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ROBERSON STREET CENTER - RENAMING

Mayor pro tem Smith read a memorandum from the Recreation Commission stating that the Roberson Street Center's name has been changed to William M. Hargraves, Jr. Recreation Center, that a formal dedication ceremony is being planned for May, and that the Board of Aldermen will be invited to participate.


ABSENTEE VOTING

Alderman Welsh presented a bill to the Board which would authorize absentee voting in municipal elections. Alderman Welsh moved, seconded by Alderman Nassif, that the Board request that enabling legislation to permit absentee voting in municipal elections be submitted to Senator Coleman and Representative Hunt for investigation and possible co-sponsorship. This motion was unanimously carried.

PUBLIC WORKS DEPARTMENT

Interim Manager Levine told the Board that Mr. Shelton Womble, Director of the Public Works Department, submitted his resignation from the Town effective March 30, 1973. She said that Mr. Womble had worked with the Town for twenty-four years.

The meeting was adjourned at 10:25 P.M.

  
Mayor

  
David B. Roberts, Town Clerk

MINUTES

March 19, 1973

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on March 19, 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 Nassif moved, seconded by Alderman Smith, to approve the minutes of the meeting of March 12, 1973 as corrected. This motion was unanimously carried.

TRAFFIC LIGHT - UMSTEAD AND AIRPORT

Mr. Robert Mayer said that a traffic light is needed at the intersection of Airport Road and Umstead Drive and asked the support of the Board of Aldermen. Alderman Welsh moved, seconded by Alderman Nassif to receive the petition and refer the matter to the Town Manager to send a letter to Mr. Scarborough of the State Highway Commission requesting a traffic signal for the intersection at Airport Road, Umstead Drive and Hillsborough Street. Alderman Nassif said a traffic device should be requested for the intersection of Hillsborough and Airport Roads also. This motion was unanimously carried.

C D REVENUE SHARING  
CENTRAL ADMINISTRATION FILES  
CATV

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

OPEN SPACE - UMSTEAD PROPERTY

Town Attorney Denny said that the Board needed to discuss the Umstead property to be purchased with Open Space funds and requested that this be added to the end of the agenda. There were no objections.

LEGISLATION

SB 248 - Septic Tank Regulation

Alderman Nassif moved, seconded by Alderman Welsh, to adopt the proposed resolution supporting SB 248.

R E S O L U T I O N

WHEREAS ground absorption sewage disposal systems can have a detrimental effect on the public safety by contaminating ground water if the systems are faulty, improperly installed, or if the soil is not suited for such devices, and

WHEREAS, individual septic tanks continue to be a necessary form of sewerage for an expanding population, and

WHEREAS these absorption mechanisms can be ecologically safe if properly regulated, and

WHEREAS, Senate Bill 248 would provide for the regulation of ground absorption sewage disposal systems, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill does hereby endorse Senate Bill 248 and urges its passage with the following recommendation:

That the terminology "certificate of occupancy" be replaced by some other phrase since this conflicts with the North Carolina Building Code and many local ordinances.

This the nineteenth day of March, 1973.

This motion was unanimously carried.

HB 151 - Environmental Impact Statements

Alderman Scroggs said that the resolution was much broader than the bill. He said that in Section 2 of the bill the word "programs" is not defined clearly, and he objects to the bill if it includes requiring environmental impact statements for building permits for individual homes. He said the Board should not encourage passage of bills with loopholes. Alderman Nassif said he is concerned that this bill would require individuals to file environmental impact statements. Alderman Welsh said the concept of the bill is good, but its implementation may be a problem. Mayor Lee suggested that the Board delay action and request that the resolution be rewritten. The Board agreed.

HB 272 & 283 - Land Preservation

Alderman Scroggs moved, seconded by Alderman Nassif, to adopt the proposed resolution supporting HB 272 and 283.

R E S O L U T I O N

WHEREAS population growth and urban development are jeopardizing natural open spaces and historical places, and

WHEREAS the rapid expansion of the Town of Chapel Hill has underscored the need for laws protecting these irreplaceable resources and sites, and

WHEREAS House Bill 272 would prescribe the conditions and procedures whereby properties may be placed in the State Nature and Historic Preserve, and

WHEREAS House Bill 283 is a joint resolution by the General Assembly accepting the lands and water sof the existing State Park system and declaring them as parts of the State Nature and Historic Preserve, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill does hereby support House Bills 272 and 283 and urges the passage of this legislation.

This the nineteenth day of March, 1973.

This motion was unanimously carried.

SB 245 - Oil Pollution Control

Alderman Smith moved, seconded by Alderman Marshall, to adopt the proposed resolution supporting SB 245.

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

WHEREAS a recent scientific investigation has shown that thousands of square miles of the Atlantic Ocean are heavily polluted by oil and plastics, and

WHEREAS oil pollution is a chronic menace which is difficult and costly to correct, and

WHEREAS Senate Bill 245, also known as the "Oil Pollution Control Act of 1973," would protect the land and the waters over which the state has jurisdiction from pollution by oil, oil products, and oil by-products, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill does hereby endorse Senate Bill 245 and urges its passage.

This the nineteenth day of March, 1973.

This motion was unanimously carried.

HB 24 - Standing to Sue

Alderman Smith moved, seconded by Alderman Welsh, to adopt the proposed resolution supporting HB 24.

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

WHEREAS the maintenance of a healthy ecological balance is the responsibility of every citizen, and

WHEREAS the General Assembly of the State of North Carolina has established environmental standards and made the Department of Natural and Economic Resources, the State Board of Health, and other agencies responsible for maintaining these levels of environmental quality, and

WHEREAS House Bill 24 would give private citizens standing to sue to require these agencies to enforce their standards, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill does hereby endorse House Bill 24 and urges the passage of this legislation.

This the nineteenth day of March, 1973.

This motion was unanimously carried.

SB 250 - Animal Waste Pollution Control

Alderman Scroggs said he will not support a resolution requesting a subsidy for individuals, that the bill should be written to protect

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individuals. Alderman Nassif said he agrees with the intent of the bill, but has reservations about the effects of it on individuals. He said that dairy farmers in Orange County have tried to get help with their pollution problems and no one has responded. Alderman Welsh said that communities need to indicate their desires for clean water. She said that the intent of this bill is good but its mechanism may not be the best one. Alderman Scroggs said that the resolution needs careful rewording, that he does not think this bill will solve the problem. Mayor Lee said that the Board could suggest that the author of the bill rethink it and that the Board could consider a revised resolution. The Board agreed.

#### HB 333 & 335 - Finance and Taxes

Town Attorney Denny explained bills 333 and 335. He said that now local governments can levy taxes only for necessary public purposes. He said that HB 335 was a technical up-dating and clarification of Section 159 of the General Statutes, and that HB 333 eliminates the distinction between necessary and other taxes. He said the bill permits levying taxes without statutory limitations for certain purposes, that ad valorem taxes may be used for a variety of purposes without a vote of the people, and that for certain purposes, an election may be called for a special tax levy above the \$1.50 maximum. Alderman Welsh said that if the bill is passed, a great deal of public education will be necessary to explain how tax funds can be spent. Alderman Nassif said that he thinks it is a good bill that has more positive aspects than negative ones. Alderman Scroggs said that it would result in a more sensible arrangement than presently exists. Mayor Lee requested that a resolution be prepared in support of these bills and presented at the next meeting. The Board concurred.

#### PARKING FINES

Town Attorney Denny said that the City Council of Durham has requested a special act to permit \$1.00 fines for off-street as well as on-street parking violations. He said that Representatives Hunt and Miller will add Chapel Hill to this bill if the Board requests it. Alderman Scroggs said if riding on a bill with Durham will help Chapel Hill, the Board should request it. Alderman Nassif said he thinks Chapel Hill should be covered by a local bill. Alderman Scroggs moved, seconded by Alderman Smith, to approve a Rider Bill to permit parking fines for off-street and on-street parking violations with Durham. This motion was unanimously carried.

Mayor Lee declared a two-minute recess.

#### PUBLIC SCHOOL RECREATION FACILITIES

Alderman Welsh said that the recommendations of the Sternloff report proposed maximum use of public school facilities for recreation. She said that guidelines were needed for cooperation between the Town and the School Board and that the recreation program should be expanded and that recommended long-range planning begin. Hank Anderson told the Board that the Recreation Commission's planner is developing a comprehensive plan for Chapel Hill Recreation and that he and Dr. Hanes have discussed developing facilities cooperatively. Alderman Smith agreed that better coordination for planning is needed, but that the Boards should not negotiate. He said that the Town Manager, and Recreation Director should negotiate with the School administration. Alderman Welsh said that long-range planning would require Board actions, and that the Boards should establish policies that would be implemented by the administrators. Alderman Smith said that the Board of Aldermen can not establish policies for School property. Alderman Scroggs said that schools are county-funded and are as available to Carrboro as to Chapel Hill. He said the two town Boards and the School Board should work together to determine how the School grounds should be used. Alderman Welsh said there was a question of what kinds of

programs could be developed with more extensive and intensive use of the facilities. Alderman Gardner said that the objectives stated can best be met by working through the Recreation Director and Town Manager. Alderman Nassif said that before a Committee meets, the Town Manager and Recreation Director should define the problem. Alderman Marshall said the Board should endorse cooperation between the Recreation Department and the school administration and work toward using the school property as much as possible. Mayor Lee said a committee presents a spirit of cooperation and is an important first step. He said that a committee including representatives from the Carrboro Board could provide a mechanism for promoting Carrboro's program. Alderman Gardner said that there are bills in the legislature relating to the use of school property for recreation. Alderman Scroggs said that policies for school uses are set by the School Board and that negotiations should be between the Boards. Alderman Nassif asked if Dr. Hanes had the authority to discuss these matters. Alderman Scroggs said he could discuss them. Mayor Lee said that the proposed resolution is an effort to develop joint policies, that the administrations will have to take the responsibility for implementing the policies, but that the policies must be set by the Boards. Alderman Welsh said that budget agreements should be discussed with representatives from the Boards of Chapel Hill, Carrboro, and the School Board. Alderman Welsh read a resolution. Alderman Nassif moved, seconded by Alderman Welsh, to adopt the resolution as read.

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

WHEREAS the Chapel Hill Board of Aldermen has agreed that recreation, which is a basic human need, should be purposeful and meaningful and should provide wholesome opportunities designed and structured to enrich the lives of all individuals regardless of age or sex, and

WHEREAS quality recreation programs and adequate facilities are vital necessities for the happiness, health, and welfare of the people of Chapel Hill-Carrboro, and

WHEREAS in this rapidly growing community more and better distributed recreational opportunities and facilities throughout the area are of immediate need, and

WHEREAS public recreation programs should coordinate with many public and private organizations and institutions including the public school system, and

WHEREAS curricula areas in public school programs have the potential to be continued as wholesome recreation activities beyond the school life of the individual, and

WHEREAS optimum use should be made of all indoor and outdoor school facilities so that the taxpayer will receive the greatest return from his investment, and

WHEREAS applied recreation programs which coordinate and articulate curricula offerings of the public schools are the most effective and economical approach to providing the people of Chapel Hill-Carrboro with an adequate system of town-wide facilities, NOW THEREFORE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that to achieve the goal of a more worthy use of leisure a committee be appointed to review and propose a long-range program which would provide more intensive coordination of public recreation and public school buildings and grounds, and that the Chapel Hill Board of Aldermen designate three of its members to serve on this committee and that the Chapel Hill-Carrboro Board of Education be requested to designate three members to serve on such committee, and that the Carrboro Board of Aldermen designate three of its members to serve on such committee.

This the nineteenth day of March, 1973.

This motion was unanimously carried.

#### ANNEXATION - CHAPEL HILL HIGH SCHOOL

Alderman Scroggs asked if the question about annexation of the high school had been resolved. Town Attorney Denny said that a report was given in which the following concerns were expressed: policing the area, maintaining the roads, and annexing school property knowing that Chapel Hill residents in Durham County would not be able to attend. Mayor Lee asked the Town Manager to write a letter to the School Board explaining this matter.

#### ANNEXATION - CEDAR FALLS PARK

Alderman Scroggs said that the Board should adopt an annexation ordinance to annex Cedar Falls Park. Alderman Scroggs moved, seconded by Alderman Welsh, to request that an ordinance be prepared to annex Cedar Falls Park and the Edwin Mitchell Fowler property. This motion was unanimously carried.

#### NAMING OF PUBLIC INSTITUTIONS

Alderman Welsh said there is a great deal of ambiguity in park names in Chapel Hill and that the Board needs to adopt a policy for naming them. Mayor Lee suggested that the policies should include naming buildings as well as parks. He requested that the Town Manager work with Alderman Welsh and Town Attorney Denny to develop a policy for the Board's consideration.

#### REORGANIZATION - TOWN ADMINISTRATION

Mayor Lee described earlier discussions about reorganization and said that the Board needs to consider a more streamlined organization. Interim Manager Levine said that the proposal being presented was intended for discussion purposes. She said that a major difficulty with the present organization is that the Town Manager has to deal with day-to-day operations and is not free to consider broader issues and programs or to perform other functions. She said that the proposed plan is designed to enable the Town to grow and develop well in future years. Alderman Scroggs said that direct lines should connect department heads and the Assistant Town Managers. Alderman Smith asked if the Housing Authority should be included under the supervision of the Town. Mayor Lee said that a merger of the Housing Authority and the Redevelopment Commission would be a first consideration and that its relationship to the Town government would have to be considered carefully. Alderman Welsh said that the objectives of this proposal should be spelled out for the next discussion. Alderman Marshall asked if the staff had seen this proposal. Interim Manager Levine said that the proposal was in part developed by the staff. Alderman Nassif said that the concept of middle management was embodied in only two departments in the proposal: Urban Development and Public Safety. He said that direct lines must connect the department heads to the Town Manager. Mayor Lee said he would like for the Assistants in the proposal to be named Associate Managers and the Division heads to be named Assistant Managers. Alderman Marshall suggested that the Department Heads could go to the Town Manager and then be referred to the Assistant Town Managers. Alderman Scroggs said this would be wasted motion. Mayor Lee said division heads should go to their immediate supervisor for decisions and that authority should be delegated to the supervisors. Alderman Welsh said that the proposal included sound ideas and that the Board needs time to study and discuss it. She suggested that the term "Public Safety" has implications that wouldn't necessarily be desirable and asked if another name could be used. Mayor Lee said that the Board should discuss the concept of public safety. Alderman Smith asked if the Building Inspection Department should be under Urban Development. Interim Manager Levine said it could be under a number of departments. Mayor Lee asked when the Board could receive more detailed objectives of this proposal. Interim Manager Levine said perhaps by March 26th.

RECREATION COMMISSION - APPOINTMENT

Mayor Lee read a memorandum from the Recreation Commission recommending that Mr. Robert Edwards be appointed to fill the vacancy on the Commission. Alderman Smith moved, seconded by Alderman Welsh, that the nominations be closed and that Mr. Robert Edwards be appointed by acclamation to the Recreation Commission for a term ending December 30, 1973. This motion was unanimously carried.

ORDINANCE AMENDMENTS - STREET EXTENSION DESIGNATIONS

Mayor Lee read an ordinance amending the Subdivision Ordinance to require that future street extensions be designated on final plats. Alderman Nassif moved, seconded by Alderman Welsh, that the ordinance amending Section 6(B) of the Subdivision Ordinance be adopted as read.

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE APPROVAL OF LAND SUBDIVISIONS WITHIN THE TOWN OF CHAPEL HILL AND SURROUNGING AREAS AS ADOPTED JUNE 19, 1972, AND AS SUBSEQUENTLY AMENDED"

WHEREAS, after due advertisement as provided by law, a public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill on February 26, 1973, to consider the changes in the Subdivisions Ordinance as set forth in Sections I and II below: and

WHEREAS, that after said public hearing the Board of Aldermen adopted certain recommendations of the Planning Board, NOW THEREFORE

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

"That the "Ordinance Providing for the Approval of Land Subdivisions Within the Town of Chapel Hill and Surrounding Areas," as adopted June 19, 1972, and as subsequently amended, be and the same hereby is further amended as follows:

SECTION I

Amend Section 6(B) (Requirements for Final Plat Drawing) by adding a Section 6(B)(4) as follows:

"(4) Streets to be extended. All streets intended for future extension either within or beyond the boundaries of the subdivision shall clearly be indicated on the plat, by the words "Subject to future extension."

SECTION II

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

This the nineteenth day of March , 1973.

Alderman Smith said this ordinance does not benefit anyone and that he would vote against it. He said that extensions should be designated on plats and on streets by using signs. The motion was carried by a vote of five to one with Alderman Smith opposing.

ORDINANCE AMENDMENT - BUILDING HEIGHT LIMITATIONS

Mayor Lee read an ordinance amending the Zoning Ordinance to provide that the maximum height of buildings in the CBD and Limited Business Districts be thirty-five feet and that no certificates of occupancy be issued until certain improvements are provided to the satisfaction of the Building Inspector. Alderman Scroggs said that he would vote against the ordinance as written, but he was not opposed to Section III. Alderman Welsh moved, seconded by Alderman Marshall, to adopt the ordinance as read. Alderman Nassif said that the ordinance was

intended to provide for three-story buildings but that thirty-five feet would only allow for two and one-half stories. Alderman Scroggs said that thirty-five feet was taken from the present ordinance for residential zones. Alderman Nassif suggested that thirty-seven feet would be less restrictive on actual construction and said the ordinance should be changed to read thirty-seven feet and three stories rather than thirty-five feet and two and one-half storids. Alderman Nassif moved, seconded by Alderman Gardner, to amend Section I to read thirty-seven feet and three stories.

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS" AS ADOPTED JUNE 19, 1972, AND AS SUBSEQUENTLY AMENDED

WHEREAS, after due advertisement as provided by law, a public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill on February 26, 1973, to consider the changes in the Zoning Ordinance as set forth in Section I-IV, below; and,

WHEREAS, that after said public hearing the Board of Aldermen adopted certain recommendations of the Planning Board; NOW THEREFORE

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

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas," as adopted June 19, 1972, and as subsequently amended, be and the same hereby is further amended as follows:

SECTION I

Amend Section 3-A-11-e; 3-A-12-4; 3-A-13-e; 3-A-14-e; to read as follows:

"The maximum height of any building shall be thirty-seven (37) feet and three (3) storids. (See Note F and Note G)"

SECTION II

Amend Section 3, notes accompanying Table of District Regulations Note F, by deleting paragfaph 5 (Height Limit in Limited Business Districts), and renumbering the subsequent paragraphs.

SECTION III

Amend Section 9-C to add, after the third sentence, the following:

"No certificate of occupancy either for the whole or a part of a building shall be issued until driveways, parking areas, side-walks, drainage facilities, utilities, and other improvements have been provided to the satisfaction of the Building Inspector.?"

SECTION IV

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

This the nineteenth day of March, 1973.

The motion to amend the ordinance was carried by a vote of four to two with Aldermen Smith and Scroggs opposing. Alderman Scroggs said he would vote against the motion because the ordinance includes areas outside of the CBD. Alderman Smith said he has the same objections as before. A vote was taken on the motion to adopt the amended ordinance. The motion was carried by a vote of four to two with Alderman Smith and Scroggs opposing.



Interim Manager Levine gave a report on drainage problems presented by petition to the Board. Alderman Welsh asked if the Housing Authority was responsible for the problem on Graham Street. Interim Manager Levine said that the Housing Authority had been contacted about it. Alderman Nassif said that when lots are filled they cause drainage problems. Alderman Welsh asked if the Public Works Department could recommend solutions to these citizens. Interim Manager Levine said that this has been done, and that the Highway Department will complete the curb on Merritt Mill Road which will satisfy Reverend Burnett.

#### BUDGET AMENDMENT

Mayor Lee read a budget amendment ordinance. Interim Manager Levine told the Board that Mr. George Watts Hill had made a donation of \$7,465 to the Town to be used for the Utilities Corporation budget. Alderman Nassif moved, seconded by Alderman Smith, to adopt the ordinance as read.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1972 AND ENDING JUNE 30, 1973

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:

Increase the General Fund Appropriations Account "6000 General Government" by \$15,000 to \$179,268;

Decrease the General Fund Appropriations Account "8000 Contingency" by \$7,535 to \$3,108;

Increase the General Fund Revenue Account "1545 Donations" by \$7,465 to \$9,465;

Increase the General Fund Appropriations and Revenue Budgets by \$7,465 to \$3,191,531.

#### SECTION II

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

This the nineteenth day of March, 1973.

This motion was unanimously carried.

#### PINE BEETLES

Alderman Smith asked for a report on the Pine Beetles funds. Interim Manager Levine said she would prepare a report.

#### C D REVENUE SHARING

Mayor Lee read a letter from the Department of Natural and Economic Resources requesting an expression of the Board of Aldermen's willingness to participate as a pilot city in this program. Interim Manager Levine described the intent of the pilot project and said that it would aid the Town in developing a Community Development program. Alderman Smith said that based on the number of studies that have been made there is a desire for Chapel Hill to become a Model City and he would support a resolution to participate in this program. Alderman Marshall

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asked how much the Town would have to give to participate in thos program. Mayor Lee said the Town would have to give, but it would gain something useful in a long-range plan, and that it would gain more than it would lose. He said that participation in this program could prove that the Town has needs for other resources. Alderman Welsh said she needs a statement of what the Community Development Program is, what the goals are, and what the advantages or disadvantages are. Interim Manager Levine said that specifics of the program have not been available but that she would get descriptive information to the Board members. Mayor Lee said this program could help the Town in getting other grants. Alderman Nassif moved, seconded by Alderman Smith, to approve a resolution indicating support for Chapel Hill participating as a pilot city in the Community Development program. This motion was unanimously carried.

#### CATV

Mayor Lee said that a citizens group from Duke studying CATV in Durham had contacted him and would like to come to Chapel Hill to discuss CATV including franchise agreements. He asked if the Board would prefer that this group discuss CATV with them or with the Committee. Alderman Scroggs said there is no longer a functional committee and thinks it would be very helpful to hear from the group. He said the group collected valuable information that would be useful to the Town. Alderman Marshall said the group could help the Town develop a franchise ordinance. Alderman Welsh suggested that the Board members read an article on Cable TV in the March issue of Nations Cities, that it would be very helpful. Mayor Lee said that he would invite Mr. Berlin to come and talk with the Board.

#### OPEN SPACE

Town Attorney Denny said that in previous negotiations with Mr. Umstead about his property the Town offered him \$7,200 which was rejected in writing. He said that there had been confusion about the number of acres involved in the land. He said that a condemnation suit was filed with the understanding that the Town's offer was the lowest appraisal but that he has now been informed that it was lower than the lowest appraisal, and that by law the Town is not permitted to negotiate for less than the lowest appraisal. He then read a resolution to increase the negotiated amount to \$10,035. Mayor Lee asked who carried out the negotiation. Town Attorney Denny said that Mr. Gordon Fisher. Mayor Lee said that the Board should adopt this resolution. Alderman Welsh moved, seconded by Alderman Smith, to adopt the resolution as read.

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

WHEREAS the Board of Aldermen of the Town of Chapel Hill did heretofore adopt a Resolution authorizing the Attorney for the Town of Chapel Hill to prepare a Complaint and Declaration of Taking and such other documents as may be required for the purpose of acquiring title to the property described in said Resolution and known as the Umstead or Rock Spring Farms Property, and

WHEREAS said Resolution did estimate that reasonable compensation for said taking to be the sum of Seven Thousand Seven Hundred Twenty Dollars (\$7,720.00), and

WHEREAS it has come to the attention of the Board that said sum should have been the sum of Ten Thousand Thirty-five Dollars (\$10,035.00), and

WHEREAS G. S. 136-103 as made applicable by Special Act to the Town of Chapel Hill grants the Board of Aldermen the authority to amend its Notice of Deposit, and increase the amounty at any time during the pendency of said action, and

WHEREAS said action is pending, NOW THEREFORE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the amount of deposit in the action entitled Town of Chapel Hill vs. Rock Spring Farms, Inc. be and the same is hereby increased to \$10,035.00, said amount now being determined by the Board of Aldermen to be just compensation for said taking, and the appropriate officials of the Town of Chapel Hill are authorized to deposit said additional amount with the Court, and

BE IT FURTHER RESOLVED that the Attorney for the Town of Chapel Hill is authorized and directed to prepare such Amended Notice as may be required pursuant to law to make said additional deposit.


This the nineteenth day of March, 1973.

This motion was unanimously carried.

#### ADMINISTRATION - CENTRAL FILES

Interim Manager Levine told the Board that there is a serious problem with the central files and that a central file system needs to be developed. She asked the Board to authorize her to employ a person for this purpose. There were no objections.

The meeting was adjourned at 10:40 P.M.

  
Mayor

  
David B. Roberts, Town Clerk

#### MINUTES

March 26, 1973

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a Public Hearing on March 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 Attorney Denny, and Town Clerk Roberts.

#### PUBLIC HEARING

Mayor Lee described the procedure for the public hearing.

#### ZONING ORDINANCE AMENDMENT - AUTOMOBILE SALES

Mayor Lee read the proposed amendment to the Zoning Ordinance amending Section 3, Table of District Regulations--Uses Permitted. Van Opdenbrow gave reasons for the amendment and indicated that those persons involved in automobile sales in Chapel Hill had been notified of the public hearing and sent a copy of the proposed amendment. Ms. Jean Stewart said that the amendment was not clear and that it does not explain such things as "storage." She said that there is an ordinance which sets yard requirements that vary with the zones. She said that there is a problem with screening automobile sales businesses across or adjacent to residential areas. Mr. Jim Allen requested that the Board consider how the amendment relates to the entire zoning plan of Chapel Hill. He said that it is impractical and unreasonable to single out used car dealers with cars parked on the lot from parking lots, drive-ins, on-street parking, shopping centers, and motels, and that because the cars are for sale is no reason for setting car dealers apart from other businesses. Mr. Allen said that car lots are a target for thievery and that a shield will decrease police surveillance and increase theft. He said that "shielding" should be clarified in the amendment, and that if a solid