

MINUTESBoard of AldermenTown of Chapel Hill

The Board of Aldermen met at special meeting on June 10, 1970 at 4:00 P.M. with the following members present: Mayor Lee, Aldermen Bernholz, Nassif, Smith, Coxhead and Scroggs. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.


APPOINTMENT-BOARD OF ALDERMEN

Mayor Lee told the Board that this special meeting had been called to replace Alderman Mary Prothro who had resigned effective June 8, 1970. Alderman Coxhead suggested that the same procedure be followed this time that had been used for the last two appointments and the next highest person in the previous election be placed on the Board of Aldermen. He said that he had a large number of calls supporting this procedure and nominated J. Nelson Callahan for appointment to the Board of Aldermen. Alderman Smith told the Board that he felt it was important to appoint somebody with the same political philosophy endorsed by Mrs. Prothro and nominated Mrs. Alice Welsh. He told the Board that he had heard considerable support for Mrs. Welsh's appointment and pointed out her experience on the Planning Board and the Community Appearance Commission. Alderman Scroggs nominated Mr. James Wallace, noting that he had run high in Chapel Hill in a recent election for County Commissioner and he had also had considerable experience on the Planning Board. He said that he felt that his political philosophy would be very similar to that of Mrs. Prothro. Alderman Nassif spoke highly of the work that Alderman Prothro had done as a member of the Board of Aldermen and supported Mrs. Welsh as being someone who would continue that kind of work and said that he also felt that there should be a woman on the Board of Aldermen. Alderman Bernholz also supported Mrs. Welsh's nomination. Alderman Smith moved, seconded by Alderman Nassif that the nominations be closed. This was unanimously carried.

On a secret ballot Mrs. Welsh was elected by a vote of three (3) to two (2) over Mr. Wallace and the Mayor declared Mrs. Welsh to be the new member of the Board of Aldermen to be sworn in at the next regular meeting.

Alderman Scroggs told the Board that he resented the manner in which this appointment had been made as indicated by the newspaper which announced the decision of the Board prior to the meeting.

The meeting adjourned at 4:20 P.M.



Mayor



Town Clerk, David Roberts

MINUTESBoard of AldermenTown of Chapel Hill

The Board of Aldermen met at a regular meeting on June 15, 1970 at 4:00 P.M. with the following members present: Mayor Lee, Aldermen Scroggs, Smith, Coxhead, Nassif and Bernholz. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

MINUTES

Alderman Smith moved, seconded by Alderman Coxhead that the minutes of the meeting of June 8, 1970 be approved as corrected. This was unanimously carried. Alderman Smith moved, seconded by Alderman Scroggs that the minutes of the meeting of June 10, 1970 be approved as corrected. This was unanimously carried.

PARKING REGULATIONS

Mr. Donald Levine told the Board that his wife had parked his car in front of a fire hydrant because the remains of white painted parking spaces existing prior to the installation of the hydrant led her to believe that this was a legal parking place. The car had been towed away and a \$10.00 towing charge was required to get the car and Mrs. Levine asked that the Town take care of the towing charge. The photograph of the site indicated that there was some remains of the white lines but that the curb was painted yellow in this area indicating no parking. There is a state law prohibiting parking within fifteen feet of a fire hydrant. Alderman Smith moved, seconded by Alderman Coxhead to deny the petition. This was unanimously carried.

SIDEWALK SALES

Mayor Lee read a proposed ordinance controlling sidewalk sales on Franklin Street. Alderman Coxhead questioned the charging of privilege licenses. Attorney Denny said that these people were in fact peddlers who were not exempt from privilege license under Schedule B and that application of license taxes should be uniform. Alderman Scroggs pointed out that peddlers did not pay property tax as did other merchants. Alderman Scroggs asked that an amendment be made to prohibit selling or displaying in vehicles parked at the curb and that the County Tax Superintendent be notified of peddlers receiving privilege licenses. Alderman Bernholz said that the ordinance should allow selling either from the curb side of the sidewalk or the building side so that in extremely hot weather or rainy weather the vendors could move under the shelter. Attorney Denny pointed out that this could block display windows and that if done only with permission of the property owner would make use of a public sidewalk dependent on the property owner not the Town. Alderman Scroggs suggested that a requirement of ten feet of clear sidewalk space be put in the ordinance. Joe Augustine pointed out that consumers have no protection when dealing with peddlers such as they have when dealing with established merchants. He suggested that peddlers be required to take out bonds. Mr. Denny said that that was a different problem than the Board was considering at the present time. Alderman Coxhead moved, seconded by Alderman Scroggs that the ordinance proposed with the suggestions made for amending it be adopted and that the County Tax Collector be informed of all privilege licenses issued. This was discussed in considerable detail and a substitute motion was made by Alderman Smith, seconded by Alderman Bernholz to defer further discussion until the meeting of June 22, 1970 and revise the proposed ordinance based on the discussion. This was carried by a vote of four (4) to one (1) with Alderman Coxhead opposing.

POLLUTION

Mayor Lee said that he would like the Board to consider a program which would help to eliminate or prevent all kinds of pollution. Alderman Smith said that one of the priority items in such a program should be the elimination of trash on private property which could breed rats and asked for inspection and enforcement. Alderman Scroggs said that these were minor problems that could be settled in the neighborhood that the major pollution was population and the Town should try to determine what its proper size and density would be in order to retain it as a pleasant liveable community. Alderman Bernholz suggested employment of a consultant to study the whole environmental problem. Mayor Lee suggested that there be two separate programs, long range and short range. Alderman Scroggs suggested that the Citizens Advisory Committee promote a neighborhood campaign against rats and mosquitoes. The Town Manager was asked to request the County Health Department to make a survey to determine the extent of the rat problem.

TOWN AND GOWN COMMITTEE

Mayor Lee submitted the following proposal for organization of a Town and Gown Committee to work out mutual problems between the Town of Chapel Hill and the University.

PROPOSAL FOR DEVELOPING A TOWN-GOWN COMMISSION

For many years now the relationship between the Town of Chapel Hill and the University of North Carolina, has been extremely strained due to the lack of a formal mechanism through which the two could constantly communicate and maintain open channels of communications. It has often been said, and is partly true, that Chapel Hill and the University are in a unique position, as compared to other towns. Although this is basically true, there are many other situations which can be cited that resemble the situation between Chapel Hill and the University such as: Princeton, at Princeton, New Jersey; Yale at New Haven; and possibly Harvard at Cambridge, Massachusetts. But there is little to learn from their experiences, since their efforts have also failed to solve this communications problem. Therefore, I am not presumptuous enough to believe that one can create a mechanism that will solve our problem immediately and indefinitely, but we must try - and if we are lucky we may have a breakthrough.

It can be assumed that many of the problems that have arisen and created conflicts between the University and the Town, such as the water rates problem that now exists, may not have done so had there been opportunities to hold informal sessions to share each other's thinking, and for mutual input toward the final decision. As I look ahead, I can very definitely see that many other situations will arise and, therefore believe that it would behoove us to move in the direction now of trying to prevent such difficulties from coming into being. It is with this in mind that I propose that the University of North Carolina and the Town of Chapel Hill establish, what might be known for the sake of conversation, as a "Town-Gown Commission".

The purpose of such a Commission would be to: 1) open and maintain channels of communications between officials of the Town of Chapel Hill and the University of North Carolina; 2) provide opportunities to grapple with mutual problems and agree on solutions before the final decision is made; 3) to look at ways of developing plans and programs that can assist the University and the Town with augmenting the roles of each; 4) to identify potential trouble areas and begin working on solutions now. There are probably many other purposes that may be set forth, therefore, this is not an exhausted list. These are only listed to stimulate the thinking of the Board of Aldermen.

Proposed Structure

I am proposing that the "Town-Gown Commission" consist of approximately nine (9) members. The membership would be made up of the following individuals: the Mayor of the Town of Chapel Hill; the Town Manager of the Town of Chapel Hill; the Chancellor of the University of North Carolina or his designate; the Chairman of the Executive Committee of the Board of Trustees or his designate; two members at large, appointed by the Board of Aldermen of the Town of Chapel Hill; two members at large, appointed by the Governor of the State of North Carolina (Chairman of the Board of Trustees); and one person, appointed by the President of the Consolidated Universities. Please be informed that the above structure is only a suggestion and certainly would need to be discussed by the Board of Aldermen, as to validity of representation and size, as well as, purposes set forth.

Once the Board of Aldermen has evaluated and passed on its suggested structure for the Town-Gown Commission, the idea should be sent to the Board of Trustees of the University of North Carolina through the Chancellor for their suggestions and recommendations for the development of the Commission. Once both groups have satisfied themselves as to the purposes, the structure, and the makeup of the organization, a preliminary Committee representing both should be established to draw up a detailed proposal for establishing the Town-Gown Commission as an official functioning body.

Respectfully submitted by:

Howard N. Lee
Mayor

Alderman Smith asked about the University attitude? This is unknown, but the Mayor felt that they would be sympathetic toward it. Alderman Smith moved, seconded by Alderman Scroggs that the proposal as written be sent to the President of the University, the Chancellor of UNC at Chapel Hill, Governor Scott and the Chairman of the Executive Committee of the Board of Trustees and ask for their reaction. This was unanimously carried.

NOMINATIONS

Alderman Coxhead moved, seconded by Alderman Scroggs that nominations for appointments be held over until June 22, 1970 for all except the Advisory Personnel Board. Alderman Nassif made a substitute motion, seconded by Alderman Bernholz to accept nominations at this time for all boards and accept nominations submitted to the Town Manager's office by noon on June 18, 1970 so that they can be distributed with the agenda for next week. It was felt that Board members should have some prior notice of nominations before being ask to vote and the meeting of June 22, 1970 is the last meeting this month. This was unanimously carried. For the Advisory Personnel Board the following were placed in nomination: by Alderman Bernholz, Frank Hall; by Alderman Scroggs, Jake Wicker; by Alderman Coxhead, Walt Baucom; (Note: At this time Alderman Coxhead was excused from the meeting) Alderman Smith moved, seconded by Alderman Bernholz that all persons nominated by the various commissions and committees be placed in nomination. This was unanimously carried.

DRAINAGE

A discussion of a petition for drainage by Mr. Clark on Gomains Avenue was deferred until the meeting of June 22, 1970.

COURTS ASSESSMENT GARBAGE AND SEWER

The Board discussed a request by Mr. Courts for a refund of garbage and sewer service charges made over the past several years. The Town Manager reported that apparently Mr. Courts had paid a sewer charge for six years without having been connected to the sewer but that he had received daily garbage pickup for the years in which he had paid the assessment for daily garbage pickup. He recommended a refund of \$72.00 for the sewer charge. Alderman Smith moved, seconded by Alderman Scroggs that the \$72.00 for sewer charge be refunded and that the Town Manager be asked to talk to Mr. Courts and get further information about the garbage collection. This was unanimously carried.

SPECIAL USE-TIME LIMITS

Mayor Lee read an ordinance amending the zoning ordinance to establish time limits for special use permits. Alderman Scroggs moved, seconded by Alderman Smith to adopt the ordinance as read. This was unanimously carried.

AN ORDINANCE AMENDING "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED JANUARY 19, 1970 AND AS SUBSEQUENTLY AMENDED

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 May 25, 1970 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 to 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 Area", as adopted January 19, 1970, and as subsequently amended, be and the same is hereby further amended as follows:

Amend Section 4-B-1-b and Section 4-C-1-g of the Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas to add the following paragraph:

Such conditions shall include a requirement that a substantial beginning on the project be made within a specified period which shall not be less than one (1) year nor more than five (5) years from the date on which the Special Use Permit was approved. The Board shall also require that all work pursuant to the permit shall be completed within a specified period not more than ten (10) years from said approval date. Unless all work pursuant to the permit is completed within the specified time period, the permit shall become void and of no effect, provided, however, that the permit may be renewed prior to the expiration of said time period. Permits may be renewed for periods of one (1) year as deemed reasonable and appropriate by the Board.

SECTION II.

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

This the 15th day of June, 1970.

BUDGET ORDINANCE

Mayor Lee read a proposed amendment to the budget ordinance making changes in the accounts for planning, municipal building, street trees, street lights, signs and signals, garage, street construction and contingencies. Alderman Nassif moved, seconded by Alderman Scroggs that this be adopted as read. This was unanimously carried.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1969 AND ENDING JUNE 30, 1970.

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

SECTION I.

That the Budget Ordinance of the Town of Chapel Hill entitled "An Ordinance Appropriating Funds for the Fiscal Year Beginning July 1, 1969 and Ending June 30, 1970, and To Levy Taxes and Raise Revenue for the said Fiscal Year" as duly adopted on July 28, 1969 be and the same is hereby amended as follows:

1. Increase appropriation account "6090 Planning" by \$2,811.00 to \$28,953.00;
2. Increase appropriation account "6120 Municipal Building" by \$764.00 to \$10,294.00;
3. Increase appropriation account "6325 Street Trees" by \$400.00 to \$1,900.00;
4. Increase appropriation account "6350 Street Lights" by \$2,000.00 to \$23,000.00;
5. Increase appropriation account "6360 Signs and Signals" by \$1,406.00 to \$14,381.00;
6. Increase appropriation account "7690 Garage" by \$5,460.00 to \$32,710.00;
7. Decrease appropriation account "6330 Street Construction" by \$9,266.00 to \$73,734.00;
8. Decrease appropriation account "8000 Contingency" by \$3,575.00 to \$32,833.00.

SECTION II

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

This the 15th day of June, 1970.

Mayor Lee then read an ordinance amending the budget ordinance to transfer \$1,000.00 from the recreation contingency to the recreation department operating fund. The Town Manager explained that this was requested by the Recreation Commission to make improvements on the baseball field on Ephesus Church Road and that it was being handled this way rather than requested in the next year's budget so that work could be started in time to use the field this summer. Alderman Nassif moved, seconded by Alderman Scroggs to approve the ordinance as read. This was unanimously carried.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1969 AND ENDING JUNE 30, 1970.

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

SECTION I.

That the Budget Ordinance of the Town of Chapel Hill entitled "An Ordinance Appropriating Funds for the Fiscal Year Beginning July 1, 1969 and Ending June 30, 1970, and To Levy Taxes and Raise Revenue for the said Fiscal Year" as duly adopted on July 28, 1969 be and the same is hereby amended as follows:

1. Increase appropriation account "7000 Recreation" by \$1,000.00 to \$108,872.00;
2. Decrease appropriation account "7080 Contingency" by \$1,000.00 to \$2,039.00.

SECTION II.

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

This the 15th day of June, 1970.

COUNCIL ON AGING

Mayor Lee read a proposed ordinance establishing a Council on Aging. Alderman Bernholz moved, seconded by Alderman Smith to adopt the ordinance as read. This was unanimously carried.

AN ORDINANCE TO ESTABLISH AN ADVISORY COUNCIL ON AGING

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

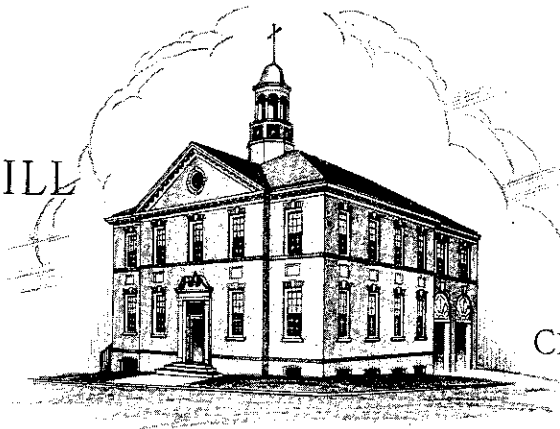
SECTION I

There is hereby created an Advisory Council on Aging for the Town of Chapel Hill.

SECTION II

The Council shall be composed of seven (7) members serving without pay. They shall be appointed by the Mayor and Board of Aldermen, and vacancies occurring on the Council shall be filled in the same manner for the unexpired term. The term of office for members shall be for two (2) years ending June 30 or until their successors are appointed and qualified. The term of members first appointed shall be as follows: Four (4) shall be appointed for a term expiring June 30, 1971; three (3) shall be appointed for a term expiring June 30, 1972. At the expiration of said initial terms, each member thereafter to be appointed shall be for a two (2) year term, and members shall be eligible to succeed themselves.

TOWN OF CHAPEL HILL



CHAPEL HILL, N.C.

NORTH CAROLINA
ORANGE COUNTY

I, Mrs. Alice Welsh, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Mrs. Alice Welsh

I, Mrs. Alice Welsh, do solemnly and sincerely swear that I will be faithful and bear the true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

Mrs. Alice Welsh

I, Mrs. Alice Welsh, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill and judgment all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

Mrs. Alice Welsh

The above oaths were this day, June 22-1978, subscribed and sworn to before me.

David B. Roberts

TOWN CLERK

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

SECTION III

Members of the Council shall meet and select a Chairman and such other officers as may be necessary. The Council shall hold regular meetings at such time and places as may be determined by them; it shall have the power to adopt by-laws, and to establish such subcommittees as it may deem necessary. The Council together with the Town Manager will select the Project Director who shall be responsible for the administrative functions of the Council. Such other persons may be employed in behalf of the Council as funds are available, and all employees will be employees of the Town of Chapel Hill and under the general supervisory authority of the Town Manager, but under the policy direction of the Council. The Council shall keep such records and make such reports as may be required for the effective operation and funding of the program.

SECTION IV

The purposes of this Council and the administrative personnel engaged therefor is to develop community understanding of the Aging Process and older people - their potentials, problems and needs; to develop a comprehensive plan covering needed facilities and service to all available local operational and other resources; to focus on the importance of preparing the young and middle ages for their later years; to bring the community's influence and all of its aspects to bear on local, state, and national programs for the aging, and generally to co-ordinate activities of all agencies, committees and institutions concerned directly or indirectly with the aging.

SECTION V

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

This the 15th day of June, 1970.

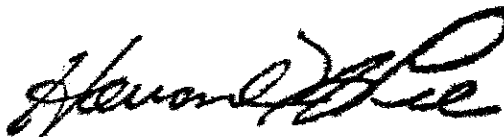
PEDESTRIAN CROSSWALKS

Mayor Lee asked that the Board review some movies taken by Mr. Jim Driscoll on the use of pedestrian crosswalks. This was done. There was some discussion about the safety and effectiveness of the various crosswalks. Alderman Smith moved, seconded by Alderman Scroggs to prepare an ordinance to remove the pedestrian crosswalk at the NML Building. This was unanimously carried. The Town Manager was asked to check on the use of the crosswalk near Fisher and Fisher on West Franklin Street and the Highway Department about the possibility of activated signals on East Franklin Street synchronized with the traffic signals.

POLICE CARS

Alderman Smith asked that the garage inspect the police cars weekly to see that they are in safe condition.

The meeting adjourned at 6:48 P.M.



Mayor



Town Clerk, David Roberts