

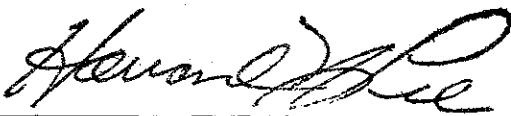
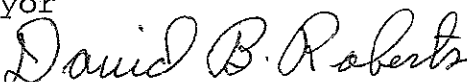
## DEATON CONTRACT

Attorney Denny said that there some minor changes needed in the contract with the bus company and ask authority to make those changes. The Board agreed to this.

## AGENDA

Mayor Lee asked that the Aldermen try to get as many items on the agenda as possible rather than bringing them up at the end of the meeting.

The meeting adjourned at 6:45 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 at 7:30 P.M. on March 22, 1971 with the following members present: Mayor Lee, Aldermen Scroggs, Nassif, Coxhead, Welsh, Smith and Bernholz. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

## MINUTES

Alderman Smith moved, seconded by Alderman Nassif to approve the minutes of the meeting of March 15, 1971 as corrected. This was unanimously carried.

## BANK DEPOSIT-BUS FUND

Mayor Lee read a letter from Gordon Kage, CCB, asking that the Bus Fund be placed in Central Carolina Bank. Alderman Nassif moved, seconded by Alderman Welsh to accept the petition and discuss it at the end of the agenda. This was unanimously carried.

## STINSON STREET EXTENSION

The Town Manager reported that two appraisals had been made of the ten-foot easement that would be needed on the side of the property owned by Mrs. Julia Marshall, one was \$1,000.00 and the other was no damage. Alderman Coxhead said that the matter should be left up to the owners of the other property who wanted the town to accept the street for maintenance to provide the necessary right-of-way, and that the town agree to accept the street for maintenance when the right-of-way is available. Alderman Smith moved, seconded by Alderman Nassif to delay this matter until the next meeting, so that there will be some reply to the Town's letter to Mrs. Marshall. This was unanimously carried.

## HUMAN RELATIONS COMMISSION REPORT

Mrs. Mary Ann Holden reported to the Board that the Human Relations Commission was going to provide counsel for people with discrimination complaints. Alderman Smith asked if action was being requested by the Board of Aldermen? No. Alderman Bernholz asked if there was a difference in any such cases under the local ordinance and through the district court. Mrs. Holden said that one was a criminal action and the other a civil action. Mrs. Holden said that the committee to handle these complaints would be made up of one member of the Human Relations Commission and three other persons. Alderman Bernholz asked if there had been any complaints? Mrs. Holden said there had been a number of them to individual members, not to the Human Relations Commission officially. Mayor Lee asked if the Town ordinance was less stringent than the HUD regulations? Attorney Denny said that it was as strong as any municipal ordinance can be. Mayor Lee then said that it might have to be broadened. Alderman Bernholz asked if there were any complaints other than discrimination on the basis of race? Yes, the appearance of guests. Alderman Welsh thanked Mrs. Holden and asked that the Board be given future reports.

Alderman Scroggs presented a sketch by Werner Hausler of a proposal for Henderson Street between Franklin and Rosemary, to provide an area for street sales and possibly for outdoor eating, but not for games and recreation. The sketch provided two lanes of traffic along the west side of the street with the rest of the area being raised to sidewalk level, with brick paving. The proposal provided a loading zone about the middle of the block and access to a service alley. He suggested marked concession areas for different types of sales. The sketch showed a number of trees, either in pots or in holes in the pavement along the center of the right-of-way and also on the Post Office. He made a rough estimate of \$4,000.00 for paving and \$1,000.00 for trees if not put in pots. He noted that the site was quite visible from Franklin Street, which would be important to sales, and that it would be one solution to the matter of sales on Franklin Street. He said that the Committee considered the use of Franklin Street sidewalk with benches or parking places, but would not recommend them. He said that the cost to the Town in addition to the \$4,000.00 to \$6,000.00 would be the loss of parking on Henderson Street. He noted that this is a preliminary sketch not a complete drawing or a finished plan. Alderman Coxhead asked about the sales of flowers? Alderman Scroggs said that it was recommended that all street sales be held on Henderson Street. Alderman Welsh said that various types of sales could be segregated by stalls, and that perhaps an entirely different spot could be found for flowers. Alderman Coxhead asked how this would be controlled by ordinance? Attorney Denny said that it did raise a question of distinction in such matters as home grown flowers and dried arrangements. Alderman Bernholz said that the site was a good idea and was ready to go ahead. Alderman Scroggs said that it could not be handled prior to 1971-72 budget. Alderman Bernholz suggested that it could be started as a community-type project with voluntary contributions, and that he would be interested in getting public reaction to the proposal. Mayor Lee suggested a public hearing. Alderman Smith suggested that twelve-minute meters should be put in front of the Post Office on Franklin Street. Alderman Scroggs suggested that the Post Office be asked to make their parking lot available for Post Office parking. Alderman Bernholz said that this was much more than just a solution to the street vending problem. Mr. Marc Greenberg, Record Bar, suggested that this should be discussed with the merchants on Henderson Street before plans are completed. Alderman Bernholz said that there were five businesses now on Henderson Street, two eating places, one dress shop, one record shop and one variety store, and he believed that all or most would benefit from this type of development. Alderman Scroggs said that it would have to look attractive and the vending be strictly controlled. He said that the vending had hurt business on Franklin Street. Alderman Coxhead said that he was not in favor of the proposal, that the parking was needed and that this probably would hurt any business on Henderson Street. He said, however, that it would be better to have the selling there than on Franklin Street, but that he would favor doing away with all the sidewalk vending except home grown flowers. Alderman Smith and Scroggs agreed that a public hearing would be desirable. Mayor Lee agreed that the vending situation was one that must be dealt with and suggested that the committee working on this proposal continue it until a public hearing could be set. Alderman Smith said that this was a good solution to the vending problem, and was quite logical unless a building could be obtained in which the vending could be handled. He said that the Town fought to keep the Central Post Office at its present location, and that he would not like to see it hurt by removal of too much parking. Alderman Nassif said that all property owners and merchants on Henderson Street should be sent a letter concerning the hearing. Mayor Lee suggested that the merchants be involved in the completion of the design. It was agreed that more detailed plans should be prepared by the Committee, that a hearing should be held sometime in the future, and that no construction be proposed before the 1971-72 budget.

Alderman Scroggs moved, seconded by Alderman Welsh that the Police should be instructed to strictly enforce the ordinance prohibiting display and sale other than home grown flowers or homemade artificial flowers on the sidewalks beginning March 29, 1971. Alderman Nassif said the enforcement should be complete. Alderman Scroggs pointed out that certain charitable sales were legal, with the permission of the Manager. Alderman Bernholz said this was not practical, that vendors were building inventories, and now that the weather was becoming nice that more would be coming out to sell. He asked that the deadline for strict enforcement should coincide with the development of Henderson Street. Alderman Scroggs said that he thought one week was adequate time.

Alderman Coxhead said that the next week would be school vacation and would be a good time to start it. Alderman Smith said that the ordinance should be strictly enforced or taken off the books, and that he felt one week warning period was sufficient. Alderman Nassif said that he was for it but only if it was completely enforced. The vote was carried by a vote of six to nothing.

BICYCLES

Alderman Welsh distributed a report concerning bicycle routes and regulations, suggesting the use of sidewalks along main arteries into town, and indicating that bike racks should be provided near the central business district. She also suggested paving a sidewalk on North Columbia Street between Rosemary and the new Municipal building. She showed drawings of route signs and proposed regulations for bicycles. Mrs. Beverly Gray said she was speaking for the Chapel Hill Bicycle Club of about thirty five members who felt that bicycles were a useful means of adult transportation, and that she liked marked routes but did not approve of bicycles on the sidewalks. She said that she felt the bicycle should have the same rights and be subject to the same regulations as the automobile. She said that the pedestrians and children on bicycles were a conflict to bicycles used as transportation. She suggested that a committee be appointed including representatives of the Chapel Hill Bicycle Club to study this proposal and report back within three or four weeks. Dr. Earnest Craig said that safe routes would increase the number of bicycles, and that he favored bicycles as a good healthy exercise and to reduce traffic congestion. Mr. Phillip Gray said that bicycles were the only means of transportation for himself and a number of others, and that he preferred to ride in the streets but if sidewalks were used they should be divided, and pedestrians and bicycles separated. He said children must be kept out of the way of fast bicycles. Alderman Scroggs said that the University of Illinois had bicycle lanes painted on the sidewalks, and ramps at the curbs for the bicycles to use, that the bike lanes were two to two and one-half feet wide and carried two-way bicycle traffic, and that the regulations were enforced by the police. Alderman Welsh said that she knew a paved surface was preferred, but that both children and adults should have equal rights on bicycles. She said that Chief Blake felt that a lane in the street was unsafe. She said that bicycle riders may have to reduce speed under adverse conditions. Mr. Gray said that he is skeptical about the success of the proposals and that he felt bicycles were more nearly like automobiles than pedestrians. Alderman Smith said that bicycles had the same right on the streets as cars, but the motorists and bicycle riders both needed education as to how they should be used and what those rights were. Alderman Welsh asked that the Grays and Dr. Craig and herself and others continue the discussion of bicycle paths and report at the next meeting. Alderman Coxhead asked for a cost estimate of the work proposed.

RECREATION

A proposed recreation ordinance was discussed in some detail and a number of changes made in the proposal.

AN ORDINANCE TO AMEND ARTICLE II, CHAPTER 12 OF THE CODE OF ORDINANCES, TOWN OF CHAPEL HILL, NORTH CAROLINA RELATING TO PUBLIC PARKS AND RECREATION

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

Section I.

That Article II of Chapter 12 of the Code of Ordinances, Town of Chapel Hill is hereby amended by deleting all of said Article, including Section 12-16 through 12-27 inclusive, and inserting in lieu thereof new articles and sections to read as follows:

ARTICLE II - PUBLIC RECREATION COMMISSION

Sec. 12-16. Creation; Names; Number of Members.

There is hereby created a Commission composed of ten (10) citizens of the Town to be known as the Public Recreation Commission of the Town of Chapel Hill.

Sec. 12-17(a). General Function of the Commission.

It is the basic function of the Public Recreation Commission to promote recreation for the citizens of Chapel Hill, and in so doing, the Department of Recreation and its Commission is authorized to aid and assist agencies and individuals (in line with reasonable and legally correct policies established by the Recreation Commission) which include public, private, commercial, those which are quasi public in character and those which although public in nature are not a part of the Town Government, such as schools, churches, hospitals, commercial recreation, business and industrial agencies as well as civic neighborhood and service groups, and individuals in their recreation interests and needs.

(b) General Duties of the Commission.

The Recreation Commission shall serve as the Recreation Policy Body for the Department of Recreation and the Town. The Commission shall establish policies and shall see that they are implemented by the Director of Recreation, within the powers and responsibilities as stated in this Ordinance. The Commission shall serve as liaison between the Department and the Board of Aldermen, the Manager, and citizens of the community in recreation matters. The Commission shall consult with and advise the Board of Aldermen in matters affecting the overall recreation policies of the Town, finances, and the acquisition and disposal of lands and properties related to the total community recreation program, and its long-range projected program for recreation, parks and playgrounds.

(c) Specific Powers and Duties.

The Recreation Commission shall exercise powers and assume duties for recreational purposes as follows:

- (1) Establish and maintain a system of supervised recreation for the Town;
- (2) Recommend to the Board of Aldermen land to be set apart for use as parks, playgrounds, recreation centers, water areas, or other recreation areas and structures;
- (3) Recommend the use of appropriate lands or buildings owned by or leased to the Town;
- (4) With permission of the Board of Aldermen improve such lands and construct and equip such buildings and structures as may be necessary to the recreation program within the funds authorized for commission or department use;
- (5) Recommend the acquisition of appropriate lands and structures through gifts, purchase, lease or loan, or by condemnation as provided by Chapter 40, eminent domain, of the General Statutes of North Carolina and as approved by the Board of Aldermen of the Town;
- (6) Accept for the Department and the Town any grant, gift, bequest or donation, any personal or real property offered or made available for recreation purposes and which is judged by the Board of Aldermen to be of present or possible future value, or of use for recreation. Any gift, bequest of money or other property, any grant, devise of real or personal property so acquired shall be held, used and finally disposed of in accordance with the terms under which such grant, gift or devise is made and accepted;
- (7) With approval of the Board of Aldermen provide, construct, equip, operate and maintain, parks, playgrounds, recreation centers and all buildings and structures necessary or useful to Department functions;
- (8) Set policies as to controls and operation of these and all other recreation facilities which are owned or controlled by the Town or the Department or leased or loaned to the Recreation Commission by the owners or agents thereof;
- (9) Develop regulatory and control rules and measures;
- (10) Determine, with the Director, the amount and application of all fees, rentals and charges;
- (11) To exercise all other powers as are now provided for by the General Statutes of North Carolina or by Ordinances of the Town relating to the development and operation of recreation systems, parks and playgrounds subject to all restrictions contained in any such powers and ordinances.

Sec. 12-18. Appointment of Commission..

Members of the Commission shall be appointed by the Board of Aldermen, which may request recommendations from the Recreation Commission. Commission appointments will be made to become effective as of July 1st of each year.

Sec. 12-19. Composition.

One of the Commissioners shall be officially affiliated with the Chapel Hill School System. The remaining nine (9) shall be appointed at large. All members shall be residents and citizens of the Town.

Sec. 12-20. Ex Officio Members..

The Town Manager and Chairman of the Recreation Committee of the Board of Aldermen shall be ex-officio members of the Commission and shall be entitled to participate in meetings of the Commission without voting privileges.

Sec. 12-21. Length of Appointment of Commission Members.

Each Commissioner shall be appointed for a three (3) year term. No commissioner shall serve more than two (2) consecutive terms. No Commissioner shall serve more than six (6) consecutive years. Initial appointments shall be arranged so that approximately one-third of the terms will expire each year except that the representative from the Board of Aldermen shall serve on the Recreation Commission concurrent with his term of office on the Board of Aldermen. The term of office of the Commissioner affiliated with the Chapel Hill Public School System shall automatically terminate when such member is no longer officially affiliated with the school system. Upon such termination, the Board of Aldermen shall appoint another to fill the unexpired term. The term of Commissioners shall automatically terminate if the Commissioner's legal residence is relocated outside the corporate limits of the Town of Chapel Hill.

Sec. 12-22. Regular Meetingss.

Commission meetings shall be held on a monthly basis unless when determined otherwise by the Commission.

Sec. 12-23. Special Meetingss.

The Chairman of the Commission or, in his absence, the Vice-Chairman, may call a special meeting of the Commission at any time by giving each commissioner twenty-four (24) hours notice. Special meetings shall be scheduled upon request of four (4) or more commissioners.

Sec. 12-24. Quorum.

A quorum of the Commission shall be in attendance before action of an official nature can be taken. A quorum is five (5) voting members. The time and location of meetings shall be designated by the Commission.

Sec. 12-25. Attendance of Commissioners.

A Commissioner who, without excuse, misses more than three (3) consecutive regular meetings or a total of four (4) such meetings during the year loses his status as a member of the Commission. In such cases, the Chairman will immediately request the Board of Aldermen to fill the vacancy. Absences due to sickness, death or other such obligatory emergencies shall be regarded as excused absences and shall not affect the commissioner's status on the Commission. However, in the event of long illness, or other such causes for prolonged absence, the Commissioner may be replaced.

Sec. 12-26. Compensation.

Commission members shall serve without monetary compensation. Commissioners shall be reimbursed for travel and subsistence costs to professional recreation meetings, conferences and workshops, with such reimbursement being made in compliance with the general policies of the Town.

Sec. 12-27. Officers.

Immediately after their initial appointment, the Commission shall meet and organize by electing a Chairman and a Vice-Chairman of the Commission. Thereafter, an annual election of the Chairman and Vice-Chairman shall be held by the Commission and shall occur at the regular monthly meeting in July. Officers shall serve for one year from election with eligibility for re-election. New officers shall take office at the subsequent regular meeting in July. In the event an officer's appointment to the Commission is terminated, a replacement to this office shall be elected by the Commission, from its membership, at the meeting following the termination. The Director of Recreation shall serve as Secretary to the Commission.

Sec. 12-28. Officers Duties.

(a) The Commission Chairman shall preside at all meetings and sign all documents relative to action taken by the Commission. The Chairman shall appoint all ad hoc committees.

(b) When the Chairman is absent the Vice-Chairman shall perform the duties of the Chairman. When both the Chairman and Vice-Chairman are absent a temporary Chairman shall be selected by those Commissioners who are present.

(c) The Director of Recreation may delegate all or part of these secretarial duties to another employee with the approval of the Commission, but shall hold the official office of Secretary and shall be responsible for the satisfactory accomplishment of the secretarial duties.

Sec. 12-29. Committees.

The Commission shall operate on the basis of a "committee of the whole" rather than being organized on the basis of standing committees. Ad hoc (temporary-project) committees shall be appointed as needed by the Chairman.

Sec. 12-30. By-Laws.

The Commission may adopt by-laws, rules and regulations governing its procedure, not inconsistent with the provisions of the Charter or Ordinances of the Town, and the laws of the State of North Carolina.

ARTICLE III: DEPARTMENT OF RECREATIONSec. 12-31. Creation of the Department of Recreation.

There is hereby created a department to be known as the Department of Recreation which shall function directly under the Recreation Commission.

Sec. 12-32. Recreation Department; Powers and Duties.

The Department of Recreation shall have complete, active supervision of the structures, areas and all activities conducted on or connected with the parks, playgrounds, water areas, athletic fields, recreation centers and other recreation facilities which are provided, shall have the power to conduct any wholesome form of recreation or cultural activity on or about these premises, shall enforce regulatory measures developed by the Commission, and will apply and collect fees, rentals, and charges as approved by the Commission.

Sec. 12-33. Director of Recreation.

The position of Director of Recreation is hereby created. The executive for the Commission shall be the Director of Recreation for the Town, and shall have status as one of the department heads of the Town.

## Sec. 12-34(a). Applications.

Applicant for the position of Director of Recreation shall be screened by the Town Manager to identify those meeting the minimum requirements established for the position. Following interviews with the remaining candidates and consultation with the Recreation Commission, the Town Manager shall appoint the best qualified candidate subject to conditions of the Town personnel Ordinance. Prior to dismissal of the Director, the Town Manager shall consult the Commission.

### (b) Qualifications.

The successful candidate for the position of Director of Recreation shall be certified "Professional Staff" by the North Carolina Recreation Park Society, and otherwise satisfy the Manager and Commission of being fully educated, trained, experienced and qualified to lead, organize, administer and maintain a satisfactory recreation program for the Town.

## Sec. 12-35. Other Recreation Personnel.

Such other person(s) as may be deemed necessary to the supervision, operation and maintenance requirements of the recreation program and the Recreation Department may be employed by the Town Manager following consultation with the Director of Recreation. Such employees are subject to the provisions of the Town Personnel Ordinance and all other provisions of the Chapel Hill Charter or Code of Ordinances covering town employees.

## Sec. 12-36. Powers and Responsibilities of the Director of Recreation.

The Director of Recreation shall be responsible for the following:

- (1) Administration and supervision of department personnel;
- (2) Administration and supervision of department use of funds and equipment;
- (3) Administration and supervision of the recreation program;
- (4) Organization and conduct of recreation activities;
- (5) Maintenance and upkeep of all Department recreation areas, facilities and equipment;
- (6) Public information and public relations relative to public recreation;
- (7) Representing the Chapel Hill Recreation Department at local, state and national functions and professional meetings;
- (8) Assistance in the securing of financial support for the Department;
- (9) Adherence to Commission and applicable Town policies and regulations;
- (10) Administration of policies, rules and regulations governing Department operation;
- (11) Arranging for the preparation of and for keeping current a long-range plan of recreation program, of area and structure acquisition and development, and in the following of such plan;
- (12) For such other functions of public use and participation as may, within the policy of the Town, be deemed proper by the Recreation Commission and which are assigned by the Commission to the Director;
- (13) Enforcement of rules, applications and supervising of regulatory and control measures as approved by the Commission and as supported by ordinances of the Town;
- (14) Application and collection of all fees, rentals and charges in line with policy as developed with the Commission;
- (15) All other duties that may be assigned from time to time by the Commission, Manager, or Board of Aldermen.

## Sec. 12-37. Reports.

The Director of Recreation shall make the following reports:

- (1) A monthly summary of the Department's recreation activities, to the Recreation Commission and to the Town Manager;
- (2) Brief monthly and full and complete annual community recreation activities report including all phases of Depart-

ment activity and Department-associated and related community recreation activities, to be made annually to the

Recreation Commission, the Town Manager, and to the Board of Aldermen;

- (3) Other reports to be submitted to the Recreation Commission and to the Town as requested or deemed necessary;
- (4) The Director shall prepare a report of his analysis of Commission financial needs, receipts and disbursements and submit it to the Recreation Commission for its consideration and assistance, as it makes up its annual budgetary request to the Town Manager and the Board of Aldermen.

#### ARTICLE IV: PARK AND RECREATION FUNDING

##### Sec. 12-38. Grants, Gifts, Bequests and Other Contributions.

The Recreation Commission may accept any proper grant, gift, bequest or donation of any personal property other than real estate offered or made for recreation purposes, and, with the approval of the Board of Aldermen, may accept any grant, gift, or devise of real estate. Any gift, bequest of money or of other personal or real property, or any grant or devise shall be held, used and finally disposed of in accordance with the terms or conditions under which such grant, gift or devise is made and accepted. The Recreation Commission shall not enter into any contract or incur any obligation binding upon the Town except within the budget appropriations made by the Board of Aldermen or within the amount of other monies properly available to the Commission.

##### Sec. 12-39. Budget Requests.

The Town Manager and the Board of Aldermen of Chapel Hill shall receive the annual budget request of the Recreation Commission and Department and shall appropriate an annual budget to be used in defraying the costs and expenses of the operation of the Recreation Department.

##### Sec. 12-40. Appropriated Monies and Revenue Producing Activities.

Appropriated monies for the Recreation Department may be from Town General Fund Sources including taxation of Chapel Hill property not to exceed 10¢ per \$100.00 of assessed property value; from all profits of Recreation Department revenue producing activities; from any gift, bequest, grant or devise made to the Town, the Recreation Commission or the Department.

##### Sec. 12-41. Disbursement.

The funds appropriated by the Board of Aldermen and budgeted to the Recreation Department shall be disbursed by the fiscal disbursing officer of the Town of Chapel Hill, only upon order from the Recreation Director, from the budget item designated by the Director and within the budgeted funds of the Recreation Department. Funds received from revenue-producing activities of the Department shall be deposited with the Town's Fiscal Officer to the credit of the Department. Funds from all other sources shall be deposited with the Town to the credit of and for the use of the Recreation Department and shall be disbursed as are Town-appropriated monies of the Department except that funds received from (1) gifts, bequests or from other than the Town's general funds such as (2) revenues produced by the Department, (3) from recreation tax sources of the Town, shall be deposited and disbursed in accordance with the terms of the voted tax and/or of such gift or bequest.

##### Sec. 12-42. Fiscal Year.

The fiscal year of the Recreation Commission shall conform to the fiscal year of the Town commencing July 1st and terminating June 30th next following.



Sec. 12-43. General Planning.

The Recreation Commission shall take the necessary steps to create a scientifically developed plan for the necessary and adequate acquisition and program of park, playground, recreation areas, open space and the development of recreation facilities, structures and program for the present and future needs of the citizens of the Town.

Sec. 12-44. Development Assistance.

The Recreation Commission shall be responsible for assisting in the development of a priority schedule of recreation land and water area acquisition, structure and program development, and for a proper and effective coordination of the recreation plan and action with that of other aspects of community development and of the Town's governmental growth and expansion.

Sec. 12-45. Recreation Liaison.

The Recreation Commission shall select one of its commissioners to meet with the Chapel Hill Planning Board at all times that they meet so that recreation needs will be weighed when matters are considered which have impact upon the present or future recreation potentials of the Town. These will include recreation planning, subdivision recommendations and Town sub-division action, in all proposals for annexation and all suggestions for land and water acquisition, release or other temporary or permanent disposition of Town-owned lands, water and structures.

## Section II.

All Ordinances and portions of Ordinances in conflict herewith are hereby repealed.

This the 22nd day of March, 1971.

Alderman Nassif moved, seconded by Alderman Welsh to prepare an ammendment for the Planning Board ordinance to include a representative from the Recreation Commission to provide liaison at the meetings. This was unanimously carried. Alderman Smith then moved, seconded by Alderman Nassif to adopt the Recreation Ordinance as revised. This was unanimously carried.

## BUS STOP ORDINANCE

The Town Manager read an ordinance establishing bus stops and prohibiting any parking therein.

AN ORDINANCE TO ESTABLISH AND REGULATE BUS  
STOPS WITHIN THE TOWN OF CHAPEL HILL

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

## Section I

That from and after the effective date of this Ordinance, the Town Manager is hereby authorized and directed to cause to be marked off and provided spaces at or about the intersections of the streets hereinafter named, which shall be so marked and designated by appropriate lines, words or signes as "bus stops". Each of the spaces here after designated, when so marked, shall be for use as a bus stop by licensed and franchised motor buses operated for the public transportation system, and in which spaces said motor buses shall be authorized to stop for the purpose of receiving and discharging passengers. It shall be unlawful for any other vehicle to park in such designated bus stops. The places to be so designated and marked are as follows:

Distance and Feet From  
Center Line

| Street          | at Street                     | Corner           | Dir. | Start                  | End                 |
|-----------------|-------------------------------|------------------|------|------------------------|---------------------|
| Brandon Rd      | Hayes Rd                      | SE               | E    | 30                     | 120                 |
| Brandon Rd      | Hayes R                       | NE               | E    | 30                     | 140                 |
| Church St       | W. Franklin St                | NE               | N    | 100                    | 210                 |
| N. Columbia     | W. Franklin St                | NW               | N    | Franklin               | Rosemary            |
|                 |                               |                  |      | 48                     | 330                 |
| S. Columbia     | Purefoy Rd                    | NE               | N    | 205                    | 245                 |
| S. Columbia     | South Rd                      | SW               | S    | from So. tip of Island |                     |
|                 |                               |                  |      | 62                     | 202                 |
| S. Columbia     | South Rd                      | SE               | S    | from So. tip of Island |                     |
|                 |                               |                  |      | 130                    | 270                 |
| S. Columbia     | Westwood Dr                   | SE               | S    | 10                     | 150                 |
| Ephesus Ch. Rd  | Colony Apts No. Dr.           |                  |      |                        |                     |
|                 |                               | S side           | W    | 30                     | 145                 |
| Ephesus Ch. Rd  | Eden Lane                     | SW               | W    | 30                     | 130                 |
| Ephesus Ch. Rd  | Longleaf Dr                   |                  |      | 130                    |                     |
| E. Franklin     | N. Boundary St                | NE               | E    | 30                     | 130                 |
| E. Franklin     | S. Boundary St                | SW               | W    | 30                     | 130                 |
| E. Franklin     | Carolina Ave                  | NW               | W    | 25                     | 105                 |
| E. Franklin     | Elliot Rd                     | NE               | E    | 50                     | 130                 |
| E. Franklin     | Estes Dr                      | SE               | E    | 33                     | 165                 |
| E. Franklin     | Estes Dr                      | SW               | W    | 39                     | 119                 |
| E. Franklin     | Glendale Dr                   | at Ints.         | E    | 40                     | W 43                |
| E. Franklin     | Henderson St                  | SE               | W    | 35                     | 177                 |
| E. Franklin     | Hillsborough St               | NE               | E    | 45                     | 145                 |
| E. Franklin     | Howell Lane                   | NE               | E    | 15                     | 100                 |
| E. Franklin     | Howell Lane                   | SE               | E    | 40                     | 140                 |
| E. Franklin     | Plant Rd                      | NE               | E    | 40                     | 120                 |
| E. Franklin     | Plant Rd                      | at Ints.         | E    | 45                     | W 85                |
| E. Franklin     | Raleigh St                    | SE               | E    | 35                     | 115                 |
| W. Franklin     | Church St                     | NW               | W    | 35                     | 120                 |
| W. Franklin     | S. Graham St                  | SE               | E    | 25                     | 120                 |
| W. Franklin St  | N. Graham St                  | NE               | E    | 25                     | 135                 |
| W. Franklin St  | Kenan St                      | SW               | W    | 30                     | 135                 |
| Hillsborough St | Rosemary St                   | SE               | S    | 35                     | 145                 |
| Longleaf Dr     | Churchill Dr                  | NE               | E    | 35                     | 135                 |
| Longleaf Dr     | Emory Dr                      | NW               | W    | 35                     | 105                 |
| Longleaf Dr.    | Willow Dr.                    | NE               | E    | 40                     | 165                 |
| Merritt Mill Rd | Crest Dr                      | NE               | N    | 15                     | 115                 |
| Merritt Mill Rd | Grant St                      | NE               | N    | 15                     | 125                 |
| Merritt Mill Rd | Lincoln School                | at Sch. Driveway |      |                        |                     |
|                 |                               |                  | N    | 15                     | 120                 |
| Raleigh Rd      | Greenwood Rd                  | SE               | E    | 50                     | 140                 |
| Raleigh Rd      | Greenwood Rd                  | NE               | E    | 48                     | 160                 |
| E. Rosemary     | Henderson St                  | NE               | E    | 45                     | 130                 |
| E. Rosemary     | Hillsborough                  | NW               | W    | 35                     | 155                 |
| South Rd        | S. Columbia St                | SE               | E    | from Ea. tip of Island |                     |
|                 |                               |                  |      | 70                     | 210                 |
| South Rd        | S. Columbia St                | NE               | E    | from Ea. tip of Island |                     |
|                 |                               |                  |      | 35                     | 175                 |
| South Rd        | Country Club Rd               | NW               | W    | 75                     | 175                 |
| South Rd        | Country Club Rd               | SW               | W    | 35                     | 135                 |
| South Rd        | Raleigh St                    | NW               | W    | 70                     | 150                 |
| South Rd        | Raleigh St                    | SW               | W    | 35                     | 135                 |
| Willow Dr       | By-Pass                       | NE               | E    | 80                     | 195                 |
| Willow Dr       | Conner Dr                     | NE               | E    | 30                     | 150                 |
| Willow Dr       | Estes Dr                      | NE               | E    | 40                     | 160                 |
| Willow Dr       | Spruce St                     | NW               | W    | 35                     | 115                 |
| Willow Dr       | Willow Terrace Apts. (#41-71) |                  |      |                        | Driveway Centerline |
|                 |                               | N side           | E    | 20                     | 145                 |
| W. Franklin     | Kenan St                      | N side           | W    | 95                     | E 48                |
| By-Pass         | S. Estes Dr                   | E                | N    | 40                     | 150                 |
| By-Pass         | Ridgefield Rd                 | W                | S    | 00                     | 90                  |
| By-Pass         | Willow Dr                     | NW               | W    | 55                     | 135                 |
| By-Pass         | Willow Dr                     | SW               | W    | 50                     | 160                 |
| Manning Dr      | Mason Farm Rd                 | SW               | W    | 45                     | 145                 |
| Manning Dr      | S. Columbia St                | SE               | E    | 60                     | 140                 |
| Cameron Ave     | S. Graham St                  | SW               | W    | 10                     | 150                 |
| Cameron Ave     | S. Roberson St                | SE               | E    | 25                     | 105                 |
| Cameron Ave     | S. Roberson St                | NE               | E    | 25                     | 125                 |
| Cameron Ave     | Ransom St                     | SE               | E    | 25                     | 105                 |
| Cameron Ave     | Ransom St                     | at Ints.         | W    | 10                     | E 85                |
| Cameron Ave     | Pittsboro St                  | SE               | E    | 25                     | 105                 |
| Cameron Ave     | Pittsboro St                  | at Ints.         | W    | 10                     | W 130               |

|             |                      |   |    |       |
|-------------|----------------------|---|----|-------|
| Hamilton Rd | Berkeley RW at Ints. | N | 40 | 100   |
| Hamilton Rd | Berkeley Rd SE       | S | 55 | 155   |
| Hamilton Rd | Douglas RW at Ints.  | N | 25 | S 115 |
| Hamilton Rd | Douglas Rd SE        | S | 45 | 155   |
| Brandon Rd  | Hamilton Rd SW       | W | 40 | 155   |
| Brandon Rd  | Hamilton Rd NW       | W | 40 | 155   |

## Section II

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

This the 22nd day of March, 1971.

Alderman Nassif moved, seconded by Alderman Smith that this ordinance be adopted as read. This was unanimously carried.

The Town Manager then read an ordinance eliminating parking in certain areas of Caldwell and Cameron Avenue.

AN ORDINANCE RELATING TO PARKING ON CALDWELL STREET AND CAMERON AVENUE

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

### SECTION I.

That from and after the 22nd day of March, 1971, it shall be unlawful to park an automobile or vehicle of any kind on either side of Caldwell Street from Church Street to a point 50 feet east of Church Street.

### SECTION II.

That from and after the 22nd day of March, 1971, it shall be unlawful to park an automobile or vehicle of any kind on either side of Cameron Avenue from Columbia Street to a point 60 feet west of Columbia Street.

### SECTION III.

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

This the 22nd day of March, 1971.

Alderman Smith moved, seconded by Alderman Welsh that this be adopted as read. This was unanimously carried.

### MORGAN CREEK SEWER LINE

The Town Manager distributed an inspection report of the Morgan Creek Sewer Line made by the Public Works department. Alderman Bernholz said that he was interested in all complaints and possible claims against the Town and the contractor for this work, and asked that all correspondence be checked. Alderman Nassif said that this should be handled by the Engineering Consultant, and asked that Alderman Bernholz discuss with the Town Manager any particular problems that he knew of. Mayor Lee and Alderman Welsh expressed appreciation to the Public Works Department for this report.

### HOUSES-JOLLY LANE

Mayor Lee read a letter from Fisher and Fisher pointing out that there was a septic tank problem at 721 Jolly Lane, that the tenants at 721 and 719 and 603 Jolly Lane were all behind on their rent and recommended that the tenants be evicted. He recommended that if the Town did not want to evict the tenants from 721 that they be moved into 715, which is now vacant. Alderman Coxhead moved, seconded by Alderman Scroggs that the tenants from 721 be requested to move into 715 and that the vacant houses be sold and moved off of the site. Alderman Bernholz said that the Town should not own any houses for rent. It was agreed that if necessary the Town would assist with the moving cost in moving from 721 to 715. The motion was carried by a vote of five to one with Alderman Nassif opposing.

## BIDS-LANDSCAPING

The Town Manager reported on bids received for landscaping at the Municipal Building. The base bid of \$5,580.00 from Apex Nursery and \$5,975.00 from Fitch Creations. He advised the Board that the cost of the Municipal Building was going to run over the appropriated funds by about \$4,633.00, and that the Contingency Fund, if all projects proposed to be done from this fund were completed, would have only \$4,000.00 left for landscaping. Alderman Nassif moved, seconded by Alderman Welsh to reject all bids on the landscaping. This was unanimously carried.

## THOROUGHFARE PLAN UPDATING

Mayor Lee read the following resolution approving an agreement with the State Highway Commission on updating the Thoroughfare Plan.

Resolution Passed By  
The Board of Aldermen  
Town of Chapel Hill, North Carolina

The following resolution was offered by Alderman Scroggs and seconded by Alderman Smith and upon being put to a vote was carried unanimously on the 22 day of March, 1971:

THAT WHEREAS, thorough fare planning studies are considered to be of utmost importance for the proper development of the highway system of the several municipalities for the safety and convenience of the traveling public; and

WHEREAS, thoroughfare planning studies are a necessary expense of the Town of Chapel Hill in order to provide for the proper development of its street system and for the safety and convenience of the traveling public; and

WHEREAS, an agreement has been prepared in writing to establish the obligation of the State Highway Commission and the Town of Chapel Hill in a thoroughfare planning study to update and reevaluate the existing Chapel Hill-Carrboro Thoroughfare Plan; and

WHEREAS, said agreement provides that this Municipality participate with the State Highway Commission to the extent of:

(A) Cooperating with the State Highway Commission in every way in the conduct of the thoroughfare planning studies and providing the State Highway Commission with:

(1) Research material, data, and records of the Municipality as required; (2) data from a 5% sample internal origin and destination survey to be conducted as part of a transit study; (3) an employment and commercial vehicle inventory; (4) a listing of principal places; (5) tabulations of required existing land use and socio-economic data by traffic zone; and (6) forecasts to 1990 and 1995 and distribution by traffic zone of required population, employment, land use, and socio-economic data.

(B) Sharing in the costs and expenses of the thoroughfare planning studies by providing to the State Highway Commission the work, materials and information as listed in paragraph (A) above at no cost to the State Highway Commission.

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

That the agreement bearing date March 22, 1971, entitled "AGREEMENT FOR THE PERFORMANCE OF THOROUGHFARE PLANNING STUDIES BETWEEN THE NORTH CAROLINA STATE HIGHWAY COMMISSION AND THE TOWN OF CHAPEL HILL, NORTH CAROLINA" be, and the same is hereby approved by the Board of Aldermen of the Town of Chapel Hill and the Town Manager and Town Clerk are authorized and directed to execute and deliver said contract.

I, David B. Roberts, Clerk of the Town of Chapel Hill, North Carolina, 285  
do hereby certify that the above is a true and correct copy of excerpts  
from the minutes of the Board of Aldermen of said Town.

WITNESS my hand and the official seal of the Town this the 23 day of  
March, 1971:

Town Clerk, David B. Roberts

Alderman Scroggs moved, seconded by Alderman Smith to adopt the  
resolution as read. Attorney Denny said he had gone through the  
agreement thoroughly and was satisfied with it. The motion was unanimous-  
ly carried.

#### BIDS-JANATORIAL SERVICE

The Town Manager reported bids for janitorial service on the new  
building as follows: Carolina Maintenance, \$537.42 per month; Per-Kleen,  
\$603.00; Saffelle, \$832.00; White House, \$401.39. The Town Manager  
recommended that the Carolina Maintenance Company bid be approved as  
White House, the low bidder, has the present contract on the Municipal  
Building and is not doing a satisfactory job. Alderman Coxhead moved,  
seconded by Alderman Smith that the contract be awarded to Carolina  
Maintenance Company for \$537.42 a month. This was unanimously carried.

#### BUDGET ORDINANCE

Alderman Coxhead moved, seconded by Alderman Smith that an ordinance  
be prepared amending the Budget Ordinance to appropriate the following:  
\$10,200.00 for subsidy of the bus system during the fiscal year 1970-71,  
\$1,500.00 to signs and signals for bus stop signs, \$4,633.00 to complete  
the new Municipal Building, all funds to come from the Contingency Fund.  
The motion was unanimously carried.

#### SIDEWALK

The Town Manager reported that two prices had been received for  
constructing the sidewalk as proposed along Estes Drive, Muirhead  
Construction Company for \$3,090.00 and Mellott Trucking and Supply  
Company for \$3,360.50. He noted that a change would have to be made  
in the plans to allow ramps for handicapped persons, and that this would  
cost about an additional \$100.00. Alderman Nassif moved, seconded by  
Alderman Welsh that the contract be awarded to Muirhead Construction  
Company, the low bidder, and that an ordinance be prepared amending the  
Budget Ordinance to increase the Sidewalk Budget by \$3,190.00 for this  
work, the motion was unanimously carried.

#### TRAFFIC-DAVIE CIRCLE

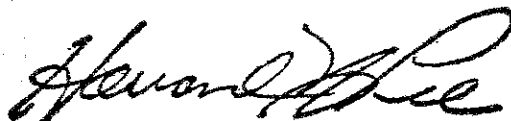

Alderman Coxhead, reporting for the Street Committee, recommended that  
one-way traffic be established on Davie Circle beginning at Jones Street  
and continuing counter clockwise around Davie Circle. He moved that  
an ordinance be prepared to accomplish this. This was seconded by  
Alderman Bernholz and unanimously carried.

#### DRAINAGE-WILLIAMS CIRCLE

Alderman Coxhead reported that Darel Stafford had built a house on a  
low lot on Williams Circle and that the street drain emptied out near  
the property line and drained across this lot. He said that Mr. Stafford  
felt that the Town should assist him in improving this drainage and that  
the Street Committee recommended that a small adjustment be made in  
the Town's usual drainage property in which the Town would build a  
junction box at his expense, and allow Mr. Stafford two years to pay  
for the pipe at six per cent interest. He moved that this offer be  
made to Mr. Stafford. This was seconded by Alderman Nassif and  
unanimously carried.

The Town Manager told the Board that a separate fund should be established in which deposits from the bus system would be deposited and from which payments would be made to the bus company. He also recommended that two signatures be required, one of someone in the Chapel Hill Town Government and one from the Carrboro Town Government. Alderman Smith moved, seconded by Alderman Coxhead that the money be deposited in Central Carolina Bank and that the Town Manager's signature be authorized representing Chapel Hill in this account. This was unanimously carried.

The meeting adjourned at 11:50 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 at 4:00 P.M. on April 5, 1971 with the following members present: Mayor Lee, Aldermen Smith, Bernholz, Coxhead, Welsh, Scroggs, and Nassif. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

#### MINUTES

Alderman Coxhead moved, seconded by Alderman Smith to approve the minutes of March 22, 1971 as corrected. This was unanimously carried.

#### MILE OF PENNIES

Mr. Hamp Howell, representing the ZBT Fraternity, asked permission to use the sidewalk on the south side of Franklin Street from Graham Memorial to University Square on April 17, 1971 for a fund-raising project for the Campus Chest. The proposal was to try to collect a mile of pennies laid out on the sidewalk. He also asked that if it rained on the 17th that they be allowed to carry out their project on the 24th of April. Alderman Coxhead moved, seconded by Alderman Nassif that permission be given. This was unanimously carried.


#### SIDEWALK VENDING

Attorney Denny told the Board that a court order had restrained them for a period of ten days from enforcing the ordinance, and that a request for a permanent injunction against this ordinance had been made. He asked that the Board instruct him as to what they wanted done. Alderman Scroggs said that the ordinance was admittedly discriminatory, in his opinion, and that natural flowers alone would be less so than if artificial flowers were permitted, as it came nearer to the distinction made between farm products under state regulations and non-farm products. He said that an effort to dissolve the order would provide information, but that the ten days would be up before this could be done. Attorney Denny explained the issues as being the broadness of the language, reasonableness of the classifications, and the claim that the Town sold licenses for selling flowers with the knowledge that they would be used to sell other things. Alderman Coxhead suggested that it be contested. Alderman Bernholz asked that the Town Attorney be instructed to answer the allegations of the suit. Alderman Scroggs then read two letters, one for and one against the enforcement of the ordinance. Alderman Welsh asked if the present ordinance could be defended. Attorney Denny said that he felt the wording was reasonable if read in context, but that he was worried about the distinctions made in permitting artificial flowers but not other handcrafted articles. Alderman Nassif asked that Mr. Scroggs and the rest of this committee meet with the Town Attorney and bring in a recommendation at the next meeting. Attorney Denny said that if the Board would say what was wanted he would try to prepare the necessary wording. Alderman

Correction to the minutes of March 22, 1971

#### HUMAN RELATIONS COMMISSION MEMBERSHIP

A list of members and terms was presented to the Board for their approval and conformation. Alderman Smith said that the persons with terms expiring on December 31, 1970 were all working on committees, and that he recommended reappointing all of these members to the Board for a three year term. Alderman Welsh moved, seconded by Alderman Scroggs to reappoint Jean Linsky, William Davis, Betty Holloway, Mary Holden, Dan Pollot, and Hayden Renwick to terms expiring December 31, 1973: and that the following terms be confirmed: Weston Hare, James Godwin, John Manly, Ann Patterson, R. D. Smith, and Charles Holton to have terms expiring December 31, 1971; and Braxton Foushee, Languia Watson, Joe Page, Ann Queen, Charles Jones, and Jane Parker to have terms expiring December 31, 1972. The motion passed unanimously.

  
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. on June 28, 1971 with the following members present: Mayor Lee, Aldermen Nassif Coxhead, Scroggs, Smith, Welsh, and Wallace. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

#### MINUTES

Alderman Nassif moved, seconded by Alderman Smith that the minutes of the meeting of June 21, 1971 be approved as circulated. This was unanimously carried.

#### NORTH CHURCH STREET EXTENSION

Attorney Denny told the Board that he had misinformed them the previous week and that it did not require a two-thirds vote to remove a matter from the table, and that therefore the matter of the North Church Street Extension discussed on June 21, 1971 was officially before the Board. Alderman Wallace suggested that this be placed on the Agenda. Mayor Lee asked if there was anyone who objected to this? Mr. Seibel, developer of this project, said that he would like to go ahead with this discussion. Alderman Wallace then moved, seconded by Alderman Coxhead to place the matter of North Church Street Extension on the Agenda. This was unanimously carried.

#### USE OF TOWN OWNED HOUSE ON MERRITT MILL ROAD

Reverend John Manley, speaking for Mrs. Scurlock whom he said had been evicted by court order from a house which was to be torn down and could not find a place to live, and who expects to be admitted to the Public Housing in August, wanted to move into a house being purchased from Mr. Davis on Merritt Mill Road until there was an opening in Public Housing. He said that Mr. Davis had bought a new house and was moving out of the house he was selling to the Town. The Town Manager could not give current information on the status of the Davis house. Alderman Smith moved, seconded by Alderman Welsh that if the Town does have title to the house, and when Mr. Davis completely vacates, that Mrs. Scurlock and her family should be allowed to move in. Alderman Wallace amended the motion that a ninety day limit be set on this or until there was an opening for the Scurlocks in Public Housing. Alderman Scroggs said that there should be no rent charged and the Town would not be in the real estate business, that the family would be required to pay for their utilities. The