

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the unit bids of C.c. Mangum, Inc., for street resurfacing of \$31/ton for 12 asphalt and \$50/ton for patching asphalt, total cost not to exceed \$75,925 and the unit bids of C.C. Mangum, Inc. for street excavation and reconstruction of \$13/sq. yd. and related items of \$8/sq. yd. undercut, \$6/ft. and \$5.50/ft. for French drain, \$50/connection and \$10/ft. for curb and gutter, total cost of approximately \$110,802.

This the 28th day of April, 1980.

Council member Straley questioned the amount in the bid. Mr. Hooper explained that the price bid was per cubic yard of undercutting. The total price could be less or more depending on how much work had to be done. Mr. Harris added that the type of material used could change the price. THE MOTION WAS CARRIED UNANIMOUSLY.

Nominations

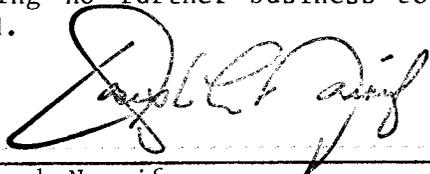
The Planning Board had recommended Gina Cunningham be appointed to the position created by the resignation of Jane Stein, with expiration date of June 30, 1980.

The Council was notified of term expirations as of June 30, 1980, on the Planning Board, Transportation Board, Appearance Commission, Library Board of Trustees, Orange Water and Sewer Authority, Recreation Commission and Board of Adjustment.

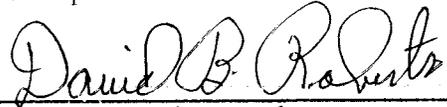
Future Agenda Items

Council member Howes announced that he would not be at the meeting of May 12, 1980, and asked the Council to excuse him. The request was granted.

There being no further business to come before the Council, the meeting was adjourned.



Mayor Joseph Nassif



Town Clerk, David B. Roberts

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL
MUNICIPAL BUILDING
MONDAY, MAY 12, 1980
7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

- Marilyn Boulton
- Joe Herzenberg
- Jonathan Howes
- Beverly Kawalec
- R. D. Smith
- Joe Straley
- Bill Thorpe
- James Wallace

Also present were Town Manager E. Shipman and Town Attorney E. Denny.

Petitions and Requests

Ms. Dorothy Bumphus and residents of Eastwood Road extension presented a petition requesting the town accept for maintenance the road it had approved

at the last meeting. In addition Ms. Bumphus stated her position had been incorrectly represented at that meeting. COUNCIL MEMBER SMITH MOVED TO RESCIND THE ACTION OF APRIL 28, 1980, APPROVING A MODIFICATION TO THE ARGONNE HILLS SUBDIVISION. Mayor Nassif reminded the Council the petition could not be discussed at this meeting if any member objected.

Mr. Denny advised that a motion to reconsider would be a more appropriate motion, and someone other than Council member Smith must make that motion. Council member Smith withdrew his motion.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER BOULTON, TO RECONSIDER THE RESOLUTION APPROVING A MODIFICATION TO THE ARGONNE HILLS SUBDIVISION AFTER THE PUBLIC HEARING. Council member Kawalec suggested considering the matter now as there are many citizens in the audience who had attended for it. COUNCIL MEMBER HERZENBERG AMENDED HIS MOTION TO CONSIDER THE MATTER NOW. COUNCIL MEMBER BOULTON AGREED WITH THE AMENDMENT. Council member Smith commented that this was being reconsidered because of erroneous information. Council member Straley objected to considering the matter at this meeting. COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO PLACE THE ITEM ON THE AGENDA FOR THE NEXT MEETING. Mr. Denny suggested that as some of the residents' concerns were that they had not been heard at the Planning Board meeting, the Council might want to refer the matter to the Planning Board. Mayor Nassif said with no objection from the Council, he would permit anyone wishing to speak to be heard at the next council meeting on May 26, rather than referring it to the Planning Board.

Mr. Reeve presented a petition from the Planning Board asking the Council to consider, when appointing the Planning Board position later in the agenda, appointing that person effective June 30, 1980, for a full term or to appoint now with a stipulation that the person would serve a full term beginning June 30, 1980. COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO DISCUSS THIS PETITION WHEN CONSIDERING THE APPOINTMENT. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Page asked to be allowed to speak during the discussion of Clearwater Lake. The Council agreed. There were several others who asked to speak on the same subject. The Council agreed to hear statements from citizens.

Public Hearing on the Manager's Recommended Annual Budget for 1980-81 and Capital Improvement Program for 1980-85.

Mayor Nassif recessed the meeting and called the public hearing to order.

Mr. Shipman submitted the budget to the Council and citizens, reviewing many of the projects which were included. He had attempted to keep the increase in the tax rate to a minimum while keeping services at their present level.

Mr. Kenneth Hunt of Tinkerbell Road, stated he and his wife had retired in Chapel Hill partially because of the botanical gardens. He frequently worked there and was impressed with the wide range of people served by the gardens. He believed they should continue to be open to the general public. He asked that the Council continue the contract with the botanical gardens.

Mr. William Lindsay of McCauley Street, expressed concern for future tax increases. He did not believe all of these urban services were necessary. Most of the property owners on his block had moved and rented their property because they could not afford the taxes. He proposed a circuit breaker law such that taxes paralleled the ability to pay.

Mr. Gerry Cohen of Village West, stated that most of the increase was due to the 1976 bond referendum. He did not believe the six month trial on the "A" route enough. It should not be eliminated until given at least a full school year trial, as plans for the year's transportation were made in the fall. Mr. Cohen also warned that many riders might be crowded off the bus in August until the new buses arrived. The town should make arrangements to cover any overflow to avoid turning away riders.

4-14-80 1

MINUTES OF A REGULAR MEETING OF THE MAYOR
AND CHAPEL HILL TOWN COULCIL
MUNICIPAL BUILDING, MONDAY, APRIL 14, 1980, 7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

Marilyn Boulton
Joe Herzenberg
Jonathan Howes
Beverly Kawalec
R.D. Smith
Joe Straley
Bill Thorpe
Jim Wallace

Also present was Town Manager E. Shipman.

Resolution of Appreciation for Claudia C. Cannady

Mayor Nassif announced that the first item on the agenda, a resolution of appreciation for Ms. Claudia Cannady, would be deferred until another meeting as Ms. Cannady was not present.

Petitions and Requests

Council member Kawalec presented a letter from Mr. Hugh Huff and asked that it be read when the report on Mason Farm Road traffic was considered.

Council member Straley requested the Council consider a correction to the minutes of March 10, 1980, which had already been approved. Mayor Nassif said this would be considered when approval of the minutes of March 24 and 25, 1980, was discussed.

Minutes

Council member Straley moved, seconded by Council member Wallace, to correct the minutes of March 10, 1980, page 7, stipulation 3 to read "issuance of a special use permit, grading permit,..." and stipulation 7 to read "...issuance of a building permit..." Council member Kawalec asked if the matter could be postponed until the attorney was present. Mr. Shipman informed the Council he had discussed the matter with the attorney who agreed that as this was a technical error, it should be corrected. THE MOTION WAS CARRIED UNANIMOUSLY.

ON MOTION BY COUNCIL MEMBER HERZENBERG, SECONDED BY COUNCIL MEMBER SMITH, THE MINUTES OF MARCH 24, 1980, WERE APPROVED AS SUBMITTED.

ON MOTION BY COUNCIL MEMBER SMITH, SECONDED BY COUNCILMEMBER HOWES, THE MINUTES OF MARCH 25, 1980, WERE APPROVED AS SUBMITTED.

Public Hearing to Consider the Rezoning of Property at the Northwest Corner of the Intersection of Weaver Dairy Road and SR 1732 from Regional Commercial to Limited Business

Mr. Jennings stated that when the Council had zoned property recently annexed, a question had arisen as to whether this corner lot should be limited business rather than regional commercial. As the Council could not procedurally zone it limited business then, they had called a public hearing to consider rezoning.

Mr. Pipkin, representative of the owner of a portion of the property stated his client was satisfied with the current zoning. Mr. Deacon, the owner, presented his plans for an energy company with solar heating units and greenhouses which was being built on the site. Mayor Nassif, however, reminded the Council they were considering a rezoning, not a development.

Mr. Jennings noted that Mr. Deacon had a building permit for his building. If the zoning was changed, the building could be completed, but would be non-conforming as would the gas station being built on the other portion of the lot.

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Council member Boulton asked if there would be room for another building on the lot. Mr. Deacon said there would not. He had moved his building to the back portion of the lot, leaving a screen of trees.

Council member Smith asked if the town wanted an activity center in this location. Mr. Jennings responded that the comprehensive plan called for a center in the area, although not in this exact location.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER SMITH TO REFER THE MATTER TO THE PLANNING BOARD FOR RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Amending the Goals and Objectives of the Comprehensive Plan to Revise the Policy on Drive-In Business.

Mr. Shipman explained that the drive-in business policy had been considered by the Council before. The policy had been revised such that Easco Photo Booth would be permitted with a special use permit in Kroger Plaza. Although the special use permit had been issued, it had never been acted upon. As it had expired, the company was now applying for a modification to extend the time period. The Planning Board, since the first revision of the policy, had reviewed the policy and now recommended against all drive-in businesses with the exception of gas stations and car washes. If the Council did not adopt this policy change, Mr. Shipman indicated he would have to recommend that the modification be granted to Easco Photo Booth.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION AMENDING THE GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN TO REVISE THE POLICY ON DRIVE-IN BUSINESSES

BE IT RESOLVED by the Council of the Town of Chapel Hill that Section G, Objective 2, Policy C of the Goals and Objectives of the Comprehensive Plan is hereby amended to read as follows:

Prohibit drive-in businesses with the exception of car washes and service stations.

This the 14th day of April, 1980.

Council member Smith asked if banks would be prohibited. They would.

Mayor Nassif stated he would vote against the resolution. He believed traffic problems could be eliminated with other restrictions. If the resolution was adopted, all drive-in businesses would come non-conforming and could not be replaced in case of fire.

Council member Boulton did not believe the drive-in businesses extremely objectionable. The existing policy to discourage the businesses except in certain areas was restrictive enough in her opinion. Council member Thorpe added that the Council had shown they would not approve the drive-in businesses in the downtown area.

Mr. Reeve pointed out that the Planning Board had not considered the resolution, but had voted consistently to deny all special use permits for drive-in businesses. The Planning Board had considered this revision of policy informally in considering the proposed zoning ordinance.

Council member Wallace commented that the existing businesses would no be non-conforming if the resolution was adopted. He noted that drive-in businesses eliminated some of the need for parking. Mr. Reeve and council member Straley discussed whether or not eliminating the drive-in businesses would conserve energy. Mr. Jennings commented that the policy was an attempt to discourage people from driving from business to business.

Council member Wallace suggested that if the Council wanted to discourage automobiles, gas stations and car washes should not be exempted.

THE MOTION WAS CARRIED BY A VOTE OF FIVE TO FOUR WITH COULCIL MEMBERS HERZENBERG, HOWES, KAWALEC, SMITH AND STRALEY SUPPORTING AND COUNCIL MEMBERS BOULTON, NASSIF, THORPE, AND MAYOR WALLACE OPPOSING.

Resolution Denying a Modification of the Special Use Permit for Kroger Plaza Unified Business Development to Construct a Photo Facility

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DENYING A MODIFICATION OF THE SPECIAL USE PERMIT FOR KROGER PLAZA UNIFIED BUSINESS DEVELOPMENT TO CONSTRUCT A PHOTO FACILITY

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby fails to find that with the modification:

the location and character of the use if developed according to the plan as submitted and approved with be in harmony with the area which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs; and

BE IT FURTHER RESOLVED that the Council hereby denies the modification of special use permit requested for said development.

This the 14th day of April, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution In Support of Continued County Parks and Recreation Support Funding

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION IN SUPPORT OF CONTINUED COUNTY PARKS AND RECREATION SUPPORT FUNDING

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expresses its appreciation to the Orange County Board of Commissioners for the County's previous funding of the Parks and Recreation Municipal Support Program; and

BE IT FURTHER RESOLVED that the Council urges the Board of Commissioners to continue the Parks and Recreation Municipal Support Program upon the same 70%/30% distribution of funds as in past years, so that the many municipal park and recreation programs and faciities servicing all residents of Orange County may continue to function at the same level; and

BE IT FURTHER RESOLVED that the Town Council hereby authorizes Raymond E. Shipman, Town Manager, to submit a request on behalf of the Town of Chapel Hill to Orange County for continuance of the Parks and Recreation Municipal Support funding upon the population formulae developed in past years.

This the 14th day of April 1980.

Mayor Nassif questioned the formula for arriving at a specific figure of support mentioned in the Manager's report to the Council. He noted however, that the resolution did not mention a specific figure but a percentage. The specific funds could still be negotiated. Council member Herzenberg questioned the whole computation, and expressed concern that the Council could set a precedent by accepting this formula. Mr. Shipman explained why he had used this formula. The Council continued to discuss the formula and how it had been arrived at.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER THORPE, THAT THE MATTER BE REFERRED BACK TO THE MANAGER AND RECREATION COMMISSION WITH THE REQUEST THAT THEY DRAFT A FORMULA REFLECTING THE LOGIC OF THE COUNCIL'S THINKING ON EQUITABLE DISTRIBUTION OF FUNDS BASED ON POPULATION DISTRIBUTION.

Council member Smith was concerned about putting a higher demand on County funds which would in turn put a higher demand on citizens through taxes. Council member Howes responded that the Council was only asking for a more equitable distribution.

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Mr. Shipman pointed out the Recreation Commission had considered a number of alternative formulas but had recommended none of them. If the Council thought an equitable distribution 62% of the total county recreation funds, then he could request this amount from the County without the Recreation Commission again considering the matter.

Mayor Nassif thought it better to ask the County for their justification of the total \$80,000 figure before rejecting that figure.

THE SUBSTITUTE MOTION WAS CARRIED BY A VOTE OF SIX TO THREE WITH COUNCIL MEMBERS BOULTON, HERZENBER, KAWALEC, STRALEY, THORPE, AND WALLACE SUPPORTING AND COUNCIL MEMBERS HOWES, SMITH AND MAYOR NASSIF OPPOSING.

Resolution Regarding Continued County Support for the Chapel Hill Public Library

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING CONTINUED COUNTY SUPPORT FOR THE CHAPEL HILL PUBLIC LIBRARY

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expresses its appreciation to the Orange County Board of Commissioners for the County's previous funding of the Chapel Hill Public Library.

BE IT FURTHER RESOLVED that the Council of the Town of Chapel Hill urges the Board of Commissioners to support the Chapel Hill Public Library on the basis of the ratio of non-municipal users of the Library (21%) to total expenditures.

BE IT FURTHER RESOLVED that the Council of the Town of Chapel Hill hereby authorizes Raymond E. Shipman, Town Manager, to submit a request on behalf of the Town of Chapel Hill Public Library funding.

This the 14th day of April, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Report Regarding Mason Farm Road Traffic

Mr. Shipman had distributed a report regarding the measures taken to reduce traffic hazards on Mason Farm Road and their effect. Mr. Hugh Huff submitted a letter asking that traffic counts be taken on Hibbard Drive and Purefoy Road as well. He believed that much of the traffic on Mason Farm Road had been diverted to Hibbard and Purefoy. The large numbers of children on these streets created a traffic hazard. Mr. Shipman responded that his report had dealt with Mason Farm Road and Otey's Road as these were the streets he had been directed to study in the special use permit issued to the University. The changes had had an effect. He recommended the petition be referred to himself and the Streets and Public Safety Committee. He commented that East Drive, which was still one-way, could cause a problem. COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBERS WALLACE, TO REFER THE PETITION TO THE MANAGER AND STREETS AND PUBLIC SAFETY COMMITTEE TO REPORT BACK TO THE COUNCIL AT THE NEXT MEETING. THE MOTION WAS CARRIED UNANIMOUSLY.

Fire Station North

Mr. Hooper reported the staff had considered two locations, the site at the intersection of Weaver Dairy Road and Airport Road, and the Cedar Falls Park. After considering the advantages of both sites, the staff was recommending the fire station be located at the intersection of Weaver Dairy Road and Airport Road. He explained this would give a better area of coverage. As the land at Cedar Falls had been purchased with HUD funds, the town could not use a portion of the land for the fire station without exchanging its for land at another location, possibly Hargraves.

Mayor Nassif reviewed the recent commercial growth which could be covered by a station at Cedar Falls. He believed growth would occur northeast of town which could also be covered by this station. Mayor Nassif discussed distances of subdivisions from both locations. The fire station at Cedar Falls would reduce vandalism at the park. Council member Smith commented that although Mayor Nassif had discussed the possibility of the town providing coverage to Stoneridge and Northwood, these were outside the town's jurisdiction. Seawell School was in the town but would not be covered by a station at Cedar Falls. Also the bond referendum was passed with the station located at Weaver Dairy Road and Airport Road. Mr. Hooper added that policy of the fire department dictated that service for Brendle's and commercial buildings in this area would be served by station number 3 with back-up from station number 1. Council member Kawalec asked if more protection could be provided at the parks to prevent vandalism. Mr. Shipman said the data on vandalism was incomplete. Since Cedar Falls was isolated, it would be more of a problem than other parks. Mr. Secrist was preparing a report on the vandalism for the budget. Council member Howes thought the manager's recommendation best, but suggested the Council begin to think of a fire station near Weaver Dairy Road and Mr. Moriah Church Road as growth would occur in this area. Council member Thorpe agreed that the station should be located at the corner of Weaver Dairy Road and Airport Road as this was where the citizens had approved the location in the bond referendum.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING LOCATION OF THE FIRE STATION NORTH

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town will locate the Town's Fire Station North at the intersection of North Carolina Route 86 and Weaver Dairy Road, upon Town-owned land at that location.

This the 14th day of April, 1980.

THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO TWO WITH COUNCIL MEMBERS BOULTON, HOWES, KAWALEC, SMITH, STRALEY, THORPE AND WALLACE SUPPORTING AND COUNCIL MEMBER HERZENBERG AND MAYOR NASSIF OPPOSING.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO ADOPT A CAPITAL DEVELOPMENT PROJECT FOR A FIRE FIGHTING STATION AND EQUIPMENT

BE IT ORDAINED by the Council of the Town of Chapel Hill that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the construction of a 3,800 square foot fire station at the intersection of NC 86 and Weaver Dairy Road and the purchase of a pumper truck and related equipment to be housed in the fire station. The fire station will enable the Town to provide improved fire protection to the newly annexed area and to the rapidly developing areas north of the present incorporated city limits.

Section 2. The Manager of the Town of Chapel Hill is hereby directed to proceed with the implementation of the project within the terms of the grant agreement executed with the Department of Housing and Urban Development and within the funds appropriated herein.

Section 3. The following revenue is anticipated to be available to the Town to fund construction of the fire station and acquisition of equipment:

Bond proceeds authorized in November 6, 1979, Referendum \$450,000

Section 4. The following amounts are appropriated for the project:

Architect and Engineer	\$ 34,000
Construction	261,140
Equipment	106,000
Legal and Fiscal	4,000
Contingency	<u>44,860</u>
TOTAL	\$450,000

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Section 5. All funds expended from the General Fund on behalf of this project shall be repaid to the General Fund from the capital project.

Section 6. The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget. He shall also keep the Council informed at each regular meeting of any unusual occurrences.

Section 7. Copies of this project ordinance shall be entered into the minutes of the Council and copies shall be filed within 5 days of adoption with the Manager, Finance Director, and Clerk.

This the 14th day of April, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Regarding Priorities for Continuation of Federal Grant Programs

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING PRIORITIES FOR CONTINUATION OF FEDERAL GRANT PROGRAMS

BE IT RESOLVED that the Council of the Town of Chapel Hill hereby expresses its support for the following priority ranking of federal grant programs other than General Revenue Sharing in order of importance to the Town of Chapel Hill.

1. Community Development Block Grants (HUD)
2. Federally Assisted Housing (HUD) (FHA)
3. Urban Mass Transportation Grants
4. Sewer Construction Grants (EPA 201)
5. Ridesharing (DOE)
6. RSVP (Action)
7. Bureau of Outdoor Recreation (BOR) Grants
8. Law Enforcement Assistance Administration (LEAA) Grants
9. Intergovernmental Personnel Act (IPA) Grants
10. Comprehensive Employment Training Act (CETA) Grants
11. Community Action Program Grants
12. Airport Development Grants
13. Economic Development Action Grants (EDA)

This the 14th day of April, 1980.

Council member Howes objected to the low ranking of the Airport. Although this did not affect Chapel Hill directly, he believed the growth of the Raleigh-Durham airport very important to the area. He moved to amend the resolution to change the ranking of Airport Grants to sixth. The Council agreed to the amendment.

THE FOLLOWING RESOLUTION WAS ADOPTED BY UNANIMOUS VOTE.

A RESOLUTION REGARDING PRIORITIES FOR CONTINUATION OF FEDERAL GRANT PROGRAMS

BE IT RESOLVED that the Council of the Town of Chapel Hill hereby expresses its support for the following priority ranking of federal grant programs other than General Revenue Sharing in order of importance to the Town of Chapel Hill:

1. Community Development Block Grants (HUD)
2. Federally Assisted Housing (HUD) (FHA)
3. Urban Mass Transportation Grants
4. Sewer Construction Grants (EPA 201)
5. Ridesharing (DOE)
6. Airport Development Grants
7. RSVP (Action)
8. Bureau of Outdoor Recreation (BOR) Grants
9. Law Enforcement Assistance Administration (LEAA) Grants
10. Intergovernmental Personnel Act (IPA) Grants
11. Comprehensive Employment Training Act (CETA) Grants
12. Community Action Program Grants
13. Economic Development Action Grants (EDA)

This the 14th day of April, 1980.

Resolution Regarding Relocation of the Frazer House

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING RESOLUTION

A RESOLUTION REGARDING RELOCATION OF THE FRAZER HOUSE

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorized the Town Manager to extend the time for the Frazer house to be relocated from the lot at 105 North Boundary Street until June 1, 1980, provided that Mr. Robert E. Cooper submits a written release from any claim if the house is not relocated by June 1, 1980.

This the 14th day of April, 1980.

Council member Smith asked if the Town's plans were crucial for this property, if any thing would be done to the property before June. Mr. Hooper responded that the town intended to improve the screening and landscaping. As the house was close to the property line, it would be difficult to move after the screening was constructed. The Library Board was selecting a consultant to do a feasibility study on the use of the site. Mr. Hooper expected his recommendation to include use of the site as additional parking. The deadline on the original agreement was February and the staff believed the extension to be reasonable. The Council discussed the possible changes, such as special use permit and planting in the fall.

Mr. Cooper explained that originally he had hoped to buy some property from an adjoining land owner and move the house just a few feet. These negotiations had not progressed as hoped as the adjoining land owner was considering development on his property. Mr. Cooper wanted more time to find an alternative site to move the house. Council member Straley asked how long it would take Mr. Cooper to have a crew ready to move the house once notified by the town they were ready to start work. Mr. Cooper believed it could be done in a month. Weather could cause difficulties. Council member Wallace noted that Mr. Cooper had been instrumental in the town's obtaining the property. The feasibility study could begin with the house still on the property. He moved to amend the resolution, seconded by Council member Herzenberg, to change the date to August 15, 1980. THE MOTION TO AMEND WAS CARRIED BY UNANIMOUS VOTE. THE RESOLUTION AS AMENDED WAS CARRIED BY UNANIMOUS VOTE.

A RESOLUTION REGARDING RELOCATION OF THE FRAZER HOUSE

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorized the Town Manager to extend the time for the Frazer House to be relocated from the lot at 105 North Boundary Street until August 15, 1980, provided that Mr. Robert E. Cooper submits a written release from any claim if the house is not relocated by August 15, 1980.

This the 14th day of April, 1980.

Resolution Requesting Designation for the Town of Chapel Hill as part of an "Area Center" Growth Center

COUNCIL MEMBERS HOWES MOVED, SECONDED BY COUNCIL MEMBER THORPE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REQUESTING DESIGNATION FOR THE TOWN OF CHAPEL HILL AS PART OF AN "AREA CENTER" GROWTH CENTER

WHEREAS, the Balanced Growth Policy of North Carolina, encourages economic progress and job opportunities throughout the State in a way designed to assure a healthy and pleasant environment and to preserve the State's natural resources, and

WHEREAS, this Policy provides for the designation of growth centers throughout the State, in an attempt to carry out the policy, and

WHEREAS, the Town of Chapel Hill has adopted as a goal the attainment of gainful and stable employment for a diverse population as well as policies

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encouraging the location of new employers which provide jobs for a wide range of skill levels, and reserving an adequate amount of suitable land to meet economic objectives.

THEREFORE, BE IT RESOLVED that the Town of Chapel Hill hereby requests designation as part of an "Area Center" growth center, in conjunction with the Town of Carrboro and Orange County.

This the 14th day of April, 1980.

Council member Smith asked when the citizens had had an opportunity for input. Mr. Shipman responded that there had been no public hearing on this matter. Council member Howes stated the State did not have a procedure to be followed. Although the implications of the designation were not clear, he was concerned that the town might be penalized in receiving grants because it had not sought the designation. Mayor Nassif believed the town should be cautious in requesting designation.

As they did not know the implications of designation, they should wait. There would be an opportunity in a year to again request designation. Council member Straley stated that he was not willing to have industrial plants in Chapel Hill; however, Chapel Hill was already a growth center. Council member Thorpe though the town should recognize that if Governor Hunt was re-elected, the State policy would continue in the current direction. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO TWO WITH COUNCIL MEMBERS BOULTON, HOWES, KAWALEC, SMITH, STRALEY, THORPE AND WALLACE SUPPORTING AND COUNCIL MEMBER HERZENBERG AND MAYOR NASSIF OPPOSING.

Historic District Commission

The Historic District Commission had recommended Mr. Lamberton, Ms. Kinnaird, Mr. Gurlitz, Mr. Tenney, Ms. Kyser and Mr. Peloquin for three positions on the Historic District Commission to expire December 21, 1982. Council member Kawalec voted for Ms. Kinnaird, Mr. Lamberton and Mr. Gurlitz; Council member Wallace for Ms. Kinnaird, Mr. Lamberton and Mr. Tenney; Council member Herzenberg for Ms. Kinnaird, Mr. Lamberton and Mr. Gurlitz; Council member Thorpe for Ms. Lamberton, Ms. Kinnaird, and Mr. Tenney; Council member Howes for Ms. Kinnaird, Mr. Lamberton and Ms. Kyser; Council member Boulton for Ms. Kyser, Ms. Kinnaird, and Mr. Peloquin; Council member Straley for Ms. Kinnaird, Mr. Lamberton and Ms. Kyser; Mayor Nassif for Ms. Kinnaird, Ms. Kyser and Mr. Tenney. Ms. Kinnaird, Mr. Lamberton, and Ms. Kyser were appointed.

The Council was notified of a vacancy on the Historic District Commission created by the resignation of Sam Baron, effective May 15, 1980.

Future Agenda Items

Council member Howes asked when Clearwater lake would be discussed. Mr. Shipman was considering advantages and disadvantages of purchasing the lake before making his recommendation and wanted to discuss this with the Council as part of the budget.

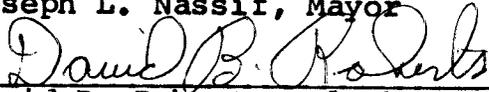
Council member Herzenberg had heard there were former members of the Council or town committees who had not received a resolution of appreciation for their service. He asked that this be investigated.

Mayor Nassif appointed Council members Boulton, Herzenberg and Thorpe to a committee for protocol.

There being no further business to come before the Council, the meeting was adjourned.



Joseph L. Nassif, Mayor



David B. Roberts, Clerk

Mr. Jonathan Kotch of Cynthia Drive, stated that one of the key issues in the annexation of North Forest Hills was the provision of bus service. He had ridden occasionally and had planned to ride regularly in the fall. He had given up his University parking sticker and was planning to sell his second car. Now, the Manager had proposed to eliminate the route to North Forest Hills. He agreed with Mr. Cohen that the "A" route should be continued for a longer trial.

Mr. James Britt, of JOCCA, wanted the town to be responsive to the needs of disadvantaged citizens. He asked that the town set aside allocations for benefits for the less fortunate. JOCCA would submit a proposal for stretching federal housing dollars which he believed would be an investment for the town.

Mr. Keith Aldridge, of JOCCA, stated they would submit a proposal to provide the town with Housing Rehabilitation Services which would be done by someone anyway. They would be asking for the money which would be normally paid for these services.

Mr. Burt Gurganus, Transit Operations Superintendent of the Transportation System in Chapel Hill, stated that the manager's proposed budget reduced the number of supervisors by one in the transportation department. He requested the Council consider upgrading the salary of both the supervisors and the dispatchers to grade 13, the level of other supervisors in other departments in the town. He argued that these were management level personnel and should be paid accordingly. The upgrade of these positions would cost the town \$5400/year.

Mr. Barry Popkin of Dogwood Drive, wanted the town to acquire Clearwater Lake from the YMCA. He thought the lake should remain public and asked that the Council take the advice of the Recreation Commission to acquire the lake. Mr. Popkin said the future of Jordan Lake was questionable. He suggested the town inquire into alternative means of financing the purchase.

Ms. Sally Cummings of Rt. 8, informed the Council that her family used the lake frequently during the summer for swimming and picnicing. There were no swimming facilities in her neighborhood and her family could not afford a private club. She encouraged the Council to purchase Clearwater Lake.

Ms. Liz Stanley of North Estes Drive, urged the town to explore all options for purchasing the lake. The Y would make concessions to sell the lake to the town.

Mr. Manual Costa of Smith Level Road, stated he was willing to pledge \$500 to the town for the purchases of Clearwater Lake. He thought the Council should defer other purchases for the lake.

Mr. Jacques Menache of the Art School, stated his request of \$4000 had been denied by the Manager. The Art School had more than doubled its service to the Chapel Hill community. He suggested that the school could be given more space in Lincoln as the town was renovating that building.

Mr. Rick Suberman of the Art School, also requested support for the Art School. He noted that art had never paid for itself, but had been supported by society.

Mr. Jeff Base of Rt. 7, requested the town to acquire Clearwater Lake.

Ms. Robin Miller of Rt. 3, had grown up in a community which had no public facility such as Clearwater Lake. She and others had then trespassed on private property often in dangerous situations. She urged the town to buy the lake.

Ms. Leslie Scott of Barclay Road, commented that small children did not enjoy the recreational facilities offered by Chapel Hill such as softball, tennis and soccer. They had different needs which could be partially filled by the lake.

Mr. Scott Herman-Giddens thought the town should acquire Clearwater Lake now as it would not be able to afford it later. The town had not bought most of its parkland in the past, and should take advantage of this opportunity.

Mr. Ray Burby reminded the Council that the Recreation Commission recommendation differed from that of the Manager. He also noted that the comprehensive plan called for a park south of town by 1990. Clearwater Lake could serve this purpose.

Council member Straley asked that the schedule of budget worksessions be publicized so that the public could attend.

There being no further comments Mayor Nassif closed the public hearing for the recommended budget and called the public hearing for the Capital Improvements Program to order.

Mr. Hooper stated the CIP identified needs for the community and translated these needs into a tax rate with interest on debt service. The proposed CIP had been formulated from citizen requests, advisory commission recommendations, departmental recommendations, and from reports such as the community facilities report and the Transit Development Plan. The five year program totalled over \$15 million to come from town sources and grants. The first year's projects had been included in the Manager's recommended budget. Future improvements would have to be funded by bond referenda. Mr. Hooper listed the improvements proposed and the time schedule for each.

Council member Straley asked if the 60 acre park called for in 1984 or 1985 should be acquired now. Mr. Hooper explained that this park would be needed by 1990 and negotiation for acquisition should begin by 1985.

There being no further comments the public hearing was adjourned. Mayor Nassif reconvened the regular meeting.

Resolution Denying A Proposal for Rezoning

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DENYING A REQUEST FOR REZONING (INTERSECTION OF WEAVER DAIRY ROAD AND SR 1732)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the request to rezone a tract of 2.0 acres at the northwest corner of the intersection of Weaver Dairy Road and SR 1732, more particularly known as Chapel Hill Township Tax Map 17, Lot 16A, from Regional Commercial to Limited Business.

This the 12th day of May, 1980.

Council member Boulton asked if there would be any problem with rezoning if there were no structures on the property as existed now. Mr. Denny explained that the existence or non-existence did not prevent rezoning but could be used in determining the policy for rezoning areas.

Council member Boulton then asked if the best use of this property was commercial on the comprehensive plan. Mr. Jennings responded that the activity center for this area was not located on one particular tract. Council member Boulton objected to commercial uses across from the park and so near to residential property. Mayor Nassif reminded the Council that with rezoning the buildings already under construction would be non-conforming. Council member Smith inquired if there was any other property which had been rezoned commercial by the country which had been recently annexed by the town. Mr. Jennings said there was, but as the other tract had no commercial use on it the town had zoned it limited business.

THE MOTION WAS CARRIED BY A VOTE OF FIVE TO THREE WITH COUNCIL MEMBERS HERZENBERG, KAWALEC, SMITH, STRALEY, AND THORPE SUPPORTING AND COUNCIL MEMBERS BOULTON AND WALLACE AND MAYOR NASSIF OPPOSING.

Report with Recommendations Regarding Clearwater Lake

Mr. Shipman had distributed his report but recommended the discussion on the report be held in a worksession. Council member Boulton suggested a committee of Council members be formed to study the report and investigate the possibility of the lake as part of the southern park acquisition, alternative means of funding the purchase, and joint ownership with Carrboro and/or the County. Council member Kawalec thought these questions could be better addressed by the staff rather than the Council. However, the question of joint ownership could be studied by a task force of council members. Council member Boulton objected to a narrow direction for the task force as this could eliminate options. The task force could address all these questions and get information from the staff as needed.

Mr. Page informed the Council the Y had decided to sell Clearwater lake to meet financial obligations on the new building. Many of the pledges for this building had not been honored. The Y wanted an arrangement to sell the lake to someone before the next year to plan their budget. They wanted to maintain the camp at the lake for several years if the town owned it.

Mr. Popkin reiterated his request for the town to purchase the lake as a community facility. He suggested it be purchased as a part of the CIP.

The Council continued to discuss the question of what a task force should consider. Council member Straley said that although the staff could initiate negotiations with the Y, he did not want to limit the committee in its investigation. Council member Thorpe suggested that if Council member Kawalec wished to serve on the committee she could ask the staff for all information needed. COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER WALLACE, THAT THE COUNCIL ESTABLISH A COMMITTEE TO PROPOSE A POLICY RELATING TO CLEARWATER LAKE TO THE COUNCIL. Council member Kawalec did not wish to serve on this committee. Mr. Denny advised the Council if it wanted details on purchasing the property from the staff, it would need to authorize expenditure of funds. Council member Boulton wanted the staff to come back to the Council if a specific expenditure was needed. Mayor Nassif added that included in the possible recommendations of the committee would be the non-acquisition of the lake, and that he would vote for the establishment of such a committee only on that condition. THE MOTION WAS CARRIED UNANIMOUSLY. Council member Thorpe noted that he voted for the motion to get information for the Council. Council members Boulton, Smith and Wallace agree to serve on the committee.

Resolution Regarding the West Franklin Street Lot

Mr. Hooper explained that although the Wilbur Smith parking study two years ago had projected a need for parking in the West Franklin Street area, the purchased lot was not being used. The staff had investigated the parking to find if a similar decrease in demand had occurred in the two downtown lots. It had. Although the demand for parking would continue to be monitored the staff was suggesting alternative means for reducing the losses of operating the West Franklin Street parking lot. Mr. Hooper then reviewed those alternatives.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING THE WEST FRANKLIN STREET LOT

BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF CHAPEL HILL that the Council hereby directs the Town Manager to make the following changes in the operation of the West Franklin Street Parking Lot:

Lower the rate for hourly parking to a flat 25¢/hour, and

Rent spaces for monthly parking at the rate of \$15.00/month.

This the 12th day of May, 1980.

Council member Straley thought this to be more costly. Mr. Hooper explained that it would be more costly to have an attendant but there would be more control over the parking. Limiting parking by posting of a sign would be impossible to enforce. Council member Smith was concerned the Council would be providing a benefit for part of the town that it was not providing for the rest if parking was free in this lot. Council member Boulton inquired how many years the spaces would be rented for. Mr. Hooper responded the goal was still to provide short-term parking. As soon as the demand for short-term parking was evident, the town would reduce the number of spaces being rented monthly. Mayor Nassif suggested that the town should study the possibility of renting some of these spaces to University Square for tenant parking. Perhaps the whole lot could be leased to businesses. Council member Wallace asked that signs be put up to direct drivers to the lot. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH COUNCIL MEMBERS BOULTON, HERZENBERG, HOWES, KAWALEC, SMITH, THORPE AND MAYOR NASSIF SUPPORTING AND COUNCIL MEMBER STRALEY OPPOSING.

Resolution Authorizing Submission of a Charter Amendment with Respect to Filling Vacancies in the office of Mayor and Council

Mr. Denny had prepared a bill in accordance with preliminary instructions given by the Council. The bill contained the language of the charter before the change made in the charter rewrite of 1975. He explained that in the case of a resignation from the Council, a replacement would be appointed only until the next general election. Instead of candidates specifically running for a two year term at that time, the candidate with the fifth highest number of votes would be elected to the short term. Council member Wallace was concerned that the language was not clear as to the Council's intention. Mr. Denny and the Council discussed the procedure which would be followed in each case according to the proposed bill.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION AUTHORIZING THE SUBMISSION OF A CHARTER AMENDMENT TO THE GENERAL ASSEMBLY OF NORTH CAROLINA WITH RESPECT TO THE APPOINTMENT FOR VACANCIES IN TERMS OF ELECTED OFFICIALS

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CHAPEL HILL, that the Town Attorney is hereby authorized and directed to present to the local Representative in the General Assembly of North Carolina, the proposed Special Act attached hereto and made a part hereof, for processing and ratification by the General Assembly at its earliest possible date.

This the 12th day of May, 1980.

AN ACT TO AMEND CHAPTER ____, SESSION LAWS 1979, WITH RESPECT TO THE CHARTER OF THE TOWN OF CHAPEL HILL

THE GENERAL ASSEMBLY OF NORTH CAROLINA DOES ENACT:

SECTION I

That Chapter ____, Session Laws 1979, with respect to the Charter of the Town of Chapel Hill be and the same is hereby amended by rewriting Section 2.4 (now under local revision Section 2.3) of Chapter II to read as follows:

"If any elected town officer shall fail or refuse to be qualified, or if there is a vacancy in any elective town office after qualification, or if the holder of any such office be unable to discharge the duties of the office, then such vacancy shall be provided in the following manner;

- a. A vacancy occurring in the office of mayor, which occurs during the first twenty (20) months of the mayor's term shall be filled by Council appointment only until the next general municipal election at which time the mayor shall be elected to a term of (4) years.

- b. A vacancy occurring on the Council shall be filled by Council appointment until the next general municipal election. In the event such vacancy shall have occurred during the initial two years of such council member's four year term, the candidate receiving the fifth highest number of votes (and if necessary the 6th, 7th and 8th highest number) following those elected for full four-year terms, shall be declared elected to the remainder of said unexpired term, and until the next general election at which time such vacancy shall be filled in the manner provided in Section 2.1".

SECTION II

This Act shall be in full force and effect from and after its ratification.

Mr. Cohen pointed out that a resignation after the filing deadline for the election would result in the ballots calling for an incorrect number of choices. Mr. Denny explained that with the bill the candidate with the fifth highest number of votes would still be elected to the short office. The Council discussed this problem. COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER WALLACE, TO STRIKE THE WORDS "to the remainder of said unexpired term, and" from paragraph b. The Council agreed to this amendment. THE FOLLOWING RESOLUTION WAS ADOPTED BY A VOTE OF SEVEN TO ONE WITH COUNCIL MEMBERS BOULTON, HERZENBERG, HOWES, KAWALEC, SMITH, STRALEY, AND THORPE SUPPORTING AND MAYOR NASSIF OPPOSING.

A RESOLUTION AUTHORIZING THE SUBMISSION OF A CHARTER AMENDMENT TO THE GENERAL ASSEMBLY OF NORTH CAROLINA WITH RESPECT TO THE APPOINTMENT FOR VACANCIES IN TERMS OF ELECTD OFFICIALS

This the 12th day of May, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Calling a Public Hearing (Handicapped Mobility Plan)

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER BOULTON ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CALLING A PUBLIC HEARING ON HANDICAPPED MOBILITY PLAN

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 p.m. on June 9, 1980, in the Meeting Room of the Chapel Hill Municipal Building, 306 North Columbia Street, to consider a Handicapped Mobility Plan for the Town of Chapel Hill.

This the 12th day of May, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Calling a Public Hearing (Application for 1980-81 Small Cities Community Development Grant Application)

COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CALLING A PUBLIC HEARING (APPLICATION FOR 1980-81 SMALL CITIES COMMUNITY DEVELOPMENT GRANT)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 p.m. on June 9, 1980 in the Meeting Room of the Chapel Hill Municipal Building, 306 North Columbia Street, to consider the application of the Town of Chapel Hill for a 1980-81 Community Development Small Cities Program grant in the amount of \$700,000.

This the 12th day of May, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Calling a Public Hearing on Annexation

The Deputy Clerk informed the Council a petition for annexation of property identified as Tax Map 18, Lot 13A, was valid, and had been certified by the Clerk. COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CALLING A PUBLIC HEARING ON ANNEXATION (FIRE STATION #4)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 p.m. on May 26, 1980, in the Meeting Room of the Chapel Hill Municipal Building, 306 North Columbia Street, to consider annexation of Fire Station North, a six-acre site on the wet side of the intersection of NC 86 and Weaver Dairy Road.

This the 12th day of May, 1980.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CHAPEL HILL, that the Town Attorney is hereby authorized and directed to present to the local Representatives in the General Assembly of North Carolina, the proposed Special Act attached hereto and made a part hereof, for processing and ratification by the General Assembly at its earliest possible date.

This the 12th day of May, 1980.

A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER _____, SESSION LAWS 1975, WITH RESPECT TO THE CHARTER OF THE TOWN OF CHAPEL HILL

THE GENERAL ASSEMBLY OF NORTH CAROLINA DOES ENACT:

SECTION I

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SECTION II

This Act shall be in full force and effect from and after its ratification.

Resolution Setting a Public Hearing on the Manager's Recommended Budget

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION SETTING A PUBLIC HEARING ON THE MANAGER'S RECOMMENDED BUDGET

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby sets a public hearing on the manager's recommended budget for 1980-81 and Capital Improvement Program for the 1980-85 for its regular meeting at 7:30 p.m. on June 2, 1980 in the Meeting Room of the Municipal Building, 306 N. Columbia Street.

This the 12th day of May, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Calling a Public Hearing (Handicapped Mobility Plan)

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER BOULTON ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CALLING A PUBLIC HEARING ON HANDICAPPED MOBILITY PLAN

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This the 12th day of May, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

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THE MOTION WAS CARRIED UNANIMOUSLY.

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This the 12th day of May, 1980.

Bids

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REJECTING BIDS ON GAME TABLES

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town has received the following bids on May 1, 1980.

Bidders & Bid

<u>Item</u>	<u>Louisville Billiard Supply Co.</u>	<u>Pro-Play Quality Equipment</u>	<u>Sydney-Laner & Co.</u>	<u>Met-Tech., Inc.</u>	<u>U.S. Games, Inc.</u>	<u>Saunie Wilhem Co.</u>
2 Pocket Billiard Tables	\$2,094.00	\$2,390.00	\$1,978.00	\$1,589.00	\$1,775.88	No Bid
4 Table Tennis Tables	500.00	620.00	1,276.00	No Bid	1,880.32	No Bid
1 Bumper Pool Table	495.00	545.00	357.00	449.50	No Bid	360.00
2 Table Soccer Tables	840.00	980.00	No Bid	990.00	763.66	No Bid
1 Hockey Table	540.00	535.00	435.00	475.00	471.44	No Bid

AND BE IT FURTHER RESOLVED that the Council hereby rejects all bids as being invalid or too high and directs that the items be rebid.

This the 12th day of May, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR INSTITUTIONAL FURNITURE

WHEREAS the Town of Chapel Hill has solicited formal bids on April 18, 1980 and the following bids have been received:

BIDDERS & BIDS

ITEM

<u>Item I.</u>	<u>Alfred Williams Company</u>	<u>Brame Office Products</u>	<u>Carolina Copy Center</u>	<u>Carolina Office Supply</u>	<u>J.E. Pope Company</u>	<u>Triangle Office Equipment</u>
<u>Chairs & Accessories</u>						
A. 200 Stack Chairs	\$3,280.00	<u>\$3,192.00</u>	\$4,300.00	\$3,536.00	\$3,288.00	\$3,220.00
B. 16 Chair Caddies	496.00	*481.60	432.00	535.20	528.16	487.52
C. 250 Folding Chairs	1,792.50	<u>1,740.00</u>	1,587.50	1,932.50	1,952.50	1,760.00
D. 5 Folding Chair Caddies	375.00	<u>363.15</u>	468.90	403.40	387.45	367.50
E. 3 Modular Seating Units						
1. Two Units	470.00	431.40	No Bid	479.26	305.88	436.58
2. One Unit	140.00	** 127.47	No Bid	141.82	97.50	128.99
<u>Item II. Tables & Accessories</u>						
A. 3 Pedestal Tables	285.00	263.49	No Bid	<u>210.84</u>	258.55	266.00
B. 36 Folding Tables	1,728.00	* <u>1,635.48</u>	1,386.00	<u>1,816.02</u>	1,852.92	1,655.00
C. 3 Folding Table Trucks	249.00	<u>231.00</u>	254.10	256.55	247.59	<u>233.00</u>
<u>Item III. Folding Stages</u>						
A. 4 Folding Stages	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
B. 1 Set Stage Steps	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid

Underlined items recommended for acceptance.

*Recommending purchase of 8 chair caddies (\$240.80) and 30 folding tables (\$1,362.90) only.

**Recommending deletion of this item.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Carolina Office Supply for the underlined items in the amount of \$210.84 and the bid of Brame Office Products for the underlined items as amended in the amount of \$7,551.25.

This the 12th day of May, 1980.

Council member Smith asked if the cabinets would hold all of the chairs. Mr. Shipman said they would. THE MOTION WAS CARRIED UNANIMOUSLY.

Nominations and Appointments

The Planning Board had nominated Virginia Cunningham to fill the position created by the resignation of Jane Stein.

Mr. Reeve had requested Ms. Cunningham also be appointed for a full term effective July 1, 1980. Mr. Denny advised that although the Council could appoint Ms. Cunningham until June 30, as Council member Howes was absent it could not appoint her for a full term. COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER THORPE, TO TAKE NO ACTION AT THIS MEETING AND PLACE THE MATTER ON THE AGENDA OF THE NEXT MEETING. Council member Kawalec wanted to take some action at this meeting because Ms. Cunningham had been waiting for several weeks for a decision. THE MOTION WAS DEFEATED BY A VOTE OF FIVE TO THREE WITH COUNCIL MEMBERS BOULTON, HERZENBERG, KAWALEC, WALLACE, AND MAYOR NASSIF OPPOSING.

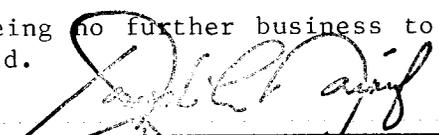
COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO APPOINT MS. CUNNINGHAM FOR UNEXPIRED TERM OF JANE STEIN. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH COUNCIL MEMBERS BOULTON, HERZENBERG, KAWALEC, STRALEY, THORPE, WALLACE AND MAYOR NASSIF SUPPORTING AND COUNCIL MEMBER SMITH OPPOSING. Council member Thorpe explained he had voted for the motion to delay action because he did not believe it appropriate to appoint someone for only 30 days.

The Library Board of Trustees had submitted the names of Tobin Savage and Lallie Godschalk for nomination for positions on the Board. Council member Boulton inquired why the Board of Trustees served for terms of 6 years rather than 3 as most of the boards and commissions. Mr. Denny thought the term probably set by the General Statutes. After discussion, the Council agreed to have a resolution changing the terms on the next agenda for consideration. Council member Smith pointed out this should not affect members which would be appointed to the two positions coming vacant June 30.

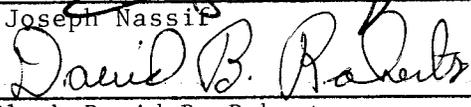
Future Agenda Items

Council member Kawalec asked for a recommendation from the staff on reducing parking rates at the municipal lots in the evenings.

There being no further business to come before the Council, the meeting was adjourned.



Mayor Joseph Nassif



Town Clerk David B. Roberts