

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, FEBRUARY 8, 1988, 7:30 P.M.

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

- Julie Andresen
- Joe Herzenberg
- David Godschalk
- David Pasquini
- Nancy Preston
- James C. Wallace
- Roosevelt Wilkerson

Council Member 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.

Certificates of Appointment

Mayor Howes introduced to the Council two recently appointed Council advisory board members and presented them with Certificates of Appointment. Present and receiving a certificate were:

- Everett Emerson, Library Board of Trustees
- Kay Maltbie, Planning Board

North Carolina League of Municipalities Resolutions Honoring R. D. Smith and Herman Stone

Mayor Howes presented former Council Member R. D. Smith and former Police Chief Herman Stone with resolutions from the North Carolina League of Municipalities honoring the gentlemen for their work and contributions over the past years.

Public Hearing on Closing Louise Street Right-of-Way

Sonna Loewenthal, Assistant Town Manager, said that the purpose of this hearing was to receive comments on the proposed closing of an unused right-of-way for roadway purposes between East Franklin Street and Roosevelt Drive.

Tom Bulthuis, speaking as the petitioner for the right-of-way closing, spoke in support of the proposed closing.

Manager Taylor said his preliminary recommendation was for the Council to close the road right-of-way subject to the reservation of blanket easements for public utilities and public storm drainage facilities and a 60' easement for entranceway purposes along the frontage of the right-of-way.

There were no citizen comments.

There were no comments from the Council.

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

Petitions

Kathy Harris and Phil Sloane, representing the Greenways Commission, and Bill Peck, speaking as a citizen, asked to speak to item #8, CIP recommendations from Boards and Commissions.

Verla Insko, representing the Orange County Mental Health Association, asked to speak to item #10, Report on Humane Workplace workshop.

Joe Hakan and Moyer Smith, representing the Public-Private Partnership Downtown Commission, petitioned the Council with regard to participation in an effort to help revitalize the downtown area. They stated that Chapel Hill's Town Manager and Council Member Andresen were serving on this Commission. They said that the Commission was working on ways to encourage citizens to frequent the downtown area, to improve transportation and circulation problems and parking. They said the Commission was interested in applying for a grant from the Main Street Association and that in order for the application to be reviewed there had to be a show of support from the Town Council of Chapel Hill and Board of Aldermen of Carrboro. Mr. Smith stated that prior to applying for the grant the Commission had to estimate the cost of setting up a Main Street office. He said the Commission had estimated the cost to be approximately \$60,000 and that the public sector would provide at least 50% of the funding and the public sector the remaining. Mr. Hakan stated that the Commission was also looking into the idea of a free shuttle bus which would run between Henderson Street and Carr Mill Mall.

Mayor Howes stated that preliminary conversations with the Town of Carrboro and the Council had resulted in interest being expressed by both groups.

Council Member Preston asked if the Main Street program was sponsored by the National Trust. Mr. Hakan replied yes.

Council Member Godschalk commented that in other areas where the Main Street program had been used, it had been generally staffed by professional planners. He asked what this program could offer that the Town staff could not already provide, or could better provide if the funds proposed for this project were used within the Town's operations. Mr. Hakan said that the Main Street program was viewed by the private part of the Commission as being a means of participating in the revitalization of the downtown area.

Council Member Andresen said that the proposal would be a way to galvanize public interest in the downtown and possibly encourage more participation by the private sector.

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO REFER TO THE MANAGER.

Council Member Pasquini asked what kind of information would be provided by the Manager when this item were returned to the Council for consideration. Manager Taylor responded that the staff would provide information on a reasonably comprehensive program and how it would benefit Chapel Hill. He said the staff would also include information on a proposed 90-day pilot program for a free shuttle along Franklin Street.

Council Member Pasquini asked if the Main Street program were approved would there be a performance agreement indicating each party's involvement. Manager Taylor replied that if the Council decided it wanted to participate in the program and an application were made and accepted, then at that point, the Town would draw up a performance agreement between all parties involved.

THE MOTION TO REFER PASSED UNANIMOUSLY, (8-0).

Joyce Brown, speaking as a resident, spoke in support of using energy efficient designs for Town facilities, especially the proposed new Library and Municipal Building expansion. (For copy of information presented, see Clerk's files.)

Council Members Andresen and Preston thanked Ms. Brown for her comments and concerns.

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO REFER TO THE MUNICIPAL BUILDING EXPANSION COMMITTEE AND THE LIBRARY COMMITTEE. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Godschalk petitioned the Council to direct the Attorney to review present regulations regarding outdoor skateboard rinks with the idea of possible Council action to regulate where these rinks could be located and the times when they could be used. He suggested that the Attorney and Planning Director study the issue and present possible Development Ordinance amendments to address this growing concern.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO REFER TO THE ATTORNEY AND PLANNING DIRECTOR.

Council Member Preston asked if there were a private lawsuit pending on this issue. Council Member Godschalk responded that he felt the Council's concerns were a separate issue and that what he was interested in was the possible regulation of these rinks within the Town limits.

THE MOTION PASSED UNANIMOUSLY, (8-0).

Minutes

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT THE MINUTES OF JANUARY 20, 1988 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO ADOPT THE MINUTES OF JANUARY 25, 1988, A CONTINUATION OF THE JANUARY 11, 1988 REGULAR MEETING, AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO ADOPT THE MINUTES OF JANUARY 25, 1988 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Thoroughfare Plan - Presentation of Proposed Durham - Chapel Hill - Carrboro Plan

Ed Johnson, representing NCDOT and the Technical Coordinating Committee for the Durham - Chapel Hill - Carrboro Urbanized Area, gave a presentation on the proposed plan. He highlighted several of the areas involved and discussed those which closely affected the Chapel Hill area. These included:

Outer Loop north of Chapel Hill near Emerson-Waldorf School.

N.C. 54-Homestead Road Connector which was removed from the plan and replaced by the Bethel Hickory Grove Church Road-Eubanks Road connector.

Laurel Hill Parkway realignment.

North Chatham Loop which shifted from Lystra Road to Jack Bennett Road.

Farrington Road.

Whitfield Road and Eubanks Road.

(For copy of preliminary draft, see Clerk's files.)

David Bonk, Transportation Planner, discussed in more detail some of the steps which had led to the development of the preliminary plan. He said the transportation planners had researched the housing and employment projections for the years 2000 and 2010; looked at areas outside of the present adopted Thoroughfare Plan to see if there were any deficiencies; and then meshed the Chapel Hill-Carrboro Thoroughfare Plan with the Durham Thoroughfare Plan. He further discussed the proposed revisions to the

periphery roads. He stated that the Whitfield/Eubanks Road connection, which would be accomplished with a bridge over I-40 would relieve some of the congestion on Weaver Dairy Road. He said the plan proposed a new interchange at Watkins Road and 15-501; realignment of Laurel Hill Parkway so that there was a connection with Farrington Road with a proposed I-40 interchange to help funnel traffic around Chapel Hill and relieve 15-501 Bypass; and that Jack Bennett Road, instead of Lystra Road would be utilized in southern Orange/northern Chatham County to also relieve the Bypass and Laurel Hill Parkway for traffic heading north and east.

Council Member Godschalk commented that he was concerned with the impact of the connector roads on the rural buffer and transition area and watershed. He asked that information on where the proposed roads traversed these areas be provided and that consideration of the effects be taken into consideration.

Mr. Johnson stated that the transportation planners were taking these concerns into consideration as the plans developed. He pointed out that the majority of the connector road proposed would only be 1000' additions to current two-lane roads and not major thoroughfares.

Roger Waldon, Planning Director, said that the concept of the Rural Buffer was an important consideration when studying the proposed Thoroughfare Plan, especially with regard to the proposed Outer Loop. He said it would be important to ensure that the Outer Loop not provide local access at the interchange area of I-40.

Council Member Andresen agreed with Council Member Godschalk's concerns and suggested that when this item were brought back to the Council that better maps be provided, showing the transition areas, rural buffer, Duke Forest, and watershed.

Council Member Preston said she agreed with the concerns for the rural buffer and watershed and with the concept of diverting traffic around the town rather than through the town. She asked the Manager if he needed any other direction from the Council on what areas they felt should be addressed in preparing the Thoroughfare Plan. Manager Taylor replied that if there were other areas like the University's thoroughfare plan portion of their Land Use Plan and Pittsboro Street Extension which the Council wished the staff and advisory boards to review and present alternatives then he would like direction from the Council on these.

The Council consensus was for the Manager to consider these two items.

Council Member Preston also said she would like the staff to include park/ride facilities in the review of the plan.

Council Member Wilkerson said that he would like further information on the Outer Loop, alternative designs, etc. Mr. Bonk stated that the transportation planners had designated this proposal as a long range corridor that needed further analysis.

Mayor Howes said that he would like further information on the proposal to use Jack Bennett Road as a connector.

Council Member Wallace stated that he also would like further information and better maps showing the watershed, Duke Forest, Interstate-40, 15-501, Lystra Road and Jack Bennett Road.

Council Member Godschalk thanked the transportation planners for their work and regional approach to the issues.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER WALLACE TO REFER TO THE PLANNING BOARD, TRANSPORTATION BOARD, AND MANAGER AND THAT THEIR REVIEW TAKE INTO ACCOUNT THE QUESTIONS AND CONCERNS ADDRESSED BY THE COUNCIL RELATING TO THE RURAL BUFFER, TRANSITION AREAS, WATERSHED, DUKE FOREST, ETC.

Mayor Howes stated that the proposal was a preliminary draft recommendation and that concerns expressed would be considered and included in the next phase. He said he was pleased that the Thoroughfare Plan was taking a regional approach. He stated that this presentation was one of the first steps towards adopting a new Thoroughfare Plan and that there would be other meetings and hearings where this would be discussed.

Mr. Bonk stated that a public hearing was tentatively scheduled for March 24 at Culbreth Junior High School.

THE MOTION PASSED UNANIMOUSLY, (8-0).

Student Liaison with the University of North Carolina at Chapel Hill

Mayor Howes said that as a result of a petition from the Student Body President at UNC, the Council had directed the Town Attorney to review the possibility of a student representative on the Council. He said that upon further discussions with the Vice Chancellor for Student Affairs and the Student Body President, he recommended that the Council recognize a Student Liaison from UNC who would serve as the formal line of communication between the Town and the UNC student body.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 88-2-8/R-1.

Council Member Godschalk spoke in support of the resolution saying it was important to establish an institutional link between the student body and Town.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING A UNC STUDENT GOVERNMENT LIAISON TO THE TOWN COUNCIL (88-2-8/R-1)

WHEREAS, the Town Council received a petition requesting University of North Carolina at Chapel Hill student representation on the Town Council; and

WHEREAS, the Town Council encourages knowledge of and participation in Town affairs by students; and

WHEREAS, the Town Council recognizes that University of North Carolina students are a major part of the population of the Town, and is interested in students' views on all Town related issues affecting students,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Chapel Hill recognizes a University of North Carolina Student Liaison to the Town Council who shall be the Student Body President or his or her designee; and

BE IT FURTHER RESOLVED that said Liaison shall receive the published agenda packet for the Town Council meetings and shall have a place reserved for him or her in the Meeting Room; and who, further, shall be recognized as the formal line of communication between the Town Council and the UNC Student Government; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be placed in and be a part of Section III(D) of the adopted Town Council Procedures Manual.

This the 8th day of February, 1988.

Southern Community Park

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 88-2-8/R-2.

Council Member Wallace stated that he thought the proposal was long overdue.

Mayor Howes asked the Manager to describe the proposed land acquisition.

Manager Taylor replied that adoption of the resolution would authorize the purchase of approximately 50 acres on the west side of 15-501 south in the vicinity of Dogwood Acres Drive for a southern community park. He said the park would be a multipurpose site with parkland, a southern fire station and a park/ride facility.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE PURCHASE OF A FIFTY ACRE PARCEL FOR THE SOUTHERN COMMUNITY PARK (88-2-8/R-2)

BE IT RESOLVED that the Council of the Town of Chapel Hill hereby gives final authorization for the purchase of Lots 31 and 31A, Block A, Tax Map 128, Orange County, from the Adams-Bilt Company and the Wycliff Group, Ltd., for public purposes as a community park for the negotiated sum of \$1,050,000, said sum having been negotiated with the property owners in lieu of acquisition of said property by condemnation;

BE IT FURTHER RESOLVED that the Council hereby ratifies, affirms, and approves the contract for said property, as the contract of the Town for the purchase of said property, said contract having been signed by the Town Manager on behalf of the Town pursuant to instructions given in executive session on January 25, 1988;

BE IT FURTHER RESOLVED that the Council directs the Manager and Attorney to deliver the agreed to purchase price and execute all necessary documents to complete said transaction.

This the 8th day of February, 1988.

Capital Improvements Program - Advisory Board Comments

Alan Rimer, representing the Planning Board, said the Board's recommendations were included in the Council's packet and included a suggestion that a simplified summary chart be added to the CIP and that the Planning Board be have more input in the priority setting process.

Cassandra Sloop, representing the Appearance Commission, said the Commission's recommendations were included in the Council's packet and included the request that funds be provided for acquisition for land along entranceways, hiring of an urban forester, and for landscaping the I-40 interchanges. She said the Commission also questioned the \$25,000 allocated for irrigation of the Police Department landscaping feeling this amount was excessive.

Prince Taylor, Jr., representing the Parks and Recreation Commission, said the Commission questioned why the basic funding of \$50,000 that had been in the previous CIP's did not appear in the preliminary 5-year CIP for the years 1988-91. He said the Commission also expressed concern that the timing for the installation of outdoor lighting at park facilities had been pushed back, as well as the construction of a wading pool at the Community Center and gymnasium at Hargraves Center. He stated that

the Commission felt these were priority items and should be moved up on the schedule.

Kathy Harris, representing the Greenways Commission, said the Commission had been disappointed at the cut in funding for the greenways from the current level of \$50,000 to \$25,000 per year for 1988-90 and that there was no funding allocation for the year 1990-91. She said the greenways program was moving into its development and implementation stage and the Commission felt the reduction in funding would greatly impair the development of the greenway system.

Phil Sloane, speaking as a Greenways Commission Member, said that he understood reductions in funding were necessary sometimes but felt that the greenways program was at a pivotal point in its development and that it needed to maintain its current funding level of \$50,000 per year.

Bill Peck, speaking as a citizen, spoke in support of the greenways program and for additional funding.

Berry Credle, speaking as a Planning Board Member, asked for clarification of why the preliminary CIP showed an estimated funding level of \$1.38 million for open space in 1988-89 and only \$75,000 in 1991-92. He said he did not feel this decrease in appropriation was realistic. He also felt that improvements to NC 86 should be moved up on the schedule if at all possible. He said the current estimate that it would be 1992-93 before funding would be necessary for the road improvements, he felt, was also unreasonable as traffic was already too congested along this roadway.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO REFER TO THE MANAGER. THE MOTION PASSED UNANIMOUSLY, (8-0).

Human Services Needs Report

Al Mebane, Chair of the Human Services Advisory Board, presented to the Council the Human Services Needs Report. He said the areas of need as identified by the Human Services Advisory Board included: 1) Town and University cooperation; 2) Services for the Economically Disadvantaged; 3) Services for Children and Youth; 4) Services for Women; and 5) Services for the Elderly. He said the Board wanted to thank the Council for providing staff support in the form of Tina Vaughn and Olga Acosta, and also thanked the Council for the opportunity to serve the community in this manner. (For copy of report, see Clerk's files.)

Council Member Andresen asked Mr. Mebane if the Board had any suggestions on ways to improve University/Town cooperation and mitigate any negative effects the Dean Smith Athletic Center was having on the Town. Mr. Mebane responded no, that the Board had

not offered suggestions but had only noted that this was a definite area of concern.

Council Member Wallace said he wanted to thank the Board for their work and sentiments.

Humane WorkPlace - Orange County Mental Health Association Workshop

Manager Taylor said that this item was in response to a petition from the Orange County Mental Health Association for funding assistance for the workshop on the Humane Work Place. He said that the staff and Human Services Advisory Board had reviewed the request and recommended that the Council not underwrite the costs of the workshop but had felt the workshop had merit and that key officials should attend the workshop.

Council Member Godschalk said that he felt the Council, if it were not to fund the workshop, should adopt a resolution in support of the function.

Verla Insko, representing the Orange County Mental Health Association, said that the Association appreciated the consideration of their request from the staff and Human Services Advisory Board. She said that even if funding from the Council were not forthcoming, she felt the project should be attended by Town staff.

Council Member Preston said she agreed with Council Member Godschalk that the Council should adopt a motion endorsing the Humane Work Place workshop.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO AUTHORIZE THE MANAGER TO PREPARE A RESOLUTION WHICH EXPRESSED THE SENTIMENTS EXPRESSED BY THE COUNCIL WITH REGARD TO THE HUMANE WORKPLACE WORKSHOP AND INCLUDE THE RESOLUTION IN THE MINUTES OF THIS MEETING. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Pasquini asked if this kind of request would be eligible for consideration for funds from the hotel/motel tax. Manager Taylor responded that if the request were considered a cultural event then it would be eligible for consideration. Council Member Pasquini asked if events like the Humane Work Place workshop would be planned enough in advance in order for the organizations to apply for funding during the normal budget process. Manager Taylor replied that he did not think events such as this workshop were planned a year in advance and that as such the Council might want to look at its policy of allocating all the funds for projects at the time of budget adoption. He said the Council might want to reserve around \$1000 for contingencies.

The resolution, as prepared by the Manager, reads as follows:

A RESOLUTION SUPPORTING THE HUMAN WORKPLACE WORKSHOP ON MARCH 8 (88-2-8/R-3.1)

WHEREAS, the Orange County Mental Health Association, University of North Carolina and the Chapel Hill-Carrboro Chamber of Commerce will hold a workshop, The Humane Workplace: Employee Supportive Programs, on March 8, 1988; and

WHEREAS the Town Council supports efforts to improve the quality of workplaces and conditions of work,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expresses its support for the Humane Workplace workshop, commends the Orange County Mental Health Association, University of North Carolina and the Chapel Hill-Carrboro Chamber of Commerce for planning and conducting it, and expresses the Council's appreciation for the inclusion of Town employees in the workshop.

This the 8th day of February, 1988.

Duke Forest

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT RESOLUTION 88-2-8/R-4.

Council Member Wallace said he fully appreciated the sentiments in the resolution regarding the importance of Duke Forest to Duke and also to Chapel Hill, Carrboro and Orange County. He said he had read an editorial this morning in the Durham Morning Herald which reminded the Council that the forest was owned by Duke University. Council Member Wallace stated that he felt that the Town was obligated at some point to sit down with Duke University representatives and see if the Town could not make a contribution of some kind to Duke University in order that Duke University would pursue the course of action the Town so earnestly pled. He said that the resolution by itself was splendid, but not sufficient. He said the Town in his judgement, needs to provide something more substantial than a pat on the back.

THE MOTION TO ADOPT THE RESOLUTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION OF THE CHAPEL HILL TOWN COUNCIL REGARDING THE IMPORTANCE OF DUKE FOREST (88-2-8/R-4)

WHEREAS, Duke University has acquired properties known as Duke Forest; and

WHEREAS, Duke University's stewardship of the Duke Forest properties since the 1930s exemplifies the finest corporate

citizenship, and befits a University which is one of the best in the United States; and

WHEREAS, Duke Forest represents an opportunity, in a rapidly developing metropolitan area, to preserve areas of natural environment for the benefit of future generations; and

WHEREAS, the value of Duke Forest's streams and brooks, the many species of trees and plants, wildlife refuge areas, rock formations and other landscape features cannot be measured in dollars alone; and

WHEREAS, the governing bodies of the Towns of Chapel Hill and Carrboro and of Orange County have agreed to retain a low-density Rural Buffer area around the Chapel Hill - Carrboro urban areas, and Duke Forest properties would complement and be complemented by such a setting;

NOW THEREFORE BE IT RESOLVED that the Town Council of Chapel Hill expresses its appreciation to Duke University for establishing and preserving Duke Forest as natural areas for more than 50 years; and requests the Board of Trustees and the Administration of Duke University to keep Duke Forest as part of the University's heritage, as a distinctive feature of the Research Triangle and our State, and as a scientific and environmental benefit of future generations.

This the 8th day of February, 1988.

Street Light Policy and Work Group

Manager Taylor said that the staff recommended that the Council establish a work group to further discuss the issues of the Town's street lighting policy and master plan.

Bruce Heflin, Public Works Director, stated that the Town's street lighting master plan included aspects on the goals of street lighting, lighting requirements and standard hardware for residential street lighting and privately-owned and operated street lighting. He said that there were advantages and disadvantages with the Town's master plan and that a working committee to study the issue made up of the Council, staff, Duke Power officials and residents from two neighborhoods was recommended by the staff.

Mayor Howes said that he felt the work group was a good idea to address the concerns of the Town, Duke Power, and the developers and residents. He said that he had discussed the possible candidates for the work group and suggested that a member of the development community also be included. He stated that Council Members Andresen and Wilkerson had agreed to serve on the committee, Ronnie Mann would represent one neighborhood The Oaks II and Stephen Birdsall would represent Ironwoods, Larry Touchstone or

his representative would represent Duke Power, Sallie Jesse would represent the development community, and that Assistant Town Manager Sonna Loewenthal and Public Works Director Bruce Heflin would represent the staff.

Council Member Andresen said she thought the idea of a work group was good and that she thought the group should also review the goals and objectives and make recommendations. She felt consideration should be made of whether or not neighborhoods wanted the types of lights required by the street master plan and that the types of fixtures required should also be reviewed.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WALLACE TO ADOPT RESOLUTION 88-2-8/R-5 WITH THE AMENDMENT THAT THE GROUP INCLUDE A MEMBER OF THE DEVELOPMENT COMMUNITY AND THAT THE GROUP WOULD REVIEW THE GOALS AND OBJECTIVES OF THE STREET LIGHTING MASTER PLAN. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION APPOINTING A STUDY GROUP TO STUDY ISSUES RAISED ON FEBRUARY 8 ABOUT STREET LIGHTING AND REQUESTING A REPORT TO THE COUNCIL IN MARCH (88-2-8/R-5)

WHEREAS, the Public Works Staff Report of February 8 has raised difficult issues relating to the provision of street lighting to the Town of Chapel Hill; and

WHEREAS, the Town Council recognizes that issues of competing policy objectives and complex technical information are involved;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that a street lighting study group is hereby formed to consist of two Council Members, two residents of new neighborhoods, a representative of Duke Power, a representative of the development community and two Town staff members.

BE IT FURTHER RESOLVED that this group is charged with making recommendations to the Town Council regarding:

1. The goals and objectives of the Master Plan for Street Lighting.
2. The definition of the standards for intensity of lighting on residential streets.
3. The definition of the standard hardware for residential street lighting.
4. Whether private street lighting should be allowed and, if so, under what circumstances.

BE IT FURTHER RESOLVED that this group is requested to make its report to the Council in March, 1988.

This the 8th day of February, 1988.

Durham Cablevision Franchise - First Reading

Greg Feller, Assistant to the Manager, gave a brief presentation on the application for cablevision franchise from Durham Cablevision. He said the application was for cablevision service in the Durham County portion of Chapel Hill that was annexed in 1986 and also East and West Lakeview Drive in Orange County. He said the programming was similar to that offered by Carolina Cable in the remainder of Chapel Hill. Mr. Feller stated that according to state law a franchise ordinance was not effective until approved on two readings. He stated that the Town would have the right but not the obligation to incorporate into the Chapel Hill franchise any amendments to the Durham City or County franchise.

Council Member Godschalk asked if the franchise ordinance included the provision that the Council meetings be broadcast on Durham Cablevision. He said he felt this was important. Mr. Feller said that this was still under negotiation.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO ADOPT ORDINANCE 88-2-8/O-1. THE MOTION PASSED UNANIMOUSLY, (8-0).

A SECOND READING IS REQUIRED AT THE NEXT REGULAR MEETING.

Annexation - Service Plans: Area 1 and Area 2

Roger Waldon, Planning Director, said the staff recommended the Council adopt resolutions approving proposed service plans for annexing Area 1 east of Chapel Hill, north and south of N.C. 54 east, and included The Oaks II subdivision, Chapel Hill Country Club, portions of the Dubose and Lloyd properties and Pearl Lane - Little John Road area east of Barbee Chapel Road. He stated that this area included approximately 930 acres. Mr. Waldon stated that Area 2 was located north and south of Homestead Road/NC 86 intersection to the present municipal boundaries, and west of the present municipal boundaries, and included approximately 300 acres.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 88-2-8/R-6.1. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING A REPORT WITH PLANS FOR EXTENDING MAJOR MUNICIPAL SERVICES TO AN ANNEXATION AREA IN ACCORD WITH G.S. 160A-47 (88-2-8/R-6.1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the annexation plan for extending and financing services to that certain proposed annexation area as described in

the Town Council's resolution (88-1-13/R-5.1); which plan was submitted to the Town Council by the Manager on February 8, 1988 and a copy of which plan shall be retained with the records of this meeting.

BE IT FURTHER RESOLVED that the Council directs the Manager to make the report available to the public at least 30 days before the public hearing in accord with State law.

This the 8th day of February, 1988.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO ADOPT RESOLUTION 88-2-8/R-6.2. The motion passed unanimously, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING A REPORT WITH PLANS FOR EXTENDING MAJOR MUNICIPAL SERVICES TO AN ANNEXATION AREA IN ACCORD WITH G.S. 160A-47 (88-2-8/R-6.2)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the annexation plan for extending and financing services to that certain proposed annexation area as described in the Town Council's resolution (88-1-13/R-5.2); which plan was submitted to the Town Council by the Manager on February 8, 1988 and a copy of which plan shall be retained with the records of this meeting.

BE IT FURTHER RESOLVED that the Council directs the Manager to make the report available to the public at least 30 days before the public hearing in accord with State law.

This the 8th day of February, 1988.

Public Housing Annual Budget and Confirmation of Tenant Relations Officer

Manager Taylor said that the proposed resolutions authorized the Town to submit operating budgets for the public housing programs both conventional and leased. He stated that the conventional public housing budget would require a \$11,784 appropriation from the reserve fund and that the leased housing budget included a \$1,459 increase in the fund reserves.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT RESOLUTION 88-2-8/R-7.1. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN OPERATING BUDGET FOR THE LOW RENT CONVENTIONAL HOUSING PROGRAM FOR FISCAL YEAR 1988 TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR PROJECT NO(S) NC 46-1, 2, 4, 5, 6, 7, 9 (88-2-8/R-7.1)

WHEREAS, the Town Manager has submitted a budget for fiscal year ending December 31, 1988; and

WHEREAS, the Council has determined that the proposed expenditures are necessary in the efficient and economical operation of the Housing Authority for the purpose of serving low-income families; and

WHEREAS, the budget indicates a source of funding adequate to cover all proposed expenditures; and

WHEREAS, the budget does not provide for use of federal funding in excess of that payable under the Performance Funding System; and

WHEREAS, all proposed rental charges and expenditures will be consistent with provisions of law and the Annual Contributions Contract; and

WHEREAS, the Council hereby certifies that the Town's Authority is in compliance with the provisions of Section 207(a) of the Consolidated Annual Contributions Contract in that the Town's Authority shall at least once a year re-examine the income of families living in the Project(s); and

WHEREAS, all persons responsible for 75 or more units of public housing are hereby certified by an approved certifying organization;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the submission of an operating budget for the fiscal year ending December 31, 1988.

This the 8th day of February, 1988.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WALLACE TO ADOPT RESOLUTION 88-2-8/R-7.2. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN OPERATING BUDGET FOR THE LOW RENT LEASED HOUSING PROGRAM FOR FISCAL YEAR 1988 TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR PROJECT NO. NC-46-3 (88-2-8/R-7.2)

WHEREAS, the Town Manager has submitted a budget for fiscal year ending December 31, 1988; and

WHEREAS, the Council has determined that the proposed expenditures are necessary in the efficient and economical operation of the Housing Authority for the purpose of serving low-income families; and

WHEREAS, the budget indicates a source of funding adequate to cover all proposed expenditures; and

WHEREAS, the budget does not provide for use of federal funding in excess of that payable under the Performance Funding System; and

WHEREAS, all proposed rental charges and expenditures will be consistent with provisions of law and the Annual Contributions Contract; and

WHEREAS, the Council hereby certifies that the Town's Authority is in compliance with the provisions of Section 207(a) of the Consolidated Annual Contributions Contract in that the Town's Authority shall at least once a year re-examine the income of families living in the Project(s); and

WHEREAS, all persons responsible for 75 or more units of public housing are hereby certified by an approved certifying organization;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the submission of an operating budget for the fiscal year ending December 31, 1988.

This the 8th day of February, 1988.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 88-2-8/R-7.3. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION CONFIRMING THAT THE PERSON RESPONSIBLE FOR HOUSING MANAGEMENT DUTIES HAS BEEN CERTIFIED BY AN APPROVED CERTIFYING AGENCY (88-2-8/R-7.3)

WHEREAS, Cathleen Fuller, Tenant Relations Officer, was certified by the National Association of Housing and Redevelopment Officials on April 25, 1986 as a Public Housing Manager; and

WHEREAS, the National Association of Housing and Redevelopment Officials is an approved Certifying Agency; and

WHEREAS, this person performs housing management duties;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the person involved in the performance of housing management duties meets certification requirements as set forth in Federal Register Volume 41, Number 190, Wednesday, September 29, 1976,; pp. 43088-43092, and the salary of such person is an eligible operating expenditure.

This the 8th day of February, 1988.

Public Housing - Transfer of Accounts to First Citizen's Bank

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO ADOPT RESOLUTION 88-2-8/R-8.1. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE TRANSFER OF RESIDUAL PUBLIC HOUSING FUNDS HELD BY CENTRAL CAROLINA BANK AND TRUST COMPANY (88-2-8/R-8.1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes Central Carolina Bank and Trust Company to transfer to the Town's accounts at First Citizens Bank and Trust Company, all residual funds held in accounts in the name of the Chapel Hill Housing Authority, with the exception of the Tenant Rents Account.

This the 8th day of February, 1988.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO ADOPT RESOLUTION 88-2-8/R-8.2. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

CENTRAL CAROLINA BANK AND TRUST COMPANY, NATIONAL ASSOCIATION

RESOLUTION (AUTHORITY)

Designating Central Carolina Bank and Trust Company, National Association as Depository

Customer

Account Number (s)

Town of Chapel Hill

201049787

(Rental Account)

BE IT HEREBY RESOLVED (AUTHORIZED):

THAT Central Carolina Bank and Trust Company, National Association, Chapel Hill, North Carolina, (hereinafter referred to as CCB) is designated as a depository for the funds of this organization. CCB is authorized and requested to accept, in accordance with the rules and regulations of CCB, for credit to the account of this organization any and all checks, drafts, notes, and other negotiable instruments when endorsed in the name of this organization in writing, by rubber stamp, or otherwise, with or without a designation of the party making such endorsement.

THAT any and all funds standing to the credit of this organization with CCB in said account(s), may be paid out or withdrawn upon checks, drafts, notes, orders or other instruments for the payment of money, when signed by any 2 of the persons named below.

THAT CCB is authorized to honor and pay any and all checks, drafts, notes and orders signed, without inquiry as to the circumstances of issue or the disposition of the proceeds thereof, whether drawn to the individual order, or tendered in payment of individual obligations, or for deposit to the individual accounts, of the persons named below, or otherwise.

THAT this organization desires to use the Night Depository of CCB. The use of such night depository is available only to those depositors who are willing to be bound by the terms of CCB's Night Depository Contract and regulations. Any of the persons named below are authorized and directed to enter into CCB's Night Depository Contract.

THAT the President, Vice President, Secretary, or Treasurer (or if not a Corporation, the person(s) named below) are authorized to designate, from time to time, officers and employees empowered to act as agents of this organization under this agreement, and to certify to CCB the names of the agents designated, and changes in such designations. CCB shall be fully protected in relying at any time upon the then current list of agents certified and in refusing to honor the actions of a person not at the time on the current list.

The following names constitute all persons authorized to invoke all the provisions stated herein. If said person(s) are authorized to invoke some, but not all, of said provisions, mark this block [] ; said person(s) will be listed, along with his/her authority on the reverse side.

Name and Title of All Officers

Specimen Signature (if applicable)

David R. Taylor, Town Manager

David R. Taylor

Sonna M. Loewenthal, Assistant Manager

Sonna M. Loewenthal

Ronald A. Secrist, Assistant Manager

Ronald A. Secrist

James M. Baker, Finance Director

James M. Baker

Rosemary Square Monthly Status Report

Manager Taylor said that this report was in response to a Council request for a monthly status report on the project. He said he proposed giving the Council a status report at the first regular meeting of each month.

Consent Agenda

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG TO ADOPT RESOLUTION 88-2-8/R-9. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolutions and ordinances, as adopted, read as follows:

A RESOLUTION APPROVING ORDINANCES AND A RESOLUTION (88-2-8/R-9)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the ordinances and resolution submitted by the Manager in regard to the following:

- a. Covington Annexation (O-2).
- b. Change in Parking Restrictions for Mallard Court (Sycamore Run Subdivision) (O-3).
- c. Requesting joint meeting on May 2 with the Transportation Board and Parks and Recreation Commission (R-10).

This the 8th day of February, 1988.

Covington Annexation

The ordinance, as adopted, reads as follows:

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL, NORTH CAROLINA (88-2-8/O-2)

WHEREAS, the Council has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Chapel Hill Municipal Building, 306 N. Columbia Street, Chapel Hill, N.C., 27516, at 7:30 p.m. on the 20th of January, 1988, after due notice of publication on the 3rd and 10th days of January, 1988; and

WHEREAS, the Council does hereby find and determine as a fact that said petition meets the requirements of G.S. 160A-58.1, as amended, that said petition is otherwise valid, and that the public health, safety and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill, North Carolina:

SECTION I

By virtue of the authority granted by G.S. 160A-58.2, as amended, the following described property is hereby annexed as part of the Town of Chapel Hill.

The area to be annexed is described as follows:

All that certain lot or parcel of land situated, lying and being on the West side of Erwin Road and more particularly described in BEGINNING at an iron stake located in the western margin of the right-of-way of Erwin Road at the northeastern corner of the property of James O. Spinks, Jr. as described in Deed Book 240, at Page 1698, Orange County Registry, which iron stake is situated approximately 225 feet from the centerline of Sage Road as it intersects within Erwin Road; running thence from said beginning point North 74 degrees 34' 04" West 397.84 feet to an iron stake; running thence South 38 degrees 04' 51" West 62.00 feet to an iron stake; running thence North 56" 25' 10" West 265.14 feet to an iron stake; running thence with a new line with the B.N. Birtchette property North 00 degrees 18' 05" West 845.26' to a stake; running thence South 73 degrees 58' 54" East 250.00 feet to a stake; running thence South 75 degrees 41' 48" East 261.10 feet to an iron stake; running thence South 13 degrees 02' 34" West 150.14 feet to an iron stake; running thence South 13 degrees 02' 01" West 150.02 feet to an iron stake; running thence North 75 degrees 51' 40" West 82.80 feet to an iron stake; running thence South 16 degrees 34' 09" West 249.81 feet to an iron stake; running thence South 71 degrees 24' 30" East 412.75 feet to an iron stake located in the Western margin of the right-of-way of Erwin Road; running thence with the Western margin of the right-of-way of Erwin Road along the curve of a circle to the right having a radius of 862.92 feet and an arc distance of 274.14 feet to the point and place of BEGINNING, containing 11.29 acres, more or less, according to the unrecorded plat and survey of Philip Post & Associates, dated September 5, 1986.

SECTION II

This annexation is effective upon the adoption of this Ordinance.

SECTION III

Upon adoption of this Ordinance, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Chapel Hill and shall be entitled to the same privileges and benefits as other parts of the Town of Chapel Hill. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION IV

The Manager of the Town of Chapel Hill shall cause to be recorded in the offices of the Orange County Register of Deeds and the Orange County Board of Elections, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section I hereof, together with a duly certified copy of this ordinance.

This is the 8th day of February, 1988.

Mallard Court Parking Restrictions

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE TOWN CODE OF ORDINANCES (88-2-8/O-3)

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

Section I

That Section 21-27 of the Town Code of Ordinances, "No Parking as to particular streets," is amended by inserting the following in alphabetical order.

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Mallard Court	North	The centerline of Mt. Carmel Church Rd.	A point 100' east
Mallard Court	South	Full Length	

Section II

That Section 21-27 of the Town Code of Ordinances, "No Parking as to particular streets," is amended by the deleting the following:

<u>Street</u>	<u>Side</u>	
Mallard Court	North	Full Length

Section III

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Section IV

This ordinance shall be effective February 22, 1988.

This the 8th day of February, 1988.

Quarterly Meeting with Parks and Recreation Commission and Transportation Board

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING THE MAY 2 QUARTERLY MEETING WITH BOARDS (88-2-8/R-10)

WHEREAS the Council of the Town of Chapel Hill has established a series of quarterly meetings to discuss matters of interest with Council appointed boards and commissions; and

WHEREAS the Council is most appreciative of the contributions made by members of boards and commissions and seeks to become more familiar with board projects and issues of concern;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby requests the members of the Parks and Recreation Commission and Transportation Board meet with the Council at 6:30 p.m. Monday, May 2, 1988 for an informal supper, followed by a meeting with the Parks and Recreation Commission at 7:30 and the Transportation Board at 8:30 p.m. to discuss matters of mutual interest.

This the 8th day of February, 1988.

Executive Session

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS PROPERTY AND LITIGATION. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned to executive session at 10:00 p.m.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADJOURN THE MEETING. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned at 10:30 p.m.