

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

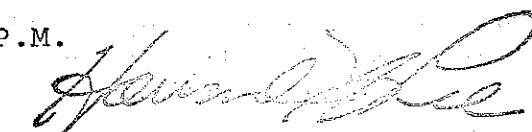
SIDNEY COHN

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.

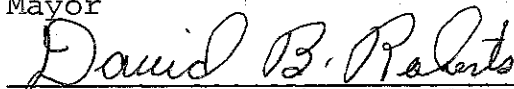
NDP APPLICATION - CBD

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.

TRAFFIC CONTROL - COLONY WOODS

Mayor Lee read a petition from residents in Colony Woods requesting traffic controls on Landerwood Lane and Fountain Ridge Road. Alderman Welsh moved, seconded by Alderman Nassif, to receive the petition and refer it to the Streets Committee for study and recommendation. This motion was unanimously carried.

SIDEWALK CONSTRUCTION - CAMERON AVENUE

Mayor Lee read a letter from Mr. Walter B. Cheever requesting that a brick sidewalk be constructed on the 400 block of Cameron Avenue, indicating that the residents are willing to be assessed \$5.00/ft. toward the cost. Alderman Smith moved, seconded by Alderman Welsh, to receive the petition and refer it to the Town Manager and the Sidewalk Committee for study and recommendation. Alderman Nassif said that the request has been approved by the Sidewalk Committee if the assessment covers its cost. This motion was unanimously carried.

BULK CONTAINERS - COUNCIL ON AGING

Mayor Lee referred to a letter from Hugh D. McLeese, Chairman, Chapel Hill Council on Aging requesting that all persons older than 65 years of age or physically handicapped or disabled be exempted from the provisions of the bulk trash containers ordinance.

PLANNING BOARD RECOMMENDATIONS

Alderman Marshall petitioned the Board of Aldermen to postpone action on all items referred by the Planning Board until transmittals are received. Alderman Nassif asked why there is no transmittal. Town Manager Peck said that it was passed out at the meeting. Alderman Welsh said that members of the Planning Board and the Planning Department attend the meetings of the Board of Aldermen to provide information on items referred from the Planning Board. Dr. Weiss said that items being referred by the Planning Board could be placed on the agenda a week later in order to provide the transmittals needed. Alderman Smith moved, seconded by Alderman Welsh, to receive the petition and refer the matter to the Town Manager and the Chairman of the Planning Board to work out the details. This motion was unanimously carried.

NOISE

Alderman Scroggs said that he had received many calls regarding noise and the enforcement of the Noise Ordinance, and he distributed a draft of an ordinance prepared by Mr. Lawrence Young, Legal Advisor to the Police Department. Alderman Scroggs said that another draft was being prepared. Alderman Scroggs moved, seconded by Alderman Welsh, to receive this item and place it at the end of the agenda for discussion. Alderman Nassif said that he would like the owners of the three establishments in Town for which complaints were received to appear before the Board. This motion was unanimously carried.

LANDFILL

BOND - BOOKER CREEK SUBDIVISION
UTILITIES TASK FORCE

Alderman Nassif requested that these items be discussed at the end of the agenda. There were no objections from the members of the Board.

ASSESSMENT - ELKIN HILLS SEWER LINE

Anne Barnes said she received notice of an assessment for the sewer line and thinks it is an error because she is already on a sewer line. Town Manager Peck said that the line was extended to her property in order to serve the basement of her house, and that the assessment could be withheld until the basement is connected to the line. He said there is a similar situation on Barclay Road. Mr. Billingsley of Barclay Road said that he is on a sewer line, has no desire to be connected to the new sewer line, and requested that the assessment be dropped. Captain Edmonds said that he has property on Ward Street,

that the extension did not reach his property, that he had paid a private firm to connect to the line, and he is now being assessed over \$1,000 which seems to be excessive. Alderman Smith asked what the cost of the sewer line was from his property line to the sewer line. Captain Edmonds said that it was approximately 40 to 60 feet. Town Manager Peck said that the cost is approximately \$3.00 per foot for a four-inch pipe. Alderman Nassif said that it normally takes 80 to 100 feet to connect to sewer lines. Alderman Scroggs said that the Town can not guarantee that the sewer will be on everyone's property line. Town Manager Peck said that the line must be determined by the topography of the land. Mr. P. J. Modlin of Severin Street said he had just paid \$1200 to be connected to the sewer and now was being assessed another \$1,000. He asked what the policy was for paying for the line. Town Manager Peck said that the actual cost paid to the contractor is divided by the number of lots and that the Board allows a ten-year period for payment with six percent interest on the unpaid balance. Mr. William Brinkhous said that some consideration should be given to the portions of the line on property not yet developed. Town Manager Peck said that the line across land that is not yet developed is not included in determining the assessment. Mr. Modlin asked if the apartment complex was on the line. Town Manager Peck said no, that the developer had paid a steep fee for it, separately. Alderman Nassif asked if a line is run across an undeveloped piece of property, if the owner of the property is assessed. Town Manager Peck said that the owner of property that is not developed is not assessed until the land is developed. Alderman Scroggs said the policy in the Code covers all these situations. Alderman Coxhead moved, seconded by Alderman Nassif, to refer the assessments for Billy Barnes, Everett Billingsley, and Charlie Edmonds to the Town Manager and Public Works Department for consideration and recommendations. This motion was unanimously carried.

ASSESSMENT - HILLSBOROUGH STREET

Alderman Smith moved, seconded by Alderman Nassif, to approve the assessment roles for Hillsborough Street. This motion was unanimously carried at 8:45 P.M.

CBD - NDP

Mr. James Wallace said that in addition to the \$9,000 from the Town for the CBD study, he had received \$9,000 in pledges from individuals, and that the University said that when \$25,000 was received that it would commit the final \$2,000. He said that he hoped to raise the remainder of the money and have the CBD study begin by October 1. He said that with regard to including the CBD in the NDP application, the CBD Study Committee was unsure of its role in the CBD from Mallette St. to Merritt Mill Road. He asked whether having the CBD in the NDP application would affect what the CBD study consultant would propose. James Kerr showed the area in question on the map, explained the 1969 decision to include the CBD from Mallett Street to Merritt Mill Road, and said that the money needed for the NDP application would not affect the CBD study. He said that the rationale for including the core area involved concern for not permitting the core area to deteriorate as it has in other cities. He said that the request for \$100,000 would be for planning and perhaps some engineering and street design costs. He said that it was also important to proceed with this application in order to increase the revenue-sharing allotment to Chapel Hill. Michael Stegman, Chairman of the Redevelopment Commission said that he would like to think the original NDP area would be added to the present NDP area and that the eastern portion of the CBD would be considered separately. He said that the residents of the NDP area feel strongly about having the original area added to the present NDP area. He said that if the area is expanded the chances of getting funds are greater than if the area is treated separately. He said that he was concerned that nothing be done to jeopardize expanding the present NDP to include the original development area. Mr. Wallace asked if the application for the original development area were being prepared. Mr. Kerr said yes. Mr. Wallace asked if it would come before the Board for re-approval. Mr. Kerr said yes. Mayor Lee said that the NDP could rely on the CBD Study Committee and the CBD Study Committee could use NDP funds for implementing the plan proposed. He said that he would

make a proposal that would eliminate the problem of the relationship between the CBD Study Committee and the Redevelopment Commission. Alderman Smith said that he was concerned about duplicating efforts. Mr. Kerr said that the CBD consultant's study would augment the NDP application. Alderman Nassif said that the Planning Board and the Planning Department should be the central coordinating group for all of the planning and that all items should go to the Planning Board for recommendation. Mayor Lee asked if the reorganization had been agreed upon. Alderman Nassif said no. Mr. Weiss said that the Planning Board should meet with the NDP and CBD groups and make recommendations to the Board of Aldermen. Alderman Coxhead said that he liked the idea that the CBD and NDP could compliment each other, but fears that the federal government would put too many restrictions on the Town. Alderman Welsh said that she did not understand what it meant to have the area included in the NDP area. She said that she had polled property owners in the western portion of the CBD and found that none of them knew anything about the NDP program. She said that they would like more information about the NDP before it is included. She said that the Town had spent over \$10,000 in the past two years on studies and plans for the CBD. Mayor Lee said that he would not like to jeopardize the original area if it comes to that. He said that it was important to include the residential units in that area. Mr. Wallace clarified the role of the CBD Study Committee, its relationship with the Planning Board, and said that it would be questionable to rely on a public hearing held three years ago for including the CBD in the NDP application. He said that if blight had been certified from Mallette Street to Merritt Mill Road that that was an absurdity. Mayor Lee said the blight is certified on the basis of percentages. He said that he hopes the CBD Study Committee will find the funds they need to implement their plans. Alderman Marshall said that she was concerned that there was an implication that the Redevelopment Commission had tried to put something over on the Board. Mr. Stegman said that the Redevelopment Commission does not feel prepared to request that the eastern portion of the CBD be included in the NDP application, but it is prepared to request that the original development area be included. He said that if it is approved it will be primarily for the residential area and that the Commission should discuss the financing arrangement for the NDP area with the Board of Aldermen. Mr. Kerr said that a meeting with the merchants in the CBD is scheduled for Wednesday, September 13, at 7:30 P.M. Alderman Scroggs said that he thought the entire CBD should be omitted and that he will oppose including the eastern end of the CBD. Mayor Lee said that there seemed to be no real interest in extending the NDP area to include the CBD. Mayor Lee said that the Redevelopment Commission should try to include as much of the residential areas of the original development area as possible and to exclude the entire CBD. Mr. Wallace said that he would report to the CBD Study Committee that he must raise \$7,000 and get the study started by October 1, 1972. Alderman Welsh said that she approved the preparation of the application for the extension of the NDP to include the original residential development area.

TRANSPORTATION

Mr. George T. Lathrop said there seemed to be confusion about the utility of a transportation system and the utility of a referendum for a transportation system. He said that he was concerned that a report in the newspaper regarding subsidizing the transportation system was incorrect. He said that the subsidy would decrease each year, not increase. Mayor Lee invited comments about the public transportation system from citizens attending the meeting. Ms. Phyllis Lotchin of the League of Women Voters read a statement from the League urging the development of a public transportation system. Mr. Gerry Cohen, a law student, said that a transportation system is a proper municipal function, and that he supported having a referendum to determine whether the citizens of Chapel Hill wanted a public transportation system. Mr. Fred Davenport, vice-president of the student body at UNC, said that the student body on and off campus would benefit from a public transportation system and he requested cooperation between the students and the Town to establish it. Mr. Lee Corum, a student member on the Transportation Commission, said that parking is a major problem, and that revitalizing the CBD can be aided by a mass transit system. He said that it would benefit more of Chapel Hill than just the students. Mr. George Wheless said that the 1971 public transportation system failed because not enough people in Town used it. He said

that the proposed bus route would not come near his home and would not benefit him, and that an article in the Durham paper said that the bus systems in Raleigh, Durham, and Winston-Salem, were not even breaking even. Mr. Lathrop said that his commission has never indicated that the public transportation system would break even from revenue from the fare box. He said that the type of system that is proposed will be subsidized and will be worth subsidizing. He said that patronage of the system should increase as people become used to it. Mr. Charles Antle said that he supported the bus system and the referendum. He said that it would be costly but that he would be willing to pay for it. Mr. Howard Kramer said that he was in favor of the referendum and in favor of new ways to decrease the use of automobiles. He said that he would like people in Chapel Hill to use bicycles more, that information about police registration of bicycles needed to be disseminated, and that licensing of hitchhikers and automobiles picking up hitchhikers might be one way to reduce the number of automobiles used. Mr. Corum said that he hoped there would be cooperation between the University and the two towns for establishing a bus system. He said that action on the part of the University for parking was dependent on the Town's bus system and that the delay would affect next year's parking proposals. Mayor Lee said that he appreciated the comments of those who have spoken. Alderman Nassif asked if any consideration had been given to how the system would operate if Carrboro did not participate, and how the students living in Carrboro would use the bus system. Mr. Lathrop said that he thought the system with all three units participating was the most rational. He said the consequences of one unit not participating would be dire, but that a system could be worked out in spite of that. Alderman Welsh said that the route system did not seem to work but that a dial-a-bus system would work because it guarantees that the busses go where they are needed. Alderman Nassif said that the Commission needs to deal with this problem in case Chapel Hill passes a referendum and Carrboro does not. Alderman Coxhead said that he thought it was poor to deal with how a bus system would work if Carrboro were not participating when Carrboro has not yet decided whether it would or not. Alderman Coxhead moved, seconded by Alderman Marshall, to have a referendum on the public transportation system in January. Alderman Smith asked if that would be the earliest time for a referendum. Town Attorney Denny said yes. This motion was unanimously carried.

SIDEWALK PETITION - WILLOW DRIVE

Mr. Charles Foskey presented a petition for a sidewalk to be constructed on Willow Drive. He said that the area is heavily travelled by automobiles often moving at high speeds. He said that there are 29 children living on one block of Willow Drive and one child had already been killed. He said that the need for action on this was great and that the need for construction of the sidewalk was immediate. Alderman Coxhead moved, seconded by Alderman Smith, to receive the petition and take the necessary steps to implement it. Alderman Welsh asked if there was any fiscal responsibility in this year's budget. Town Manager Peck said there is \$15,000 in the budget for sidewalk construction. Alderman Welsh said that she would like to support citizen and neighborhood action of this type. This motion was unanimously carried.

TRANSPORTATION

Alderman Nassif moved, seconded by Alderman Welsh, to reopen the discussion of the public transportation system. This motion was carried by a vote of five to one with Alderman Coxhead opposing. Alderman Nassif moved, seconded by Alderman Marshall, that the Board go on record to support the public transportation system, to consider it a public utility, and to support the referendum. Alderman Scroggs asked what it meant to support the referendum. Alderman Nassif said that citizens who see the Board has unanimously called for the referendum may assume that it supports the system. Alderman Welsh said she wants to give the people a chance to vote on the transportation system and prefers not voting on this motion at this time. Mayor Lee said that he would go on record as considering the public transportation system a public utility. Alderman Nassif withdrew his motion.

SUBDIVISION - NORTH FOREST HILLS

Van Opdenbrow said the developer of this subdivision had the percolation tests that were required done and has designated open space as required. The developer indicated that six acres of lake and one half acre of park and playground would be designated as open space for use by the residents and ten acres south of the development would be retained in its natural state. He said that the Recreation Commission had requested that a more level area be designated as open space but that the Planning Board seemed to feel that the developer's proposal was adequate and recommended approval of the preliminary and final plats in this section of North Forest Hills. Alderman Welsh asked if sidewalks were provided. Town Manager Peck said that there is no policy for sidewalks along streets without curbs and gutters and that no plan for drainage in the subdivision had been presented. He also said that some of the rights-of-way don't fit the topography of the land. Mr. Opdenbrow said that no detailed proposals for drainage had been presented. Alderman Welsh commended the developer for providing open space, but said that in view of the drainage and sidewalk problems she thought the matter should be referred to the Town Manager. Alderman Smith asked how many lots met the percolation standard. Mr. Opdenbrow said that they all did. Alderman Welsh moved, seconded by Alderman Marshall, to delay action on this until a report and recommendation from the Town Manager is made. This motion was unanimously carried.

SUBDIVISION - FARRINGTON HILLS

Mr. Opdenbrow showed this area on a map, described the easements, and said that the Planning Board had recommended approval of both the preliminary and final plats of a section of Farrington Hills. Town Manager Peck said there was a question of drainage in this subdivision and a question of constructing sidewalks without curbs and gutters. Mr. Gray, the developer, said the engineer had overlooked putting the easements on the plat and that they would be put on the final plat. Alderman Welsh moved, seconded by Alderman Scroggs, to delay action on this subdivision until further study of the drainage and sidewalk problems had been made. Alderman Smith asked if a provision for open space had been made. Mr. Opdenbrow said that the developer was dedicating twelve acres of land on two sides of the development, extending to the arboretum. This motion was unanimously carried. Alderman Nassif asked if the Planning Department and the Public Works Department review these subdivisions. Town Manager Peck said usually they do, but that in these cases the Public Works Department did not review them. Alderman Welsh said that a policy for sidewalks along streets with no curb and gutter needed to be developed. She said that she would like the Town Manager to recommend a type of rural-like path that could be used in these developments. This motion was unanimously carried.

ZONING - McFARLING

Van Opdenbrow described the area, the study done of it and said that the Planning Board recommended disapproval of the request for rezoning from Agricultural to R-10. Mrs. McFarling read a statement from Mr. McFarling outlining the request for rezoning and stating the objections to it. Alderman Smith asked why the developer requested R-10 and not R-15. Mr. McFarling said that he thought the land was too valuable for a single-family dwelling and hoped to build a tri-plex. Town Manager Peck asked if there were a sewer in that area. Mr. McFarling said yes, that there is sewer, water, and electricity. Alderman Nassif asked if the necessary right-of-way could be secured. Mr. McFarling said no, and showed the problem on the map. Mr. Weiss described the problem of the right-of-way there. Mayor Lee said that he favored Mr. McFarling's request for rezoning in the beginning, but that the question of the right-of-way now makes him feel threatened. He said that the land was contiguous to R-10 and he did not see any objection to rezoning it. Alderman Scroggs moved, seconded by Alderman Nassif, to request that the ordinance for rezoning this land from Agriculture to R-10 be prepared. Alderman Smith asked what the Highway Department had indicated about having a 60 foot right-of-way. Mr. McFarling said that they did not have a 60 foot right-of-way on one portion of the road. Alderman Welsh asked Mr. McFarling if he would develop the property allowing for a possible 60 foot right-of-way. Mr. McFarling said certainly. This motion was unanimously carried.

FLOODWAY

Alderman Welsh moved, seconded by Alderman Nassif, to refer the recommendations of the Corps of Engineers regarding changes to the Floodway of Bolin Creek between Franklin Street and Willow Drive to the Planning Board. This motion was unanimously carried.

AGENDA ITEMS

Alderman Smith moved, seconded by Alderman Nassif, to delay action on all remaining items on the agenda to a future meeting. This motion was unanimously carried.

MEETING ROOM

Mayor Lee read a request for the meeting room to be used on Sept. 17th for a B'hai meeting and a letter from the North Carolina Women's Political Caucus requesting the meeting room for September 24th. Alderman Welsh asked if these requests were in accordance with the policy. Town Manager Peck said yes. Mayor Lee said that he thought that the Town Manager could act on these requests without them coming to the Board of Aldermen. Alderman Welsh moved, seconded by Alderman Smith, to approve the requests for the meeting room on September 17th and September 24th. This motion was unanimously carried. Mayor Lee said that the policy states that these matters should come before the Board. Alderman Welsh moved, seconded by Alderman Scroggs, to have a resolution drawn for the Town Manager to make decisions about the meeting room when requests are made with the provision that requests would only come to the Board of Aldermen if the decision were being appealed. This motion was unanimously carried.

UTILITIES TASK FORCE

Alderman Nassif said that he would like to establish a task force to study all aspects of the utilities. Alderman Welsh asked if information on the existing utilities commission would be available to the task force. Alderman Nassif said yes. Alderman Coxhead moved, seconded by Alderman Marshall, to authorize Alderman Nassif to organize a citizen's task force on utilities. This motion was unanimously carried.

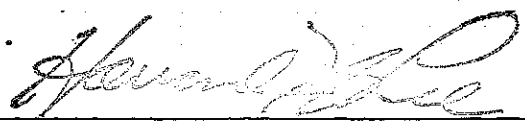
LANDFILL

Mayor Lee read a letter from Mr. Sidney Usry indicating that the Eubanks site had been reconsidered and has been approved. Alderman Welsh asked how much the Town would need to purchase the land. Town Manager Peck said \$135,000. Alderman Welsh moved, seconded by Alderman Coxhead, to exercise the option for the purchase of the Hancock property and to request that an amendment to the budget ordinance be prepared transferring funds from "Contingency" to "Landfill" to cover the purchase cost. This motion was unanimously carried.

NOISE

Alderman Smith said that while the problem of noise is being studied he hoped that some consideration would be given to mufflers, and that the existing laws would be reviewed.

The meeting was adjourned at 11:35 P.M.



Mayor



Town Clerk, David B. Roberts