

Board of Aldermen

Town of Chapel Hill

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

MINUTES

Alderman Coxhead moved, seconded by Alderman Marshall, to approve the minutes of the meeting of August 14, 1972 as corrected. This motion was unanimously carried. Alderman Welsh moved, seconded by Alderman Nassif, to approve the minutes of the meeting of August 16, 1972 as corrected. This motion was unanimously carried.

LANDFILL SITE - EUBANKS

Mr. B. B. Olive requested permission to present information regarding his appeal to the State Board of Health to the Board of Aldermen. Alderman Nassif moved, seconded by Alderman Welsh, to receive the petition and place the item on the agenda under "Landfill." This motion was unanimously carried.

SIDEWALK CONSTRUCTION - ESTES DRIVE

Mr. Chester Insko presented a petition with 62 names requesting the construction of a sidewalk on S. Estes Drive to Caswell Street in front of the school. He also indicated that there was a desire for a traffic light at the corner. Alderman Welsh moved, seconded by Alderman Nassif, to receive the petition and place the item at the end of the agenda.

GARBAGE CONTAINERS

Alderman Nassif requested that a spokesman from the Glen Lennox area express the residents' concern about the garbage containers. Mr. William Hobbs said that when the Glen Lennox project was planned, dumpster containers were not required, and that now there is no place for them except on the sidewalks. He said that the project has won an award and that placement of containers on the sidewalks would seriously detract from the neighborhood. He also said that there is no access to the back of the apartment which would mean that the containers would have to be placed on the sidewalks. Mr. Graham Cook, a resident in Glen Lennox, said he hoped that the ordinance could be reversed, that Glen Lennox is beautiful, that the management has kept the area well, and that the residents request that the Board reconsider this ordinance and have it apply only to new projects where it can be planned. He said that it is not efficient for the residents to put their garbage in the dumpster containers and that it is a handicap for older people. Alderman Coxhead said that the second sentence in Section 8-35 of the ordinance could be omitted in order to have the ordinance apply only to new construction. Alderman Nassif said that perhaps enforcement of the ordinance could be delayed in order to restudy the sections dealing with bulk containers, leaves, etc. Alderman Scroggs said that perhaps there should be no bulk pick-up in any residential area, that residents near the CBD have been disturbed by noise created during the pick-up from the bulk containers. He said that if bulk containers are used, pick-up should be quick, quiet, and sanitary. Alderman Welsh said that the ordinance was drawn at the recommendation of the Public Works Department and that she would like to hear from that department why they wanted this change. She said that there was a need to look at the total problem of garbage collection in the Town, the cost, aesthetics, sensory aspects, and availability of employees. Alderman Marshall said that she sees the problem as one that everyone has and one that everyone must be willing to deal with. Van Opdenbrow said that the Appearance Commission has made a recommendation which will be discussed by the Planning Board at their next meeting. Alderman Welsh moved, seconded by Alderman Scroggs, to have an ordinance prepared repealing Section

8-35, in order to study the problem of garbage collection throughout the Town, and to refer this matter to the Town Manager for consideration and recommendations based on a study of the total problem and the perspective of the Glen Lennox residents, apartment managers, the Public Works Department, the Committee on the Physically Handicapped, the Appearance Commission, and the Planning Board. Mr. Phil Rominger said that in considering the cost involved in garbage collection, that perhaps if the pay scale were higher, garbage could be picked up from behind dwellings. This motion was unanimously carried.

PARKING - GIMGHOUL ROAD

Alderman Marshall referred a call regarding parking on Gimghoul Road to Alderman Coxhead who said that he had been contacted by Mr. Rubin of Gimghoul Road. Alderman Coxhead said that the Street Committee has reviewed this problem several times, and that he has studied it further including the number of driveways on each side of Gimghoul Road, the streets that intersect it, the problem of parking, and the concern for safety. Alderman Marshall said that one of the problems with having the parking on the other side of Gimghoul was that the students have to turn around to park. Alderman Welsh said that she had polled several families on Gimghoul Road and found that they consider the present parking arrangement safer and better and are in favor of it. She said that she feels that the Street Committee made a sound recommendation.

HEADING - FLOODWAY ORDINANCE

Mayor pro tem Smith said that at the Town's request, the Corps of Engineers restudied a section of Bolin Creek between E. Franklin Street and Willow Drive and has recommended a change in the Floodway lines. Alderman Welsh moved, seconded by Alderman Coxhead, to refer this recommendation to the Planning Board. Town Manager Peck said that the fill on Franklin Street and a building built by Bobby Roberts has changed the floodway. Alderman Nassif asked what effect this would have. Town Manager Peck said that it increases the amount of land available for building. This motion was unanimously carried.

HELICOPTERS

Alderman Nassif requested that an ordinance be prepared to amend the present ordinance to exempt government-owned helicopters being used for valid purposes. Mayor pro tem Smith read an amendment to the helicopter ordinance.

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. This section shall not apply to the operation of any aircraft owned or operated by any local government unit, any state government, or the government of the United States for any valid public purpose.

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

This the 4th day of September, 1972.

Alderman Coxhead said that Duke Power Company uses helicopters to monitor their transmission lines and asked if the ordinance should be written in order to permit that. Alderman Marshall moved, seconded by Alderman Nassif, to approve the ordinance as read. This motion was unanimously carried.

LIBRARY BOARD - APPOINTMENTS

Alderman Nassif moved, seconded by Alderman Welsh, to place the following names in nomination for the vacancy on the Library Board created by Ms. Samuel Hill, Jr. whose term ends June, 1974: Mr. James Barnett, Mr. Thomas Farmer, and Mr. W. Tobin Savage. This motion was unanimously carried.

REGION J

Alderman Welsh moved, seconded by Alderman Marshall, to adopt the resolution supporting application for designation as lead regional organization.

JOINT RESOLUTION SUPPORTING APPLICATION FOR DESIGNATION AS LEAD REGIONAL ORGANIZATION

WHEREAS, the Governor declared on May 11, 1971, that one legally constituted organization will be designed as the LEAD regional organization in each of the 17 multi-county regions in North Carolina; and

WHEREAS, such LEAD regional organization will be expected to provide leadership for effective regional planning and for program implementations; and

WHEREAS, such LEAD regional organization must be created by general purpose local governments and must have its membership open to all general purpose local governments within its region; and

WHEREAS, the Triangle J Council of Governments meets all of the above descriptions and stipulations;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of Chapel Hill joins with such other municipalities and counties in this multi-county planning region as may pass this resolution in support of the designation of the Triangle J Council of Governments as the LEAD regional organization in multi-county planning region J.

Date: _____ Mayor
_____ Clerk

This motion was unanimously carried.

APPEARANCE COMMISSION BUDGET

Mayor pro tem Smith described the need for the payment of \$700 to Mr. Dinsmoor White. Alderman Coxhead moved, seconded by Alderman Scroggs, that the necessary ordinance be drawn to appropriate \$700 from the Contingency Fund to the Appearance Commission for Mr. White's salary. This motion was unanimously carried.

TAXICABS

Mayor pro tem Smith read an amendment to Section 20-17 of the Town Code of Ordinances to change the taxi insurance minimum limits to 10-20-5 to conform with the latest state legislation. Alderman Nassif moved, seconded by Alderman Coxhead, to adopt the amendment as read.

AN ORDINANCE TO AMEND SECTION 20-17 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 Section 20-17, Code of Ordinances, Town of Chapel Hill be, and the same is hereby amended by restating the insurance limits setforth therein as follows:

120

For injury to one person in case of one accident	\$10,000
For injury to more than one person in one accident	\$20,000
For property damage in one accident	\$ 5,000

SECTION II

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

This the 4th day of September, 1972.

This motion was unanimously carried.

LANDFILL - STATUS REPORT

Town Manager Peck said that there had been no change in the landfill status since the meeting last week. Alderman Coxhead asked Mr. B. B. Olive to succinctly outline the discrepancies he had found. Mr. Olive read a list of the discrepancies. Mayor Lee arrived at the meeting. Alderman Nassif asked if the Board of Health had been in contact with the Town. Town Manager Peck said that Mr. Usry is going to the site this week. Alderman Nassif said that the Town had hired a professional engineer who has done a great deal of work in North Carolina and that it should be clear that his report is a report of the tests he did at the site. He said that he wanted the engineer, Mr. Fisher, to go to the site with Mr. Usry. Mr. Olive said that he wanted a provision made for a temporary landfill in order to have a committee formed to develop a set of specifications for a landfill and locate a site which conforms with the specifications. He said that a landfill site should be considered both in terms of the landfill and a park. Alderman Scroggs said that any site would raise the same objections as those about the Eubanks site and that Mr. Olive's interference will make history because of the public health problem it created for Chapel Hill. Alderman Marshall said that what Mr. Olive proposed has merit and should be presented to the legislature for action. Mr. Olive asked why the Town could not get an extension from the University. Alderman Coxhead said that the University had refused to grant an extension several times. Mayor Lee said that there have been discussions about extensions and a number have been given in the past. Alderman Welsh said that conversations with officials of the University have indicated that the University did not wish to extend the present landfill site. Town Manager Peck said that during the last two months the Town has been told that no extensions would be granted. Alderman Welsh said that Ms. Sharpe had left a memo about recycling and requested that the Board establish additional recycling centers. Alderman Coxhead commended the Town on the recycling pamphlet included in the phone bill. Margaret Misch said that more information about recycling was needed in order to inform everyone in Town about the recycling program. She said that a brochure was needed every week or month, and that announcements on the radio and all the media should include suggestions for recycling. She asked the Board if they were planning to take action on banning non-returnable bottles. Alderman Welsh said that a meeting would soon be held to discuss that. Town Manager Peck requested that the Board declare a state of emergency, establish the old Chapel Hill landfill site on an emergency basis for the deposit of garbage until a new landfill site is available, and begin garbage collection on September 5, 1972. Alderman Coxhead moved, seconded by Alderman Marshall, to declare an emergency, re-establish the old Chapel Hill landfill site for the emergency deposit of garbage until a new landfill site is available, and to begin garbage collection on September 5, 1972. Alderman Smith asked how long the Town would be able to use that site. Town Manager Peck said at least two weeks. Alderman Welsh asked if it was more complicated to use the Plant Road site or to ask the University for a three day extension. She said that she would prefer asking the University to extend the use of the present landfill site on a day-to-day basis rather than using Plant Road. Alderman Nassif said that he would also prefer arranging with the University to use the landfill site on a day-to-day basis until the Eubanks site is ready. Town Manager

Peck said if the Town owned the land and needed time to build a road there the University would consider granting an extension for a few days. This motion was unanimously carried.

GARBAGE COLLECTION - SCHOOLS

Town Manager Peck said that four schools are located outside the city limits. He said that the garbage collection at the Carrboro school is being taken care of by Carrboro and asked the Board if it wanted to have the school's garbage deposited in the Town's landfill site. Alderman Smith said that there would be a health problem at the schools if the garbage is not collected, and that he would be in favor of collecting at Chapel Hill High School, Culbreth Junior High School, and Sewell School for a week. Town Manager Peck said that if Hillsborough would be willing to take the garbage, a man and a truck from Chapel Hill could pick up the garbage at the schools and take it to Hillsborough. Dr. Robert Hanes, Superintendent of Schools, said that he thought that it would be preferable to work through Carrboro, using their permit. Alderman Smith moved, seconded by Alderman Marshall that the Town be responsible for the pick up of garbage at Chapel Hill High School, Culbreth Junior High School, and Sewell School using the Carrboro permit for depositing garbage in the Hillsborough landfill if possible. Alderman Nassif asked who would reimburse the Town for this hauling. Alderman Smith said the County Commissioners should appropriate the funds for that. Alderman Nassif said that he wanted it to be clear that this is not Chapel Hill's problem, that the schools are outside of the Town's limit, and that the County needs to accept their responsibility for the school. Alderman Coxhead said that he thinks the County should be requested to assume this responsibility. Mr. Hanes said that the schools have paid the Town for the year for garbage collection. Mayor Lee said that the Town and the schools should work together to arrange for the garbage collection at the schools. Alderman Nassif said that the Town Manager should call the County and arrange for this pick up. This motion was unanimously carried.

SIDEWALK CONSTRUCTION - ESTES DRIVE

Mayor Lee read a petition from the residents of Estes Hills requesting that a sidewalk be completed along the south side of Estes Drive from the corner of Caswell to the end of the existing sidewalk, approximately 1050 feet. Alderman Smith asked what the cost of the sidewalk would be. Town Manager Peck said that due to grading problems there, the sidewalk would cost several thousand dollars. Alderman Nassif said that the original intention was to extend that sidewalk and that the property owners there needed to be contacted. Town Manager Peck asked how many people whose property would be involved have signed the petition. Mr. Crietzberg said he was not sure. Alderman Welsh said the Town was being asked to construct sidewalks in front of the school and asked Dr. Hanes about the school's policy for construction of sidewalks in front of the school. Dr. Hanes said that the \$30,000 in their new budget for capital improvements has been reduced to \$10,000 and they had not yet decided how to use those funds. Alderman Welsh asked if the Superintendent thought that sidewalks would be constructed in front of the school. Dr. Hanes said that they would be as funds are available. Alderman Welsh said that sidewalks are needed in front of the school. Alderman Welsh moved, seconded by Alderman Nassif, to refer this request for sidewalk construction to the Sidewalk Committee and request that they establish priorities for the sidewalk construction and to refer the item to the Street Committee for consideration of the problem of street safety. Alderman Smith said that he would like a cost estimate for that sidewalk. Alderman Nassif said that the Subdivision Ordinance requires eight feet being available for sidewalks and in new areas being developed that requirement is not being met. He said that the Public Works Department needs to check new developments and insure that the area required is being provided. Town Manager Peck said that the problems regarding sidewalks are arising after the subdivision is approved and the residents grade their lots. Alderman Welsh asked if the sidewalk construction in front of the school could be done this fall. Town Manager Peck said that all capital improvements

have been delayed until the landfill problem is settled. This motion was unanimously carried.

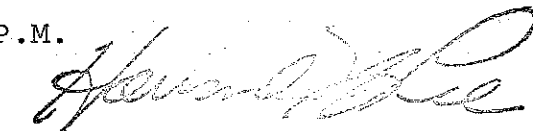
SIDNEY COHN

Van Opdenbrow said that Sidney Cohn is in the hospital and has had surgery for an injury to his leg. Alderman Welsh said that the Town should send a card.

NDP APPLICATION - CBD

James Kerr summarized the proposal for including the Central Business District in an expanded NDP application. He said that HUD had approved the application being submitted and that \$3,000 is needed for the preparation of it. Alderman Nassif said that he is not opposed to making the application but is concerned about the property owners and merchants in the area knowing about it before it is prepared. Alderman Welsh said that the Board is being asked to make an important decision in haste and that she does not like that. Mr. Kerr said that the CBD Study Committee is meeting on September 5th to discuss this. Mayor Lee said that preparation of the NDP application would not interfere with the CBD Study Committee's plans, but that additional funds would become available to the Town if the application were approved. Alderman Welsh said that the Board should wait until there is more information available.

The meeting was adjourned at 6:05 P.M.



Mayor



Town Clerk, David B. Roberts

MINUTES

September 11, 1972

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 7:30 P.M. on September 11, 1972 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Welsh, Nassif, Marshall, and Coxhead. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Smith moved, seconded by Alderman Nassif, to approve the minutes of the meeting of August 31, 1972 as circulated. This motion was unanimously carried. Alderman Smith moved, seconded by Alderman Nassif, to approve the minutes of the meeting of September 4, 1972 as circulated. This motion was unanimously carried.

PROPOSALS FOR COMMUNITY IMPROVEMENT

Nyle Frank presented proposals for street vending, referendums, stabilizing growth, controlling development, transportation, and improving city government. Alderman Nassif moved, seconded by Alderman Marshall, to receive the petition and consider the proposals. This motion was unanimously carried.

MEETING ROOM

REDEVELOPMENT COMMISSION - APPOINTMENT

Town Manager Peck said he had two petitions requesting the use of the meeting room and an appointment to the Redevelopment Commission which should be considered. Alderman Marshall moved, seconded by Alderman Nassif, to receive these items and put them on the end of the agenda. This motion was unanimously carried.