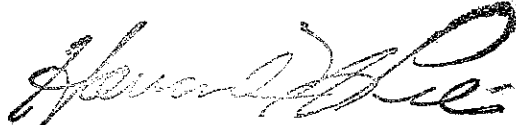


MUNICIPAL BUILDING LANDSCAPING

The Town Manager reported that he had received contributions towards the landscaping of the new Municipal Building from Brady McLennon, owner of Brady's Restaurant, and from Bo-Mar Construction Company.

The meeting adjourned at 10:35.


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 June 21, 1971 with the following members present: Mayor Lee, Aldermen Nassif, Welsh, Smith, Scroggs, Wallace, and Coxhead. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Nassif moved, seconded by Alderman Scroggs to approve the minutes of the meeting of June 14, 1971 as corrected. This was unanimously carried.

DRIVE-IN BUSINESSES

Dr. Weiss, Chairman of the Planning Board, reported on the status of the Planning Board's study of Drive-in Businesses, and told the Aldermen that they would have a more complete report after the July 6, 1971 meeting of the Planning Board which could be presented at the Board of Aldermen on their meeting of July 12th. He asked for a six months moratorium on new drive-in businesses until the study can be completed and additional controls enacted. Alderman Welsh moved, seconded by Alderman Wallace to receive this and discuss it. This was unanimously carried. Attorney Denny said that he questioned the moratorium and that if there was one that it should be done by amending the zoning ordinance with public hearings, etc. Mr. Palmer suggested that any recommendation from the Board for changes be discussed at the regular September quarterly hearing at which time an amendment to the ordinance declaring a moratorium could also be heard. Alderman Scroggs said that he saw a great many problems with any moratorium. Alderman Nassif said that the action should be taken now, not six months from now, and urged the Planning Board to push this study to completion.

RECREATION REPORT

Mrs. Ann Barnes, Chairman of the Recreation Commission, submitted a written report to the Board and asked for questions. Alderman Nassif asked about the use of school facilities? Mrs. Barnes said that a committee from the School Board, of Mrs. Scroggs and Mr. Weatherly, are working with two members of the Recreation Commission, Mrs. Stanford and Mr. Gardner, and that this group has met and has scheduled further meetings to discuss fees, regulations, conditions, etc. Alderman Nassif spoke in favor of increasing the Recreation Budget by some means beyond the 10 cent limitation. He suggested the use of supplies and equipment paid for by other departments, perhaps in the maintenance of playgrounds and parks. Mr. Anderson, Recreation Director, said that his interest was in getting the work done when needed, and that if it took a tractor owned by the Recreation Department that would be alright, or if it could be done otherwise it would be alright. Alderman Nassif cited the advantage of avoiding the 10 cent limitation if it was handled by the Public Works Department. Mrs. Barnes noted that the additional land proposed for open space and

SUNDAY SALES

Mayor Lee told the Board that the North Carolina League of Municipalities has suggested that Counties wishing to be exempted from the State-wide Sunday Blue Law which may be adopted by the General Legislature should make this request of their senators immediately. He recommended that this be done. The Board agreed that they were on record as opposing this State-wide law and asked that Orange County, be exempted, and the Manager was asked to follow this up.

OPEN HOUSE

The Board agreed to set Sunday, June 27, 1971 between 2:00 and 5:00 P.M. for open house for the new Municipal Building.

SIDEWALK VENDING

Attorney Denny reported that the suit concerning the sidewalk vending ordinance had been heard in District Court, on June 14, 1971, that the Judge had not found that the distinction between flowers and other articles for sale was reasonable, and for practical purposes the existing ordinance ~~not~~ prohibits all sales on the sidewalks. He recommended that the Town Clerk sell no licenses for vending on the sidewalk for the balance of this year, or for 1971-72. A tentative date was set for a meeting of the Board as a committee of the whole to discuss this matter on June 22, 1971 at 7:30 P.M. in the Municipal Building. Mr. Denny asked if the Board wanted this decision appealed? No, unless the petitioner appeals. A number of cards addressed to the Board of Aldermen supporting sidewalk vending were noted.

Mr. Denny also reported that the Kennan Oil suit had been continued and that the suit over the Public Housing by the Interchurch Council has been heard and taken into consideration by the Judge.

U.N.C. CONSOLIDATION

Alderman Nassif said that he opposed the proposed deconsolidation of the University of North Carolina and asked that a resolution be drawn and a letter be sent to all of the area representatives and Senators at the General Assembly, supporting this position. Alderman Welsh supported this proposal as did Alderman Smith. Mayor Lee then spoke in opposition to the Consolidated University as it now exists, pointing out the lack of black representation on the Board of Trustees and the budgetary inequities between the University and certain black Universities and Colleges. Alderman Nassif said that the same inequities would be true whether it was handled through a consolidated University or under a Board of Regents for all Universities. He said he felt that it had a better chance of improvement under the consolidated University. Mayor Lee said that he could not support the Consolidated University as it now exists. Alderman Scroggs said that the Consolidated University was one of the truly outstanding achievements of the State of North Carolina, and that breaking this up would lower the quality of education by reducing the University rather than by improving the other schools, and he strongly opposed deconsolidation. Mayor Lee said that he did not necessarily support the Regency plan but that he could not support the consolidation. Alderman Wallace said that the Consolidated University plan was superior to the Regency plan, that black education was not necessarily changed by either plan, that he felt the University at Chapel Hill would stand, but with deconsolidation would be seriously hurt. He supported the resolution. Alderman Welsh asked that a resolution be drawn and presented for the meeting of June 21, 1971. Alderman Wallace said that something should be sent to the legislators immediately as the plan was under consideration at this time. He suggested that a resolution be prepared to be formally adopted on the 21st but that a letter be sent to the Representatives in the mean time expressing the resolution of the Board, saying specifically that the Board is going on record of supporting the minority position of the Warren Committee or a modification thereof and supporting the Consolidated University of North Carolina. He moved, seconded by Alderman Nassif that this procedure be adopted. This was unanimously carried.

parks would increase the maintenance problem. Alderman Smith asked if the Board was making plans to carry out any of the capital improvements recommended by the Sternloff report? He noted that this ran over a million dollars over the next five years. Mrs. Barnes said that the Commission was exploring ways to get additional money, and that if they obtained the four pieces of property for which open space applications had been submitted to HUD that they would be on schedule as far as 1971 was concerned. Mr. Anderson said that eventually a bond election would be the only way of meeting the capital needs, and said that the Commission would work for Federal grants. Mrs. Barnes said that the Recreation Commission had not discussed a bond election. Alderman Smith said that he was concerned with the teen development program and asked how many members they had? Mr. Anderson said that there were about thirty teenagers presently active and a part-time staff member. He noted that they had already started some activities such as the rock festival and a weekly newspaper. Alderman Smith advised against building up the hopes of the teenagers too high if these hopes could not be gratified. Mrs. Barnes said that the teenagers were being realistic and were now operating from the Binkley Memorial Church, and Roberson Street Center. Alderman Welsh said that the Commission needed help beyond the Budget limitations, and told Mrs. Barnes that she felt that they had done a great deal but needed more. Alderman Nassif asked that funds be included for the Recreation site plans in the areas proposed for open space. Mayor Lee thanked the Commission members and Mr. Anderson for appearing.

POLICE REPORT

Chief William Blake told the Board members that he would be glad to answer any questions that they might have. Alderman Welsh asked about the additional patrolmen requested and asked for an analysis of the need? Chief Blake said that he needed four additional men, one on each shift, working in the Central Business District. He said that the Town was having its usual summer problem with migrants camping out on the campus and spending their time on the rock wall. Alderman Welsh asked what else would help the situation. Chief Blake said that part of the problem was a single hangout that was open all night. Alderman Welsh asked if this could be closed. Chief Blake said that there was a need for at least one all-night food place in Town. He said that another problem was beer joints that could not be observed from the street, upstairs and basements. He said that the particular problem at present was one upstairs. He wondered if it would be possible to prohibit the sale of beer in stores above the street level? Attorney Denny said that there was no such requirement in the State law, or the ABC regulations, and that the Town would have to show reasonable relationship between trouble and being upstairs. He said that he would need facts to pass any judgement on this matter. It was noticed that things could not be thrown from upstairs windows if the places were not situated upstairs. Alderman Nassif said that what we need would be stricter standards for the operation of places selling beer. Alderman Smith asked the Town Attorney and Chief to consider possibilities in the standards and report back at a later time. Alderman Welsh asked about street lighting, particularly in the CBD. Alderman Smith said that extra lighting probably would be needed in various places in Town. Alderman Scroggs asked about the proposal for computerizing parking tickets. Chief Blake noted that Durham was using this operation now and that we could use their computer and methods at a reasonable cost. He said that he felt that the system would pay for itself, and catch up on the work which now is always behind, would be more equitable in treating all persons alike when they get tickets, and would reduce the monotony pressing the employees in this job. Alderman Scroggs supported this idea. Mayor Lee thanked Chief Blake for discussing his problems with the Board.

NORTH CHURCH STREET EXTENSION

Paul Seibel said that they were asking that the Board of Aldermen transmit the proposed Unified Housing Development at the the end of Church Street to the Planning Board, and not hold it up indefinitely because of a possible weakness in the title to the access route. He said that he had been discussing with Marvin Norwood the possibility of trading or buying some land. Mr. Moore, attorney for Mr. Seibel, said that he had examined the title of the land in ques-

tion, that it had been offered to the Town, and the Town had not accepted the offer. He said that deeds on either side referred to Church Street, beginning with a 1924 plat by I. M. Pritchard. He said that the street had been dedicated, but that no record had been found of it having been accepted. He said that he was convinced that the title to the property belonged to the I. B. Roberson estate, that offered it to the Town and has since offered it to Mr. Seibel as access to the property. He said that Mr. Norwood had made claims to adverse possession, but that he did not think that he could substantiate these claims, as the general public used a walkway through the easement, and that Mr. Norwood had never improved nor used the easement other than as a driveway. Alderman Coxhead asked about the width of the easement. Mr. Moore said that it was thirty feet by the J. F. Weaver map. Alderman Denny noted that the Town had not declined to accept the dedication. Alderman Nassif said that the ownership was still a question in his mind. Mr. Moore said that because Mr. Norwood had lived next to it for 25 to 30 years that it did not give him a good claim, and that any claim that he might think he had could only be settled by testing it. Alderman Wallace moved, seconded by Alderman Coxhead to take this matter from the table and put it on the floor for discussion. Alderman Smith said that he would like to have the title absolutely cleared before any further discussion. Alderman Nassif said that he did not want the Town to get into a law suit over it, and that he did not want to consider it until the access road is cleared. Mr. Moore said that Mr. Norwood had no title until he made a case for it, that it was merely a threat of possible litigation. He asked that the project be considered on its merits. Mr. Seibel said that he did not want to pursue this matter in court, that he would be willing to go to an alternate route for an access for Pritchard Street, though he thought that Church Street access was more desirable. Alderman Wallace said that if the Board's position was that all matters be tabled until all possible legal question is settled, that any project could be stopped by merely threatening to go to court about land titles. He suggested that Mr. Seibel be allowed to proceed and at least bring the development to the next stage. Alderman Scroggs supported the removal from the table. The vote was three to three with Aldermen Wallace, Coxhead, and Scroggs voting for and Aldermen Nassif, Smith, and Welsh voting against. Mayor Lee voted for the motion. Attorney Denny reminded the Board that a two-thirds vote was needed to remove the matter from the table. Alderman Scroggs and Wallace both stated that they felt the Town Board was not doing the proper thing in holding up development for this reason.

APPOINTMENTS

Mayor Lee read the recommended nominations for the Citizens Advisory Committee and it was agreed to hold these nominations open for another week. There were: Mr. Paul Caldwell, Mrs. Eva Boswell, Mr. Paul McMillan, Mrs. James C. Lamb III, Mr. Ken Brown, Mr. Stewart Schwab, Mr. Bob Mayer, Mr. John Huther, Mrs. Martha Barbee, Miss Sue Dodd.

Mayor Lee read the recommendation of the Council on Aging nominating Mr. Hugh D. McLeese, Mrs. Knox Kinlaw, Mr. Graham Cook, and Mrs. Elizabeth Manning.

Mayor Lee read a letter from the Planning Board nominating Mr. George Kellinberg and Dr. Earl Mitchell.

Mayor Lee read a letter from the Recreation Commission nominating Mr. Bill Hargraves, John Caldwell, Trish Stanford, King Kouns, Anne Barnes, Dick Helwig, and Jim LaBrec.

Alderman Nassif said that he would like to have an up-to-date list of all committees, showing date appointed and address. Alderman Wallace agreed that this would be helpful, and asked that nominees be included showing their addresses. He asked that each committee be put on a separate sheet.

SEWER BIDS

The Town Manager reported that the bids taken about a month ago on sewer lines should be considered and turned down if it was felt that this money could not be committed until after the Budget was adopted.

He noted that the area to be served by the proposed sewer line, Whitehead Circle and Chase Avenue, badly needed sewer. Alderman Welsh asked about grants? There are none available. Alderman Wallace moved, seconded by Alderman Welsh to defer this matter until after the Budget has been adopted and ask that the two low bidders hold their bids open until August 1, 1971, and in the mean time check to see if any Federal Funds or State Funds would be available. This was unanimously carried.

ART DISPLAY

Alderman Wallace moved, seconded by Alderman Welsh asking Mr. Alcott to make recommendation to the Board as to where art might be exhibited in the new Municipal Building, and saying that the Board would like to discuss this with him.

RESOLUTION - U.N.C.

Mayor Lee read a resolution supporting the University of North Carolina and requesting that it not be deconsolidated. Mayor Lee said that he is for the Burney bill except that he felt it should be settled at a special session in 1971 or early 1972. The Board discussed the resolution and made several suggested changes. Alderman Wallace then moved, seconded by Alderman Nassif to adopt it as corrected. This was unanimously carried.

STREAM SANITATION

Alderman Smith said that a ditch along Mitchel Lane and parts of Booker Creek were polluted and had trash and silt in them with holes in certain locations, and should be dredged. He asked for inspection by the Board. Alderman Welsh called attention to the E and E site and asked that a letter be written to Roberson Everett to see what he is going to do about this section of creek. The Town Manager was asked to check Mitchell Lane and report. Mayor Lee suggested that the Board meet on Mitchell Lane Tuesday, June 22, 1971 at 7:00 P.M. and inspect it before the committee that will hold the meeting on vending. This was agreed.

Alderman Smith called attention to trash on the Honda place near Eastgate and asked that it be cleaned up.

STREET RESURFACING

Alderman Smith said that the Town should do something about Merritt Mill Road, and that Mitchell Lane should be resurfaced. He moved, seconded by Alderman Welsh that a resolution be prepared to the Highway Commission and the Governor asking that some improvements be made as soon as possible on Merritt Mill Road. This was unanimously carried.

PARKING

Alderman Coxhead moved, seconded by Alderman Welsh that the following ordinance rescinding a previous ordinance which removed the parking on a portion of Caldwell Street near Church Street and Cameron Avenue near Columbia Street be adopted. T

AN ORDINANCE TO RESCIND AND REPEAL THE 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 the ordinance adopted on March 22, 1971 establishing no parking areas on Caldwell Street and Cameron Avenue be, and the same is hereby rescinded and repealed.

SECTION II

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

This the 21st day of June, 1971.

This was unanimously carried.

CARRBORO COMMUNICATION

Alderman Wallace moved, seconded by Alderman Coxhead to authorize the Town Manager to negotiate with Carrboro on the matter of charges for communication service provided by Chapel Hill, based on a proportional share of the total cost for the budget year, based on use made of the service the previous year. This was unanimously carried.

BUDGET ORDINANCE

Alderman Scroggs moved, seconded by Alderman Wallace that the following ordinance amending 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 Appropriation Account "6090 Planning" by \$2,436.00 to \$40,370.00 for advance payment to the Research Triangle Regional Planning Commission;

Decrease Appropriation Account "8000 Contingency" by \$2,436.00 to \$7,230.00;

Increase Revenue Account "1544 Donations" by \$1,034.00 to \$1,034.00;

Increase Total Revenue by \$1,034.00 to \$2,010,624.00;

Increase Appropriation Account "6120 Municipal Building" by \$1,034.00 to \$86,329.00;

Increase Total Appropriation by \$1,034.00 to \$2,010,624.00.

SECTION II

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

This the 21st day of June, 1971.

This was unanimously carried.


BILLY HUNT


Alderman Coxhead moved, seconded by Alderman Nassif that a letter should be written to Mr. Billy Hunt thanking him for fertilizing the trees along Franklin Street, one of a series of services he has performed for the Town. This was unanimously carried.

OPEN HOUSE

Mayor Lee reminded the Board that the Open House for the Municipal Building would be from 2:00 to 5:00 P.M. on June 27, 1971. He indicated that no elaborate plans had been prepared for the opening, but agreed to discuss this further at the committee meeting on Tuesday.

The meeting adjourned at 6:15 P.M.



Mayor


Town Clerk, David Roberts

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