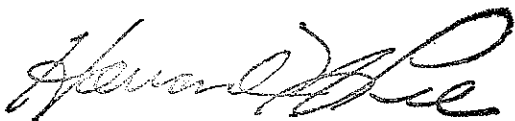


problems from Hogan's Dairy, the Carrboro Dump, Septic Tanks, and runoff from Tanyard Branch. Mayor Lee suggested that approval be given to requesting class "C", and the problems could be checked later. Alderman Smith asked if this would include a reclassification of Tanyard Branch, and how much it might cost the Town to go to a "B" or "C"? He suggested that a report be obtained from the Air and Water Resources Commission and specifics be checked on. Dr. Debrezeny said that such a report was available, and he would provide it, but that the report recommended against "B" classification. Alderman Smith said that he felt that the cost to the Town should be obtained prior to any approval, and asked that a copy of the report be made available. Dr. W. E. Haisley said that a number of kids waded in this creek and that he felt that it should be raised to a classification suitable for wading which would be class "C". Alderman Smith said that all the tributary creeks should be increased accordingly. Alderman Welsh moved, seconded by Alderman Smith, to study the implications to the Town, and make a report on Bolin Creek and its tributaries. Alderman Wallace said that he would prefer to petition the Board of Air and Water Resources, requesting the upgrading of the stream, and he felt that the Town probably had no liability unless we had a leaking sewer line, which should be fixed anyway. He indicated that there would be a public hearing held by the Air and Water Resources Commission, who would be charged with enforcing any change they might make. The motion was amended to support the petition, and a letter to the Air and Water Resources Commission, and study the report. This was unanimously carried.

DRAINAGE REPORT

A drainage report prepared by Town staff was presented for study and a number of slides shown to illustrate points made in the report.

The meeting adjourned at 10:10 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. Monday, October 11, 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 Welsh moved, seconded by Alderman Wallace to approve the minutes of the meeting of September 27, 1971 as corrected. This was unanimously carried.

Alderman Smith moved, seconded by Alderman Wallace to approve the minutes of October 4, 1971 as circulated. This was unanimously carried.

MINUTES

Alderman Scroggs moved, seconded by Alderman Welsh, that all Boards and Commissions making reports or transmittals to the Board of Aldermen record the vote by name and include this in the minutes and transmittals. Attorney Denny asked if he wanted this done by ordinance or simple request? Alderman Scroggs moved to amend the motion, seconded by Alderman Welsh, to request the Attorney to prepare an ordinance requiring recording votes by name, and the motion as amended was unanimously carried.

PRITCHARD STREET EXTENSION

Mr. Paul Siebel told the Board that a petition had been submitted last

Spring for paving N. Pritchard Street Extension, across from the housing project, but that it had not been included in the budget, and asked that it be given reconsideration. Alderman Wallace moved, seconded by Alderman Smith, to receive the report for discussion at a later date and ask for a report from the Manager on this project. Alderman Nassif asked when this was submitted and whether the Housing Authority had signed? The petition was submitted in the Spring of 1971 and the Housing Authority did not sign as it plans to put its own street improvements in.

PARKING - WEST UNIVERSITY DRIVE

Mayor Lee read a letter from Mr. Harold R. Hall asking for no parking on W. University Drive. Alderman Welsh moved, seconded by Alderman Wallace, that the petition be received and referred to the Street Committee. This was unanimously carried.

OFF-STREET PARKING

Alderman Coxhead told the Board that the contractor constructing the N.C.N.B. building was using up to four spaces in the parking lot behind the theatre without putting money in the meters. Mr. Palmer told the Board that some of the contractor's equipment had been ticketed for doing this. Alderman Welsh asked about the parking spaces blocked by the construction in front of the building? Alderman Coxhead said that he felt this was different, it was blocked to protect the public from construction and permission had been given by the Board of Aldermen. Alderman Coxhead moved, seconded by Alderman Welsh, that this matter be put on the end of the Agenda. Alderman Smith said that he felt that this was unnecessary, the Manager should just be asked to get it straightened out. Alderman Coxhead then made a substitute motion, seconded by Alderman Welsh, to instruct the Manager to straighten out this situation and collect for all parking spaces used. The motion was unanimously carried.

STREET CLOSING

Alderman Coxhead asked that the University be requested to close Boundary Street at the street intersections when they wanted it closed for use of the Forest Theatre. He moved, seconded by Alderman Nassif, to request the Manager to write the University on this matter. He said he had no objection to blocking the street for this purpose, but that it was being improperly done. The motion was unanimously carried.

DRUG CASES

Mayor Lee read a resolution petitioning the Court System to hold sufficient extra sessions to handle the Orange County Drug Cases which had built up a sizeable backlog.

R E S O L U T I O N

WHEREAS, during the last week in September and the first week in October, 1971, more than 40 arrests were made in Orange County for possession or sale of illegal drugs, and

WHEREAS, there is a backlog of more than 50 untried drug cases in the Orange County Court system, covering a period from December, 1969 to July, 1971, and

WHEREAS, there continues to be a serious drug problem in Chapel Hill and Orange County, which is aggravated by failure to provide prompt prosecution and trials for these defendants, NOW THEREFORE,

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the honorable Harry Horton, Chief District Judge, be requested to schedule additional sessions of District Court to process these cases at the District Court level and be it further resolved that the honorable Burt M. Montague, Director of the Administrative Office of the Court, be requested to schedule additional special criminal sessions of the Superior Court to Orange County to handle this backlog.

This the 11th day of October, 1971.

Alderman Smith moved, seconded by Alderman Coxhead, to adopt the petition as read, and send copies to Judge Harry Horton, Mr. Burt M. Montague, Court Administrator, James Dunn, SBI, Robert Pierce, Solicitor, and the president of the United States Bar Association. The motion was unanimously carried.

RECYCLING

Mayor Lee placed the following persons in nomination for appointment to the Recycling Committee: Mr. Bob DeMaine, Mr. Tommy Gardner, Mr. Bill Alexander, Mr. Wally Kaufmann, Dr. C. Richard Bell, Mr. Tony Povilitis, Mrs. Mary Turnbull, Mrs. Mildred Chapin, Mrs. Arthur Stern, Mrs. Michael Kalawlec, and Mrs. Coolie Monroe. He told the Board that he would like to have four other members and would work on it within the next week, that he felt that these should be confirmed by the Board and a Chairman appointed by the Town, and that he hoped that the Board would be organized in about two weeks. Alderman Welsh said that she felt the Town should use recycled paper where possible. Alderman Scroggs said that recycling needed control as there was some danger, if improperly done, in such matters as radioactivity and other build-up of poisons. He said that paper recycling was better than some others, but it needed control, and that he hoped that the Committee would consider such controls. Mayor Lee said that he felt that a committee as large as fifteen would probably form specialized sub-committees and that this problem could be considered as well as various forms of recycling.

DOGS

Mr. Gus Shoffner, Dog Warden, was introduced to the Board. Alderman Welsh said that she had had complaints that his proposal for keeping dogs three days was too short a time. Mr. Shoffner said that there were three days to be held for the owner plus three days additional for adoption, making a minimum of six days for unlicensed dogs and that dogs with licenses would be held eight days, and only sick and injured dogs would be disposed of in a shorter period. He said that if a licensed dog was sick or injured, the owner would be notified. Alderman Nassif asked that all dog regulations be put into the paper as an advertisement. Mr. Shoffner asked if he was supposed to operate on the Campus, or if it was a dog sanctuary? Alderman Smith asked if he needed any help? Not now, but after he's been in operation for a while, he may need to ask for some changes. Alderman Smith asked that the Board be kept informed of his needs. Mayor Lee read a letter from the University refusing permission to allow a dog pound at the site of the Morgan Creek Sewage Treatment on a temporary basis. Alderman Scroggs asked about the ownership of the plant site? Attorney Denny said that it was 50-50 undivided interest for the purpose of sewage treatment only, but beyond that the University owned the land. Alderman Smith asked about the land fill as a potential dog pound site? This has not been discussed with the University. Alderman Scroggs suggested finding another site, condemning it if necessary, and rezoning it properly and building a dog pound. Alderman Wallace noted that the University Dog and animal shelter was about 10 miles from Town. Alderman Scroggs asked about the Town property on Weaver Dairy Road? Alderman Welsh said this had been purchased for park use only. Mr. Shoffner said that the access to this property would be very difficult even if it could legally be used. Alderman Smith suggested that the County Dog Pound be improved, even if the Town had to construct some pens of their own on this site so that this could be used. Mr. Shoffner said that it could be made adequate if the County agreed. Alderman Welsh asked Mr. Shoffner to study additional site possibilities and report as soon as possible. Mr. Shoffner discussed the potential of a leash law and said that he would recommend a modified leash law similar to the Durham law. Alderman Coxhead suggested that he start with stray dogs and worry about a leash law later. Alderman Smith said that he had been told that the County Dog Pound site was under attack and they may not be allowed to keep it there. Mr. Shoffner said that there might be a possibility of finding a privately operated site on a farm somewhere and that he would investigate this. It appeared to be the consensus of the Board that they would be willing to appropriate funds to acquire and develop the site as needed.

ELECTRIC SYSTEM

Mr. Allen Waters, representing the University, explained to the Board

of Aldermen the critical need for additional substation capacity to keep up with the growth of the Town. He said that he was asking the cooperation of the Town in meeting this problem, but that he didn't have a specific proposal to make to the Board at this time. Alderman Welsh asked if substations could be improved in appearance over what we have now? Mr. Waters said yes that the newer ones were somewhat better looking and they could be screened. He referred to the specific substation near Graham which was not objectionable. Alderman Scroggs asked if this meant another transmission into Town? Yes. He asked if the present line capacity could be increased? If this were done it would mean increasing the existing substation which was already crowded, having only a single service line into Town, and still having the substation a long distance from the service load center, which would bring fringe area problems of low voltage and more large feeder lines. Alderman Smith asked if this would affect the electric rates? No change is expected. Alderman Smith said that he would like to see the Town cooperate with the University and visa versa.

SPECIAL USE - DELTA UPSILON FRATERNITY

Mayor Lee read a transmittal from the Planning Board requesting that action on this matter be deferred until they could discuss it with the architect. Alderman Wallace moved, seconded by Alderman Coxhead, that this be deferred as requested.

SPECIAL USE - DRIVE-IN BANK

Mayor Lee read a transmittal from the Planning Board recommending approval of this project in accordance with this latest revision. Alderman Coxhead moved, seconded by Alderman Scroggs, to approve this project as recommended by the Planning Board. Alderman Welsh said that she was not satisfied with the Appearance of the parking structure, and that the Appearance Commission had recommended additional screening and planning. Mr. Glenn Corley, architect, said that they had proposed moving the sidewalk away from the street, next to the building so that trees could be planted between the curb and the sidewalk. He said that the structure of the building would not take sufficient additional load to put planting on top of the building. Alderman Welsh asked about visual protection for cars on the Rosemary Street side? Mr. Corley explained what was proposed. Alderman Welsh then discussed the long wall on the east and west side of the parking building, and asked for some architectural treatment on these walls. It was pointed out that the walls could have no openings because of the fire code. Alderman Welsh then asked about ventilation in the building? Mr. Corley said that it would be adequate as the north and south ends would be 50% open. Alderman Welsh then asked that the motion be amended to include landscaping plans to be reviewed by the Appearance Commission and approved by the Town Board. This amendment was not accepted. Alderman Welsh then made a substitute motion to approve the bank facility with a provision that the landscape plan be presented to the Appearance Commission for review and the Town Board's approval prior to the issuance of a building permit. There was no second to this motion. Alderman Scroggs noted this was a Special Use for a drive-in bank, not for the parking garage, and the Town had no authority to use this to control appearance of the parking garage which was not special use, and that it was illogical to do so. Alderman Welsh then moved, seconded by Alderman Smith to approve the Drive-in, stipulating that the landscaping in front of the drive-in portion of the facility be reviewed by the Appearance Commission and approved by the Town Board prior to the issuance of a building permit for the drive-in portion of the facility, and that the landscaping plan become part of the special use permit. Alderman Scroggs asked if this motion was to cover only the planting in front of the drive-in? Yes. Alderman Smith said that he felt that the drive-in facility would be hazardous to public safety and asked that no left-turn from this facility be considered. Mr. John Wettach, N.C.N.B. Vice-President, said that they anticipated that there would be one-way traffic on Rosemary Street in the near future. Mayor Lee told the Board that this location would be no more hazardous than the old location on the other side of the street. Emery Denny said that the Town did have authority to prohibit left turns. The vote on the substitute motion was: aye, Aldermen Welsh, Smith, and Nassif; No, Aldermen Wallace, Scroggs, and Coxhead. Mayor Lee voted yes and the motion carried.

SPECIAL USE - EDMISTON - AIRPORT ROAD

Mayor Lee read a transmittal from the Planning Board recommending approval of Elkin Hill Village as proposed, with certain stipulations. Alderman Coxhead moved, seconded by Alderman Wallace, that this project be approved according to the recommendations of the Planning Board. Alderman Welsh questioned the requirements for retail sales? Mr. Edmiston said that his proposal was for an office use and no retailing was expected, and that he had no objection to this requirement. Alderman Smith spoke in favor of requiring sidewalks along Airport Road. Mr. Edmiston said that the Planning Board recommended sidewalks only on the west side of Airport Road. Alderman Smith said that he felt they were needed on both sides and should be required. Mrs. Marshall asked if the Appearance Commission recommendations were being considered. Mr. Palmer said that these had been submitted to the Board at the time of the hearing, and requested detailed landscaping plans which were usually completed after the approval for later review. He said that the Planning Board did not feel that the sidewalk was necessary. Mayor Lee said that the sidewalk should start somewhere and this was as good a place as any. Alderman Welsh asked if no retail sales was as restrictive as office only? Attorney Denny said that there could be some differences, but noted that the University owned the land immediately north of this project. Alderman Smith moved to add sidewalks to the conditions. There was no second. Mayor Lee then read the recommendations from the Appearance Commission. Alderman Welsh made a substitute motion that the no retail sales be changed to limiting the project to office use and that the recommendations of the Appearance Commission be added and made part of the stipulations. The timing schedule was discussed and the time limit added to begin Phase I within one year, to complete it within 30 months, and to complete the second Phase by 9/75. There was no second to this motion. Alderman Coxhead then moved, seconded by Alderman Wallace, to amend the original motion to add the time schedule to begin in one year and completing according to schedule on the plans. Alderman Welsh spoke in favor of limiting the project to office use. Alderman Smith spoke in favor of sidewalks on this side of the street. Mayor Lee favored the sidewalk. The motion carried by a vote of four to one with Alderman Smith opposing and Alderman Nassif abstaining because of financial interest in the project.

DRIVE-IN BANK

Attorney Denny pointed out that no time limit had been set on the Drive-in Bank project. It was agreed that this motion should have read that the project be started within one year and completed within two years of final approval.

REZONING - R-10 - COLONY WOODS

Mayor Lee read a recommendation from the Planning Board to approve the requested rezoning from R-15 to R-10 of a strip of land in North Colony Woods on the north side of Ephesus Church Road. Alderman Smith moved, seconded by Alderman Scroggs, to approve this rezoning and request that an ordinance be prepared. This was unanimously carried.

ZONING DISTRICT LINES

Mayor Lee read a recommendation from the Planning Board to approve an amendment to the ordinance which would establish the centerline of streets as the district line in zoning where the district line is on a street. Alderman Scroggs moved, seconded by Alderman Wallace, that an ordinance be prepared which would accomplish this. This was unanimously carried.

DRIVEWAY WIDTH SPECIAL USE

Mayor Lee read a transmittal from the Planning Board recommending a revision of the Zoning Ordinance which would allow the Board of Aldermen, in considering Special Use, to permit extra width driveways where appropriate. Alderman Welsh moved, seconded by Alderman Scroggs, to prepare an ordinance which would accomplish this. This was unanimously carried.

AUTOMOBILE SERVICE STATIONS

Mayor Lee read a transmittal from the Planning Board recommending that a proposed amendment to the Zoning Ordinance covering Automobile Service Stations be advertised at the next regular public hearing. Alderman Smith moved, seconded by Alderman Welsh, that the Board approve this recommendation and that the matter be advertised for the hearing on November 22. Alderman Nassif asked how this would affect existing structures. Mr. Palmer explained the proposed provisions. Alderman Nassif said that he would want all existing service stations up graded. The motion was unanimously carried.

WEAVER ROAD RIGHT OF WAY

Mayor Lee read a transmittal from the Planning Board recommending that no action be taken on the petition to abandon the section of Weaver Road between Roosevelt Drive and Glendale until the thoroughfare plan revision study is complete and at that time, consideration be given to its potential for pedestrian or bicycle paths. Mr. Palmer indicated the location of this section of Weaver Road on appropriate maps. Alderman Wallace moved, seconded by Alderman Scroggs, to accept the recommendation of the Planning Board. Alderman Welsh said that the Town should take advantage of this open space and that there was no need to postpone putting a path in the area. Alderman Wallace said that he did not favor abandonment. Alderman Welsh said that this was not needed as a street, and that the Town could abandon the 60 feet and retain a 12-foot right of way for a path and hope that some of the persons who might acquire title to the land on either side would dedicate it for open space. Alderman Wallace said that the whole 60-foot right of way could be developed for a path. Alderman Welsh moved that the Town lay out a path for bicycles and pedestrians from Roosevelt Drive to Greenwood Road. There was no second. Alderman Wallace asked for a feasibility report on such paths. The original motion was unanimously carried.

UNDERGROUND UTILITIES

Mr. Palmer reported that the Planning Board was currently working on a proposal for requiring underground utilities in new subdivisions but had not completed this work.

LIBRARY BOOKMOBILE

Alderman Coxhead told the Aldermen that the Library had money to purchase a bookmobile, and wanted the Town to consider additional money for someone to operate it. He said it would take about six months to obtain the equipment, but that an operator would be needed for possibly May and June, and that it was estimated that it would cost \$800.00 a month to operate, including the salary. The Town Manager told the Board that he had not heard year from the application for Federal Grant for Bookmobile operator. Alderman Smith moved, seconded by Alderman Wallace, to defer consideration of this matter until the meeting of October 18th. This was unanimously carried.

DRAINAGE REPORT

Alderman Scroggs commended this report as being a progressive step from the present regulations. Alderman Welsh moved, seconded by Alderman Scroggs, to refer this to the Planning Board for adaptation to the Subdivision Ordinance. This was unanimously carried.

BUDGET - HANDICAPPED

Mayor Lee read an ordinance establishing an appropriation account for the handicapped, and appropriating \$60.00 for this purpose.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1971 AND ENDING JUNE 30, 1972

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, 1971 and Ending June 30, 1972, and To Levy Taxes and Raise Revenue for the said Fiscal Year" as duly adopted on July 27, 1971 be and the same is hereby amended as follows:

Establish Account "6506 Handicapped" and appropriate \$60.00 to this account

Decrease Account "8000 Contingencies" by \$60.00 from \$37,864.00 to \$37,804.00

SECTION II

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

This the 11th day of October, 1971.

Alderman Scroggs moved, seconded by Alderman Nassif to approve this ordinance as read. This was unanimously carried.

STREET COMMITTEE

Alderman Nassif asked the Street Committee to inspect the intersection of N.C. 54 and Hamilton Road in reference to a left-turn lane on Hamilton. Alderman Welsh asked that they inspect the possibilities of a sidewalk on the east side of Franklin Street near Roosevelt.

The meeting adjourned at 10:25 P.M.



Mayor



Town Clerk, David B. Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. Monday, October 18, 1971 with the following members present: Mayor pro tem Smith, Aldermen, Nassif, Scroggs, Welsh, and Coxhead. Mayor Lee and Alderman Wallace were absent. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Scroggs moved, seconded by Alderman Nassif to approve the minutes of the meeting of October 11, 1971 as circulated. This was unanimously carried.

KESSING BUILDING

Mr. Jonas Kessing told the Board that his time limit had run out for his barricade in front of the building he proposes to build on E. Franklin Street. He said that he would not be able to start the building within 30 days, but would like to be able to build the front wall for the building, which would serve as a retaining wall, and would be built high enough from the ground to protect the public, and would allow him to remove the barricade and fix the sidewalk. He would then build the rest of the building at some later time. Alderman Scroggs moved, seconded by Alderman Nassif to allow the barricade to remain on the sidewalk until Mr. Kessing can complete the front wall of the building, presuming that it can be done in a reasonable time and meet the building code and safety requirements. This was unanimously carried.