

Mayor would be presented. This was seconded by Alderman Smith. The motion passed 5 to 1 with Alderman Coxhead voting against. Mayor Lee appointed Alderman Bernholz as chairman of the resolution committee with Aldermen Welsh and Smith as members.

The Planning Board unanimously makes the following recommendation to the Board of Aldermen:

Since the environmental impact of the proposed I-40 on this area had not been evaluated, and since metropolitan transportation impact in this area has not been evaluated, even though these are required by Federal statutes, the Planning Board recommends to the Board of Aldermen that that board go on record as opposing at this time all of the proposed I-40 routes through the Durham Standard Metropolitan Statistical Area, and that it urge the Highway Commission and appropriate Federal authorities to satisfy these Federal requirements by completing an updated comprehensive transportation plan for the entire Durham SMSA and by preparing analyses of the environmental impact of any proposed major highways in this area, and make these a part of the public record prior to any further action on the proposed I-40 corridors through the Durham SMSA.

The Planning Board also recommends that, if the Board of Aldermen should so act, copies of this recommendation be sent to the following:

- The Representative of this Congressional District in the House of Representatives
- The Chairman of the North Carolina Highway Commission
- The Governor of the State of North Carolina
- The Secretary of the United States Department of Transportation
- The President of the United States of America.

#### HUMAN RELATIONS COMMISSION

Recommendations for nominations to the Human Relations Commission of two students from the high school and two students from UNC were received. These were Anthony Weaver and Susan Sockwell from the high school and Maybelle McLendon and Judy Dixon from the University. Alderman Nassif moved, seconded by Alderman Smith that the nominations be closed. This was passed unanimously. Alderman Nassif moved, seconded by Alderman Scroggs that these four students be appointed to the Human Relations Commission for a term beginning January 1, 1971 and ending December 31, 1971. This was passed unanimously.

#### MASS TRANSPORTATION

Mayor Lee reported on the meeting between the Chapel Hill and Carrboro Boards of Aldermen on Friday, January 22, 1971. He informed the Board that the committee of Board members present at the meeting recommended that Chapel Hill spend up to \$10,000.00 for a bus system. He said Mr. Rhyne had withdrawn his proposal which left only Mr. Deaton's proposal to be considered. Alderman Smith moved, seconded by Alderman Scroggs to accept the recommendation of the committee and request that appropriate ordinances be prepared to carry this out. Alderman Coxhead said that he estimated the expenditure of the Town as estimated by Mr. Lathrop would be at most \$2,500.00 per month. Alderman Nassif said that the transportation study should be based on the best service the Town can put on the road. He was concerned over the possibility of underdoing the system or the possibility of not doing it right. He said that he did not like the proposed routes. Alderman Smith said the Board would receive feedback from the people not served very soon after the bus system went into operation. He said that Deaton and the Commission would use their expertise to figure out a satisfactory routing system. Mayor Lee proposed that a commission be established to allow the Boards not to have to settle on all details of the system. Alderman Coxhead agreed and said that the Board must delegate the authority. Mayor Lee said that the Commission was an ad hoc committee now but that it should be established as a permanent body. He said this motion would permit everyone to draw up the plans and allow the public transportation commission to study it. Alderman Coxhead said that the bus system should be contingent with the DOT study. He said that the Board needed the study while the buses were running. The motion passed unanimously.

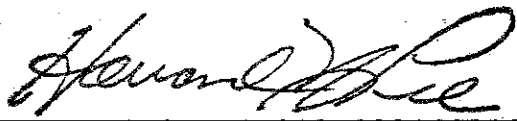
## RECREATION COMMISSION

Recommendations were received from the Recreation Commission. They were Mrs. Donald Stanford, Mrs. Ellis Rollett, Mrs. Mary Kouns. These were put in nomination and nominations were left open.

## FIRE ALARM BOXES

Alderman Nassif asked about the progress being made on the Fire Alarm System? The University is studying it.

The meeting adjourned at 11:25 P.M.

  
Mayor

  
Town Clerk, David B. Roberts

## MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met with the Planning Board at a special hearing on February 1, 1971 at 4:00 P.M. with the following members present: Mayor Lee; Aldermen Scroggs, Smith, Coxhead, Bernholz, Welsh, and Nassif. Planning Board members present were: Weiss, Mitchell, Hurow, Carroll and Hemmens. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

Mayor Lee announced that the hearing had been advertised for this time to consider application for Multi-family housing on the North Carolina 54 Bypass submitted by Dan Okun and the Inter-Church Council. Ray Green, City Planning and Architectural Associates, presented a brief resume of the project with drawings of the area and details of the buildings. He noted that there would be forty units, one, two and three bedrooms, and that it would be low and moderate income housing.

Mason Thomas, representing the Inter-Church Council, cited the need for housing and the requirement that it must be inside the corporate limits. He said that no access to Westwood was desired from the proposed project. He said the rents would be thirty to fifty dollars per month under commercial apartments of similar quality because of the low interest rate obtainable through the Federal Government and that there would be rent supplements available for eight low rent units. He said that the Inter-Church Council wanted an integrated development by race and economic position. He noted that there would be three to five units for the elderly and that moderate income persons being eligible for the project would have salaries between four thousand and eight thousand dollars per year depending on family size. He said that this was not public housing, that no zoning was involved as that was settled over a year ago, that priority would be given to Chapel Hill residents, that it was not designed for student use, that he expected a good businesslike management, that there would be five one-bedroom, twenty-two two-bedroom and fifteen three-bedroom units with a total cost over five hundred thousand dollars and that it would be taxable by the Town and County. He said that Dr. Okum had other property in the area which would be available for open space and that the density of the project was less than that across the Bypass.

The following persons spoke in favor of the project: Mary Graves, Hilliard Caldwell, Robert Johnson, Mrs. John Hardin, James Riddle, Mrs. Mary Clifford, Walter Hollander, Mrs. Jean Towle, William Geer, Mrs. Lentz and Mrs. R. Lynton. The following persons spoke against the project: Mrs. Rupert Vance, Dr. K. Brinkhous, Dr. A. Fink, Dr. H. Meyer, Mrs. L. Endicott, Arnold Perry, Gene Strowd, Mrs. A. Fink, Clyde Carter, Rudolf Koster, Lamar Hubbard and John Manning, Attorney for some of the residents of Westwood. Letters and telegrams for and against the project were noted.

Alderman Scroggs said that he would vote against the project based on his political philosophy. He said he accepted the zoning as having been properly advertised and carried out, he said that of the required findings that he had no objection to the health and safety or the fact that the project met the

required conditions. He said that the matter of property values was a matter of opinion to the property owner and that in some ways the project was in conformity with the neighborhood, and others not. He said that if he were a member of the Planning Board he would vote in favor of this, but as an Aldermen he felt that it did not meet the requirements for uniform zoning, partly because special use itself was not uniform and partly because no special vote was required for special use that was opposed in the manner that zoning revisions required a three fourths vote. He disagreed with the social philosophy, the use of housing instead of providing an economic opportunity for individuals.

Alderman Welsh noted the open space plan prepared in 1965 and the fact that almost none of this land had been acquired by the Town and so is subject to development. She suggested that neighborhoods could acquire property as shown by this plan, or other, and make it private or public open space. She noted that this had been done in the case of the Greendale Development and the Hidden Hills Development. She offered the help of the Town to any neighborhood group wishing to do this. Alderman Coxhead moved, seconded by Alderman Scroggs, to refer this matter to the Planning Board for study and recommendation. This was carried by a vote of 5-0 with Alderman Nassif abstaining because of financial interest in the project.

The Hearing was adjourned at 6:05 P.M.

The Regular meeting was then called to order.

#### MINUTES

Alderman Nassif moved, seconded by Alderman Bernholz, to approve the minutes of the January 25 as corrected. The Town Manager asked for a clarification of the action taken on January 25 concerning the salary increases. The Board agreed that it was the intention to give increases to anyone that had been employed as much as six months, and that a one-step increase, approximately 5 percent, was intended rather than exactly 5percent.

Alderman Nassif asked that the minutes be corrected to show that he had inquired about the fire alarm system and it was reported that the University was studying their share of the system and would have a report in the near future. The motion to approve the minutes was unanimously carried.

#### DRIVE IN BUSINESSES IN THE CBD

Mayor Lee asked that the Board of Aldermen consider the matter of a proposed self service gas station on West Franklin Street and by implication all similar businesses. Alderman Bernholz moved, seconded by Alderman Smith, to receive this as a petition and place it at the end of the agenda. Alderman Nassif said that there was a hearing scheduled by the Board of Adjustment on this particular matter and the Aldermen should not discuss it at this time. Alderman Scroggs said that the matter should be for the Board of Adjustment and members of the Board of Aldermen could speak as citizens but that they should not influence the Board of Adjustment by official action. Alderman Bernholz asked if a special use was necessary in this particular case. Attorney Denny said that in his opinion it was. Alderman Nassif said that he would rather not take any position on this until after the public hearing. Attorney Denny noted that this matter could be settled by the Board of Adjustment at their meeting and that they would not make a recommendation to the Board of Aldermen. Alderman Smith said that he would attend the Board of Adjustment meeting and protest as a citizen. Alderman Scroggs said that Mayor Lee should appear as a citizen not as the Mayor of the town if he spoke at the hearing. Alderman Scroggs said that he felt it inappropriate for an official to attend as it was very difficult to appear as a private citizen not as a town official. The vote on the motion was 4-2 in favor with Alderman Scroggs and Nassif opposing.

The Town Manager explained that this was a request for permission to convert an existing frame residence to an office building, that the Board of Aldermen had indicated in the past that this was desirable in some cases, but that no policy had been established in this matter. He said that the State Insurance Commission would approve the conversion if the Town did and that the applicant had complete plans which met the specifications of the Building Inspector for such construction. He asked what the Board would like to do with the particular application? Alderman Nassif moved, seconded by Alderman Welsh, to delay action until a policy could be adopted by the Board of Aldermen. He indicated that he would have the recommendation on this matter by the meeting of February 8. The motion was unanimously carried.

## I-40

Alderman Bernholz said the resolution committee had not completed work as they were still getting information from other sources and asked that the matter be delayed until a report could be completed. Alderman Coxhead said that he had voted against the previous motion so it was not unanimous as indicated in the newspaper and that he was still in favor of the alternate #1 route proposed for I-40. Alderman Nassif said that Alternate #1 would not benefit Chapel Hill and that he felt that improvements to NC 54 and 86 would be much more desirable than the I-40 route near town. Mayor Lee noted that the Research Triangle Planning Committee had not supported Alternate #1 but that it had requested additional study of the routes. He said that the Highway Department had requested an opportunity to discuss the highway problems with town officials, and that he hoped to set a date in the near future. Alderman Scroggs said that he hoped that the resolution committee would avoid any indication of provincialism in this statement.

## LOCAL LEGISLATION

The Board reviewed the proposed legislation creating capital reserve funds for construction or reconstruction of sidewalks; the acquisition of parks, recreation areas, open space; and the acquisition or construction on enlargement of municipal animal shelter. They asked that the last item be changed to add or other equipment related to animal control. Alderman Coxhead then moved, seconded by Alderman Welsh to request of the General Assembly, through the local representative, the passage of this special act as amended. This was unanimously carried.

A second special act on the subject of subdivisions, which would require subdividers to provide land or equivalent money for open space for park purpose was discussed. Attorney Denny told the Board that this law was prepared after a model prepared by Mr. Stipe of the Institute of Government. Alderman Nassif said that the Recreation Commission had requested and received general approval from the Planning Board for a similar ordinance. Minor changes in the wording were suggested. Mayor Lee recommended that this be studied between now and the next Board meeting. Attorney Denny said that it should be given to the local representatives as soon as possible in order to get it passed. The Board asked that copies of this be given to the Planning Board for study at their meeting on February 2 and recommendations in time for the Aldermen's meeting on February 8.

Attorney Denny explained the proposed charter amendment eliminating the reference to the Chapel Hill Recorder's Court in describing the jurisdiction of the Police Department outside the corporate limits. Alderman Coxhead moved, seconded by Alderman Nassif, that this be sent to the local representative with the request that these be passed by the General Assembly. This was unanimously carried.

## LIQUOR BY THE DRINK

Alderman Bernholz told the Board that a bill had been recently introduced in the Legislature for providing local option on liquor by-the-drink. He said he felt this would be a benefit to Chapel Hill and Orange County and suggested that the Board support it. Further discussion was delayed until a copy of the bill could be made available to the Board members.

Proposed ordinance amending the Zoning Ordinance to establish University A & B Districts and establishing University A & B Districts on the zoning map were discussed. Alderman Smith moved, seconded by Alderman Scroggs, that the ordinance amending the Zoning Ordinance to create University A & B Districts be adopted as presented. This was unanimously carried.

Alderman Smith then moved, seconded by Alderman Scroggs, that the ordinance amending the Zoning Ordinance designating the land to be zoned University A and University B be adopted as presented. This was unanimously carried.

#### RECREATION COMMISSION

The following nominations had been made for two vacancies on the Recreation Commission: Mrs. Stanford, Mrs. Rollette and Mrs. Kouns. Alderman Smith moved, seconded by Alderman Welsh, that the nominations be closed. This was unanimously carried.

By a ballot of the Aldermen, Mrs. Donald Stanford and Mrs. J. C. Kouns were elected to membership on the Recreation Commission. Alderman Welsh moved, seconded by Alderman Nassif, that Mrs. Stanford be appointed to replace Mr. Robert Culton with a term ending June 30, 1972 and Mrs. Kouns be appointed to replace Joe Lynn with a term ending June 30, 1971. This was unanimously carried.

#### ASSESSMENTS

The Town Clerk presented the assessment roll for the sewer line serving May Court. He told the Board that a public hearing should be advertised not less than ten days. Aldermen Smith moved, seconded by Aldermen Scroggs, that a hearing be set on this matter for February 15, 1971. This was unanimously carried.

#### FURNITURE BIDS

Town Manger reported six bids for office furniture for the new building and recommended the low bid of \$5466.80 plus tax submitted by Triangle Office Equipment Company of Chapel Hill. Aldermen Nassif moved, seconded by Aldermen Scroggs, to accept the bid of Triangle Office Equipment Company. This was unanimously carried.

#### CHAMBER OF COMMERCE

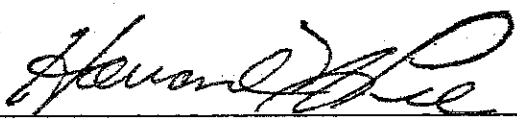
Alderman Nassif told the Board that the Chamber of Commerce produced maps of the Town and brochures for distribution and the assistance of newcomers to Town, and also promoted the area for such things as the zoological garden. He recommended the Town appropriate \$750.00 for such projects. Attorney Denny said that general promotion was too broad and suggested it be limited to printing of maps and brochures. Aldermen Nassif moved, seconded by Aldermen Coxhead, to appropriate \$750.00 for printing costs for maps and brochures to be distributed by the Chamber of Commerce and that an ordinance appropriating this amount of money be prepared, using non-tax funds. This motion was unanimously carried.

#### MISCELLANEOUS

Alderman Bernholz expressed his appreciation to Alderman Nassif for his work on the bills to be submitted to the legislature.

Alderman Coxhead suggested that public hearings be held once a month and not followed by a regular meeting, and that the other three meetings be designated for routine business.

The meeting adjourned at 7:50 P.M.

  
Mayor

  
Town Clerk, David B. Roberts

## MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on February 8, 1971 at 7:30 P.M. with the following members present: Mayor Lee; Aldermen Welsh, Scroggs, Smith, Nassif, Bernholz and Coxhead. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

## MINUTES

Alderman Welsh moved, seconded by Alderman Smith, to approve the minutes of the meeting of February 1, 1971 as corrected. This was unanimously carried.

The Town Manager told the Board that the action of the Board approving a contract with Carrboro for sewage treatment had been omitted in the minutes of December 21, 1970. Alderman Nassif moved, seconded by Alderman Scroggs, to amend the minutes of the meeting of December 21, 1970 as follows:

## "CARRBORO SEWER

The Town Manager reported on the terms for an agreement with Carrboro to jointly use the Chapel Hill treatment plant. Alderman Coxhead moved, seconded by Alderman Smith to approve the proposal and authorized the Mayor and Town Clerk to sign a contract with the Town of Carrboro. This was carried unanimously."

This was unanimously carried.

## COMMUNITY APPEARANCE COMMISSION

Sidney Cohn, Chairman of the Appearance Commission, distributed copies of a memorandum to the Board and said that he would like to discuss it. Alderman Nassif moved, seconded by Alderman Bernholz, to receive the petition and discuss it at the end of the agenda. This was unanimously carried.

## MASON FARM ROAD

Mayor Lee read a letter from MRS. William S. Joyner complaining about the condition of Mason Farm Road. Alderman Nassif moved, seconded by Alderman Welsh, to receive this and discuss it at the end of the agenda, along with other street problems. This was unanimously carried.

## SPECIAL USE-UNIFIED HOUSING-NC 54 BYPASS

Mayor Lee read a transmittal from the Planning Board recommending approval of this project with a number of stipulations. Mr. Palmer discussed the Thoroughfare Plan in connection with this project. Alderman Welsh asked about the present status of thoroughfare planning? It is to be restudied in 1971 and 1972 by the State Highway Department. Alderman Welsh asked what was meant by the stipulation that the number of entrances onto the Bypass be minimized. She noted that there was only one access shown on the plan. This came from a discussion by the Planning Board indicating a desire to consider a joint access with the proposed project immediately west of this one. Alderman Welsh asked for a discussion of the zoning in this area. Mr. Palmer pointed out the various districts surrounding this project and noted that apartments could be built in any of these districts. He located on the map the Kingswood apartments across the Bypass, with 288 units about half of which are completed, and Laurel Ridge, just west of the Okun property, for which a special use permit for 170 units has been approved. Alderman Coxhead told the Board that he felt special use should have the same safe guards as zoning, that this apartment project was near an old established single family district in which property values could be damaged, that this was the third time in a number of years apartment projects had been proposed in this general area and that the first two were not permitted, that he didn't think this land was suitable for the project as there was no access to shopping and the terrain was quite irregular. He said that in light of these and the large amount of neighborhood opposition he would oppose the project.