

MinutesBoard of AldermenTown Of Chapel Hill

The Board of Aldermen met at a regular quarterly hearing on May 25, 1964, at 7:30 P.M. with the following members present; Mayor McClamroch; Aldermen Walters, Wager, Robinson, Giduz, Page, and Strowd; Town Manager Peck; Town Attorney LeGrand; Town Clerk Roberts. Members of the Planning Board present were: Scroggs, Burns, Martin, Smith, and Lasley.

Mayor McClamroch announced the opening of the regular quarterly joint hearing by the Board of Aldermen and Planning Board. The following request for rezoning were received and properly advertised.

Westwood from RA-10 to RA-20

Mr. Emory Denny stated that he represented Mr. Greenberg in the requested rezoning of about 100 acres in Westwood from RA-10 to RA-20. Mr. Denny described the property and gave the location and the boundaries. He stated that Westwood is one of the most expensive developed areas in the Town limits.

Dr. B. G. Greenberg stated that most of the houses in the Westwood area were built from 1946 to 1955 prior to adoption of the zoning ordinance. The streets are narrow and winding, there are no sidewalks to walk on, and heavy traffic would be a hazard in this area.

Mr. Clyde Carter stated that he owned a house on Dogwood Dr. which he built in 1954 and objected to apartments.

Mr. Manning filed a protest signed by 20% of the residence against this rezoning. Mr. Manning also stated the number of lots and houses that were nonconforming according to the study made of the area. He opposed the rezoning of this property.

Mr. Charles Morrow said that he is opposed to this change from RA-10 to RA 20 as his property would become nonconforming, which could weaken the zoning ordinance.

Alderman Giduz moved that this be referred to the Planning Board for its recommendation. Alderman Page seconded this which was unanimously carried.

T. R. Harward Estate

Mayor McClamroch read a request for rezoning of about 22 acres between East Franklin Street and U.S. 15-501 by-pass south of Eastgate and Crowell Little Motor Company from RA-10, RA-20, and agriculture to Regional Commercial.

Mr. Denny, representing Mr. D.P. Henry, stated that this property was bounded by Crowell Little Motor Company, Eastgate Shopping Center, the Motel on the North, and a highway on the East & West. This property would be best used if changed to meet the adjoining property. There are no plans at this time for development. Alderman Page moved that this be referred to the Planning Board for its recommendation. Alderman Robinson seconded this which was unanimously carried.

M. L. Troutman

Mayor McClamroch read a petition from Mr. M. L. Troutman requesting rezoning of about one acre at the intersection of the Old Durham Road and Henderson Street in University Heights from RA-20 to Regional Commercial.

Mr. Jim Watson of Herb Holland Co. represented Mr. Troutman. Mr. Watson read a letter from Mr. A. T. White who supported this rezoning. He also read a letter from Mr. B. J. Kednocker supporting this rezoning. Mr. Watson stated that the Herb Holland Co. thought this should be rezoned with the Mayse property since they join and the property on the east is zoned commercial.

Alderman Strowd moved that this be referred to the Planning Board for its recommendation. Alderman Wager seconded this which was unanimously carried.

Special Use-E. N. Richards

Mayor McClamroch read a petition from E. N. Richards Company requesting a special use permit for a shopping center, office, and apartments on the land between East Franklin Street and U. S. 15-501 by-pass, east of Booker Creek. Mr. Manning representing Mr. Richards, stated that he would like for the Board to consider this in two parts. First, approving the apartments and Medical Building as the contractors are ready to start work on this part now. Then the Board could approve the other when they see fit.

Alderman Giduz moved that this be referred to the Planning Board for its recommendation. Alderman Walters seconded this which was unanimously carried.

Mayor McClamroch stated that if there was no more business to come before the Planning Board and Board of Aldermen this meeting could be closed. Alderman Giduz moved that the public hearing be adjourned. Seconded by Alderman Page, and unanimously carried.

The Mayor then called the regular meeting of the Board of Aldermen to order.

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Alderman Walters moved that the minutes for May 11, 1964 be approved as corrected and distributed. Alderman Robinson seconded this motion which was unanimously carried.

Buck Barnett Property

Mayor McClamroch read a petition from Buck Barnett asking that his property on Estes Drive be annexed into Town.

Mr. Caldwell stated that this lot had about 2½ acres in it and that Mr. Barnett wanted to sell it to the Chapel Hill Housing Authority.

Mr. Peck stated that it could be advertised and a public hearing held at the same time as the other annexation.

Alderman Robinson moved that the Buck Barnett property be advertised and a public hearing be held. Alderman Walters seconded this which was unanimously carried.

Annexation

A delegation headed by Mrs. Vivian Foushee protested annexation of a 12-acre section on grounds that delegated members felt it would perpetuate racial segregation. Mayor McClamroch stated that the annexation hearing was to be held on June 15, which would be the proper time for discussion of it.

An ordinance to amend the table of District Regulations

Alderman Walters moved the adoption of the following ordinance:

AN ORDINANCE TO AMEND THE TABLE OF DISTRICT REGULATIONS, AS SET FORTH UNDER SECTION 3 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 duly called and held by the board of Aldermen and the Planning Board of the Town of Chapel Hill, on April 13, 1964 to consider changes with respect to the Table of District Regulations; and,

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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 portion of the Table of District Regulations entitled, "Notes Accompanying Table of District Regulations", being a part of Section 3 of said zoning ordinance, be amended by adding at the end of Note C-I, the following: "Where and area has been zoned Regional Commercial or Limited Business, setback lines established hereunder shall apply only to residences".

SECTION II

That the portion of the Table of District Regulations entitled, "Table of District Regulations-Lot, Yard, Height", being a part of Section 3 of said zoning ordinance, be amended as follows:

In the vertical column, under the heading entitled, "District", insert under the words, "Suburban Commercial", the words, "See Note J".

SECTION III.

That the portion of the Table of District Regulations entitled, "Table of District Regulations-Lot, Yard, Height," being a part of Section 3 of said zoning ordinance, be amended as follows: In the vertical column, under the Sub-heading entitled, "Side width in feet (each side)", delete the words, "(see Note E)" opposite the horizontal column entitled, "Suburban Commercial".

SECTION IV.

That the portion of the Table of District Regulations entitled, "Notes Accompanying Table of District Regulations", being a part of Section 3 of said zoning ordinance, be amended by adding a new note to be entitled, "Note J", to read as follows: Note J, That no additional land may be zoned Suburban Commercial after May 25, 1964".

SECTION V.

All ordinances in conflict herewith are hereby repealed.

This the 25th day of May, 1964.

Alderman Wager seconded this motion which was unanimously carried.

PLANNING PROGRAM.

Alderman Walters moved the adoption of the following Resolution:

Whereas, the Town of Chapel Hill, North Carolina, recognizes the need to insure its proper and orderly growth and to prevent further development of undesirable conditions; and,

WHEREAS, community planning is recongnized to be of primary importance for the growth and development of the Town; and

WHEREAS, the financial resources of the Town are not adequate to finance the necessary and desirable program of community planning; and,

WHEREAS, the Division of Community Planning of the North Carolina Department of Conservation and Development can assist in obtaining Federal Urban Planning Assistance funds to aid in defraying the costs of a planning program and provide qualified personnel to perform the required planning work,

Now, THEREFORE, BE IT RESOLVED: That the Board of Aldermen of the Town of Chapel Hill, North Carolina, requests the Division of Community Planning to arrange for following planning services;

Zoning Ordinance Revision- Residence
Community Appearance Plan
General Plan Public Presentation Materials
Topographic Mapping (portion)

and to obtain Federal Urban Planning Assistance funds in the amount of \$11,986.00 to aid in defraying the costs of the work specified above.

BE IT FURTHER RESOLVED: That the Town will make available the sum of \$5,994.00 to be matched by Federal funds and to pay for those costs not covered under the Urban Planning Assistance Program, which sum will be paid to the Division of Community Planning in accordance with the terms of a contract to be negotiated between the Town and the North Carolina Department of Conservation and Development.

I, David B. Roberts, Town Clerk of the Town of Chapel Hill, North Carolina, do hereby certify that the foregoing resolution was passed by the Board of Aldermen of the Town of Chapel Hill at a meeting held on May 25, 1964.

Witness my hand and seal of the said Town, this the 26th day of May, 1964.

/S/

Alderman Robinson seconded this motion which was unanimously carried.

GOMAINS ANNEXATION REPORT

A resolution concerning annexation was adopted on May 11th. The required report has been prepared and a copy is on file in the Clerk's office for inspection. Alderman Giduz moved that the Board accept the annexation report. Alderman Page seconded this motion which was unanimously carried.

Parking-Pritchard Street & Noble Street. Alderman Robinson moved that the Street Committee study this and report back to the Board. Alderman Walters seconded this motion which was unanimously carried.

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BOND RESOLUTION - \$45,000

Alderman Page moved that the following resolution be adopted:

WHEREAS, the local Government Commission of North Carolina has informed the Board of Aldermen that it has sold, in the manner prescribed by law, the \$45,000 Town Hall Bonds, dated June 1, 1964, authorized to be issued by a resolution adopted by the Board of Aldermen on April 28, 1964, and that the contract of sale contemplates that said bonds shall bear interest as hereinafter provided; NOW, THEREFORE,

BE IT RESOLVED that said bonds shall bear interest at the rate of 2.90% per annum.

Alderman Walters seconded the motion and the motion was adopted. Those voting for the motion were Messrs. Wager, Robinson, Walters, Strowd, Giduz, and Page.----No one voted against it.

ADOLPHUS D. CLARK POOL

Mayor McClamroch read the following:

Be it resolved that the Recreation Commission recommend to the Chapel Hill Board of Aldermen that they accept the A.D. Clark Pool, previously offered, and operate it as a public pool under the Chapel Hill recreation Commission and appropriate funds for its operation.

The Commission wishes to go on record as commending Mr. Clark and other pool committee members for their past operation of the pool and their foresight in offering to donate the pool to the Town of Chapel Hill for operation; and, that the Commission express its appreciation to Mr. Clark, Miss Cornellia Spencer Love, and the many other persons who have worked for and generously supported this pool during the past years. Their continued interest and support is solicited.

Alderman Giduz moved that the Town accept the resolution from the Recreation Commission pending legal work to be done by attorney. Alderman Strowd seconded this motion which was unanimously carried.

ORDINANCE BUDGET RECREATION

Alderman Strowd moved the adoption of the following ordinance:

AN ORDINANCE ~~TO AMEND THE~~ "ORDINANCE TO APPROPRIATE FUNDS AND TO RAISE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1963 AND ENDING JUNE 30, 1964.

SECTION I.

The Budget Ordinance adopted July 23, 1963 and subsequently amended is hereby further amended: (1) by establishing revenue accounts entitled "8410 Pool Admissions" and "8411 Pool Concessions", estimating the revenue from these at \$450.00 and \$300.00 respectively, and thereby increasing the total estimated revenue for recreation by \$750.00; (2) by establishing an appropriation account entitled 7070 - A. D. Clark Pool and appropriating \$1925.00 for its operation during the fiscal year and (3) by reducing account 7080 - contingency by \$1175.00 which amount, with the proposed increase in revenue, equals the amount appropriated under 7070.

SECTION II.

All ordinances in conflict herewith are hereby repealed.

This the 25th day of May, 1964.

Alderman Robinson seconded this which was unanimously carried.

RELEASES

Alderman Robinson moved that the following taxes and Sewer Rent be released as erroneously changed:

<u>Name</u>	<u>Bill #</u>	<u>Amt.</u>	<u>Reason</u>
Marvin Norwood	2407	30.24	This property on Craig Street, outside sewer only.
Kenneth McPherson Clark	576	23.85	Not connected to sewer.
Stephan J. Edwards			
1959	2272	18.64	This property in Carrboro
1960	2867	103.30	on W. Rosemary Street,
1961	2851	124.31	was listed in error for Chapel Hill.

Alderman Page seconded this motion which was unanimously carried.

RELEASE OF PENALTY

Mayor McClamroch read a letter from Madison Pearson protesting this tax penalty as his tax notice had been missent.

Alderman Giduz moved that the penalty be released from Mr. Pearson's bill. Alderman Strowd seconded this which was unanimously carried.

DEPOSIT FUNDS.

Alderman Giduz moved that the Sewer Bond money be deposited in the North Carolina National Bank. Alderman Wager seconded this motion which was unanimously carried.

AN ORDINANCE RELATING TO PARKING IN ALLEYS

Alderman Strowd moved the adoption of the following ordinance:

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

SECTION I.

That it shall be unlawful to park an automobile or other vehicle or to allow one to stand on any street, alley or sidewalk, so as to interfere with pedestrian or vehicular traffic on any street, alley or sidewalk.

SECTION II.

All ordinances in conflict hereby repealed.

This the 25th day of May, 1964.

Alderman Walters seconded this which was unanimously carried.

BIDS ON STREET RESURFACING

Town Manager Peck stated that he had received two bids for resurfacing of streets. They are as follows:

Nello Teer

0.60/ sq. yd.	30 day
.59	60 day
\$25.00/ton	30 day
25.00/ton	60 day

William Muirhead

1.13/sq. yd.	30 day
\$ 25/ton	

Alderman Giduz moved that the low bidder be awarded the contract. Alderman Strowd seconded this which was unanimously carried.

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POLICE DEPARTMENT OVERTIME.

Alderman Wager moved that the overtime being paid to the Police be discontinued with the April payment. Alderman Robinson seconded this which was unanimously carried.

Meeting of Planning Board, University of North Carolina, & Bd. Of Aldermen.

Alderman Walters suggested that a meeting with the University of North Carolina Planning Board and Board of Aldermen be arranged. Mayor McClamroch set this meeting for June 4th at Mr. Tuttle's Office.

MEDIATION COMMITTEE

Alderman Walters stated that she had some good reports on the Mediation Committee. Mayor McClamroch advised that they had received some letters and were available to help in any way.

Alderman Walters advised Mr. Prothro's report had been placed in the Congressional Record.

LITTER ORDINANCE.

Alderman Strowd stated that he had received many thanks concerning the passage of the Litter Ordinance.

AIRPORT ROAD.

Mr. Smith, a member of the Planning Board, asked if the Board could pass an ordinance making it illegal to make a left turn into Hillsboro Street coming into Chapel Hill on Airport Road between the hours of 7:30 P.M. to 9:00 P.M. Mayor McClamroch advised that he would ask the Police to study this.

APPOINTMENT FOR PLANNING BOARD.

Mr. Scroggs stated that Mr. Burns' term would run out on June 1964 and would like for the county to appoint someone.

Alderman Giduz moved to postpone the meeting of June 8, 1964 to June 15, 1964. Alderman Page seconded this which was unanimously carried.

Adjourned: 10:45 P.M.

Robert M. McClamroch Mayor
David B. Roberts Town Clerk
Minutes

Board of Aldermen Special Meeting Town of Chapel Hill, N.C.

The Board of Aldermen met at a special meeting on June 8, 1964 at 4:00 P.M. with the following members present: Mayor McClamroch; Aldermen Walters, Page, Robinson, and Strowd; Town Manager Peck; Town Clerk Roberts. Absent: Aldermen Wager and Giduz.

Conner Ridge Subdivision

(Final Plat of)

Mayor McClamroch read a transmittal from the Planning Board which recommended the approval of the Conner Ridge Subdivision subject to a few minor changes. Alderman Strowd moved that the Conner Ridge Subdivision be approved as submitted with the following changes:

a) That two additional fire hydrants stubs be installed, one near the intersection of Estes Drive and Willow Drive and a second on Willow Drive immediately behind Binkley Church property near the proposed entrance to the shopping center.

b) That the paving of Willow Drive be made 36 feet face to face of curb instead of 32 feet as shown on the plan.

This was seconded by Alderman Page and the motion was unanimously carried.