

MINUTESBOARD OF ALDERMENTOWN OF CHAPEL HILL

The Board of Aldermen met at a regular meeting on Monday October 23, 1967 at 7:30 P.M. with the following members present: Aldermen Giduz, Prothro, Varley, Smith and Kage. Mayor Pro-tem Giduz presided. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

MINUTES

Alderman Prothro moved, seconded by Alderman Kage, that the minutes of the meeting of October 9, 1967 be approved as distributed. This was unanimously carried.

FRANK PORTER GRAHAM SCHOOL

Mr. Marvin Silver asked the Board to consider annexation of the Frank Porter Graham School. He said he understood that there was a general agreement between Chapel Hill and Carrboro that Carrboro would annex the land along Smith Level Road, and he suggested that the Town of Carrboro be approached on their position with reference to the school property. He also asked that the Town of Chapel Hill provide police patrol at the school immediately. The Board decided that they could not provide any police patrol outside of town and suggested that the school approach Carrboro with reference to annexation. The Town Manager reported that the Highway Commission was going to start the sidewalk improvements along Merritt Mill Road from Cameron Avenue to the Lincoln School, and proposed an ordinance limiting the speed on Merritt Mill Road on either side of the school to 25 mph at opening time and closing time. Alderman Varley moved adoption of the following ordinance:

AN ORDINANCE ESTABLISHING A SPECIAL SPEED ZONE FOR SCHOOL TRAFFIC ON MERRITT MILL ROAD IN THE VICINITY OF LINCOLN SCHOOL

WHEREAS, after engineering and traffic investigations, it has been determined that speed restriction of 35 mph is greater than is reasonable and safe under the conditions found to exist upon that portion of Merritt Mill Road, hereinafter described, and

WHEREAS, it is desirable that the speed limit thereon be reduced.

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

SECTION I.

That, for a period of 30 minutes before and after the opening of school each day and before and after the closing of school each day, the maximum legal speed on Merritt Mill Road from a point 500 feet north of the northern property line of Lincoln school to a point 500 feet south of the southern property line of Lincoln School shall be 25 mph.

SECTION II.

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 23rd day of October, 1967.

This was seconded by Alderman Kage and unanimously carried.

SPECIAL USE-STRATFORD HILLS

Alderman Giduz read a transmittal from the Planning Board

recommending approval of this special use permit with certain stipulations. Alderman Prothro moved adoption of the following:

WHEREAS the proposed plan of Stratford Hills as submitted is in harmony with the area in which it is situated and in general conformity with the plan of development of Chapel Hill, meets the requirements of the Zoning Ordinance and will not substantially injure the value of adjoining or abutting property and will not endanger public health and safety approval of this special use is hereby granted in accordance with the plan submitted and including the following stipulations recommended by the Planning Board:

1. That easements be provided for all required utilities and storm drainage.
2. That the interior yard space between apartment buildings numbered 12 and 14 on the plans be adjusted so that the interior yard requirements of Note L of the notes accompanying the Table of District Regulations of the Zoning Ordinance are met.
3. That all sidewalks shown on the site plan be four (4) inch concrete walks.
4. That a four (4) inch concrete sidewalk be added to the development connecting the two walks presently shown on the plan perpendicular to and terminating on the northwest side of proposed Bolinwood Drive.
5. That a graded sidewalk with Chapel Hill gravel be provided from the western end of the proposed sidewalk on the northwest side of proposed Bolinwood Drive west to Hillsborough Street.
6. That the size of the water lines serving the development be found acceptable to the University Service Plants or that adjustments in size be made as required by the University Service Plants.
7. That the staging of development be carried out as follows:  
First Phase - Start construction within twelve (12) months and complete construction within eighteen (18) months thereafter;  
Second Phase - Start construction within thirty six (36) months and complete construction within eighteen (18) months thereafter.
8. That stipulations Numbers 4, 5, 6, and 7 of the April 1967 approval of the Special Use Permit modifications be continued as stipulations of this approval.
9. That a landscaping plan be submitted to the Planning Board for approval prior to the issuance of a building permit.
10. That a satisfactory arrangement for the provision of an access road from Hillsborough Street to the apartment development be worked out between the developer and the adjacent property owner, Mr. Carlisle.

This motion was seconded by Alderman Varley and unanimously carried.

#### SPECIAL USE-KINGSWOOD

Alderman Giduz read a transmittal from the Planning Board recommending approval of Mr. Cohen's application for 158 apartment units along Morgan Creek with several stipulations. Alderman Kage moved adoption of the following:

WHEREAS the Kingswood Development if constructed according to plans submitted by Mr. Cohen, will not materially endanger the public health and safety, meets the required conditions of the Zoning Ordinance, will not substantially injure the value

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of adjoining or abutting property and the location and character of the use will be in harmony with the area in which it is located and in general conformity with the plan of development of Chapel Hill, the special use application for Kingswood is hereby approved with the following stipulations:

1. That a layout of all utility and drainage easements be provided to and approved by the Town Manager, and that such easements included a thirty (30) foot easement from the proposed sewer line on the western side of the property to the western property line and a thirty (30) foot easement along the southern edge of the property on the north side of Morgan Creek.

2. That the proposed sewer line on the western side of the property be increased from six (6) inches to eight (8) inches.

3. That the timing of development be carried out as follows: Construction to begin within twelve months and to be completed within eighteen months thereafter.

4. That all sidewalks shown on the site plan for four (4) inch concrete walks.

5. That a landscaping plan in keeping with the landscaping plan submitted prior to the modifications be prepared for the project.

This was seconded by Alderman Smith and carried unanimously.

#### VISUAL SURVEY

Alderman Giduz read a transmittal from the Planning Board recommending that the Alderman endorse the Visual Survey Report as a general guide. Alderman Kage moved, seconded by Alderman Varley, that action on this report be deferred until November 13th and that the Aldermen review this report before that time. This was unanimously carried.

#### HOLLOWAY STREET

Mr. Denny reported that a satisfactory agreement had been reached by the parties concerned with the closing of Holloway Street and a letter from Mrs. Danziger was submitted withdrawing her opposition. Alderman Prothro then moved adoption of the following resolution:

RESOLUTION CLOSING A PORTION OF HOLLOWAY STREET BETWEEN EAST FRANKLIN STREET AND ELIZABETH STREET, CHAPEL HILL, NORTH CAROLINA

WHEREAS, the Board of Aldermen of the Town of Chapel Hill is vested with the authority under Section 9, Subsection (17), Chapter 153, General Statutes of North Carolina to close streets and roads lying within the corporate limits of the Town of Chapel Hill, and

WHEREAS, pursuant to said authority the Board of Aldermen of the Town of Chapel Hill did receive at its regular meeting on August 28th, 1967, a Petition requesting it to consider the closing of a portion of Holloway Street between Elizabeth Street and East Franklin Street, located within the corporate limits of the Town of Chapel Hill and hereinafter more particularly described, and

WHEREAS, said Petition was signed by all of the property owners adjoining said street or road and whereas the Board of Aldermen did unanimously direct that the proposal to close said street be advertized as required by law for hearing, consideration, and

WHEREAS, Notice of said meeting, the matter to be considered, and the action proposed to be taken was duly advertized in a newspaper published in Orange County as required by law, and

WHEREAS, due Notice has been given to all interested parties and persons owning property on said road and in the vicinity of said property, the matter to be considered, and the action proposed to be taken, and

WHEREAS, it appears that said portion of said street has been abandoned by the State Highway Commission for maintenance, and

WHEREAS, it further appears to the satisfaction of the Board of Aldermen that the closing of said street or roadway is not contrary to the public interest and that no individual owning property in the vicinity of said street or road or in the subdivision in which is located said street or road will thereby be deprived of reasonable means of ingress and egress to his property, and that said street or road is not now affording access to any properties except those owned by the persons joining the Petition and request, and

NOW, THEREFORE, be it resolved by the Board of Aldermen of the Town of Chapel Hill that the hereinafter described portion of Holloway Street lying between East Franklin Street and Elizabeth Street within the Corporate limits of the Town of Chapel Hill be and the same is hereby ordered closed pursuant to the provisions of Section 9, Subsection (17), Chapter 153 of the General Statutes of North Carolina, it appearing to the satisfaction of the Board that the closing of said portion of said street or road is not contrary to the public interest and that no individual, firm or corporation owning property in the vicinity of said street or road will thereby be deprived of reasonable means of ingress and egress to his property. Said portion of Holloway Street being more particularly described as follows:

All that certain tract or parcel of land lying and being on the North Side of East Franklin Street and the East side of Elizabeth Street as extended in the proposed highway improvements thereto, and more definitely described as beginning at a point in the eastern right of way line of Elizabeth Street as extended and shown on the plans for Project Number 9.7070301, State Highway Commission, corner with the property of University Lodge as shown in deed recorded in Deed Book 195 at Page 335, Orange County Registry; running thence along and with the northern property line of said property and along the former right of way line of Old U. S. Highway 15-501 in a easterly direction about 260 feet to the right of way line of East Franklin Street, running thence along and with the right of way line of East Franklin Street in a northerly or northeasterly direction about 40 feet to a point in said right of way line, which said point is the eastern property line of the property of University Lodge extended as shown by deed recorded in Deed 176 at Page 440, Orange County Registry; running thence along and with said eastern property line extended across the right of way of old U. S. Highway 15-501 to the corner of the property of University Lodge as shown by deed recorded in Deed Book 176 at Page 40; running thence along and with the southern property line of said property and the right of way of Old U. S. Highway 15-501 in a westerly and southwesterly direction about 300 feet to a point in the eastern property line of Elizabeth Street, as proposed and shown on the plans of the State Highway Commission hereinabove referred to; running thence along and with the eastern right of way line of said proposed Elizabeth Street extension in a southeasterly direction about 40 feet to the point and place of Beginning.

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Provided however that this resolution shall be effective only upon the occurrence of the following conditions:

1. The execution, delivery and recordation of an easement to the Town of Chapel Hill for access across the property herein described for the maintenance operation and servicing of all utility lines now situated therein.
2. The execution, delivery and recordation of a mutually satisfactory agreement for ingress and egress between University Lodge #408 AF & AM, and the Zoom-Zoom, Inc.
3. The completion by the State Highway Commission of Project Number 9.7070301 including the extension of Elizabeth Street to East Franklin Street.

And be it further resolved that a certified copy of this Resolution and Order shall be filed in the Office of the Register of Deeds of Orange County.

This the 23rd day of October, 1967.

This was seconded by Alderman Kage and unanimously carried.

Note: Mayor McClamroch arrived at this time and presided for the balance of the meeting.

#### SEWER BIDS

The Town Manager reported that four bids had been received for construction of sewer in the Merritt Mill area and the connection from University Square to Franklin Street and that the low bid had been submitted by Valentine Construction Co. for a total of \$70,583.50. He pointed out that this bid called for completion by the end of July 1968 whereas the second low bid of \$74,363.55 submitted by Crane & Denbo showed completion by the end of March. He recommended acceptance of the low bid. Alderman Prothro moved, seconded by Alderman Varley, that the Mayor and Town Clerk be authorized to sign the contract. This was unanimously carried.

#### PARKING-COUNTRY CLUB ROAD

Mayor McClamroch reported that the Police Department had recommended that there be no parking on Country Club Road between NC 54 and Laurel Hill Road. The Town Manager reported that the Institute of Government had requested consideration of parking on one side of this road to help the parking shortage in the Institute. Dr. Crockford asked that parking be allowed on one side so that their guests would have a place to park. Mrs. Cowden suggested that it all be taken off as the students park there all day and not only block traffic but kept anybody else from parking. Dr. Crockford then suggested that parking be restricted between 8:00 & 5:00 p.m. and allowed after that time. The Town Manager suggested that staggered parking be considered so that there would be less serious blockage of traffic on this road. He expressed an opinion that when the paving is completed in the lower end of Laurel Hill Road that there will be more through traffic on this street. Alderman Prothro moved, seconded by Alderman Giduz, that this be deferred until the meeting of November 13th and the Police Department be asked to re-study the parking. This was unanimously carried.



PARKING-MITCHELL LANE

Mayor McClamroch told the Board that the Police Department recommended no parking on either side of Mitchell Lane from Rosemary Street to Gomains Avenue as it is a narrow two-lane road, and parking on either side tends to block the street. Alderman Smith moved adoption of the following ordinance prohibiting parking on Mitchell Lane:

AN ORDINANCE RELATING TO PARKING ON MITCHELL LANE

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

SECTION I.

That from and after the 23rd day of October, 1967 it shall be unlawful to park an automobile or vehicle of any kind on either side of Mitchell Lane between its intersection with Rosemary Street and its intersection with Gomains Avenue.

SECTION II.

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

This the 23rd day of October, 1967.

This was seconded by Alderman Giduz and unanimously carried.

ASSESSMENT-HILLSBOROUGH STREET

Action on the assessment roll for Hillsborough Street Paving had been postponed from the last meeting. Mr. Baldwin told the Board that he was assessed for 14 feet more than his deed called for. The Town Manager told the Board the assessment roll was apparently correct with the exception of one or two property corners and that this could be taken care of without action by the Board as the per foot assessment was not in contention. Alderman Giduz moved, seconded by Alderman Varley, that the assessment roll be approved. This was unanimously carried at 9:35 P.M.

OFFICE HOURS

The Town Manager recommended that the town offices not be kept opened on Saturdays as has been the case in the past. He told the Board that it was getting more difficult to find and keep employees and the Saturday morning hours was one of the problems as very few of the other offices in the vicinity were open on Saturday. Alderman Kage moved, seconded by Alderman Varley, that the Town offices be closed all day Saturday. This was unanimously carried.

HOUSING & URBAN RENEWAL CONFERENCE

The Town Manager read a letter requesting Town sponsorship of a Housing & Urban Renewal Conference to be held in Durham November 29, 1967. The Board agreed that they would be willing to have the Town of Chapel Hill listed as a sponsor of this program.

SIDEWALK-ELLIOTT ROAD

The Town Manager reported on a tabulation of 20 questionnaires received out of a total of 35 sent out to persons interested in sidewalks on Elliott Road. Dr. Tillman brought in four more replies and said that there were additional replies in the mail that would be received shortly. Mr. Tenney said he favored a concrete sidewalk but said he thought the city should pay for

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it. Mr. Muth at 211 Elliott Road said that concrete would be all right by him but he would prefer a brick sidewalk and that he thought the cost should be shared by other property owners not just those on the side which the sidewalk would be located. Dr. Tillman, who lives on Woods Circle, thought there should be a concrete sidewalk on Elliott Road and indicated he would be willing to contribute toward it. Alderman Prothro moved, seconded by Alderman Giduz, that action be deferred until more complete returns are in and tabulated and that the matter be brought up again at the November 13th meeting. This was unanimously carried.

#### CHAMBER OF COMMERCE MEETING

Mayor McClamroch told the Board that they had been invited to provide the program at a question and answer session of the Chamber of Commerce meeting at the Legion Hut on Thursday November 9th. He suggested that the Town Manager and Town Planner prepare a short preliminary presentation.

#### RELEASES

Alderman Varley moved, seconded by Alderman Kage, that the following releases be approved:

<u>NAME</u>	<u>REC.#</u>	<u>AMOUNT</u>	<u>REASON</u>
Mrs. Ira Hicklin	1669	\$ 8.40	Over-charged for sewer
Baptist Student Union	4857	12.00	Property sold-should not be charged sewer
Roger Evans	1157	13.57	Real property not in Town
University Methodist Parsonage	4882	12.00	Property sold-should not be charged sewer
Florence W. Gibbons	1398	2.93	Personal property in Victory Village
F. Susan Coenen	726	14.55	Charged Sewer in error just a lot
Dewey Clifton Brock	389	16.10	Real Property not in Town
John D. Jones	1936	12.08	Real property not in Town
Duke Power Co.	4134	3,045.89	Personal property not in Chapel Hill
Chapel Hill Ice Co.	4823	30.00	Building removed. Hooked onto Carrboro sewer with new building
Thomas Brooks	('65)348	3.81	Personal property located out of town
Thomas K. McClane	4659	30.00	Listed to wrong person

This was unanimously carried.

#### SPEED LIMIT-ESTES DRIVE

Alderman Prothro moved adoption of the following ordinance for a school speed zone on Estes Drive:

AN ORDINANCE ESTABLISHING A SPECIAL SPEED ZONE FOR SCHOOL TRAFFIC ON ESTES DRIVE IN THE VICINITY OF ESTES ELEMENTARY SCHOOL AND GUY B. PHILLIPS JUNIOR HIGH SCHOOL

WHEREAS, after engineering and traffic investigations, it has been determined that a speed restriction of 35 mph is greater than



is reasonable and safe under the conditions found to exist upon that portion of Estes Drive, hereinafter described, and

WHEREAS, it is desirable that the speed limit thereon be reduced.

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

#### SECTION I.

That, for a period of 30 minutes before and after the opening of school each day and before and after the closing of school of each, the maximum legal speed on Estes Drive from a point 500 feet east of the eastern boundary line of the Estes Hills Elementary School to a point 500 feet west of the western property line of the Guy B. Phillips Junior High School shall be 25 mph.

This the 23rd day of October, 1967.

This was seconded by Alderman Smith and unanimously carried.

#### POLICE DESK OFFICER

The Town Manager reported that the Chief of Police would like to have 3 positions designated for Police radio dispatchers in lieu of three positions as patrolmen. He recommended that the physical requirements for this position be less stringent than that for a patrolman which should make the job easier to fill. Alderman Giduz moved, seconded by Alderman Prothro, that an ordinance be prepared establishing these positions. This was unanimously carried.

The meeting adjourned at 10:15 P.M.

*Robert 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 Monday November 13, 1967 at 7:30 p.m. with the following members present: Aldermen Giduz, Prothro, Smith, Ethridge and Kage. Mayor Pro-tem Giduz presiding. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny. Mayor McClamroch and Alderman Varley were absent.

#### MINUTES

Alderman Prothro moved, seconded by Alderman Ethridge, that the minutes of the meeting of October 23, 1967 be approved as corrected. This was unanimously carried.

#### ART MUSEUM

Alderman Giduz reported that he had attended Chapel Hill Day at the N. C. Art Museum in Raleigh as representative of the Town and that he felt that the Town had been highly honored by the recognition and an appropriately large attendance from Chapel Hill.

#### SIDEWALKS-ELLIOTT ROAD

Alderman Prothro reported on an investigation by the Street Committee which recommended that a grass sidewalk on the south side of Elliott Road be considered adequate except where there were vacant lots and in each case it recommended that the Town construct a gravel sidewalk. Alderman Prothro said that

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