

MINUTES
Board of Aldermen
Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 7:30 P.M. on Monday, March 27, 1972 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Marshall, Nassif, Welsh, and Coxhead. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES
Alderman Smith moved, seconded by Alderman Marshall, to approve the minutes of the meeting of March 20th as circulated. This motion was unanimously carried.

STUDENT TRANSPORTATION COMMISSION

Mr. Baily Cobb, representing the Student Transportation Commission, requested permission from the Board of Aldermen to run the Campus Bus from Franklin Street to the Municipal Building several times a day from March 28 until April 4, 1972, in order to aid student voter registration. Alderman Coxhead moved, seconded by Alderman Welsh, that the request be granted as an experimental route. This motion was unanimously carried.

FOXCROFT PROJECT

Mr. Glenn Corley asked the Aldermen to review the landscape plan for the Foxcroft Project. Alderman Scroggs moved, seconded by Alderman Welsh, to receive the landscape plan and add the item to the agenda. This motion was unanimously carried.

CABLE TELEVISION

Mr. Charles Vickery, representing The Greater Universities' CATV, a division of Teleprompter, requested permission to submit a formal application for cable television. Alderman Scroggs moved, seconded by Alderman Smith, to receive the petition and to refer it to the Cable Television Committee. This motion was unanimously carried.

SOLID WASTE DISPOSAL

Mayor Lee announced that a one-day conference, sponsored by the Research Triangle Planning Commission would be held April 25, 1972 to discuss solid waste disposal. Elected officials are invited.

MAYOR'S TASK FORCE ON RECYCLING

Mayor Lee read a memo from the Mayor's Task Force on Recycling urging the expansion of the newspaper recycling program to the University campus, and increasing the publicity about it.

RESIGNATION--RECREATION COMMISSION

Mayor Lee read a letter from Mrs. Anne Barnes resigning from the Recreation Commission for personal reasons, effective April 1, 1972. Alderman Welsh said that this was a regrettable resignation, that Mrs. Barnes had made outstanding contributions to the Recreation Commission and that perhaps Mrs. Barnes would consider taking a leave of absence until the Fall. Alderman Welsh moved, seconded by Alderman Marshall, to postpone action on this resignation until the Mayor could talk to Anne Barnes. This motion was unanimously carried.

COMMUNITY APPEARANCE COMMISSION

Dr. Sid Cohn, Chairman of the Community Appearance Commission, reported on a study being done of the gross structures in the Central Business District. The purpose of the study is to determine how Chapel Hill is growing, and to have ordinances which will insure the kind of

growth that the community wants. This study: (1) identified visual districts in Chapel Hill; and (2) identified general appearance goals for Chapel Hill. Dinsmore White, appearance consultant, showed slides to illustrate the information in the report. Alderman Welsh said that this was an impressive study, and that procedures should be outlined for more detailed and specific discussions of the findings of the study. Mr. Cohn said that perhaps this could be referred to the Planning Board, and that a joint committee of the Planning Board and the Community Appearance Commission could work and submit recommendations to the Board of Aldermen. Alderman Welsh said that it would be important to involve the general public in these discussions. Alderman Scroggs said that he appreciated the aims of the study, but that he found arithmetic inconsistencies in the report, and particularly questioned the densities shown in the report which are higher than the present ordinances permits. He said that he would like to meet with Mr. Cohn to discuss the figures and the discrepancies further. Alderman Welsh suggested that an open discussion be held, and she commended Mr. White on the fine job that he had done. Alderman Marshall said that the Planning Board should begin to work with this study as soon as possible. Alderman Welsh said that the Central Business District Study Group should also be included in these discussions. Mayor Lee said that the report should be submitted to the Planning Board and that the CBD Study Commission, the Planning Board and the Community Appearance Commission work together, and that the public be invited to participate in informal discussions of the study. He asked Mr. Cohn to take responsibility for coordinating these groups and the discussion. Mr. Cohn agreed to do that. Mayor Lee, on behalf of himself and the Board, thanked the Community Appearance Commission and Mr. White for the work that they had done on this study.

APPLE CHILL FAIR

Harper Peterson, adult advisor to the Teen Planning Committee, described the Apple Chill Fair, indicating that it was planned to be an event for the entire Chapel Hill community. The proposal for the Apple Chill Fair was submitted to the Recreation Commission on February 16, 1972 and approved. He emphasized that the Fair was for and by the people of Chapel Hill and that the staff was attempting to involve as many of the people, businesses, organizations and agencies as possible in the Fair. He requested support for the Fair by the Board of Aldermen, and requested the Board's permission to use an area on Franklin Street outside the Carolina Coffee Shop for an outdoor cafe. Mayor Lee asked if the Carolina Coffee Shop had agreed. Mr. Peterson said yes. Alderman Marshall said she thought the idea of the Apple Chill Fair was very exciting and hoped the Board would endorse it. She said that the Recreation Department deserves credit for undertaking such a program. Mayor Lee endorsed the fair. Alderman Welsh said that she was impressed that the Recreation Department had taken on such a project and was not asking for additional funds. Alderman Coxhead moved, seconded by Alderman Welsh, to wholeheartedly support and endorse the Apple Chill Fair, and give permission for the use of the sidewalk on Franklin Street in front of the Carolina Coffee Shop for an experimental outdoor cafe for three days. Alderman Scroggs said he wholeheartedly endorses the program, but opposes the use of the sidewalk. Alderman Welsh asked if there were a legal problem. Town Attorney asked who would be selling the beverages. Mr. Peterson said the Coffee Shop. Alderman Coxhead referred to the plan and said that the purchase of beverages was not limited to the Coffee Shop, that people could bring their own. Town Attorney Denny said as long as the beverages were consumed, not sold, on the sidewalk, it was not prohibited in the ordinance, but if they were sold on the sidewalk by a civic organization or a non-profit raising organization a temporary permit would have to be obtained from the Town Manager. Alderman Welsh said there seemed to be no intention for vending on the sidewalk, only consumption, and she said that adequate litter containers should be placed in the area, and that a physical separation, perhaps potted plants, could be used to prevent overflow onto the street. Alderman Smith said that he was concerned about the number of tables, the number of people, and the problem of the traffic on Franklin Street. Mr. Peterson said that all activities would be carefully supervised.

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by marshals. Alderman Smith said that perhaps the area could be roped off to prevent overflow onto the street. He said that he was concerned about one business establishment profiting from this. Mr. Peterson said the owner was willing to make specific arrangements to eliminate any profit resulting from the sale of beverages for this activity. Alderman Coxhead amended his original motion, seconded by Alderman Welsh, to wholeheartedly support and endorse the Apple Chill Fair. This motion was unanimously carried. Alderman Coxhead moved, seconded by Alderman Welsh, to approve the temporary use of the sidewalk for an experimental outdoor cafe for three days during the Apple Chill Fair. Alderman Smith said that the hours on Sunday should be from 1:00 P.M. to 8:00 P.M. This motion was carried by a vote of five to one, with Alderman Scroggs opposing. Mayor Lee commended Mr. Peterson, Hank Anderson, the Recreation Commission, and the Apple Chill Fair committee for the work that they had done. Alderman Smith said that a great number of young people are involved in working on the Apple Chill Fair and that they are putting a great deal of energy and enthusiasm into it.

FOXCROFT

Mr. Glenn Corley presented the landscape plan for the Foxcroft project. He asked the Board of Aldermen to issue a Building Permit for the project with the agreement that he would meet the stipulation set by the Community Appearance Commission. A landscape architect working on the project described the landscaping for the Foxcroft project and the screening that would be used around patios, garbage containers, etc. Alderman Nassif asked about the road from the project, and asked whether the Highway Commission had granted permission for it. Mr. Corley said yes. Mr. Nassif asked if they had permission to pave the road. Mr. Corley said yes. Harry Palmer said that there was a discrepancy between the State Highway Commission stating that there would be a sixty foot right-of-way and the owners stating that there would be a twelve to eighteen foot right-of-way. Alderman Welsh moved, seconded by Alderman Marshall, to approve the plans and authorize the issuance of a Building Permit, with the stipulation recommended by the Community Appearance Commission: that prior to issuance of a Certificate of Occupancy, a supplemental landscape plan be reviewed by the Appearance Commission and approved by the Board of Aldermen, the plan to include; (1) a unified sign plan for signs at the entrance to the development, at the entrance to each of the courts, and on the buildings, (2) landscaping at the entrance to the development, the entrance to each court, the tennis courts, the swimming pool, and the recreation building, (3) a plan for breaking up, with planting, a large expanse of parking area in Melanie Court, (4) the design and location of exterior lighting. This motion was unanimously carried. Alderman Welsh commended Mr. Corley for having professional landscape architects work on the plan. Alderman Nassif said that with regard to the road, an eighteen foot right-of-way would not do what it was supposed to do, and he asked to be kept apprised of the situation. He said that the eighteen foot road was not a good point for egress from the project. Alderman Smith asked if the project approval was contingent upon the width of the road. Alderman Nassif said that this had been a concern; that it seems that a one-way road will have to be created, and that this was not adequate. Harry Palmer reviewed the history of the road, and said that the status at the present time is unclear because of legal entanglements. Alderman Nassif read stipulation number 11 from the special use permit: that a paved exit be provided by the developer along existing Old Oxford Road right-of-way to connect to the driveway system in the project with Mt. Moriah Church Road prior to issuance of certification of occupancy.

TRAFFIC

Town Manager Peck reviewed the history of the left-turn in the block of North Columbia between Franklin and Rosemary Streets, now prohibited by an ordinance, and enforced by a center curb. He recommended that the ordinance be kept as it is. Mayor Lee said he supports the Town Manager's recommendation. Alderman Smith asked if the center curb extended as far as it should? Yes. The Board indicated that it supports the Town Manager's recommendation.

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BICYCLES

Alderman Welsh said that there is a need for safety regulations for bicycles, and that there is a need to regulate the location for bicycle lanes. She suggested that a sign be posted indicating where bicycle lanes are, and recommended that the Bicycle Committee be reactivated, and work with the Town Manager. Alderman Marshall said that there should be no bicycles permitted on the sidewalks in the CBD on East Franklin Street. Alderman Smith said that he had been contacted by citizens who were concerned about bicycle riders not using lights at night. Town Manager Peck said that the Police Department had been giving out a lot of tickets for this.

APPOINTMENTS--HUMAN RELATIONS COMMISSION

Mayor Lee referred to a memo from Rev. Charles Helton, Chairman of the Human Relations Commission, to the Board of Aldermen, recommending Mrs. Barbara Cleaveland and Mr. Adam Stein to fill the vacancies on the Commission. These are in addition to the five people suggested for reappointment. Mayor Lee said he expected to discuss Mrs. Parker's resignation with her further. Alderman Welsh recommended that the Board delay action on these appointments. The Board had no objection.

APPOINTMENT--PLANNING BOARD

Herbert Bodman and Rev. Charles Helton having been nominated for the appointment to the Planning Board, to replace Earl Mitchell, a closed vote was taken, ending in a tie, three to three. A second vote was taken, ending in a tie, three to three. Mayor Lee broke the tie by voting for Reverend Charles Helton.

TAX SALE

David Roberts, Tax Collector, recommended to the Board that the date for tax sales be set for June 12, 1972. He noted that unpaid taxes would be advertised for four weeks beginning May 14, 1972. Alderman Coxhead moved, seconded by Alderman Smith, to set the date for tax lien sales as June 12, 1972. This motion was unanimously carried.

RELEASES

Alderman Smith moved, seconded by Alderman Scroggs, to approve the following resolution:

RESOLUTION - TAX RELEASES

WHEREAS, taxes listed below were erroneously levied through clerical error on properties belonging to the following:

Name	Rec. #	Amount	Reason
Jennifer L. McGaughey	3894	\$15.72	Property was listed in error; located in Durham
Tavan T. Trent	6087	\$ 9.68	Had incorrect value on his car.
Stevens Industries	7449	\$45.00	Sewer was charged in error. House was not occupied until August, 1971.

WHEREAS, the above list of people have made application for release of said taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, that it finds that taxes on the above listed people were levied through clerical error, and in the discretion of the Board should be released to the taxpayer, IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such release.

This motion was unanimously carried.

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WORKABLE PROGRAM

Town Manager Peck said the deadline for the Workable Program application for re-certification was April 4, 1972. Alderman Coxhead moved, seconded by Alderman Scroggs, to approve the Workable Program with the changes suggested. This motion was unanimously carried.

EASTER MONDAY

Alderman Scroggs moved, seconded by Alderman Smith, that the Board of Aldermen not meet on Easter Monday, April 3, 1972. This motion was unanimously carried.

STREET FURNITURE

Alderman Marshall said that the Board should act on the offer of street furniture by the Revco Company. Mayor Lee read a transmittal from the Community Appearance Commission requesting the Board of Aldermen to endorse the offer from Revco, Inc., regarding street furniture. Alderman Marshall said that she saw the prototype and it was very nice. Alderman Marshall moved, seconded by Alderman Smith, to accept the offer from Revco to purchase street furniture for the Central Business District up to the cost of \$1,000.00 with the understanding that if the offer is accepted, one bench will be placed in the grass strip between the sidewalk and curb in front of their new store on Franklin Street before the grand opening on April 7, 1972. This motion was unanimously carried.

STREET VENDING

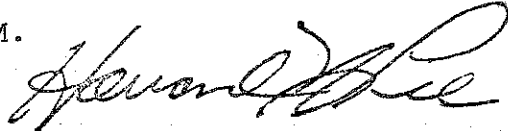
Alderman Smith thanked the North Carolina State students from the School of Design for setting up the vending stand display. He said that it represented a great deal of work, and suggested that a letter of thanks be sent to the students.

REVCO

Alderman Welsh said a letter should be sent to Revco, Inc. thanking them for their offer for street furniture.

The next meeting of the Board of Aldermen will be April 10, 1972.

The meeting was adjourned at 9:35 P.M.



Mayor



Town Clerk, David B. Roberts