

PROGRAM INVESTIGATION

Alderman Nassif said that he would like for the Board to discuss with each department head individually for evaluation of the department's work and their proposed program for the future. He suggested that such discussions be started in March and terminated before the budget was adopted. Alderman Scroggs said that this should be kept entirely separate from the budget. Alderman Coxhead suggested that a complete investigation by the Board of Aldermen was not practical and that it was the Manager's job to handle this detail, that the Board was more interested in policy. Alderman Smith said that it would improve the Board members understanding of the workings of the Town government and allow them to make better decisions on policy. Alderman Nassif suggested that if this is made a regular thing that all announced candidates for the Board be invited to attend such discussions on each election year. Alderman Nassif moved, seconded by Alderman Scroggs to invite the department heads to meet with the Board individually in a series of sessions beginning the first Monday in March and that these sessions be held on the regular afternoon meetings of the Board, the first and third Monday's. This was unanimously carried.

PUBLIC UTILITIES

Mayor Lee told the Board that he would like to begin discussion of the University on taking over by the Town of the Public Utilities owned by the University and suggested that the committee appointed for this try to meet with Mr. Eagles in the next two weeks. The committee previously appointed consists of the Mayor, Alderman Nassif, Scroggs and Town Manager Peck.

FEDERAL FUNDS

Mayor Lee told the Board that Betty June Hayes, Orange County Register of Deeds, was in a position to get information regarding federal funds and ask that projects of interest to the Board be referred to her for information.

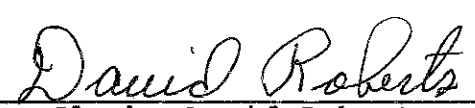
U. S. CONFERENCE OF MAYORS

Mayor Lee told the Board that he would like the Town to join the U. S. Conference of Mayors and that although the Town was not big enough to have voting privileges that it could get the information provided by this organization for \$50.00 per year. Alderman Smith moved, seconded by Alderman Prothro that this application be approved. This was unanimously carried.

The meeting adjourned at 5:30 P. M.



MAYOR



Town Clerk, David Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 7:30 P.M., January 12, 1970 with the following members present: Mayor Lee, Aldermen Scroggs, Coxhead, Bernholz, Smith, Prothro and Nassif. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

MINUTES

Alderman Nassif moved, seconded by Alderman Prothro that the minutes of the meeting of January 5, 1970 be approved as amended. This was unanimously carried.

CCB099

HEARING-NDP APPLICATION

Mayor Lee stated the purpose of the meeting and invited all persons in the audience to participate with comments and questions. He then called on Mr. Ray Green, City Planning and Architectural Associates, consultant to the Redevelopment Commission, to explain the proposed project and application. Mr. Green, using a series of maps, explained the program and told the Board that this hearing was the last procedural step in a series beginning with numerous neighborhood meetings and a hearing before the Planning Board and Redevelopment Commission on December 29, 1969. He noted that the Planning Board, subsequent to this hearing, had recommended to the Board of Aldermen approval of this project application. He told the Board that subsequent to the hearing they could adopt it, reject it or amend it. He pointed out that the area contained 239 acres of which 190 acres was used for residential purposes and contained 682 dwelling units about one half of had some deficiencies. The balance of the area is used for business. He pointed out that the land use plan was based on present zoning and that part of the first years program was to more fully develop a land use plan for the area. He told the Board that the first year's plan had three purposes: to provide funds for detail planning; to make available federal loans and grants with which persons owning property in the area could improve their property; and to provide a staff of technicians to advise residents and property owners in the area. He noted on one map an area in which the rehabilitation effort would be concentrated the first year because it was felt that in this area there would be no changes in streets or utilities which might make spending of funds for rehabilitation inadvisable without further planning. He explained that the Town's share of the first year program would be financed by non cash grants pointing out improvements in the way of sewer, street and drainage in the area. He noted that the first years application requested funds for a total cost of about \$300,000 with an approximate revenue of \$50,000 from the purchase rehabilitation and sale of five houses leaving a net of \$250,000. Of this net the Town's share would be \$62,500 and the federal share \$187,500. In addition to that the federal grants and loans were estimated to amount to about \$255,000. He said that the purchase of real estate was not in the original application but requested by HUD as they felt that certain cases might become a hardship if the rehabilitation commission could not buy properties. He says these would be voluntary sales for the benefit of the property owner, and nothing would be condemned for purchased. He noted that all existing zoning controls and building codes would be applicable in the area plus certain rehabilitation standards. He said that the program would become effective at the date adopted by the Board of Aldermen and would last for thirty years but that it could be modified at any time during that period with public hearings and proper approval by the Planning Board and Board of Aldermen. He noted that the application estimated that 75 houses could be rehabilitated in the first year, that there could be 3% loans directly from the federal government to the property owner under Section 312, that there could be direct grants in certain cases under Section 115, and that there could be indirect loans under Section 235 under which the federal government would assume a portion of the interest. John Caldwell ask how 75 houses could be rehabilitated in the first twelve months without a complete plan? This would be done in the selected areas where there was no problem of relocating streets or utilities. The planning would be the first order of priority followed by the rehabilitation. The only displacement of persons in the first year would be in the five houses proposed for rehabilitation by the commission and this would be for the convenience of the persons involved. Relocation for future years programs would have to be worked out before such programs could be approved. Standard housing for displaced persons must be available. Mayor Lee told the audience that there was a Town policy which would be enforced that there must always be standard housing for relocation. Mr. Green noted that with only five house to be rehabilitated out of some 300 with deficiencies that there could be great selectivity on the part of the Redevelopment Commission. He said that no specific house had been even considered by the Commission and that it was not necessary to purchase any houses if it was not for the convenience

of the people in the area. He said that for each year of the program there would be a complete series of hearings within the area and citywide public hearings by the Planning Board, the Redevelopment Commission and the Board of Aldermen. Any change in the project during the year also requires at least two public hearings. Mr. Manley ask about the speed anticipated for redevelopment? Mr. Green said that the loans and grants would be available immediately on funding the project, but there would be time required to staff the project and that their hope was that within twelve months 75 houses, 20% to 25% of the houses in the area with deficiencies could be improved. He noted that this was a five year project so they hoped to have the whole area improved within five years. In reply to questions on the standards, Mr. Green told the audience and the Board that the standards were based on all existing Town codes plus some standards required by HUD and read to the audience a list of twelve standards included in the application that were not now in existing Town codes.

In reply to a question as to whether these loans and grants could be guaranteed to anybody, he said that this was a matter for congress and could not be controlled by the Town but there had been no shortage in the past and none was anticipated. Mr. Manley ask if PG-50 had been adopted? It has not. Mr. Green indicated that standards probably would be increased as the loans and grants could be used only to meet the standards and it would be to the advantage of the persons in the area to be able to get loans and grants for a higher standard of improvement. Alderman Nassif said that he understood that the first year would be primarily planning and didn't see why any action other than planning was necessary. Mr. Green said that one of the biggest demands in the area was the availability of money for rehabilitation of houses by owners and that he felt a delay in making funds available to owners would not be desirable. Alderman Nassif then ask if the owners would be forced to rehabilitate the first year or whether the owner would come to the commission for assistance. Mayor Lee said that he felt that the owners would come in requesting assistance and it would be the commissions job to select those who could be assisted the first year. Mr. Caldwell said that he doubted if the people in the area understood that there would be any rehabilitation the first year that he thought there should be a delay in any rehabilitation assistance. Mr. Manley said that his prior approval of the project was only for planning. Mr. Manley said that he and a good many others did not understand what the standards were. Mr. Green repeated that the present standards were minimum and required to be a part of the project application and that the people in the area probably would benefit from higher standards to be developed later. Mr. Manley said that he felt that each person in the area should be informed in advance just what the standards would do to his particular piece of property. Mr. Green said that the staff of the project after it was organized might be able to do this. He noted that the standards could be changed from year to year but it would have to be after hearings and consultation with the people in the area. In replies to whether the application could be delayed until there was more discussion of standards. Mayor Lee said that further delay on the application would probably mean that it could not be funded this year. Mr. Cohn said that he felt that the impact of these standards should be discussed every resident and property owner in the area before they were adopted. Mr. Caldwell ask how many people in the area would not qualify for loans or grants? Alderman Smith ask what the income limitations were for loans or grants? Mr. Green explained that outright grants generally were restricted to families with a maximum of \$3,000 a year income that the loans were generally based on family size and could range in the Section 312 loans from \$4,200 for one person to \$7,800 for seven or more, and in the Section 235 program would vary from \$4,050 for one person to \$6,480 for nine or more in the family and that the limits and amounts were subject to change by the federal government but were generally based on 135% of the standards for public

CCB099

housing. There appeared to be no further comment or discussion from the audience. Alderman Prothro moved, seconded by Alderman Scroggs that the hearing be adjourned. This was unanimously carried.

ROBERSON STREET ZONING

Mayor Lee read a transmittal from the Planning Board recommending the rezoning from R-6 to R-4 of an area between Franklin Street and Cameron Avenue along Roberson Street and Basnight Lane. Mr. Palmer pointed out this area on the map and explained the recommendation. Alderman Bernholz noted that the recommendation from the Planning Board was not unanimous and ask what the objection was. Dr. Cleaveland, Chairman of the Planning Board, explained that it was the desire of the Planning Board to protect Cameron Avenue and that there was a conflict between the proposed use, housing for the elderly, and the zoning considerations that might otherwise be given. Alderman Smith moved, seconded by Alderman Coxhead to uphold the recommendation of the Planning Board and request an ordinance be prepared. Alderman Scroggs said that he felt this area was too small but noted that the R-4 was very similar to the old RA-6 from which it had been recently changed. He felt that there were other reasons why the R-4 area should be extended in this section of town. Alderman Coxhead ask Mr. Manley for his opinion? Mr. Manley said that the people in the neighborhood supported the housing for the elderly but were generally opposed to rezoning in the area, that they had apparently misunderstood the advertising for a hearing and thought that it involved only the land to be occupied by the housing project. The motion was passed by vote of five (5) to nothing (0) with Alderman Nassif abstaining because of financial interest in the housing project in the area. Alderman Nassif stated that he agreed that a larger area should be considered. Dr. Cleaveland said that the Planning Board had previously considered a larger area and had been turned down by the Town Board. The Town Manager recommended that as this was in the project area for rehabilitation that the Redevelopment Commission and its future planning consider the matter of rezoning this area. The Mayor then read an ordinance accomplishing the rezoning.

AN ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS, AS ADOPTED MARCH 14, 1955 AND AS SUBSEQUENTLY AMENDED TO REZONE THE AREA HEREINAFTER DESCRIBED

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 November 24, 1969 to consider the following change in the zoning ordinance; and

WHEREAS, following said Public Hearing the Planning Board of the Town of Chapel Hill recommended the Board of Aldermen adoption of the following amendments 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 "Ordinance providing for the zoning of Chapel Hill and surrounding areas", as adopted on March 14, 1955 and subsequently amended by and the same is hereby further amended so that the following area be zoned and the same is hereby rezoned R-4 and the uses permitted in the areas designated as R-4 as set forth in said Zoning Ordinance, shall hereafter apply to the following described area:

BEGINNING at the northeast corner of the intersection of Roberson Street and Cameron Avenue; running thence in a northwesterly direction along the east right-of-way line of Roberson Street a distance of approximately 175 feet; thence in a southwesterly direction crossing Roberson Street, and along a property line (between lots) a distance of approximately 177 feet; thence in a northwesterly direction along property lines parallel with Roberson Street approximately 230 feet; thence in a northeasterly direction, along a property line again crossing Roberson Street to the east right-of-way line of said street, a distance of approximately 177 feet; running thence in a northwesterly direction, along the east right-of-way line of Roberson Street, approximately 180 feet, this point being located on the present C. B. D. district line; running thence with said C. B. D. district line in a northeasterly direction approximately 149 feet; thence continuing with said line in a northwesterly direction approximately 110 feet; thence continuing with said C. B. D. line in a northeasterly direction approximately 150 feet to the eastern right-of-way line of McDade Street; thence along said eastern right-of-way line in a southeasterly direction approximately 30 feet to the north edge of a 10 foot alley. Thence with the north edge of said alley north-easterly approximately 114 feet; thence in a southeasterly direction crossing said alley and along property lines a distance of approximately 198 feet; thence southwesterly along a property line approximately 15 feet; thence southeasterly along a property line approximately 312 feet to a point 147 feet from the north right-of-way line of Cameron Avenue; thence southwesterly, crossing Basnight Lane, approximately 200 feet to a property corner; thence southeasterly approximately 147 feet to the north right-of-way line of Cameron Avenue; thence running with the northern right-of-way line of Cameron Avenue in a southwesterly direction approximately 201 feet to place and point of BEGINNING.

SECTION II

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

This the 12th day of January, 1970.

Alderman Smith moved, seconded by Alderman Prothro to adopt the ordinance as read. This was carried by a vote of five (5) to nothing (0) with Alderman Nassif abstaining.

NDP APPLICATION

At the Mayor's request Town Attorney Denny read a resolution approving the NDP application as follows.

RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL APPROVING THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR NEIGHBORHOOD DEVELOPMENT PROGRAM

WHEREAS, under the provision of Title I of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to local public agencies for undertaking and carrying out Neighborhood Development Programs; and

WHEREAS, it is provided in such Act that contracts for financial aid thereunder shall require that the Redevelopment Plan for the respective urban redevelopment area comprising the Neighborhood Development Program be approved by the Governing Body of the locality in which the area is situated and that such approval include findings by the Governing Body that: (1) the financial aid to be provided in the contract is necessary to enable the program to be undertaken in accordance with the Redevelopment Plan; (2) the Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the redevelopment area by private enterprise; (3) the Redevelopment Plan conforms to a general plan for the development of the locality as a whole; and (4) the Redevelopment Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may

CCB099

be desirable for neighborhood improvement with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan; and

WHEREAS, It is desirable in the public interest that the Redevelopment Commission of the Town of Chapel Hill (herein called the "Local Public Agency") undertake and carry out the Neighborhood Development Program (herein called the "Program") identified as "The North Side - Knolls Street Neighborhood Development Program" and encompassing the area or areas described in the attached Annex: #(1) In the Town of Chapel Hill, State of North Carolina (herein called the "Locality") and

WHEREAS, the Local Public Agency has applied for financial assistance under such Act and proposes to enter into a contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the Program, and

WHEREAS, the Local Public Agency has made studies of the location, physical condition of structures, land use, environmental influences, and social, cultural, and economic conditions of the urban redevelopment area or areas comprising the Program and has determined that the area is a rehabilitation, conservation and reconditioning area as defined and within the meaning of the provision of Subsection 21 of GS 160-456 and by reason of the factors listed in Subdivision (2) and Subdivision (10) of said GS 160-456 and is subject to a clear and present danger that, in the absence of municipal action to rehabilitate, conserve, and and recondition the area, it will become in the reasonably foreseeable future a blighted area in the residential portions thereof or a non residential redevelopment area as to that portion thereof which is predominantly non-residential, and the members of the Governing Body have been fully apprised by the Local Public Agency, and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the Board of Aldermen of the Town of Chapel Hill (herein called the "Governing Body") for review and approval a Redevelopment Plan for the urban renewal area dated _____, and consisting of thirty three (33) pages and two (2) mapped exhibits including Map #NDP-2, Existing Land Use and Building Condition Map, and Project Boundary Map; and Map #NDP-3, Land Use Plan and Preliminary Site Plan, supported by supplementary material, data and recommendations not a part of the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan has been approved by the Governing Body of the Local Public Agency with an amendment and modification in Map #NDP-2 and Map #NDP-3 by reason of a recent amendment in the ordinance providing for the zoning of Chapel Hill and surrounding areas and involving a portion of the area included in the plan, as evidenced by a copy of said Body's duly certified resolution approving the Redevelopment Plan which is attached hereto; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Planning Board of the Town of Chapel Hill, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting the Redevelopment Plan for the Urban Renewal Area comprising the Program, and has certified that the Redevelopment Plan conforms to the general plan for the Locality as a whole, and the Governing Body has duly considered the report, recommendations, and certification of the planning board; and

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Program in accordance with the Redevelopment Plan; and

WHEREAS, there has been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the area comprising the Program and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the Urban Renewal area and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced by the Program and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Redevelopment Plan for the Program, in conformity with the contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

1. It is hereby found and determined that the Urban Renewal area comprising the Program is a rehabilitation, conservation, and reconditioning area and qualifies as an eligible project area under the Urban Redevelopment Law of the state of North Carolina.
2. That the Redevelopment Plan for the Program, having been duly reviewed and considered, is hereby approved, subject to the amendment and modification in NDP-2 and 3 attached thereto to reflect the recent amendments to the ordinance providing for the zoning of Chapel Hill and surrounding areas affecting this area, and the Town Clerk be and he is hereby directed to file a copy of the Redevelopment Plan, identified as Annex #2 with the minutes of this meeting.
3. That is is hereby found and determined that where clearance is proposed that the objectives of the Redevelopment Plan cannot be achieved through rehabilitation of the Urban Renewal area comprising the Program.
4. That is is hereby found and determined that the Redevelopment Plan for the Program conforms to the general plan of the Locality.
5. That is is hereby found and determined that the financial aid to be provided pursuant to the contract for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Redevelopment Plan for the area comprising the Program.
6. That it is hereby found and determined that the Redevelopment Plan for the Urban Renewal area comprising the Program will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the Area by private enterprise.
7. That it is hereby found and determined that the Redevelopment Plan for the Urban Renewal area gives due consideration to the provisions for adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

CCB099

8. It is hereby found and determined that the Program for the proper relocation of individuals and families displaced in carrying out the Urban Renewal Plan in decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonable and timely effected to permit the proper prosecution and completion of the Plan; and that such dwelling or dwelling units available or to be made available to such displaced individuals and families, are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the area comprising the Program, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.

9. That in order to implement and facilitate the effectuation of the Redevelopment Plan hereby approve, it is found and determined that certain official action may be required to be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby pledges its cooperation in helping to carry out the Redevelopment Plan, (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan.

10. That the financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the area comprising the Program to be renewed and rehabilitated in accordance with the Redevelopment Plan for the Program and accordingly, the proposed Program and the annual increment are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I.

Alderman Prothro moved, seconded by Alderman Nassif to adopt the resolution as prepared by the Town Attorney. This was unanimously carried.

Alderman Smith moved, seconded by Alderman Nassif that the Mayor and the Town Clerk be authorized to sign the cooperation agreement with HUD for the rehabilitation program. This was unanimously carried.

Alderman Smith moved, seconded by Alderman Bernholz to request the Town Attorney to prepare a resolution requiring that not less than three months be elapsed between the time of funding and the time that applications could be received for rehabilitation loans and grants by the Redevelopment Commission. This was unanimously carried.

Mayor Lee stated that he would like to have the Redevelopment Commission increase efforts to explain within the area the application, the standards and the procedures involved so there would be a better understanding of it by the time the program was approved by the federal government. Alderman Nassif moved, seconded by Alderman Smith that the Redevelopment Commission be asked to do this. Mr. Green said that he would be willing to assist the Redevelopment Commission as a matter of public service. The motion was unanimously carried.

SIDEWALK VENDING

Mayor Lee told the audience that a hearing had been called on the matter of vending on the sidewalks of Franklin Street. He then read a letter from the Merchants Association objecting to any vending on the sidewalk with the exception of the flower sellers, known as "Flower Ladies" who have for years sold flowers on the sidewalk. Mr. Giduz supported this letter stating that he felt the ladies selling flowers were

CCB099

unique to Chapel Hill and a real asset to the community. Mr. Ewell ask if it was a matter of all or nothing or whether it was a matter of regulations. He said he felt that sales should be allowed if properly licensed and regulated. Mr. Caldwell said that he felt the discrimination would be unconstitutional that it must be a matter of either sell or not sell on the sidewalk or else regulate on other basis than sale of flowers. Mr. Lenke said he felt there should be no regulation that anybody should be allowed to sell anything as a matter of constitutional right. Alderman Prothro stated that the flower selling was a part of old Chapel Hill that should stay but that other vending on the streets is not and that it will go from one thing to another i.e. artificial flowers to flares for Jaycees and it should be stopped with the exception of the flowers. Mr. Cohn said that he favored vending on the street and suggested the establishment of a public market. Alderman Nassif said that the matter would be more than flowers as newspapers were being sold, collections for things such as salvation army being undertaken on the sidewalks. Mr. Caldwell said that he felt the "Flower Lady" image was one of black persons and that he and others objected. Alderman Bernholz noted that the issue was street vending not just sale of flowers. Alderman Scroggs said that he felt the regulations should be worked out which would be similar for all vendors. Mr. Stevens said that he felt that the sale of flowers was a thing off beauty that sales beyond this detracts from the attractiveness of the streets, that he felt that the sidewalk was not a public market and if one was needed it should be obtained and designated as such. Mayor Lee opposed any discrimination in the matter of regulations. Mr. Giduz said that he was willing to discriminate against every-body except the long time institution of the sale of flowers in Chapel Hill on the Franklin Street sidewalk. Alderman Nassif ask Mr. Giduz if he felt this should restricted to home grown cut flowers only? Mr. Giduz said yes that he did not feel anyone else should have the privilege of tax free space for sales on the sidewalk. Alderman Bernholz ask Mr. Giduz what he felt was a threat to the sale of flowers by other vending? Mr. Giduz said that he felt that this was a unique institution and that general sales on the sidewalk would kill the uniqueness of it. Alderman Prothro suggested that the Community Appearance Commission work with the Merchants Association on this matter. Alderman Scroggs said that he felt that this was a matter for the Board of Aldermen not the Appearance Commission that he liked the idea of a public market. Mr. Cornell ask about the sale of newspapers. Mr. Cohn said that he felt the additional vending would not hurt the sale of flowers but other limited sales could help it and suggested that a license be issued which would help pay for the space used. Mr. Tenney said that the ordinance was not strictly enforced that he had bought a cake from a democratic womens organization being sold on the sidewalk, that he felt this should be settled on a rational basis not as an emotional judgement. Mr. Mills said that Eastern Pennsylvania allocated specific spaces and charged licenses for certain types of sales an operated a successful market. Mr. Cohn said that street markets were desirable and should be encouraged. Alderman Smith moved, seconded by Alderman Nassif that this portion of the hearing be closed. This was unanimously carried.

EASTOWN SUBDIVISION

Mayor Lee read a transmittal from the Planning Board recommending a one year extension of the Eastown Subdivision. Alderman Smith moved, seconded by Alderman Prothro that this requested extension be granted. The motion was unanimously carried.

VILLAGE PLAZA SUBDIVISION

Mayor Lee read a recommendation from the Planning Board to approve a subdivision of the Village Plaza property on Elliott Road into two lots. Charles Mills, representing the developer, ask that this matter be deferred until the meeting of January 19, 1970 as there were negotiations under way concerning

this property which might make the subdivision unnecessary. Alderman Smith moved, seconded by Alderman Nassif to defer this until the January 19, 1970 meeting. This was unanimously carried.

COLONY WOODS SUBDIVISION

Mayor Lee read a transmittal from the Planning Board recommending that a request to abandon the proposed extension of Overland Drive east of Colony Woods Road be denied. Mr. Palmer explained the situation using the subdivision map. Alderman Nassif moved, seconded by Alderman Prothro that the request for amendment to the subdivision regarding this road be denied. This was unanimously carried.

PROTEST-SPECIAL USE PERMITS

Mayor Lee read a transmittal from the Planning Board recommending disapproval of a proposal to require more than a majority vote of the Board of Aldermen in cases of protest against the special use project. Alderman Scroggs told the Board that he thought this needed more study and moved that it be delayed until the meeting of January 19, 1970. This was seconded by Alderman Prothro. Alderman Nassif ask that the Planning Board be represented at that meeting. Dr. Cleaveland explained the thinking of the Planning Board in making their recommendation. He said it was the Board's feeling that the effect of a good many special uses were felt well beyond the adjacent property and in this respect it was different from zoning and unless a method that was administratively feasible could be found to properly gauge the affect of each project and provide for protest from that area that they did not feel that the adjacent property should have the right to require the extraordinary vote for approval of a project. The motion to delay action until January 19, 1970 was carried unanimously.

FIVE THOUSAND SQUARE FOOT LOTS

The Planning Board recommended that no action be taken on a request to consider the zoning district with lots of 5,000 sq. ft. and 50 ft. frontage as most of these lots are in the NDP area and a recommendation on this matter should come after further planning and study under NDP. Alderman Nassif moved, seconded by Alderman Smith to uphold the recommendation of the Planning Board. This was unanimously carried.

FRONT YARD PARKING

Mayor Lee read a transmittal from the Planning Board recommending that action be deferred on a proposed change to parking regulations in commercial and industrial districts until after the next hearing when a further change in the requirements would be advertised. No action was taken.

APPOINTMENT-BOARD OF ADJUSTMENT

Mayor Lee told the Board that there was a vacancy on the Board of Adjustment and that the Board of Adjustment had submitted the name of Dale Whitman as a nominee for this position. Alderman Smith moved, seconded by Alderman Nassif that the nominations be closed. This was unanimously carried. Alderman Bernholz then moved seconded by Alderman Prothro that the appointment be made by acclamation. This was unanimously carried.

APPOINTMENTS

Mayor Lee read a resolution revising the existing resolution concerning the policy on making appointments to various boards and commissions. Alderman Nassif moved, seconded by Alderman Prothro that the resolution be adopted as read. This was unanimously carried.

A RESOLUTION TO AMEND A RESOLUTION PROVIDING FOR THE PROCEDURE FOR THE NOMINATION, ELECTION, AND APPOINTMENT BY THE BOARD OF ALDERMEN ADOPTED OCTOBER 13, 1969

WHEREAS, the Board of Aldermen adopted a Resolution prescribing the procedure for the nomination, election, and appointment by the Board of Aldermen of all members to committees, commissions, or boards on the 13th day of October, 1969, and

WHEREAS, Paragraphs 2 and 3 of said Resolution provides that the particular board, committee, or commission effected may suggest nominees to fill such vacancy to the next regular meeting of the Board of Aldermen, and

WHEREAS, such boards, committees, or commissions may be unable to act upon such recommendations prior to the next regular meeting of the Board of Aldermen, and should have an opportunity to make such recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that Paragraph 3 of the Resolution providing for the nomination, committees, commissions or boards be, and the same is hereby amended by striking the period at the end of said paragraph, and adding the following language:

"following the next regular meeting of such board, committee, or commission."

This the 12th day of January, 1970.

RELEASES & REFUNDS

Alderman Prothro moved, seconded by Alderman Smith that the following releases and refunds be approved as erroneously charged. This was unanimously carried.

NAME	REC. #	AMOUNT	REASON
George W. Hamby	2284	\$62.87	Lake Shore Lane-out of Town
Phil Rominger	4739	625.77	Assessed for building-only a lot
Security Const.	6541	36.04	1314 Brigham Road-out of Town
William Alexander	44	18.00	Sewer charge, septic tank
James J. Wright	6037	7.99	Out of Town
Spence Lester	6597	37.93	Reduced Val. House no complete
R.T. Madden	3609	23.44	Reduced Val.
Nellie C. Perry	4358,	60.71	Out of Town

STOP STREETS-ROCK CREEK ROAD

Mayor Lee read a proposed ordinance establishing stop streets at three intersections of Rock Creek Road. Alderman Smith moved, seconded by Alderman Prothro that the ordinance be adopted as read. This was unanimously carried.

AN ORDINANCE TO AMEND THE ORDINANCE RELATING TO VEHICULAR TRAFFIC ON THROUGH STREETS AND AT STOP STREETS

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

SECTION I

That the ordinance entitled "An Ordinance relating to vehicular traffic on Through Streets and at Stop Streets", as adopted on June 27, 1966, which ordinance appears in Book 13, Page 179, of the official minutes of the Board of Aldermen of the Town of Chapel Hill, be and the same is hereby amended by adding Section II thereof street names under the headlings "THROUGH STREETS" and "STOP STREETS", respectively, as follows:

CCB099

"THROUGH STREETS"

North Lake Shore Drive
 Rock Creek Road
 Rock Creek Road

"STOP STREETS"

Rock Creek Road
 Croom Court
 Wells Court

SECTION II

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

This the 12th day of January, 1970.

PARKING LIMIT BUSINESS DISTRICT

Ed Tenney told the Board that the construction of the new Municipal Building would have considerable affect on the land between Rosemary Street and Short Street along Columbia Street and that the limited business district with the parking regulations enforced in it was suitable zoning for this area. He suggested that alleys be put in the rear and the zoning changed or the parking regulations changed. Alderman Smith moved, seconded by Alderman Nassif to refer this to the Planning Board for study and recommendation. This was unanimously carried.

FIRE DEPARTMENT

Alderman Smith ask for a report on the quick-hitch clothing of the fire department to see if additional equipment was needed. He also ask that a consideration be given to a portable heater for use by the fire department and that the Town Manager report on this matter at the January 19, 1970 meeting.

RUNNING CEDAR

Alderman Smith asked why the sale of running cedar was prohibited in Chapel Hill and allowed elsewhere in Orange County. Alderman Prothro said that it was a conservation item for all of Orange County and that the Town was trying to cooperate with that program.

GROUND BREAKING

Mayor Lee ask that a ground breaking ceremony be set up for the new Municipal Building.

SIDEWALK VENDING

Alderman Scroggs moved, seconded by Alderman Coxhead that a committee be appointed by the Mayor to study this matter. This was unanimously carried. The Mayor appointed Alderman Scroggs as chairman and Alderman Prothro and Bernholz as members of this committee.

PARKING METERS

Alderman Bernholz ask that a study be made of parking meters on East Franklin Street.

MEETING OF JANUARY 19, 1970

Alderman Nassif ask that the following matters be placed on the agenda for that meeting:

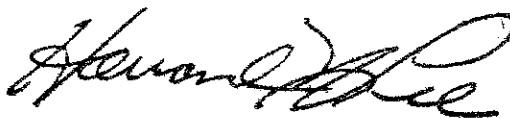
1. Clearing of vacant lots.
2. An ordinance prohibiting the burning of tires or cars.

He ask about the Northampton sign which is in violation of the sign ordinance? Attorney Denny said that action was to be filed in the next few days on this matter.

TYPIST

The Town Manager reported that the typing load was heavier than the present authorized staff could handle and ask for authorization for an additional typist and two typewriters. Alderman Coxhead moved, seconded by Alderman Bernholz that this be authorized. This was unanimously carried.

The meeting adjourned at 11:25 P.M.



MAYOR



Town Clerk, David Roberts

MINUTESBoard of AldermenTown of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M., January 19, 1970 with the following members present: Mayor Lee, Aldermen Nassif, Prothro, Smith, Bernholz, Coxhead and Scroggs. Also present were Town Manager Peck, Town Clerk Robert and Town Attorney Denny.

MINUTES

Alderman Prothro moved, seconded by Alderman Coxhead to approve the minutes of January 12, 1970 as corrected. This was unanimously carried.

COMMUNITY APPEARANCE

Mrs. Alice Welsh, chairman of the Community Appearance Commission and Dan Taylor, consultant, presented a proposal for the improvement of the appearance of West Franklin Street. This consisted of three drawings and a written report to supplement the drawings. Mr. Taylor's remarks centered on the additional planting he proposed for the area and recommendation of use of brick sidewalks rather than concrete throughout West Franklin Street. The report was accepted by the Board of Aldermen without action.

PROTEST-SPECIAL USE

Alderman Scroggs moved, seconded by Alderman Bernholz to defer this until the meeting of February 2, 1970. This was unanimously carried.

CLOTHING-FIRE DEPARTMENT

Alderman Smith moved, seconded by Alderman Prothro that an additional \$1,000 be appropriated from the contingency fund to the fire department for purchase of additional quick-hitch clothing. This was unanimously carried.

UNCLAIMED VACANT LOTS

A report on the investigation of this matter was requested for the January 26, 1970 meeting.

AIR POLLUTION

Mayor Lee read a proposed ordinance prohibiting the burning of cars or tires within the corporate limits. Alderman Nassif moved, seconded by Alderman Smith that this ordinance be approved. The motion was unanimously carried.

CCB099