

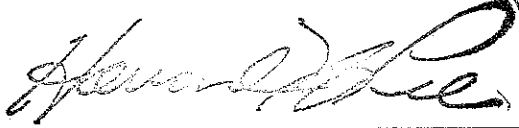
STATE COMMITTEE ON CRIMINAL JUSTICE

Alderman Nassif told the Board that \$15,739.00 had been received for use on projects requested by the Town including a narcotics squad.

MUNICIPAL BUILDING--LANDSCAPING

Alderman Welsh told the Board that the Chapel Hill-Carrboro Garden Clubs had donated \$300.00 to be used for landscaping of the building, and that the Board of Realtors had agreed to put the landscaping in a certain section near the front of the building.

The meeting adjourned at 6:25 P.M.


Mayor


Town Clerk, David B. Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular quarterly hearing with the Planning Board at 7:30 P.M. on May 24, 1971 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Welsh, Coxhead and Nassif. Alderman Wallace was absent. The Planning Board members present were: Weiss, Wallace, Mitchell, and Hemmens. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny. Mayor Lee told the audience that six items had been advertised for hearing at this time, that no action would be taken on these other than turning them down or refering them to the Planning Board for study and recommendation.

REZONING--R-15 & 10 to R-3--McFARLING

Mayor Lee noted a request by Oscar McFarling for rezoning of about twenty six acres lying between Old Oxford Road and Booker Creek, north of WCHL Radio Station from R-15 & R-10 to R-3. Mr. Palmer, Town Planner, showed this request on City maps and explained the surrounding setting. No one spoke for this rezoning. Mrs. Sophie Schiffman and Mr. Bill Graves spoke against the rezoning on grounds of traffic and density. Mr. Graves told the Board that a protest petition had been submitted and asked what its exact significance was? The petition was read by Mayor Lee, who explained that this would require a 3/4 vote of the Board of Aldermen to approve the rezoning. Robert Phillips opposed. Alderman Nassif noted that there were some 1200 units of approved special use permits for apartments that had not been built, and that a sizeable portion of this tract was in the flood plain. He also commented on the adjacent R-3 areas across the creek and westward along Franklin Street, and indicated his opposition. Alderman Welsh told the Board that this did not conform to the fine grain land use pattern that had been approved by the Board. Alderman Coxhead moved, seconded by Alderman Welsh that this request be denied. This was unanimously carried.

SPECIAL USE--APARTMENT--THE OAKS

Mr. Palmer explained the fact sheet on the special use request, noting that it was for 124 units with R-5 zoning and met the requirements for unified housing. Mr. E. J. Owens, developer, showed drawings of the site layout and the buildings, and noted that there would be 18 buildings with a set back from Rogerson Drive and NC 54 of 100 feet and from the access road off of NC 54, a set back of 50 feet. John Riebel asked if the trees were to be left in the 100 foot set back from Rogerson Drive? Mr. Owens said that all worthwhile trees would be kept, that the dead trees had already been cleared. Alderman Scroggs asked if Mr. Owen's use of the word "Town House" meant that it was to be a condominium development? No, an apartment with living quarters

on the first floor and bedrooms on the second floor. Alderman Nassif asked if this would require a modification of the preliminary plat? Alderman Scroggs said that the ordinance allowed lots to be combined without reapproval of the plat, and the required recording of the special use permit would make official this combination of lots. Alderman Nassif then said that this was a well designed apartment development, but that he hoped more open space could be found in the total subdivision. He then moved, seconded by Alderman Scroggs to refer this to the Planning Board for study and recommendation. This was unanimously carried. Alderman Nassif asked that the flood plain in this area be considered in any study of the preliminary plat. Alderman Welsh asked Mr. Owens to consider the provision of additional open space. Mr. Owens said that this was being worked on, and that he hoped to develop some open space to be left natural, a tot lot, and possibly a ball field.

SPECIAL USE--APARTMENTS--NORTH CHURCH STREET

Mr. Palmer went over the fact sheet on this application showing 40 units on an R-3 tract, and noted that this met the requirements for special use permits. Mr. Paul Seibel said that the developer proposed to lease this to the Housing Authority who had sent the application to HUD for consideration. Mr. Robert Anderson then discussed the plan, noting that there were only two buildings to reduce the amount of grading necessary, and indicated the wooded area that would remain uncleared. He said that this was to be developed under the 221-D-4 program, which would allow enough money to get slightly bigger units and permit construction of balconies and other desirable features. Marvin Norwood said that he claimed the land through which the entrance was proposed, and that it was not an extension of Church Street. Mayor Lee said that this was between Mr. Norwood and the developer. Mr. Edwin Caldwell said that the Housing Authority needed these units. Alderman Smith said that the matter of the ownership of the proposed entrance must be cleared up before the Board should approve it. He also questioned the steepness of the site and the erosion problems. Alderman Nassif suggested that the use of high rise might make a better site development. Mr. Anderson said that he felt the title to the land proposed as an entrance had been satisfactorily cleared, and noted that all banks would be sloped at two to one and grassed. Mr. Seibel said that the tract shown for the entrance belonged to the A. B. Roberson heirs, and that he had spent considerable time conferring with Mr. Norwood and thought that the matter had been satisfactorily cleared. Alderman Coxhead moved, seconded by Alderman Scroggs to refer this to the Planning Board for consideration and recommendation. Alderman Scroggs asked that the matter of the access be carefully studied. Alderman Smith then made a substitute motion to table this request until the matter of the access had been cleared up to the Board's satisfaction. This was seconded by Alderman Nassif. Mr. Anderson asked what the Board needed to indicate that it was cleared? Mayor Lee said it should be legally cleared so that there would be no possibility of a court suit holding up the use of the property. Mr. Anderson said that there was an alternate access available, but this was a better access, and they felt that it was reasonably clear. He asked that it be referred so that an additional month's time would not be lost. The substitute motion was adopted by a vote of four to one with Alderman Coxhead opposing.

REZONING--R-10A--NEAR ROSEMARY STREET

Mr. Palmer told the Board that the Planning Board's recommendation was that the R-10A line north of Rosemary Street near Cottage Lane and Friendly Lane be shifted to conform with the existing property lines where practical. He showed the proposal on a map. Mr. Giles Horney said that this matter was unclear and that the advertisement had not been clear. He said that he felt that it was better to keep a straight line than to try to make the district line follow the property lines. Mr. Horney said that he objected to the fraternity parking in the rear of the lots, and that it should be restricted to R-10A districts. Mr. Donnan objected to the drainage from the Kappa Alpha Theta parking. Alderman Welsh told the Board that there should be a requirement for a screen between the residences and the fraternity parking lots. Alderman Nassif said that he felt that the requirements for fraternity parking were excessive. Dr. Wesley Wallace, Planning Board, said he was opposed to this rezoning. Mr. Horney said it should be readvertised and made more clear. Alderman Nassif moved, seconded by Alderman Welsh to refer this to the Planning Board for study and recommendation and ask the Planning Board to consider the clarity of the advertisement and also to study the matter of parking requirements and location. Alderman Scroggs said that there was no point in having R-10A zoning unless the land could be used for fraternities. The motion was un

Mayor Lee read the advertisement of a number of changes proposed for the zoning ordinance including temporary buildings and mobile homes, and correcting an oversight on university district yard requirements. Alderman Nassif said that he felt the wording of "Structures incidental to" to describe construction buildings was not clear. Mr. Palmer noted that this was taken from the existing ordinance. He told the Aldermen that the Board of Adjustment felt that it was a waste of time to refer each construction shack to them for special use. Wesley Wallace suggested changing the word "incidental" to "directly related." Alderman Smith questioned the establishment of an R-7 district. Mr. Palmer told the Board that the present zoning ordinance prohibits mobile homes except in mobile home courts, and that the North Carolina Building Code now permitted mobile homes and that a Supreme Court ruling had found invalid an ordinance similar to that in Chapel Hill which prohibited all mobile homes. He said that it was felt that the establishment of a district in which mobile homes were allowed would make the ordinance legal, and that at the present time no land was proposed for rezoning to R-7. Alderman Welsh moved, seconded by Alderman Nassif to refer this to the Planning Board for study and recommendation. Alderman Scroggs said that he questions Section 8B3 prohibiting boat trailers from being parked in the side yard, and asked that the Planning Board consider this matter. The motion was unanimously carried.

SUBDIVISIONS--DATES FOR PLAT SUBMISSIONS

Mayor Lee noted that the Planning Board had recommended a required submission date for preliminary or final plats to be 10 working days prior to a regular meeting of the Planning Board rather than just 10 days. No one spoke for or against this proposal. Alderman Smith moved, seconded by Alderman Scroggs to refer this to the Planning Board for study and recommendation. This was unanimously carried. The public hearing was adjourned at 9:40 P.M. and the regular meeting called to order.

MINUTES

Alderman Nassif moved, seconded by Alderman Smith that the minutes of the meeting of May 17, 1971 be approved as corrected. This was unanimously carried.

MODIFICATION--BOLIN MEADOWS SPECIAL USE PERMIT

Mr. George Hogan presented plans showing a modification of the building plans increasing the number of units from 108 to 115, building town houses rather than flats, an improved design and quality, and changing the access from a point from Elizabeth Street through adjacent property. Dr. Slifkin said he felt this was a major modification and that there should be a public hearing. Mr. Hogan said that there was no change at all on the site planning on the Bolin Creek side where Dr. Slifkin lives. Alderman Smith noted that density was a major issue in the previous hearing and that the re-hearing should be considered. Mr. Hogan said that he understood that this would have to be taken to the Planning Board and Appearance Commission. Alderman Nassif said that it should have gone first to the Planning Board and then the Appearance Commission. Alderman Smith said that the Board should have both the old and new plans to study. Mr. Hogan asked if the permit under the original plans was still good and if the project could be built by those plans? Yes. Mr. Hogan said that he did not want to go before another public hearing.

DRUG ACTION COMMITTEE

Dr. Robert Senior introduced Dr. Thomas Hurysz, Mr. Tom Matthews, and Mr. and Mrs. Buck Goldstein. He told the Board that the Drug Action program consisted of three parts, the Parent's Educational Program, Switchboard, which attempted to react to crisis, and the Genesis House, which attempted rehabilitation. He told the Board that Switchboard had had 1500 calls in about three months and that Mr. & Mrs. Goldstein were co-directors of Switchboard and were being paid \$500.00 per month. He said that the Community Chest has approved \$4500.00 for this

calendar year. Dr. Huryysz, treasurer of the Drug Action Committee, requested \$9,000.00 for the 1971-72 contribution by the Town of which \$8,000.00 would go to Switchboard for salaries, utilities, and rental, and \$1,000.00 to Genesis house. He also asked for \$500.00 more for this year, which would be used as the June salary for Mr. & Mrs. Goldstein. The Board agreed to consider next year's budget with the other departmental requests, then Alderman Nassif moved, seconded by Alderman Welsh that the \$500.00 for the balance of this year be approved and that the necessary ordinance be prepared, taking the money from contingency. This was unanimously carried.

STREET VENDING

Alderman Coxhead said that the matter of street vending should be discussed until some solution is reached. He noted that the license year ended June 30, and that it will soon be a question of whether or not to issue privilege licenses for next year in the flower vending or any other type of vending. He said that the Board could either go with no selling or no limitations, or a very strict limitation, and that he would prefer a strict limitation, or else no selling at all. He said that the Board should go ahead without waiting for some decision on the present case in court. Mayor Lee asked the Town Attorney the affect this might have on the test case. Mr. Denny said that the present ordinance was not particularly good, and that he felt that the test case would not solve the problem, that there is no use fighting about the precise wording of an ordinance if the ordinance itself is not going to be used. Alderman Coxhead said that the selling should be strictly limited to homegrown flowers. Alderman Nassif said that the ordinance for home grown flowers as used in the past was too narrow and that other things than flowers should be permitted. Mayor Lee said that he felt that it would be a step backwards to go back to the old ordinance and that the vending was a problem, partly because of tradition and partly because it was a useful occupation. Alderman Coxhead said that the sidewalk vending could be eliminated and the flower sellers could use University Square. Mayor Lee said that this would be discrimination by University Square owners, and he did not support it. Alderman Scroggs said that he felt there would be discrimination unless there was either no control or no vending, and that neither would be popular. Alderman Smith suggested a committee to study this further and recommend. Alderman Scroggs said that the existing committee was deadlocked, that there was a possible limitation of space for selling without trying to limit the goods, but that this would raise as many problems as it would solve. Alderman Denny said that he was ready to tackle an ordinance but he needed direction from the Board of Aldermen as to what kind of an ordinance they wanted. Mayor Lee asked that the Board be a Committee as a whole to discuss this matter until a settlement is reached, and said that he would call a meeting for this purpose in the near future.

RESCUE SQUAD

The Town Manager presented the request to the South Orange Rescue Squad for the 1961 Panel Truck now used by the Police Department. This truck was obtained by the Town through Civil Defense. Alderman Coxhead moved, seconded by Alderman Smith that the title of this truck be given to the Rescue Squad with an understanding that it revert back to the Town at any time the RESCUE Squad discontinues operations. This was unanimously carried.

UTILITIES

Mayor Lee said that he was working toward a mechanism for evaluation of procedures for dealing with utilities. He said that his plans were not complete and that he had asked a group of persons to help him in his study, and that he would report further at another time.

BUDGET

Alderman Nassif said that there were a number of things that he wanted to see put in the 1971-72 budget including: Fire Alarm System, \$15,000.00 for sidewalks, an emergency vehicle in the Police Department, subject to approval of the Police Chief, an attorney for the Police Department; a drainage study by a consultant (\$10,000.00); at least one block of beautification completed on either Franklin or Columbia, the particular project to be selected by the Community Appearance Commission; and that the curbs at Franklin and Columbia be lowered for the benefit of the elderly and the handicapped. He suggested establishment of an equipment pool, a supply warehouse, and more central purchasing. He also asked that a letter be sent to the School Board asking that a sidewalk be constructed on Ephesus Church Road at the

school property, and said that he felt some paving should be done on the dirt streets in the Northside community. Mayor Lee said that the oil treatment was satisfactory as a temporary measure in the Northside community, and that the people were willing to wait to see if the NDP project could be approved so that the cost of paving would be considerably less.

The Town Manager was asked to request the Library and Fire Department to discuss their budget requests with the Board at the meeting of June 7, 1971.

SEWER PIPE BIDS

Alderman Coxhead moved, seconded by Alderman Scroggs to approve the low bid of Glamorgan Pipe and Foundry Company of \$4.50 per foot for ten inch (10") pipe. This was unanimously carried.

STREET BIDS

The Town Manager reported that all bids on paving of Burris Place and Hillcrest Circle were much higher than the estimates, and that the low bid had come in late and there was a protest against accepting it, and he recommended that all bids be turned down and that Burris Place be redesigned and that bids be taken at a later date for these projects. Alderman Coxhead moved, seconded by Alderman Smith to accept the recommendation of the Manager in this matter and turn down all bids. This was unanimously carried.

HOUSE BIDS--JOLLY LANE

The Town Manager reported that five bids have been received for the surplus houses on Jolly Lane, ranging from \$500.00 to \$1500.00 and recommended that the high bid be accepted. Alderman Smith moved, seconded by Alderman Scroggs to accept the bid of \$1500.00 submitted by Blake Moving Company of Greensboro. This was unanimously carried.

BUDGET ORDINANCE

Alderman Smith moved that the following amendment to the budget ordinance be approved.

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:

Increase General Fund Anticipated Revenue Account "1220 Street Cuts: by \$8,500.00 to \$18,500.00;

Increase General Fund Anticipated Revenue Account by \$8,500.00 to \$2,009,590.00;

Increase General Fund Account "6120 Municipal Building" by \$2,000.00 to \$85,295.00 (for remodeling and painting police offices);

Increase General Fund Account "6210 Police" by \$2,500.00 to \$427,374.00;

Increase Drug Action Account "6260" by \$500.00 to \$11,500.00;

Increase General Fund Account "6310 Street Maintenance" by \$8,500.00 to \$148,033.00;

Increase General Fund Account "6324 Sidewalks" by \$3,190.00 to \$13,690.00;

Decrease General Fund Account "8000 Contingencies" by \$8,190.00 to \$9,666.00;

Increase Recreation Fund Anticipated Revenue Account "8643 Special Fees" by \$1,000.00 to \$3,300.00;

Increase Recreation Fund Account total by \$1,000.00 to \$130,733.00;

Increase Recreation Fund Account "7000 Recreation" by \$3,000.00 to \$116,197.00;

Decrease Recreation Fund Account "7080 Operation Contingency" by \$2,000.00 to \$2,436.00;

SECTION II

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

This the 24th day of May, 1971

This was seconded by Alderman Scroggs and unanimously carried.

TRAFFIC CODE

Mayor Lee read a proposed ordinance adopting the new traffic code.
AN ORDINANCE ADOPTING AND ENACTING A TRAFFIC CODE
FOR THE TOWN OF CHAPEL HILL, NORTH CAROLINA

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

SECTION I

That the Traffic Code consisting of Articles I, II, V each inclusive and Sections 1 through 36 inclusive is hereby adopted and enacted as the Traffic Code of the Town of Chapel Hill and shall be treated and considered as the new and comprehensive Ordinance which shall supercede all other traffic ordinances passed by the Board of Aldermen on or before the 1st day of February, 1971 to the extent provided in Section II hereof.

SECTION II

That all provisions of such code shall be in full force and effect from and after the 24th day of May, 1971 and all traffic ordinances not included in such code are recognized and continued in force by reference herein are hereby repealed from and after the 24th day of May, 1971 except those enacted after February 1, 1971. No resolution of the Town on specifically mentioned is hereby repealed.

SECTION III

That any and all additions and amendments to such code when passed in such form as to indicate the intention of the Board of Aldermen to make the same a part thereof shall be deemed to be incorporated in such code so that reference to the Traffic Code of the Town of Chapel Hill shall be understood and intended to include all such additions and amendments.

SECTION IV

That copy of such code shall be kept on file in the Office of the Town Clerk preserved in loose-leaf form or in such other office in such other form as the Town Clerk may consider most expedient. It shall be the express duty of the Town Clerk or someone authorized by him to insert in their designated places all amendments of ordinances which indicate the intention of the Town Board to make same part of such code when the same have been enacted and printed or reprinted in page form and to extract from such code all provisions which may be from time to time repealed by the Board of Aldermen. This copy of such code shall be available for all persons desiring to examine the same.

SECTION V

That it shall be unlawful for any person to change or amend by additions or deletions any part of portions of such code, or to insert or leave pages or portions thereof or to alter or tamper with such code in any manner whatsoever which will cause a traffic law of the Town of Chapel Hill to be misrepresented thereby.

SECTION VI

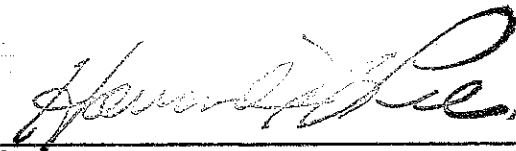
All ordinances or parts of ordinances conflict herewith are hereby repealed.

SECTION VII

This Ordinance shall become effective on the 24th day of May, 1971.

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

The meeting adjourned at 11:22 P.M.



Mayor



Town Clerk, David B. Roberts

MINUTES

Board of Aldermen

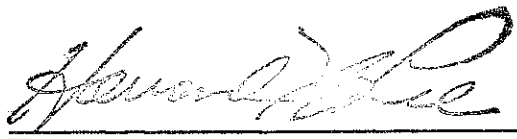
Town of Chapel Hill

The Board of Aldermen met in a special meeting at 5:00 P.M. on May 27, 1971 with the following members present: Mayor Lee, Aldermen Smith, Welsh, Scroggs, and Nassif. Aldermen Coxhead and Wallace were not present. Also present were Town Manager Peck, Town Clerk Roberts, and Assistant Manager Honeycutt.

STREET RESURFACING BIDS

Mr. Honeycutt said that two bids had been received concerning street resurfacing on certain streets within the Town. He said that two bids had been received. The Town Manager recommended the low bid. Alderman Nassif moved, seconded by Alderman Scroggs to award the bid to C. C. Mangum, who had the low bid of \$.84 per square yard for asphalt resurfacing, and \$22.50 per ton for street patching. The motion passed unanimously.

The meeting was adjourned at 5:09 P.M.



Mayor



Town Clerk, David B. Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on June 7, 1971 at 4:00 P.M. with the following members present: Mayor Lee, Aldermen Nassif, Coxhead, Welsh, Scroggs, Smith and Wallace. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.