

(14) The Mayor and the Town Clerk are hereby authorized and directed to cause said bonds to be prepared, and when they shall have been duly sold by said Local Government Commission, to execute said bonds and to turn said bonds over to the State Treasurer of North Carolina, for delivery to the purchaser or purchasers to whom they may be sold by said Commission.

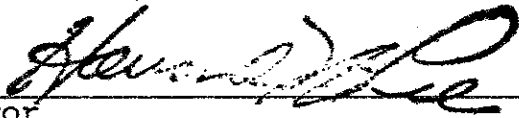
Alderman Nassif seconded the motion, and the motion was adopted. Those voting for the resolution were Messrs. Coxhead, Bernholz, Nassif, Smith, Scroggs, Prothro and no one voting against it.

Alderman Nassif said that federal funds might have been used for this project at a savings to the Town.

HUMAN RELATIONS COMMISSION

Mayor Lee told the Board there were three vacancies on the Human Relations Commission and that the Commission had sent two suggestions, Mrs. Gerald Holden and Mrs. Gerhard Lanski. Alderman Scroggs nominated Mrs. Don Holloway and Alderman Nassif nominated Mr. Wes Hare. Alderman Prothro moved that the two recommendations of the Human Relations Commission be placed in nomination and that the nominations be closed, this was seconded by Alderman Scroggs and unanimously carried.

The meeting adjourned at 6:47 P.M.



Mayor



Town Clerk, David Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a Special Hearing with the Planning Board at 7:30 P.M. April 13, 1970 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Prothro, Coxhead, Bernholz and Nassif. Planning Board members present were Weiss, Shearer, Umstead, Carroll, Locke, Welsh, Mitchell and Hemmens. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

PUBLIC HEARING

THE OAKS

Mayor Lee told the audience that this was a Special Hearing to consider a proposal for rezoning The Oaks, and called on Mr. E. J. Owens to present the plan which he did using maps showing the proposed rezoning and proposed subdivision. Mr. Rominger asked if there was any direct connection between The Royal Oaks Country Club and Byron Development Corp.? Mr. Owens said there was no direct connection but there were some contracts involving construction. No one spoke in support of the rezoning. Dr. Reichert spoke in opposition noting a petition which had previously been submitted by persons on the north end of Rogerson Drive opposing the rezoning to R-5 of tract two. This petition was read by the Mayor, who told the Board this had been certified by the Town Clerk and would require a three-fourths vote of the Board of Aldermen to accomplish this particular rezoning. Mrs. Eichman, Mr. Lloyd, Dr. Kaplan, Mr. Pence, Dr. Chapin, Mr. Reibel, Dr. Eyre and Mr. Johnston all spoke in opposition to the project and were given support by a large number of persons in the audience. Alderman Smith asked if the apartment sites could be more scattered within the tract? Mr. Owens said that the first proposal had more disbursement than the present one which had been suggested by the Planning Board and Board of Aldermen. Alderman Smith then asked if this proposal had been approved by Mr. DuBose? The first and second proposals were, this one has not been seen by Mr. DuBose. Alderman Smith then asked if Mr. Owens would be willing to close the proposed connection to

IN WITNESS WHEREOF, the Town has caused this bond to bear the facsimile signatures of its Mayor and its Town Clerk, and a facsimile of the corporate seal of the Town to be imprinted hereon, and the annexed coupons to bear the facsimile signature of said Town Clerk, and this bond to be dated May 1, 1970.

Mayor

Town Clerk

(FORM OF INTEREST COUPON)

No. _____ \$ _____

May,

On the first day of November, 19____, the TOWN OF CHAPEL HILL, a municipal corporation of the State of North Carolina, will pay to bearer

_____ DOLLARS (\$ _____)

at the principal office of North Carolina National Bank, in Charlotte, North Carolina, or, at the option of the holder of registered owner, at the principal office of the First National City Bank, in the Borough of Manhattan, City and State of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, being the semi-annual interest then due on its _____ Bond, dated May 1, 1970, No. _____.

Town Clerk

(Endorsement on Bonds)

The within bond has been registered
as to principal only, as follows:

Date of Registration	:	Name of Registered Holder	:	Signature of Bond Registrar
	:		:	
	:		:	
	:		:	
	:		:	
	:		:	

The issue hereof has been approved under the
provisions of the Local Government Act.

H. E. BOYLES

Secretary of the Local Government Commission

By: _____
Designated Assistant

(12) The Town Clerk is hereby authorized and directed to provide a suitable bond register for the registration of said bonds and to act as Bond Registrar in registering said bonds and to carry out the provisions set forth in said bonds for the conversion of said bonds into registered bonds and for the transfer thereof.

(13) The Local Government Commission of North Carolina is hereby requested to sell said \$850,000 Sanitary Sewer Bonds and said \$650,000 Public Improvement Bonds, in the manner prescribed by the Local Government Act of North Carolina, and to state in the notice of sale of said bonds given pursuant to Section 17 of said Act, that bidders may name one rate of interest for part of the bonds and another rate or rates for the balance of the bonds. Said bonds shall bear interest at such rate or rates as may be named in the proposal to purchase said bonds which shall be accepted by said Local Government Commission in accordance with said Act, and shall be in the denomination of \$5,000.

Cleland Drive? Mr. Owens said he felt that Cleland Drive was a public street, that he was being required to provide a large amount of street including some extra wide thoroughfare, and he felt that he should be allowed this access to 15-501, but as far as he was concerned Rogerson and Oakwood should be protected in any possible way. Mr. Owens then asked if any of those who had opposed this project had any positive suggestions for improving it? The only suggestion was single family use. Alderman Nassif pointed out the drainage problem on Tinkerbelle which could be aggravated by the development of The Oaks and said that a better drainage plan was needed. He said that he felt high density development was desirable to preserve open space and that well designed apartments could be compatible in almost any area. He asked about the formerly approved special use permits? They are still outstanding. He asked about the subdivision plan? The presently approved subdivision plan would be superceded by the one presented tonight if approved by the Board of Aldermen. Mr. Owens said that he would get a letter from Mr. DuBose withdrawing the special use permits. Alderman Nassif said that he would like to have a copy of Dr. Cody's letter concerning the schools to show in the Town's records. Alderman Nassif said that he liked a narrow street like Rogerson Drive if it did not have too much traffic and suggested that this apartment area connect directly with Estes Drive. Alderman Smith opposed the additional traffic proposed for Rogerson and Oakwood and pointed out that the intersection of Cleland with the By-Pass was very bad during busy hours. Alderman Bernholz asked if the Country Club development was contingent on approval of this project? Mr. Owens said that it probably would be delayed until access could be cleared up. Alderman Nassif said that he felt that it was necessary to plan at this time, all the lots backing on the southern end of Tinkerbelle in order to consider the drainage solutions. Alderman Smith moved, seconded by Alderman Prothro to refer this to the Planning Board for study and recommendation. This was unanimously carried. Alderman Nassif said that he wanted the complete plats and the special use taken care of before it was voted on by the Aldermen. Mayor Lee reminded the Board that it would take a three-fourths vote to approve tract number two.

The Hearing adjourned at 9:40 P.M.

REGULAR MEETING

The regular meeting of the Board was called to order at 9:50 P.M. with all members present.

MINUTES

Alderman Nassif moved, seconded by Alderman Smith to approve the minutes of the meeting of April 6, 1970 as corrected. This was unanimously carried.

ZONING-CBD

Mayor Lee read a petition requesting that no change be made in the zoning of the Central Business District. Alderman Coxhead moved, seconded by Alderman Scroggs that this petition be received and considered at the time the agenda item in which NCNB was discussed. This was unanimously carried.

COURT ROOM

Judge Horton told the Board that the Town should provide better Court facilities, that the crowds were large and dignity was expected in the Court. He said that there should be enough facility fees paid by the Court to the Town to take care of expenditures. He said he preferred a wider room even if it was shorter as it was more useful. He also spoke in favor of a Court Room with considerable amenities. He said there were certain changes that could be made after the new building was completed but others were needed immediately. He said that the Clerk should have a position on the judges stand near the witness and the space in the hall should be closed off for court use. He asked about the N. C. General Statutes? These have been ordered. He also asked that the N. C. Index be purchased. He suggested that the Board look at the Court Room at Siler City as they had an attractive new Court Room. Alderman

Bernholz was appointed to work with the Manager on proposing immediate recommendations and estimating the cost thereof.

MORGAN CREEK SEWER LINE

Mrs. Lunde read a statement to the Board asking that the construction job on the Morgan Creek Sewer Line be dressed up in the best possible manner before work was completed. The Town Manager suggested that this be carried further and that a pedestrian walk be developed along the sewer line, with the permission of the property owners, and additional money be spent for development, planning, etc. Alderman Scroggs said that he had walked this line recently and that work was coming along pretty well between the treatment plant and Ashe Place but no cleanup had been done beyond Ashe Place. It was noted that the contractors had been asked to spend his efforts at completing the sewer for use by the junior high school and not wait for the cleanup work as he went along. Alderman Prothro asked how far a pedestrian walk could be developed? This depends on the owner of the property. Mrs. Boyce asked that a committee of the neighbors be allowed to check the line before a final approval was given. Alderman Smith asked that Mrs. Boyce and Mrs. Lunde help to get the pedestrian easement approved. Alderman Prothro asked that the Open Space Committee be included in this project. Mayor Lee appointed as a committee to inspect this prior to completion: Mrs. Prothro, chairman; Mrs. Welsh, Community Appearance Commission; Ritchie Bell, Tom Barnett, Mrs. Klingberg, Billy Hunt and Mrs. Lunde. Mr. Wittinghill said that he objected to the pipe crossing the creek and suggested gravel dams be built at each crossing. Dr. Lehman said that he wanted a barrier placed at each pipe so that children would not be tempted to cross the pipe. Alderman Smith asked that this be checked at Ashe Drive to see if there was a particular hazard for the children. Alderman Scroggs said that a bridge on the pipe would be much better than baracades. Alderman Nassif moved, seconded by Alderman Smith to check the crossing at Ashe Place and see what could be done. This was unanimously carried. Alderman Nassif then moved, seconded by Alderman Prothro to have a report on the extent of unnecessary damage, made to the Board of Aldermen within two weeks, stating why it was necessary to go out of the right-of-way. This was unanimously carried.

KINGSWOOD APARTMENTS

Mayor Lee read a transmittal by the Planning Board recommending that the request for change in the special use plan for Kingswood Apartments be approved. Alderman Coxhead moved, seconded by Alderman Scroggs to uphold the recommendation of the Planning Board. Alderman Smith asked that the Planning Board member who voted against this recommendation report. Mrs. Welsh said that the Appearance Commission would like to have more variety in the buildings and a more outstanding landscape plan with which to hide the structures. She said that they considered the plan monotonous and that her vote in opposition of the project was based on the design of the buildings. Alderman Smith said that this was the first of several projects in this area and should be high quality. Alderman Nassif supported the Appearance Commission as a hard working, sincere group. Alderman Scroggs said that no architectural control was permitted and this apparently was strictly architectural control. He said the Appearance Commission had no authority to control architecture but should work by cooperation and suggestion. John Manning told the Board that the Planning Board almost unanimously recommended this and suggested that they go ahead and uphold the Planning Board recommendation. Mayor Lee said that the Board of Aldermen did not always agree with the Planning Board. Alderman Coxhead called for the question. This was defeated by a vote of two (2) to four (4) with Aldermen Coxhead and Scroggs voting affirmatively. Alderman Smith questioned the matter of allowing special use permits to be modified. Mr. Anderson then showed the Board plans for the buildings in the project and discuss these plans. Alderman Nassif said that he felt that the design of the buildings was adequate and so was the landscaping. The Board voted unanimously to approve the special use permit as recommended by the Planning Board, including pertinent stipulations from its original permit and the Planning Board's transmittal. Alderman Smith said that he wanted to call particular attention to this area as other projects were coming up.

UNIVERSITY SQUARE

Mayor Lee read a transmittal from the Planning Board recommending that no driveway be allowed to Cameron Avenue and that something should be done about the extension of Pittsboro Street and a traffic light at Church Street and Franklin Street. Alderman Prothro moved, seconded by Alderman Smith that special use for University Square not be amended to allow a driveway to Cameron Avenue. Alderman Nassif enumerated a number of problems with the design of University Square. Alderman Scroggs said that he favored a driveway onto Cameron Avenue. The motion was carried by a vote of five (5) to one (1) with Alderman Scroggs opposing.

Alderman Scroggs then moved, seconded by Alderman Prothro that the Town take steps to implement the thoroughfare plan with regard to the extension of Pittsboro Street between Franklin Street and Cameron Avenue. Such steps including obtaining a design from the highway commission, appraisals of the property needed and proposed financing. This vote was unanimously carried.

Alderman Smith moved, seconded by Alderman Nassif to refer to the Street Committee, the Manager and Police Department, the recommendation that a traffic light be placed at the intersection of Church and Franklin Streets and the driveway entrance in University Square be relocated to match with Church Street. The Town Manager said that there was an agreement with University Square that they would relocate this driveway when considered necessary. The motion was unanimously carried.

Alderman Nassif then moved, seconded by Alderman Smith that the Town Manager and Town Planner review University Square's special use permit to see if all stipulations had been met and report to the Board at the next meeting. This was unanimously carried.

UNIVERSITY ZONING

Mayor Lee read a transmittal from the Planning Board recommending that the Board of Aldermen ask the University to appoint a committee to meet with the Planning Board to discuss University zoning. Alderman Smith moved, seconded by Alderman Scroggs that the University be requested to do this as soon as possible. This was unanimously carried.

PARKING STRUCTURES

Mayor Lee read a transmittal from the Planning Board indicating their desire to advertise for the next Public Hearing a proposed ordinance placing parking structures under special use permit and limiting them to certain districts. Alderman Scroggs objected to some of the provisions of this ordinance. Alderman Smith said that there had only been one request for parking structure and perhaps they weren't really needed at this time. Alderman Scroggs moved, seconded by Alderman Nassif to refer this back to the Planning Board for further study, not to be advertised in its present form. This was unanimously carried.

TIME LIMITS-SPECIAL USE

Mayor Lee read a transmittal from the Planning Board indicating its desire to advertise for Public Hearing an amendment to the zoning ordinance establishing time limits on special use projects. Alderman Coxhead moved, seconded by Alderman Smith that the proposed advertisement be approved. Alderman Smith questioned the use of the word "substantial beginning". The motion was carried by a vote of four (4) to three (3) with Aldermen Coxhead, Scroggs and Prothro voting for and Aldermen Smith, Nassif and Bernholz voting against and the Mayor voting for.

OPEN SPACE

Mayor Lee read a transmittal from the Planning Board recommending that Mr. Phil Green be asked to draft enabling legislation which would allow the Town to require open space in subdivisions. Alderman Smith moved, seconded by Alderman Nassif that the Town Attorney be asked to prepare such legislation. This was unanimously carried.

COLONY WOODS

Mayor Lee read a transmittal from the Planning Board recommending approval of the amendments of the final plat of a small section of Colony Woods at the intersection of Ferrell Road and Landerwood Drive. Alderman Prothro moved, seconded by Alderman Scroggs that this plat be approved as submitted. This was unanimously carried.

CEMETERY BIDS

The Town Manager reported that only one bid had been received for the construction of a wall at the cemetery and that the project would have to be re-advertised.

NORTH LAKESHORE DRIVE

The Town Manager reported that the estimated cost for construction on North Lakeshore Drive greatly exceeded the money put in the budget and suggested that this project be let at such time that a portion of the cost would be carried over to the next fiscal year. He also suggested that people on Lakeshore Drive be advised that this was up for consideration as the petition had been quite close when it had been received by the Aldermen. It was agreed that the property owners along North Lakeshore Drive be advised of this and the matter brought back for discussion by the Board.

NCNB

The question was raised as to whether the Board of Aldermen wanted to take an official position in the matter of the NCNB Building on Franklin Street. Alderman Scroggs said that he felt that the choice was up to the bank and that he would oppose changing the height limit on Franklin Street and that they had a valid permit and could build if they wanted to. Alderman Nassif said that he favored a height limitation of some kind in this area. Alderman Coxhead said he preferred the second proposal of NCNB which did not have the six story building on Franklin Street, but would be seven stories on Rosemary Street. He felt there should be a special height limit on East Franklin Street. Mayor Lee said that there had been considerable pressure to preserve old Chapel Hill and that he favored the second plan and a height limitation in this block. Alderman Coxhead asked if it was feasible to have two separate C.B.D.'s in town? Alderman Scroggs said he thought it was probably feasible but would be a mistake; that the Town needed to build up, not out into the residential areas or into shopping centers. Alderman Nassif said that in answer to the petition opposing rezoning on East Franklin Street that the land which would allow forty five foot building was still very valuable land and that ninety foot buildings, built wall to wall, would not be a good answer. Alderman Smith preferred the bank plan with the high building on Rosemary Street and said that he did not anticipate other high rise buildings in the near future. Mrs. Welsh said that she thought the Community Appearance Commission should be given authority to set up an appearance district on East Franklin Street, that she felt this was allowed by the legislation but not by the ordinance adopted by the Board of Aldermen. Alderman Prothro moved, seconded by Alderman Smith to ask the Appearance Commission to recommend specific changes in the ordinance to make this possible. This was carried by a vote of five (5) to one (1) with Alderman Coxhead opposing. Alderman Nassif said he felt that the Board should take no position regarding the bank. Alderman Prothro moved, seconded by Alderman Coxhead that the Board go on record as favoring plan two. Alderman Smith said that this was not what the bank wanted, that without backing by the Aldermen that the Bank probably would go back to their original plan. Alderman Bernholz recommended no action. Alderman Nassif made a substitute motion, seconded by Alderman Bernholz that no action be taken at this time. This was unanimously carried.

CIVIL DEFENSE

The Town Manager reported that because the Civil Defense Director is a employee of the State by way of the University that Civil Defense matching funds cannot be used for a portion of his salary

and noted that this would cost the Town an additional \$75.00 per month for the Civil Defense program. Alderman Smith moved, seconded by Alderman Scroggs that the Town pay this additional \$75.00 per month for the balance of this fiscal year. This was carried by a vote of five (5) to one (1) with Alderman Bernholz opposing.

PARKING FACILITIES BONDS

The Town Manager Peck explained that the parking facility could retire \$12,500 in parking facility bonds on June 1, 1970. Advertising is required and he asked for authority to advertise and make this payment. Alderman Smith moved, seconded by Alderman Prothro that the Town Manager be authorized to proceed with the payment of \$12,500 of parking facilities bonds on June 1, 1970. This was unanimously carried.

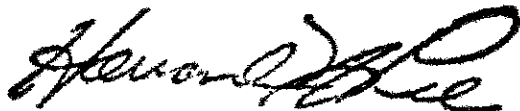
TRAFFIC IMPROVEMENTS

The Town Manager told the Board that the State Highway Commission has approved the proposed changes in the traffic signal system in downtown Chapel Hill and were anxious to have the approval of Chapel Hill and Carrboro for this project so they could go ahead with the work. He asked that members who had not reviewed the plans look at them so that the matter could be considered at the meeting on April 20, 1970.

GRIEVANCE PROCEDURES

The Town Manager told the Board that he felt Grievance Procedures should be more explicit and full than were shown in the present personnel ordinance, and that as some work was being done, toward revising the personnel ordinance that he had obtained copies of grievance procedures used in Charlotte and Greensboro and asked that these be considered with any other changes that were proposed in the ordinance.

The meeting adjourned at 1:22 A.M.



Mayor



Town Clerk, David Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M., April 20, 1970 with the following members present: Mayor Lee, Aldermen Coxhead, Bernholz, Nassif, Smith and Scroggs. Alderman Prothro was absent. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

MINUTES

Alderman Nassif moved, seconded by Alderman Smith to approve the minutes of the meeting of April 13, 1970 as corrected. This was unanimously carried.

THE OAKS

Dr. Eyre read a petition opposing any rezoning of tract two of The Oaks, as proposed or as recommended by the Planning Board. Alderman Smith moved, seconded by Alderman Nassif to receive the petition. This was unanimously carried.

RIDGEFIELD TOWNHOUSES

Arthur Cogswell asked that the Town accept for maintenance the street or driveway from 15-501 By-pass serving the Ridgefield Townhouses. He noted that the cooperation agreement between the Housing Authority and the Town indicated that the Town would accept for maintenance all streets, but that the minutes of April 14, 1969 indicated that this was to be a driveway not a street. He told the Board that this driveway, or street, was being constructed to State Highway Commission standards for a highway. Alderman Bernholz moved, seconded by Alderman Coxhead that this petition be received and considered at the end of the regular agenda. This was carried by a vote of four (4) to nothing (0) with Alderman Nassif abstaining because of conflict of interest.

THE OAKS

Mayor Lee read a transmittal from the Planning Board recommending approval of The Oaks as proposed with the exception that tract two be rezoned to R-10 instead of R-5. It was noted that there was a typographical error in the transmittal in enumerating the tracts to be zoned and that eight through twelve had been inadvertently omitted. Dr. Mitchell, Planning Board member who had made the motion involved, verified the fact that this correction should be made in the transmittal. Mayor Lee read a letter from Mrs. DuBose requesting withdrawal of the existing special use permits in The Oaks. Alderman Nassif noted that apartments can be developed harmoniously with other types of development and that density is one means of conserving open space. It was agreed that the subdivision and street portion of this plan was not included in the transmittal which referred only to zoning. Alderman Nassif moved, seconded by Alderman Scroggs to receive the letter from Mrs. DuBose and request that a resolution be prepared which would withdraw the special use permits. This was unanimously carried. Alderman Smith asked about the existing preliminary plat of the subdivision? It was noted that this would have no adverse effect as all the zoning would permit smaller lots so would not cause any non-conforming lots because of the rezoning. Mayor Lee told the Board that a copy of Dr. Cody's letter regarding the adequacy of the school system to handle a population increase in this area was in the file. Alderman Scroggs moved, seconded by Alderman Coxhead to prepare an ordinance rezoning the tracts as recommended in the transmittal: tracts one, and tracts three through twelve as requested and tract two to R-10. Alderman Nassif moved, seconded by Alderman Bernholz a substitute motion requesting an ordinance to be prepared rezoning tracts one, three through eight, and ten through twelve as requested, tract two to R-10, and not rezoning tract nine. Alderman Nassif said that this was because of the drainage problems in tract nine and that he felt that zoning this to R-10 as proposed would aggravate the drainage problems and that this should be solved prior to any rezoning. It is now zoned for agriculture. Alderman Scroggs said that this would be handled as part of the proposed drainage study, and is not significant to the zoning. Alderman Nassif said that the higher density allowed in the R-10 area in this case would affect the drainage. He said he much preferred the higher areas to be used for higher density and the lower areas and the creeks to be used for low density or non-developed areas such as a golf course. Alderman Nassif said that after a drainage plan was prepared and a subdivision plan was submitted that zoning of this area could be reconsidered. The substitute motion was carried by a vote of four (4) to one (1) with Alderman Smith opposing. Alderman Nassif then asked that written information be obtained as to the current taking line proposed by the New Hope project and asked that the Corps of Engineers be contacted as soon as possible. Mr. Palmer told the Board that the Corps of Engineers could do no better than submit the most recent plan but they couldn't guarantee this would be a final plan. Alderman Scroggs asked Mr. Owens about his negotiation with the Corps of Engineers and he said that they were negotiating concerning the irrigation pond and the fareways of the golf course that were within the taking area as shown on the most recent plans in the Town Hall. He said that he felt that this could be handled. It was noted that the most recent plan from the Corps of Engineers showed a number of lots in Briarcliff that would be taken by the project.