MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a special meeting at 4:00 P.M. on Thursday, December 16, 1971 with the following members present: Mayor Lee, Aldermen Welsh, Scroggs, Coxhead, and Smith. Alderman Nassif and Wallace were absent. Also present were Town Manager Peck, and Town Clerk Roberts.

JOLLY LANE COMMON COLUMN

The Town Manager reported three bids on the sale of two houses owned by the Town on Jolly Lane. The specifications were that the houses were to be removed as soon as possible, and the tenants provided for either in these houses or other suitable dwellings. Bids received were: George Tate, \$800.00; J.H.H. Associates, \$1,002.00; Emerson Atwater, \$1,025.00. Each proposed to remove the buildings within thirty (30) days. Alderman Coxhead moved, seconded by Alderman Smith that the sale be awarded to Emerson Atwater for \$1,025.00.

BUILDING MAINTENANCE CONTRACT

The Town Manager reported two bids for the maintenance contract of the Town Hall at Rosemary and Columbia Street. The bids were: Whitehouse Janitorial Service, \$410.00 per month; and Carolina Maintenance Company, \$515.70 per month. Mrs. Turner told the Board that the Whitehouse Janitorial Service presently had the contract and were not doing a satisfactory job, and that their schedule of services amounted to about 36 hours per week, where Carolina Maintenance indicated a schedule of about 48 hours per week. It was recommended that the contract be awarded to Carolina Maintenance. Alderman Smith moved, seconded by Alderman Scroggs, that this contract be awarded to Carolina Maintenance Company. This was unanimously carried.

The meeting adjourned at 4:34 P.M.

Mayor

Town Clerk, David B. Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on Monday, January 3, 1972, with the following members present: Mayor Lee, Alderman Smith, Nassif, Scroggs, Coxhead, and Wallace. Alderman Welsh was absent. Also present were Town Manager Peck and Town Attorney Denny.

MINUTES

Alderman Nassif moved, seconded by Alderman Smith, to approve the minutes of the meeting of December 13 and 16, 1971 as corrected. This was unanimously carried.

STREET VENDING

Mayor Lee called attention to a letter from the University Methodist Church in opposition to the proposed location for street vendors in front of the church.

SPECIAL HEARING

Mr. Allen Waters, representing the University, told the Board that there was a probability of a power shortage in the area next summer



NOTICE OF SPECIAL MEETING OF THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL

Mr. Nassif TO:

Mrs. Welsh

Mr. Smith

Mr. Scroggs

Mr. Coxhead

Mr. Wallace 942-2263 - 42-1122

You, and each of you, are hereby notified that the Board of Aldermen have called a Special Meeting, to be held in the Municipal Building at 4:00 p.m. on Dec. 16 , 1971 , to discuss Jolly Lane bids and bids on janitorial service

ACCEPTANCE OF NOTICE

We, the undersigned, members of the Board of Aldermen of the Town of Chapel Hill, hereby accept notice of a Special Meeting of the Board of Aldermen, called by Honorable Howard N. Lee the Municipal Bldg. on Dec. 16, 1971 at 4:00 p.m. , Mayor, to be held in

a new sub-station and transmission line could be completed in the northeast section of Town. They asked that a special hearing be set for consideration of a rezoning request which would allow construction of a transmission line from the existing Duke Power line, to the proposed sub-station site, northeast of the intersection of Mt. Moriah Church Road and the Boulevard. Alderman Nassif moved, seconded by Alderman Scroggs, that an emergency be found to exist in this matter and that a special hearing be called in the Town Hall on January 24th, 1972. This motion was unanimously carried. Mayor Lee then told the Board that there was an alternative proposal for accomplishing this same thing which would involve an amendment to the Zoning Ordinance, permitting an overhead transmission line by special use in any district, rather than only in industrial districts, and that there was a special use request submitted by the University and Duke Power Company for such special use, if this amendment is Alderman Wallace moved, seconded by Alderman made to the Ordinance. Smith, that in consideration of the emergency cited above, that the proposed amendment to the ordinance, and the special use request for an overhead transmission line both be heard at the meeting on January 24th. This was unanimously carried.

REZONING - POWELL

Mr. Denny reported to the Board that there had been a misunderstanding on the part of Mr. Powell's attorneys concerning the date for considering this matter, and asked that this consideration be further postponed. He suggested tabling the issue until February 7th. Alderman Coxhead moved, seconded by Alderman Wallace, that this matter be tabled until February 7, 1972. This was unanimously carried.

N.C.N.B. SPECIAL USE

Mayor Lee read a memorandum from the Appearance Commission recommending approval of the proposed landscaping plan for the N.C.N.B. drive-in with the provision that the sidewalk in front be constructed of brick, and that planters be placed on the top deck. Mr. Glen Corley, architect, said that the sidewalks could be brick, but the planter box, as suggested, would be too heavy on the top deck, and that the N.C.N.B. drive-in was on a lower level of the parking structure and that the plans should only concern the appearance in front of the building and surrounding the drive-in. Alderman Nassif moved, seconded by Alderman Scroggs that the Board approve the landscaping plan for the N.C.N.B. drive-in as submitted, with the stipulation that the sidewalk be brick between the driveways. This was unanimously carried.

POLICY - HISTORIC BUILDINGS

Mayor Lee noted that the Planning Board had requested the Board of Aldermen to adopt the policy of favoring the preservation of historic buildings over required parking, where there was a conflict. Alderman Nassif said that such a matter should be in ordinance form, not the policy. Alderman Scroggs said that there should be a definition of historic buildings. Alderman Wallace said that the historical society had submitted a list of historic buildings to the State, which, if adopted, could be the basis of such an ordinance. Alderman Nassif indicated that more density control was needed for fraternity devel-Alderman Wallace then asked that the Planning Board be requested to prepare a proposed ordinance which would define any policy for preservation of building, and would define historic buildings. Alderman Nassif moved, seconded by Alderman Smith, that a committee should be established to consider this problem, consisting of two members each of the Planning Board, the Appearance Commission, and the Historical Society. He suggested that the Committee prepare a proposal which, if approved by all three boards, would then be referred to the Board of Aldermen. He asked that a letter be sent to the Chairman of each Board requesting their cooperation in this matter. The motion was unanimously carried. Alderman Nassif then asked that a memorandum be sent to the Planning Board requesting a schedule for final report on the DU Fraternity request.

RECREATION BUDGET

Mayor Lee read a proposed ordinance amending the budget ordinance for

the Recreation Department.

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:

Increase Appropriation Account #7000 "Recreation" by \$7,172.00 to \$133,324.00 for revised budget.

Decrease Appropriation Account #7070 "Pool Recreation" by \$80.00 to \$8,220.00 for revised budget.

Decrease Appropriation Account #7080 "Contingency" by \$3,335.00 to zero.

Increase Total Appropriation Account by \$3,757.00 to \$141,544.00.

Increase Revenue Account #8002 Intangible Tax by \$1,369.00 to \$8,869.00.

Increase Revenue Account #8210 Interest on Savings by \$380.00 to \$680.00.

Increase Revenue Account #8530 Donations by \$236.00 to \$336.00.

Increase Revenue Account #8532 Football Admissions by \$357.00 to \$857.00.

Increase Revenue Account #8641 Concessions-non pool by \$153.00 to \$273.00.

Increase Revenue Account #8642 Rents by \$170.00 to \$890.00.

Increase Revenue Account #8643 Special Fees by \$2,000.00 to \$6,000.00.

Increase Revenue Account #8654 Insurance Participants by \$15.00 to \$140.00.

Decrease Revenue Account #8940 Sales Tax Refund by \$150.00 to \$650.00.

Decrease Account #8980 "Surplus" by \$773.00 to \$10,099.00.

Increase Total Revenue by \$3,757.00 to \$141,544.00.

SECTION II

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

This the 3rd day of January, 1972.

Alderman Smith moved, seconded by Alderman Nassif, that this be approved as read. The motion was unanimously carried.

RECREATION COMMISSION VACANCY

Mayor Lee told the Board that the name of Mr. Paul Ragland had been placed in nomination by the Recreation Commission for filling one of the two vacancies on the Commission. He asked that the Board members have nominations by the meeting of January 10th.

VACANCY - LIBRARY BOARD

Mayor Lee told the Board that the Library Commission had recommended Mr. John Wettach, and Mr. George Harris for appointment to the Library Board to replace Mr. William Thompson. He asked that these names be considered as nominations, and that the Board have other nominations by the meeting of January 10th.

APPOINTMENTS

Alderman Scroggs noted that appointments were in order for the Human Relations Commission and the Commission on Handicapped effective December 31st, and asked that nominations for these commissions be considered at the meeting of January 10th.

ZONING ORDINANCE AMENDMENT

Mayor Lee presented an amendment to the Zoning Ordinance outlining responsibility of developers for notification.

AN ORDINANCE AMENDING "AN ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS," AS ADOPTED JANUARY 19, 1970, AND AS SUBSEQUENTLY AMENDED

WHEREAS, after due advertisement as provided by law, a public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill on November 22, 1971, to consider the changes in the Zoning Ordinance as set forth in Sections I, II, III, and IV below, and;

WHEREAS, that after said public hearing the Board of Aldermen adopted certain recommendations of the Planning Board; NOW THEREFORE,

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

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas," as adopted January 19, 1970, and as subsequently amended be and the same is hereby further amended as follows:

SECTION I

Amend Section 4-D as Follows:

A. Add as a new subsection 4-D-4-e-(7); a new subsection 4-D-5-f-(5); a new subsection 4-D-6-f-(10); a new subsection 4-D-7-d-(5); a new subsection 4-D-8-f-(2); a new subsection 4-D-9-f-(3); a new subsection 4-D-12-d-(2); a new subsection 4-D-13-e-(9); a new subsection 4-D-14-f-(7); a new subsection 4-D-20-e-(7); a new subsection 4-D-21-e-(2); and a new subsection 4-D-22-e-(2); the following words:

The developer shall prepare a list of the owners of all properties within 500 feet of the property for which the Special Use Permit is requested, and provide the Building Inspector with two copies of the list. The developer shall obtain from the Building Inspector copies of the Legal Notice for the Public Hearing at which his request is to be considered; and shall return these copies to the Building Inspector, in stamped envelopes, properly addressed to all property owners on the list described above, no later than 8 work days prior to the date of the Public Hearing. The Building Inspector shall mail these copies of the Legal Notice to the property owners no later than one day following this receipt.

B. Renumber subsection 4-D-16-c to be subsection 4-D-16-d; renumber subsection 4-D-17-d to be subsection 4-D-17-e; and add as a new subsection 4-D-16-c and a new subsection 4-D-17-d, the following words:

The developer shall prepare a list of the owners of all properties within 500 feet of the property for which the Special Use Permit is requested, and provide the Building Inspector with two copies of the list. The developer shall obtain from the Building Inspector



copies of the Legal Notice for the Public Hearing at which his request is to be considered; and shall return these copies to the Building Inspector, in stamped envelopes, properly addressed to all property owners on the list described above, no later than 8 work days prior to the date of the Public Hearing. The Building Inspector shall mail these copies of the Legal Notice to the property owners no later than one day following this receipt.

Add as a new subsection 4-D-4-f-(10); a new subsection 4-D-5-g-(9); a new subsection 4-D-6-g-(6); a new subsection 4-D-7-e-(6); a new subsection 4-D-8-g-(6); a new subsection 4-D-9-g-(9); a new subsection 4-D-12-e-(4); a new subsection 4-D-13-f-(5); a new subsection 4-D-14g-(6); a new subsection 4-D-16-c-(3); a new subsection 4-D-17-d-(6); a new subsection 4-D-20-f-(9); a new subsection 4-D-21-h-(10); and a new subsection 4-D-22-h-(10); the following words:

The developer shall submit a sketch map, at a scale of not less than 100 feet to the inch nor more than 20 feet to the inch, showing the following:

(a) The property for which the Special Use Permit is requested, with location and approximate size of existing and proposed build-;.... <u>(</u>a)

ings, easements, rights-of-way, and open space;
(b) A perimeter line 500 feet from and surrounding the property

lines of said property;

(c) Property lines, names of property owners, existing buildings and structures, and existing land uses for all properties within said 500 foot perimeter line;

The area within a 1000 foot radius of said property, showing existing public streets and rights-of-way, and existing zoning districts.

- Delete existing subsections 4-D-4-f-(10); 4-D-5-g-(9)-(b); 4-D-7-e-(6); 4-D-8-g-(6); 4-D-0-g-(9)-(b); 4-D-14-g-(10)-(d); 4-D-17-g-(10)-(d); d-(5)-(c); 4-D-20-f-(9)-(c); and 4-D-21-h-(10)-(b).
- F. Add as a new subsection 4-D-4-f-(11); a new subsection 4-D-5-g-(10); a new subsection 4-D-6-g-(7); a new subsection 4-D-7-e-(7); a new subsection 4-D-8-g-(7); and new subsection 4-D-9-g-(10); a new subsection 4-D-12-e-(5); a new subsection 4-D-13-f-(6); a new subsection 4-D-13-f-(6); 14-g-(7); a new subsection 4-D-16-c-(4); a new subsection 4-D-17-d-(6); a new subsection 4-D-20-f-(10); a new subsection 4-D-21-h-(11); and a new subsection 4-D-22-h-(11); the following words:

Prior to issuance of a Certificate of Occupancy the developer shall submit to the Building Inspector a recordable plat showing all dedicated easements and rights-of-way, and as-built drawings of all underground utilities.

SECTION II

Amend Section 11 as follows:

Delete the second paragraph, descriging procedures for petitioning for zoning changes, and add the following in its place.

In addition, the Board may take such action on the petition of a private citizen in accordance with the following procedures:

This is an exact original



The petitioner shall submit a sketch map, at a scale of not less than 100 feet to the inch nor more than 20 feet to the inch, showing the following:

(a) The property for which the zoning change is requested, with location and approximate size of existing buildings, easements, rights-of-way, open space, and existing and requested

(b) A perimeter line 500 feet from and surrounding the property

lines of said property;
(c) Property lines, names of property owners, existing buildings and structures, and existing land uses for all properties within said 500 foot perimeter line;

The area within a 1000 foot radius of said property, showing existing public streets and rights-of-way, and existing zoning districts.

The petitioner shall prepare a list of the owners of all properties within 500 feet of the property for which the zoning change is requested, and provide the Building Inspector with two copies of the list. The petitioner shall obtain from the Building Inspector copies of the Legal Notice for the Public Hearing at which his request is to be considered; and shall return these copies to the Building Inspector, in stamped envelopes, properly addressed to all property owners on the list described above, no later than 8 working days prior to the date of the Public Hearing. The Building Inspector shall mail these copies of the Legal Notice to the property owners no later than one day following this receipt. The petition, including a precise description of the proposed change, shall be submitted to the Town Manager not later than three weeks prior to the meeting of the Board at which the petition is to be heard. The Town Manager may give notice of a public hearing for the petitioned change as provided by law. Board of Aldermen and the Planning Board for Chapel Hill and Environs shall sit jointly at the hearing.

SECTION III

Amend Section 13 as follows: Change the definition of "LOT" to read as follows:

LOT. A parcel of land in single ownership occupied or intended for occupancy by a building together with its accessory buildings; including the open space required under this ordinance. For the purpose of this ordinance the word "lot: shall be taken to mean any number of contiguous lots or portions thereof in single ownership, upon which one or more structures for a single use are to be erected, where such number of contiguous lots is necessary in order to meet the requirements of this ordinance. This ordinance shall not prevent the subdivision of existing lots to a size less than that required by this ordinance, nor shall this ordinance prevent cluster developments as permitted in the Ordinance Providing for the Approval of Land Subdivisions within the Town of Chapel Hill and Surrounding Area. For the purpose of this ordinance, town house units developed and sold under the Unified

Housing Development provisions of the Special Use section of this ordinance shall not be considered as lots.

SECTION IV

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

This the 3rd day of January, 1972.



Alderman Coxhead moved, seconded by Alderman Smith, that this ordinance be adopted as presented. This was unanimously carried.

PARKING FOR HANDICAPPED

Mayor Lee read a proposed ordinance moving the parking space reserved for Handicapped on W. Franklin Street, to a different location. He noted that this was recommended by the Town Manager, and Mr. Parker of the Committee for Handicapped.

0 - 72 - 1

AN ORDINANCE TO AMEND SECTION 21-36, CODE OF ORDINANCES, TOWN OF CHAPEL HILL

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

SECTION I

That Section 35A of Chapter 21 of the Code of Ordinances, Town of Chapel Hill be amended by correcting the item (2) to read "(2) The metered parking space located two hundred and fifty feet west of the center line of Kenan Street."

All ordinances or portions of CTION and in conflict are hereby repealed.

This the 3rd day of January, 1972.

Alderman Coxhead moved, seconded by Alderman Wallace, that an ordinance be adopted as read. This was unanimously carried. Alderman Smith asked if a total of three spaces for the handicapped was enough? Alderman Nassif said that the Committee on Handicapped believed that it was.

CONTRACT - HOMEKEEPER TRAINING

The Town Manager reported that the Committee on Aging had applied for a grant from the Association for the North Carolina Regional Medical Program, to provide Homekeeper training. This is a 100% grant, but the Town will be expected to maintain the records and advance funds which will be reimbursed on a monthly basis. The total grant is \$4,152.00 which covers a period of about five months. The Town will have to be a party to the contract. Alderman Coxhead moved, seconded by Alderman Nassif, to approve this contract and authorize the Town Manager to sign, subject to approval as to form by the Town Attorney. This was unanimously carried.

Mayor Lee asked that an appropriate memorandum be sent to committees asking that all such requests for grants be cleared through the Town so that all appropriate persons would be informed of them.

OFF STREET PARKING

Alderman Coxhead told the Board that a short-range improvement could be made of the parking situation by changing the ten-hour meters to one, two, or three hours. Mayor Lee asked that parking decks be given immediate consideration. Alderman Nassif pointed out that parking decks were very expensive, and that we could not solve the problem until the University solved their student parking problem. He said that he opposed increasing the parking rates, and that he would favor free parking on certain days when the load was low. He said that he felt the completion of University Mall would cut drastically into the parking demand in the CBD. Mayor Lee said that the parking before Christmas was bad, ever with the students out of Town, and that the long-range solution would be public transportation. Alderman Scroggs said that he felt the student parking was a small part of the problem and that the principal municipal lots were full on Saturdays. Alderman Coxhead said that he felt that there was a



long-range and a short-range problem, and that the long-range one would involve a sizeable bond issue, which should include acquisition of the Smith Lot and the Post Office property. Alderman Wallace said that there should be some designs made of the possibilities for decking the existing lots. Alderman Coxhead moved, seconded by Alderman Wallace, that an appropriation be made at this time from the off-street parking facility budget sufficient to convert 90 meters from 10 hours to 2 hours, and that the necessary budget ordinance be drawn. This was unanimously carried.

Alderman Nassif suggested that a consultant be employed to recommend improvement for the downtown area. Alderman Wallace suggested a committee representing a number of groups to study the matter with a consultant. Alderman Nassif suggested funding the proposal at this time with \$5,000.00 with the understanding that more could be included in next year's budget. Mayor Lee suggested a committee composed of one representative from the Aldermen, Planning Board, Merchant's Association, Chamber of Commerce, Appearance Commission, and Historical Society and four members-at-large to be appointed by the Town Board. He said that the organizations named would be asked to appoint one member to the commission. Alderman Wallace moved, seconded by Alderman Nassif, to establish such a Commission with an original charge to develop plans for the CBD with the help of a consultant selected by the group, that the Board be asked to specifically consider plans for traffic and parking and the aesthetics of the CBD, and that \$5,000.00 be appropriated to run this operation, and that appointments by various groups be requested by January 24, 1972. This motion was unanimously carried. The Town Manager was asked to draft a letter outlining the duties of this board for approval at the meeting of January 10th.

APPOINTMENTS

Mayor Lee announced that Alderman James Wallace had been appointed to represent the Town in the Research Triangle Planning Commission.

SIDEWALKS

Alderman Nassif asked that the School Board be requested to construct a sidewalk across their property out the side of the new Ephesus Church School.

NEW HOPE DAM

The Board called for a public hearing on the matter of the New Hope Dam to be held in the Municipal Building on Monday, January 31st, at 7:30 P.M. The Town Manager was requested to invite representatives of the Corps of Engineers and the Air and Water Resources Board to be present for the hearing.

SPECIAL MEETINGS

Mayor Lee told the Board that there should be a series of special meetings to discuss relationships between the Board of Aldermen, the Planning Board, and the Appearance Commission, utilities, drainage, and administrative problems. Alderman Scroggs asked that there first be a meeting of the Aldermen to establish their position on the proper activities of the Planning Board and Appearance Commission before meeting with these boards. A meeting of the Committee of the Whole was set for 4:00 P.M., Friday, January 7th, in the Conference Room.

PLANNING BOARD

Mayor Lee told the Board that he had a letter from Dr. Earl Mitchell resigning from the Planning Board. Alderman Coxhead moved, seconded



by Alderman Scroggs that this be accepted reluctantly and that a resolution be adopted thanking Dr. Mitchell for his work on this Board. This was unanimously carried.

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 meeting at 7:30 P.M. on January 10, 1972 with the following members present: Mayor Lee, Aldermen Scroggs, Smith, Coxhead, Welsh, Wallace, and Nassif. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Smith moved, seconded by Alderman Nassif, that the minutes of the meeting of January 3, 1972 be approved as circulated. This was unanimously carried.

Alderman Welsh told the Board that the discussion of street vending had been omitted from the minutes of December 13, 1971, and moved, seconded by Alderman Wallace, that this discussion be written up for inclusion in the December 13th minutes. This was unanimously carried.

TAX COLLECTION

Alderman Coxhead said that he was presenting a petition from Mrs. John W. Fuller who went to the tax office on December 31st to pay her Town taxes and found the office closed, then put her check for taxes in the mail that day, but the letter was received by the Town postmarked January 3rd, and returned to her with notice of penalty. He moved, seconded by Alderman Welsh, that this be placed on the end of the Agenda for discussion, but as the postmaster was here at this time, he would like to ask him about the current situation on postmarks without waiting until the end of the meeting. This was unanimously carried. Mr. Richard Sparrow, Postmaster, told the Board that the Post Office had closed about 12:30 on December 31st, but the collections had been made from all boxes between 4:00 and 6:00 P. M. that day, and that all mail picked up on the 31st should have been postmarked no later than January 2nd, but that mail put in boxes other than the main Post Office after the afternoon pick up could have been postmarked January 3rd. He said that mail put in the Post Offices in the slot or box marked "local" was processed in Chapel Hill, but that mail from all other boxes was taken to Raleigh for sorting and returned to Chapel Hill when appropriate. He noted that in the case of Federal Income Tax deadlines, that the Post Office made special provisions to see that mail deposited up to midnight was postmarked on that date.

DRAINAGE

Mayor Lee said that he would like to have a discussion on Drainage at the end of the meeting. Alderman Scroggs moved, seconded by Alderman Nassif, that this be considered at that time. This was unanimously carried.