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MINUTES OF A MEETING OF THE MAYOR AND COUNCIL OF THE TOWN  
OF THE TOWN OF CHAPEL HILL, MONDAY, SEPTEMBER 11, 1989

Mayor Howes called the meeting to order.

Council Members in attendance were:

Julie Andresen	Nancy Preston
Joe Herzenberg	Arthur Werner
David Pasquini	Roosevelt Wilkerson, Jr.

Mayor Howes noted that Council Member Godschalk had an excused absence due to a professional commitment.

Also in attendance were Town Manager David Taylor, Assistant Town Managers Sonna Loewenthal and Florentine Miller, Public Safety Director Cal Horton, Planning Director Roger Waldon and Town Attorney Ralph Karpinos.

Mayor Howes stated that this evening was the first of three Council meetings this week. He noted that a public hearing concerning the Horace Williams Airport would be held on Tuesday, September 12th at 7:30 p.m. at Guy B. Phillips Junior High School on Estes Drive. Mayor Howes also stated that a Joint Planning Public Hearing would be held at Carrboro Elementary School on Thursday, September 14th at 7:30 p.m.

Petitions

Mr. Art Dodd, speaking on behalf of the Coventry Homeowners' Association, said that 42 of 43 residents had signed a petition requesting that the Town institute trash collection for Coventry residents. Mr. Dodd said that they had been unable to contact one resident. Mr. Dodd stated that Town Special Use Permit requirements stipulate that pads for dumpsters are required in developments having more than six residential units. Mr. Dodd said that the developer apparently felt that private collection would be better, noting it would be difficult to sell townhouses located next to dumpsters. Mr. Dodd said that dumpsters would be more convenient for Town employees.

Council Member Wallace arrived at 7:36 p.m.

Mr. Dodd said that Section 8-21 (k) of the Town Code gives the Town Manager and the Council the authority to administer refuse collection policies. Mr. Dodd requested that the Town begin trash collection at Coventry Townhomes.

Council Member Preston inquired further about the language contained in Section 8-21 (k). Mr. Dodd said this section addressed dumpster requirements for multiple unit residential developments.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO REFER TO THE TOWN MANAGER. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

Woods at Laurel Hill--Section V

Planning Director Roger Waldon stated that in 1982, the Council denied the initial development application and litigation ensued. Mr. Waldon reviewed the history of project, stating that it consists of sixty units. Mr. Waldon noted that several modifications had been made to the project at various times.

Mr. Waldon stated that the last time this item was before the Council was in December, 1983. Mr. Waldon noted that Town Manager Taylor had approved a one-year extension in 1988. Mr. Waldon stated that the applicant had submitted a second request for time extension, noting that only one can be approved administratively. Mr. Waldon stated that the Council must grant any further extensions. Mr. Waldon displayed a vicinity map, showing how the Special Use Permit covers a portion of the land, and described the completed construction.

Mr. Waldon stated that the last approval was for 51 multi-family units and 9 single-family units, with the completion time limit set to expire August, 1989. Mr. Waldon noted that a one-year extension is being sought, adding that no development can occur unless the time limit is extended.

Council Member Andresen inquired whether the project will be constructed in accord with current Resource Conservation District and buffering requirements. Mr. Waldon said no, noting that the project was approved well before current Resource Conservation District, buffer and setback regulations were in place. Council Member Andresen asked whether a public hearing was needed on shifting of buildings outside of the Resource Conservation District. Mr. Waldon said no. Council Member Herzenberg asked whether notice of the extension request had been provided to neighbors. Mr. Waldon replied no.

Council Member Andresen stated she had no problem with shifting of houses. She asked whether there is a difference in the quality of buffering, such as buffers between lots and buffering of roadways. Mr. Waldon reviewed the different types of buffer requirements triggered by projects of this type. Council Member Andresen inquired about the size of the lots platted. Mr. Waldon stated that a final plat had not yet been recorded.

Council Member Wilkerson noted that approval of the modification would permit 5/6 of the project to be built without today's buffer standards.

Mr. Waldon said that the Resource Conservation District runs through the site. He added that one portion of site abuts the Hunt Arboretum so closely that there is no room for buffers.

Linda Convissor, representing the Cross-County Citizens Committee, stated that her organization was requesting that the Town's mixed-use development ordinance be amended. Ms. Convissor said that the group was requesting a moratorium on development at the intersection of U.S. 15-501 and I-40. Ms. Convissor stated that one hundred and twelve acres on the Durham side of the intersection are contemplated for rezoning.

Ms. Convissor questioned whether it is possible to build a project that is economically viable and agreeable to Town residents and tenants alike. She stated that development pressures along the Boulevard are very intense and thanked Town departments for their help during the past six months.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO REFER TO THE TOWN MANAGER. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

Council Member Pasquini said the Council should reexamine the issue of mixed-use development.

Council Member Preston inquired whether it is possible to amend the ordinance and place a moratorium while projects are pending. Town Attorney Ralph Karpinos said he will report back to the Council concerning this question.

Council Member Julie Andresen requested a report on the number of hours spent cleaning up Franklin Street. Mayor Howes stated that Mr. Jim Heavner of the Village Companies and Public-Private Partnership had written a letter to the Council on this matter.

Town Manager David Taylor stated there was no need for an Executive Session this evening.

### Minutes

Council Member Herzenberg requested one correction to the minutes of August 28th.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER ART WERNER, TO ADOPT THE MINUTES OF AUGUST 28, 1989. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

Council Member Herzenberg requested two corrections to the minutes of August 29th.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT THE MINUTES OF AUGUST 29, 1989. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

Town Manager Taylor asked whether the applicant accepted or rejected the conditions of approval. Mr. Woodruff stated his willingness to accept the conditions of approval as outlined in resolution 2A.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION 2A. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT MODIFICATION FOR TIMBERLYNE OFFICE PARK NORTH (AKA VILLAGE COMPANIES) (89-9-11/R-2a)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that the Village Companies Home Office proposed by Village Associates, on property identified as Chapel Hill Township Tax Map 17, Lot 14A and Part of Lot 41, if developed according to the Site Plan dated September 14, 1987, the Site Plan dated March 10, 1989 (revised May 30, 1989) and the conditions listed below, would:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. Comply with all required regulations and standards of the Development Ordinance, including all applicable provision of Article 12, 13 and 14, and the applicable specific standards contained in Section 18, and with all other applicable regulations;
3. Be located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or be a public necessity; and
4. Conform with the general plans for the physical development of the Town as embodied in the Development Ordinance and in the Comprehensive Plan.

These findings are conditioned on the following:

1. That construction of the building expansion and parking lot addition begin by March 22, 1990 and be completed by March 22, 1992. Construction at the site overall is deemed to have started.
2. That one-half of a 90-foot right-of-way be dedicated for Weaver Dairy Road along the entire frontage of the original 21 acres, and recorded prior to the issuance of a Zoning Compliance Permit.
3. That Weaver Dairy Road improvements, along the 7-acre parcel's frontage, include the dedication of one-half of a 90

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION R-1A. THE MOTION WAS ADOPTED 6-2, WITH COUNCIL MEMBERS ANDRESEN AND WILKERSON DISSENTING.

A RESOLUTION APPROVING A REQUEST FOR AN EXTENSION OF THE COMPLETION TIME LIMIT FOR THE WOODS AT LAUREL HILL, SECTION V (FORMERLY LAUREL HILL, SECTION V) (89-9-11/R-1a)

WHEREAS, the Council of the Town of Chapel Hill has considered the application of Laurel Hill Associates, to extend the completion time limit of the Special Use Permit Modification for The Woods at Laurel Hill for twelve (12) months; and

WHEREAS, the Council finds that the permit holder has proceeded with due diligence and good faith, and conditions have not changed so substantially as to warrant Council reconsideration of the approved development;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the completion time limit is hereby modified. The new completion time limit is August 1, 1990.

This the 11th day of September, 1989.

#### Village Companies

Planning Director Roger Waldon stated that this item was last before the Council on July 10th. Mr. Waldon noted that the application proposes to enlarge a parking lot on the Village Companies' site from 18 to 60 spaces. Mr. Waldon said that improvements to Weaver Dairy Road are the key issue surrounding the application. Mr. Waldon noted that roadway improvements could be tied to completion of the building or construction of the parking lot. Mr. Waldon said resolution A tied improvements to the building, while resolution B tied roadway improvements to parking lot completion.

Mayor Howes inquired whether the public hearing should be reopened. Town Manager Taylor responded that this would be necessary if parties who had not previously sworn wished to present evidence.

Council Member Preston inquired whether the Manager's recommendation would significantly alter traffic patterns. Mr. Waldon said that significant traffic would be generated by new building construction rather than construction of the larger parking lot.

Council Member Andresen inquired whether staff had linked Blue Cross-Blue Shield parking lot construction to roadway improvements. Mr. Waldon said the cases were somewhat dissimilar, since construction of a new building, rather than additions to the parking lot would generate additional traffic.

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- 12. That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
- 13. 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 the Timberlyne Office Park-North Special Use Permit Modification in accordance with the plans and conditions listed above.

This the 11th day of September, 1989.

Appointments to Boards

Council Member Preston proposed that Mr. Gary Sidbury be appointed to the Housing Advisory Board.

The Council made the following appointments:

Housing Advisory Board	Gary Sidbury
Human Services Advisory Board	Dennis Pagano

Copies of signed ballots are available for inspection in the Town Clerk's Office.

Bonds

Town Manager Taylor stated that adoption of resolution 4 would permit the Local Government Commission to process the Town's request to sell \$5 million of General Obligation bonds. Council Member Wallace inquired whether all \$5 million was tied to 1989 approved General Obligation Bonds. Town Manager Taylor responded that \$3.5 million of this total is from bonds approved in 1986.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER WILKERSON, TO ADOPT RESOLUTION 4. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL ACTION NECESSARY FOR THE SALE OF \$5,000,000 OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENTS PROJECTS (89-9-11/R-4)

BE IT RESOLVED, by the Town of Chapel Hill that the Council hereby authorizes the Town Manager and Town Attorney to take all actions necessary for the sale of \$5,000,000 of General Obligation bonds for capital improvement projects as approved by referenda in 1986 and 1989.

This the 11th day of September, 1989.

foot right-of-way and construction of one-half of a 65 foot cross-section with a sidewalk. These improvements shall be started prior to issuance of a Zoning Compliance Permit for the building addition and shall be completed prior to issuance of a Certificate of Occupancy for said building.

4. That the full length of the McClamroch Circle 60 foot right-of-way as indicated on the approved plans, be dedicated prior to the issuance of a Building Permit for the building expansion; and that a note be placed on the final plat for the 14-acre residual tract that indicated that roadway improvements to McClamroch Circle are to be made at the time of development of the 14-acre tract.
5. That within 6 months of the completion of the McClamroch Circle improvements, the access drive into the site shall be realigned to meet Town standards.
6. That the boundary of the area covered by this Special Use Permit Modification be drawn so that all land within 155 feet of the transmitting tower is included in the coverage of this Special Use Permit Modification.
7. That detailed building elevations, landscaping plan, and landscape maintenance plan be approved by the Appearance Commission prior to issuance of a Zoning Compliance Permit. A "D" type buffer is required along Weaver Dairy Road, a "C" type buffer along the western property line, and "B" type buffers along the northern and eastern property lines. Alternative buffers to be approved by the Appearance Commission for the northern and western property lines.
8. That the final utility/lighting plan be approved by OWASA, Duke Power, Carolina Cable, Public Service Gas, and Southern Bell, and the Town Manager, before issuance of a Zoning Compliance Permit.
9. That final plans to be approved by the Town Manager before issuance of a Zoning Compliance Permit (detailed site plan, utility plan/lighting, grading and stormwater management plan, right-of-way/easement plats, fire flow report) conform to the approved preliminary plans and demonstrate compliance with the above conditions and the design standards of the Development Ordinance and the Design Manual.
10. That tree protection fences be shown on the final plans and installed to protect significant existing trees and their root systems, before issuance of a Zoning Compliance Permit.
11. That the applicant take appropriate measures to prevent the deposit of wet or dry silt on adjacent paved roadways.

automation system. She noted that eleven invitations for proposals had been sent, with four vendors responding. Ms. Thompson stated that the field was narrowed to the two vendors, with a nine page series of questions being used to evaluate the two systems. Ms. Thompson noted that the Innovative Interfaces system was preferred in the overall analysis, with Dynix scoring 66%, contrasted with 94% for Innovative Interfaces.

Council Member Werner stated he was not prepared to vote on this proposal this evening. Council Member Werner inquired whether the sixty-four terminals could be bought independently. Ms. Thompson responded that the Town could purchase terminals locally, potentially saving approximately \$12,000. Council Member Werner asked whether this would result in a total cost of \$348,000. Ms. Thompson said yes. Council Member Werner said sixty-four terminals seemed to be a lot. Ms. Thompson said the number of terminals was based on the amount of use and the level of library circulation.

Council Member Herzenberg stated that thirty terminals were proposed for inclusion in the current library facility. Council Member Werner stated he didn't know where these could be located in the present facility. Council Member Pasquini inquired how bids could be received without knowledge of the size of the new library facility. Ms. Thompson said the number of terminals was based on projected circulation growth.

Mayor Howes inquired whether the location of terminals had been explored. Ms. Thompson said yes, providing detail of terminal locations.

Council Member Werner inquired about the major use of the terminals. Ms. Thompson responded replacement of card catalogs would be the most noticeable change to patrons. Mayor Howes inquired whether there were additional improvements. Ms. Thompson responded there would be greater access to the Library's collection, such as printouts of bibliographies, enhanced searches, ease in use of the collection catalog, and management reports.

Council Member Werner inquired whether the equipment is user-friendly. Ms. Thompson responded that the two-day vendor presentations concluded yes. Ms. Thompson said that ease of use was the first priority in evaluating the systems. Ms. Thompson said that Innovative Interfaces gave clear instructions on the screen. Mayor Howes asked Ms. Thompson to compare this system with the system at the UNC-Davis Library. Ms. Thompson responded that public library patrons have to be encouraged to use automated systems, while users of University systems are a captive audience. Mayor Howes stated the system in Davis Library is quite user-friendly.

Council Member Wilkerson expressed concern with the selection process. Council Member Wilkerson questioned the validity of



Assistant Town Manager Sonna Loewenthal said that the Parks and Recreation Commission, the Greenways Commission and the Appearance Commission are working closely with staff to establish the use of open space bond proceeds. Ms. Loewenthal noted that a set of criteria and general priorities will be produced by these parties and brought back to the Council in early November.

Council Member Herzenberg expressed hope that specific land parcels could be discussed after guidelines were in place.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADOPT RESOLUTION 5. THE MOTION WAS PASSED UNANIMOUSLY (8-0).

A RESOLUTION REQUESTING THAT THE APPEARANCE COMMISSION, THE GREENWAYS COMMISSION, AND THE PARKS AND RECREATION COMMISSION DEVELOP CRITERIA AND STANDARDS FOR EVALUATING POTENTIAL LAND FOR PARKS, ENTRANCEWAYS, GREENWAYS, NATURAL AREAS AND SCENIC VISTAS, AND MAKE RECOMMENDATIONS ON THE GENERAL PRIORITIES FOR THE ACQUISITION OF THESE LANDS (89-9-11/R-5)

WHEREAS, the Chapel Hill Town Council appointed the Appearance Commission, the Greenways Commission, and the Parks and Recreation Commission to advise the Council on matters related to parks and facilities, entranceways, greenways, natural areas and scenic vistas; and

WHEREAS, the 1989 Parks and Open Space Bond monies are designated to be used to acquire land for these purposes;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council request the Appearance Commission, the Greenways Commission, and the Parks and Recreation Commission to develop criteria and standards for evaluating potential land for parks, entranceways, greenways, natural areas, and scenic vistas and make recommendations on the general priorities for the acquisition of these lands, no later than November 13, 1989.

This the 11th day of September, 1989.

#### Library Automation

Library Director Kathy Thompson stated that the automation project is part of the Town's Capital Improvements Project program. Ms. Thompson said that the program objective is to improve service, while maximizing staff and fiscal resources. Ms. Thompson said that the automation system will allow patrons off-site access, eliminate labor intensive clerical tasks, increase revenues, and will be a more judicious use of library resources. She noted staff will be freed from repetitive tasks, permitting greater time for interaction with patrons.

Ms. Thompson noted that the Library Board of Trustees, Library Committee and staff had educated themselves concerning the

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system. Council Member Wilkerson said he had serious technological and process concerns.

Mayor Howes stated there were enough questions to warrant asking the Town Manager and staff to explore the proposal. Mr. Taylor responded that the item should be taken off the agenda and returned in two weeks.

Town Manager Taylor asked Council Members Pasquini, Werner and Wilkerson to work with staff to resolve their concerns. He stated that if necessary the process could be restarted, since the \$75,000 library grant is not driving the process. Town Manager Taylor said the process should be driven by trying to get the finest possible system with available resources. Mayor Howes stated he was sure Council Members Pasquini, Werner and Wilkerson would work with staff.

Council Member Herzenberg stated a lot of time and cost-saving items are in the system, including expedited processing of overdue notices.

Town Manager Taylor said he would hold the item for two weeks, then bring it back to the Council if circumstances dictated.

NCLM and NLC Delegate Selection

Council Member Nancy Preston was appointed as the delegate and Council Member Wilkerson as the alternate to the North Carolina League of Municipalities conference in Winston-Salem.

Council Member Wilkerson was appointed as the delegate and Council Member Herzenberg as the alternate for the National League of Cities Conference in Atlanta, Georgia.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADOPT RESOLUTION 7. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION DESIGNATING VOTING DELEGATES AND ALTERNATIVE VOTING DELEGATES FOR THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES ANNUAL MEETING AND THE NATIONAL LEAGUE OF CITIES ANNUAL MEETING (89-9-11/R-7)

WHEREAS, The North Carolina League of Municipalities requires member cities to appoint a voting delegate and an alternate delegate to cast the votes at the League's Annual Meeting; and

WHEREAS, The National League of Cities requires member cities to appoint a voting delegate and an alternate delegate to cast the votes at its Annual Business Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that Council Member Nancy Preston is hereby

ruling out all but two vendors early in the Request For Proposal process. Council Member Wilkerson inquired whether thought had been given to evaluating vendors other than Innovative Interfaces and Dynix. Ms. Thompson stated that when specifications were being prepared, a nationally respected consultant was hired. Ms. Thompson said the specifications were reviewed and approved by the consultant. Council Member Wilkerson said there was a problem with the Request For Proposal process if the Town was only considering one vendor. Ms. Thompson stated that the other vendor was eliminated after reviewing functional specifications.

Council Member Wilkerson stated his belief that there were not two valid bids for comparative purposes. Ms. Thompson replied that one outstanding system had been identified from a universe of four reasonable systems.

Council Member Herzenberg stated that the City of Charlotte has a Dynix system which is fairly simple to use. Council Member Herzenberg said he was pleased to hear that Innovative Interfaces system was easier to use than the Dynix system. Council Member Herzenberg said the recommendation would be more persuasive if the Library Board of Trustees were involved in the process.

Council Member Nancy Preston asked whether the proposal had to be approved by September 30 in order to receive the grant. Ms. Thompson answered yes. Council Member Preston asked if the entire \$75,000 grant would be used. Ms. Thompson answered yes.

Council Member Pasquini inquired about the nature of the uninterrupted power supply. Ms. Thompson explained that it was a battery system, adding that a response time of 24 hours is guaranteed by the vendor.

Council Member Pasquini inquired about system hardware. Linda Folda described the Central Processing Unit and related hardware. Council Member Pasquini stated it didn't seem right to buy an automation system for a library where the square footage is unknown. Council Member Pasquini said the Library Board of Trustees should examine the proposal at length.

Council Member Werner said he was unsure that sixty-four terminals would be needed. Town Manager Taylor said the number of terminals was based on the Library Committee program. Mr. Taylor said the major issue is automation of the facility, and the need for a system with Central Processing Unit and software. Town Manager Taylor said a significant portion of the outlay would be for software. Ms. Thompson stated that the estimated terminal cost is about \$35,000, noting that the number of terminals could be adjusted based on needs.

Council Member Wilkerson expressed concern about the long-term existence of some vendors. Ms. Thompson responded that the vendor is required to maintain an operating Central Processing Unit

All meetings shall be in the Town Hall, 306 North Columbia Street unless otherwise specified by resolution of the Council.

- (b) The Council shall hold public hearings on applications pursuant to the Chapel Hill Development Ordinance at 7:30 pm in the Town Hall on the third Mondays of January through June and September through November, except that such a public hearing which would occur on a Town holiday as listed in Chapter 14 of the Town Code shall be automatically rescheduled to the Tuesday immediately following the holiday.
- (c) The Council may, by resolution or ordinance, amend the date, time, or place of a meeting.

## SECTION II

The calendar of regular meetings in 1990 is temporarily amended as follows:

January 22 meeting is rescheduled to January 23, 1990.

April 9 meeting is rescheduled to April 10, 1990.

October 22 meeting is rescheduled to October 29, 1990.

This the 11th day of September, 1989.

Town Manager Taylor stated that Resolution 8 sets the Council retreat for January 6th and schedules key hearings on separate nights. Council Member Andresen asked if cablecasting of the January 29th meeting would be possible? Mr. Taylor responded yes. Council Member Preston inquired about meetings with advisory boards. Town Manager Taylor responded that April 2, 30, June 4, and other dates are available for this purpose.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION 8. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION DESIGNATING CERTAIN DATES IN 1990 FOR MEETINGS OF THE COUNCIL IN ADDITION TO REGULAR BUSINESS AND ZONING/DEVELOPMENT PUBLIC HEARING MEETINGS (89-9-11/R-8)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby designates the following dates in 1990 for purposes as listed below:

designated to be the voting delegate and Council Member Roosevelt Wilkerson, Jr. is hereby designated to be the alternate delegate to the North Carolina League of Municipality's 1989 Annual Meeting.

BE IT FURTHER RESOLVED that Council Member Roosevelt Wilkerson, Jr. is designated to be the voting delegate and Council Member Joe Herzenberg is designated to be the alternate delegate at the National League of Cities 1989 Annual Business Meeting.

This the 11th day of September, 1989.

Meeting Calendar

Town Manager Taylor explained the changes to the Town Code in Ordinance 1 in regard to regular meeting dates, noting that when an official Town holiday falls on a Monday, meetings will take place on Tuesday as a matter of course. Town Manager Taylor noted that public hearing nights would henceforth be on the third Monday of January through June and September through November. Mr. Taylor suggested three modifications to the Council calendar in January, April and October.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT ORDINANCE 1. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

AN ORDINANCE AMENDING SECTION 2-3 OF THE TOWN CODE (89-9-11/0-1)

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

SECTION I

That Section 2-3 of the Town Code is amended to read as follows:

- (a) Regular business meetings of the Council shall be held on the second and fourth Mondays of each month at 7:30 p.m. except that:

Any regular meeting which would occur on a Town holiday as listed in Chapter 14 of the Town Code shall be automatically rescheduled to the Tuesday immediately following such holiday.

The only regular meeting in July shall be on the second Monday of the month.

The only regular meeting in August shall be on the fourth Monday of the month.

The only regular meeting in December shall be on the second Monday of the month.

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November 16	Human Services Advisory Board holds Needs Forum		
February 12	Human Services Advisory Board presents report on Human Services Needs to Council		
March 12	Interim Budget Report on 1990-91 Operating Budget submitted to Council	Preliminary CIP presented to Council, referred to advisory boards	
April 2	Public Forum for comments on Interim Report on 1990-91 Operating Budget	Public Forum for citizen's comments and Advisory Board recommendations on Preliminary CIP;	Public Hearing on Manager's Recommended CD grant application
	Work Session on Interim Budget Report with Town Council guidance to Manager	Work Session on CIP regarding Council priorities	
<u>DATE</u>	<u>OPERATING BUDGET</u>	<u>CIP</u>	<u>CD BUDGET</u>
April 23	Manager's Recommended 1990-91 Operating Budget submitted to Council	Manager's Recommended CIP submitted to Council and Council's consideration of CIP Project Ordinances	Council action on CD application
May 7	Public Hearing on Recommended 1990-91 Budget; Transportation services and pass/fare prices. Human Services Advisory Board makes recommendations on contracting for services. Parks & Recreation commission makes recommendation on occupy tax revenues		

Saturday, January 6, 1990  
9 a.m.

Annual Retreat

Monday, January 29, 1990

Community Development public hearing, Budget and Capital Improvements Program forum, budget and CIP goals work session

Monday, May 7, 1990

Budget hearing and work session

For miscellaneous public forums and hearings, work sessions and other meetings if needed:

April 2,  
April 30,  
June 4,  
October 1, and  
November 5, 1990.

Except as otherwise noted above or hereafter otherwise specified by the Council, meetings pursuant to this resolution shall begin at 7:30 p.m.

This the 11th day of September, 1989.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT RESOLUTION 10. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION REGARDING THE PROCESS FOR DEVELOPING THE 1990-91 BUDGET, 1990-95 CAPITAL IMPROVEMENTS PROGRAM, AND 1990-91 COMMUNITY DEVELOPMENT GRANT BUDGET (88-9-12/R-10)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopts the following timetable for developing the 1990-91 budget, 1990-91 Capital Improvements Program, and 1990-91 Community Development grant budget.

<u>DATE</u>	<u>OPERATING BUDGET</u>	<u>CIP</u>	<u>CD BUDGET</u>
January 29	Public Forum for comments/requests regarding the 1990-91 Operating Budget	Public Forum for comments on Capital Improvements Plan for 1990-95	Public Hearing on Community Development (CD) needs & objectives
	Council Work Session on goals and objectives for 1990-91 Budget	Council Work Session on goals and objectives for 1990-95 CIP	

WHEREAS, the Town Council authorized land trust discussions by resolution 89-1-23/R-6;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council accepts the proposal for review and sets a work session for Monday October 2, 1989 in the Meeting Room of the Municipal Building, 306 North Columbia Street, at 7:30 p.m.

This the 11th day of September, 1989.

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT RESOLUTION 14. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION REGARDING THE LOCATION OF A PUBLIC HEARING ON SEPTEMBER 12, 1989 (89-9-11/R-14)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council's public hearing scheduled for 7:30 p.m. September 12, 1989 on Horace Williams Airport matters shall be at the Phillips Junior High School Auditorium.

This the 11th day of September, 1989.

Downtown Plan Presentation by Josh Gurlitz

Mr. Josh Gurlitz, representing the Downtown Commission, said one of the goals of the Commission is to design a sound conceptual plan for the downtown area. Mr. Gurlitz stated that an ideal plan will have three balanced pairs: a maturing downtown with grace and vitality; accommodation of energetic growth while fostering a stimulating, human scaled environment; and recognition of opportunities for growth and conservation.

Mr. Gurlitz said that preservation of the downtown area had served as the guiding principal for the planning committee. Mr. Gurlitz expressed his belief that a land-use pattern approach will work because the downtown is healthy and use patterns are currently working. Mr. Gurlitz said the boundaries of the study area are similar to those of the downtown tax district. Mr. Gurlitz said the boundaries are experimental rather than statistical.

Mr. Gurlitz showed a map of the study area, noting that the intensity of commercial uses decreases as one moves west on Franklin Street toward the Pyewacket Restaurant. Mr. Gurlitz said that the ArtsCenter serves as an energetic piece of the downtown area. Mr. Gurlitz reviewed various areas of the downtown, grouping them into several clusters of similarity. Mr. Gurlitz stated that the downtown area is not one homogeneous gathering place, noting that some areas have lower activity levels. Mr. Gurlitz said the approach of focusing on clusters would stimulate new



Work Session on  
1990-91 Budget

Additional Work  
Session on Budget  
as Needed

May 29	Adoption of 1990-91 Operating Budget	Adoption of CIP Project Ordinances	Adoption of Community Development Project Ordinances
June 25	Copies of Adopted Budget distributed to Council	Copies of Adopted CIP document distributed to Council	

This the 11th day of September, 1989.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WALLACE, TO ADOPT RESOLUTION 11. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION TO RESCHEDULE THE TOWN COUNCIL'S OCTOBER 18 PUBLIC HEARING (89-9-11/R-11)

BE IT RESOLVED that the public hearing originally scheduled for October 18, 1989 is rescheduled to 7:30 p.m., October 17, 1989.

This the 11th day of September, 1989.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADOPT RESOLUTION 12. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION CALLING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS (89-9-11/R-12)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls an executive session for 5:30 p.m. on Monday, September 18, 1989 in the small meeting room of the Town Hall for the purpose of discussing personnel matters.

This the 11th day of September, 1989.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADOPT RESOLUTION 13. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION ACCEPTING CULBRETH PARK PROPOSAL FOR REVIEW AND SETTING A WORK SESSION (89-9-11/R-13)

WHEREAS, the Town of Chapel Hill has received a proposal for providing low-income homeownership opportunities in the Culbreth Park subdivision;

Chapel Hill Country Club has been notified of the need for an after the fact permit. Mr. Small said the Town has three options at this point: do nothing; restore Little Creek; or use other means to stabilize the disturbance. Mr. Small stated he had received a call from from McAdams Company today, indicating that a report is being sent today. Mr. Small indicated that the same information is being sent to the Corp of Engineers. Mr. Small said the disturbance is being treated as an incursion to the Resource Conservation District.

Council Member Herzenberg inquired about the County's role Mr. Small said the County had measured the disturbed area and the Country Club was determined not to be in violation of County standards. Mr. Small stated the Country Club was attempting to stabilize the stream noting that Resource Conservation District regulations do not permit this type of activity without a permit.

Council Member Preston asked how the violation was discovered. Mr. Small replied that a staff member in the area on other business happened to see the violation in progress. Mayor Howes thanked Mr. Small and stated that the report was appreciated.

#### Tandler Status Report

Town Manager Taylor informed the Council that there had been two additional closings since the last report, bringing the total to 26.

#### Consent Agenda

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION 16 (CONSENT AGENDA). THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ORDINANCES (89-9-11/R-16)

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

- a. Festifall (R-17, O-2).
- b. Lease for Head Start (R-18).
- c. West Cameron parking (O-3).
- d. Bid: Landfill scales (R-19).

This the 11th day of September, 1989.

growth in these areas. Mr. Gurlitz said focusing on clusters would increase the critical mass of activity in each area, redistributing automobile trip goals and making use of different entranceways to the Town. Mr. Gurlitz said a program of conservation could be fostered between clusters of development in the downtown. Mr. Gurlitz acknowledged the presence of, and assistance in development of the plan, of Pat Evans and Alice Ingram. Mr. Gurlitz said Ms. Evans and Ms. Ingram were indispensable in pulling the report together. Mr. Gurlitz concluded his remarks by thanking the Council for consideration of the plan.

Council Member Andresen stated she liked the vision of the downtown area of the future. Council Member Andresen inquired how growth will be realized in the cluster areas. Mr. Gurlitz said the Committee had established a census form in order to get hard statistical data on the downtown area. Mr. Gurlitz said that the Council can continue to explore governmental methods to control growth as well proactive actions such as revolving funds for conservation areas. Mr. Gurlitz stated the next step of the group is to gather statistical information. Mr. Gurlitz said he expects greater specificity in the future.

Council Member Preston thanked Mr. Gurlitz for his efforts and said she liked the concepts outlined this evening. Council Member Preston inquired how downtown property owners could learn more about the plan and their individual involvement. Mr. Gurlitz noted that the downtown area has two zones, TC-1 and TC-2, with a surprisingly small number of downtown landowners. Mr. Gurlitz said revolving funds for conservation might induce people to become involved in downtown planning.

Council Member Wallace said that Mr. Gurlitz had presented a very good statement this evening. Mayor Howes commented that the amount of energy put into downtown planning was beginning to pay off.

Council Member Andresen stated she is very interested in the information which will come back before the Council.

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO REFER THE DOWNTOWN PLAN TO THE MANAGER. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

Mayor Howes thanked all persons involved in the development of the plan.

#### Little Creek--Country Club Report

Town Engineer George Small stated the work involved laying back of stream banks and installing stone rip-rap. Mr. Small said that in general terms, the Country Club work was in violation of Town Ordinances, Federal Emergency Management Administration regulations, and associated guidelines. Mr. Small said that the

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WHEREAS, Chapel Hill-Carrboro Head Start entered into a lease with the Town for use of the Ridgefield Community Center on October 1, 1988; and

WHEREAS, Chapel Hill-Carrboro Head Start, in accord with said lease, has notified the Town Manager in writing of its desire to renew the lease for a one-year period commencing on October 1, 1989;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves and authorizes the Town Manager, pursuant to the Council's resolution of September 14, 1987 and the lease dated October 1, 1988, to enter into, on behalf of the Town, a renewal agreement for the lease of the Ridgefield Community Center located in the Ridgefield Public Housing Neighborhood on Estes Drive east of the Bypass, for use as a classroom; for a term of one year commencing on October 1, 1989.

This the 11th day of September, 1989.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (89-9-11/O-3)

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

SECTION I

That Section 21-27 of that Town Code of Ordinances, "No parking as to particular streets" is amended by inserting the following therein in appropriate alphabetical order:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
W. Cameron Ave.	South	A point 270 feet east of the center of Wilson Street.	A point 360 feet west of the center of Wilson Street.

SECTION II

That Section 21-27.4 of the Town Code of Ordinances "Parking allowed during certain hours of Sundays. On Sundays between the hours of 8:00 am and 2:00 pm parking will be permitted in the far right-hand lane on the sides of streets indicated below. At all other times, parking in these areas is prohibited."

**A RESOLUTION TEMPORARILY CLOSING PORTIONS OF FRANKLIN STREET AND HENDERSON STREET (FESTIFALL '89) (89-9-11/R-17)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the closing of Franklin Street, between Columbia Street and the western entrance of the Morehead Planetarium parking lot, and the closing of Henderson Street, between Rosemary Street and Franklin Street, on Sunday, October 1, 1989 from 10:30 a.m. to 8:00 p.m. to allow the operation of the Festifall Street Fair and subsequent street clean-up.

This the 11th day of September, 1989.

**AN ORDINANCE TEMPORARILY REMOVING PARKING FROM PORTIONS OF FRANKLIN AND HENDERSON STREETS (FESTIFALL '89) (89-9-11/O-2)**

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

That on the 1st day of October, 1989 between the hours of 12:30 and 8:00 p.m., there shall be no parking on either side of Franklin Street between Columbia Street and the western entrance of Morehead Planetarium parking lot, or on either side of Henderson Street between Franklin Street and Rosemary Street.

The Police Department of the Town of Chapel Hill is hereby authorized to cover the parking meters on said streets during such hours on said date. The Police Department is further authorized to remove, tow, and impound automobiles and vehicles of any kind which are parked on said streets during such hours in contravention of this Ordinance. In light of the large number of pedestrians expected in the Street Fair area, the Council hereby determines that vehicles in the restricted area would constitute a special hazard and therefore require prompt removal. The owner shall be responsible for paying storage and moving costs of any vehicle removed pursuant to the provisions of the Ordinance, and the Police Department shall use reasonable diligence to notify the owner of the removal and storage of such vehicle.

This the 11th day of September, 1989.

**A RESOLUTION RENEWING A LEASE OF THE RIDGEFIELD COMMUNITY CENTER TO CHAPEL HILL-CARRBORO HEAD START PROGRAM (89-9-11/R-18)**

WHEREAS, the Council of the Town of Chapel Hill on September 14, 1987, pursuant to G.S. 160A-272, authorized the Town Manager to lease the Ridgefield Community Center to Chapel Hill-Carrboro Head Start; and

WHEREAS, the term of said lease was for one year, renewable for one subsequent one-year term upon approval by the Council; and

<u>SOFTWARE:</u> <u>Company</u>	<u>Total Cost</u>
Winslow Scale Indiana	\$ 4,550.00
W.B. Porter North Carolina	\$ 5,250.00
J.A. King North Carolina	\$ 5,385.00
Cardinal Scales Georgia	\$ 9,140.00
Automation Services Kentucky	\$12,000.00
Palmetto Scale South Carolina	\$31,600.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town rejects the bid of Palmetto Scale in the amounts of \$35,318.00 and \$38,810.98 as nonresponsive for the electronic truck scales and accepts the bid of J.A. King, Inc. in the amount of \$39,888.93 for electronic truck scales; and rejects the bids of Winslow Scale (\$4,500), W.B. Porter (\$5,250), J.A. King (\$5,385) and Cardinal Scales (\$9,140) and accepts the bid of Automation Services in the amount of \$12,000 for computer software in response to the Town's advertisement for bids.

This the 11th day of September, 1989.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADJOURN THE MEETING. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).

The meeting stood adjourned at 9:40 p.m.

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
W. Cameron Ave.	South	The center of Wilson Street.	A point 270 feet east of the center of Wilson Street.

SECTION III

These ordinances shall be effective on Monday, October 30, 1989.

SECTION IV

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

This the 11th day of September, 1989.

A RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT FOR THE PURCHASE OF ELECTRONIC TRUCK SCALES AND COMPUTER SOFTWARE (89-9-11/R-19)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in The Chapel Hill Newspaper on August 1, 1989, in accordance with G.S. 143-129 for the purchase of electronic truck scales and computer software; and

WHEREAS, the following bids were received and opened on August 9;

<u>SCALES:</u>		
<u>Company</u>	<u>60' x 10'</u>	<u>60' x 11'</u>
Palmetto Scale South Carolina	\$35,318.00	\$38,810.98
J.A. King North Carolina		\$39,888.93
Winslow Scale Indiana	\$48,550.00	
W.B. Porter North Carolina		\$48,702.00
Cardinal Scales Georgia	\$47,008.00	\$50,003.00