

SECTION II

The meeting was adjourned at 10:27 P.M.

David B. Roberts
David B. Roberts, Town Clerk

July 2, 1973

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on July 2, 1973 at 7:30 P.M. with the following members present: Mayor Lee; Aldermen Gardner, Marshall, Nassif, Scroggs, Smith, and Welsh. Also present were Town Manager Kendzior, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Smith moved, seconded by Alderman Nassif, to approve the minutes of the meeting of June 25, 1973 as corrected. This motion was unanimously carried.

SOAP BOX DERBY

Alderman Nassif moved, seconded by Alderman Marshall, that the petition be received and referred to the Town Manager to work out the arrangements. This motion was carried by a vote of five to one with Alderman Scroggs dissenting.

ROSEMARY STREET

Alderman Scroggs inquired why Rosemary Street was painted with a "double yellow line" for its entire length. Town Manager Kendzior reported he will investigate this request.

C.B.D. Objection

Mayor Lee read a letter from Ms. Robert T. Deland objecting to tax money being spent on the C.B.D. study. Alderman Welsh moved, seconded by Alderman Marshall, that the petition be received and referred to the Town Manager to reply. This motion was unanimously carried.

TERRY LATHROP

Mayor Lee announced that Terry Lathrop had resigned from the Public Transportation Committee effective June 30, 1973.

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RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL APPROVING
THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR NEIGHBORHOOD
DEVELOPMENT PROGRAM

PROGRAM N.C. A-5

WHEREAS, under the provisions of Title I of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Neighborhood Development Programs; and

WHEREAS, it is provided in such Act that contracts for financial aid thereunder shall require that the Redevelopment Plan for the respective urban redevelopment areas comprising the Neighborhood Development Program be approved by the Governing Body of the locality in which the areas are situated and that such approval include findings by the Governing Body that: (1) the financial aid to be provided in the contract is necessary to enable the program to be undertaken in accordance with the Redevelopment Plan; (2) the Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the redevelopment areas by private enterprise; (3) the Redevelopment Plan conforms to a general plan for the development of the locality as a whole, and (4) the Redevelopment Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan; and

WHEREAS, it is desirable in the public interest that the Redevelopment Commission of the Town of Chapel Hill (herein called the "Local Public Agency") undertake and carry out the Neighborhood Development Program (herein called the "Program") identified as "The Northside - Knolls Street Neighborhood Development Program" and encompassing the areas described in the attached Annex; #1) In the Town of Chapel Hill, State of North Carolina (Herein called the "Locality"), and

WHEREAS, the Local Public Agency has applied for financial assistance under such act and proposed to enter into a contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the program, and

WHEREAS, the Local Public Agency has made studies of the location, physical condition of structures, land use, environmental influences, and social, cultural, and economic conditions of the urban redevelopment areas comprising the Program and has determined that the areas are rehabilitation, conservation and provisions of Subsection 21 of GS 160-456 and by reason of the factors listed in Subdivision (2) and Subdivision (10) of said GS 160-456 and are subject to a clear and present danger that, in the absence of municipal action to rehabilitate, conserve, and recondition the areas, they will become in the reasonably foreseeable future blighted areas in the residential portions thereof or a non residential redevelopment area as to

that portion thereof which is predominantly non-residential, and the members of the Governing Body have been fully apprised by the Local Public Agency, and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the Board of Aldermen of the Town of Chapel Hill (herein called the "Governing Body") for review and approval a Redevelopment Plan for the urban renewal areas dated April 30, 1973 and consisting of fifty-three (53) pages and two (2) mapped exhibits including Map #NDP-2, Existing Land Use and Building Condition Map, and Project Boundary Map; and Map #NDP-3, Land Use Plan and Preliminary Site Plan, supported by supplementary material, data and recommendations not a part of the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan has been approved by the Governing Body of the Local Public Agency as evidenced by a copy of said Body's duly certified resolution approving the Redevelopment Plan which is attached hereto; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Planning Board of the Town of Chapel Hill, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting the Redevelopment Plan for the Urban Renewal Areas comprising the Program, and has certified that the Redevelopment Plan conforms to the general plan for the Locality as a whole, and the Governing Body has duly considered the report, recommendations and certification of the Planning Board; and

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the program in accordance with the Redevelopment Plan; and

WHEREAS, there has been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the areas comprising the Program and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the Urban Renewal areas and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced by the Program, and in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Redevelopment Plan for the Program, in conformity with the contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

WHEREAS, the Governing Body is cognizant of the conditions that are

imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

1. It is hereby found and determined that the Urban Renewal areas comprising the Program are rehabilitation, conservation, and reconditioning areas and qualify as eligible project areas under the Urban Redevelopment Law of the State of North Carolina.
2. That the Redevelopment Plan for the Program, having been duly reviewed and considered, is hereby approved, and the Town Clerk be, and he is hereby directed to file a copy of the Redevelopment Plan, identified as Annex #2 with the minutes of this meeting.
3. That it is hereby found and determined that where clearance is proposed that the objectives of the Redevelopment Plan cannot be achieved through rehabilitation of the Urban Renewal areas comprising the program.
4. That it is hereby found and determined that the Redevelopment Plan for the Program conforms to the general plan of the locality.
5. That it is hereby found and determined that the financial aid to be provided pursuant to the contract for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Redevelopment Plan for the areas comprising the Program.
6. That it is hereby found and determined that the Redevelopment Plan for the Urban Renewal areas comprising the Program will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the areas by private enterprise.
7. That it is hereby found and determined that the Redevelopment Plan for the Urban Renewal areas gives due consideration to the provisions for adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.
8. It is hereby found and determined that the Program for the proper relocation of individuals and families displaced in carrying out the Urban Renewal Plan in decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the plan; and that such dwelling units available or to be available to such displaced individuals and families, are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the area comprising the program, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.

9. That in order to implement and facilitate the effectuation of the Redevelopment Plan hereby approved, it is found and determined that certain official action may be required and taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby pledges its cooperation in helping to carry out the Redevelopment Plan, (b) requests the various officials, department, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate in a manner consistent with the Redevelopment Plan, and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan.

10. That the financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the areas comprising the Program to be renewed and rehabilitated in accordance with the Redevelopment Plan for the Program and accordingly, the proposed Program and the annual increment are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies, as follows:

(1) That he is a duly qualified and acting Town Clerk of the Town of Chapel Hill, and is the keeper of its records including the journal and minutes of the proceedings of the Board of Aldermen of the Town of Chapel Hill, herein called the "Governing Body."

(2) That the attached Resolution is a true and correct copy of the Resolution as finally adopted at a meeting of the Governing Body held on the 25th day of June, 1973 and duly recorded in his office.

(2a) And also attached hereto is a true and correct copy of the Redevelopment Plan presented at the meeting and approved by the Resolution.

(3) That the attached is a true and correct copy of extracts from minutes adopted at a meeting of the Governing Body held on the 25th day of June, 1973, and duly recorded in his office;

(4) That said meeting was duly convened and held in all respects in accordance with law and to the extent required by law due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Governing Body voted in the proper manner and for the adoption of said Resolution; and all other requirements and proceedings under law incident to the proper adoption or passage of said Resolution, have been duly fulfilled, carried out, and otherwise observed.

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Town of Chapel Hill and this certificate is hereby executed under such official seal.

(6) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand, this the 25 day of June, 19 73.

(SEAL)

ATTEST:

David B. Roberts

Signature of Recording Officer

Town Clerk

Title of Recording Officer

Sworn to and described before me this 25 day of June, 19 73.

My Commission Expires:

August 28, 1977

Sandra W. Stewart

Notary Public

N.C. LEAGUE

Mayor Lee announced that the 64th Annual N. C. League of Municipalities convention would be held at Pine Hurst on October 11, 12, and 13th.

1973-74 BUDGET

Town Manager Kendzior presented the budget to the Board of Aldermen and announced that a public hearing would be held on July 16, 1973 and on July 27, 1973. The Board of Aldermen agreed to start on July 10, 1973 and continue to meet each night until the budget meetings are completed.

C.B.D. STUDY REPORT

Mr. Robert M. Leary of Robert M. Leary Associates presented a report on the C.B.D. Study and stated they would come in later with a complete report. He did discuss the Down-town Development Corp, and said it needed to be formed; and he said the Public Works Department had made recommendations about trash removal and construction of sidewalks. Alderman Nassif asked what the impact of University Mall would have on the C.B.D. Mr. Leary questioned the viability in Chapel Hill, and said sales will continue in Chapel Hill but that some building owners will not spend money and some are holding back. Alderman Nassif asked what is really being done for the CBD. Mr. Leary reported that people are reaching out and going to other shopping centers, that the change started when the parking meters were placed in town. Alderman Welsh asked Mr. Leary to discuss some of the priorities. Mr. Leary discussed housekeeping and improvement of property. He said that the Board should participate in the Downtown Corp to move forward on the CBD. He said the first improvements would be walkways, trash, and garbage collection. He asked the Board to give the committee a chance to prove they can work toward certain objectives. Alderman Nassif said the Downtown merchants are trying to attract people to the shopping area. Mr. Leary said that students are the major source of downtown revenue. Alderman Nassif asked if the downtown is considered compact now. Mr. Leary said the east and west ends are, but the center section is not. Alderman Smith asked if the "one-million dollars shot in the arm" would solve the problem for the CBD. Mr. Leary said no, he did not mean for the Town to spend a million dollars. He said this amount would be developers' cost, not the Town's. He said that some high-quality development could be constructed in the CBD area. Alderman Smith asked about parking for shoppers. Mr. Leary said this is included in the project on two levels. Alderman Marshall recommended that Triangle J COG receive a copy of the report. Alderman Welsh said Chapel Hill would have to "open the door" to U.N.C. on this. Mayor Lee said he feels warmly toward the report and looks forward to the Town to take the initiative in the project. Alderman Welsh moved, seconded by Alderman Nassif, that the report be referred to the Planning Board for study and recommendation back to the Board. This motion was unanimously carried.

SIFT REPORT

Town Manager Kendzior gave a brief summary of the summer workers and their assignments in various departments of the Town government.

PITCH IMPLEMENTATION #6

Mayor Lee read the recommendations from the PITCH report. Mayor Lee asked if there had been any adverse impact. Dr. Weiss said there was a degree of judgment on major plans that would be presented. Town Attorney Denny reported that property owners can apply for rezoning and that the Board has the authority to refer or not refer the request to the Planning Board. Alderman Scroggs stated that the citizens could petition and the Board could refer the request or reject the petition. Alderman Welsh stated that the Board must make a response to petitions submitted. Alderman Welsh moved, seconded

by Alderman Smith that implementation #6 be approved as presented.

RECOMMENDED IMPLEMENTATION #6:

Pending adoption of the Long Range Development Plan, announce and follow this policy:

- a. Permits for uses permitted as a right under the Zoning Ordinance will continue to be processed as at present;
- b. Subdivision plats meeting the requirements of the Town's subdivision regulations (and inconformity with the Zoning Ordinance and other regulations) will continue to be processed as at present;
- c. Proposed zoning ordinance and map amendments will be reviewed carefully, and only those which will have no adverse impact on the Long Range Development Plan will be given immediate consideration; all other zoning ordinance and map amendments will be held for consideration after that plan has been adopted;
- d. Special Use Permit applications for fraternity and sorority houses and courts, mobile home courts, unified business developments, and unified housing developments will be reviewed carefully, and only those which will have no major adverse impact on the Long Range Development Plan will be given immediate consideration; all other special use permit applications of these types will be held for consideration after that plan has been adopted;
- e. All other special use permit applications will continue to be processed as at present.

The motion was carried by a vote of five to one with Alderman Scroggs dissenting.

RECREATION COMMISSION - APPOINTMENT

Alderman Welsh moved, seconded by Alderman Gardner, that the nominations be closed. This motion was unanimously carried. The vote was counted and a tie of three each was recorded for Mr. Hargraves and Mr. Rubin. The second vote was tied, and Mayor Lee cast his vote for Cameron Hargraves. Mr. Cameron Hargraves was elected by a four to three vote to serve on the Recreation Commission for a term expiring December, 1975.

APPEARANCE COMMISSION

Mr. Van Opdenbrow explained that the Highway Commission plans to install new traffic signals, in compliance with new federal regulations, during this fiscal year. He said that the standard pole in use now is seriously lacking in visual amenity, and the Highway Commission will install either of two alternatives if the Town will bear the cost difference. Alderman Smith moved, seconded by Alderman Welsh that this be considered in the proposed budget for 1973-74. This motion was unanimously carried.

DEPOSITORIES - RESOLUTION

Alderman Smith moved, seconded by Alderman Nassif, that the resolution designating official depositories for the Town be adopted as presented.

RESOLUTION

WHEREAS the Local Government Budget and Fiscal Control Act effective July 1, 1973, requires certain actions by the Board of Aldermen; and

WHEREAS among these actions are included the designation of official depositories which shall be the only lawful depositories of the Town

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funds; the fixing of the amount of a faithful performance bond for the Finance Officer of not less than ten thousand dollars (\$10,000) nor more than one hundred thousand dollars (\$100,000); and the designation of an official to countersign all checks or drafts on an official depository or all other instruments or documents converting assets into cash or other negotiable instruments; and

WHEREAS the Finance Officer is required by this Act to sign all checks, drafts, and other instruments; NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill designate that the First Union National Bank, the official depository for demand deposits of the Town for a two year period ending June 30, 1975; and

BE IT FURTHER RESOLVED that the Board of Aldermen of the Town of Chapel Hill designate the following banks as official depositories for time deposits and funds held by these banks for the payment of Town bonds:

The Bank of North Carolina
Central Carolina Bank
First Citizens Bank
First National City Bank of New York
First Union National Bank
Mechanics and Farmers Bank
North Carolina National Bank
Northwestern Bank
Wachovia Bank

BE IT FURTHER RESOLVED that the Board of Aldermen of the Town of Chapel Hill fix the faithful performance bond of the Finance Officer at twenty-five thousand dollars (\$25,000).

BE IT FURTHER RESOLVED that the Finance Officer and the Town Manager be designated as the officials who shall counter-sign all checks or drafts on official depositories and all other instruments or documents converting assets to cash or other negotiable instruments.

This the second day of July, 1973.

This motion was unanimously carried.

INTERIM BUDGET ORDINANCE

Alderman Nassif moved, seconded by Alderman Smith, that the interim budget ordinance be adopted as presented.

AN ORDINANCE TO APPROPRIATE INTERIM FUNDS AND TO RAISE INTERIM REVENUE 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

An amount not to exceed \$350,000 is appropriated for the purpose of meeting salaries and usual ordinary operating expenses until a complete budget ordinance is passed. The total amount for each department is not to exceed 10% of the total of the previous fiscal year for that department's salaries or operating expenses. The fund balance will provide an amount necessary to meet the expense. The Town is authorized to collect revenues at the level of the previous year, excepting the ad valorem tax, until the complete budget ordinance is passed, at which time all revenues will be established.

SECTION II

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

This the second day of July, 1973.

This motion was unanimously carried.

WASTE WATER COLLECTION

Alderman Welsh described the capacity of the Rogerson Drive pump station and the overloaded sewer lines. She stated that new sewer construction would relieve some of these problems; and that the Olsen report recommended improvement of the Mason Farm Plant. She recommended that the report show this in population projections. Alderman Smith asked if an engineer could be consulted for this information. Town Manager Kendzior reported in the affirmative. Mayor Lee requested that the Town Manager follow up on this matter and report back to the Board.

SEDIMENTATION CONTROL

Alderman Welsh referred to Senate Bill 244 and said that the local bill was not passed but that some enabling acts were passed by the State to control sedimentation by a committee. She said that the Town must meet state standards and that a model ordinance should be ready by July 1, 1974. Town Attorney Denny reported that at the present time the Board could not adopt an ordinance, but that one could be prepared and submitted to the committee for recommendation back to the Board and adoption. Alderman Welsh read the bill to the Board. Alderman Marshall asked how Mr. Stewart felt that Triangle J COG could help. Mr. Stewart stated that COG is preparing a report on this for the Town. Mayor Lee inquired if COG would prepare a model ordinance. Mr. Stewart reported in the affirmative. Mayor Lee inquired if COG would coordinate the Durham, Raleigh, and Chapel Hill areas. Alderman Welsh said Region J COG could work with County Commissioners and Carrboro and that the Town Manager, Planning Department, Public Works Department and the Orange County Soil and Water Conservation District Conservationist draw up an ordinance for Chapel Hill. The bill specifically intends urban-rural coordination on soil erosion and sedimentation controls." She said a progress report should be presented to the Board by January and a final report to the Board by March. Mr. Van Opdenbrow stated that a study has already been made. Alderman Welsh moved, seconded by Alderman Nassif, that a report be prepared by January, 1974 and an ordinance by March, 1974. This motion was unanimously carried.

RECREATION PLANNING

Mr. Dick Helwig brought a progress report to the Board and Mr. Webb and Mr. Giles explained the report and showed areas on a map. Mr. Webb outlined the area in which the Town had recreational areas, open space, and centers in Town, and the areas they served. Mr. Giles stated that the Town needs an indoor swimming pool and a community center; and that one has been proposed for Ephesus Church Road. He also showed plans for open space and how the Recreation Commission would like to develop the land, but said that the Commission needed to know how the projects would be financed. Alderman Marshall said the Board of Aldermen, Carrboro, and the School Board had met on the use of school property, and that the discussion seemed encouraging. Mayor Lee said the Recreation planning is proceeding in the right way, but there is the question of where the money will come from. He said that outdoor recreation may come back; and asked how much the Town should undertake in this proposal. Mr. Giles said that if the boards agree with the proposal that Open Space funds can be used for implementation. Mayor Lee said that open space land should be usable. Alderman Marshall said the Town should use the land available. Mayor Lee said that the Board should commit itself and that the Recreation Commission should then set policies and present them to the Board for approval. Mr. Helwig said he feels this proposal should be discussed with the Budget. Alderman Welsh said that the over-all plan is good, but there is a problem with the necessary priorities. She said that large items should be carefully planned. Alderman Scroggs said that the Commission should set the

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plans in priority order and present them to the Board. Mayor Lee said that the report is good, that more schools are needed and should be located differently. He said that the Town owns land and should start developing it. He said that the Planning Board should work on long-range planning with the Commission. Ms. Cannady thanked the Board for the chance to present their proposals.

The meeting was adjourned at 10:47 P.M.



Mayor



David B. Roberts, Town Clerk

MINUTES OF A REGULAR MEETING OF THE MAYOR
AND BOARD OF ALDERMEN OF THE TOWN OF CHAPEL
HILL HELD IN THE MEETING ROOM OF THE MUNICIPAL
BUILDING MONDAY, JULY 9, 1973 AT 7:30 P.M.

The regular meeting of the Mayor and Board of Aldermen of the Town of Chapel Hill, North Carolina, was called to order in the Meeting Room of the Municipal Building on Monday, July 9, 1973 at 7:30 P.M. The roll was reported as follows:

Present:

Howard N. Lee, Mayor
Thomas Gardner
Shirley Marshall
Joseph Nassif
Ross Scroggs
R. D. Smith
Alice Welsh

Absent:

None

A quorum of the Board was present and in attendance at the meeting. Also present were Town Manager C. Kendzior, Town Clerk D. Roberts, and Town Attorney E. Denny.

On motion of Alderman Nassif, seconded by Alderman Smith, the minutes of the July 2, 1973 Regular meeting were approved as corrected.

Receive Requests

On motion of Alderman Welsh, seconded by Alderman Marshall, the request of Ms. Claudia Cannady, Chairman, Recreation Commission, for reconsideration of the Recreation Budget was received and accepted.

On motion by Alderman Smith, seconded by Alderman Nassif, the communication objecting to the road plans was received and accepted.

Receive Budget Review

The Town Manager then reported that the Town Staff received a total of ten persons and thirteen telephone calls for the informal Budget review scheduled last Saturday, July 7, 1973. He further reported that all inquiries concerned the request for financial support for the Botanical Gardens. He also reported that the Town staff will again be available for a public Budget review next Saturday, July 14, 1973 during the hours 9:00 A.M. to 12:00 Noon and 1:30 P.M. to 4:30 P.M. Alderman Smith then requested that the entire budget for the Botanical Gardens be submitted to the Board for review and study. Alderman Nassif then inquired if the Orange County Commissioners and the Town of Carrboro had been contacted by the Botanical Gardens for financial support. The Town Manager replied he did not have this information.