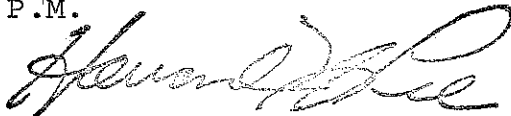


STATE HIGHWAY COMMISSION

Town Manager Peck said that a letter from the Highway Commission indicated that a pedestrian activated signal would be installed at the intersection of Estes Drive and U.S. 15-501 By-pass.

The meeting was adjourned at 11:25 P.M.



Mayor



Town Clerk, David B. Roberts

MINUTES

June 19, 1972

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on June 19, 1972 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Welsh, Coxhead, Marshall, and Nassif. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Nassif moved, seconded by Alderman Smith to approve the minutes of the meeting of June 12, 1972 as corrected. This motion was unanimously carried.

LAUREL HILL SUBDIVISION

Town Manager Peck referred to a letter from Mr. William Hunt regarding open space in the Laurel Hill Subdivision. Alderman Welsh moved, seconded by Alderman Nassif, that the petition be received and placed on the agenda for discussion. This motion was unanimously carried.

REGION J--PLANNING DEPARTMENT REPORT--BOND ORDINANCE

Town Manager Peck asked that these items be placed on the agenda. Alderman Welsh moved, seconded by Alderman Coxhead, to accept the request and place these items at the end of the agenda. This motion was unanimously carried.

CBD COMMITTEE

Mr. James Wallace, Chairman of the CBD Study Committee, distributed proposals for a six-month study of the CBD and made a preliminary report on the Committee's work. He said the study proposed would cost \$27,000.00 and that Mr. Robert Leary would be the director of the study. Mr. Leary said that the proposed study of the CBD would be precise, would deal with the economic factors involved, that recommendations for funding, implementation, and a time schedule would be proposed, and that the Committee, representing the community, would be involved during the course of the study. Mr. Wallace said that the Committee would canvass the Town for contributions to aid in financing the study. Alderman Smith asked what area geographically the CBD study would focus on. Mr. Wallace said that the existing boundaries for the CBD would be used.

UNIVERSITY MALL

Colonel Spiller, the Building Inspector, asked the Board of Aldermen for guidance with regard to whether a particular development in University Mall should be considered a modification. In his judgement, the proposed exterior walls met the guidelines approved by the Board of Aldermen for the Special Use Permit. He said that he had met with the Planning Department and the Chairmen of the advisory boards concerned, and it was their feeling that the development did not meet the requirements. In light of the question raised, and in order to clear the records, he was coming to the Board of Aldermen for guidance. Alderman Scroggs said the authority to

make such a decision should be delegated. Alderman Coxhead said that this should not be considered a modification and that the Building Permit should be issued. Alderman Marshall said that the Board should consider the question being raised. Harry Palmer said that at a joint meeting of the Planning Board and Appearance Commission the change in the plans seemed to be sufficient to be considered a modification. Mr. Sidney Cohn said that the Boards were concerned with land use in this area and that the large automobile servicing business would have a different appearance than small service shops, and the noise would be increased. Alderman Coxhead moved, seconded by Alderman Scroggs, that this not be considered a modification and that a Building Permit be issued. Alderman Smith asked if the developers would consider stipulations that would insure that the area would not be unattractive. Mr. Ed Brandon said that he had met with Dr. Cohn and Dr. Weiss and that all were determined to maintain the attractiveness of the Mall and that the detailed landscape plan would indicate how the beauty and appearance would be maintained. Alderman Welsh asked if the screening planned would provide screening from Willow Drive and whether the owner would be willing not to display merchandise on the outside and not to conduct the servicing work on the outside. Mr. Brandon said yes. Alderman Nassif said that he did not consider this a modification and introduced a substitute motion seconded by Alderman Welsh that this not be considered a modification, that no display of merchandise be permitted outside, that the court not be used as part of the shop for servicing work except in emergencies, and that additional screening be considered. This motion was carried by a vote of five to one with Alderman Coxhead opposing.

LAUREL HILL SUBDIVISION

Mayor Lee read a letter from Mr. William L. Hunt regarding play areas in the Laurel Hill Subdivision. He offered one and one-half acres in Section III of the Subdivision to be used as the play area for Sections II and III.

Mr. Ayers said that he had surveyed the land and it is useable as play area. Alderman Welsh said that the area was level, perfect for children's recreation, needed in the Morgan Creek area, and the dedication was very much appreciated. Town Manager Peck asked if the one and one-half acres being dedicated would be considered the open space play areas for all of Sections II and III. Alderman Welsh moved, seconded by Alderman Smith, to accept the one and one-half acres as fulfilling the requirements for open space for the Laurel Hill Subdivision, Sections II and III, and to begin using it. Art Berger of the Planning Department said the standard being adopted by the Planning Board for open space is four acres per 1,000 people. Alderman Welsh said that in addition to the one and one-half acres being dedicated for open space, Mr. Hunt is also dedicating an arboretum which is extremely generous. This motion was unanimously carried. Alderman Scroggs said that he did not think that the Board could legally put pressure on developers to designate open space. Alderman Nassif said that the Ordinance specifically states that "due consideration" must be given to open space. Alderman Scroggs said that "due consideration" is consideration and not a requirement. Alderman Nassif said that it referred to consideration on the Board's part as well as on the developer's part. Mayor Lee said that it places responsibility on the developers to make the areas that they develop livable.

FLOODWAY ORDINANCE

Mr. Joseph Hakan said he applied for a Building Permit for an extension to the Chapel Hill Professional Building on the lot adjacent to the Estes Drive Post Office. He said that he was told that according to the Floodway Ordinance the lower level in his building would have to be elevated three feet. He said that for aesthetics he was requesting that he not be required to elevate the building to that level. Alderman Welsh asked if the first floor of his building would be above the flood level. Mr. Hakan said that it would fall right at the flood level, but not the one foot above the flood level that is required. Alderman Nassif moved to accept the request. This motion was not seconded and was withdrawn. Alderman Scroggs said that the purpose of the ordinance is to prevent flood

damage. Alderman Welsh said that if the building were going to be used for residential purposes, that she would object to granting the request, but because it will be used for office space she will approve it. Alderman Welsh moved, seconded by Alderman Nassif, to approve the request for a variance allowing the addition to this building to be one foot lower than the ordinance requires and that the building permit be granted. Alderman Nassif said that it was important to maintain the appearance of the area. Alderman Smith said that he would oppose the request if the building were to be used for residential purposes. This motion was unanimously carried.

COLONY WOODS--SECTION V AND VI

Mr. Robert Page gave background information about the Colony Woods Subdivision with regard to open space and said that Mr. William Lester had constructed improvements for the three lots that were suggested for open space, that he had offered one lot in addition to an area in Phase VI and that this dedication would be more than other developers had made. Mayor Lee said that the Town needed to catch up with the recreation and open space provided in the Colony Woods Subdivision. He said that developers come to Chapel Hill, develop subdivisions, and leave, and that it is important for the living conditions in the subdivisions to be considered. He said that useable open space is needed for recreational facilities. Mr. Lester said that they did not consider themselves outsiders who have come in and developed a subdivision, that he appreciates the efforts being made to provide open space, and that he would like to provide open space, but can not afford it financially. He said that in May, 1971 he asked if the plans were in accordance with the requirements and his letter was never answered. Mr. Lester said he would be willing to equip a ball field in the subdivision, but that he had no additional land that he could give. Mr. Lester said that the one or one and one-half acres that he is proposing to give is an increase from what was shown on the preliminary plat, but that it is not useable for recreation. Alderman Coxhead moved, seconded by Alderman Scroggs, to approve Phase VI of the Colony Woods Subdivision with bond sufficient to cover the improvements. This motion was carried by a vote of four to two with Aldermen Marshall and Welsh opposing. Mayor Lee read a transmittal from the Planning Board recommending that the Board not approve the preliminary or final plats of Section III of Phase V or for Section VI of Colony Woods Subdivision until the developer makes adequate provision for usable active recreational open space. Mr. Lester said that the Board could choose either plan for open space that it preferred (a lot with a ditch or a 30 foot strip along the ditch). Dr. Weiss indicated the recommendation of the Planning Board and said that although the lot would always be a rough peice of land, it offered a tax advantage. Mr. Richard Helwig, Chairman of the Recreation Commission, said that the lot could be used for playing although it was not large enough for a ball field. Mr. Lester said that the Board could choose between having a donation of \$2500 for equipment or a lot. Alderman Welsh moved, seconded by Alderman Marshall to delay action on Section V until the problem of open space could be worked out. Alderman Scroggs asked what the delay would accomplish. Alderman Welsh said that the lot proposed was not useable for open space and that the Board had asked for useable open space. Alderman Scroggs introduced a substitute motion, seconded by Alderman Coxhead, to approve Phase V as recommended by the Planning Board subject to the bond necessary for the improvements. This motion was defeated by a vote of two to four with Alderman Nassif, Marshall, Welsh, and Smith opposing. The original motion was passed by a vote of four to two with Aldermen Coxhead and Scroggs opposing. Mr. Lester asked what the Board wished him to do. Alderman Scroggs requested that this item be placed on the agenda for the next meeting.

NOISE ORDINANCE

Town Attorney Denny distributed copies of a proposed noise ordinance and asked that it be discussed at the next meeting.

HELICOPTERS

Town Attorney Denny said that there was nothing in the Zoning Ordinance or in the Code of Ordinances to cover helicopters landing.

in Chapel Hill. He recommended that an ordinance be adopted and distributed an ordinance for consideration. Mayor Lee read the proposed ordinance. Alderman Welsh moved, seconded by Alderman Scroggs, to adopt the ordinance. Alderman Scroggs asked if the 1000 feet proposed would be in accordance with

AN ORDINANCE TO AMEND CHAPTER 11 OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That Chapter 11 of the Code of Ordinances of the Town of Chapel Hill is hereby amended by adding a new Article VI to read as follows:

ARTICLE VI, Air Traffic Control.

Section 11-79 - Control of Overflight Altitude and Landing of Helicopters.

It shall be unlawful for any person to operate a helicopter below the altitude of 1,000 feet over any place within the corporate limits of the Town of Chapel Hill or to land said helicopter within the corporate limits of the Town of Chapel Hill except for emergency or medical purposes.

SECTION II

All Ordinances and portions of Ordinances in conflict herewith are hereby repealed.

This the 19th day of June, 1972.

the FAA standards. Harry Palmer said that according to General Hurow it was acceptable and consistant with light plane requirements. Alderman Scroggs asked how the height would be enforced. This motion was unanimously carried. Town Attorney Denny suggested that potential violaters of the ordinance be informed of its adoption.

REZONING--MARLBORO MEADOW

Mayor Lee read the ordinance approving the rezoning from R-10 to R-5 land on the south side of Legion Road. Alderman Coxhead moved, seconded by Alderman Scroggs, to adopt the ordinance as read.

AN ORDINANCE AMENDING THE "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 May 22, 1972, to consider proposed changes in the Zoning Ordinance, and

WHEREAS following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen adoption of the following amendments to the Zoning Ordinance, and

WHEREAS thereafter the Board of Aldermen adopted the recommendations of the Planning Board; NOW THEREFORE

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

SECTION I

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 hereby is further amended so that the following area be and the same hereby is rezoned from R-10 to R-5, and the uses permitted in areas designated as R-5 in the Zoning Ordinance shall hereafter apply to the following area:

BEGINNING at a point on the southeastern right-of-way line of Legion Road approximately 531 feet from the northeastern right-of-way line of Ephesus Church Road; and proceeding thence with the southeastern right-of-way line of Legion Road in a northeasterly direction along a curve with a radius of 746.65 feet for approximately 244.99 feet to a point; thence continuing along said right-of-way line N. $33\frac{1}{4}$ 33.54' E for approximately 255.04 feet to a point; thence N. $44\frac{1}{4}$ 10.36' E for approximately 481.80 feet to a point; thence N. $46\frac{1}{4}$ 44' 25" E for approximately 482.86 feet to a point; thence S. $34\frac{1}{4}$ 46' 33" E for approximately 202.62 feet to a point; thence S. $17\frac{1}{4}$ 01' 29" E for approximately 695.90 feet to a point; thence N. $83\frac{1}{4}$ 11' 30" W for approximately 290.48 feet to a point; thence S. $65\frac{1}{4}$ 55' 48" W for approximately 279.38 feet to a point; thence N. $70\frac{1}{4}$ 15' 01" W for approximately 200.07 feet to a point; thence N. $70\frac{1}{4}$ 05' 07" W for approximately 434.85 feet to a point; thence N. $46\frac{1}{4}$ 49' 56" W for approximately 313.68 feet to a point; the same BEING the point and place of BEGINNING; and containing 16.34 acres.

SECTION II

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

This the 19th day of June, 1972.

This motion was unanimously carried. Alderman Nassif moved, seconded by Alderman Smith to reapprove the request for a Special Use Permit as approved on June 12, 1972. This motion was unanimously carried.

SUBDIVISION ORDINANCE--READOPTION

Town Attorney Denny read the ordinance for the readoption of the Subdivision Ordinance.

AN ORDINANCE TO READOPT CHAPTER 18 OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

THAT WHEREAS, the Ordinance now constituting Chapter 18 of the Code of Ordinances of the Town of Chapel Hill was originally adopted on October 8, 1956 and subsequently readopted on December 12, 1968 and January 19, 1970, and

WHEREAS, the subject matter of said Chapter 18 was codified pursuant to Ordinance dated January 11, 1971, and

WHEREAS, said Chapter has been subsequently amended from time to time, and

WHEREAS, Article 19, Chapter 160A of the General Statutes of North Carolina provides for the readoption of subdivision ordinances pursuant to the authority granted therein as well as Special Acts of the General Assembly, and

WHEREAS, after due advertisement as required by law, a joint public hearing was held by the Planning Board and Board of Aldermen of the Town of Chapel Hill on May 22, 1972 on readoption of the Subdivision Ordinance of the Town of Chapel Hill and Surrounding Areas as set forth in Chapter 18, and

WHEREAS, said proposed adoption was referred to the Planning Board for its review and recommendation, and

WHEREAS, the Planning Board recommended to the Board of Aldermen that said Chapter 18 be readopted, and the Board of Aldermen approved the recommendations of the Planning Board, NOW THEREFORE,

BE IT ORDAINED by the Board of Aldermen that Chapter 18 consisting of Sections 18-1 through 18-105 inclusive be, and the same are hereby readopted pursuant to the authority of Chapter 160A of the General Statutes of North Carolina, and Special Acts of the General Assembly of North Carolina pertaining thereto, said Chapter 18 being incorporated herein by reference as if fully set forth herein.

SECTION II

All Ordinances and portions of Ordinances in conflict herewith are hereby repealed.

This the 19th day of June, 1972.

Alderman Nassif moved, seconded by Alderman Smith, to approve the adoption of the ordinance as read. This motion was unanimously carried.

ZONING ORDINANCE--READOPTION

Town Attorney Denny read an ordinance for the readoption of the Zoning Ordinance.

AN ORDINANCE TO SPECIFY THE EXTRA TERRITORIAL JURISDICTION OF THE TOWN OF CHAPEL HILL AND TO READOPT ZONING REGULATIONS PURSUANT TO THE PROVISIONS OF ARTICLE 19 OF CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

THAT WHEREAS, an Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas was originally adopted on the 14th day of March, 1955, and readopted on January 19, 1970, and

WHEREAS, said Ordinance has been subsequently amended from time to time, and

WHEREAS, Article 19 of Chapter 160A of the General Statutes of North Carolina provides for the Town to adopt an Ordinance specifying its extra territorial jurisdiction and zoning ordinances in force therein and in the Town of Chapel Hill, and

WHEREAS, after due advertisement as provided by law a public hearing was duly called and held by the Board of Aldermen of the Planning Board of the Town of Chapel Hill on May 22, 1972 to consider the extra territorial jurisdiction of the Town of Chapel Hill and the readoption of the zoning ordinance, and

WHEREAS, following said public hearing, the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen the readoption of said zoning ordinance including the description contained in Section 1 thereof, and

WHEREAS, the Board of Aldermen adopted the recommendation of the Planning Board; NOW, THEREFORE,

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

SECTION I

That the territory within which zoning, subdivision, and other regulations adopted and enforced pursuant to Article 19 of Chapter 160A of the General Statutes of North Carolina shall be effective and is to continue is that area as described in Section I of the Zoning Ordinance of the Town of Chapel Hill in effect on this date, and is more particularly described as follows:

A. The boundaries of the territory within which this ordinance shall be effective are as follows: Beginning at the point at which Morgan's Creek intersects the boundary between Orange County and Durham County and running thence along a straight line generally southwestward to the point at which U.S. Highways 15 and 501 intersect the boundary between Orange County and Chatham County, thence

generally northeastward along the center of U.S. Highways 15 and 501 to a point 250 feet east of the centerline of the Smith Level Road (the road running southward from Carrboro to the Chatham County line); thence northward parallel to and 250 feet east of the centerline of the Smith Level Road to the southern corporate limits of the Town of Carrboro; thence in an eastward and northward direction with the present corporate limits of the Town of Carrboro as the said limits presently run to a point in the eastern corporate limits of said town where the centerline of the University Railroad Company's track intersects the said corporate limits and running northward along the centerline of said railroad track to its intersection with the northern line of the area described in Chapter 527 of the Session Laws of 1953 (the described line being a straight line generally northeastward between the point at which N.C. Highway 54 crosses Morgan's Creek and the point at which New Hope Creek intersects the boundary between Orange County and Durham County); thence along a straight line generally northeastward to the point at which New Hope Creek intersects the boundary between Orange County and Durham County; then generally southward along the boundary between Orange County and Durham County to the starting point, provided, however, that the ordinance shall not be effective within the corporate limits of the Town of Carrboro, but shall be effective within that portion of the corporate limits lying within Durham County.

SECTION II

That the Zoning Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas as initially adopted March 14, 1955 and as subsequently readopted January 19, 1970 together with all amendments subsequent thereto in effect as of the date hereof be, and the same is hereby readopted by reference thereto and incorporated herein as if fully set forth.

SECTION III

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

This the 19th day of June, 1972.

Alderman Nassif moved, seconded by Alderman Marshall, to approve the ordinance as read. This motion was unanimously carried.

SEWER AGREEMENT--DURHAM

Town Manager Peck referred to a letter which he had sent to Mr. I. Harding Hughes, Jr., City Manager of Durham, on June 14, 1972, regarding the design costs for a proposed waste water treatment plant on Farrington Road. Alderman Nassif asked if the Town would share the cost for the design of the plant. Town Manager Peck said yes. Alderman Nassif asked if the Town would also share in the cost of the plant itself. Town Manager Peck said that this is open for further negotiation. Alderman Welsh said that she was concerned about the \$300,000 in the budget for sewers, etc. and would like to consider the budget before taking action on this agreement. Town Manager Peck said that the Town could choose between taking action with Durham on this plant or building its own in a few years, and that the cost would not decrease. He said the Town would have to build an extension to the Morgan Creek Treatment Plant and would have major plant construction in Little Creek.

BIDS---TRASH CONTAINERS

Town Manager Peck said that three bids were received for eighty trash containers and that the low bid was from Pak-Mor for \$23,000, painted, for 40 three cubic yard containers and 40 four cubic yard containers. He recommended that the low bid be accepted. Alderman Welsh asked what the Town did with these containers. Town Manager Peck said it supplies containers at cost to citizens. Alderman Smith asked if there were places for eighty containers. Town Manager Peck said that there would be during the next year. Alderman Nassif moved, seconded by Alderman Coxhead, to accept the low bid. This motion was unanimously carried.

FIREMEN'S PENSION FUND

Mayor Lee read the list of active firemen. Alderman Coxhead moved, seconded by Alderman Nassif, to approve the list of active firemen for the pension fund. This motion was unanimously carried.

BUDGET CHANGES

Town Manager Peck said a bill for \$900.00 was just received from the bond rating companies and that payment would increase the amount requested for this year in the General Government account by \$900. Alderman Smith moved, seconded by Alderman Coxhead, to approve the payment of \$900 to the bond rating companies. This motion was unanimously carried.

AUDIT AGREEMENT

Mayor Lee read the salient facts in the contract with the auditor. Alderman Smith moved, seconded by Alderman Scroggs, to approve the contract with the auditor. This motion was unanimously carried.

REGION J

Alderman Scroggs moved, seconded by Alderman Nassif, to approve the Triangle J Council of Government charter resolution recommended by the Steering Committee on May 30, 1972. This motion was unanimously carried.

BOND RESOLUTION

Town Attorney Denny read a Bond Resolution. Alderman Nassif moved that the following resolution be adopted:

WHEREAS, the Local Government Commission of North Carolina has informed the Board of Aldermen that it has sold in the manner prescribed by law the \$220,000.00 Public Improvement Bonds and the \$80,000 Sanitary Sewer Bonds of the Town of Chapel Hill, dated June 1, 1972 authorized to be issued by a resolution adopted by the Board of Aldermen on June 5, 1972 and that the contract of sale contemplates that said bonds shall bear interest as hereinafter provided: NOW, THEREFORE,

BE IT RESOLVED that said bonds shall bear interest as follows:

Bonds maturing in each of the years 1974 and 1975,	4.40%/annum;
bonds maturing in the year 1976	4.00%/annum;
bonds maturing in each of the years 1977 to 1979 inclusive	3.80%/annum;
bonds maturing in each of the years 1980 and 1981	4.00%/annum;
bonds maturing in the year 1982	4.10%/annum;
bonds maturing in the year 1983	4.20%/annum;
bonds maturing in the year 1984	4.30%/annum;
and bonds maturing in the year 1985	4.40%/annum.

Alderman Scroggs seconded the motion, and the motion was adopted. Those voting for the resolution were Aldermen Coxhead, Marshall, Nassif, Smith, Scroggs, and Welsh. No one voted against it.

READOPTION--PROVISIONS IN THE GENERAL STATUTES

Town Attorney Denny recommended that a public hearing date be set for the readoption of the provisions in Chapter 160, Article 19 of the General Statutes. Alderman Welsh moved, seconded by Alderman Marshall, to set July 10, 1972 for the date of the public hearing for the readoption of the provisions of Chapter 160, Article 19 of the General Statutes. This motion was unanimously carried.

The meeting was adjourned at 6:30 P.M.

Mayor

Town Clerk David B. Roberts

MINUTES

June 21, 1972

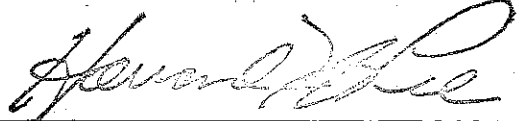
Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a Special Meeting at 7:30 P.M. on June 21, 1972, with the following members present: Mayor pro tem Smith, Aldermen Nassif, Scroggs, Marshall, Welsh and Coxhead. Also present was Town Manager Peck.

Town Manager Peck described the concerns about the proposed landfill site. Alderman Nassif moved, seconded by Alderman Coxhead, that the Town withdraw its application for rezoning for the landfill which has been advertised for a public hearing on June 22, 1972 and to withdraw the resolution concerning the proposed County landfill site near Chestnut Ridge. This motion was unanimously carried.

The meeting was adjourned at 8:00 P.M.



Mayor



Town Clerk, David B. Roberts

MINUTES

June 26, 1972

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 7:30 P.M. on June 26, 1972 with the following members present: Mayor Lee, Aldermen Nassif, Marshall, Coxhead, Smith, Welsh and Scroggs. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

MINUTES

Alderman Smith moved, seconded by Alderman Coxhead, to approve the minutes of the meetings of June 19 and June 21, 1972 as corrected. This motion was unanimously carried.

SWEDISH STUDENTS

Mayor introduced two students participating in the Swedish Experiment in International Living who are guests of the UNC YM-YWCA, Miss Lisbeth Sundin, a teacher, and Mr. Bengt Sederowsky, a law student. Mayor Lee welcomed the students to Chapel Hill and to the meeting of the Board of Aldermen.

TAX BREAK PROPOSAL

Mr. Jan Pinny distributed a proposal to the Board of Aldermen outlining a plan for giving a tax break to the blue collar workers in Chapel Hill. Alderman Welsh moved, seconded by Alderman Marshall, to receive the petition and forward it to the legislative committee for consideration and appropriate action. This motion was unanimously carried. Mayor Lee thanked Mr. Pinny for his action and for the proposal.

SEWER RATE

Town Clerk Roberts asked for this item to be placed on the end of the agenda. Alderman Smith moved, seconded by Alderman Nassif to accept the request and place this item on the end of the agenda. This motion was unanimously carried.

RIDGEFIELD TOWNHOUSES

Mrs. Martha Barbee of the Ridgefield Neighborhood Community Association said a sign was needed near the stop light at the entrance to the Ridgefield Townhouses. Mayor Lee said that a turn signal and a pedestrian crosswalk had been approved for that area by the State Highway Department. Mrs. Barbee asked if a sign

identifying the Ridgefield Townhouses could be erected. Mayor Lee asked her to discuss this with the Housing Authority. Mrs. Barbee asked if the speed limit in the area could be reduced. Alderman Smith asked whether the residents or other people were speeding. Mrs. Barbee said both. Alderman Smith asked if there could be a civilian radio surveillance system for the area. Town Manager Peck said that it would be difficult to confirm the reports but that the group could put pressure on the residents there to observe the speed limit. Alderman Welsh said the speed limit could be reduced to 10 or 15 miles per hour. Alderman Coxhead moved, seconded by Alderman Welsh, to have an ordinance proposed to reduce the speed limit to 15 miles per hour and have new speed limit signs erected. This motion was unanimously carried. Alderman Welsh said that Mrs. Barbee could ask the Housing Authority to put traffic bumps in the Ridgefield Townhouse development. Mrs. Barbee said that they were hoping to take these preventive measures in order to prevent a serious accident. Mayor Lee said that the Board would give all the support to their efforts that was possible.

TAXI CABS

Mr. Charles Vickery, attorney, said Mr. Jessie Suitt has a franchise for seven taxi cabs and he wants to sell them to Mr. Don Tripp. Mayor Lee asked for a letter indicating that Mr. Suitt wanted to sell the franchise. Town Attorney Denny said franchises cannot be transferred, that franchises are granted only by ordinance. Alderman Coxhead asked if this opportunity should be opened to the public. Town Attorney Denny said that was up to the Board's discretion. Alderman Smith moved, seconded by Alderman Coxhead, to request the Town Attorney to prepare an ordinance for the franchise, for Mr. Tripp to prepare an application for the franchise, and that Mr. Suitt present a letter to the Town Manager relinquishing his right to the franchise. This motion was unanimously carried. Town Attorney Denny said that the manager of the franchise must report quarterly the number of the cabs operating and that if any are not being used the Board can immediately reduce the number of cabs authorized for the franchise.

NOISE ORDINANCE

Town Attorney Denny suggested that an additional section for a complaint procedure be added to the noise ordinance and he read the proposed addition. He said that intent of Section 11-41 is to make unlawful any unnecessary noise, and any necessary noise between 9:00 P.M. and 7:00 A.M. except in emergencies, and to make it unlawful for any necessary noise to be unreasonably loud or or unreasonable duration. Alderman Welsh asked if the patrolmen could stop noise without a complaint from a citizen. Town Attorney Denny said yes. Town Manager Peck asked if a citizen could take action. Town Attorney said yes. Alderman Scroggs said that the standard proposed in the ordinance is not an absolute standard but is a start and well worth taking although changes may be necessary later. Alderman Smith asked why the evening limit was changed from 11:00 P.M. to 9:00 P.M. Alderman Scroggs said that the phraseology used in the ordinance was used to make people be considerate. Mayor Lee read the changes proposed in the ordinance. Mr. Weiss asked if the 4th of July fireworks would be subject to the noise ordinance. Town Attorney said yes. Alderman Scroggs said he wanted it clear that he was not coming out against the 4th of July celebration. Town Attorney Denny said that in Chapter 160-A of the General Statutes a special section has been added to permit towns to adopt noise ordinances. Alderman Scroggs said that he was concerned about the 4th of July celebration, and that it was not the intent of the ordinance to regulate noise on the campus. Town Attorney Denny said that fireworks are covered by other statutes and could be omitted from this ordinance. Alderman Smith moved, seconded by Alderman Nassif, to adopt the ordinance with the changes suggested.

AN ORDINANCE TO REWRITE AND AMEND ARTICLE 3 OF CHAPTER 11 OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL: