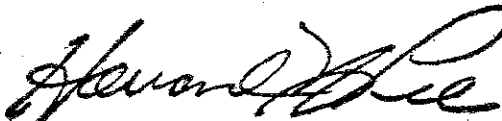



The Town Manager told the Board that a separate fund should be established in which deposits from the bus system would be deposited and from which payments would be made to the bus company. He also recommended that two signatures be required, one of someone in the Chapel Hill Town Government and one 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

Scroggs suggested that the ordinance be repealed and that no street sales be permitted though he felt this would be unpopular if the flowers were not allowed to be sold. He agreed to accept Alderman Nassif's suggestion and bring a proposal back at the next meeting, and that he assume that the Board wanted an ordinance somewhat in its present form that could be upheld. Alderman Nassif said that he should not feel limited in his recommendations. Attorney Denny asked if the Board meant to deal with only this section of the ordinance? Yes. Alderman Bernholz asked when the required licenses would run out? June 30, 1971.

#### BOARD OF ADJUSTMENT

John Evans, vice-chairman of the Zoning Board of Adjustment, told the Board that he did not feel any Special Use request could meet the fourth criteria required for approving special uses, that is the general conformity for the plans for development as he did not know of any general plan for development for the Town. He indicated that he would have to vote against all special uses until a plan was developed. Alderman Scroggs said that the plan consisted of a number of documents, Land Use plan, Thororoughfare Plan, Sub-division Control Ordinance, Zoning Ordinance, Sewer Policy, Open Space Policy and so forth. Alderman Nassif noted that the Board's problem seemed to be with the special use for drive-in businesses and they expected that to be turned over to the Planning Board and Board of Aldermen in the near future. Alderman Scroggs said it was questionable whether such uses should be covered by both the Zoning Ordinance and the Special Use requirements. Mr. Peck said that he felt that the Zoning Ordinance was an adequate plan for indicating that business uses should be allowed in the Central Business District. Alderman Welsh said that there was an existing visual survey that could be useful and that another one was being prepared at this time, hopefully dealing quite specifically with the Central Business District.

Nominations for replacements for a vacancy on the Board of Adjustment was held until next week so that suggestions could be made by the Board of Adjustment for this replacement.

#### MODEL ROCKETS

The Town Manager noted that the 1970 Fire Prevention Code prohibited model rocket engines to be sold, classifying them as fire works, but that there was a provision which would allow adoption of regulations controlling model rockets. He told the Board that there was a 1968 NFPA bulletin, Number 41-L, which would control model rocketry and suggested that the Board might want to adopt this. Mr. Billy Arthur discussed the problem from the point of view of a supplier of model rockets. Joe Robinson, Fire Inspector, discussed this from his point of view and told the Board that he felt the 41-L bulletin covered the situation adequately. Mayor Lee read a proposed ordinance adopting bulletin 41-L "Code for Model Rocketry, 1968".

AN ORDINANCE TO AMEND SECTION 7-15 OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL SO AS TO ADOPT THE NATIONAL FIRE PROTECTION ASSOCIATION CODE FOR MODEL ROCKETRY, 1968

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

#### SECTION I.

That Section 7-15 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended by modifying Section 13.3, Paragraph F, of the 1970 edition of the Fire Prevention Code, adopted February 15, 1971 by adopting the National Fire Protection Association Bulletin 41L entitled "Code for Model Rocketry, 1968" to define and control model rocketry.

#### SECTION II.

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

This the 5th day of April, 1971

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

#### STINSON STREET EXTENSION

Mayor Lee told the Board that there had been no answer to the Town's letter to Mrs. Julia Marshall regarding additional right-of-way for widening a private roadway leading west from North Columbia Street near the intersection of Stinson Street which had been requested for the Town's acceptance of the street. Mr. Edwin Caldwell said that Mrs. Marshall had wanted to sell this land but that he was not willing to buy it. He said that she probably would not answer any letter that was written. Mayor Lee said that he did not think that one person should hold up the street project. Alderman Coxhead suggested that the usual policy be followed and that the Town not pay for this land, that if it condemned the land that the property owner should agree to pay any cost involved. Edwin Caldwell said that he had been trying to get this street accepted for twenty years. Attorney Denny said that the Town's alternatives were to negotiate or condemn the property and that the Town could agree to pay or that the owners could agree to pay for the land. Edwin Caldwell said that the property owners would not agree to pay. Alderman Nassif asked about taking the street without this additional right-of-way. Mr. Caldwell said that the ditches would be the biggest problem. Alderman Scroggs said that he thought that this could cause more trouble than would appear at first sight. Mayor Lee talked to Mrs. Marshall on the telephone and said that she would neither give nor sell. Alderman Welsh moved, seconded by Alderman Smith to accept the street without the Marshall property but with all of the other property mitigation that had been agreed to by the other owners and to maintain it as a street. Edwin Caldwell said that the property owners would be satisfied if the street and ditches were just shaped periodically, that they were not asking for improvements, only maintenance. The motion was unanimously carried.

#### BICYCLES

Alderman Welsh discussed the goals of the bicycle program, safe routes, less pollution, and better health in general, she listed the proposed routes and suggestions for an ordinance to implement these. She was asked to discuss this further with the Town Manager, particularly concerning the standards for placing signs and improving sidewalk areas for bicycles and prepare an estimate of the probable cost.

#### DAVIE CIRCLE

Mayor Lee read a proposed ordinance creating one-way traffic on most of Davie Circle.

#### AN ORDINANCE PROVIDING FOR ONE WAY TRAFFIC ON DAVIE CIRCLE

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

##### SECTION I

That from and after the 5th day of April, 1971 David Circle shall be a one way traffic lane wherein traffic shall move only in a counter clock-wise direction from its intersection with Jones Street to an intersection where the entrance from Franklin Street meets the circle.

##### SECTION II

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

This the 5th day of April, 1971.

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

#### BUS STOPS

The Board considered an ammended Bus Stop Ordinance covering all

of the bus stops being used under the system at the present time. Alderman Nassif suggested that the bus stop on the north side of

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
Airport Drive	Airport Rd	NW	W	300	400
Airport Road	Barclay Rd	at Ints.	N	60	60
Bradley Rd	Severin St	SW	S	15	155
Bradley Rd	Umstead Dr	NW	N	30	130
Branch St	Barclay Rd	NW	N	50	150
Branch St	Justice St	NW	N	26	125
Brandon Rd	Hamilton Rd	NW	W	40	155
Brandon Rd	Hamilton Rd	SW	W	40	155
Brandon Rd	Hayes Rd	SE	E	30	120
Brandon Rd	Hayes Rd	NE	E	30	140
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
Caldwell St	Church St	SE	E	30	190
Cameron Ave	S. Graham St	SW	W	10	150
Cameron Ave	Pittsboro St	SE	E	25	105
Cameron Ave	Pittsboro St	at Ints.	W	10	W 130
Cameron Ave	Ransom St	SE	E	25	105
Cameron Ave	Ransom St	at Ints.	W	10	E 85
Cameron Ave	S. Roberson St	NE	E	25	125
Cameron Ave	S. Roberson St	SE	E	25	105
Church St	W. Franklin St	NE	N	100	210
N. Columbia St	Caldwell St	SW	S	40	160
N. Columbia St	Carr St	SW	S	25	105
N. Columbia	W. Franklin St	NW	N	Franklin	Rosemary
				48	330
S. Columbia St	Cameron Ave	SE	S	35	150
S. Columbia St	Coolidge St	at Ints.	S	125	N 10
S. Columbia St	Manning Dr	SE	S	55	165
S. Columbia	Purefoy Rd	NE	N	205	245
S. Columbia	South Rd	SW	S	from So. tip of Island	130 270
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	SW	W	30	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	Elliott 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	Kenan St	N side	W	95	E	48
W. Franklin St	Kenan St	SW	W	30		135
Gomains Ave	Sykes St	SE	E	30		170
N. Graham St	Whitaker St	SE	S	25		170
Hamilton Rd	Berkeley Rd	W at Ints.	N	40		100
Hamilton Rd	Berkeley Rd	SE	S	55		155
Hamilton Rd	Douglas Rd	W at Ints.	N	25	S	115
Hamilton Rd	Douglas	SE	S	45		155
Hillsborough St	Airport Rd	NE	E	50		150
Hillsborough St	Bolinwood Dr	at Ints.	N	10		156
Hillsborough St	Bolinwood Dr	NE	N	34		140
Hillsborough St	North St	at Ints.	S	25	N	115
Hillsborough St	North St	SE	S	35		190
Hillsborough St	Rosemary St	SE	S	35		145
Hillsborough St	Town House Apts	opposite Drvwy to Apts.				
		S		50	N	60
Hillsborough St	Town House Apts	from So. tip of No. Drvwy				
		S		-		90
Longleaf Dr	Churchill Dr	NE	E	35		135
Longleaf Dr	Emory Dr	NW	W	35		105
Longleaf Dr	Willow Dr	NE	E	40		165
Manning Dr	Mason Farm Rd	SW	W	45		145
Manning Dr	S. Columbia St	SE	E	60		140
Mason Farm Rd	Daniels Rd	SE	E	25		155
Mason Farm Rd	Hibbard Dr	NE	E	25		125
McDade St	Church St	SW	W	32		148
McDade St	Mitchell Lane	SE	E	60		130
Merritt Mill Rd	Crest Dr	NE	N	15		115
Merritt Mill Rd	Grant St	NE	N	15		135
Merritt Mill Rd	Lincoln School	at Sch. Driveway				
		N		15		120
Purefoy Rd	Howell St W. Ints.					
	NE	E		60		175
Purefoy Rd	Howell St E. Ints.					
	at Ints.	E		130	W	5
Purefoy Rd	Mason Farm Rd	NW	W	150		277
Raleigh Rd	Greenwood Rd	NE	E	48		160
Raleigh Rd	Greenwood Rd	SE	E	50		140
E. Rosemary	Henderson St	NE	E	45		130
E. Rosemary	Hillsborough	NW	W	35		155
W. Rosemary St	Church St	NW	W	21		175
W. Rosemary St	Mitchell Ln	NE	E	25		125
W. Rosemary St	Roberson St	NW	W	25		145
South Rd	S. Columbia St	NE	E	from Ea. tip of Island		
				35		175
South Rd	S. Columbia St	SE	E	from Ea. tip of Island		
				70		210
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
Williams Cir	Bradley Rd	NW	N	37		153
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

## Section II

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

This the 5th day of April, 1971.

Alderman Nassif suggested that the bus stop on the north side of Franklin Street be changed from the east side of Boundary to the west side of Boundary. Alderman Bernholz asked for a report on the number of parking spaces that were being lost for bus stops. Alderman Nassif moved, seconded by Alderman Smith that the Bus Stop Ordinance be adopted as circulated with the one correction as noted above. This was unanimously carried.

#### JOLLY LANE

Mayor Lee reported that four of the families in town who rent houses on Jolly Lane had applied for public housing, and that Mr. Williams would encourage the others to do so. He noted that there were no vacancies at the present time but three projects were under construction.

#### BUDGET ORDINANCE

Alderman Smith moved, seconded by Alderman Coxhead that the Budget Ordinance be amended to create an appropriation account for the Bus System and increase appropriations for Signs and Signals and the Municipal Building.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1970 AND ENDING JUNE 30, 1971.

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, 1970 and Ending June 30, 1971, and To Levy Taxes and Raise Revenue for the said Fiscal Year" as duly adopted on July 27, 1970 be and the same is hereby amended as follows:

1. Create Account "6290 Bus System" with an appropriation of \$10,200.00;
2. Increase account "6360 Signs Signals and Paint" by \$1,500.00 to \$18,750.00;
3. Increase account "6120 Municipal Building" by \$5,145.00 to \$83,145.00.
4. Decrease account "8000 Contingencies" by \$16,845.00 to \$6,681.00.

#### SECTION II.

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

This the 5th day of April, 1971.

This motion was unanimously carried.

Alderman Nassif then moved, seconded by Alderman Bernholz to amend the Budget Ordinance by creating a fund entitled "9100 Council on Aging", and appropriating money for this account.

BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1970 AND ENDING JUNE 30, 1971 CREATING NEW FUND

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

#### SECTION I

Create a fund entitled "Council on Aging";

Create appropriation account "9100 Council on Aging" with an appropriation of \$6,280.00;

Create Revenue account "3550 Council on Aging" with an estimate revenue of \$6,280.00.

## SECTION II

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

This the 5th day of April, 1971.

This was unanimously carried.

## BUS SYSTEM

Attorney Denny told the Board that a special act would be needed for a joint transportation system for Chapel Hill and Carrboro, and asked for guidelines from the Board on how to prepare a request for such a special act. The Board agreed that there should be ten members, five appointed by Chapel Hill and five by Carrboro with three-year staggered terms.

The Town Manager told the Board that P.O.T. had indicated that their application for a transportation study was in good order except that a project manager should be named, and suggested Terry Lathrop, presently Chairman of the Transportation Committee, for this designation. Alderman Coxhead mover, seconded by Alderman Smith to name Terry Lathrop as Project Manager for the purpose of this study. This was unanimously carried.

## COURT ROOM

Alderman Nassif said that in his opinion the proposed remodeling of the Court Room could be done for about \$27,000.00, not the \$40,000.00 estimated by Tom Bridges, and he recommended that the Board authorize that construction drawings be made and that the architect be asked to keep the cost down as much as possible. He then moved, seconded by Alderman Bernholz to authorize Planning and Architectural Associates to go ahead with the construction plans for remodeling the building for use by the court and the Board of Aldermen and asked that consideration be given to stage construction. Alderman Bernholz and Attorney Denny agreed to talk to the Judge about starting to hold an extra term of court in Chapel Hill at this time to help finance this construction.

## 322 WEST ROSEMARY

Mayor Lee read the letter from Attorney James Farlow, representing a property owner adjacent to 322, asking that no remodeling permit be given. Attorney Denny explained that several attempts had been made to have this building torn down, and that there were still some legal steps to be taken before the Board could order it torn down. Alderman Nassif moved, seconded by Alderman Welsh to go ahead and take all necessary steps and to have it removed as soon as possible. This was carried by a vote of five to one with Alderman Bernholz opposing.

## CARY CENTENNIAL

Mayor Lee told the Board that the Cary Centennial Committee planned to visit Chapel Hill on April 17, 1971 with a caravan of 30 to 35 cars to provide publicity for their Centennial celebration and asked that facilities be provided. The Board agreed that the Mayor and Police Chief should make arrangements for this visit.

## N.R.O.T.C.

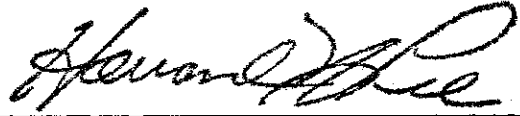
Mayor Lee told the Board that the Planning Board has been invited to review the Naval R.O.T.C. on April 15, 1971, 1:00 P.M. at Fetzer Field.

## OFF-STREET PARKING BONDS

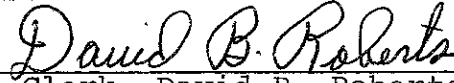
The Town Manager told the Board that additional \$15,000.00 in Off-Street Parking Bonds could be retired on June 30, 1971. Alderman Bernholz moved, seconded by Alderman Coxhead that this be approved and the necessary advertising be done. This was unanimously carried.

Alderman Coxhead objected to the advertising of the election registration in the Tar Heel noting that students were not able to register and vote, and asked why it was done. Alderman Bernholz said that he had been authorized to work with the Town Clerk on advertising the election, and no limits had been set on what papers should be used, that other than students read the Tar Heel and that some students could be properly registered.

The meeting adjourned at 7:10 P.M.



Mayor



Town Clerk, David B. Roberts

MICROFILMED BY

APR 27 1971

N. C. DEPT. OF  
ARCHIVES & HISTORY