

Town Manager be authorized to reimburse the Mayor for his expenses while attending this institute. This motion passed unanimously.

The meeting adjourned at 10:50 p.m.

*Henry Lee*

MAYOR

*David Roberts*

David Roberts, Town Clerk

MINUTES

Board of Aldermen

Town of Chapel Hill

The Chapel Hill Board of Aldermen met at a regular meeting on September 8, 1969 with the following members present: Mayor Lee, Aldermen Prothro, Nassif, Coxhead, Smith, and Scroggs. Aldermen Ethridge was absent. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Coxhead said that he would like a clearer explanation of the process used in selecting members to the Recreation Commission. Mayor Lee said that there was a tie between two persons as to which would have the two-year term and to which would have the one-year term and that he had made that decision in lieu of a vote. Alderman Coxhead said that the circumstances surrounding the voting were very unfortunate and also the fact that the recommendations of the Recreation Commission had been ignored and those persons not even nominated. Alderman Prothro agreed and said that she hoped this would not in any way set a precedent. Alderman Scroggs said he thought the procedure was an insult to the Recreation Commission. Alderman Coxhead moved, seconded by Alderman Smith that the minutes of the meeting of August 25 be approved as corrected. Attorney Denny noted that this action would confirm the action of the Board at the previous meeting regarding the appointments. Alderman Scroggs then said that he felt that the manner that the vote was taken was undemocratic and that the Mayor did not have a right to break a tie in this case, and that nobody knew how the voting went because it was a secret ballot. He said that he had voted for Mr. Hargraves and who nominated by Alderman Smith felt that Mr. Hargraves had at least two votes. Alderman Nassif said that the Aldermen had right to nominate persons to the Recreation Commission or any other Commission and that they were no way bound by the recommendations of the Board involved. The motion to approve the minutes was unanimously carried.

TAXICABS

Thurman Atkins requested that the Board authorize two additional taxicabs. The Town Attorney was asked to check into the legal procedures for issuing such permits. Alderman Coxhead moved, seconded by Alderman Nassif to accept the request without action at this time. This was unanimously carried.

TOWN LOT-LAUREL HILL RD.

Mayor Lee read a petition from several persons in the neighborhood of Laurel Hill and Buttons Road asking that the town lot on Laurel Hill be developed as a park. Alderman Smith moved, seconded by Alderman Scroggs that the petition be received, and that the members of the Board inspect the site, and take appropriate action at the next meeting. This was unanimously carried.

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#### TAXICAB FARES

Mr. Johnson, representing the Chapel Hill taxicab owners, asked the Board to grant an increase in taxi rates of about 10%, suggesting the following changes: 60¢ to 65¢, 80¢ to 90¢, \$1.00 to \$1.10, \$1.25 to \$1.40, \$1.50 to \$1.65. He told the Board that gasoline prices were up about 10% and that parts and tires were up about the same, and that Durham had recently had a 20% increase in the rate, bringing them up to 95¢ per mile for metered cabs. He also asked that the following zoning changes be made: north side of Lake Forest including the new annexed territory to be put in zone 6; Colony Woods east of Burlington Blvd., zone 6; Morgan Creek north of the by-pass, zone 2; and south of the by-pass, zone 4. He noted that zone 6 would be a new zone and suggested a fare of \$1.85 in this zone. Alderman Smith moved, seconded by Alderman Scroggs that the petition be received and referred to the Town Manager for recommendation. This was unanimously carried.

#### SEWER SERVICE-HOMESTEAD ROAD

Mel Rashkis asked that the Board assure the Homestead Development Company that if it extended a sewer line from Coker West, to their property on the southeast corner of Homestead Road and Airport Road, that they would be allowed to connect to City sewer. Town Manager recommended approval with the stipulation that any development of the area which would, if within the planning area, require a special use permit, must be developed with the same procedures as if it were within the planning area including the public hearing and the issuance of the special use permit. Alderman Coxhead moved, seconded by Alderman Prothro that the general project be approved subject to the approval of the sewer design and construction by the Town Manager and the planning control outlined above. This was unanimously carried.

#### MITCHELL LANE DITCH

The Town Manager presented several cost estimates to the Board including an estimate of \$1,000 above the contract cost for placing 60 feet of pipe proposed to be installed just north of McDade Street at a point behind Mrs. Robert's house, and an estimate of \$10,000 to install pipe from McDade Street to a point beyond Mrs. Robert's house. Mrs. Robert's said she wanted something done, she would let the Aldermen decide what. Alderman Prothro moved, seconded by Alderman Nassif to place 60 feet of culvert behind Mrs. Robert's house in lieu of immediately north of McDade Street, and prepare the necessary ordinance to provide the money from contingencies to this fund. Alderman Nassif noted that this would be reimbursable under the NDP program. The motion was unanimously carried.

#### BROOKS STREET

Town Manager presented a memorandum to the Board containing pertinent information about the drainage system which crosses Brooks Street at Mrs. Weaver's property. Mr. Scroggs said that it appeared to him that the pipe was either stopped up or the ditch too small to take the water. Mr. Edmunds told the Board that he did not think this was a natural ditch as the Town Manager claimed, that it was a hazard. Town Manager explained that by his definition a natural ditch was one that flowed through the bottom of a naturally lower area and was not diverted from some other area. Mayor Lee and Alderman Scroggs said that they would look the situation over again. Alderman Scroggs suggested that the Aldermen examine the policy which covered drainage in the Town and if it is found in need of revision to make a proposal to amend it. Alderman Nassif said he felt this was the proper approach. Alderman Prothro moved, seconded by Alderman Smith that Mr. Nassif and Mr. Scroggs and Mr. Peck examine and report concerning the general drainage policy for the Town.

#### COMMITTEE ATTENDANCE

Attorney Denny read a memorandum to the Board of Aldermen concerning the organization of all of the Committees in Town

and told the Board that a ~~simple~~ ordinance could amend the creating ordinance of only two committees to make attendance requirements mandatory. Mayor Lee then read an ordinance amending the ordinance creating the Community Appearance Commission providing attendance regulations.

AN ORDINANCE TO AMEND THE ORDINANCE  
ESTABLISHING A COMMUNITY APPEARANCE  
COMMISSION FOR CHAPEL HILL AND ITS  
ENVIRONS

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

SECTION I

That the Ordinance establishing a Community Appearance Commission for Chapel Hill and its Environs adopted June 27, 1966, and as subsequently amended, be, and the same is hereby amended by adding the following sentence at the end of Paragraph III of Section I entitled "Membership and Vacancies," reading as follows:

"A members seat will be declared vacant when he has been absent without excuse for three (3) consecutive regular meetings or a total of four (4) such meetings during the year. In such cases, the Chairman will request that the Mayor and Board of Aldermen fill the vacancy".

SECTION II

All Ordinances or portions of Ordinances in conflict herewith are hereby repealed.  
This the 8th day of September, 1969.

Alderman Nassif moved, seconded by Alderman Prothro that this be adopted. This was unanimously carried. Mayor Lee then read a similiar ordinance for the Recreation Commission.

AN ORDINANCE TO AMEND THE ORDINANCE  
RELATING TO THE PUBLIC RECREATION  
COMMISSION OF THE TOWN OF CHAPEL HILL  
AS ADOPTED DECEMBER 11, 1961 AND AS  
SUBSEQUENTLY AMENDED

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

SECTION I

That the Ordinance relating to the Public Recreation Commission of the Town of Chapel Hill as adopted December 11, 1961 and as subsequently amended, be, and the same is hereby further amended by adding the following paragraph at the end of Section III thereof, entitled "Appointment and Term of Office," to read as follows:

"A members seat will be declared vacant when he has been absent without excuse for three (3) consecutive regular meetings or a total of four (4) such meetings during the year. In such cases, the Chairman will request the Board Aldermen to fill the vacancy."

SECTION II

All Ordinance or portions of Ordinances in conflict herewith are hereby repealed.  
This the 8th day of September, 1969.

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Alderman Nassif moved, seconded by Alderman Prothro that this be adopted. This was unanimously passed. It was agreed that ex-cused absences would be at the discretion of the Chairman of the Committee involved.

#### CITIZENS' ADVISORY COMMITTEE

Alderman Smith moved, seconded by Alderman Nassif that the Town Attorney be asked to prepare an ordinance creating the Citizens' Advisory Commission in a more formal manner than it has been in the past. This was unanimously carried.

#### CODIFICATION OF ORDINANCES

Mr. Snyder presented samples of municipal codes by Michie Code Company and the Municipal Code Company which were examined by the Aldermen. The cost of the two are approximately the same, and the Town Attorney approved either as being a good code. Alderman Coxhead moved, seconded by Alderman Scroggs that the contract for codification of ordinances be awarded to the Municipal Code Company. This was unanimously carried.

#### TRUCK BIDS

Mr. Snyder presented the result of bids for a truck for the garbage department, noting that a letter had been sent to each bidder stating that the specifications were for guidance, and asking that bids be made approximately on the truck specified. This was because the factories are no longer able to provide new trucks according to specifications and it was a matter of urgency that a truck be obtained as soon as possible. Alderman Scroggs moved, seconded by Alderman Smith that the contract be awarded to Miller Truck Company the low bidder for the truck that was close to meeting the specifications. This was unanimously carried.

#### ELECTRICAL CODE

Alderman Prothro moved, seconded by Alderman Nassif that the following ordinance adopting the 1968 amendment to the National Electrical Code be adopted.

#### AN ORDINANCE TO ADOPT THE NATIONAL ELECTRICAL CODE 1968 EDITION

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

Under the authority granted by GS-160-200 (41) the National Electrical Code 1968 Edition published by the National Fire Protection Association is hereby adopted.

This the 8th day of September, 1969.

This was unanimously carried.

#### LANDSCAPING-FIRE STATION #3

The Board examined plans for landscaping the #3 fire station. The consensus was that more emphasis should be put on getting some good trees started than on the smaller plantings as the budget apparently would not cover the whole job. Alderman Coxhead moved, seconded by Alderman Scroggs that the Town Manager be authorized to go ahead and do as much landscaping as could be within the 1969-70 budget. This was unanimously carried.

#### VACANT LOTS

The Town Manager reported on a number of vacant lots that had been called to the attention of the Town at previous meetings. Most of these had been cleared off.

CONDEMNED HOUSES

Town Manager presented a list of houses which were now vacant, were substandard, and not likely to be improved, and suggested to the Aldermen that these be torn down after inspection by the Board. Alderman Coxhead moved, seconded by Alderman Nassif to have the ordinances prepared for the meeting of September 22 for each of these places, that the Board as individuals examine these places between now and that time and the owner be notified that such an ordinance would be considered. This was unanimously carried.

SALES TAX

Mayor Lee read a letter from Sam Gattis saying that there would be a meeting on Thursday, September 11, to discuss the coming election on the one-cent sales tax for local government purposes. Asking that the Town of Chapel Hill be represented. Mayor Lee asked that Alderman Scroggs, Alderman Coxhead, and Town Manager Peck represent the Town at this meeting.

APPOINTMENT TO COMMITTEES

Alderman Nassif asked that the Town Attorney prepare an ordinance or resolution adopting procedures for making appointments to all Boards and Commissions. He suggested that each Commission be authorized to nominate not more than two persons to fill each vacancy and that these persons automatically be nominated for consideration by the Board and that the Aldermen be allowed to make additional nominations and then vote. He asked that a secret ballot be used for all appointments. He also suggested that all nominations be made at the meeting prior to the date on which the vote was taken so that the Board would have a chance to become acquainted with the individuals nominated. Town Attorney agreed to prepare such an ordinance.

COMMITTEE APPEARANCE

Alderman Nassif commented on the improvements recently made by McGinty's Sport Shop and Town and Campus Shop on East Franklin Street and asked that this be referred to the Appearance Commission to consider any awards.

RESOLUTION

Alderman Nassif asked that a resolution be prepared for Mr. Kolbinsky, Mr. Hengeveld, and Miss Cannada for their work on the Recreation Commission.

ASSISTANT TO MAYOR

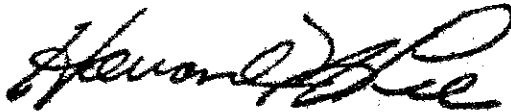
Alderman Coxhead asked the Mayor for more information on his assistant. Mayor Lee told the Board that Mr. Andy Little was working on a scholarship from a seminary in Atlanta plus some private donations that he was expected to attend the meeting, listen to complaints, and answer letters from the Mayor, and do other things to assist the Mayor, that he was expected to be in the office between 8:30 and 5:00 at the Town Hall and would work through August, 1970. He said Mr. Little could not speak for the Town, that he was there primarily to listen to complaints and do research work.

TAXI FRANCHISE

Town Attorney reported that the approval of additional cabs would be a form of franchise and that approval at two separate meetings was required. Alderman Prothro moved, seconded by Alderman Smith that Mr. Atkins be authorized to additional cabs and that this be put on the agenda for September 22. This was unanimously carried.

Meeting adjourned at 11:00 p.m.

CCB099



MAYOR



Town Clerk, David Roberts

MINUTESBOARD OF ALDERMENTOWN OF CHAPEL HILL

The Board of Aldermen and the Planning Board met at a regular Quarterly Hearing on September 22, 1969 with the following members present: Mayor Lee; Aldermen Ethridge, Smith, Coxhead, Nassif, Prothro and Scroggs. Planning Board members present were Cleaveland, Welsh, Tuttle and Umstead. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

SPECIAL USE-TEER-APARTMENTS

Mayor Lee announced that a hearing had been advertised for this time to hear special use requests and rezoning requests. The first was a request by Nello Teer for 876 apartment units north of the Boulevard just east of Booker Creek. Bob Anderson and Dillard Teer presented the proposal using various maps and building perspectives. He told the Board that electric and telephone wires would be underground, that there would be a minimum of grading done and the trees would be saved wherever possible. He said that they had a commitment from the Highway Department to pave the county road coming into this property from Mt. Moriah Church Road. Mr. Teer told the Board that any improvement of Mt. Moriah Church Road or the service road along the Boulevard would be up to the Highway Commission but that he would request the Highway Department to make such improvements. He agreed to study the possibilities of a small service area within the project. Jim Watson said that the owners along the Boulevard south of this project would like an access to this project and would be willing to provide commercial services for it. Mr. Teer said that there were no plans for extending this county road across Bolin Creek into Clark Hills. His reply to questions pointed out that the school to serve this area would be the proposed school on Ephesus Church Road. Alderman Ethridge moved, seconded by Alderman Prothro, that this request be referred to the Planning Board for study and recommendation. This was unanimously carried.

REZONING-R-6 to R-4 ROBERSON STREET

Arthur Cogswell presented a request for rezoning of two lots on Roberson Street from R-6 to R-4 telling the Board that they wanted them for a turnkey project for low-rent housing for elderly. He presented a proposal for 16 units of such housing. He said that he was not far enough along in his plans to present a request for special use for the housing at this time but that he would hope to have it by the next public hearing. It was suggested that if the zoning were approved that it be made not effective until the housing project proposal was approved. Mr. R. Clark suggested that the sidewalk should be constructed on Roberson if the project was built. Mrs. Herring supported the project. A letter was read from Alton Sadler opposing the project. Mr. Cogswell pointed out that the nature of the housing was such that the density in number of people would be quite light even though there would be a large number of housing units on the site. Alderman Ethridge moved, seconded by Alderman Prothro, to refer this matter to the Planning Board for study and recommendation. This was passed by a vote of 5-0 with Alderman Nassif abstaining because his firm was preparing the plans for the project. Alderman Scroggs asked that the Planning Board look at the property surrounding it to see if it should be zoned R-4 also.