

Minutes

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a regular meeting on March 24, 1964 at 7:30 P.M. with the following members present: Mayor McClamroch; Aldermen Walters, Robinson, Giduz, Wager, Page and Strowd; Town Manager Peck; Town Attorney LeGrand; and Town Clerk Roberts.

Minutes

Alderman Walters moved that the minutes for February 9, 1964 be approved as circulated. Alderman Robinson seconded this motion which was unanimously carried.

Tar Heel Cab

Mayor McClamroch read a letter from Jessie Suitt requesting permission to operate one more cab, making a total of seven. Town Manager Peck stated that the cabs should be listed for tax purposes in Chapel Hill since the cab stand is located on East Franklin Street, Chapel Hill. He further stated that he thought this matter should be cleared up before an additional permit is issued. The Aldermen asked that the Tax Collector check this matter and report at the next meeting.

House Numbers

Mr. Dick Blair appeared before the Board to ask permission to paint house numbers on the curb in the city. This will be done by college students who help pay their expenses by working during the year. There is no charge for this service; however, donations will be accepted. The Board discussed this matter, felt it would be a good thing, and gave their approval.

Fire Insurance

The following proposals were read by the Mayor for insurance on all Town buildings for fire, extended coverage, vandalism and malicious mischief:

<u>Agent</u>	<u>Company</u>	<u>Cost</u>	<u>Expected Dividend</u>	<u>Dis-count</u>	<u>Net</u>
Whid Powell	General Insurance Co.	504.00	75.60	-----	428.40
Herb Holland	Quincy Mutual	500.00	94.40	28.00	377.60
Adger Wilson	American Motorists	507.00	76.05	-----	430.95
Collier Cobb	Northern of N. Y.	527.00	78.05	-----	448.00
John Foushee	American Mutual	504.00	100.80	-----	403.20

Town Manager Peck recommended that the low bid be accepted and the contract awarded to Herb Holland Company. Alderman Walters moved that the contract be awarded to the Herb Holland Insurance Company for the following insurance:

Town Hall	\$106,000
Contents	20,000
Roberson Street Center	66,000
Contents	5,000
Glen Lennox Fire Station	40,000
Contents	5,000
Central Fire Station	80,000
Contents	5,000

Seconded by Alderman Page and unanimously carried.

Sewer Bids

Mayor McClamroch read the following bids:

	<u>Concrete Pipe</u>	<u>Clay Pipe</u>	<u>Time</u>
Loving, T. A.	165,783.30	191,654.20	180 Days
Winkelman, D. W.	166,647.40	N. B.	250
Lowder, Ray D.	162,998.75	183,256.25	180
Wrenn-Wilson Company	157,976.50	181,454.95	210
Crain & Denbo	163,822.00	189,641.00	300
Corbin Construction Co.	174,478.25	196,281.60	300
Sheppard, W. K.	175,952.65	209,118.42	315

Town Manager Peck and Town Engineer Rose recommended that the contract be awarded to Wrenn-Wilson using the concrete pipe. This is the lowest bid. Alderman Page moved that the following contract be awarded for SEWERAGE IMPROVEMENTS in accordance with bids submitted, and that the Mayor and Clerk be authorized and directed to execute the contracts in the name of the Board when same shall have been approved by the Town Attorney:

Wrenn Wilson Construction Company for construction of sewer outfalls along Booker Creek and Bolin Creek, using concrete pipe, for an estimated \$157,976.50.

Seconded by Alderman Wager and unanimously carried.

Home Occupation

Alderman Strowd moved the adoption of the following ordinance:

AN ORDINANCE TO AMEND SECTION 12 RELATING TO DEFINITIONS IN THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955, AND AS SUBSEQUENTLY AMENDED

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 February 24, 1964, to consider changes in the zoning ordinance relating to definitions appearing therein; and,

WHEREAS, following said public hearing the Planning Board recommended to the Board of Aldermen the adoption of the hereinafter described amendment to the zoning ordinance; and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board:

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

SECTION I.

That the section of said zoning ordinance entitled, "Section 12. Definitions", be amended as follows:

(a) That the portion of said Section 12, under the sub-heading entitled, "Home Occupation", be amended by striking out the following language of the proviso under sub-paragraph (3), which reads as follows: "... and provided further that not over 25% of the total actual floor area of any structure is used for home occupations or professional purposes", and by inserting in lieu thereof the following: "... and provided further that not over 25% of the total actual floor area or 500 square feet, whichever is less, of any structure shall be used for home occupations or professional purposes. Off-street parking shall be provided on the premises for all customers or clients, and all employees shall reside on the premises."

(b) Add a new sub-heading entitled, "Stump Dump", to read as follows: "Stump Dump. A land area exceeding 100 square feet whose level is raised by the addition of stumps, logs or branches."

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(c) Strike out all of that portion of Section 12 under the subheading entitled, "Land Fill", and insert in lieu thereof the following:

- "Land Fills. 1. Reclamation Land Fills to improve steep, low or otherwise unusable land shall consist only of masonry and other non-organic and non-toxic matter.
2. Sanitary Land Fills-All trash, garbage and other waste and refuse shall be placed in trenches, leveled and compressed to within one (1) foot of thickness, covered by not less than two (2) feet of compact earth, and sealed off at the end of each day's operation."

SECTION II.

All ordinances in conflict herewith are hereby repealed.

This the 24th day of March, 1964.

Alderman Robinson seconded this motion which was unanimously carried.

Stump Dumps

Alderman Wager moved the adoption of the following ordinance:

AN ORDINANCE TO AMEND THE TABLE OF REGULATIONS FOR SPECIAL USE PERMITS AS SET FORTH UNDER SECTION 4D OF THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955, AND AS SUBSEQUENTLY AMENDED

WHEREAS, after due advertisement as provided by law, a joint public hearing was called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill on February 24, 1964, to consider changes in the zoning ordinance with respect to provisions relating to Special Use Permits; and,

WHEREAS, following said public hearing the Planning Board recommended to the Board of Aldermen the adoption of the hereinafter described amendment to the zoning ordinance; and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board;

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

SECTION I.

That the Table of "Regulations for Special Use Permits", as the same appears in Subsection D of Section 4 of said zoning ordinance, be and the same is hereby amended as follows:

- (a) In the vertical column under the heading entitled, "USE", strike out the words, "LAND FILLS, SANITARY, for the disposal of stumps, trash and garbage", and insert in lieu thereof the following, "LAND FILLS, SANITARY, for the disposal of trash and garbage."
- (b) Insert at the bottom of the vertical column under the heading entitled, "USE", the words, "STUMP DUMP".
- (c) In the vertical column under the heading, "APPROVED BY", and opposite the new horizontal column entitled, "STUMP DUMP", insert the words, "Board of Adjustment".
- (d) In the vertical column under the heading, "PERMITTED DISTRICTS", and opposite the new horizontal column entitled, "STUMP DUMP", insert the words, "All Districts".
- (e) In the sub-column entitled, "TOPOGRAPHY", under the vertical column entitled, "PLANS ARE REQUIRED AND MUST SHOW", insert opposite the new horizontal column entitled, "STUMP DUMP", the words, "existing and finished topography at intervals not to exceed five (5) feet".
- (f) In the sub-column entitled, "STRUCTURES", under the vertical column entitled, "PLANS ARE REQUIRED AND MUST SHOW", insert opposite the new horizontal column entitled, "STUMP DUMP", the words, "existing buildings and structures within 500 feet of fill".

(g) In the sub-column entitled, "OTHER REQUIREMENTS", under the vertical column entitled, "PLANS ARE REQUIRED AND MUST SHOW", insert opposite the new horizontal column entitled, "STUMP DUMP", the words, "no materials other than stumps, logs, branches, brush, leaves and clean dirt may be disposed of".

SECTION II.

All ordinances in conflict herewith are hereby repealed.

This the 24th day of March, 1964.

Alderman Giduz seconded this which was unanimously carried.

BOND-SUBDIVISION

Alderman Walters moved the adoption of the following ordinance:

AN ORDINANCE TO AMEND THE "ORDINANCE PROVIDING FOR THE APPROVAL OF LAND SUBDIVISIONS WITHIN THE TOWN OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED OCTOBER 8, 1956, AND AS SUBSEQUENTLY AMENDED

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill, that the "ORDINANCE PROVIDING FOR THE APPROVAL OF LAND SUBDIVISIONS WITHIN THE TOWN OF CHAPEL HILL AND SURROUNDING AREAS", as adopted October 8, 1956, and as subsequently amended, as set forth beginning on Page 104 in the 1961 REVISED COMPILATION OF CHAPEL HILL ORDINANCES", be and the same is hereby further amended as follows:

SECTION I.

Amend Sub-paragraph (1), of Sub-section C in Section 7 by striking out all of said Sub-paragraph (1) and by inserting in lieu thereof the following:

(1) "Know all men by these presents, that I hereby certify that a surety bond of a satisfactory amount has been posted with the Town of Chapel Hill by the subdivider, guaranteeing that construction of all improvements shown on the approved preliminary plat will be completed as thereon provided within _____ days from date hereof".

SECTION II.

All ordinances in conflict herewith are hereby repealed.

This the 24th day of March, 1964.

Alderman Strowd seconded this which was unanimously carried.

Planning Board - Fred Cleaveland

Mayor McClamroch read a letter from Dr. Cleaveland resigning from the Planning Board. Alderman Walters stated that a letter should be written to Dr. Cleaveland thanking him for his service. No replacement was named.

League of Municipalities

Town Manager Peck read a letter from the League of Municipalities advising of a regional meeting on May 12, 1964 in Wendell, North Carolina.

Community Action, Inc.

Alderman Giduz moved the adoption of the following resolution:

The Town of Chapel Hill hereby endorses the proposed organization in this community of a non-profit corporation sponsored by the Mayor's Human Relations Committee and designated by the name "Community Action, Inc.", and with the aim of "promoting equal rights and opportunities for all" in the greater Chapel Hill--Carrboro Community.

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The Town pledges its cooperation toward the attainment of the objectives set forth for this organization and to assisting it wherever possible, and encourages other local governmental units in this community to take similar action.

The Chapel Hill aldermen will be pleased to name one of their members and to appoint two local citizens to the corporation's board of directors, as currently proposed, when requested to do so.

The Human Relations Committee and volunteer organizers of this long-range plan for community betterment are to be commended for their dedication to the objectives set forth by them.

It is ordered that their Outline of Organization, Proposed Program, and Proposed Articles of Incorporation be placed with this resolution in the minutes of the Board of Aldermen.

ARTICLES OF INCORPORATION

COMMUNITY ACTION, INCORPORATED

This is to certify that we, the undersigned, initial members of the board of directors and officers of Community Action, Incorporated, do hereby associate ourselves into a non-profit corporation under and by virtue of the laws of the State of North Carolina, as contained in Chapter 55A of the General Statutes, and the several amendments thereto, and to that end do hereby set forth:

ARTICLE I. NAME

Sec. 1. The name of the corporation shall be Community Action, Inc.

ARTICLE II. PURPOSE AND DURATION

Sec. 1. The purpose for which the corporation is organized is to promote improved opportunities and advantages for the people of the Chapel Hill--Carrboro community, generally defined by the boundaries of the Chapel Hill School District. In the furtherance of this purpose, the corporation may make studies of the needs of the community concerning the rights and opportunities of all citizens; develop and carry out projects on its own to the same end; and work with individuals and public and private agencies whose activities may be directed toward similar goals. The organization shall continue in existence until such time as the board of directors may determine that it is no longer needed for these purposes.

ARTICLE III. LOCATION

Sec. 1. The town in this state where the principal office for the transaction of the business of the corporation is to be located is the Town of Chapel Hill, Orange County.

ARTICLE IV. TEMPORARY OFFICERS AND BOARD OF DIRECTORS

Sec. 1. The initial and temporary officers and directors of the corporation shall be the incorporators as set forth in Article XI of this charter. The conduct of the affairs of the corporation shall be under their control and direction from the date of incorporation until the permanent board of directors and officers are selected as herein provided.

Sec. 2. The temporary chairman of the board of directors of the corporation shall call a meeting of the first permanent board of directors not later than June 15, 1964, for the purpose of electing the first permanent officers of the corporation, and he shall preside over the meeting until all officers are elected and installed. Upon the installation of the first permanent officers, the affairs of the corporation shall be under the control and direction of the permanent board of directors as provided herein and by law, and the temporary officers and directors shall be discharged of all responsibility in connection therewith.

ARTICLE V. PERMANENT BOARD OF DIRECTORS

Sec. 1. The board of directors of the corporation shall be composed of eighteen persons, selected or appointed as follows:

A. The Chapel Hill Board of Aldermen, the Carrboro Board of Commissioners, the Chapel Hill School Board, and the Orange County Board of Commissioners, shall each select one of their members to serve on the board of directors of the corporation.

B. The Chapel Hill Board of Aldermen, the Carrboro Board of Commissioners, the Chapel Hill School Board, and the Orange County Board of Commissioners shall each appoint two citizens, residents of the Chapel Hill School District, to serve on the board of directors of the corporation.

C. The Chancellor of the University of North Carolina at Chapel Hill shall appoint two persons from the faculty and administration of the University to serve on the board of directors of the corporation.

D. The Chapel Hill--Carrboro Merchants Association and the Chapel Hill--Carrboro Ministerial Association shall each select two of their members to serve on the board of directors of the corporation.

Sec. 2. All members of the board of directors shall be selected, or appointed to, terms of three years; except that in order to provide for staggered terms for members of the board of directors, the initial terms of the members shall be as follows:

(1) The initial selections of members of the board of directors as provided in subsection "A" above shall be for terms of one year.

(2) Each governing board appointing members as provided in subsection "B" above shall, in making its initial appointments, designate one appointee to serve a term of two years and one appointee to serve a term of three years.

(3) The initial appointments provided for in subsection "C" above shall be for terms of one year and two years, as designated by the appointing authority.

(5) The initial selections by the Chapel Hill--Carrboro Ministerial Association, as provided in subsection "D" above, shall be for terms of one year and two years, as designated by the Association.

Sec. 3. The filling of all vacancies and the making of all replacements of the membership of the board of directors shall be by the appropriate selecting or appointing authorities as provided in Section 1 above. Terms of office shall be deemed to begin on June 1.

Sec. 4. No person shall serve on the board of directors for more than two successive three-year terms.

Sec. 5. A quorum of the board of directors shall be a simple majority.

ARTICLE VI. PERMANENT OFFICERS

Sec. 1. There shall be elected from the board of directors a chairman who shall preside at meetings of the board of directors, appoint committees, and have general charge and control over the affairs of the corporation, subject to such regulations and restrictions as the board of directors shall from time to time determine.

Sec. 2. There shall be elected from the board of directors a vice chairman who shall perform such duties as may from time to time be assigned to him by the board of directors. In case of the death, disability, or absence of the chairman, he shall be vested with all the powers and perform all the duties of the chairman.

Sec. 3. There shall be a treasurer who shall keep the funds of the corporation and who shall disburse them in accordance with regulations established by the board of directors. The treasurer may be either a member of the board of directors or an employee of the corporation.

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4. There shall be a secretary who shall record the minutes of the meetings of the board of directors and perform such additional duties as may from time to time be assigned to him by the board of directors. The secretary may be either a member of the board of directors or an employee of the corporation.

Sec. 5. The office of treasurer and that of secretary may be combined in the discretion of the board of directors.

Sec. 6. All officers shall be elected for terms of one year, with terms which begin at the first meeting of the board of directors after June 1 of each year, and shall hold office until their successors are elected and qualified.

ARTICLE VII. MEMBERSHIP

Sec. 1. The corporation shall have no members unless the board of directors shall provide otherwise in the by-laws of the corporation.

ARTICLE VIII. AMENDMENT OF ARTICLES OF INCORPORATION

Sec. 1. These articles of incorporation may be amended as provided by law, and upon approval of a two-thirds (2/3) vote of the full membership of the board of directors at a regularly scheduled meeting of the board.

ARTICLE IX. BY-LAWS

Sec. 1. At the first meeting of the board of directors after the adoption of these articles of incorporation, by-laws further regulating the manner in which the affairs of the corporation are to be conducted shall be adopted upon the approval of a majority of the members present and voting.

Sec. 2. The board of directors may amend the by-laws of the corporation after approval of a majority of the members of the board at two successive and regularly scheduled meetings of the board.

ARTICLE X. DISSOLUTION

Sec. 1. Dissolution of the corporation shall be effected as provided by law.

Sec. 2. Upon dissolution of the corporation the assets of the corporation shall be distributed as provided by law; provided, that the Chapel Hill School Board shall receive such assets as may remain after distribution of the assets as provided by law.

ARTICLE XI. INCORPORATORS

Sec. 1. The names and post offices addresses of the initial officers and directors, who are the incorporators of the corporation, are as follows:

<u>Name</u>	<u>Post Office Address</u>	<u>Office</u>
		Chairman
		Vice Chrmn.
		Secretary
		Treasurer
		Director
		Director
		Director
		Director
		- Director

In Testimony Whereof, we have hereunto set our hands and affixed our seals, this 24th day of March, 1964.

Signed, sealed, and delivered in the presence of

_____, Witness

Alderman Page seconded this which was unanimously carried.

Section D. Memorial Cemetery

Alderman Walters moved the adoption of the following ordinance:

Ordinance to Provide for the Opening and Maintenance of Section D of Chapel Hill Memorial Cemetery.

Be it ordained by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

That Section D of the Chapel Hill Memorial Cemetery be staked out as soon as possible in accordance with the general plan prepared by R. D. Tilson dated 1954.

SECTION II.

That the area designated as Section D on the detail map of Chapel Hill Memorial Cemetery shall be used for interment of members of all races.

SECTION III.

All ordinances in conflict herewith are hereby repealed.

This the 24th day of March, 1964.

Alderman Robinson seconded this which was unanimously carried.

Adjourned: 8:50 P.M.

Robert M. McClamroch Mayor
David B. Roberts Town Clerk

Minutes--Special Joint Meeting

Board of Aldermen & Planning Board

Town of Chapel Hill, N. C.

The Board of Aldermen met jointly with the Planning Board on April 13, 1964 at 7:30 p.m. with the following members present: Mayor McClamroch; Aldermen Strowd, Giduz, Robinson, Wager and Walters; Town Manager Peck; Town Attorney LeGrand; Town Clerk Roberts. Absent: Alderman Page. Members of the Planning Board present were: Scroggs, Martin, Smith, Slater, Burns, Fitch and Lasley.

Mayor McClamroch announced that there were a number of zoning changes and one special use request to be heard, all of which had been properly advertized.

East Franklin Street

Mr. Martindale and Mr. Weaver have asked for rezoning from RA-10 to Regional Commercial for about six acres on the east side of East Franklin Street between Brady's Frozen Custard and Connor Road.

Dr. Chapin stated that he was not in favor of strip zoning along the highways coming into Town; that it would be a traffic hazard.

Mr. W. E. Haisley presented a petition to the Board of Aldermen with 104 signatures asking that they deny extension of the commercial zoning classification to that section of East Franklin Street between the Bolin Creek Bridge and Eastgate Shopping Center.

Mr. Tillman, who lives in Coker Hills, stated that the people in Coker Hills agreed with the petition and felt that this would reduce the value of property in that area.

At the request of Mayor McClamroch, planner Lucien Faust presented an explanation of the Chapel Hill land use plan, illustrating it with maps and slides. He pointed out that the Town had adopted a policy of island zoning for commercial development rather than strip zoning along highways.

Alderman Robinson moved that the request be referred to the Planning Board for recommendation. Seconded by Alderman Wager and unanimously carried.

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