

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Special Meeting at 4:00 p.m. o'clock in the Town Hall on June 10, 1962, with the following members present: Mayor McClamroch; Aldermen Page, Wager, Strowd, Walters, Robinson and Giduz; Town Manager Peck and Town Auditor Peacock.

The Mayor stated that the purpose of the meeting was to receive budget recommendations as compiled by Town Manager Peck for the 1962-63 Annual Budget. The aldermen took no action on the budget until further study can be made.

Budget Request of Chapel Hill Library

Mrs. Wettach came before the Board and supplied facts and figures to support the request for \$12,170. She said they are in hopes of getting \$2,000 from Orange County as about 50% of the readers are residents of the County and do not pay Town of Chapel Hill taxes.

Request of Wm. Hunt - Laurel Hill Subdivision
Preliminary Plat

Mr. Wm. Hunt accompanied by surveyor Robert Ayers appeared before the Board to urge speedy approval of extension of time for his subdivision which had been tabled at the meeting on June 11, 1962, pending location of a road proposed by the Thoroughfare Plan.

Alderman Page moved that the Planning Board call a special meeting to undertake a study of the Hunt - Laurel Hill Subdivision, seconded by Alderman Robinson, and unanimously carried.

The meeting included an inspection survey of McMasters Street, and points which may be considered for urban redevelopment.

Adjournment: 7:52 p.m.

Robert M. McClamroch

June 18, 1962.

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting on June 26, 1962 at 7:30 p.m. o'clock in the Town Hall with the following members present: Mayor McClamroch; Aldermen Page, Wager, Walters, Giduz, Robinson and Strowd; Town Attorney LeGrand and Town Manager Peck.

Minutes of the June 11, and June 18, 1962 meetings were approved on a motion by Alderman Wager, seconded by Alderman Strowd, and unanimously carried.

Oral Petitions:

R. A. Jolly Sewer Request

The Board again discussed the request of Mr. Jolly for an extension to the sewer line to make it possible to connect his property at 806 E. Franklin Street. Attorney L. J. Phipps, counsel for Mr. Jolly stated that it is a hazard to the health of those residing in that area; that this house has been build for about twenty years;

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that Mr. Lytle will not give an easement across his property and thinks Mr. Jolly should not be required to pay about \$1,400 to connect. Mayor McClamroch stated that the policy adopted last fall has been adopted by many Towns, and that this method makes those who are most benefitted, pay for the line which is extended.

Laurel Hill Subdivision - Preliminary Plat

Mayor McClamroch stated that on June 25 the Planning Board Subdivision Committee recommended the approval of the re-submission of the Preliminary sketch of the Laurel Hill Subdivision subject to revisions or additions as follows:

1. Sewer easements be shown.
2. Utility easements be shown.
3. Storm drainage easements be shown.
4. Water system with proposed fire hydrant locations be identified.
5. Proposed use of the northeast triangle adjacent to the Arboretum be designated.
6. Acceptable percolation test results be obtained by the Health Department.
7. Acceptance by the board of the proposed North-South radial between Pittsboro Road and Raleigh Road. Without continuation of this radial north of Morgan Creek, Ashe Drive north of Bayberry Drive would exceed the stated maximum length (400 ft.) for a cul de sac.

The Board agreed that a recommendation should be received from the Planning Board before action is taken by this Board. Attorney Phipps stated that Mr. Hunt hopes that the matter will be considered by the Planning Board July 2 and action taken by the Aldermen on July 9, as his loan can be extended until that time. No action was taken, pending a recommendation from the Planning Board.

Re: Ranson, Coenen, Creech Properties

Mr. John Foushee, agent for the Chapel Hill Parking Association urged that the Town proceed with taking title to the Ranson property, so that the property may be quickly developed. He stated that the purchase price will be \$40,000 plus interest, less income received; that they must pay the entire 1962 year's taxes to the County. Alderman Walters moved that the Town Attorney be authorized to prepare a lease between the Parking Association and the Town for the purchase of the Dale Ranson property at 146 E. Rosemary Street (72' x 150'); that the Mayor and Town Clerk be authorized to execute such lease when properly drawn, and that the Town Manager be authorized to then proceed with the development of the property, seconded by Alderman Strowd, and unanimously carried. Mr. Foushee was greatly concerned that the Town did not come to an agreement with Mrs. Frederic Coenen and Walter Creech for the purchase of their properties as he does not think the Ranson property which is 72' x 150' will be sufficient area; that these properties will probably never be offered at this price again; that the lot across the street which the Town might purchase, will^{not} be available for at least 18 months. He urged that the Town reconsider this matter. Mayor McClamroch stated that he believed the Board felt that the Town could not be bound by the strict requirements contained in the Coenen-Creech offer to sell, rather than because it is not needed by the Town. The Board requested Mr. Foushee to bring a written statement by Carl Smith stating that revenue bonds can be sold among the local merchants.

Sewer Service Charges

Alderman Walters moved the adoption of the following:

AN ORDINANCE RELATING TO SEWER TAX AND CHARGES

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

A sewer tax and charge on each house or building connected to the municipal sanitary sewerage system is hereby levied at the following rates:

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A. On each structure located within the town limits, a charge of fifteen cents (15¢) per one thousand (1,000) gallons of water used in such structure during the calendar year immediately prior to the year in which the sewer tax is levied, as recorded and shown on the water meter readings and records of the University Service Plants; provided, however, that regardless of the amount of water used there shall be a minimum charge of Twelve Dollars (\$12.00) per year for each dwelling unit in any structure, which minimum charge shall apply to any building completed during the calendar year prior to the year in which the tax is levied; provided further, that an ice manufacturing plant, whose principal consumption of water is for the manufacture of ice, shall not be charged in excess of twice the minimum yearly charge; provided further, that a maximum sewer charge for any residential unit shall be two and one-half ($2\frac{1}{2}$) the minimum charge; and, provided further, that the owner of a building, either residential or commercial, may, at his or her own expense, install a water meter to measure the water that is not returned to the sanitary sewer system, and the water that is registered by this meter shall be deducted from the total water used in the building and the result be used as a basis for computing the sewer charge. Any connection to the water line beyond this meter from which water could be returned to the sanitary sewer shall be considered an improper connection. It is the intent of this section to limit exempt uses to air conditioning and sprinkler or irrigation systems.

The installation of a meter to record water not returned to the sanitary sewer shall require a plumbing permit and inspection. Each year, between December 1st and January 31st, the Plumbing Inspector shall read the meter, which reading shall be used in the computation of the sewer charges. At each annual reading, the Plumbing Inspector shall inspect the plumbing system of the building to ascertain if any improper water connections have been made beyond this extra meter. The Plumbing Inspector shall have the right to inspect the building any time during the year for any improper connection to the water line.

Where an improper connection is found, no credit shall be allowed in sewer computations for any year in which it was connected.

The maximum charge for residences shall become effective with the sewer charges levied with the 1962 Town taxes. In commercial buildings where a separate meter is installed prior to January 1, 1963, an adjustment may be made upon application to the Board of Aldermen for adjustment on the sewer charge levied with the 1962 and 1963 taxes. The application must be supported by monthly water meter records from the University Service Plants covering the period for which the application is made.

B. On each structure located outside the town limits, the rates shall be two and one-half ($2\frac{1}{2}$) times those set forth in Subsection A, hereinabove.

SECTION II.

All ordinances in conflict herewith are hereby repealed.

This the 26 day of June, 1962.

Seconded by Alderman Wager, and unanimously adopted.

Alderman Walters moved that sewer charges on Schools, be referred to the Finance Committee, seconded by Alderman Giduz, and unanimously carried.

Final Plat - Hargraves Terrace

Mr. George Spicer, subdivider of Hargraves Terrace urged that the Board of Aldermen approve the Final Plat as he has four houses ready for sale; that other than putting another coat of gravel on the area, he has done all he was to do. Alderman Page moved that the recommendation of the Planning Board to approve this final plat, be upheld, subject to Town Manager's signature, seconded by Alderman Giduz, and unanimously carried.

Appointments

The Board discussed the vacancies created on the Planning Board: one in the County to replace Walter Spearman, and replacement for Stuart Chapin for the Town. Alderman Walters moved that Ross Scroggs, who has shown unusual interest in planning affairs, be appointed to replace Stuart Chapin for a five year term, seconded by Alderman Robinson, and unanimously carried.

Library Board

The Library Board has recommended that a person qualified to act as treasurer be appointed. The terms of Mrs. Nancy Sitterson and Gordon Perry have terminated. Several persons were recommended by the Library Board but the question arose as to double office holding. The Board of Aldermen requested the Town Attorney to get information on this. Alderman Stroud suggested the name of Mr. Wm. Harrison, and Alderman Robinson suggested Mrs. Vivian Foushee. No action was taken.

Committee on Employment of the Handicapped.

Mayor McClamroch read a letter from the governor wherein it is urged that a committee be appointed to aid the handicapped in gaining employment. Alderman Walters stated that someone from the personnel division of the University should be appointed. Alderman Giduz suggested the name of Virginia Stone, Alderman Robinson suggested Bynum Weaver. No action was taken.

Zoning

Alderman Walters moved the adoption of the following:

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", as adopted March 14, 1955, and as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM RA-20 to RA-15

WHEREAS, after due advertisement as provided by law, a joint public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill, on May 28, 1962, to consider a request for rezoning the area hereinafter described from "RA-20 to RA-15"; and,

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen the rezoning of the area hereinafter described, as requested, from "RA-20 to RA-15"; and

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said area;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from "RA-20 to "RA-15, and that the uses permitted in areas designated as RA-15, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

All that certain tract or parcel of land situated, lying and being in Chapel Hill Township, Orange County, North Carolina, adjoining the lands of Nellie Lloyd Ferrell and others and on the South Side of Ephesus Church Road and more particularly described as BEGINNING at an iron stake a corner of the Nellie Lloyd Ferrell property and which stake is a short distance South of the telephone cable line right of way and in the South Side of Ephesus Church Road and running thence with the said Ferrell line South 5 degrees 13 minutes West 3,152 feet to an

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iron stake in a branch; running thence South 88 degrees 30 minutes East 442 feet to a concrete marker, a corner of Tract 5 of the Jule Carr Lloyd Land; running thence with the line of that tract North 4 degrees 40 minutes East 3,152 feet to the center of the Chapel-Hill-Ephesus Church Road witnessed by an iron stake in the South side thereof; running thence along the center of said road North 88 degrees 30 minutes West 412.5 feet to the beginning, containing 30.9 acres, more or less, as surveyed and plotted by Robert A. Jones, Registered Surveyor in June 1958.

SECTION II.

All ordinances, laws and clauses of laws in conflict herewith are hereby repealed.

This the 26 day of June, 1962.

Seconded by Alderman Strowd, and carried.

Alderman Giduz moved the adoption of the following:

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", as adopted March 14, 1955, and as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM RA-20 and AGRICULTURAL to REGIONAL COMMERCIAL.

WHEREAS, after due advertisement as provided by law, a joint public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill, on April 24, 1962, to consider a request for rezoning the area hereinafter described from "RA-20 and Agricultural to Regional Commercial; and,

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen the rezoning of the area hereinafter described, as requested, from RA-20 & Agricultural to Regional Commercial, and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said area;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from "RA-20 and Agricultural to "Regional Commercial, and that the uses permitted in areas designated as "Regional Commercial, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

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BEGINNING on the North side of U.S. Highway 15-501 at an old pipe, corner with the property of Theodore Danziger; 580 feet along the highway North 61 degrees 30 minutes East from the intersection with County Road #1741; running thence along and with said Danziger's Eastern line North 0 degrees 56 minutes 30 seconds East 408.98 feet to an old iron bar; running thence South 89 degrees 52 minutes 00 seconds East 211.98 feet to an old pipe; continuing thence South 87 degrees 55 minutes 00 seconds East 487.88 feet to a point on the Northern right of way of U.S. 15-501; running thence along and with the Northern right of way line of said highway South 61 degrees 03 minutes 00 seconds West 583.38 feet and 223.74 feet to an old iron pipe the point and place of BEGINNING and containing 3.3 acres more or less.

SECTION II.

All ordinances, laws and clauses of laws in conflict herewith are

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hereby repealed.

This the 26 day of June, 1962.

Seconded by Alderman Wager, and carried.

Alderman Page moved the adoption of the following:

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", as adopted March 14, 1955, and subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM RA-20 and AGRICULTURAL to REGIONAL COMMERCIAL

WHEREAS, after due advertisement as provided by law, a joint public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill, on April 24, 1962, to consider a request for rezoning the area hereinafter described from "RA-20 and Agriculture to Regional Commercial; and,

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen the rezoning of the area hereinafter described, as requested, from "RA-20 and Agriculture to Regional Commercial; and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said area;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

Section 1126
That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from "RA-20 and Agriculture to "Regional Commercial, and that the uses permitted in areas designated as "Regional Commercial, as set forth in said zoning ordinance, shall hereafter apply to the following described area: Starting at a point 250 feet west of the west boundary of U. S. 15-501 bypass 250 feet north of the eastern edge of Bolin Creek; thence in a westwardly direction with the meanderings of Bolin Creek and 250 feet from the east edge of Bolin Creek about 2,500 feet to a point 250 feet east of the east boundary of E. Franklin Street (Durham Road); thence in a northwardly direction parallel to and 250 feet east from the east boundary of East Franklin Street about 410 feet to a point on the property line between E. N. Richards and D. B. McLennan; thence with the Richards property line north 64 degrees 26 minutes East about 148 feet; thence North 61 degrees 47 minutes East 83.6 feet; thence South 29 degrees 31 minutes East 52.5 feet; thence South 29 degrees 54 minutes East 179.2 feet; thence North 43 degrees 30 minutes East 390.2 feet; thence North 67 degrees 52 minutes East 692.9 feet; thence North 68 degrees 46 minutes East 359 feet; thence North 17 degrees 49 minutes East 203.9 feet; thence North 87 degrees 02 minutes East 112.1 feet; thence North 88 degrees 23 minutes East 91.0 feet; thence North 88 degrees 55 minutes East 232.1 feet; thence South 87 degrees 56 minutes East 233.7 feet; thence South 6 degrees 58 minutes West 15.0 feet; thence South 84 degrees 56 minutes West 254 feet; thence North 80 degrees 19 minutes East about 74 feet to a point on the line between E. N. Richards and Shelton Womble which point is 250 feet west of the western boundary of U. S. 15-501 bypass; thence southwardly parallel to the bypass and 250 feet from it for about 1,930 feet to the point of beginning.

SECTION II.

All ordinances, laws and clauses of laws in conflict herewith are hereby repealed.

This the 26 day of June, 1962.

Seconded by Alderman Walters, and carried.

Budget Request of District Health Office

Dr. Garvin, District Health Officer appeared in support of his request for \$1,525 in the 1962-63 Town Budget. He stated the Town's contribution had developed through mutual understanding with the County, Town, and University. He stated that there was some extra services provided in the Chapel Hill area, primarily checking conditions for septic tanks in proposed subdivisions. He also said that the contribution from the Town enabled him to keep an extra sanitarian in Orange County.

Alderman Giduz questioned the County's ruling that the dog warden should not operate in Chapel Hill. Dr. Garvin explained that there had been a misinterpretation of the law, and that for the past month or two the dog warden had been coming to Chapel Hill, and that a second dog warden had been requested of the County Commissioners.

Budget

The Board proceeded to discuss the budget. The annual contribution to the North Carolina Symphony was discussed. Alderman Page moved that as has been done in the past, the Town contribute \$100.00 under General Fund Appropriations #6900, seconded by Alderman Strowd, and unanimously carried.

The following changes were accepted:

#1611 Fire District	-	Approved \$9,500 estimated revenue for 1962-63.
#6000 Gen. Government appropriation		\$65,427
#6210 Police Department	"	108,972
#6500 Health Department	"	1,525
#8000 Contingencies		4,868

The finance committee recommended dropping the collision insurance for the police cars and increasing the limits on liability insurance with no change in total appropriation for insurance as follows:

	<u>Bodily Injury</u>	<u>Property Damage</u>
Automobile	\$50/100,000	\$ 25,000
General	25/ 50,000	25,000

This was approved.

The Board agreed that the \$300.00 included in the 1961 budget under 501A was intended for W. D. Blake for use of his personal car, and should be paid to Chief Wm. Blake.

Alderman Walters moved the adoption of the following:

RESOLUTION RELATING TO BUDGET ESTIMATE

WHEREAS, G.S. 160-410.2 requires a municipal budget estimate to be filed at least twenty (20) days prior to its adoption;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that the budget estimate, as submitted by the Town Manager and as amended by the Board of Aldermen, be filed with the Town Clerk, where it shall remain for public inspection for a period of twenty (20) days prior to its adoption; and that copies of said budget estimate shall be made available to the local newspapers; and that notice of the availability of said budget estimate shall be published at the earliest practical time.

This the 26 day of June, 1962.

Seconded by Alderman Page, and unanimously carried.

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INTERIM APPROPRIATION

As the budget will probably not be adopted before July 24, meeting of the Board of Aldermen, Alderman Wager moved the adoption of the following:

WHEREAS, G.S. 160-410.9 provides for an interim appropriation where a budget has not been officially adopted by the first day of the fiscal year; and,

WHEREAS, the 1962-63 Budget for the Town of Chapel Hill will not be adopted prior to July 1, 1962;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill;

SECTION I.

That appropriations be and the same are hereby made for the payment of salaries, principal and interest of indebtedness, and usual ordinary expenses of the municipality for the interval between July 1, 1962, and the date of the adoption of the annual budget ordinance for 1962-63.

SECTION II.

The interim appropriations are made at the rates shown in the 1961-62 budget ordinance and shall be chargeable to the several appropriations, respectively, which shall hereafter be made in the annual budget ordinance for the year 1962-63.

SECTION III.

All ordinances in conflict herewith are hereby repealed.

This the 26 day of June, 1962.

Seconded by Alderman Strowd, and unanimously carried.

Alderman Giduz moved the adoption of the following:

ORDINANCE RELATING TO POOL ROOM LICENSES

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

That no permit or license shall be issued for the operation of a pool room until the same has been approved by majority vote of the Board of Aldermen.

SECTION II.

All ordinances in conflict herewith are hereby repealed.

This the 26 day of June, 1962.

Seconded by Alderman Strowd, and unanimously carried.

OLD BUSINESS:

Alderman Robinson asked that a petition be prepared for a sewer on McMasters Street to be constructed when funds were available and assessed against the property owners.

Town Manager discussed a complaint from Mr. Riechert of 27 Rogerson Drive about defective storm sewer in that area. He stated that he and Mr. Womble, and Tom Hardy, engineer on the job, had inspected it last fall and found it in the condition that had been promised. Mr. Peck was requested to check it again.

The Board was advised that a representative of the State conferred with Mr. Branch of the University in the matter of fluoridation, but does not want to discuss it with the Town officially at this time.

Town Manager stated that the University will share one-half of the cost of a new tractor for the Land Fill use; that bids will be called for at an early date for purchase by the Board.

Town Manager stated that Town's General Fund money has been in the Central Carolina Bank & Trust Company for the past year; that if the accounts are to be switched to the Bank of Chapel Hill, as has been the Town's custom, it should be considered at this time, Alderman Strowd moved that money in the General Fund Account now in the Central Carolina Bank and Trust Bank be transferred to the Bank of Chapel Hill; that when the new bond money comes in, it be deposited in the Central Carolina Bank & Trust Company Bank, seconded by Alderman Page, and unanimously carried.

NEW BUSINESS:

Alderman Robinson stated that the road by three houses owned by Julia Caldwell, needs attention. The Town Manager was requested to check into this request. He also said the ceiling the basement at the Community Center, needs attention, and asked that something be done about it yet this summer; that the Harris property on Mitchell Lane needs drain at driveway fixed; that Decie Baker, on Rosemary near Dawsons has trouble by storm water; that Mr. Howard Davis needs a fence (where the Town widened W. Rosemary Street); that Jack Strowd complains that the Town took some of his land when West Rosemary was widened, and he has never been paid. Town Manager Peck was asked to check into these matters.

Alderman Strowd inquired about Vance Street Extension which is Town maintained, whether Powell Bill funds could be used there. Town Manager Peck stated that the Chapel Hill Housing Authority made an inspection of Durham housing development; that an application for planning funds will be submitted.

Adjournment: 10:40 p.m.

Roland M. Clarendon Jr. Mayor

June 26, 1962

Mary Honeyay Town Clerk

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