issued until all required public improvements are completed; and that a note to this effect shall be placed on the final plat.
19. That Lot 13, as shown on the preliminary plat application dated March 19, 1987, be eliminated; and that the remaining 12 lots be arranged in such a manner that no lot will have driveway access onto Elizabeth Street.

20. That the final plat contain a note denying vehicular access to East Franklin Street from Lots 9 - 12.
21. That a homeowners' association be established to provide maintenance, including future plat replacement, for the landscape buffer along East Franklin Street, and that the articles of the homeowners' association be approved by the Town Manager prior to final plat approval.
22. That the "building zones" shown on the preliminary plat be shown on the final plat(s).
23. That a note be placed on the final plat indicating that refuse collection services may be provided at curbside only.
24. That the developer take appropriate measures to assure that contractors' equipment and materials are not stored or encroach on private property.
25. That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
26. That if any of the above conditions is held invalid, this approval shall be void.

BE IT FURTHER RESOLVED that the Council hereby approves the application for Preliminary Plat approval for Franklin Hills II cluster subdivision in accord with the plans and conditions listed above.

This the 13th day of January, 1988.

#### Forest Creek Phase II - Preliminary Plat Approval

Roger Waldon, Planning Director, said the proposal was for subdivision of 32.5 acre parcel into 28 residential building lots. He said the Council had approved a preliminary plat for 61 lots for this same site in July of 1984, with administrative reapproval in July, 1985 and preliminary plat approval expiration in July, 1986. He stated that the sewer was to be provided across a portion of the adjoining Peacock property within an easement but that there was litigation in progress on deficiencies in the execution of the easement. He said the current applicant proposed that the recreation requirement be met by proposing an area be incorporated into the Town's greenway system and that an area along Piney Mountain Road be preserved as a wooded, sloped area to be maintained by the Forest Creek Homeowners Association. Mr. Waldon said the Manager recommended improvements to Piney Mountain Road along the site's frontage to Eastwood Road, and along Eastwood Road to Shady Lawn Road and along Shady Lawn Road along the site's frontage. He said the

Planning Board and Transportation Board recommend a bus pulloff on Piney Mountain Road along the site's frontage but that further staff review of this proposal showed that the terrain was unsuitable for a bus pulloff at this site and therefore the bus pulloff was not included in the Manager's recommendation. He also said that the Transportation Board recommended extension of Road A in the preliminary plat to Eastwood Road.

Council Member Godschalk asked why with the original preliminary plat the staff had recommended extension of Road A to Eastwood Road but with the current proposal this was not being recommended. Mr. Waldon responded that the original proposal was for 61 lots and that the current proposal was for 28 lots. He said the staff felt with only 28 lots, two accesses to the site were not necessary.

Council Member Godschalk said that he thought it had been the policy of the Council to require two means of access to subdivisions and to limit the length of cul-de-sacs. He asked what was the length of the proposed cul-de-sac.

Council Member Wilkerson asked if the litigation on the sewer easement meant the approval of the subdivision was contingent upon that outcome. Mr. Waldon responded that the applicant, if the sewer easement were not forthcoming would have to provide an alternate method of sewer service.

Council Member Andresen commented that she felt recent Council action was against two access points for every subdivision in an effort to reduce cut-through traffic.

Council Member Werner asked if the proposed recreation area blended in with any established greenway. Mr. Waldon replied no, but that the area to be dedicated was on the greenway plan.

Council Member Pasquini said he was against cross connectors and therefore against the extension of road A to Eastwood Road. He asked about the concerns which had been raised with the original plans for improvements to Piney Mountain Road.

Bruce Ballentine, Engineer for the applicant, said that if the sewer easement was not granted, there were other alternatives like installing a small pump station. He said that solutions to the problems with improvements to Piney Mountain Road that had been suggested and approved with the original proposal were included in this proposal. He said the applicant agreed with the Manager's recommendation except for the improvements to Eastwood Road and Piney Mountain Road intersection since the applicant's property did not front on that intersection.

Council Member Godschalk asked about the interior road and its circuitous route. Mr. Ballentine replied that the road network was the same as the original plat and that they were drawn to fit the site.

Council Member Andresen asked if there were any problems with approving the application with the litigation involved. Attorney Karpinos replied no, that if the applicant was denied access to the gravity sewer lines via the easement, then he would have to provide alternative means of sewer extension.

Council Member Andresen said that since the Manager's recommendation did not include a bus pulloff or shelter who would pay for the provision of this in this area. Manager Taylor replied that the staff upon further study of the area had found that the terrain in along the site's frontage was not suitable for a bus pulloff and that it would be more beneficial for a bus pulloff further along Piney Mountain Road and that the cost for the pulloff would in all probability be paid for by the Town.

Alan Rimer, representing the Planning Board, said the Board had been against the bus pulloff in this area feeling there needed to be a coordinated effort to place bus pulloffs in specific locations. He said the cul-de-sac was 1400 feet long but that the Board had concurred with the staff and developer that extension of Road A was not necessary.

Council Member Godschalk asked what was the Planning Board's policy regarding the length of cul-de-sacs. Mr. Rimer replied that the Board did not have a set policy and would like further input from the Council on how to handle this.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO ADOPT RESOLUTION 88-1-13/R-3C.

Council Member Wilkerson said that he hoped the Council would deal with the policy issue of off-site improvements. He said he did not favor requiring the applicant to improve the intersection of Eastwood and Piney Mountain Road as the property did not front the intersection.

Council Member Godschalk said he would vote against the motion because he did not favor all the off-site improvements, especially the improvements to Eastwood and Piney Mountain Road intersection.

Council Member Pasquini asked if the road improvements would require the taking of any property. Manager Taylor replied no.

Council Member Andresen said the recommendation for road improvements was similar to the Town enacting an impact fee. She said the residents of this proposed development would impact on the roads in the area and as such should have to pay for their improvements.

Council Member Godschalk commented that the principle of impact fees was not to cure existing problems or deficiencies.

Council Member Pasquini stated that he felt the intersection currently operated well and felt that the development would have an affect on the intersection.

Council Member Werner said that if improvements were made on Piney Mountain and Eastwood Roads away from the intersection then the intersections also needed to be improved.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO AMEND THE MOTION TO AMEND STIPULATIONS #1 AND 2 TO STATE THAT "...PINEY MOUNTAIN ROAD BE IMPROVED ALONG THIS SITE'S FRONTAGE TO:..." AND THAT "...EASTWOOD ROAD BE IMPROVED BE IMPROVED...ALONG THIS SITE'S FRONTAGE, AND THAT SHADY LAWN ROAD BE PAVED...ALONG THE PROPERTY'S FRONTAGE." THE MOTION FAILED TO CARRY, (4-5), WITH COUNCIL MEMBERS GODSCHALK, PRESTON, WALLACE, AND WILKERSON VOTING IN FAVOR.

THE MOTION TO ADOPT RESOLUTION 88-1-13/R-3C CARRIED, (7-2), WITH COUNCIL MEMBERS GODSCHALK AND WILKERSON VOTING AGAINST.

The resolution, as adopted, reads as follows:

RESOLUTION APPROVING AN APPLICATION FOR PRELIMINARY PLAT APPROVAL FOR FOREST CREEK SUBDIVISION [28-3,5 & 29-3E] (88-1-13/R-3C)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Forest Creek Subdivision proposed by Mr. J.P. Goforth, identified as Chapel Hill Township Tax Map 28, Lot 3 & 5 and Tax Map 29, Lot 3E, if developed according to the Preliminary Subdivision Plan dated August 8, 1987, and the conditions listed below, would comply with the provisions of the Development Ordinance.

1. That Piney Mountain Road be improved from the Eastwood Road intersection along this site's frontage to: the equivalent of 1/2 of a 41-foot cross-section with curb and gutter; with dedication of 1/2 of a 70-foot right-of-way; and, a 5-foot wide paved sidewalk installed along the west side.
2. That Eastwood Road be improved to 1/2 of a 33-foot wide cross-section with curb and gutter and a 5-foot wide paved sidewalk along this site's frontage and extending to the Piney Mountain Road intersection, and that Shady Lawn Road be paved to an asphalt width of 22-feet, with curb and gutter on the south side, along the property's frontage.
3. That Road 'A' be built to class 'B' standards for pavement width and to class 'C' for all other design standards, and that a paved sidewalk be located on one side of the street.
4. That all utility easements necessary for the extension of sanitary sewer to the site be approved by OWASA and recorded prior to the issuance of the Zoning Compliance Permit.

5. That a note be placed on the final plat denying direct driveway access onto Piney Mountain Road and Eastwood Road for those lots adjacent to Piney Mountain Road and Eastwood Road.
6. That a Type 'C' buffer be provided along the site's frontage with Piney Mountain Road and Eastwood Road, and that a landscape plan, including a landscape maintenance plan, be approved by the Town Manager and plants installed prior to any Certificate of Occupancy being issued.
7. That the greenway recreation area be dedicated and deeded to the Town prior to the issuance of the Zoning Compliance Permit.
8. That a 30-foot wide pedestrian, non-motorized vehicle easement, with a path, be provided between lots 16 and 17 and lots 5 and 6, and that these easements be shown on the final plat.
9. That a Homeowners Association with the capability to place a lien on property of members that do not pay their dues, be established to be responsible for the maintenance of the landscape buffers along the site's frontage with Piney Mountain Road and Eastwood Road, and the recreation area adjacent to Piney Mountain Road.
10. That sight triangle easements be provided on the final plat.
11. That the developers shall be responsible for placement and maintenance of temporary regulatory traffic signs before issuance of any Certificate of Occupancy until such time that the street system is accepted for maintenance by the Town.
12. That the applicant take appropriate measures to prevent the deposit of wet or dry silt on adjacent paved roadways.
13. If the Town Manager approves a phasing plan, no Certificate of Occupancy shall be issued for a phase until all required public improvements for that phase are complete; no Building Permits for any phase shall be issued until all public improvements required in previous phases are completed to a point adjacent to the new phase; and that a note to this effect shall be placed on the final plat.
14. That final utility plans, including a street lighting plan, be approved by the Town Manager, OWASA, Duke Power, Southern Bell, Public Service Gas Co., and Carolina Cable before issuance of a Zoning Compliance Permit.
15. That prior to paving streets, utility service laterals be stubbed out to the front property lines of each lot. Sanitary sewer laterals shall be capped off above ground.

16. That easement documents as required by OWASA and the Town Manager be recorded before final plat approval.
17. That names of the development and its streets and house/building numbers, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
18. That a soil erosion and sedimentation control plan be approved by the Orange County Erosion Control Officer before issuance of a Zoning Compliance Permit.
19. That the boundaries of the Resource Conservation District be shown on the final plat and plan with a note indicating that "Development shall be restricted within the Resource Conservation District in accordance with the Development Ordinance."
20. That any restrictive covenant applicable to lots adjacent to the Resource Conservation District not require greater setbacks than those required by the Development Ordinance.
21. That no lot be created that would require a Resource Conservation District Variance in order to be built upon.
22. That the final plat indicate the buildable area on all lots which contain a portion of the Resource Conservation District.
23. That tree protection fences be installed to protect significant existing trees and their root systems, before issuance of a Zoning Compliance Permit.
24. That a fire flow report prepared by a registered professional engineer, showing that flows meet the minimum requirements of the Design Manual, be approved prior to issuance of a Zoning Compliance Permit.
25. That final street plans, grading plans, utility plans, stormwater management plans (with hydrologic calculations), and buffer planting and maintenance plans be approved by the Town Manager before issuance of Zoning Compliance Permit of the application for final plat approval, and that such plans conform to plans approved by this application and demonstrate compliance with all applicable conditions and the design standards of the Development Ordinance and the Design Manual.
26. That no Certificate of Occupancy be issued until all required public improvements are completed; and that a note to this effect shall be placed on the final plat.
27. That plans for improvements to state-maintained roads be approved by NCDOT prior to issuance of a Zoning Compliance Permit.

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28. That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
  29. That if any of the above conditions is held invalid, this approval shall be void.

BE IT FURTHER RESOLVED that the Council hereby approves the application for preliminary plan approval for Forest Creek Subdivision in accord with the plans and conditions listed above.

This the 13th day of January, 1988.

The Oaks II, Phase V - Preliminary Plat Application

Roger Waldon, Planning Director, said the proposal was to subdivide a 6.95 acre parcel into 8 residential building lots. He said the site was located east and west of New Castle Drive between Lancaster Drive and the Orange County/Durham County line. He said the site was included in the original Oaks II subdivision as future development and as such the acreage had been included in the computation of acreage for the recreation area requirement and therefore no additional recreation area was required of this subdivision. Mr. Waldon said this area was a key site in the area as it bordered the Durham County line and would provide access from the development to the Durham County portion of the development.

Council Member Godschalk asked if the Durham County portion of the development would conform to Chapel Hill standards as this area was in the area which the Town of Chapel Hill could annex. Mr. Waldon said the Oaks development was in the Chapel Hill town limits, extraterritorial jurisdiction, future annexation boundary in Durham County and therefore in Durham County's jurisdiction, and in Durham City's extraterritorial jurisdiction. He said the primary difference among the regulations was that Durham County and Durham City did not have any Resource Conservation District regulations.

Council Member Pasquini said that since there had been a change in the calculations of payment-in-lieu of recreation since the original Oaks II subdivision had been approved, he did not think the recreation area provision for the entire site should be used for this phase.

Attorney Karpinos said if the calculation for recreation area for the original subdivision had included the area in Phase V and that the recreation area provided was to meet the entire requirement then he did not think it was a violation of the Ordinance for this phase not to provide recreation area. He said that he would prefer to research the matter to see if the change in the calculation of payment-in-lieu would have any affect.



Jack Smyre, an engineer representing the John McAdams Company, engineers for the developer, said that he felt the recreation requirement had been met with the original subdivision approval.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO REFER TO THE MANAGER FOR ADDITIONAL INFORMATION ON THE RECREATION REQUIREMENTS.

Council Member Werner said that this situation raised the question of the advisability of approving subdivisions with large undeveloped tracts.

Council Member Wilkerson also said it brought to question the idea of grandfather clauses and the effects of such on future developments.

Council Member Pasquini said that he would like further information on the proposed development in Durham County when this item was brought back.

THE MOTION PASSED UNANIMOUSLY, (9-0).

Annexation - Resolution of Intent to Consider

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 88-1-13/R-5.1. THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION STATING THE INTENT OF THE TOWN OF CHAPEL HILL TO CONSIDER ANNEXING THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION (88-1-13/R-5.1)

BE IT RESOLVED by the Town Council of the Town of Chapel Hill:

Section 1. That it is the intent of the Town Council of the Town of Chapel Hill to consider annexing the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

BEGINNING at a point on the existing Town Corporate Limits, said point being on the northern right-of-way of Ephesus Church Road, and being a projection of the eastern property line of Tract 2 of the DuBose Property as shown on the plat "Survey of David St. Pierre DuBose, Jr." dated February 12, 1986, Durham County Plat Book 110, Page 159; thence across Ephesus Church Road S 01-08-10 W approximately 60 feet to a point on the southern right-of-way of Ephesus Church Road, the northeast corner of said DuBose tract; thence along said property line S 01-08-10 W 1028.19 feet to a concrete monument; thence along the western property line of a 29-acre tract as shown on Durham County Plat Book 37, Page 45 S 05-00-00 W 714 feet to a monument; thence along the southern property line of said 29-acre tract S 84-05 E 543 feet to an iron

pin, as shown on said Plat Book 110-158, the northwest corner of the Specia Moore, Sr. lot; thence along DuBose's eastern property line S 00-46-54 E 313.74 feet, S 00-34-56 E 520.39 feet, and S 00-38-45 E 345.34 feet to an iron pin, the southwest corner of the Elvie King lot; thence along the western property line of a 16.68-acre tract as shown on Durham County Plat Book 28-02 S 02-53 W 990.8 feet to the southwest corner of said 16.68-acre tract; thence continuing along the western property line of a 29.61-acre tract, Deed Book 127, Page 174, in a southerly direction approximately 1750 feet to a point on the B. Everett Jordan Dam and Lake Project, as shown on the U. S. Army Corps of Engineers Project Map, Segment "19", said point being located between stations 760 and 761; thence along the B. Everett Jordan Project western property line S 83-36-04.9 W approximately 550 feet to a monument, station 760; thence S 30-01-55 W 541.81 feet to a monument, station 733; thence continuing from station 733 to station 725 the following bearings and distances: S 48-59-30.7 E 688.205, S 42-04-46.9 W 571.726, S 14-03-02.1 W 754.229, S 20-41-18.4 W 719.949, S 43-14-14.7 W 638.742, S 70-55-24.2 E 1124.828, S 47-23-20.1 E 385.243, S 87-51-49.7 E 464.031; thence continuing with said property line in a southwesterly direction to the northern right-of-way of N.C. 54; thence along the northern right-of-way line of N.C. 54 in a westerly direction to a point on said right-of-way, said point being a projection of the eastern property line of Sherwood Forest Subdivision as shown on Durham County Plat Book 30, Page 49; thence across N.C. 54 to a point on the southern right-of-way, the northeast corner of said subdivision; thence along the eastern property line of said subdivision S 02-45 W approximately 579 feet; thence along said line S 06-18 W approximately 788 feet to the southeast corner of said subdivision; thence along the southern property line of said subdivision S 78-43 W approximately 389 feet to the southwest corner of Sherwood Forest Subdivision; thence continuing in a westerly direction along the southern property line of Lots 28, 12, 23 and 24, Block 5, Durham County Tax Map 491 approximately 1650 feet to a point on the eastern right-of-way of Barbee Chapel Road; thence southerly across Barbee Chapel Road to an iron pin on the existing Town Corporate Limit, the intersection of the western right-of-way of Barbee Chapel Road and the eastern property line of Durham County, Triangle Township, Tax Map 491, Block 6, Lot 1; thence along the existing Corporate Limit line as it exists along Finley Golf Course, the Oaks, Briarcliff, Colony Woods, etc., and easterly along Ephesus Church Road to the point or place of BEGINNING.

Section 2. That a public hearing on the question of annexing the above-described territory will be held in the Meeting Room of the Municipal Building, 306 N. Columbia Street, Chapel Hill, N.C. 27516 (just north of the fire headquarters station at Airport Road and N. Columbia Street) at 7:30 o'clock, p.m., on the 14th day of March, 1988, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the Town of Chapel Hill will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above-described territory be made available for public inspection at the office of the Town Clerk at least thirty (30) days before the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed who have been identified be posted in the office of the Town Clerk at least thirty (30) days before the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication and first class mail, as required by G.S. 160A-49.

This the 13th day of January, 1988.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 88-1-13/R-5.2. THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION STATING THE INTENT OF THE TOWN OF CHAPEL HILL TO CONSIDER ANNEXING THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION (88-1-13/R-5.2)

BE IT RESOLVED by the Town Council of the Town of Chapel Hill:

Section 1. That it is the intent of the Town Council of the Town of Chapel Hill to consider annexing the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

BEGINNING at a point on the existing Chapel Hill Town Corporate Limits, said point being located on the southern right-of-way of S.R. 1777 (Homestead Road) 217.72 feet in a northwesterly direction from the southwest right-of-way intersection of S.R. 1777 and N.C. 86; running thence with the existing corporate limits in a southerly direction approximately 257 feet to the southwest corner of Chapel Hill Township Tax Map 21 Lot 41B; thence easterly with the southern property line of said lot approximately 201 feet to a point one foot west of the western right-of-way of N.C. 86; thence southerly parallel to said right-of-way approximately 368 feet to the northeast corner of Tax Map 24 Lot 40; thence westerly with the north property line of said lot approximately 300 feet to the northwest corner of lot 40; thence southerly along the western property line of Lot 40 approximately 300 feet to the southwest corner of said lot; thence southerly parallel to the western right-of-way of N.C. 86 approximately 372 feet to a point on the northern property line of lot 37; thence westerly along said property line approximately 290 feet to the northwest

corner of said lot; thence southerly along the western property line 365 feet to the southwest corner of said lot 37; thence westerly along the southern property line of Tax Map 24 Lot 38A approximately 760 feet to the southwest corner of said lot; thence along a new corporate limits line northerly along the western property line of lot 38A approximately 775 feet to the northwest corner; thence westerly along the southern property line of lot 41G approximately 65 feet to the southwest corner; thence northerly along the western property line of said lot approximately 340 feet to the southeast corner of lot 42; thence westerly along the southern property line approximately 1140 feet to the southwest corner; thence northerly along the western property line of said lot approximately 1310 feet to a point on the southern right-of-way of S.R. 1777 (Homestead Road); thence northerly across said right-of-way approximately 60 ft. to the southwest corner of Tax Map 24 Lot 13; thence northerly along the western property line approximately 290 ft. to the northwest corner; thence easterly along the northern property line approximately 180 feet to the northeast corner of said lot; thence northeasterly along the northwestern property lines of Lots 13, 15, and 15B approximately 1010 feet to the northern corner of lot 15B; thence northwesterly along the western property line of lot 19 approximately 470 feet and northerly approximately 265 feet to the northwest corner of said lot; thence northerly along the various bends of the western property lines of lots 22 and 23 approximately 1370 feet to a point on the existing corporate limits, said point being located on the southern property line of Tax Map 18 Lot 13; thence with the existing corporate limits along said property line South 84-04-50 East approximately 2170 feet to the southeast corner of said lot; thence North 31-49-17 East 141.88 ft; North 02-02-43 West 140.09 feet; North 37-18-14 West 132.0 feet; North 07-45-55 East 111.02 feet; North 00-00-00 West 185.00 feet; North 11-18-36 West 101.98 feet; North 32-00-18 West 94.34 feet; North 36-52-12 West 100.00 feet; North 66-39-57 West 277.71 feet; North 75-22-45 West 181.38 feet; and North 05-54-30 East 129.46 feet to the southwest corner of the Town of Chapel Hill land (Fire Station North); thence along the southern property line of said tract South 84-05-30 East 510.07 feet; North 05-54-30 East 21.40 feet; and South 84-05-30 East 400 feet to the western right-of-way of N.C. 86; thence southerly along said right-of-way approximately 735 feet to a point; thence across N.C. 86 along the existing Corporate Limits approximately 60 feet to the intersection of the eastern right-of-way of N.C. 86 and the northern right-of-way of Westminster Drive (also known as Cardinal Street); thence across Westminster Drive right-of-way South 01-17 East 60 feet to a point on the eastern right-of-way of N.C. 86; thence North 79-43-00 East 405.62 feet to a stake; South 17-02-39 West 125.36 feet to a stake; South 35-08-40 West 199.83 feet to a stake thence South 89-09-11 East approximately 400 feet to the northwest property corner of Tax Map 24 Lot 25C (25B at the time it was annexed); thence southerly along the western property line of said lot approximately 650 feet; thence easterly along the southern property line approximately 500 feet to the northwest corner of the dedicated Open Space for Timberlyn

Subdivision; thence South 13-28-12 West 884.32 feet to a point in the northern property line of Stateside Subdivision; thence westerly along the northern line of said subdivision approximately 1000 feet to the eastern right-of-way of N.C. 86; thence across said right-of-way along the extension of said subdivision line approximately 61 feet to a point one foot west of the western right-of-way of N.C. 86; thence southerly parallel to said right-of-way approximately 1450 feet to a point on the northern property line of Duke Power Company; thence North 85-31 West along said line approximately 1469 feet to the northwest corner of said property; thence South 11-39 East 345.92 feet along the western property line to a point on the northern right-of-way of S.R. 1777 (Homestead Road); thence easterly along said right-of-way along a curve to the right 382.88 feet to an iron; thence along said right-of-way South 58-51 East 761.43 feet to a point on the extension of the western property line of Tax Map 24 Lot 41B; thence across S.R. 1777 along said extension approximately 70 feet to the point or place of BEGINNING.

Section 2. That a public hearing on the question of annexing the above described territory will be held in the Meeting Room of the Municipal Building, 306 N. Columbia Street, Chapel Hill, N.C. 27516 (just north of the fire headquarters station at Airport Road and N. Columbia Street) at 7:30 o'clock, p.m., on the 14th day of March, 1988, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the Town of Chapel Hill will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the Town Clerk at least thirty (30) days before the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed who have been identified be posted in the office of the Town Clerk at least thirty (30) days before the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication and first class mail, as required by G.S. 160A-49.

This the 13th day of January, 1988.

Reserve Police Officer Program - Report

Manager Taylor said that the Council had approved the creation of a reserve police officer program in June and asked for a status report in six months. He said to date ten reserve officers had been appointed, all of which were certified by the State as law enforcement officers. He stated that each reserve was required

to spend a minimum of 8 hours per month for six months of full training.

Council Member Godschalk asked what affect the reserve program had on the Town's liability insurance. Attorney Karpinos responded that he had checked with the Town's liability insurance carrier and was told that the reserve officers would be treated the same as other Town employees with regard to liability insurance.

Council Member Preston asked how often the reserve officers worked. Interim Police Chief Arnold Gold replied that the officers were required to work 8 hours each month.

Regional Highway Study - Request for Funding from Chapel Hill-Carrboro Chamber of Commerce

Manager Taylor said that this was a request from the Chapel Hill-Carrboro Chamber of Commerce to help fund their portion of a study on the regional transportation needs to help educate the public and private sectors about the transportation needs in the Triangle region and to ensure that Chapel Hill's regional transportation needs were determined, given priorities, and funded.

Len Van Ness, representing the Chamber of Commerce, said that area Chambers of Commerce had met, along with other individuals and determined that a study needed to be done on regional transportation needs. He said that the study would combine the two Transportation Advisory Committee reports in the area, prioritize regional needs and offer suggestions for funding.

Council Member Werner said he was not sure how this proposed study would fit into the overall picture. He pointed out that the Town was already involved in Thoroughfare Plan revisions and that the Triangle J Council of Governments was working on another study. Mr. Van Ness said that the Chambers' study would take the area Thoroughfare Plans and combine the information into one regional study.

Mayor Howes stated that when he had first heard of the proposal it had been his understanding that funds would not be needed from the area local governments.

Council Member Andresen said that she also was unsure of the focus of the proposed study. She said she would prefer not to vote on this matter this evening.

Council Member Werner said that he was concerned that the study would be used to promote projects that had not been approved by the Council. He said the proposal did not indicate that the Council would have the opportunity to review the final report.

Manager Taylor said that the Town of Carrboro had approved a \$500 funding request and therefore he suggested that Chapel Hill's

portion be \$1000 instead of \$1500. He said that the request was from the Chamber of Commerce to help fund their pledge for the study.

Mayor Howes said that he had mixed feelings about the request but that he would vote for a \$1000 contribution with the idea of this being a one-time event.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 88-1-13/R-6 WITH THE AMENDMENT THAT THE AMOUNT TO BE FUNDED BY CHAPEL HILL WAS \$1000. THE MOTION FAILED TO CARRY, (4-5), WITH COUNCIL MEMBERS GODSCHALK, PRESTON, WALLACE, AND MAYOR HOWES VOTING IN FAVOR.

Board/Commission - Nomination and Appointment to Planning Board

Council Member Preston stated that she had nominated Thaddeus Moore for the vacancy on the Planning Board but that he had not submitted an application and therefore she withdrew his name from consideration.

For one seat on the Planning Board the following vote was taken.

First Vote:

George Doyle (1): Herzenberg

Kay Maltbie (4): Andresen, Howes, Pasquini, Wilkerson

Donald Shaw (3): Godschalk, Preston, Werner

Second Vote:

Kay Maltbie (5): Andresen, Pasquini, Preston, Werner, Wilkerson

Donald Shaw (3): Godschalk, Herzenberg, Howes

Kay Maltbie was appointed.

Library Board of Trustees - Nominations

Council Member Godschalk nominated all the applicants.

Executive Session

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION AND INTEREST IN REAL PROPERTY. THE MOTION PASSED UNANIMOUSLY, (9-0).

The meeting adjourned to executive session at 10:38 p.m.

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COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO RETURN TO REGULAR SESSION. THE MOTION PASSED UNANIMOUSLY, (9-0).

The meeting returned to regular session at 11:24 p.m.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO RECESS THE MEETING UNTIL 7:15 P.M. ON JANUARY 25, 1988. THE MOTION PASSED UNANIMOUSLY, (9-0).

The meeting recessed at 11:25 p.m.