

**SUMMARY OF A PLANNING SESSION HELD BY THE MAYOR AND COUNCIL OF THE  
TOWN OF CHAPEL HILL, NORTH CAROLINA, FRIDAY, SEPTEMBER 5, 1997**

Session Facilitator Kurt Jenne called the session to order at 8:20 a.m. Town Council Members in attendance were Mayor Rosemary Waldorf and Council Members Julie Andresen, Joyce Brown, Joe Capowski (not in attendance between 11:30 a.m. and 1:45 p.m.), Pat Evans, Richard Franck, Lee Pavao and Edith Wiggins. Also in attendance were Town Manager Cal Horton, Assistant Town Managers Sonna Loewenthal and Florentine Miller, Town Attorney Ralph Karpinos, Planning Director Roger Waldon, Assistant to the Manager Greg Feller, Town Clerk Peter Richardson and Town Council Candidate Madeline Jefferson.

After briefly reviewing the tentative agenda and proposed ground rules for the day, Mr. Jenne assisted the Council in developing criteria for next year's evaluation of the Town Attorney.

**Discussion of Criteria for Evaluation of the Town Attorney**

Mayor Waldorf suggested that the Council use the current year Town Attorney evaluation form as a starting point for today's discussions. She also suggested that Mr. Karpinos' briefly review his outlook of the Town Attorney's role. Mr. Karpinos said that his annual report to the Council provided a sense of where he spent his time, with about 25-30% spent advising the Council, with the balance being used to advise Town staff on matters arising from running a local government corporation.

Council Member Pavao inquired about the Attorney's feelings about the possibility of the Council doing quarterly updates on the Town Attorney's performance. Mr. Karpinos said that he had no problem with this approach.

Council Member Wiggins said it was important for the Council to have direct dialogues with the Town Attorney and Town Manager relative to their annual performance evaluations.

The Council Members conducted a discussion regarding how the Council might review the 70%-75% of the Town Attorney's time spent providing general advice to Town staff. Council Member Wiggins suggested the possibility of having a subcommittee of the Council collect information on this matter and present the findings to the Council. Council Member Pavao said he liked this proposal. He also suggested the possibility of hiring a contractor to assist with this matter. Council Member Evans suggested the possibility of asking the Council to collect some information from department heads about their level of satisfaction with the Attorney's legal advice.

Council Member Brown said she favored the Council focusing its attention on the Attorney's legal advice to the Council, rather than having a more complex process. Council Member Pavao suggested the possibility of evaluating the Attorney based upon the Attorney's quarterly activity reports to the Council in concert with information and comments from Town department heads.

Council Member Capowski said that he had trouble with the idea of the Manager filtering department head's opinions through the Town Manager. Council Member Wiggins expressed her concurrence. Mr. Horton said he would be troubled by a process with direct communication to the Council from Town department heads without an opportunity for him to hear it, too. Council Member Pavao said he believed that the Manager should be involved in what department heads were saying to his employer, the Town Council. Council Member Wiggins said she understood the Manager's desire to be present when department heads gave information to Council Members. Council Member Capowski inquired whether these sessions would be open or closed. Mr. Karpinos said that the sessions would most likely be open.

Council Member Brown noted that reviewing the resource needs of Town departments had direct financial implications. Council Member Pavao noted that the Town Manager evaluated requests from departments relative to necessary modifications or additional resources.

Mr. Jenne summarized that the Council appeared to favor receiving information from Town department heads about the Attorney's advice, with the Manager in attendance at an open session, followed by a closed session at which the Council would discuss the Attorney's overall performance.

#### **Discussion of Criteria for Evaluation of the Town Manager**

The Council developed the following list of possible program goals for fiscal year 1997-1998:

- Hiring a creative and dynamic Director of Parks and Recreation (Mayor Waldorf, CM Andresen)
- Look at the Town's entire recreation program (CM Pavao)
- Assist Council in increasing number of underrepresented groups in the pool of nominees for Town advisory boards and commissions (CM Wiggins)
- Rethink Parks and Recreation Department and deal with philosophy of services provided (CM Capowski)
- Require independent analysis of traffic impacts in new development; examine overall traffic picture (CM Brown)
- Plan for putting community-oriented concepts through the entire Police Department (CM Franck)
- Maintain/improve community appearance (CM Evans)
- Look at and provide ways to stimulate staff in their work for higher productivity (CM Pavao)
- Increasing transportation planning resources for sensitivity analysis; coordinate bikeway and sidewalk improvements (CM Andresen)
- \* Need to emphasize the basics in budgeting and providing services to the community (CM Capowski)
- Establish working group of citizens on technology matters/information flow (CM Wiggins)

- Need for more balanced and complete information about proposed development proposals (CM Brown)
- Need to increase availability of agenda and other Town information on the Internet (CM Franck); and on cable television (CM Capowski)
- \* Maintain a safe community for residents and visitors (CM Evans)
- Need to rethink/take fresh look at transit system with partners (Mayor Waldorf)
- Start looking at more intergovernmental cooperation on recreational facilities and programming in order to be more efficient (CM Pavao)
- Focus upon increasing amount of greenspace and buffers in the Town (CM Andresen)
- How Manager should relate to special interest groups in Town (CM Capowski)
- Strive as much as possible to recommend a Town budget which does not require a tax increase (CM Wiggins)
- Get sense of total development picture, including context of existing buildings and proposed developments in "pipeline" (CM Brown)
- Increase or at least maintain transit ridership
- Ask Manager about community concerns about engineering or technically-oriented concerns (CM Evans)
- \* What needs to happen in order to get approved sidewalks built faster (Mayor Waldorf)
- Advise Council which departments need additional staff to accomplish the Council's goals (CM Pavao)
- Develop a more understandable budget document to make it easier to work with (CM Andresen)
- \* Revisit the possibility of having an adequate public facilities ordinance (CM Capowski)
- \* Look at Currituck County's adequate public facilities ordinance (CM Brown)
- Have more information accessible/available to the public about budget-related specifics (CM Brown)
- Look at solutions to problems on a regional basis, rather than just Town or County-wide (CM Evans)
- \* Continue to improve the public housing program (Mayor Waldorf)
- Focus on long-range facilities planning; consider opportunities for joint funding of facilities, including school facilities (CM Andresen)
- Improve maintenance and cleaning of Town-maintained streets and where possible, State-maintained streets (CM Capowski)
- Facilitate easier public access to pertinent information on development projects (CM Brown)
- \* Maintain and replace trees and shrubbery on major entryways (CM Evans)
- Define role of Manager and Attorney with respect to individual requests of Council Members (CM Capowski)

Council Member Brown requested that the Council's listing be typed up verbatim and provided to the Council. Noting that this was the staff's standard practice, Mr. Horton said the listing

would be provided to the Council as soon as possible.

Council Member Evans noted that some of the items had major financial implications. Mr. Horton said that part of the staff's evaluation process would be to identify items with major financial implications. Council Member Wiggins added that while some items would require minimal resources now, they would have major implications when implemented in the future.

After categorizing the items into broader categories, the Council Members agreed to vote for their top ten priority items. The straw (informal) voting results for the eight Council Members in attendance at the day's session were as follows:

Five votes: Give Town a more dynamic recreation program  
Continue to improve public housing

Four votes: Rethink transit system  
Give Council context for development decisions  
More Town information on Internet and cable television  
Increase transit ridership  
Develop a more understandable Town budget document

Three votes: Help Council increase pool of applicants for boards/  
commissions from underrepresented groups  
Expand community policing to be department/Town-wide  
Present more balanced and complete information on development  
proposals  
Look at issues/solutions on regional basis  
Develop a long-range facilities plan

The Council took a lunch break between 11:46 a.m. and 12:54 p.m.

Mr. Horton noted that Senior Transportation Planner David Bonk and Michael Waldroup, Vice-Chair of the US 15-501 Major Investment Study (MIS) Group Committee, were in attendance to make a brief presentation and respond to Council questions regarding the US 15-501 major investment study. Mr. Bonk briefly reviewed working papers three and five of Phase 1 of the U.S. 15-501 major investment study. He noted that the study's participants included the North Carolina Department of Transportation, City of Durham, Triangle Transit Authority and the Town of Chapel Hill. He added that the University of North Carolina and Duke University had appointed representatives to attend the MIS meetings. Mr. Bonk briefly described the roadway and light rail alignment alternatives for U.S. 15-501. He noted that the Council would likely receive an updated report on the status of the U.S. 15-501 Major Investment Study in early 1998.

Council Member Andresen inquired about the nature of the next phase of the investment study. Mr. Bonk said that the next phase would provide a much more detailed analysis of alternatives.

Council Member Evans noted that some communities had started the idea of encouraging people to live close to their place of work. Mr. Bonk said this aspect would probably be covered as part of a broader outreach effort by individual employers.

Council Member Brown inquired why the projections for light rail use did not appear to have much of an effect on reducing traffic congestion. Mr. Bonk said that government staff had requested that the consultant revisit these figures. He also noted that a recent survey of Chapel Hill Transit riders found that over 60% of riders used the bus because parking was either difficult or non-existent at their travel destination point.

Council Member Franck said he would like to receive feedback from Council Members about working paper number five. Council Member Brown said she thought that demand management plans were part of the process from its inception. Council Member Franck said that there did not appear to be a willingness on the Council's part to commit to demand management plans. Mayor Waldorf said it was her view that such plans would be essential relative to the U.S. 15-501 corridor.

Council Member Evans expressed concern that imposing fees relative to demand management might have the effect of driving existing and potential employers away from the Town. Noting that the costs would be borne by employees, rather than employers, Mayor Waldorf said that it would be in the employer's best interest to help with traffic management programs.

Council Member Franck inquired whether or not Town staff had information about other community's transit management programs. Mr. Bonk said that Town staff could provide this information to the Council.

Council Member Andresen inquired whether or not any consideration had been given to having an electrical, rather than diesel-powered regional rail system in the Triangle. Mr. Bonk said that electrically-based systems cost significantly more than diesel systems. Council Member Franck said that once the rail corridor and track were in place, changes in technology could be accommodated in the future. Council Member Brown requested additional information regarding a type of bus system in use in South America. Mr. Waldroup said that the system was a rubber-tired bus system, which would be a less expensive intermediate transit system than some of the other alternatives being proposed. Council Member Brown inquired whether there were any annual cost estimates for maintaining the rail system. Mr. Bonk said that these estimates would likely be known as part two of the U.S. 15-501 corridor study.

Mayor Waldorf said that Durham Mayor Sylvia Kerchoff and she felt that it would be a good idea for the two Councils to meet to discuss future options regarding the U.S. 15-501 corridor. Council Member Andresen said that this was an excellent idea.

Council Member Franck said he felt a sense of urgency to proceed with traffic demand management programs. Council Member Andresen noted that she had a number of concerns about the overlay zoning concept.

## **Current Topics**

### **(1) Can Council Reduce Its Meetings?**

Council Member Evans inquired whether this question related to the number of meetings or their length. Council Member Andresen said she was proposing increasing the length of meetings and having the same number of meetings. She suggested the possibility of having informal sessions to discuss items of low public interest between 5:00 or 5:30 and 7:00 p.m. Mayor Waldorf said she did not favor creating any more meetings. Council Member Franck said that he concurred with Council Member Andresen's proposal in concept.

Council Member Evans said that the Council was not very effective after 10:00 p.m. She suggested that the Council consider a number of changes, including: (1) removing items from the consent agenda by majority vote only, (2) scheduling Council Member petition time at the end of the meeting, (3) voting by show of hands, (4) having advisory board representatives make budget presentations to the Council in January of each year instead of in May, and (5) limit petitions to one petitioner per subject. Council Member Capowski noted that one Council principle was to have maximum public input. Council Member Franck suggested that the Council consider implementing the concept of having 6:00 p.m. work sessions on an ad hoc basis. There was no comment on the balance of proposals suggested by Council Member Evans.

### **(2) Public Participation Suggestions**

Stating that the Council's three-minute speaker limit was overwhelming or scary for many citizens, Council Member Andresen suggested that the Council consider fine-tuning the three-minute limit.

Council Member Capowski suggested the possibility of developing a one-page summary regarding petitions and forwarding them to potential petitioners. Council Member Andresen said that this was a good idea. Council Member Wiggins said that the timer lights were intended to provide an indication of when speakers should begin to conclude their remarks.

Council Member Franck suggested that Town staff develop a one-page summary about the overall petition process for Council review. Mr. Horton said that staff would do so.

Council Member Wiggins said that she concurred with the general practice of having a three minute time limit for petitioners. Council Member Andresen said that at one time the Council had no limit on the length of presentations and petitions. Council Member Brown said that she favored having some allowance for speakers to wrap up their remarks to the Council.

### **(3) Unresolved Items in Council's Procedures Manual**

Council Member Capowski said that there were eight or nine major items which remained undecided. Council Member Brown suggested that the Council have a 6:00 p.m. work session to discuss the public participation policy and the Council's Procedures Manual. There was Council concurrence to do so.

#### **(4) Recruiting/Selecting/Appointing Advisory Board Members**

Council Member Evans noted that a number of advisory boards, including the Planning Board and Transportation, had selection screening committees, composed of Council and advisory board members, which made appointment recommendations to the Council.

Council Member Franck said he endorsed the concept of having a questionnaire to allow all Council Members to participate in the evaluation of applicants. Mayor Waldorf said that she likewise endorsed the questionnaire concept. Council Member Evans suggested that the proposed questionnaire include information about when the boards met, the board's responsibilities and generalized information about the time commitment of board members. Mayor Waldorf inquired who would develop the draft questionnaires. Council Member Evans suggested that the individual boards or commissions develop the questionnaires. She also suggested that the questionnaire include an inquiry about the applicant's community of residence.

#### **(5) Establishment of Citizen's Budget Committee**

Council Member Andresen said she was proposing the possibility of having a citizen's budget committee to advise the Council on budget matters. Mayor Waldorf inquired what the committee would do. Stating that the Financial Futures Task Force had only made one recommendation to the Council, to have a five-year Town financial plan, Council Member Evans inquired whether or not there was a need for the proposed committee. Council Member Andresen suggested that one or two technically-oriented citizens could work on making the Town's budget document more understandable. Council Member Evans suggested that a Town staff member serve on the proposed committee. Noting that item number twenty-four on the Council's program list, "developing a more understandable budget document" had received a number of endorsements, Council Member Wiggins said that staff would come back to the Council with options for accomplishing this objective.

Endorsing Council Member Andresen's proposal in concept, Mayor Waldorf said that some Council Members could form a committee on recommended changes to the Town's budget document.

#### **(6) Committee on Town's Pay Plan and Merit Pay**

Council Member Andresen said that the Town had a complex pay and merit system which was difficult to understand. She suggested that there needed to be a way to separate merit increases from cost of living increases. Mr. Horton noted that at the Council's direction, Town staff had

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placed an emphasis on addressing compression concerns, especially in the lower levels of the organization. Noting the importance of remaining competitive in the labor market, Mr. Horton said that staff had attempted to make the Town's pay system easier to understand.

Council Member Andresen said she would be interested in having an expert talk to the Council about the Town's pay plan system. Mayor Waldorf suggested the possibility of staff at the University's business school reviewing and evaluating the Town's pay plan system.

Mr. Horton said that Town staff would welcome ideas on improving the Town's pay system. Mr. Jenne inquired when the Council wanted to revisit this matter. Council Member Andresen suggested that the item come back in the fall.

#### **(7) Buffer/Open Space Requirements for Special Use Permits**

Noting that the Town was being asked to consider a lot of developments with major impacts, Council Member Andresen said that the Council needed to take a serious look at ordinance requirements for buffering and open space.

Stating that the Town's Comprehensive Plan was out of date, Council Member Evans said that the Council needed to start looking at the Town's entire Comprehensive Plan and Land Use Plan.

Council Member Brown said that several citizens had indicated that it was extremely important to look at the Town's buffering and open space requirements. She suggested that the Town could examine what other communities had done in this regard. Stating that it might be a good idea to look at ordinance requirements, Council Member Wiggins suggested that the Council review the tradeoffs between having requirements and their costs to homeowners. Mayor Waldorf inquired whether staff or Planning Board was working on changes to adjusting buffering or open space requirements. Mr. Waldon said that staff was not working on this matter. Mr. Horton said that the Planning Board had a very heavy schedule and had not been able to address this issue.

Council Member Evans suggested that staff prepare a report on the matter for the Council. Council Member Andresen said this could serve as background for a future discussion. Council Member Evans suggested that the staff's report include information about cost implications of open space and buffer requirements. Mr. Horton said that staff would bring back a report on these matters to the Council in the future.

#### **Manager/Attorney Evaluations**

Mayor Waldorf inquired whether or not Mr. Jenne would prepare a chart showing all nine different ratings and an average for the Manager's and Attorney's evaluations. Mr. Jenne said he could provide information about averages and overall high and low ratings, with a focus on resolving significant differences of opinion. Mayor Waldorf said that the next step for the Council was to be fairly specific and fair on expected outcomes for the Manager and Attorney, adjusting the overall summary of priorities.

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Following a brief evaluation period, the session concluded at 3:40 p.m.