

**DURHAM, NORTH CAROLINA
MONDAY, FEBRUARY 1, 2016
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers located at 101 City Hall Plaza with the following members present: Mayor William V. “Bill” Bell, Mayor Pro Tempore Cora Cole-McFadden and Council Members Eddie Davis, Jillian Johnson, Don Moffitt, Charlie Reece and Steve Schewel. Absent: None.

Also present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker, City Clerk D. Ann Gray and Deputy City Clerk Dianalynn Schreiber.

Mayor Bell called the meeting to order with a moment of silent meditation. Mayor Bell deferred to Council Member Davis who recognized the new Senior Executive Director of the Durham Area Scouting Program, Matt Groseclose. Mr. Groseclose led the Pledge of Allegiance to the Flag.

[CEREMONIAL ITEM]

Mayor Bell read into the record and presented the Annual Recognition of the late Dr. Sharon Elliott-Bynum Proclamation to family members, Damien Elliott-Bynum and Carolyn Hinton.

Mayor Bell spoke to the late Dr. Bynum’s civic involvement as a trailblazing public health advocate in Durham and recognized her as a founder of C.A.A.R.E. Inc. (Case management of AIDS and Addiction through Resources and Education).

Ms. Hinton accepted the proclamation for her late sister and expressed gratitude for the honor.

[ANNOUNCEMENTS BY COUNCIL]

Council Member Reece referenced the need for more youth and family oriented recreational programs in the community; spoke to a new initiative by Durham Parks and Recreation to offer free access to city residents at the Holton Career and Resource Center’s fitness center, open gym and computer lab opportunities; and beginning March 1, stated that virtually all programs and activities at the Holton Center would be free-of-charge to city residents.

Council Member Schewel indicated that tax filing season was underway; encouraged low income persons to file for the federal Earned Income Tax Credit; noted locations for free, bi-lingual tax assistance at the Shepherd House’s VITA Site located at the corner of Driver and East Main Streets and the Northgate Shopping Center; and encouraged residents to spread the word about the free tax assistance.

Mayor Pro Tempore Cole-McFadden expressed appreciation to City Manager Bonfield for his efforts in rallying resources for students at Lakeview School.

[PRIORITY ITEMS BY CITY MANAGER, CITY ATTORNEY AND CITY CLERK]

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City Manager Bonfield referenced three priority items: Item #4, Resolution Requesting a Deed of Partial Release For Certain Premises Related to an Installment Purchase Contract with New Durham Corporation and related matters, requested the item be deferred to February 4th Work Session; Item #8, Proposed Sale of the North Parking Garage By Upset Bid Pursuant To NCGS 160a-269, requested the item be deferred to February 4th Work Session; and Item #10, Water Only Utility Extension Agreement With C&D Associates South, LLC to serve 8201 Farrington Mill Road, was being referred back to the Administration in the Public Works Department.

City Manager Bonfield appreciated Council Member Reece's comments regarding the Pilot Program at the Holton Career and Resource Center.

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to accept the City Manager's priority items was approved at 7:13 by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

There were no priority items from the City Attorney or City Clerk.

The Mayor explained the Consent Agenda was passed with one motion; and asked if there were any items that needed to be pulled from the Consent Agenda for discussion later in the meeting. Mayor Bell stated that Item #9, FY2015-2016 Contract between the City of Durham and the Center for Documentary Studies, was being pulled by a citizen.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Schewel, to approve the Consent Agenda as amended was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

[CONSENT AGENDA]

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES

MOTION by Mayor Pro-Tem Cole-McFadden, seconded by Council Member Schewel, to approve the City Council Minutes for the following meeting dates: November 5, 2015; November 16, 2015; November 19, 2015; December 7, 2015; December 10, 2015 and December 21, 2015 was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: FY 2015- 2016 EMERGENCY SOLUTIONS GRANT AND CITY GENERAL FUNDS HOUSING FOR NEW HOPE, INC. SUB-RECIPIENT CONTRACT RAPID RE-HOUSING SERVICES

MOTION by Mayor Pro-Tem Cole-McFadden, seconded by Council Member Schewel, to authorize the expenditure of \$109,554.00 in Emergency Solutions Grant funds and \$200,000.00 in City General funds; and

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To authorize the City Manager to execute a contract with Housing for New Hope, Inc. in the amount of \$309,554.00 to rapidly rehouse households experiencing homelessness in Durham was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: EMERGENCY TELEPHONE CONSOLES AT DURHAM SHERIFF'S OFFICE – INTRADO, INC.

MOTION by Mayor Pro-Tem Cole-McFadden, seconded by Council Member Schewel, to approve the purchase and installation of Intrado Inc. emergency communication equipment at the Durham Sheriff's Office without competitive bidding as authorized by G.S. 143-129 (e)(6) on the grounds that such equipment is necessary to be compatible with existing Durham Emergency Communication Center equipment and is available from only one source of supply; and

To authorize the City Manager to execute a contract with Intrado Inc. for emergency communication equipment and services in the amount of \$5,500.00 monthly for up to five (5) years, for a total amount not to exceed \$330,000.00 in total and budgeted annually at \$66,000.00, to be paid from the Emergency Telephone System Surcharge Fund was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: CONTRACT FOR COLLECTION AGENCY SERVICES – PROFESSIONAL RECOVERY CONSULTANTS

MOTION by Mayor Pro-Tem Cole-McFadden, seconded by Council Member Schewel, to authorize the City Manager to enter into a contract with Professional Recovery Consultants, Inc. for collection services in the estimated amount of \$165,000.00 for a period of three years with two one-year renewals at the city's option was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: DECEMBER 2015- BID REPORT

MOTION by Mayor Pro-Tem Cole-McFadden, seconded by Council Member Schewel, to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of December 2015 was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

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Date: December 30, 2015
To: Thomas J. Bonfield, City Manager
Through: Wanda S. Page Deputy City Manager
From: David Boyd, Finance Director
Jonathan Hawley, Purchasing Supervisor
Subject: Bid Report - December 2015

Recommendation:

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of December 2015.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. Bid: Replacement Truck

Purpose of Bid: Provides the Fleet Management Department with one (1) 2016 Ford F-150 regular cab 4 x 2 XL series replacement truck for the Public Works Department - Water and Sewer Engineering Division.

Comments:

Opened: 12/3/15

Bidders:	University Ford	*	\$21,065.00
	Durham, NC		
	Capital Ford, Inc.		\$22,803.00
	Raleigh, NC		

*Awarded based on:	X	Low Bid	Other (See Comments)
	_____	_____	_____

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>145</u>		# Black Males	<u>14</u>	<u>10%</u>
Total # Females	<u>10</u>	<u>6%</u>	# White Males	<u>120</u>	<u>83%</u>
Total # Males	<u>135</u>	<u>94%</u>	# Other Males	<u>1</u>	<u>1%</u>
			# Black Females	<u>2</u>	<u>1%</u>
			# White Females	<u>8</u>	<u>5%</u>

Other Females 0 0%

- 2. Bid: Replacement Cargo Van**
 Purpose of Bid: Provides the Fleet Management Department with one (1) 2016 Ford Transit replacement cargo van for the Water Management Department - Facilities/Pump Maintenance Division.
 Comments:
 Opened: 12/3/15
 Bidders: University Ford * \$23,650.00
 Durham, NC
 Sir Walter Chevrolet \$24,835.11
 Raleigh, NC

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>145</u>		# Black Males	<u>14</u>	<u>10%</u>
Total # Females	<u>10</u>	<u>6%</u>	# White Males	<u>120</u>	<u>83%</u>
Total # Males	<u>135</u>	<u>94%</u>	# Other Males	<u>1</u>	<u>1%</u>
			# Black Females	<u>2</u>	<u>1%</u>
			# White Females	<u>8</u>	<u>5%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 3. Bid: Glycerine Product**
 Purpose of Bid: Provides the Water Management Department with glycerine product for the North Durham Water Reclamation Facility.
 Comments: Glycerine product to remove nitrogen pollutants from wastewater. 4,800 gallons @ \$2.10/gallon
 Opened: 12/3/15
 Bidders: Environmental Operating Solutions, Inc. * \$10,080.00
 Bourne, MA
 Suffolk Sales \$17,370.00
 Suffolk, VA

*Awarded based on: X Low Bid Other (See Comments)

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on: _____ Bid _____ Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>29</u>		# Black Males	<u>0</u>	<u>0%</u>
Total # Females	<u>8</u>	<u>27%</u>	# White Males	<u>17</u>	<u>59%</u>
Total # Males	<u>21</u>	<u>73%</u>	# Other Males	<u>4</u>	<u>14%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>7</u>	<u>24%</u>
			# Other Females	<u>1</u>	<u>3%</u>

4. **Bid:** **Street Signs**
 Purpose of Bid: Provides the Transportation Department - Sign Shop Division with replacement street/road signs for inventory.
 Comments: 1,690 various street/road signs.
 Opened: 12/8/15
 Bidders: Vulcan Signs, Inc. * \$39,677.95
 Foley, AL
 Newman Signs, Inc. \$46,078.10
 Jamestown, ND
 Korman Signs, Inc. \$49,469.62
 Richmond, VA

*Awarded based on: X _____ Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>173</u>		# Black Males	<u>43</u>	<u>25%</u>
Total # Females	<u>28</u>	<u>16%</u>	# White Males	<u>90</u>	<u>52%</u>
Total # Males	<u>145</u>	<u>84%</u>	# Other Males	<u>12</u>	<u>7%</u>
			# Black Females	<u>8</u>	<u>5%</u>
			# White Females	<u>20</u>	<u>11%</u>
			# Other Females	<u>0</u>	<u>0%</u>

5. **Bid:** **Replacement Police Vehicle - Unmarked**
 Purpose of Bid: Provides the Fleet Management Department with one (1) 2016 Dodge Charger RWD unmarked replacement vehicle for the Durham Police Department - Patrol Unit.

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Comments: Priced in accordance with North Carolina State Contract 70A.
 Opened: 12/10/15
 Bidders: Horace G. Ilderton, LLC * \$28,200.00
 High Point, NC

*Awarded based on: _____ Low Bid _____ X _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>86</u>		# Black Males	<u>17</u>	<u>20%</u>
Total # Females	<u>17</u>	<u>20%</u>	# White Males	<u>47</u>	<u>54%</u>
Total # Males	<u>69</u>	<u>80%</u>	# Other Males	<u>5</u>	<u>6%</u>
			# Black Females	<u>1</u>	<u>2%</u>
			# White Females	<u>16</u>	<u>18%</u>
			# Other Females	<u>0</u>	<u>0%</u>

6. Bid: Sport Utility Vehicle
 Purpose of Bid: Provides the Fleet Management Department with one (1) 2016 Chevrolet Tahoe 2 X 4 replacement sport utility vehicle for the Durham Police Department - Administration Division.

Comments:
 Opened: 12/10/15
 Bidders: Bobby Murray Chevrolet, Inc. * \$34,791.04
 Raleigh, NC
 Sir Walter Chevrolet \$35,401.00
 Raleigh, NC

*Awarded based on: _____ X _____ Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>127</u>		# Black Males	<u>24</u>	<u>19%</u>
Total # Females	<u>11</u>	<u>9%</u>	# White Males	<u>87</u>	<u>68%</u>
Total # Males	<u>116</u>	<u>91%</u>	# Other Males	<u>5</u>	<u>4%</u>
			# Black Females	<u>1</u>	<u>1%</u>

# White Females	<u>10</u>	<u>8%</u>
# Other Females	<u>0</u>	<u>0%</u>

- 7. Bid: Riding Lawn Mowers**
 Purpose of Bid: Provides the Fleet Management Department with two (2) John Deere Z970R Commerical Ztrak replacement riding lawn mowers for use by the General Services Department - Cemetery Division.
 Comments: 2 units @ \$12,322.20 each.
 Opened: 12/11/15
 Bidders: Barnhill Equipment Company * \$24,644.40
 Durham, NC
 Revels Turf and Tractor \$25,551.61
 Cary, NC

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>7</u>		# Black Males	<u>0</u>	<u>0%</u>
Total # Females	<u>1</u>	<u>14%</u>	# White Males	<u>6</u>	<u>86%</u>
Total # Males	<u>6</u>	<u>86%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>1</u>	<u>14%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 8. Bid: Mobile Refuse Collection Vehicle**
 Purpose of Bid: Provides the Fleet Management Department with one (1) replacement front loader mobile refuse collection vehicle for the Solid Waste Department - Curbside Recycling Division.
 Comments: Priced in accordance with the National Joint Powers Alliance (NJPA) contract #060612-ESG.
 Opened: 12/14/15
 Bidders: Carolina Environmental Systems, Inc. * \$258,585.00
 Kernersville, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

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One (1) for Water Management Department - Brown Water Reclamation Facility.

2 Units @ \$23,515.50 each.

Opened:	12/17/15		
Bidders:	Sir Walter Chevrolet	*	\$47,031.00
	Raleigh, NC		
	University Ford		\$48,100.00
	Durham, NC		
	Capital Ford		\$48,222.00
	Wilmington, NC		

*Awarded based on:	X	Low Bid	Other (See Comments)
	_____	_____	_____

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>47</u>		# Black Males	<u>6</u>	<u>13%</u>
Total # Females	<u>10</u>	<u>21%</u>	# White Males	<u>29</u>	<u>62%</u>
Total # Males	<u>37</u>	<u>79%</u>	# Other Males	<u>2</u>	<u>4%</u>

SUBJECT: STATE CONTRACT PURCHASE-REPLACEMENT VEHICLES FOR THE DURHAM POLICE DEPARTMENT – HORACE G. ILBERTON, LLC

MOTION by Mayor Pro-Tem Cole-McFadden, seconded by Council Member Schewel, to authorize the City Manager to enter into a contract with Horace G. Ilderton, LLC for the purchase of 58 (Fifty-Eight) replacement police vehicles in the amount of \$1,526,620.00 was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: AGREEMENT WITH RESEARCH TRIANGLE FOUNDATION TO SUPPORT DELTA AIRLINES' PARIS SERVICE

MOTION by Mayor Pro-Tem Cole-McFadden, seconded by Council Member Schewel, to approve the funding agreement between the Research Triangle Foundation, the City of Durham, Durham County, the City of Raleigh and Wake County to Support the Commencement of Delta Airlines' Daily, Non-Stop Service to Paris, France was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

The City Council disposed of the following agenda items at the January 21, 2016 Work Session:

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11. Unified Development Ordinance Text Amendment, Omnibus Changes 9 (TC1500001)
(A presentation was received at the 01-21-16 Work Session)
12. Code Enforcement Activities in the NCCU Area
(A presentation was received at the 01-21-16 Work Session)
21. Scott Barndt
(Comments were received at the 01-21-16 Work Session)

[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]

SUBJECT: STREET CLOSING – COVENTRY ROAD (SC1500006)

Steve Medlin, City-County Planning Director, certified that the required public notice for all Planning items had been carried out in compliance with both the NC General Statutes and the Unified Development Ordinance provisions and that affidavits to this effect were part of the permanent files; explained that Street case SC1500006 was a request by Stacey Burkert to close an approximate 431 linear foot portion (22,145 square foot) of Coventry Road. The right-of-way was publicly dedicated and unimproved right-of-way and bordered by property owned by Ms. Burkert and Mary and Russell Barringer. If the request was approved, the right-of-way was proposed to be recombined with Mrs. Burkert's property located south of Coventry Road (4012 Dover Road). The area adjacent to the right-of-way was zoned RS-10 and was located in the Suburban Tier. No service impacts were identified during the review of the application. Staff recommended approval of the street closing request.

Mayor Bell opened the public hearing and stated there was a speaker to the item.

Stacey Burkert, the applicant, addressed the rationale for the street closing; noted her property was landlocked; indicated that Coventry Road had been utilized as her driveway for some time; and stated the street closing allowed her to privately maintain the driveway.

Council Member Moffitt referenced the typical practice of splitting the freed up property to all the adjacent landowners when a street was closed; and asked staff what was the difference with this case.

Mr. Medlin noted that the statute made provisions for the equal split of right-of-way with the adjacent property owners unless there was an agreement between the property owners for a different distribution; which was the case with this closing.

Being no additional speakers to the item, Mayor Bell declared the public hearing closed.

MOTION by Council Member Moffitt, seconded by Mayor Pro Tempore Cole-McFadden, to adopt an Order for the permanent closing of a 22,145 square foot portion of Coventry Road was

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approved at 7:19 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

ORDINANCE #14883

**SUBJECT: HISTORIC PROPERTIES LOCAL REVIEW CRITERIA
CONSOLIDATION AND UPDATE**

Lisa Miller, Planner for City-County Planning Department, summarized the changes for the Historic Properties Local Review Criteria Consolidation and update that included removing the previously adopted review criteria and referenced the new Historic Properties Local Review Criteria document.

Mayor Bell opened the public hearing and noted there were no speakers to the item; and recognized comments from Council.

Council Member Schewel acknowledged the document was clearly written and comprehensive; noted that having the ability to save historic assets made Durham unique; appreciated staff for their commitment in balancing the benefits of preservation with economy and livability; inquired about new structures and what was being proposed; main criteria for the residential districts verses downtown districts; inquired about the Fayetteville Street District and its impact on the rehabilitation of the corridor; inquired about demolition by neglect and the associated remediation process; asked about granite curb regulations; and inquired about making historic structures more sustainable.

Ms. Miller responded regarding the classification of new structures; stated that new structure standards were considered big- picture design patterns such as scale, height, massing, etc. and sought to protect them; spoke to the main difference between residential and downtown; indicated the design criteria allowed for more flexibility in Durham's seven districts; spoke to the Fayetteville Street District; clarified the process involved with a parcel remedied by neglect and if the property owner did not remedy it, the case would involve a court matter; indicated that granite curb regulations were established in the Downtown district; and responded that there was no criteria to address sustainability; stated modified language was added regarding solar panels and referenced the orientation of a new structure having impact to collect solar.

Mr. Medlin indicated that remedying by neglect cases did not reach the litigation stage since property owners normally worked with NIS staff to remedy the situation.

Mayor Bell closed the public hearing.

MOTION by Council Member Schewel, seconded by Council Member Reece, to adopt an Ordinance Amending the Historic Properties Local Review Criteria was approved at 7:37 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

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ORDINANCE #14884

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Schewel, to adopt the consistency statement as required per NCGS § 160A-383 was approved at 7:38 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
TEXT AMENDMENT CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING AN AMENDMENT TO THE
HISTORIC PROPERTIES LOCAL REVIEW CRITERIA

WHEREAS the Durham City Council, upon acting upon a text amendment to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a text amendment to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding the text amendment to revise and consolidate the historic properties local review criteria, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed text amendment is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

SUBJECT: FAYETTEVILLE STREET PRESERVATION PLAN UPDATE

Lisa Miller, Planner for City-County Planning Department, summarized the changes for the Fayetteville Street Preservation Plan update that included removing the previously adopted review criteria and reference the new Historic Properties Local Review Criteria document.

Mayor Bell opened the public hearing and stated there were speakers to the item.

Dr. Debra Saunders-White, Chancellor of North Carolina Central University, stated that as NCCU looked to grow and expand their footprint within the community, it is important that the re-development of Fayetteville Street occurs; and advocated in favor of the staff recommendations to the Council to update the Plan allowing a change in criteria.

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Wanting an inviting gateway to the historic university, Dr. Saunders-White borrowed from the *Fayetteville Preservation Plan, August 2000*, the words ‘to preserve the integrity and cultural significance of Durham’s historical assets are important to the survival and growth of the institution’. Approval of the plan would allow for greater latitude for property owners compliance for property upgrades, that will ultimately beautify the corridor and be attractive to our prospective students and their families thus fostering growth for NCCU.

Dr. Saunders-White encouraged the City to invest in the necessary streetscape and landscape necessary to highlight the corridor. She stated their research indicates that the city’s investment in the corridor will significantly impact our growth. As the number one reason why students do ‘not’ select NCCU is environment; and when we tease that data back, we determine that the environment, that approach to our campus, contributes to the overall environment. She stated she was excited about the prospect of changing Fayetteville Street, the University is very much tied to the improvement, reallocating their own resources to help in this improvement, and stated they looked forward to a stronger partnership with the City.

Norman Glenn, representing family members who own property along Fayetteville Street, voiced specific concerns regarding the very slow progress of redevelopment; asked if the same code violation timeframes in effect were the same outside the historic district as opposed to houses in the district; he felt that if there were many violations outside of the historic district, they would be required to be brought up to code quicker than homes inside the Fayetteville Street corridor; spoke to the five block area from the library to Lawson Street that contained various properties in dire need of repair; inquired if a timeframe was given to bring properties up to standard in the district; referenced six updated items that involved the historic district and requested a copy of the updates; spoke to the newspaper article in the Herald Sun referencing NCCU and the State’s interest in purchasing property in the Fayetteville Street Historic District; and how asked would this affect property owners in that area. Again, he stated there does not seem to be an urgency in requiring property owners to bring properties up to a standard that would enhance the corridor to NCCU.

Mayor Bell informed Mr. Glenn that his comments regarding NCCU and the State, would need to be directed to the Chancellor.

City Manager Bonfield responded there was no distinction as it related to historic properties in the code enforcement sequence; indicated that staff had recently provided a status report at a previous work session pertaining to code enforcement activities in the NCCU area and could provide the report to Mr. Glenn; encouraged Mr. Glenn to speak with Chancellor Saunders-White about the state’s purchase of properties along Fayetteville Street; and stated that some of the proposed changes to the plan would help support some of the improvement along the corridor.

Being no additional speakers to the item, Mayor Bell declared the public hearing closed.

MOTION by Council Member Moffitt, seconded by Council Member Schewel, to adopt an Ordinance Amending the Fayetteville Street Preservation Plan was approved at 7:49 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

ORDINANCE #14887

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MOTION by Mayor Pro-Tempore Cole-McFadden, seconded by Council Member Moffitt, to adopt the consistency statement as required per NCGS § 160A-383 was approved at 7:50 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING AN AMENDMENT TO THE
FAYETTEVILLE STREET LOCAL HISTORIC DISTRICT OVERLAY

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change amendment to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change to amend the Fayetteville Street Local Historic District Overlay, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change amendment is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

SUBJECT: CLEVELAND STREET AND HOLLOWAY STREET PRESERVATION PLAN UPDATE

Lisa Miller, Planner for City-County Planning Department, summarized the changes for the Cleveland Street and Holloway Street Preservation Plan update that included removing the previously adopted review criteria and referenced the new Historic Properties Local Review Criteria document.

Mayor Bell opened the public hearing. Being no speakers to the item, Mayor Bell declared the public hearing closed.

MOTION by Council Member Moffitt, seconded by Council Member Johnson, to adopt an Ordinance Amending the Cleveland Street and Holloway Street Preservation Plan was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

February 1, 2016

ORDINANCE #14885

MOTION by Council Member Moffitt, seconded by Mayor Pro Tempore Cole-McFadden, to adopt the consistency statement as required per NCGS § 160A-383 was approved at 7:52 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING AN AMENDMENT TO THE
CLEVELAND STREET AND HOLLOWAY STREET LOCAL HISTORIC DISTRICT
OVERLAY

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change amendment to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change to amend the Cleveland Street and Holloway Street Local Historic District Overlay, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change amendment is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

SUBJECT: DOWNTOWN DURHAM PRESERVATION PLAN UPDATE

Lisa Miller, Planner for City-County Planning Department, summarized the changes for the Downtown Durham Preservation Plan update that included removing the previously adopted review criteria and reference the new Historic Properties Local Review Criteria document; and stated the preservation was updated in 2011; and the only revision being proposed was modifying the relevant criteria.

Mayor Bell opened the public hearing. Being no speakers to the item, Mayor Bell declared the public hearing closed.

February 1, 2016

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to adopt an Ordinance Amending the Downtown Durham Preservation Plan was approved at 7:52 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

ORDINANCE #14886

MOTION by Mayor Pro Tempore Cole McFadden, seconded by Council Member Moffitt, to adopt the consistency statement as required per NCGS § 160A-383 was approved at 7:52 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING AN AMENDMENT TO THE
DOWNTOWN DURHAM LOCAL HISTORIC DISTRICT OVERLAY

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change amendment to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change to amend the Downtown Durham Local Historic District Overlay, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change amendment is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

SUBJECT: MOREHEAD HILL PRESERVATION PLAN UPDATE

Lisa Miller, Planner for City-County Planning Department, summarized the changes for the Morehead Hill Preservation Plan update; referenced discovery of a discrepancy between the list of properties in the district and the map itself; noted since it was a zoning overlay, the map was the binding instrument; therefore, the properties that were not listed originally, they notified the property owners to make certain they understood the change; clarifying the incorrect document.

Mayor Bell opened the public hearing stating there was a speaker to the item.

February 1, 2016

Blaine Butterworth, a resident of Vickers Avenue, complimented the staff on the plan; referenced two issues with historic plans that pertained to non-contributing structures and general maintenance pertaining to replacement materials; suggested that to change the look of Fayetteville Street corridor, the district plans inhibit changing the look or the big picture of the property, agreed that the corridor into NCCU needed improvement; but felt within the historic plan there was not much latitude much encouragement; stated often it was too expensive to rehabilitate older homes; and felt none of the plans being presented would encourage that.

Mayor Bell thanked Mr. Butterworth for his comments and asked him what needed to be in the plan to provide the type of encouragement he mentioned.

Mr. Butterworth stated there would need to be latitude similar to the ability in new construction.

Ms. Miller noted that by denoting such districts, the City was attempting to preserve architecture and historic character; explained that residents' opinions ranged between not wanting any restrictions to wanting many requirements, and that the plan represented a balance that incorporated some flexibility; and noted that modifications could be made to the plan in the future.

Mr. Butterworth commented that the City may need to devise a special project to come up with how the street should appear within the restrictions, if not, then devising a process to bypass the restrictions.

Mayor Bell closed the public hearing.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Davis, to adopt an Ordinance Amending the Morehead Hill Preservation Plan was approved at 8:00 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

ORDINANCE #14888

MOTION by Council Member Moffitt, seconded by Council Member Schewel, to adopt the consistency statement as required per NCGS § 160A-383 was approved at 8:01 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING AN AMENDMENT TO THE
MOREHEAD HILL LOCAL HISTORIC DISTRICT OVERLAY**

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

February 1, 2016

WHEREAS the Durham City Council, upon acting upon a zoning map change amendment to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change to amend the Morehead Hill Local Historic District Overlay, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change amendment is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

SUBJECT: TRINITY HEIGHTS PRESERVATION PLAN UPDATE

Lisa Miller, Planner for City-County Planning Department, summarized the changes for the Trinity Heights Preservation Plan update that included removing the previously adopted review criteria and referenced the new Historic Properties Local Review Criteria document.

Mayor Bell opened the public hearing. Being no speakers to the item, Mayor Bell declared the public hearing closed.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Moffitt, to adopt an Ordinance Amending the Trinity Heights Preservation Plan was approved at 8:02 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

ORDINANCE #14889

MOTION by Council Member Schewel, seconded by Council Member Moffitt, to adopt the consistency statement as required per NCGS § 160A-383 was approved at 8:02 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING AN AMENDMENT TO THE
TRINITY HEIGHTS LOCAL HISTORIC DISTRICT OVERLAY

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

February 1, 2016

WHEREAS the Durham City Council, upon acting upon a zoning map change amendment to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change to amend the Trinity Heights Local Historic District Overlay, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change amendment is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

SUBJECT: WATTS-HILLANDALE PRESERVATION PLAN UPDATE

Lisa Miller, Planner for City-County Planning Department, summarized the changes for the Watts-Hillandale Preservation Plan update that included removing the previously adopted review criteria and referenced the new Historic Properties Local Review Criteria document.

Mayor Bell opened the public hearing. Being no speakers to the item, Mayor Bell declared the public hearing closed.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Reece, to adopt an Ordinance Amending the Watts-Hillandale Preservation Plan was approved at 8:03 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

ORDINANCE #14890

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Reece, to adopt the consistency statement as required per NCGS § 160A-383 was approved at 8:03 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING AN AMENDMENT TO THE
WATTS-HILLANDALE LOCAL HISTORIC DISTRICT OVERLAY

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

February 1, 2016

WHEREAS the Durham City Council, upon acting upon a zoning map change amendment to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding zoning map change to amend the Watts-Hillandale Local Historic District Overlay, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable; and

That the proposed zoning map change amendment is reasonable and in the public interest based upon the information provided within the report and associated documents submitted to the City Council, and the information provided through the public hearing.

[ITEM PULLED FROM THE CONSENT AGENDA]

SUBJECT: FY2015-2016 CONTRACT BETWEEN THE CITY OF DURHAM AND THE CENTER FOR DOCUMENTARY STUDIES

Mayor Bell stated there was a speaker to the item.

Greg Britz stated he was available to respond if Council had questions on the item.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Council Member Reece, to authorize the City Manager to execute a contract with the Center for Documentary Studies in an amount not to exceed \$55,000.00 to produce the Full Frame Documentary Film Festival was approved at 8:04 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

There being no further business to come before Council, the meeting was adjourned at 8:04 p.m.

Dianalynn Schreiber, CMC, NCCMC
Deputy City Clerk

D. Ann Gray, MMC, NCCMC
City Clerk