

EASTGATE

Mayor McClamroch read a letter from the Chairman of Community Appearance Commission to B.K. & R. Rentals concerning the appearance of Eastgate and offering the assistance of the Appearance Commission. Mrs. Welsh read the reply from Mr. Mitchell, Bankruptcy Trustee from B.K. & R. Rentals, telling the Board that some improvement was being made and that they hoped to sell the property soon and that more work would be done and that he supported the efforts of the Appearance Commission.

Alderman Smith moved the adoption of the following resolution:

WHEREAS the events of early April, 1968 led to certain emotional actions throughout the country that were detrimental to order and public safety, and

WHEREAS there were certain groups in the Chapel Hill area that attempted, unsuccessfully, to promote disorder among the citizens of Chapel Hill, NOW, THEREFORE,

BE IT RESOLVED that the citizens of Chapel Hill be commended on their actions during this period, particularly their resistance to pressures to demonstrate violently and destructively, with special commendation to the Chapel Hill Police Department for the manner in which they operated during this period.

This the 22nd day of April, 1968

This was seconded by Alderman Ethridge and unanimously carried.

The Meeting adjourned at 10:35 P. M.



Mayor



Town Clerk

MINUTESBOARD OF ALDERMENTOWN OF CHAPEL HILL

The Board of Aldermen met at a Special Meeting on Tuesday May 7, 1968 at 4:30 P. M. with the following members present: Mayor McClamroch; Aldermen Prothro, Ethridge, Smith, Giduz and Varley. Alderman Kage were absent. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

BOND ELECTION

The Town Clerk presented a report of the Board of Canvassers on the Bond Election held May 4, 1968. Alderman Varley moved, seconded by Alderman Smith, that the report be accepted. This was unanimously approved.

SEWER OUTFALLS

Alderman Prothro moved, seconded by Alderman Ethridge, that Rose & Pridgen be authorized to proceed with the preparation of plans and specifications for the sewer outfalls on Morgan Creek and Bolin Creek to be financed with the sewer bond money. This was unanimously carried.

MUNICIPAL BUILDING

Alderman Smith moved, seconded by Alderman Varley, that City

Planning & Architectural Associates be authorized to prepare plans and specifications for the new municipal building approved by the voters, in general conformance with the preliminary plans. This was unanimously carried.

STREET RIGHT-OF-WAY

Alderman Giduz moved, seconded by Alderman Smith, that the Board of Realtors be asked to designate an appraiser to appraise the property needed for the extension of McCauley Street. This was unanimously carried.

OPEN SPACE

Alderman Prothro moved, seconded by Alderman Ethridge, that the Town inform the State Property Officer that they wish to buy the 51-acre tract of Highway Commission land between Lake Forest and Weaver Dairy Road which is available at this time. This was unanimously carried.

CONCENTRATED CODE ENFORCEMENT PROGRAM

Alderman Ethridge moved, seconded by Alderman Smith, that the Town Manager be authorized to employ a student to be used in the preparation of this program application. This was unanimously carried.

ANNEXATION

Alderman Giduz moved, seconded by Alderman Prothro, that the following resolution be adopted:

RESOLUTION

A resolution stating the intent of the Town of Chapel Hill to consider annexation of the areas described herein fixing the date of Public Hearing on the question of annexation:

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

SECTION I.

That it is the intent of the Board of Aldermen of the Town of Chapel Hill to consider annexation of the following described territory pursuant to Article 36 of Chapter 160 of the General Statutes of North Carolina:

Area 1. - That land on either side of NC 86, Airport Road, lying north of Chapel Hill with a boundary described as follows:

BEGINNING at a point on NC 86 at Bolin Creek, then in a westerly direction upstream along Bolin Creek about 4,300 feet, past Tanyard Branch, to an unnamed tributary meeting Bolin Creek west of the western end of Weiner Street; then northward along this tributary about 3,000 feet to the southern property line of the property of the University of North Carolina; then generally eastward following the property line between the University of North Carolina and a subdivision known as Pinebrook Estates to NC 86 at a point about 450 feet north of Barclay Street; then across NC 86 and, following the property lines eastward 250 feet, southward 250 feet, eastward 1,600 feet, and northward 200 feet, to Cole Spring Branch; then eastward and southward along Cole Springs Branch about 3,000 feet to Bolin Creek; then generally westward along Bolin Creek about 3,500 feet to the point of BEGINNING, containing about 481 acres.

Area 2 - An area lying between East Franklin Street and the Bypass north of Bolin Creek and south of Eastgate described as follows: BEGINNING at a point on the eastern right of way line of US 15-501 Bypass at Bolin Creek, then westward along the center line of Bolin Creek about 3,000 feet to the present Town limit

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line of 200 feet east of Franklin Street; then in a northerly direction along the Town limit line parallel to and 200 feet from East Franklin Street for a distance of about 3,200 feet; then following the existing Town limit line in a southerly direction, approximately perpendicular to East Franklin Street about 800 feet, and approximately perpendicular to the Bypass about 1,000 feet, to the eastern right of way line of US 15-501 Bypass; then continuing along the corporate limit line and the southern right of way line of US 15-501 Bypass in a southerly direction about 2,800 feet to the point of BEGINNING, containing about 140 acres.

Area 3 - Land on either side of Ephesus Church Road east of the present Town limits described as follows:

BEGINNING at the present Town limit line on Ephesus Church Road, then following property lines northward, westward and northward to the northeast corner of the property of the Oxford Apartments, then in an easterly direction following the property line of the land owned by the Chapel Hill School District about 1,400 feet to the eastern edge of the Colony Woods Subdivision then following the outside boundary of this subdivision northward about 900 feet and eastward about 1,300 feet to the western edge of a proposed thoroughfare known as Burlington Boulevard; then in a southerly direction along the eastern edge of this proposed thoroughfare about 1,600 feet to a point one foot south of the southern right of way line of Ephesus Church Road; then in a westerly direction parallel to and one foot south of Ephesus Church Road about 750 feet to the western edge of Colony Woods Subdivision; then southward along the rear property line of the lots facing South Tinkerbell Road about 3,000 feet to the southern end of Colony Woods Subdivision; then in an easterly direction along the southern edge of Colony Woods about 400 feet then, following property lines, across Briarcliff Subdivision about 600 feet to the eastern edge of Briarcliff Subdivision; then along the eastern edge of Briarcliff Subdivision northward 400 feet to the corner of the present corporate limit line; then continuing in a northerly direction along the present corporate limit line about 2,600 feet to the point of BEGINNING, containing about 184 acres;

SECTION II.

A Public Hearing on the question of annexing the above described territory will be held at the Town Hall 7:30 P.M. on the 10th day of June, 1968 at which time plans for extending services to said territory will be explained and all persons residing and owning property in this territory and all residents of the Town of Chapel Hill will be given an opportunity to be heard.

SECTION III.

A report of plans for extending services to the above described territory be made available for public inspection at the office of the Town Clerk at least 14 days prior to the day of said Public Hearing.

SECTION IV.

That the notice of said Public Hearing shall be given by publication as required by law.

Adopted this the 7th day of May, 1968.

This was unanimously carried.

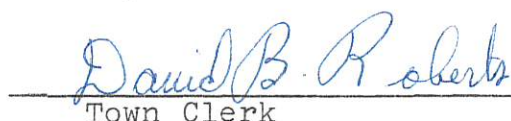
FINANCE COMMITTEE

A meeting of the Finance Committee was called for 4:30 P. M. on May 20, 1968 at the Town Hall.

The Meeting was adjourned at 5:05 P. M.



Mayor



Town Clerk

MINUTESBOARD OF ALDERMENTOWN OF CHAPEL HILL

The Board of Aldermen met at a regular meeting on Monday May 13, 1968 at 7:30 p.m. with the following members present: Mayor McClamroch; Aldermen Varley, Smith, Prothro and Kage. Alderman Giduz was absent. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

MINUTES

Alderman Smith moved, seconded by Alderman Varley, that the minutes of the meeting of April 22, 1968 be approved. This was carried by a vote of 3-0 with Alderman Prothro abstaining having been absent at that meeting. Alderman Smith then moved, seconded by Alderman Prothro, that the minutes of May 7, 1968 be approved. This was carried by a vote of 3-0 with Alderman Kage abstaining having been absent at that meeting. Alderman Ethridge was present for the rest of the meeting.

AIRPORT

Alderman Prothro read the following resolution which had been adopted by the Estes Hills precinct:

WHEREAS the University of North Carolina, in requesting Federal Aid for improvement of the Chapel Hill Airport was acting in a capacity representing the community.

WHEREAS this request was made to and granted by the Federal Aviation Administration without the customary public hearing when the public interest is involved.

WHEREAS the location of the airport is in the heart of an established residential district where a substantial investment has been made in public schools, utilities, and road improvements -- a location which is improper from the standpoint of public safety and the general welfare.

WHEREAS an outlying location is clearly in the best interests of the community.

WHEREAS the effect of the FAA action is to increase the capital investment in this facility to a degree that it will be difficult to justify relocation.

NOW THEREFORE BE IT RESOLVED that the allocation of funds for the present airport in Chapel Hill be suspended until a public hearing can be held.

BE IT FURTHER RESOLVED that action be delayed until (1) the plans have been reviewed by the Chapel Hill School Board and the Board of Aldermen in Chapel Hill, and (2) alternate sites for an expanded airport have been thoroughly investigated.

On behalf of Estes Hills Precinct meeting in convention and by a vote of 74 in favor and none opposed.

(Mary F. Prothro) Signed
Precinct Chairman

May 11, 1968

Alderman Smith moved, seconded by Alderman Ethridge, that this resolution be accepted. This was adopted by a vote of 5-0.

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OPEN HOUSING

Mayor McClamroch read a proposed Open Housing ordinance. Alderman Prothro moved, seconded by Alderman Ethridge, that this ordinance be adopted effective this date:

AN ORDINANCE TO PROHIBIT DISCRIMINATION IN THE SALE OR LEASE OF HOUSING IN THE TOWN OF CHAPEL HILL

WHEREAS, the Board of Aldermen of the Town of Chapel Hill is authorized and empowered to enact such ordinances as may be necessary or appropriate to protect health or property, and to preserve or promote the security, good order, and general welfare of the Town or its inhabitants, and

WHEREAS, discrimination because of religion, race, color or national origin is detrimental to the peace and general welfare of the Town of Chapel Hill, and its inhabitants, and

WHEREAS, the Board of Aldermen has heretofore, by resolution, stated the public policy of the Town of Chapel Hill as involving the equal opportunity in the acquisition and enjoyment of adequate housing in any area of the community without regard to race, and

WHEREAS, in order to preserve and promote the interest, rights, and privileges of individuals within the Town, unlawful housing practices should not be permitted.

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

SECTION I.

The Board of Aldermen hereby finds that the practice of discrimination against some citizens that denies their equal opportunities in open housing accommodations is detrimental to the public order and welfare. It is hereby declared to be the policy of the Town to assure equal opportunity to all persons to acquire and occupy housing accommodations of their choice, within their means. Toward the end of achieving equal opportunity in housing accommodations, public necessity requires the exercise of the police powers granted to the Town to maintain and promote the peace, good government, and general welfare of the Town, and to prohibit all things detrimental to the morals, safety, convenience, and welfare of the people.

SECTION II.

No owner of real property shall discriminate against any other person because of the religion, race, color, or national origin or ancestry of such other person, or because of the religion, race, color, national origin, or ancestry of the friends or associates of such other person in regard to the sale or rental of, or dealings concerning real property located within the Town of Chapel Hill, Any such discrimination shall be considered an unlawful housing practice.

The provisions of this Ordinance shall not apply to the rental of a room or rooms to four or less persons in a single dwelling unit. nor to the rental or lease of a portion of a dwelling house containing accommodations for not more than three families, when the remainder of said dwelling is occupied by (1) the owner or a member of his immediate family, or (2) a lessee of the entire dwelling or members of his immediate family.

Nothing in this Ordinance shall require an owner to offer property to the public at large before selling or renting it nor shall this ordinance be deemed to prohibit owners from giving preference to prospective tenants or buyers for any reason other than religion, race, color or nation origin.

Provided, however, that nothing contained in this section shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised, or controlled by or in connection with a religious organization, from limiting admission to or giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it has been established or maintained.

SECTION III.

Any person claiming an unlawful housing practice in violation of this ordinance may file a written complaint or affidavit upon which a warrant may be issued by the Clerk of the appropriate Court with jurisdiction of violations of municipal ordinance. The violation of any provision of this ordinance shall constitute a misdemeanor, punishable upon conviction of a fine not exceeding \$50 or imprisonment not exceeding 30 days, as provided by G.S. 14-4.

SECTION IV.

If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof. If this ordinance is declared invalid in its application to any transaction or transactions, it shall remain in force as regards all other transactions.

SECTION V.

This ordinance shall become effective from and after the 13th day of May, 1968.

STREET TREES

Mayor McClamroch presented a proposed Street Tree Ordinance prepared by the Community Appearance Commission. Mrs. Welsh, Chairman of the Community Appearance Commission, spoke in support of this ordinance. Alderman Kage said that he felt that this was very little different from present policies for street trees and was superfluous. Alderman Prothro moved, seconded by Alderman Smith, that the following ordinance be adopted:

AN ORDINANCE PROMOTING THE PLANTING, MAINTENANCE AND PROTECTION OF, AND REGULATING REMOVAL OF SHRUBS AND TREES IN, NEAR AND UPON PUBLIC STREETS, SIDEWALKS, SEWERS AND OTHER PUBLIC PLACES, TO ENHANCE THE APPEARANCE OF THE TOWN AS A WHOLE AND OF EACH STREET INDIVIDUALLY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, NORTH CAROLINA:

Section 1. Title of Ordinance. This ordinance shall hereafter be referred to and cited as the Street Tree Ordinance of the Town of Chapel Hill, North Carolina.

Section 2. Enforcing Authority. The Town Manager or his duly authorized representative shall be charged with the enforcement of this ordinance.

Section 3. Tree Planting.

a. All existing plantings of trees and shrubs on public rights-of-way and all future additions and substitutions of such plantings shall be under the authority and direction of the Town Manager or his duly authorized representative.

b. (1) Trees may be planted on the street right-of-way of any street in the Central Business District or any street or highway shown on the Thoroughfare Plan provided they comply with any plan for street trees that has been approved by the Board of Aldermen, and a permit has been issued by the Town Manager or his representative. There shall be no charge for such a permit.

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(2) Trees or shrubs may be planted on the street right-of-way of any other street of a variety and in a location desired by the abutting property owner except that no trees or shrubs shall be planted in, or interfere with, the space reserved for sidewalks, normally a strip 8 feet wide behind the curb or at the edge of the street, or close enough to any street intersection to interfere with the slight distance at that intersection.

c. All planting of trees and shrubs on public property shall be subject to general considerations of public health, safety and convenience, and the material and aesthetic value accruing to the whole community. Plantings shall be generally restricted to varieties known to be suited to the local climate and environment, and shall be intended to preserve and enhance the beauty and variety of the public landscape.

Section 4. Prohibited Trees. It shall be unlawful to plant in any public right-of-way fruit trees (except ornamental varieties), or any other kind of tree which by the nature of its root system, brittleness of its wood, or susceptibility to disease is deemed undesirable.

Section 5. Tree Protection and Maintenance. The Town will provide three maintenance in the Central Business District and on the thoroughfares. The Town will not be responsible for the maintenance of shrubs planted on the right-of-way except those planted by the Town. Shrubs which are planted on the right-of-way of any street and not properly maintained in a safe, healthy and attractive condition may be removed by the Town.

Section 6. Abuse or Mutilation of Trees. Except to abate a nuisance as defined herein, it shall be a violation of this ordinance to damage, destroy or mutilate any tree, shrub or plant in a public right-of-way or any public place, or to attach or place any rope or wire (other than one used to support a young or broken tree), sign, poster, handbill or any other thing to or on any tree, or cause or permit any wire charged with electricity to come in contact with any such tree.

Section 7. Public Nuisance on Streets - Prohibition of.

a. Trees, plants, shrubs or vegetation which so overhang any sidewalk or street, or which are growing thereon, (or adjacent thereto), in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public, either directly or by obstructing traffic vision, are hereby declared to be public nuisance.

b. It shall be the duty of the owner of the property wherein or whereupon any such nuisances exist to abate the nuisance by destroying or removing or trimming the growth. Trees on private property whose roots may damage sidewalks, curbs, or streets, by causing them to buckle or break or whose roots may enter into public sewers or water mains shall also be public nuisances and may be trimmed or removed as deemed necessary by the Town Manager.

c. (1) Where the roots of a public tree or shrub constitute a nuisance to private property the affected property owner may prune or cut the offending roots at his property line, provided the action will not create an unsafe condition. A permit for such cutting or pruning shall first be obtained from the Town Manager.

(2) Where the growth and limbs of public trees constitute a hazard to private property, the Town, upon notice, shall correct the condition.

Section 8. Removal of Trees.

a. Trees or shrubs shall not be removed from public property or street rights-of-way without a permit issued by the Town Manager or his duly authorized representative. Trees and shrubs on public properties may be removed by the Town only when they are dead, dangerous to life and property, seriously diseased or unsightly or constitute a nuisance, or where necessary to accommodate the construction of a public facility.

b. The Town retains the right to remove any tree on any street or highway right-of-way which is necessary to permit the proper maintenance or improvement of the street.

c. The Town may remove dead or diseased trees from the street right-of-way on any street in Town. A tree on the line which is half or more than halfway on the right-of-way at its base will be considered to be on the right-of-way.

d. Existing public trees in all sections of Town shall be preserved to the extent that is possible and feasible. Once removed they shall be replaced unless conditions prevailing in the area are adverse to the health of such new plantings.

Section 9. The Role of the Chapel Hill Community Appearance Commission. Upon request, or upon its own motion, the Chapel Hill Community Appearance Commission may investigate and make recommendations concerning any tree or planting on any public or private property where, in the opinion of the Commission, the appearance and character of the community will be affected.

Section 10. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 11. Validity. Should any section, or part of this ordinance be declared unconstitutional or invalid for any reason by a court of law, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 12. Effective Date. This ordinance shall be in full force and effect upon its passage.
This was unanimously carried.

REZONING-KESSING

Mayor McClamroch read a transmittal from the Planning Board asking for additional time before making a recommendation on the rezoning south of the Airport so that the Carrboro Planning Board and Town Board could study the effect of these proposals on the Thoroughfare Plan. Alderman Ethridge moved, seconded by Alderman Varley, that additional time be granted. This was unanimously carried.

SOLICITOR

Mayor McClamroch told the Board that Mr. Harper, Solicitor, has submitted his resignation effective June 15, 1968. He noted that the appointment would be through November only as the District Court will become effective December 11, 1968. Alderman Ethridge nominated Steve Bernholz for the position. Alderman Kage moved, seconded by Alderman Varley, that this decision be deferred until the May 27th meeting so that other possibilities could be considered. This was adopted by a vote of 4-1.

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HUMAN RELATIONS COMMITTEE

Alderman Smith, Prothro and Ethridge each read lists of proposed members for this Committee. Alderman Smith read a list given to him by Alderman Giduz. Alderman Kage suggested that copies of all lists be given to the Board and that official action be taken at the next meeting toward making appointments. This was done. Attorney Denny was asked to revise the ordinance, increasing the size of this Committee and providing for appointment by the Board of Aldermen rather than the Mayor.

ADVISORY COMMISSION

Lists of suggested appointees were submitted by Alderman Smith, Prothro and Ethridge. The same procedure was adopted for this Committee as for the Human Relations Committee.

STREET PAVING ASSESSMENTS

Town Clerk Roberts presented the assessment roll for paving on Laurel Hill and Stagecoach Roads. Alderman Varley moved, seconded by Alderman Prothro, that this assessment roll be accepted and that a hearing be advertized for May 27th.

CORRECTION OF MINUTES

The Town Manager told the Board that there was an error in the minutes of February 12, 1968 under the heading "Subdivision-Laurel Hills", that this was a final plat and not a preliminary plat and should have been referred to as a final plat. Alderman Ethridge moved, seconded by Alderman Kage, that the minutes be corrected

HOUSING DISCRIMINATION

Members of the Board had been sent a copy of a letter from the Chapel Hill Friends Meeting to Mr. Kutz complaining about discrimination in housing. The Town Manager was asked to acknowledge this letter but point out that the Open Housing Ordinance could not be retroactive.

SIDEWALKS

Alderman Kage noted that there was a need for sidewalks along either side of Estes Drive west of the Junior High School. This was referred to the Street Committee to check and report.

The Meeting adjourned at 8:30 P. M.

Robert M. Blum

Mayor

David B. Roberts

Town Clerk