

*Robert M. McClamroch*

Mayor

*David B. Roberts*

Town Clerk

# MINUTES

## BOARD OF ALDERMEN

## TOWN OF CHAPEL HILL

The Board of Aldermen met at a regular meeting on February 13, 1967 at 7:30 P.M. with the following members present: Mayor McClamroch; Aldermen Page, Varley, Smith, Strowd, Kage and Giduz. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney LeGrand.

# MINUTES

Alderman Strowd moved that the minutes of the meeting of January 23, 1967 be approved as distributed. This was seconded by Alderman Kage and unanimously carried.

# REGISTRATION

The Town Manager read a 1963 Special Act which authorized the Chapel Hill Registrars to copy names from the County registration books. It was agreed that the best procedure for the 1967 Municipal Election would be to use the Chapel Hill Books and to ask the Registrars to copy the names of eligible voters appearing on the County books but not the Town books into the Town books.

# EXTENSION OF PLANNING AREA

The Town Manager read a proposed Special Act which would enlarge the Chapel Hill Planning area southward to the Chatham County line. Alderman Strowd moved, seconded by Alderman Varley, that the Orange County representatives in the General Assembly be asked to have this bill passed. The Town Manager was asked to clear this matter once again with the County Commissioners before sending the proposed bill to the representatives. This was unanimously carried.

# FINAL PLAT-BRIARCLIFF

Mayor McClamroch read a transmittal from the Planning Board recommending approval of a final plat of a portion of Briarcliff Subdivision entitled Map 2, dated 1/26/67 with certain stipulations. Alderman Kage moved, seconded by Alderman Page, that the plat in question be approved subject to the stipulations as follows:

- a. That the deficiencies in the installation of certain manholes, catch basins and curb sections in Churchill Drive and Murray Lane be corrected;
- b. That the paving in Churchill Drive and Murray Lane be guaranteed by the developer to the Town for one year;

- c. That the sidewalk area adjacent to the curbs in Churchill Drive and Murray Lane be graded to serve as usable walkways..

This was carried unanimously.

#### PETITION-EASTWOOD ROAD

Mayor McClamroch presented a petition asking that the Town take over maintenance of Eastwood Road; and the Manager's recommendation that a proper survey and plat be required. Mr. Kenneth Cheek and Mr. Vernon Crook told the Board that several of the property owners lived out of the State and that it might be difficult to obtain easements. The Town Attorney felt that proper easements should be obtained from all persons and offered his help in preparing the necessary forms.

#### SUBDIVISION ORDINANCE

Alderman Giduz moved 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

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

#### SECTION I.

That the Ordinance Providing for the Approval of Land Subdivisions within the Town of Chapel Hill and Surrounding Areas adopted October 8, 1956 and as subsequently amended be and the same is hereby further amended as follows:

1. In Section 5, sub-section (B) amend the third sentence of the first paragraph to read as follows: "Sidewalks shall be graded in all subdivisions to a minimum distance of 8 feet from the back of the curb."
2. In Section 7, sub-section (C) entitled "Certificate of Improvements" amend the wording of the certificate by which the Town Manager certifies the completion of improvements to read as follows: "Know all men by these presents, that I hereby certify that on this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that all improvements required by this ordinance have been installed by the subdivider as shown on the preliminary plat and in a manner that meets the Town's specifications."

#### SECTION II.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 13th day of February, 1967.

This was seconded by Alderman Varley and unanimously carried.

#### ANNEXATION

Town Manager explained the problems and possibilities of extending the Merritt Mill Road annexation to Morgan Creek. Mr. Strickland, engineer for Irvin Cohen, showed the Board plans

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for a proposed pumping station to serve Kingswood Development. Alderman Giduz moved, seconded by Alderman Varley, that the Town should annex along Merritt Mill Road all the way to Morgan Creek and asked the Town Manager to proceed on that basis.

#### COMMUNITY APPEARANCE COMMISSION

Mayor McClamroch read a proposed special act amending the present enabling legislation on the Community Appearance Commission:

A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 278 OF THE SESSION LAWS OF 1965 RELATING TO THE CONTROL OF THE APPEARANCE OF STRUCTURES IN CERTAIN DISTRICTS OF THE TOWN OF CHAPEL HILL

The General Assembly of North Carolina do enact:

Section 1. Subsection 2(b) of Chapter 278 of the Session Laws of 1965 is hereby amended by striking out said subsection and by inserting in lieu thereof the following:

"(b) Create and appoint a special Appearance Commission consisting of not less than seven nor more than fifteen members, all of whom shall be citizens and residents of the Chapel Hill area of planning and zoning jurisdiction. Members shall be appointed by the Mayor and Board of Aldermen for such terms, not to exceed five years, as the town governing board may by ordinance provide. One of said members shall be appointed from a list of nominees submitted by the Chancellor of the University of North Carolina at Chapel Hill, and one member shall be the Chairman of the Community Appearance Committee of the Chapel Hill Planning Board, ex officio, who shall have and exercise all rights and privileges of other members of the Appearance Commission. In making appointments to the Commission, the Mayor and Board of Aldermen shall seek to maintain at all times as members of the commission not less than three members who have had special training or experience in a design profession."

Section 2. Chapter 278 of the Session Laws of 1965 is hereby amended by adding the following new sections immediately following Section 2 thereof, to read as follows:

"Section 3. As a further means of preserving and enhancing the character of the Town of Chapel Hill, the governing board of said town is especially authorized to confer upon the Community Appearance Commission the following powers and duties:

(a) To initiate, promote and assist in the implementation of programs of general community beautification in Chapel Hill and its environs.

(b) to seek to coordinate the activities of individuals, agencies, organizations and groups, public and private, whose plans, activities and programs bear upon the appearance of Chapel Hill and its environs.

(c) To provide leadership and guidance in matters of design and appearance to individuals, organizations and groups, public and private.

(d) To make studies of the visual assets and liabilities of the community, including surveys and inventories of an appropriate nature, and to suggest standards and policies of design for the entire community, and neighborhood thereof, or any individual project to be undertaken therein.



(e) To prepare both general and specific plans for the improved appearance of the Town of Chapel Hill and its environs. Such plans may include the entire community or any part thereof, and may include private as well as public property. Such plans shall set forth desirable standards and goals for the aesthetic enhancement of Chapel Hill or any part thereof, or the surrounding area within the area of planning and zoning jurisdiction, including public ways and areas, open spaces and public and private buildings and projects.

(f) To participate in the implementation of the foregoing plans in ways deemed appropriate to the governing board of the town and as specified in the ordinance establishing the Commission. To this end, the governing board is specially authorized to include in said ordinance the following powers:

- (1) To request from the proper officials of any public agency, including the Town of Chapel Hill, the County of Orange, the University of North Carolina, the Chapel Hill Recreation Commission, the Chapel Hill School District, the Chapel Hill Housing Authority, all public utilities and any State or Federal agency, its plans for public buildings, facilities or projects in Chapel Hill and its environs.
- (2) To review such plans and to make recommendations regarding their aesthetic suitability to the appropriate agency or governing board and to the Chapel Hill Board of Aldermen. The Appearance Commission shall review such plans in a prompt and expeditious manner. All recommendations of the Commission with regard to any public project shall be in writing, and copies of said recommendations shall be transmitted promptly to the Chapel Hill Board of Aldermen.
- (3) To formulate and recommend to the Chapel Hill Planning Board and Board of Aldermen such ordinances and amendments to existing ordinances (including the zoning ordinance, subdivision regulations and other local ordinances regulating the use and development of property) as will, in the opinion of the Commission, serve to enhance the appearance of Chapel Hill and its environs.
- (4) To direct Town officials' attention to needed enforcement of any ordinance which in any way may affect the appearance of the Town.
- (5) To see, through any appropriate means, voluntary adherence to the standards and policies of its plans.
- (6) To study and to make recommendations to the Board of Aldermen concerning implementation of the powers conferred upon the Town both hereby and by Chapter 278 of the Session Laws of 1965.
- (7) To enter, in the performance of its official duties and with the permission of the property owner, upon private lands and make examinations or surveys.
- (8) To promote public interest in and an understanding of its recommendations, studies and plans and, to that end, to prepare, publish and distribute to the public such studies and reports as will, in the opinion of the Commission, advance the cause of improved community appearance.

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- (9) To conduct such public meetings and hearings as may in its judgement be deemed necessary, giving reasonable notice to the public thereof.
- (10) To conduct an annual meeting at which the programs, progress, problems and policies of the Commission shall be presented and at which the public at large shall be invited to express itself on matters relating to the Town's appearance.

(g) To recommend to the Board of Aldermen suitable arrangements for the provision of staff and procurement of technical services for the Commission and to establish an Advisory Council or such committees as it may deem necessary."

Section 4. The Appearance Commission shall, no later than May 1 of each year, submit to the Chapel Hill Board of Aldermen a written report of its activities, an analysis of its expenditures to date for the current fiscal year and, for review and approval, its requested budget of funds needed for operation during the ensuing fiscal year. All accounts and funds of the Commission shall be administered in accordance with the requirements of the Municipal Fiscal Control Act.

The Appearance Commission is hereby authorized to receive contributions from private agencies, foundations, organizations, individuals, the State or Federal Government, or any other source, in addition to any sums which may be appropriated for its use by the Board of Aldermen of the Town of Chapel Hill. It may accept and disburse such contributions for special purposes or projects, subject to any specified conditions which it deems acceptable, whether or not such projects are included in the approved budget. All sums appropriated by the Town of Chapel Hill to further the work and purposes of the Commission shall be deemed to have been appropriated for a public purpose.

Section 5. Sections three, four and five of Chapter 278 of the Session Laws of 1965 are hereby amended by re-numbering and re-designating the same as Sections five, six and seven, respectively.

Section 6. Should any Section, clause or provision of this Act be declared by the courts to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the Act as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

Section 7. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. This Act shall become effective upon its ratification.

He explained that this would bring the enabling legislation in line with what the Aldermen wanted for the Appearance Commission. Alderman Page moved, seconded by Alderman Kage, that the Orange County Representatives be asked to submit this local bill to the General Assembly. This was unanimously carried.

#### SIDEWALK-CURTIS ROAD

Alderman Giduz reporting for the Street Committee told the Board that the work on developing the sidewalk along the west side of Curtis Road in front of Mrs. Leonard's had been done properly with due consideration for both Mrs. Leonard and the public in general. He asked that the Town Manager write to Mrs. Leonard concerning this. Alderman Strowd questioned whether the drainage under the sidewalk should be extended, and agreed to inspect the site with the Town Manager.

PARKING-WEST UNIVERSITY DRIVE

Alderman Strowd moved, seconded by Alderman Smith, that the following ordinance be adopted:

AN ORDINANCE RELATING TO PARKING ON WEST UNIVERSITY DRIVE  
AT RANSOM STREET

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

SECTION I.

That from and after the 13th day of February 1967 it shall be unlawful to park an automobile or vehicle of any kind on the south side of West University Drive from the western right of way line of Ransom Street to a point 144 feet west of Ransom Street.

SECTION II.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 13th day of February, 1967.

This was unanimously carried.

PARKING-CAMERON AVENUE

Alderman Page moved, seconded by Alderman Smith, that the following ordinance be adopted:

AN ORDINANCE RELATING TO PARKING ON CAMERON AVENUE AT  
MALLETTE STREET

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

SECTION I.

That from and after the 13th day of February 1967 it shall be unlawful to park an automobile or vehicle of any kind on the north side of Cameron Avenue from the western right of way line of Mallette Street to a point 75 feet west of Mallette Street.

SECTION II.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 13th day of February, 1967.

This was unanimously carried.

LOW COST HOUSING

Mayor McClamroch reported receipt of a letter asking the Board's feelings on privately owned low cost housing. The Board agreed that they should be sent to the Chapel Hill Housing Authority.

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RESOURCE CONSERVATION & DEVELOPMENT STUDY

Mayor McClamroch reported a letter addressed to him from Robert B. Nichols, Jr., Chairman, Orange Soil & Water Conservation District concerning a proposed federal project including several counties and asking that the Town give its approval. The Board asked the Manager to write to Mr. Nichols inviting him to be present at the next Board meeting to explain this proposal.

POLICE CAR BIDS

The Town Manager reported two bids received for an additional police car. Alderman Kage moved, seconded by Alderman Page, that the low bid submitted by Harriss-Conners Chevrolet Co. of \$1,336.00 be accepted. This was unanimously carried.

GARBAGE TRUCK BIDS

The Town Manager reported on an investigation of the garbage truck bids that had been received prior to the last meeting. He recommended that the low bid of \$7,195.00 submitted by E. Nelson O'Neal & Associates on a Pak-Mor loader be accepted. Alderman Giduz moved, seconded by Alderman Strowd, that the Pak-Mor garbage body be purchased.

STREET LIGHTS

The Town Manager reported that a committee of the Community Appearance Commission had agreed on some experimental types of street lighting to be used to improve the lighting on S. Columbia Street. The Alderman generally approved the proposal and asked that prices be obtained from the University.

RELEASES

Alderman Varley moved, seconded by Alderman Kage, that the following taxes be released as having been erroneously charged, for the reasons shown. This was unanimously carried.

<u>NAME</u>	<u>REC.#</u>	<u>AMOUNT</u>	<u>REASON</u>
Ron Kiser	4390	\$30.00	Double listing. Also in Kenneth Howard for 1966.
EDWARD MANN, Sr.	2256	21.33	Picked up in error. Property located in Carrboro.

RECREATION ELECTION

The Board discussed the possibilities of an election on the REcreation District to be held at the same time as the spring Municipal Election. It was pointed out that the time was very limited and that work must start immediately if there was any prospect of meeting the schedule. Alderman Giduz moved that the Board of Aldermen endorse an election which would establish a Recreation District including all of the Chapel Hill School District and that the Town offer their assistance to Civic groups promoting such an election and asked the County Commissioners to call a special meeting if the necessary petitions are obtained. This was seconded by Alderman Kage and unanimously carried. Mayor McClamroch was asked to coordinate the initial efforts in obtaining the petition.

SIDEWALKS

Mrs. Pearson Stewart asked that a crosswalk be painted in front of the Junior High School at Cumberland Road.

The Meeting adjourned at 10:10 P.M.

*Robert M. McClamroch*

Mayor

*David B. Roberts*

Town Clerk