

DURHAM CITY COUNCIL SPECIAL MEETING
Wednesday, June 10, 2020 @ 3:00 p.m.
Virtual Zoom Meeting
DRAFT MINUTES

The Durham City Council held a virtual Special Budget Meeting on the above date and time with the following members present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson and Council Members Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Excused Absences: None.

Also present: City Manager Tom Bonfield, City Attorney Kim Rehberg, City Clerk Diana Schreiber and Deputy City Clerk Ashley Wyatt.

Mayor Schewel called the meeting to order and welcomed all in attendance at the virtual meeting.

[ANNOUNCEMENTS BY COUNCIL]

Mayor Schewel announced that there would be a Resolution on the June 15, 2020 Council Meeting agenda in support of reparations for people of color.

Council Member Freeman announced that she would also be bringing forth a Resolution in honor of Juneteenth also for the June 15, 2020 Council Meeting agenda.

Mayor Schewel also suggested suspending the rules in order to create the Affordable Housing Implementation Committee.

Council Member Freeman asked if Community Partnership of Durham had been brought into the conversation regarding the committee and recommended obtaining their input before moving forward.

Mayor Pro Tempore Johnson proposed increased the board membership to 15 to make space for additional DHA residents since DHA properties consisted of a large piece of the housing bond.

Council Member Freeman stated that she appreciated the comments made by Mayor Pro Tempore Johnson.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Caballero, to suspend the rules to vote on the Affordable Housing Implementation Committee, was approved at 3:09 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Caballero, implement the Affordable Housing Bond Implementation Committee with 15 members to include three members as DHA representatives, was approved at 3:10 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

Mayor Schewel brought forth his intention to appoint Dr. Stelfanie Williams to the GoTriangle Board joint position.

Council Member Middleton applauded the choice of Dr. Williams to fill the position. However, he stated that the residents of the community were still upset regarding Duke's role in the light rail project not moving forward and wanted them to feel secure that the City and County were not giving too much away by the appointment.

Council Member Freeman agreed that Dr. Williams was a good choice for the position; however, she did not support voting on the appointment at the meeting.

MOTION by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to suspend the rules and vote on the appointment of Dr. Stelfanie Williams, was approved at 3:15 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Middleton and Reece. Noes: Council Member Freeman. Absent: None.

MOTION by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to appoint Dr. Stelfanie Williams to the GoTriangle Board joint position, was approved at 3:15 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Middleton and Reece. Noes: Council Member Freeman. Absent: None.

Council Member Freeman congratulated Council Member Caballero on her appointment to the MPO Board.

[PRIORITY ITEMS FROM THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK]

City Manager Bonfield and City Clerk Schreiber had no priority items.

City Attorney Rehberg stated that the Council was requested to hold a closed session pursuant to N.C. Gen. Stat. 143-318.11(a)(3) for attorney-client consultation concerning the handling and/or settlement of pending claims.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Freeman, to accept the City Attorney's priority item was approved at 3:18 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

[GENERAL BUSINESS AGENDA]

SUBJECT: REQUEST TO INITIATE A NEIGHBORHOOD PROTECTION OVERLAY FOR FOREST HILLS (ITEM 25/ PR #13977)

Scott Whiteman, Planning Supervisor, gave the following staff report:

The item was related to a petition submitted by the Forest Hills Neighborhood to initiate a Neighborhood Protection Overlay. The petition was submitted in 2018, and the Joint City County Planning Committee voted to prioritize the application, per the 2007 NPO guidelines, as it was the only petition the Planning Department received. The Department indicated at that time that due to the staff resources needed to work on a new Comprehensive Plan, the NPO could not be included in the FY19 Department Work Program and the JCCPC agreed. The department did request \$50,000 in the FY20 budget cycle to hire a third-party consultant to develop the NPO, but those funds were not included in the final adopted budget.

The JCCPC voted to re-prioritize the application at the neighborhoods request to prevent it from being administratively withdrawn and to keep it active for another 18 months.

Since the Comprehensive plan will still be under development for the next two years, the department does not believe we will have the staff resources available to work on the NPO at least until then, so funding for a third party consultant would be the only way for any work to begin.

The reason for the request was to ask Council to determine if the development of the NPO should be a priority, and if so, to direct the administration to provide the necessary resources. The alternative would be to vote to not initiate the NPO, which would allow the neighborhood representatives to resubmit at a later time. The department was requesting the decision to prevent the application from being in a holding pattern for the next two years. The planning staff recommended that the Council vote to NOT initiate the NPO for the reasons stated in the agenda memo, though primarily because the proposed elements to regulate are in direct conflict with the policy direction of several recent Council decisions.

Council Member Middleton asked if there were any speakers to the item.

Ellen Pless, a resident of the Forest Hills Neighborhood, spoke in opposition of the staff recommendation and asked for the council to support the NPO request.

Council Member Middleton expressed concerns regarding fairness to the Forest Hills residents and departmental funding. He stated that the application had been submitted by the deadline and that they did everything required under the original set of rules.

Mr. Whiteman advised that there was a proposed change to the NPO process later on the agenda that could fix the NPO process. He also noted that the application conflicted with the Expanding Housing Choices that Council had passed previously.

Pat Young, Director of the Planning Department, stated that the department was in the middle of the Comprehensive Plan process so that needs across the city could align. He advised that the concerns for the forest hills neighborhood brought up in their request for an NPO could be addressed through the Comprehensive Plan and that it would be redundant to do both.

Mayor Schewel asked if Mr. Whiteman could summarize the main conflicts the NPO would cause for the comprehensive plan.

Mr. Whiteman stated the following:

- Limiting duplexes
- Not allowing small houses or small lot options

Council Member Freeman asked how the NPO would limit EHC and if it limited new or old construction.

Mr. Whiteman responded that it could limit new and old construction.

Council Member Freeman stated that she would support moving forward with the NPO.

Council Member Middleton stated that he was having a hard time reconciling the fairness issue and the timing of the application. He did not agree that the city should have allowed to submit applications for the NPO under the previous rules if it was going to create a problem.

Ms. Pless believed that the staff report mischaracterized the NPO application for Forest Hills.

Mayor Pro Tempore Johnson asked if there was anything in the NPO process that mandates staff to working on them when they are submitted.

Mr. Whiteman advised that it was not a requirement to work on a submitted NPO application. He advised that the assumption that staff would work on them was one of the reasons for the requested change to the process. He also advised that resources were limited and to process one application could take 1600 staff hours.

Mayor Pro Tempore Johnson stated that she intended to vote against the item since it did not promote affordability and was the opposite of all of the other work going on.

Council Member Freeman asked if the item was approved would the Planning Department have to outsource the task for a cost of \$50,000.00.

Mr. Whiteman advised that Council Member Caballero was correct.

Council Member Freeman asked what resident initiated actions were available.

Mr. Whiteman responded that the Local Historic District designation and the NPO were the two options available.

Council Member Freeman asked who regulated those options.

Mr. Whiteman advised that those options were regulated by state and local authorities.

Council Member Reece said that he could not move forward in good faith with the approval of the NPO due to its timing; that the Comprehensive Plan could address the same concerns and prioritization was asked to take place so that new rules would apply and stated that he would not be voting in support of the item.

Mayor Schewel appreciated the advocacy by Ms. Pless on behalf of the Forest Hills Neighborhood and residents.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Reece, to accept as amended the staff recommendation and deny Neighborhood Protection Overlay for Forest Hills request, was approved at 3:57 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, and Reece. Noes: Council Members Freeman and Middleton. Absent: None.

RESOLUTION #10170

[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]

SUBJECT: ANNEXATION - FALLS VILLAGE NORTH – CONSERVATION (ITEM 23/ PR #13812)

Emily Struthers, Senior Planner, stated for the record that the Planning Department hearing item had been advertised and noticed in accordance with state and local law, and affidavits of all notices are on file in the Planning Department and provided the following staff report:

Request for a utility extension, voluntary annexation, and initial zoning map change had been received from Robert Shunk of McAdams for a 209.19 acre parcel located at 739 Baptist Road and 117 Santee Road. The annexation petition was for an expansion of an existing satellite to the corporate limits. The expansion would be away from the current city limits and into the Rural Tier and critical watershed protection overlay.

The site was presently zoned Residential Rural (RR), Falls/Jordan Watershed Protection Overlay District B in the Suburban Tier and Residential Rural Falls/Jordan Watershed Protection Overlay District A in the Rural Tier. Staff recommended an exact

translation of the zoning designation. Based on an administrative site plan currently under review for a conservation subdivision, the development is anticipated to include 341 single family lots. It should be noted that, separate from the current request, applications for rezoning and an amendment to the Future Land Use map have been submitted and are currently under review for a higher density with age-restriction. A TIA was required for the conservation subdivision site plan but if the future rezoning was approved, the project would not be subject to the TIA identified improvements.

City and County operational departments such as Solid Waste, Fire, Police, and EMS have reviewed this request. Solid Waste and the Police department identified potential service delivery costs and impacts without adding resources. Those resources will be requested in the future through the annual budget process when the timing and need for the additional resources has been better identified.

The Public Works and Water Management departments performed the utility impact analysis for the utility extension agreement and determined that the existing City of Durham water and sanitary sewer mains have capacity to serve the project, after the completion of the Southeast Regional Lift Station.

The City of Durham Departments of Transportation and Public Works, and City-County Planning are conducting a conditions and cost assessment relating to the NCDOT roadways located within east and southeast Durham that are experiencing rapid transition from Rural to Suburban characteristics. The assessment would determine if the roadways meet current and potential future City standards. The assessment was underway and a final completion date had not been identified.

The Budget and Management Services Department performed a fiscal impact analysis, which determined that the proposed annexation would become revenue positive immediately upon annexation. Should the council have acted favorably, approval of the annexation petition and zoning would become effective on June 30, 2020. Staff determined that the request were consistent with the *Comprehensive Plan* and applicable policies and ordinances. Three motions were required for the application. The first was to adopt an ordinance annexing the property and entering into a utility extension agreement, the second was for the consistency statement, the third was to adopt the zoning ordinance.

Council Member Freeman asked if the item had been before the Joint City-County Planning Commission.

Ms. Struthers advised that direct translation only went before the City Council.

Council Member Freeman stated that the process circumvented the Planning Commission.

Pat Young, Director of the Planning Department, advised that a Resolution had been adopted over a decade ago by the Planning Commission to not hear items regarding direct translations of zoning designations.

Mayor Schewel opened the public hearing and asked if there were any speakers to the item.

Robert Shunk and Jacob Anderson, proponents, provided a presentation to Council the spoke to the proposed 209 acres, project history from 1998, walkability, greenways, and committed to a \$100,000.00 donation to the Affordable Housing Fund.

Barbra Green, a small business owner in the area, spoke in support of the item and stated that she was impressed by the proposal.

Sam Rogers, a resident, spoke in favor of the item and supported it moving forward.

Mayor Schewel asked if there were any assurances with the proposed development.

Mr. Young advised that there were prohibitions on extending utilities into the urban tier.

Seeing no additional speakers, Mayor Schewel declared the public hearing closed.

Council Member Reece thanked both staff and the developers for the information they provided; however, he stated that he would not be voting in favor of the item.

Council Member Caballero stated that she would not be voting in favor of the item and felt as though it was the type of development that the city did not want.

Mayor Pro Tempore Johnson stated that the broader issue of sustainability had not been addressed.

Council Member Middleton advised that he would be voting in favor of the item and wanted to be consistent.

Council Member Freeman expressed concerns with urban sprawl being an issue and stated that she would not be voting in support of the item.

MOTION by Council Member Middleton, seconded by Council Member Freeman, to adopt an ordinance annexing 'Falls Village North - Conservation' into the City of Durham effective June 30, 2020, and to authorize the City Manager to enter into a utility extension agreement with Falls Village Development, LLC, **FAILED** at 4:39 p.m. by the following vote: Ayes: Mayor Schewel and Council Member Middleton. Noes: Mayor Pro Tempore Johnson and Council Members Caballero, Freeman, and Reece. Absent: None.

SUBJECT: CONSOLIDATED ANNEXATION - FOX CROSSING (ITEM 24/ PR #13810)

Emily Struthers, Senior Planner stated for the record that the Planning Department hearing item had been advertised and noticed in accordance with state and local law, and affidavits of all notices are on file in the Planning Department and provided the following staff report:

Request for a utility extension agreement and voluntary annexation had been received from Kenneth Burnham of Foxwood Crossing Apartments LLC and Tim Sivers of Horvath Associates for five parcels generally located at 928 South Miami Boulevard. The annexation petition was for a contiguous expansion of the corporate city limits.

In addition, the applicant proposed to change the zoning designation of the site, which also included areas currently within the city limits, from Commercial Center with a development plan, Residential Suburban-20, and Residential Urban-5 to Commercial General with a Development Plan committing to a maximum of 170 apartment residential units and no commercial development. There was no change proposed for the existing Falls/Jordan watershed protection overlay district B.

The applicant also proposed to change the Future Land Use Map designation of one parcel within the site area from Medium Density Residential to Commercial. The remaining site area was currently designated as Commercial on the Future Land Use Map which was consistent with the rezoning request.

If approved, the annexation petition and associated applications would become effective on June 30, 2020.

In addition to the commitments outlined in the staff report and identified on the development plan, the applicant proposed to add or revise the following commitments that have been vetted by staff:

1. a minimum of 10% tree preservation area shall be provided and
2. a revised fence height, from six feet to eight feet, where identified adjacent to the Waiters' parcel on the development plan.

City and County operational departments such as Solid Waste, Fire, Police, and EMS have reviewed this request. The Police department identified potential service delivery impacts.

The Public Works and Water Management departments have determined that the existing City of Durham water and sanitary sewer have capacity for the proposed development. The Budget and Management Services Department determined that the proposed annexation will become revenue positive immediately following annexation. The Durham Planning Commission, at their December 10, 2019 meeting, recommended approval of the proposed zoning and future land use map amendment by a vote of 9-3. Staff determined that the requests were consistent with the *Comprehensive Plan* and applicable policies and ordinances. Four motions were required for the application. The

first was to adopt an ordinance annexing the property and entering into a utility extension agreement, the second was to adopt a resolution amending the Future Land Use Map, the third was to adopt a consistency statement and the fourth was for the zoning ordinance.

Mayor Schewel expressed concerns regarding the commercial use designation even though it was consistent with the UDO.

Tim Sivers, representing the applicant, addressed the traffic and green space and stated that the units could cost of \$1.25 per sq. ft., the developer was committing \$18,000.00 to Durham Public Schools, \$17,000.00 to the Affordable Housing Fund, and 10% of tree preservation.

Mayor Schewel opened the public hearing and asked if there were any speakers to the item.

Joshua Reinke, Transportation Engineer for the project, spoke in favor of the item and asked Council to support it.

Council Member Freeman asked if the Affordable Housing density bonus could have applied to the item.

Mr. Young advised that the Affordable Housing density bonus could have applied.

Council Member Freeman asked the applicant if there was any reason that they were not seeking the bonus.

Mr. Sivers responded that there was no reason.

Mr. Young stated that the density bonus would have required 15% of the units to be affordable.

Mayor Pro Tempore Johnson asked why the designation was commercial as opposed to residential.

Mr. Sivers advised that the area had previously been designated as commercial.

Mayor Pro Tempore Johnson asked why they would keep the commercial designation.

Ms. Struthers stated that to change the designation to residential would have required a change to the future land use map and would have created an additional step.

Wendy Dixon, a resident adjacent to the property, asked what the development would mean for homeowners.

Mr. Sivers stated that there would be no impact to her individual property.

Council Member Freeman advised that as a homeowner there would be some impact.

Council Member Reece stated that he would not be voting in support of the item and that it was not compatible with the surrounding areas.

Seeing no additional speakers, Mayor Schewel declared the public hearing closed.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Middleton, to adopt an ordinance annexing 'Fox Crossing' into the City of Durham effective June 30, 2020 and to authorize the City Manager to enter into a utility extension agreement with Foxwood Crossing Apartments, LLC, was approved at 5:19 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, and Middleton. Noes: Council Members Freeman and Reece. Absent: None.

ORDINANCE #15622

MOTION by Council Member Middleton seconded by, Mayor Pro Tempore Johnson, to adopt a resolution amending the Future Land Use Map to Commercial for the site, was approved at 5:21 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, and Middleton. Noes: Council Members Freeman and Reece. Absent: None.

RESOLUTION #10171

MOTION by Council Member Middleton seconded by, Mayor Pro Tempore Johnson, to adopt a consistency statement as required by NCGS 160A-383, was approved at 5:21 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, Middleton, Reece. Noes: Council Members Freeman. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP CHANGE CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL
REGARDING Z1800029 – Fox Crossing

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 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 Z1800029, Fox Crossing is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable, as provided in the 'Consistency with Adopted Plans' and

'Reasonable and in the Public Interest' sections of the staff report and Attachment 6, 'Comprehensive Plan Consistency Analysis'; dated March 16, 2020 regarding the subject 'Fox Crossing' (Z1800029) along with additional agenda information provided to the City Council and information provided at the public hearing; and

It is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. This consolidated item promotes this by offering fair and reasonable development regulations supported by the 'Consistency with Adopted Plans' and 'Reasonable and in the Public Interest' sections of the staff report and Attachment 6, 'Comprehensive Plan Consistency Analysis'; dated March 16, 2020 regarding the subject 'Fox Crossing' (Z1800029) along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the request is reasonable and in the public interest.

MOTION by Council Member Middleton seconded by, Mayor Pro Tempore Johnson, to adopt an ordinance amending the Unified Development Ordinance by taking property out of Commercial Center with a Development Plan(CC(D)), Residential Suburban-20 (RS-20), Residential Urban- 5 (RU-5) Zoning Districts, Falls/Jordan Watershed Protection Overlay District B (F/J-B), County Jurisdiction, and establishing the same as Commercial General with a Development Plan (CG(D)), Falls/Jordan Watershed Protection Overlay District B (F/J-B), City Jurisdiction, was approved at 5:22 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Caballero, and Middleton. Noes: Council Members Freeman and Reece. Absent: None.

ORDINANCE #15623

Council Member Caballero departed the meeting at 5:22 p.m.

**SUBJECT: UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT,
NEIGHBORHOOD PROTECTION OVERLAY REVISIONS (TC1800010)
(ITEM 26/ PR #13813)**

Scott Whiteman, Planning Supervisor, gave the following staff report:

The text amendment included revisions to the NPO process, mostly related to the initiation of the NPOs. The intent of the changes clarified the process for requesting NPOs and codify existing guideline.

Another key component was to require initiation by the appropriate governing body to determine level of support and commitment to necessary resources before work on the NPO begins. Staff recommended approval of this UDO amendment, as did the Planning Commission.

Mayor Schewel opened the public hearing and asked for speakers to the item.

Ellen Pless, a resident of Forest Hills Neighborhood, spoke in opposition to the proposed text amendment.

Council Member Middleton stated that the conversation continued to center around resources and bandwidth of the department. He suggested that the Council might have needed to consider setting aside funding specifically for processing an NPO. He stated that the city should not create barriers and by having the accessibility of being able to submit an NPO, it was creating a level of expectations for residents.

Mr. Young stated that the issue was more of a policy issue.

Council Member Freeman stated that the city was not creating constructive tools for residents regarding their neighborhoods.

Council Member Reece stated that he was okay with the particular revisions and that he planned to vote in favor of the item.

Seeing no additional speakers, Mayor Schewel declared the public hearing closed.

Mayor Pro Tempore Johnson stated that she would be voting in support of the item, the text amendment would make the process clearer, and asked if the city had to have an NPO process.

City Attorney Rehberg stated that she would ask Deputy City Attorney Don O'Toole to provide an opinion to Council.

Mr. Young stated that there was no mandate to have an NPO process.

MOTION by Council Member Middleton seconded by, Mayor Pro Tempore Johnson, to adopt the appropriate consistency statement as required per NCGS 160A-383, was approved at 5:53 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Middleton and Reece. Noes: Council Members Freeman. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE
TEXT AMENDMENT CONSISTENCY STATEMENT
BY THE DURHAM CITY COUNCIL REGARDING
TC1800010, Neighborhood Protection Overlay Revisions

WHEREAS the Durham City Council, upon acting on a text amendment to the *Unified Development Ordinance* and pursuant to NCGS § 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 on a text amendment to the *Unified Development Ordinance* and pursuant to NCGS § 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 text amendment TC1800010, Neighborhood Protection Overlay Revisions, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable, as provided in the “Issues” and “Consistency with the Comprehensive Plan; Reasonable and in the Public Interest” sections of the memo to the City Manager, dated March 16, 2020, regarding the subject “*Unified Development Ordinance* Text Amendment, Neighborhood Protection Overlay Revisions (TC1800010),” along with additional agenda information provided to the City Council and information provided at the public hearing; and

It is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The text amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the City of Durham as supported in the “Issues” and “Consistency with the Comprehensive Plan; Reasonable and in the Public Interest” sections of the memo to the City Manager, dated March 16, 2020, regarding the subject “*Unified Development Ordinance* Text Amendment, Neighborhood Protection Overlay Revisions (TC1800010),” along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the amendment is reasonable and in the public interest.

MOTION by Council Member Middleton seconded by, Council Member Reece, to adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 2, Review Authority; and Article 4, Zoning Districts, was approved at 5:54 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Middleton and Reece. Noes: Council Members Freeman. Absent: None.

ORDINANCE #15624

[CLOSED SESSION]

MOTION by Council Member Middleton seconded by, Council Member Reece, to hold a closed session pursuant to N.C. Gen. Stat. 143-318.11(a)(3) for attorney-client consultation concerning the handling and/or settlement of pending claims, was approved at 5:55 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Freeman, Middleton and Reece. Noes: None. Absent: None.

MOTION by Council Member Middleton, seconded by Council Member Reece, to return to open session at 6:19 p.m. Motion passed unanimously.

No action was taken.

Being no additional business to come before Council, the meeting adjourned at 6:19 p.m.

Ashley Wyatt, CMC
Deputy City Clerk

Diana Schreiber, CMC
City Clerk