

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 7:30 P.M. on October 9, 1972 with the following members present: Mayor Lee, Alderman Scroggs, Welsh, Coxhead and Marshall. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny. Aldermen Nassif and Smith were absent.

## MINUTES

Alderman Coxhead moved, seconded by Alderman Marshall, to approve the minutes of the meeting of September 25, 1972 as corrected with the addition of page 10C. This motion was unanimously carried. Alderman Coxhead moved, seconded by Alderman Scroggs, to approve the minutes of the meeting of October 2, 1972 as corrected. This motion was unanimously carried.

## ALDERMAN NASSIF

Mayor Lee referred to a letter from Alderman Nassif indicating that he was not able to attend the meeting due to the death of a close friend.

## MORGAN CREEK RESIDENTS - APOLOGY

Mayor Lee read a letter from Mr. Marion Alexander apologizing for what some of the residents said at the public hearing.

## JOINT ORANGE-CHATHAM COMMUNITY ACTION AGENCY - RESIGNATION

Mayor Lee referred to a letter from Mr. Ken Howard resigning from the Joint Orange-Chatham Community Action Agency.

## FOREST SERVICE

Town Manager Peck requested that this item be added to the agenda. There were no objections.

## NDP

Mr. Michael Stegman, Chairman of the Redevelopment Commission, distributed copies of a resolution approving the filing of an application for the Neighborhood Development Program. Alderman Scroggs said that he is no fan of Federal programs because of the strings attached. He referred to page ND402-2, Changes in the Zoning Ordinances, and said that he does not think the new zone of R-4-A should be applied to the NDP generally. Mr. James Kerr said that this was included in the application after residents in the NDP agreed to the zoning. He said that to keep R-6-A zoning would make a number of the residential units non-conforming. Mr. Ray Green said that he will present the zoning map and a proposal for the zoning changes and that these will be heard at a public hearing. He said that the resolution presented is to give the Redevelopment Commission approval to file the application and is not an approval of the plan. Alderman Welsh said that she is concerned about whether the industrial area in the NDP area is contributing pollution. Town Manager Peck asked if this plan would be submitted to the Planning Board and then to the Board of Aldermen. Mr. Kerr said yes. Mr. Stegman said that he would like to take the next month to work on aspects of the program that have raised questions. Town Manager Peck said that he had a question regarding the expenditures. He said that his figures indicated that the Town would have to pay approximately \$61,000 for sewers, etc. Mayor Lee asked that these details be worked out with the Redevelopment Commission. Alderman Scroggs asked why the application is being submitted. Mr. Green said that it is a draft and will be reviewed from a technical standpoint by various sections of HUD. He said that some comments will be suggestions and some will be directions for a final application. Alderman Scroggs asked what would happen if some technical plans are submitted and then HUD will not let them be changed. Mr. Green said that any errors can be changed. Alderman Welsh asked for a special meeting to be arranged in order for the application to be reviewed and for policy to be determined.

She asked if the residents in the area had been informed that as they improve their houses their taxes may be increased. Rev. Manley said that the residents would not be surprised by that. He said that they have considered the application and have raised a number of questions. He distributed copies of the questions and answers from the PAC. He said that there is still a question of how much the residents will be charged when curb and gutter on streets is constructed in the NDP area. Mayor Lee and Town Manager Peck said \$2.00 per front foot. Rev. Manley asked if land is taken, and a retaining wall must be built, if the Town would build the wall. Mayor Lee said that each situation will need to be studied individually. He said that there is a strong feeling on the part of the Board to rectify problem situations which are created. Town Manager Peck said that sometimes there is a difference between what is needed and what is wanted. Alderman Welsh asked if the visual survey which she requested had been done. She said that she would like to take a walk through the area and point out things that should be preserved. Town Attorney Denny read the resolution. Alderman Coxhead moved, seconded by Alderman Marshall, to adopt the resolution as read.

RESOLUTION OF TOWN BOARD  
APPROVING FILING OF AN APPLICATION  
FOR A  
NEIGHBORHOOD DEVELOPMENT PROGRAM

WHEREAS, under Title I of the Housing Act of 1949, as amended ("Title I"), the Secretary of Housing and Urban Development is authorized to extend financial assistance to local public agencies in the elimination and prevention of the spread of their slums and urban blight through undertakings and activities carried out under a Neighborhood Development Program; and

WHEREAS, the Redevelopment Commission of the Town of Chapel Hill has prepared and submitted a proposed Neighborhood Development Program and annual increment thereof covering the urban renewal areas described in Schedule A attached thereto; said proposed program and annual increment having been duly reviewed and considered:

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill:

That it is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities with Federal financial assistance under Title I, including those relating to (a) the relocation of site occupants, (b) the provision of local grants-in-aid, and (c) the prohibition of discrimination because of race, color, creed, or national origin.

That the financial assistance available under Title I is needed to enable the Redevelopment Commission to finance the undertakings and activities proposed in said program and annual increment.

That the Redevelopment Commission is authorized to file an application for financial assistance to carry out the Neighborhood Development Program and the annual increment thereof.

This motion was unanimously carried. Alderman Welsh moved, seconded by Alderman Marshall, that the Redevelopment Commission send a summary of its program and objectives to each property owner in the CBD and also in the NDP area; that Mr. James Wallace appoint a member to the CBD Study Committee to be a liaison member of the Redevelopment Commission; and that the Board of Aldermen receive regular reports from the Redevelopment Commission about its program. This motion was unanimously carried.

BIKE RACE

Harper Peterson showed a diagram of the proposed route for the Bike Race scheduled for November 5th. Alderman Scroggs asked what would be done if there were a major event at one of the churches on the route. Harper Peterson said that traffic could be directed so that there would be no problem. Major Durham said that he is not concerned about the traffic problems and that there would be a number of volunteer policemen to help with the race. Alderman Coxhead moved, seconded by

Alderman Welsh, to approve the route requested for the Bike Race on November 5th, with the following streets blocked off: Franklin Street, Boundary Street, Cameron Avenue, and two lanes on S. Columbia St. This motion was approved by a vote of three to one with Alderman Scroggs opposing.

#### TRANSPORTATION

Mayor Lee outlined the request made by the Transportation Committee. Mr. Terry Lathrop discussed the expenses proposed and requested \$1,000 for publicity now and said that the Committee would request an additional \$1,500 for expenses later. He said that part of the \$1,000 being requested at the present time would be used for printing a brochure. Alderman Welsh asked if Carrboro would contribute to the cost. Mr. Lathrop said yes, proportionately. Alderman Scroggs said that he had no objection to providing information about what the voters are being asked to vote on but to ask for a vote and then try to influence the voters would be questionable. Alderman Coxhead said that he is opposed to the transportation system from a cost-benefit standpoint, but that the Transportation Committee has been fair, has not tried to hide anything, and has not tried to sell the system. He said that he is in favor of providing the information and letting the people decide. Alderman Welsh moved, seconded by Alderman Coxhead, to approve the request made by the Transportation Commission: (1) that an election date be set for Tuesday, January 23rd; (2) that Chapel Hill and Carrboro agree to divide the capital cost according to the ratio of tax valuations as of December 1, 1972 and divide subsidy required for each year based on valuation as of December 1st of that year; (3) that \$1,000 be appropriated for publicity for the plan and for other staff expenses; (4) that the ballot carry two items, one approving bonds for capital improvements and the other approving expenditure of tax funds to subsidize the bus system. This motion was unanimously carried.

#### ZONING ORDINANCE AMENDMENT - CBD PARKING

Mayor Lee read an excerpt of the minutes of a joint meeting of the Planning Board and Appearance Commission. Van Opdenbrow reviewed the action taken on the proposed amendment. Alderman Welsh asked if any consideration had been given to landscaping. Mr. Opdenbrow said that the Board could not find a way to put a maintenance requirement in the Ordinance. Alderman Marshall moved, seconded by Alderman Welsh, to adopt the ordinance as presented. Mr. Robert Anderson expressed surprise about this item being on the agenda and questioned the scheduling for action to be taken on the ordinance. Mr. Art Berger described the discussions held in consideration of this ordinance including the involvement of the Chamber of Commerce, the Planning Board and the Appearance Commission. Alderman Scroggs said that there is nothing in the ordinance to recommend it although the effort is commendable. The vote on the motion was 2-2 with Aldermen Welsh and Marshall voting for and Aldermen Coxhead and Scroggs voting against. Mayor Lee ruled that the motion failed to pass and would be reconsidered at the next meeting.

#### REZONING - CANNADA - R-3

Mayor Lee read a letter from Mr. John T. Manning requesting the withdrawal of the rezoning request filed for Mr. & Mrs. Luther Cannada. Town Attorney Denny suggested that the withdrawal be accepted. Alderman Scroggs moved, seconded by Alderman Welsh, to accept the request for withdrawing the rezoning request for Luther C. Cannada and Dorothy Cannada for property located on US Highway 15-501 - Pittsboro Highway at US Highway 15-501 and Highway 54 interchange consisting of 5.62 acres and recorded on tax map #8. This motion was unanimously carried.

#### REZONING - REED - R-6

Mayor Lee read a transmittal from the Planning Board recommending that the Board not grant this petition for rezoning from R-10 to R-6, property on NC 54 By-Pass, until the developer has submitted an application with the information requested by the Planning Board. Town Attorney Denny said that the recommendation is for no action to be taken because of insufficient information, and that is within the purview of the Zoning Ordinance. Alderman Coxhead moved, seconded

by Alderman Welsh, to deny the rezoning request. Alderman Welsh said that a larger plan for the area south of the by-pass would be needed before rezoning in that area is approved. Van Opdenbrow said that the Planning Board had so many questions about the appropriate use of this land that it could not make a recommendation. This motion was unanimously carried.

#### SPECIAL USE - NORTHWESTERN BANK

Mayor Lee read a transmittal from the Planning Board recommending that the request for a Unified Business Development Special Use Permit submitted by the Northwestern Bank for property at the intersection of Franklin Street and Elliott Road be denied. Alderman Scroggs said he disagreed with the Planning Board recommendation, that R-3 is not a viable zone for that area, that high-density residential use across from a commercial use creates traffic problems that the Town does not need, and that the use proposed is reasonable. Alderman Coxhead said he agreed with Alderman Scroggs, that he cannot visualize an apartment building on that site, and thinks that limited business or regional commercial would be more appropriate. Alderman Welsh discussed the plan and the concept for that zone. She said that there is a question about how long the R-3 zoning should be held for high-density residential use, but that it is appropriate to have high-density residential use on a main street particularly with a public transportation system and that she supports the Planning Board recommendation. Alderman Marshall said that she agreed with Alderman Welsh and the concept for the present zoning, but thinks that the proposed use is a good one and would approve the request. Alderman Coxhead moved, seconded by Alderman Scroggs, that the Board of Aldermen find:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. That the use meets all required conditions and specifications,
3. That the use will not substantially injure the value of adjoining or abutting property, and
4. That the location and character of the use, if developed according to the plan as submitted, and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs, and

approve the Unified Business Development Special Use Permit with the following stipulations:

- a. That the five-foot wide paved sidewalks be separated from the bank of the curb by a three-foot wide grass strip,
- b. That the street be paved, curbed and guttered to the Town standard of 36 feet wide face-to-face,
- c. That the developer submit his revised plan, presently existing as a display board only, in the form of a paper print suitable for filing,
- d. That the design of the office building be reviewed and approved by the Appearance Commission prior to issuance of a building permit for this building, and
- e. That the detailed landscape plan be reviewed and approved by the Appearance Commission prior to issuance of a building permit, this plan to include adequate screening for mechanical, electrical, and trash storage and collection equipment.
- f. that the construction for Phase I begin within 18 months and be completed within 36 months, and construction in Phase II start within 3 years and be completed within 4 years with an opportunity to request an extension if necessary.

This motion was carried by a vote of three to one with Alderman Welsh opposing.

#### SPECIAL USE - M RLOW

Mayor Lee read a transmittal from the Planning Board recommending that the request for a drive-in business special use permit for a car wash on NC 86, submitted by Mr. Willie Marlow, be granted with stipulations. Van Opdenbrow read a transmittal from the Appearance Commission recommending that if the Board grant the request it be with stipulations. Alderman Marshall said that it is a bad policy to act on existing service

stations while waiting for the Service Station Ordinance to be completed. Alderman Welsh asked if the Planning Board and the Appearance Commission reviewed the present special use permit on the present drive-in business. She said that she believes that the stipulations were not carried out, and has difficulty approving this request when the problems resulting from dirty grease, oil, and water which may be contributing to the pollution of streams has not been dealt with. She said that there is a need for an ordinance dealing with car washes and said that action on this request should be delayed. Alderman Scroggs said that Mr. Marlow has applied for the permit under the existing ordinance and it should be considered under that ordinance. Town Manager Peck said that no standards have been set for car wash run-off. Alderman Coxhead moved, seconded by Alderman Scroggs, that the Board, making the necessary findings, grant the request for a drive-in business special use permit with the stipulations recommended by the Planning Board and Appearance Commission. Alderman Welsh made a substitute motion, seconded by Alderman Marshall, that action be delayed on this request until a report is received from the Division of Water and Air Resources. This motion failed to pass by a vote of two to two with Aldermen Scroggs and Coxhead opposing. A vote was taken on the original motion and it failed to pass by a vote of two to two with Aldermen Marshall and Welsh opposing. Mayor Lee asked that this item be placed on the agenda for the next meeting.

#### SPECIAL USE - EASTOWNE - UNIFIED BUSINESS

Mayor Lee read a transmittal from the Planning Board recommending that the request for a unified business development special use permit submitted by Mr. Edward Pizer for property on the 15-501 By-Pass be granted with stipulations. Van Opdenbrow described the plan and the recommendations from the Planning Board. Alderman Welsh said that the Town needs a comprehensive plan in order to deal with requests for unified business special use permits. Alderman Coxhead moved, seconded by Alderman Scroggs, that the Board find:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted and approved,
2. That the use meets all required conditions and specifications,
3. That the use will not substantially injure the value of adjoining or abutting property, and
4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs; and

approve the request for a unified business development special use permit on the 15-501 By-pass submitted by Mr. Edward Pizer and referred from the public hearing on September 25th, with the following stipulations:

1. That plans and profiles of sanitary sewerage and storm drainage facilities to Town standards, be reviewed and approved by the Town Manager prior to the issuance of a building permit,
2. That a sidewalk plan for the Loop Road be reviewed by the Town Manager and the Planning Board and approved by the Board of Aldermen prior to issuance of a certificate of occupancy,
3. That the detailed landscape plan be reviewed and approved by the Appearance Commission prior to issuance of a building permit, this plan to include:
  - a. parking areas so designed as to reduce the amount of cut and fill, and to substantially reduce the large paved areas unbroken by landscaping or natural features,
  - b. A more precise delineation of natural growth existing to remain,
  - c. Location and screening of trash storage and collection facilities,
  - d. Location and screening of any exterior mechanical and electrical equipment,
  - e. Location, Design and color of all exterior lighting and signs, and
- d. That construction commence within one year and be completed within three years. Town Attorney Denny said that this permit was being granted for two buildings to be constructed on a 26-acre tract and that all future plans will be modifications.

This motion was unanimously carried.

## SPECIAL USE - EASTOWNE - GARDEN PARK APARTMENTS

Mayor Lee read a transmittal from the Planning Board recommending that the Board of Aldermen withhold approval of this request, pending submission of a revised site plan. Alderman Welsh moved, seconded by Alderman Marshall to withhold approval. This motion was unanimously carried.

## SPECIAL USE - NEW SOUTH LAND - OFFICE BUILDING

Mayor Lee read a transmittal from the Planning Board recommending that the Board deny this request. Alderman Welsh asked why this building is being requested as a professional office building if the people who are going to use it are not professionals. Town Attorney Denny said the ordinance sets forth a category of professionals without limiting the category. Alderman Welsh said that she considers professionals, people such as engineers, architects, dentists, etc. who have graduated from professional schools. She said that she considers real estate salesmen as salesmen and not professionals. Van Opdenbrow said that the Building Inspector interpreted this request as within the purview of the ordinance. Town Manager Peck read the portion of the ordinance which defines professional. Alderman Marshall said that the ordinance was intended to discourage commercialism. Art Berger said that the ordinance requires a 50-foot front yard and that the front yard in the proposed building would be non-conforming. Alderman Scroggs said that the fact that the building would be non-conforming is more important than whether the people using it are professional. Alderman Marshall moved, seconded by Alderman Scroggs, to deny this request because it would be a traffic hazard due to poor sight distance at this location. This motion was unanimously carried.

## SPECIAL USE - BROOKWOOD - UNIFIED HOUSING

Mayor Lee read a transmittal from the Planning Board recommending approval of the request for a unified housing special use permit, submitted by Kavanau Real Estate Trust, Inc. with stipulations. Van Opdenbrow pointed out the stipulations on the site plan. Alderman Marshall said that it is necessary to look at the old stipulations with the new stipulations. She said that one stipulation here is for a 15-foot easement but an earlier stipulation was for a 50-foot easement. Van Opdenbrow said that all the stipulations were reviewed and were taken into account. Town Manager Peck said that the developer had to place his development further back, leaving much more area in front of it, due to the Floodway Plan. Alderman Marshall said she recognizes that new developments and information like the Floodway Plan should be taken into account, but feels that the old stipulations should be considered and presented. Alderman Marshall said that she does not oppose reducing the width of the pedestrian easement if an adequate walking easement is provided. Alderman Coxhead moved, seconded by Alderman Scroggs, that the Board find:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted and approved,
2. That the use meets all required conditions and specifications,
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and
4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs; and

approve the request for a unified housing special use permit submitted by Kavanau Real Estate Trust, Inc. with the six stipulations recommended by the Planning Board:

1. That the pedestrian easement be widened to 15 feet, and improved as a usable pedestrian walkway; and be indicated as both pedestrian and drainage easement from the front property line to the point at which the pedestrian easement and the relocated battle branch diverge.

2. That from the point of divergence of battle branch from the pedestrian-drainage easement, a 30-foot drainage easement, with the branch approximately centered, be provided to the rear property line. Although no easement on the adjoining Camelot Apartments property can be imposed as a stipulation on this property, it is recommended that the Board of Aldermen request the developer, who also owns the Camelot property, to provide a 15-foot drainage easement on the Camelot side of Battle Branch from the front property line to the point at which the pedestrian easement and the relocated branch diverge.)
3. That the plan be revised to show contour line elevations in terms of sea-level datum.
4. That the developer or any ownership entity to whom the property and special use permit may be assigned, be held responsible for maintenance of the drainage system.
5. That the documentation required by Section 4-D-22-g be submitted, and approved by the Board of Aldermen prior to issuance of a certificate of occupancy.
6. That the two areas marked by the Planning Board on the site plan "to be dedicated to the Town of Chapel Hill" be so dedicated.
7. That the detailed landscape plan be reviewed and approved by the Appearance Commission prior to issuance of a building permit, this plan to include:
  - a. Location, design and color of all signs and exterior lighting,
  - b. Location and screening of bulk trash containers,
  - c. Location and screening of mechanical and electrical equipment exterior to buildings or on roofs, and
  - e. That construction begin within one year and be completed within thirty months, and
8. That the previous special use permit, dated 1/13/69, be considered void.

Alderman Marshall said that Mr. Dick Helwig of the Recreation Commission was concerned that a continual pedestrian easement be provided. This motion was carried by a vote of three to one with Alderman Welsh opposing.

#### SPECIAL USE - LAUREL RIDGE - UNIFIED HOUSING

Mayor Lee read a transmittal from the Planning Board recommending that the request for a unified housing development special use permit submitted by Mr. Robert Anderson and Mr. Donald Stewart be approved with stipulations. Van Opdenbrow showed the plans for Phase II of Laurel Ridge. Alderman Coxhead moved, seconded by Alderman Scroggs, that the Board find:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
  2. That the use meets all required conditions and specifications;
  3. That the use will not substantially injure the value of adjoining or abutting property;
  4. That the location and character of the use, if developed according to the plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and Its Environs; and
- approve the request for a unified housing development special use permit, submitted by Mr. Robert Anderson and Mr. Donald Stewart with the following stipulations:
1. that sidewalks be provided, as directly as feasible, between Section II and the recreation area located in Section I;
  2. that a drainage plan, including plans and profiles, to Town standards, be reviewed and approved by the Town Manager prior to issuance of a building permit; and
  3. that construction begin within one year and be completed within two years.

This motion was unanimously carried.

#### PUBLIC INFORMATION PROGRAM

General Art Hurow described the proposed program of public participation in planning, requested four students be hired to conduct the program and asked that \$4500 be approved for the two phases of the program.



Alderman Welsh asked the Town Manager to make a recommendation regarding allocations for the year. Town Manager Peck said that the money would have to come from the contingency fund. Alderman Scroggs asked if work-study students could be used. General Hurow said that the demand for talent exceeds the supply. Alderman Welsh said that she was concerned about the number of times that students have done studies and they have been academic and were never translated into practice. She asked who would supervise the students. Gen. Hurow said that he would. Alderman Marshall asked if he thought that he would be able to get the public to participate. Gen. Hurow said yes. Alderman Marshall said that she thought that when she did the commentary about the program on WCHL that she had the largest response that she's had to any commentary. Alderman Welsh asked what product would be presented to the Board at the end of the program. General Hurow said that the Board would have a report indicating the citizens' feelings about growth in Chapel Hill and that the information gathered during the program would be translated into legislation. Alderman Marshall said that the Board should participate in these sessions. Mayor Lee said that he hopes that the result of this program would be a plan that is realistic for Chapel Hill. Town Manager Peck asked how a cross-section of people would be involved. Ms. Peg Parker said that she has a list of over 50 organizations and groups in Chapel Hill and intends to involve them in the program. Alderman Welsh asked if education would be a part of the program. Ms. Parker said that that was the purpose of Phase I. Alderman Scroggs said that a great deal of information would have to be gathered. General Hurow said that he knew that and is prepared to get it. Alderman Welsh said that the Board owes appreciation to General Hurow for being willing to undertake this program and that she will support it. Alderman Welsh moved, seconded by Alderman Marshall, to approve the plan for a public information program as outlined in the proposal from the Long Range Comprehensive Planning Committee of the Planning Board and approving the allocation of \$4500 from the Contingency Fund. This motion was unanimously carried.

#### SIDEWALKS

Town Manager Peck said that the cost estimate for the construction of a curb and gutter and paving a sidewalk from the eastern edge of the school property to Tinkerbelle Road on Ephesus Church Road is about \$25,000. He explained the cost and the alternatives. Alderman Welsh said that she is opposed to constructing a sidewalk at the edge of the street, particularly near a school. Alderman Scroggs said that he questioned the cost for this sidewalk, but thinks that it should be constructed. Alderman Coxhead said that the curb and guttering should be charged to the streets account. Town Manager Peck said that the State may be able to help with this project. Alderman Marshall asked how much of the \$25,000 is for paving the sidewalk. Town Manager Peck said approximately \$4500 and that it would be possible to assess property owners for the curb and gutters. Alderman Welsh moved, seconded by Alderman Marshall, to have the Town proceed with plans for the construction of the sidewalk to specifications with three feet between the street and the sidewalk and with the curb and gutter charged to the streets account. This motion was unanimously carried.

#### FLOODWAY ADJUSTMENT - BOLIN CREEK

Alderman Scroggs moved, seconded by Alderman Marshall, that the proposed amendment to the Floodway Map submitted by the Corps of Engineers, (Revision of 8/9/72) be approved and an ordinance prepared. This motion was unanimously carried.

#### DOG ORDINANCE

Town Manager Peck outlined the changes suggested by Town Attorney Denny. Alderman Scroggs said that there seems to be a conflict between Section 4-29 and 4-35. Town Manager Peck clarified the intent of the ordinance. The Board agreed to delay action on this ordinance.



LEAGUE OF MUNICIPALITIES

Town Manager Peck requested that the members of the Board inform him if they intend to attend the League of Municipalities meeting in Greensboro, October 29, 30, and 31, 1972 in order for him to send in advance registration.

OFF-STREET PARKING

Town Manager Peck said that the parking facility could retire \$20,000 of parking facility bonds on December 1, 1972. Alderman Coxhead moved, seconded by Alderman Welsh, that the Town Clerk be authorized to proceed with the payment of \$20,000 in parking facility bonds on December 1, 1972. This motion was unanimously carried.

JOINT ORANGE-CHATHAM COMMUNITY ACTION AGENCY - RESIGNATION

Mayor Lee announced the resignation of Mr. Ken Howard from the Joint Orange-Chatham Community Action Agency and stated that nominations for this vacancy would be accepted at the October 16th meeting.

STREET NAME CHANGES

Alderman Coxhead moved, seconded by Alderman Scroggs, to approve the requested street name changes in the Oaks Development: Seminole Court changed to Torrey Pines Place and Lost Tree Lane changed to Canterbury Lane. This motion was unanimously carried.

PINE BEETLE FUND

Mayor Lee read a letter from Mr. C. R. Grady indicating that the North Carolina Council of State approved \$20,000 to be used to suppress Southern Pine Beetle activity in Chapel Hill and requesting that the Town contribute \$10,000 as its share in this suppression action. He then read a proposed budget ordinance allocating the requested \$10,000. Alderman Coxhead moved, seconded by Alderman Welsh, to adopt the budget ordinance as presented.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1972 AND ENDING JUNE 31, 1972

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

SECTION I

That the Budget Ordinance of the Town of Chapel Hill entitled "An Ordinance to Appropriate Funds and to Raise Revenue for the Fiscal Year Beginning July 1, 1972 and Ending June 30, 1973" as duly adopted on July 24, 1972 be and the same is hereby amended as follows:

- Create General Fund Revenue - Donations Account #1544.
- Increase General Fund Revenue Account #1544 by \$2,000 to \$2,000.
- Increase Total of General Fund Revenue Budget by \$2,000 to \$3,096,000.
- Decrease Contingency Account #800 by \$8,000 to \$38,758.
- Create Pine Beetle Appropriation Account #6417.
- Increase Pine Beetle Appropriation Account #6417 by \$10,000 to \$10,000.
- Increase Total of General Fund Appropriations Budget by \$2,000 to \$3,096,000.

SECTION II

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

This the 9th day of October, 1972.

This motion was unanimously carried.

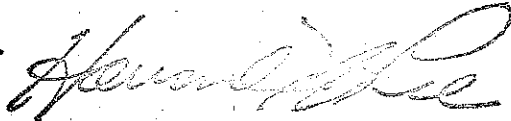
## PUBLIC HEARINGS

Mayor Lee said that Alderman Nassif proposed a new schedule for public hearings, but asked that the discussion of it be postponed due to his absence.

## 15-501 BY-PASS - WIDENING

Town Manager Peck said that he has called the N. C. Highway Department requesting someone to attend the Aldermen's meeting on October 23rd.

The meeting was adjourned at 11:00 P.M.

  
Mayor

  
David B. Roberts, Town Clerk

## MINUTES

October 16, 1972

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on October 16, 1972 with the following members present: Aldermen Welsh, Smith, Coxhead, Nassif, and Marshall. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny. Mayor Lee and Alderman Scroggs were absent.

## MINUTES

Alderman Coxhead moved, seconded by Alderman Marshall, to approve the minutes of the meeting of October 9, 1972 as corrected. This motion was unanimously carried.

## SPECIAL USE PERMITS - PROFESSIONAL OFFICES

Alderman Nassif said that if the Board of Aldermen and the Planning Board do not wish to have an ordinance for special use permits for professional buildings, it should be repealed. Alderman Welsh said that the Planning Board had been concerned with the traffic problems which would have been created if the recent request had been approved. Ms. Parker of the Planning Board said that the Planning Board did not address itself to the ordinance. Alderman Nassif moved, seconded by Alderman Coxhead, that the Planning Board consider the ordinance which provides for special use permits for professional buildings. This motion was unanimously carried.

## SPECIAL USE - EASTOWNE - GARDEN PARK APARTMENTS

Alderman Nassif said that he would like a master site plan for the residential development in Eastowne and that he would like it available each time a request for a special use is requested. Alderman Welsh said that the developer has been asked to provide a master site plan for the entire Eastowne Development.

## SPECIAL USE - BROOKWOOD - UNIFIED HOUSING

Mr. Richard Helwig of the Recreation Commission asked the Board of Aldermen to reconsider the request for a special use permit in terms of an earlier stipulation requiring a 50 foot easement along Bolin Creek. Alderman Welsh moved, seconded by Alderman Marshall, to receive the petition and place the item at the end of the agenda for discussion. This motion was unanimously carried.

## POLICE CAR BIDS

## FLOODWAY ORDINANCE

## PERSONNEL ADVISORY COMMITTEE - RESIGNATION

Town Manager Peck requested that these items be added to the agenda. There were no objections.