


This motion was unanimously carried. Mayor Lee recommended that the first meeting of this committee be held Tuesday, March 6, 1973 at 7:30 P.M. in the Conference Room. The Board concurred.

#### GENERAL GOVERNMENT - REORGANIZATION

Mayor Lee said that Interim Manager Levine had requested that the Aldermen meet to discuss reorganization of the Town government. Mayor Lee said a date for that meeting would be set at the next regular meeting of the Board.

The meeting was adjourned at 8:50 P.M.

  
Mayor

  
David B. Roberts, Town Clerk

#### MINUTES

February 26, 1973

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a public hearing on February 26, 1973 at 7:30 P.M. with the following members present: Mayor Lee; Aldermen Gardner, Marshall, Nassif, Scroggs, Smith, and Welsh. Also present were Interim Town Manager Levine, Town Clerk Roberts, and Town Attorney Denny.

#### PUBLIC HEARING

Mayor Lee described the procedure for the public hearing.

#### THREE-FOURTHS VOTE REQUIREMENT

Mayor Lee read a proposed amendment to the Zoning Ordinance to require an extraordinary majority of the Board of Aldermen to grant requests for special use permits and rezoning, in all cases in which the Planning Board unanimously recommends denial. Mr. Opdenbrow described the recent vote on the Credit Union special use which led to the proposed amendment. Dr. Charles Weiss of the Planning Board said the amendment requirement has precedents, and that similar limits were established in other communities. Alderman Nassif asked what constitutes a unanimous vote. Dr. Weiss said a unanimous vote of the members present, not of the total board. Alderman Welsh said that because the Planning Board considers rezoning and special use requests at the same time confusion results. Alderman Scroggs said the proposed amendment would take the final authority away from the Board of Aldermen and that he would vote against it. Alderman Welsh said the Planning Board will be able to rely on more technical assistance from all departments of the Town and that it should base its decisions on facts. Alderman Marshall said the Board of Aldermen was made up of elected officials and that final decisions must be made by the Board. Mayor Lee said the Planning Board is an advisory body and he would not abdicate the responsibility of the Board of Aldermen to make decisions. Alderman Smith said that if this amendment is accepted, the Appearance Commission and the Recreation Commission would expect similar authority, and he opposes that. Dr. Cooke of the Planning Board said the proposal was not intended to remove decision-making power from the Board of Aldermen. Ms. Helen Urquhart, a citizen, said she felt that those speaking were defending their power, and asked if the Town really had a long-range plan. Alderman Marshall said yes. Alderman Nassif moved, seconded by Alderman Marshall, that the proposed amendment to Section 4-c-1 and Section 11 of the Zoning Ordinance requiring an extraordinary majority of the Board of Aldermen to grant requests for special use permits and for rezoning in all cases in which the Planning Board unanimously recommends denial be referred to the Planning Board for further study and recommendations. This motion was unanimously carried.

## HEIGHT LIMIT IN COMMERCIAL DISTRICTS

Mayor Lee read a proposed amendment to the Zoning Ordinance establishing a thirty-five foot height limit in all commercial districts. Mr. Van Opdenbrow said the proposed amendment was recommended by the Appearance Commission and the CBD Study Committee to freeze height limits until the recommendations of the CBD Study Committee are made. Alderman Smith said he opposes tampering with the Zoning Ordinance until the study is completed, and opposes getting piece-meal recommendations. Alderman Nassif said he concurred with the proposal to restrict heights until the study is completed. Mayor Lee said the amendment is a holding action. Dr. Cohn said that the Planning Board fears that buildings will be approved under the present ordinance and possibly reduce the benefits from the final recommendations of the CBD Study Committee. Alderman Scroggs said that although he understands the object of the proposed amendment, he does not agree with changing the ordinance that way. Alderman Smith said he probably could support some aspects of the proposal but not height limitations outside the CBD. Alderman Welsh said that 35' is not an arbitrary number, but was set to keep all heights at a residential level until the study is completed. Alderman Nassif moved, seconded by Alderman Marshall, to refer the amendment to Sections 3-A-11-4; 3-A-12-e; 3-A-13-4; and 3-A-14-e and Section 3 to limit building heights in commercial districts and limited business districts to the Planning Board for study and recommendation. This motion was carried by a vote of four to two with Aldermen Smith and Scroggs opposing.

## BUILDING INSPECTOR - CERTIFICATE OF OCCUPANCY

Mayor Lee read a proposed amendment to the Zoning Ordinance clarifying the authority of the Building Inspector in issuing Certificates of Occupancy.

Alderman Nassif left the meeting.

Van Opdenbrow explained that the amendment gives the Building Inspector clear legal authority to do what he already does. Alderman Smith moved, seconded by Alderman Scroggs, to refer the amendment to Section 9-C to the Planning Board for study and recommendation. This motion was unanimously carried.

## STREET EXTENSIONS - NOTIFICATION

Mayor Lee read a proposed amendment to the Subdivision Ordinance requiring that all streets intended for future extensions either within or beyond the boundaries of the subdivision be indicated on the plats.

Alderman Nassif returned to the meeting.

Mr. Opdenbrow said the proposal was intended to notify citizens of the possibility of streets being extended. Alderman Smith said that designation on plats would not solve the problem because few people look at plats when they buy land. Alderman Welsh moved, seconded by Alderman Nassif, to refer the amendment to Section 6(B) of the Subdivision Ordinance to the Planning Board for study and recommendation. This motion was unanimously carried.

The public hearing was adjourned at 8:35 P.M.

Mayor Lee called the regular meeting of the Board of Aldermen to order.

## MINUTES

Alderman Welsh moved, seconded by Alderman Nassif, to approve the minutes of the meeting of February 19, 1973 as corrected. This motion was unanimously carried.

## LAKE FOREST ESTATES, SECTION 12 - FINAL PLAT

Mr. Gordon Battle requested that the Board of Aldermen consider a revision of the final plat for Lake Forest Estates, Section 12. Alderman Nassif moved, seconded by Alderman Marshall, to receive the petition and place it on the end of the agenda. This motion was unanimously carried.

## ABSENTEE VOTING

Mr. Gerry Cohen requested that the Board of Aldermen adopt a resolution urging the General Assembly to pass enabling legislation to allow absentee voting in municipal elections. Alderman Welsh moved, seconded by Alderman Nassif, to accept the petition and refer it to the legislative committee. This motion was unanimously carried.

## STREETS COMMITTEE - RECOMMENDATIONS

Alderman Smith requested that this item be added to the end of the agenda. Alderman Nassif moved, seconded by Alderman Welsh, to receive the petition and place the item at the end of the agenda. This motion was unanimously carried.

## EPHESUS CHURCH ROAD - SIDEWALK CONTRACT

Town Attorney Denny asked the Board to consider a contract for the Ephesus Church Road Sidewalk. Alderman Nassif moved, seconded by Alderman Welsh, to place this item at the end of the agenda. This motion was unanimously carried.

## HANDICAPPED - PARKING SPACES

Alderman Scroggs asked that the Board discuss the problem of unauthorized cars parking in spaces designated for the handicapped. Alderman Welsh moved, seconded by Alderman Smith, to receive the petition and place it at the end of the agenda. This motion was unanimously carried.

## TOWN MANAGER SEARCH COMMITTEE

Mayor Lee requested that this item be placed at the end of the agenda.

## ARGONNE HILLS SUBDIVISION - PRELIMINARY PLAT

Mayor Lee read a transmittal from the Planning Board recommending approval of the Argonne Hills preliminary plat with one provision. Mr. Van Opdenbrow showed the area and reviewed the staff recommendation. Alderman Nassif asked if there were any stream or pedestrian easements that the Town should request. Mr. Opdenbrow said no. Alderman Nassif asked about drainage on the lots. Mr. Opdenbrow said that the drainage plans were satisfactory to the Public Works Department. Alderman Welsh asked about open space. Mr. Opdenbrow said there is adequate open space shown on the plans. Alderman Nassif asked if the Recreation Commission had approved the designated open space as active recreation area. Dick Helwig said the Recreation Commission had not seen the plans. Van Opdenbrow said that the open space is to be dedicated to the Town. Art Berger said the open space is very desirable. Hank Anderson said it could be used as active or passive recreational land. Alderman Welsh asked about fire protection. Mr. Paul Seibel said he did not know what fire district this property is in. Alderman Welsh asked the status of the Shadylawn Road connection. Mr. Seibel said that it still must be settled but that the owner seems to be willing. Alderman Welsh asked Mr. Seibel if he were willing to comply with regulatory measures for paving and grading, etc., in order to prevent soil erosion. Mr. Seibel said yes. Alderman Smith moved, seconded by Alderman Scroggs, to approve the preliminary plat for Argonne Hills Subdivision subject to the following stipulations: that an adequate right-of-way be provided connecting Shadylawn Road with Route 1752 prior to construction; and that the developer work with the Public Works Department on grading, paving, etc. to prevent soil erosion. This motion was unanimously carried.

ABSTRACT OF VOTES CAST IN THE TOWN OF CHAPEL HILL AND AGAINST THE LEVY OF A SPECIAL TAX FOR SUPPORT OF A PUBLIC TRANSPORTATION SYSTEM IN SAID TOWN.

<u>PRECINCT</u>	<u>FOR TAX</u>	<u>AGAINST TAX</u>
COLONIAL HEIGHTS	<u>149</u>	<u>144</u>
COUNTRY CLUB	<u>627</u>	<u>234</u>
EAST FRANKLIN	<u>516</u>	<u>257</u>
EASTSIDE	<u>170</u>	<u>141</u>
ESTES HILLS	<u>488</u>	<u>388</u>
GLENWOOD	<u>258</u>	<u>122</u>
KINGS MILL	<u>108</u>	<u>81</u>
NORTHSIDE	<u>261</u>	<u>49</u>
RIDGEFIELD	<u>294</u>	<u>215</u>
WESTWOOD	<u>372</u>	<u>198</u>
TOTALS	<u>3243</u>	<u>1859</u>

STATE OF NORTH CAROLINA - COUNTY OF ORANGE

The County Board of Elections of said County, having opened, canvassed, and judicially determined the returns according to law, we do hereby certify that the above is a true abstract of the original returns of the levy of a special tax election in the above precincts in the Town of Chapel Hill, said county, held as above states, and contains the number of legal ballots cast in each precinct for and against said tax.

This 22nd day of February, 1973.

Marshall B. Sates  
Chairman

Katherine Savage  
Member

Ray B. Doover  
Member

STATE OF NORTH CAROLINA  
ORANGE COUNTY

This day personally appeared before me,  
Harold L. Cole Chairman,  
of the County Board of Elections, who,  
being duly sworn, says that the abstract  
of votes herein contained is true and  
correct, according to the returns made  
to said Board.

IN TESTIMONY WHEREOF, I have hereunto  
set my hand and affixed my office  
seal, this 23 day of February, 1973.

(SEAL) James M. Taylor  
Deputy Clerk Superior Court

ABSTRACT OF VOTES CAST IN THE TOWN OF CHAPEL HILL FOR AND AGAINST AN ORDINANCE AUTHORIZING \$350,000 OF BONDS FOR THE OPERATION AND MAINTENANCE OF A PUBLIC BUS LINE AND MASS TRANSIT SYSTEM IN SAID TOWN.

<u>PRECINCT</u>	<u>FOR ORDINANCE</u>	<u>AGAINST ORDINANCE</u>
COLONIAL HEIGHTS	<u>155</u>	<u>138</u>
COUNTRY CLUB	<u>643</u>	<u>214</u>
EAST FRANKLIN	<u>537</u>	<u>238</u>
EASTSIDE	<u>183</u>	<u>127</u>
ESTES HILLS	<u>509</u>	<u>367</u>
GLENWOOD	<u>269</u>	<u>113</u>
KINGS MILL	<u>112</u>	<u>78</u>
NORTHSIDE	<u>265</u>	<u>71</u>
RIDGEFIELD	<u>308</u>	<u>202</u>
WESTWOOD	<u>384</u>	<u>188</u>
TOTALS	<u>3365</u>	<u>1736</u>

STATE OF NORTH CAROLINA - COUNTY OF ORANGE

The County Board of Elections of said County, having opened, canvassed, and judicially determined the returns according to law, we do hereby certify that the above is a true abstract of the original returns of the bond ordinance election in the above precincts in the Town of Chapel Hill, said county, held as above states, and contains the number of legal ballots cast in each precinct for and against said ordinance.

This 22<sup>nd</sup> day of February, 1973.

Marshall H. Sates  
CHAIRMAN  
Katherine Sawyer  
MEMBER  
Ray D. Hoover  
MEMBER

STATE OF NORTH CAROLINA

ORANGE COUNTY

This day personally appeared before me, Marshall S. Cole Chairman, of the County Board of Elections, who, being duly sworn, says that the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my office seal, this 23 day of February, 1973.

(SEAL) Gene M. Miller  
Deputy Clerk Superior Court

## VILLAGE WEST - UNIFIED HOUSING SPECIAL USE

Mayor Lee read transmittals from the Planning Board and the Development Review Staff recommending that the Board of Aldermen take no action on this request, or if action is taken, it be with stipulations. Mr. Opdenbrow showed the area on a map and described the recommendations. Alderman Smith asked if a road would be constructed for access to the adjacent property. Mr. Opdenbrow said the developer will provide a permanent easement. Alderman Nassif said that the Planning Board requested a thirty-day extension in December for a traffic study and he questioned the need for an additional six-weeks extension now. Mr. Dick Helwig of the Recreation Commission said that a traffic study was done during a time when there were no Recreation Department activities in the park and most of the students were on Christmas vacation. He said the results of that study were difficult to accept and that the Recreation Commission wanted their planning consultant to study the area and make recommendations for solving the problem of traffic through the park. Alderman Nassif said that he thought three months had been a reasonable length of time for all reviews to be completed and recommendations made. Mr. Helwig said that traffic affects safety and that more time is needed for study. Mayor Lee said he favors the Recreation Commission's involvement, but that this development had been before the Board for an extended period of time. Alderman Marshall said that communication has not been good in the Town in the past, and that now that the Recreation Commission has hired a professional consultant, the Board should not deny their request for study time. Alderman Nassif asked why this wasn't studied during the past three months. Dr. Cooke of the Planning Board said that the development was acceptable in general, but that traffic safety in the park was a serious problem. Dr. Lotchin of the Recreation Commission said he was never informed that a deadline was given to the Recreation Commission. Alderman Nassif asked the Planning Board if the traffic problem was the only one remaining. Dr. Cooke said that the Planning Board expects the Recreation Consultant to make a recommendation. Alderman Nassif moved, seconded by Alderman Marshall, to grant a delay until the first meeting in April at which time complete recommendations will be made, and that the Planning Board or Recreation Commission involve the Public Works Department in rerouting the traffic if that is recommended. This motion was unanimously carried.

## MARIAKAKIS BUILDING - REQUEST FOR FLOODWAY EXCEPTION

Mayor Lee read transmittals from the Planning Board and Development Review Staff recommending denial of the request for an exception to the Floodway Ordinance and a letter from Mr. Mariakakis protesting the denial. Alderman Nassif moved, seconded by Alderman Marshall, to deny the request for an exception to the Floodway Ordinance requested by Mr. Mariakakis. This motion was unanimously carried.

## UNIVERSITY MALL - MODIFICATION OF SPECIAL USE

Mayor Lee read transmittals from the Planning Board and Appearance Commission recommending that the Board of Aldermen grant the modification of the special use request for signs with one stipulation. Mr. Opdenbrow showed and described the proposed sign plan. Alderman Nassif moved, seconded by Alderman Welsh, to grant the request for modification of the special use permit for University Mall subject to the following stipulation: that there be no sign on Ivey's east wall. This motion was unanimously carried.

## UNIVERSITY MALL - TEXACO STATION

Mayor Lee read a transmittal from the Appearance Commission recommending that the Board of Aldermen approve the design for the Texaco Station with stipulations. Mr. Opdenbrow showed the site plan and design. Alderman Marshall moved, seconded by Alderman Welsh, to approve the design for the Texaco Station with the following stipulations:

1. That the same materials and colors be used as are used in the whole development;



2. That exterior lighting be of the same design as in the rest of the development, though not necessarily of the same height or size;
3. That a bulk trash container be located either in the area indicated by the Appearance Commission on the plan as "preferred location" or the area indicated as "alternate location," with preference for the former; and that the bulk trash container be screened from view on three sides, materials and colors of the screening to be the same as in the building;
4. That the plan for the station be reversed so that service bays face west instead of east.

This motion was unanimously carried.

#### BOLIN MEADOW - MODIFICATION OF SPECIAL USE PERMIT

Mayor Lee read transmittals from the Planning Board and Development Review Staff recommending denial of the request for a modification of the special use for Bolin Meadow. Van Opdenbrow showed this area on a map and described the request. Alderman Nassif said that the special use permit specifically states that sidewalks be constructed to Town Standards and that he would not approve the modification requested. Mr. Hogan said he would provide the sidewalk on his property. Alderman Nassif moved, seconded by Alderman Welsh, to deny the request for modification of the special use permit modifying sidewalks in Bolin Meadow. This motion was unanimously carried.

#### BOOKER CREEK SUBDIVISION - FINAL PLATS FOR MAPS 2A, 3, AND 4

Mayor Lee read transmittals from the Planning Board and Development Review Staff recommending that the Board not approve the final plats of the Booker Creek Subdivision. Alderman Welsh moved, seconded by Alderman Nassif, that the final plats, Maps 2A, 3, and 4 of the Booker Creek Subdivision not be approved until major deficiencies in construction have been corrected, and all improvements have been constructed to Town standards and approved by the Town Manager. Mr. Charles Morris, the attorney representing the developer, asked the Board if it would approve the final plats if provided with a letter of credit for the dredging of the creek. Mayor Lee said that a letter of credit would not be considered until the deficiencies were corrected and suggested that Mr. Morris contact the Town Manager about the deficiencies and improvements. Alderman Nassif said that twenty-three acres were to be dedicated to the Town. This motion was unanimously carried.

#### BICYCLE LANES - LEGISLATION

Alderman Welsh requested that the Board consider preparing local bills for bicycle lanes to be put on state-maintained highways. Alderman Smith said that the first thing that should be done is to request that better police enforcement be carried out by the Police Department. He said that lanes will not help anything if the bicyclists do not obey traffic laws. Alderman Welsh said that this legislation would be the first step in improving conditions for bicycle safety. Alderman Welsh moved, seconded by Alderman Marshall, to request that enabling legislation to establish bicycle lanes on State maintained highways be prepared. Mayor Lee urged support for this legislation. This motion was unanimously carried.

#### SOIL EROSION AND SEDIMENTATION CONTROL - LEGISLATION

Alderman Welsh requested that the Board consider a local bill for soil erosion and sedimentation control. Alderman Welsh moved, seconded by Alderman Nassif, to request that the Town Manager prepare a local bill to control soil erosion and sedimentation in Chapel Hill, Carrboro, Hillsborough, and the County, and that copies of the bill be sent to each of those governmental units with recommendation that they also request local legislation in the event that general legislation is not enacted this session. This motion was unanimously carried.

TRANSPORTATION COMMISSION RECOMMENDATIONS

Mayor Lee read a memo from the Transportation Commission recommending that the Board of Aldermen appoint a new Commission and approve hiring a full-time employee to serve as transportation staff to the Commission and authorize the preparation of the capital grant application. Interim Manager Levine said that Kimley-Horn could prepare the grant application because of its previous experience with the proposed system. Alderman Nassif moved, seconded by Alderman Welsh, to accept the recommendations of the Transportation Commission and to authorize the preparation of the grant application. This motion was unanimously carried. Alderman Smith moved, seconded by Alderman Nassif, to authorize the Interim Manager to advertise for the staff position and present a budget at a later date. This motion was unanimously carried.

POLICE DEPARTMENT - RECOMMENDATIONS

Alderman Nassif moved, seconded by Alderman Welsh, to approve the payment of \$2,415 to the Police consultant for work done to date. This motion was unanimously carried. Mayor Lee requested that consideration of this report be delayed until the next meeting.

LAKE FOREST ESTATES, SECTION 12 - FINAL PLAT

Mr. Gordon Battle showed the plat of Section 12 of Lake Forest and described the easements to be given to the Town. Alderman Welsh moved, seconded by Alderman Nassif, to remove this matter from the table. Alderman Nassif moved, seconded by Alderman Scroggs, to approve the final plat of Lake Forest, Section 12 as presented February 26, 1973 with the stipulation that the stream maintenance easement be referred to the Town Manager and staff for approval with not less than a 50' easement and that the Town accept the sixteen foot access easement proposed by the developer. This motion was unanimously carried.

STREETS COMMITTEE - RECOMMENDATIONS

Alderman Smith presented recommendations from the Streets Committee for Ransom and McCauley Streets; Landerwood Lane and Fountain Ridge; Ridgefield Townhouses; Franklin Street and Park Place; and Ridge Road and the Law School. Alderman Nassif moved, seconded by Alderman Scroggs, to accept the report and recommendations:

1. Ransom and McCauley Streets
  - a. that parking be moved from the west side to the east side of Ransom Street between McCauley and Vance Streets;
  - b. that parking be moved from the north side to the south side of McCauley Street past Ransom Street;
  - c. that a stop line and STOP HERE label be painted on McCauley Street at its intersection with Ransom Street;
  - d. that the tree on the northwest corner of Ransom and McCauley Streets intersection be checked as to its location in the right-of-way and cut down, to increase sight distance if in right-of-way;
2. Landerwood Lane and Fountain Ridge Road
  - a. that Police Department make a traffic and speed check and consider prohibiting parking on the south side prior to considering a 3-way stop;
3. Ridgefield Town Houses
  - a. that speed signs be erected at the entrance to this project;
4. Franklin Street and Park Place
  - a. that straight and left-turn arrows be painted in the left westbound lane, 200 feet east of Park Place (similar to curve at Franklin and Boundary);
  - b. that a single yellow line be painted separating eastbound two westbound lanes;
5. Ridge Road and Law School
  - a. due to the fact that this is University property we recommend that this be taken up with the University with the following suggestions:

- (1) that three parking spaces nearest the entrance to the Law building be eliminated,
- (2) that two or three large rocks that obstruct a driver's view be moved,
- (3) that stop signs be moved up about eight to ten feet on Law School drive,
- (4) that a stop strip be painted on the street leading out of the Law School driveway,
- (5) that the Post Office be requested to move the mailbox to the south side of the Law School driveway;

and to refer them to the Town Manager for implementation. This motion was unanimously carried.

#### EPHESUS CHURCH ROAD CONTRACT

Town Attorney Denny said he had a contract for the construction of a sidewalk on Ephesus Church Road and presented a resolution approving it to the Board of Aldermen. Alderman Nassif moved, seconded by Alderman Smith, to adopt the resolution as read.

#### R E S O L U T I O N

WHEREAS, the State Highway Commission and this Municipality proposes to make certain street and highway improvements within the Town of Chapel Hill consisting of the sidening and improvement of Ephesus Church Road (SR-1742) from Ephesus Road School to the vicinity of Tinkerbell Road, under Project W. O. 9.7070303, Orange County; that said project is considered to be a most necessary improvement in the street and highway system within the corporate limits of this Municipality for the promotion of public safety and convenience; and,

WHEREAS, in the plans and proposals of said improvement, it is provided that this Municipality cooperate with the State Highway Commission to the extent of:

1. Acquiring all the rights-of-way necessary for the location and construction of said project, and the removal therefrom of all obstructions and encroachments of any kind or character; furnishing the necessary rights-of-way free of all encroachments and obstructions to the State Highway Commission without any cost or liability whatsoever to said Commission and to indemnify and save said Commission harmless from any and all claims for damages that might arise on account of the acquisition of right-of-way and drainage and slope easements in construction of said project.
2. Providing relocation assistance services and payments for families, businesses and non-profit organizations being displaced by the project in accordance with Public Law 91-646 and the North Carolina General Statutes, Chapter 133, Article 2, Section 133-5 through 133-17.
3. Effecting the necessary changing, adjusting and relocating of telephone, telegraph, electric power lines, underground cables and gas lines or any private or public owned utilities without expense to the State Highway Commission and will without cost to said Commission, provide for the laying, changing, relaying, repairing, and otherwise adjusting of any municipal owned electric lines, water, sewer, gas or other pipelines or conduits, and shall make all necessary adjustments to house or lot connections or services lying within the right-of-way of the project, whether said connections or services are owned by this Municipality or by others.
4. Preparing the project plans; furnishing construction engineering controls; installing all curb and gutter, lateral drainage in connection with curb and gutter, and all catch basins; and providing the necessary replacement of all sidewalks, steps, retaining walls, and any required miscellaneous masonry or concrete items for the project.

5. Agreeing to enter into a supplemental agreement with the State Highway Commission at a later date to provide for traffic operating controls on the project.

NOW, THEREFORE, BE IT RESOLVED that Project W. O. 9.7070303, Orange County, be and it is hereby formally approved by the Board of Aldermen of the Town of Chapel Hill, and that the Mayor and Town Clerk (or Manager) of this Municipality be and they are empowered to sign and execute the required Agreement between this Municipality and the State Highway Commission.

This Resolution was passed and adopted the 26th day of February, 1973.

This motion was unanimously carried.

#### HANDICAPPED PARKING

Alderman Scroggs told the Board that he had had complaints about unauthorized cars parking in the handicapped parking places in town. He said that these parking places stay full most of the time with cars or delivery trucks without the proper handicapped sticker on them. He said better law enforcement was needed to keep these parking spaces open for persons with handicapped stickers, and that the fine for parking in these spaces without the proper sticker should be increased to \$5.00. Alderman Marshall said that United Parcel trucks also double-park on Franklin Street and that this should be stopped. Alderman Nassif moved, seconded by Alderman Smith, to refer this matter to the Town Manager for study with the Chief of Police to report back to the Board next week. This motion was unanimously carried.


#### TOWN MANAGER SEARCH COMMITTEE

Mayor Lee convened the Town Manager Search Committee and said that the Town had received a number of applications for the position of Town Manager. He asked the committee to set criteria for selecting the next Town Manager. Alderman Nassif suggested that each member determine the top five candidates and consider those at the March 6th meeting. Mr. Jake Wicker, ex-officio member, asked if the Town had advertised the position. Mayor Lee said yes, although none of the advertisements had appeared yet and the word had spread that the Town was receiving applications for the position. Rev. Helton asked if a cut-off date for receiving applications should be set. Mayor Lee said the committee could receive applications until a manager is selected. Alderman Nassif said he thought a good candidate might be an assistant manager in a larger city. Mr. George Coxhead said he thought the candidates should have five years of experience in city management. Alderman Scroggs said experience in managing a large number of people is important. Alderman Nassif said a planning director in a city larger than Chapel Hill could be considered because he/she would understand the complexities. Mr. Coxhead asked if an education requirement should be set. Alderman Scroggs said that is not legal. Mr. Wicker said education and experience is important, but that he would prefer to remain flexible on degree requirements. Alderman Marshall said that because Chapel Hill is growing, a person from a larger city would be helpful. Alderman Smith said that since ads in magazines have not been printed yet the Board should choose ten applicants and reduce this number at the first meeting. Alderman Marshall said she thought it was too early to limit choices to five. Alderman Nassif said that if every member chose five applicants there would probably be more than ten applicants to discuss at the first meeting. Alderman Welsh said that she had prepared a list of characteristics she thought were desirable for a Town Manager and she read this to the Committee. Alderman Nassif said the Committee should consider what talent Chapel Hill is lacking. Mr. Wicker suggested that the Committee offer a formal employment agreement to the new Town Manager. He said it would also be helpful to prepare a packet of materials to be sent to serious candidates before they come for interviews. Alderman Nassif said a subcommittee could show the candidates the Town. Rev. Helton asked what the salary is. Mayor Lee

said it presently is over \$23,000. Alderman Nassif said he thought the salary should be left open. Mayor Lee said the Committee will meet in a closed session March 6th to review the applicants.

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

  
Mayor

  
David B. Roberts, Town Clerk

#### MINUTES

March 5, 1973

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on March 5, 1973 with the following members present: Mayor Lee, Aldermen Gardner, Marshall, Nassif, Scroggs, Smith, and Welsh. Also present were: Interim Town Manager Levine, Town Clerk Roberts, and Town Attorney Denny.

#### MINUTES

Alderman Welsh moved, seconded by Alderman Scroggs, that the minutes of the meeting of February 26, 1973 be approved as corrected. This motion was unanimously carried.

#### DRAINAGE

Ms. Venus Alexander told the Board that water drained from the Roberson Street project onto her property at 125 S. Graham Street. She asked that the Board consider this problem and have something done about it. Alderman Welsh moved, seconded by Alderman Smith, to receive the petition and refer it to the Town Manager and Public Works Department for evaluation and a report back to the Board. This motion was unanimously carried.

#### MINUTES - AVAILABILITY

Mr. Robert Kelley said that he had had problems acquiring copies of the Board of Aldermen's minutes and asked the Board to consider making at least 20 copies available to the public. Alderman Smith moved, seconded by Alderman Welsh, that 20 sets of Board of Aldermen minutes be made available to the public at each meeting. This motion was unanimously carried.

#### DRAINAGE

Rev. John C. Burnett told the Board that water drained from Roberson Street and Franklin Street onto his property on Merritt Mill Road. He said that he had talked to Carrboro and Chapel Hill representatives and was promised that the drainage would be improved but that it had not. Alderman Welsh moved, seconded by Alderman Nassif, to receive the petition and refer it to the Town Manager and the Public Works Department to investigate and to consult with Carrboro, if necessary. Alderman Smith said the problem resulted from a lack of storm drains and asked if these could be installed. This motion was unanimously carried.

#### STREET TREE PLANTING TRANSPORTATION COMMISSION INSPECTION DEPARTMENT LEGISLATION - BICYCLE LANES

Mayor Lee requested that these items be placed at the end of the end of the agenda. There were no objections.