

Board of Alderman

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 7:30 P.M. on April 12, 1971 with the following members present: Mayor Lee, Aldermen Coxhead, Bernholz, Nassif, Welsh, Scroggs and Smith. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

## MINUTES

Alderman Coxhead moved, seconded by Alderman Nassif to approve the minutes of the meeting of April 5, 1971 as corrected. This was unanimously carried.

## TRAFFIC--DAVIE CIRCLE

Mayor Lee read a letter from Mr. Alonzo Squires objecting to the one-way traffic on David Circle. Alderman Nassif moved, seconded by Alderman Smith to receive this petition. This was unanimously carried.

## MCCAULEY STREET EXTENSION

Mayor Lee announced that a hearing had been advertised for this time to consider the extension of McCauley Street to Merritt Mill Road as shown on the Thoroughfare Plan. He briefly discussed the background of this proposal. Mr. Palmer then explained the proposal a little more thoroughly, using maps showing the entire Thoroughfare Plan, the McCauley Street--Merritt Mill Road section, and a large scale map of the particular connection, and the properties involved. Mrs. Ruth Greenberg asked about the location of the Pritchard Branch connection from Merritt Mill Road to the By-Pass. This was shown and it was noted that there was no design for this and the connection was very general in nature. Mrs. Nancy Fisher asked how much would be taken from the yards to widen McCauley Street? There is no proposal at this time to widen McCauley Street, only to extend it to meet Merritt Mill Road. Mrs. Nicholson asked how much school property would be taken for this project? None. Mr. Ron Poole, State Highway Department, said that the present plan was for a 36-foot wide connection with a curb and gutter, that the right-of-way was wide enough for sidewalk, but that the State Highway Department did not construct the sidewalk. Mr. C. W. Davis asked if this meant that the on-street parking would be removed on McCauley Street? If there is sufficient traffic the parking would have to go. Mr. J. C. Morrow spoke in favor of keeping the traffic off of McCauley Street. Mr. William Scott told the Board that he was speaking for a number of persons in the Knolls area, and that he favored the extension with certain stipulations:

- 1) The street will have a 60 foot right of way,
- 2) Any person or persons relocated will have first choice to buy and move his or her house,
- 3) That water and sewage be made available to all homes,
- 4) That speed be reduced to 25 miles per hour, for the safety of school children,
- 5) That special effort be made to beautify the banks and all property right of ways,
- 6) That the remaining Town owned property be used for Park Areas,
- 7) That the Town buy two acres of land for Parks and Playgrounds, south of McCauley Street, west of Miss Bere Mitchell and east of Merritt Mill Road.

Dr. Nicholson asked if the changing of the front of the hospital to Manning Drive had been considered in this plan and what affect it would have? Mr. Watson Morris, member of ECOS, opposed the project saying that better streets would mean more cars and therefore more pollution. Mrs. Nicholson said that the speed limit was too high on Merritt Mill Road. Mrs. Ida Lee said that Merritt Mill Road was dangerous and favored the connection. Mrs. Helen Urquhart said there was too much traffic on Cameron Avenue now and wanted the parking removed. She asked if the University was making any change in their parking policies? Mr. Pat Steinway said he was opposed to the project. Mr. John Sidler suggested widening South Columbia Street instead.

Mr. William Levine asked where the people were going to move that were affected by the project? Mayor Lee said that some of the houses would be moved and that public housing would be available for those that wanted it. Mr. Ralph Sawyer said that the trees behind the Power Plant should be saved if possible. Mrs. Urquhart wanted to know why this had the higher priority than the extension of Pittsboro Street? Reverend Manley spoke in favor of the extension of McCauley Street saying he was reporting on a consensus of meetings of people from Knolls Development, Merritt Mill area, and Northside held about March 28, 1971. He noted that a large part of the land needed was already owned by the Town and spoke for the stipulations mentioned earlier by Mr. Scott. Dr. Wager told the Board that this plan had been carefully studied and approved and given high priority in 1965 and that the problem was increasing not decreasing, and that he felt that the hospital-generated traffic should be dispersed rather than concentrated on a few streets. Mr. John Brooks objected to some of the land that the Town had purchased growing up in weeds. Alderman Nassif indicated the Thoroughfare Plan and Traffic Study made in 1963 and recommended that interested persons read this report. Mr. Poole said that the State Highway Department could eagerly agree to a 25 mile per hour speed limit on Merritt Mill Road. Mayor Lee said that the Board would study this matter before making a decision and asked the people favoring and opposing to stand up. It was roughly two-to-one approved. Mr. James Gillespie suggested one-way traffic on Merritt Mill Road. Mrs. Bynum Weaver asked for the traffic light to be installed at Merritt Mill and Franklin. Mayor Lee said that this had been approved by the State and it was assumed that it would be put in in the near future.

#### ZONING AMENDMENT--SPECIAL USE

Mayor Lee told the Board that a hearing had been advertised to consider placing the Special Use category for drive-in business under the Board of Aldermen rather than the Board of Adjustment. It was noted that the suggestion had been made by the Board of Aldermen subsequent to the controversial case of the Kenan Oil Company property. Alderman Welsh pointed out that this would also clear up any possible confusion in cases where a drive-in business was part of the unified business approved by the Board of Aldermen. Alderman Scroggs moved, seconded by Alderman Nassif to refer this matter to the Planning Board for consideration and recommendation. No member of the audience spoke for or against the proposal. Alderman Bernholz said that the development of the CBD in particular was serious and needed the careful scrutiny of elected officials. Alderman Nassif said he would favor the change but that he felt that the Board of Adjustment could do it with the proper guidelines from the Board of Aldermen. He also noted that guidelines and standards were needed for consideration by the Board of Aldermen. Alderman Scroggs pointed out that if adequate guidelines could be drawn and standards established that there would be no need for special use permits. The Town Manager pointed out that a 4/5 vote was needed for special use by the Board of Adjustment but that approval by a majority only was needed by the Board of Aldermen. This motion was carried by a vote of six to nothing.

#### SIDEWALK VENDING

Alderman Scroggs said that there was no additional recommendation by the committee. Attorney Denny said that he had prepared an answer to the injunction and Alderman Scroggs said that he felt that there should be no change in the ordinance until the court had acted upon it. Mr. Denny said that this might come before the court in May. Mayor Lee asked if it was possible to obtain a decision sooner than that? Mr. Denny said it was up to the Judge.

#### STREET DANCE

Mr. Jim Barnes read a petition from the People's Peace Coalition requesting permission to hold a street dance on Henderson Street from 8:00 to 11:00 P.M. on April 14, 1971. He said that he expected that there would be about 2500 people in the march preceeding the dance but did not know how many would stay for the dance. He said that he had discussed this with Chief Blake who indicated no opposition. Alderman Bernholz asked why this request had not been made earlier?

Mr. Tom Denyer said that it was difficult with volunteer workers to get everything lined up that was needed. Alderman Welsh asked what would be done in case of rain? It would be called off. She noted that this would be an added burden on the Police Department, that there had been considerable complaint about noise at a previous dance and that she had talked to Captain Durham of the Police Department who told her that Chief Blake objected to this proposal. She said that she did not approve of anything after dark that would close a street and suggested using the Tin Can or Ramshead Parking Lot. Mr. Denyer said that this would be no more noisy than the fraternities in the area, and that he felt the Town's people should be involved, not just University students. Alderman Welsh said that the Police tried to keep the fraternity noise under control and that she objected to closing the street after dark. Mr. Barnes said that this would be better for the merchants than closing it during the day hours and that there was less traffic at night. He said that the Town needed more activity after dark. Alderman Bernholz said there was a precedent for using Henderson Street, with a minimum of checking by the Police Department, that the Board has no policy on such matters and that he personally favored including the Town's people in this activity, that he saw no reason not to allow the street to be closed. He said that the cultural or festive occasions did not tend to lead to trouble. Alderman Smith agreed that Chapel Hill residents were interested in peace, but anywhere near 2500 people would over-flow the block and would require a great deal of police supervision. He opposed the holding of this at night and the timing of the request two days before the event scheduled. He said he thought that the merchants involved should be allowed to express themselves on such matters. Alderman Coxhead said that he was not enthusiastic about either the street or parking lot but would prefer holding it on the parking lot to holding it on the street. He also said he felt that it should be limited to 10:00 P.M. closing time. Alderman Welsh noted that the University set a 9:00 P.M. closing time on such activities. Alderman Nassif said that he felt that the request should have been made sooner, and felt that the Police Chief should be present to discuss this. He said that the Board was not asked to approve the Christmas Parade each year. He said that he also would prefer use of the parking lot to the street and asked if the the University had been requested to provide a site? No. Alderman Bernholz moved that approval be given to closing Henderson Street from 8:00 P.M. to 11:00 P.M. on April 14, 1971. There was no second. Alderman Coxhead moved that approval be given to use of the parking nearest the Post Office (Parking Lot #2) from 8:00 to 10:00 P.M. There was no second. Alderman Bernholz said that he was contacted by members of the Peace Coalition about two weeks ago and advised them to check with the Chief of Police. He said that as long as the Chief was not here that it couldn't be denied on his recommendation. Mayor Lee said that the next time such a request came that a definite recommendation should be obtained from the Chief. Alderman Bernholz noted that when Henderson Street was closed for the play that there was a large crowd, but that the excess left rather than to overflow into the other streets. He said he felt that the Board should be consistent and if it was closed for one thing it should be closed for another. Alderman Welsh said that she supported the purpose of peace, but not this particular activity. Alderman Welsh then moved, seconded by Alderman Smith to deny the use of Henderson Street. Aldermen Welsh, Scroggs, and Smith voted for the motion, Aldermen Coxhead, Bernholz, and Nassif voted against the motion. Mayor Lee voted against the motion and declared that it failed. Alderman Coxhead then moved, seconded by Alderman Nassif to allow use of the parking lot from 8:00 to 10:00 P.M. Mr. Barnes said that the march would begin at 7:00 and should end about 8:00 and would be entirely on the campus. Alderman Bernholz asked if the use of Henderson Street would be allowed from 8:00 to 10:00? Alderman Scroggs said that he felt that this was establishing a policy about practice and in that case he would prefer the parking lot to the street. Alderman Bernholz said that he felt that the parking lot would be more of a problem for the police and that it was not establishing a policy which could only be done deliberately by the Board, but was following precedent. This motion was carried by a vote of four to two with Aldermen Welsh and Smith opposing.

#### HIGHWAY COMMISSION REPORT

Mayor Lee distributed copies of a letter from the Highway Commission

concerning the needs of Chapel Hill brought out at a meeting between Ron Poole of the Highway Commission, the Town Manager, and Andy Little. Alderman Smith raised the question of when the light was going to be installed at Merritt Mill Road and Franklin Street. This was discussed at the meeting, but no definite answer was provided.

#### MORGAN CREEK SEWER OUTFALL

Alderman Nassif asked that a report be made to the Board on when all the items indicated by the Public Works Department would be taken care of on the Morgan Creek Outfall line. The Town Manager was also asked to check the matter of motorcycles using this right-of-way, and devise some means of stopping it. The Board also asked that the design for serving White Head Circle, Purefoy Road, and Chase Avenue by this sewer be obtained and made available.

#### NOMINATIONS--COMMUNITY APPEARANCE COMMISSION

The following five persons were nominated by the Appearance Commission: Mr. Theo Van Groll, Mrs. W. Everett Billingsley, Mrs. Ernest Craige, Mrs. David A. Ontijes, and Mr. Robert L. Bryan. Alderman Coxhead spoke in favor of Mrs. Billingsley. Alderman Welsh moved, seconded by Alderman Scroggs that the nominations be closed. This was unanimously carried. By written ballot Mrs. Ernest Craige was appointed as a member of the Commission to fill the unexpired term of Mr. Ogburn through June 30, 1973.

#### NOMINATIONS--BOARD OF ADJUSTMENT

Mayor Lee told the Board that nominations were needed to fill the unexpired term of Mr. David Shaw through June 30, 1972. Mr. Honeycutt said that the Board of Adjustment had nominated Mr. Thomas J. Schoenbaum. Alderman Bernholz nominated Mrs. Ortrude White.

#### PRELIMINARY PLAT--EASTOWNE

Mayor Lee read a transmittal from the Planning Board recommending the extension of a preliminary plat for Eastowne subdivision. Alderman Nassif moved, seconded by Alderman Welsh to approve this renewal with a stipulation, that the developer design all streets sewers and storm drains, etc. to conform with the Town's standards to be approved by the Town Manager and the Department of Public Works. It was also agreed that a letter should be sent to Mr. Pizer saying that any new proposal for a unified business in this area must come before a public hearing. The motion was unanimously carried.

#### FINAL PLAT--HARDEE

Mayor Lee read a recommendation from the Planning Board for approval of a subdivision on the west side of US 15-501 south of Dogwood Acres submitted by Mr. E. L. Hardee. Alderman Nassif moved, seconded by Alderman Smith that this plat be approved as submitted. This was unanimously carried.

#### PEDESTRIAN LIGHT

Mayor Lee told the Board that there was a need for a pedestrian light at the traffic signal at the intersection of Estes Drive and the By-Pass. This matter was referred to the Street Committee.

#### STREET LIGHTS

Alderman Smith said that he would like to see more street lights in the Ridgefield Townhouse project.

#### FLOOD PLAN ZONING

Alderman Nassif inquired about the study which had been requested on flood plan regulations? This is being done by the Planning Board.

## BUS STOPS

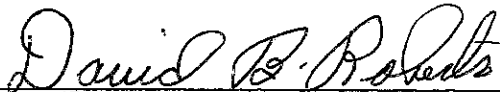
Alderman Bernholz asked that the Student Bus not be allowed to stop or block the view of the crosswalk on East Franklin Street. He suggested that the Student Buses be allowed only to stop at the places where the Town buses stop.

## SPEEDING

Mayor Lee said that he intended to talk to the Police Chief about enforcement of speed laws.

The meeting was adjourned at 11:05 P.M.

  
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 Mayor

  
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 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 19, 1971 with the following members present: Mayor Lee, Aldermen Smith, Welsh, Nassif, Coxhead, and Scroggs. Alderman Bernholz was absent at the beginning of the meeting. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

## MINUTES

Alderman Smith moved, seconded by Alderman Scroggs to approve the minutes of the meeting of April 12, 1971 as circulated. This was unanimously carried.

## LOADING ZONE

Mayor Lee read a letter from Mr. L. W. Sloan asking that a loading zone be established near his business on W. Franklin Street. Alderman Smith moved, seconded by Alderman Scroggs that this petition be received and referred to the Street Committee. This was unanimously carried.

## COURT ROOM

Tom Bridges, Architect, discussed plans for remodeling the Court Room, at an estimated cost of \$36,500.00 plus the architect's fee. Board members indicated that they would like to make some changes that would reduce this cost. Mr. Bridges was asked to return to the next meeting with some recommendations and the Board members were asked to study the plans and cost estimates with the idea of cutting the cost of the final design. Alderman Coxhead asked how this would be financed? Mayor Lee said it would have to be in the 1971-72 budget.

## MCCAULEY STREET EXTENSION

The Town Manager explained the proposed extension indicating by diagrams and cross-sections why a 100 foot right-of-way was needed through much of the proposed new section of street. Alderman Welsh said that she did not think the construction of the road should be started before the revised Thoroughfare Plan had been adopted, but recommended going ahead with the purchase of right-of-way. Alderman Scroggs agreed and said that there was some support for this project by persons living on McCauley Street. Alderman Nassif said that until other means of transportation than automobiles could be provided that additional streets would be needed. Alderman Smith asked if the speed on McCauley Street would be set by the Town or the State? It is a Town street. He asked about traffic lights, parking, and possible one-way street. Alderman Scroggs said that this would be brought out