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He said the route would be of little benefit to Chapel Hill while the Town desperately needs improvement to N.C. 86 and Highway 54. He further reported that the needs of Orange County have not been met. Mayor Lee then stated that he was "galled" that Franklin Street has been dropped from resurfacing this year, that Highway 54 was tarred instead of widened, and that no improvements have been made to N.C. 86. "Now the state wants to force I-40 down our throats," he said.

The Mayor then said he plans to appeal to State Transportation Secretary Bruce Lentz and the transportation Board on Chapel Hill's highway problems.

Alderman Nassif then moved, seconded by Alderman Gardner, that the Board oppose I-40 alternate #1, draw up a resolution supporting this and ask the County Commissioners, Carrboro and Hillsborough to join us, and that Region J be notified of our feelings. Said motion was approved by the following vote:

AYES: Gardner, Marshall, Nassif, Smith, Scroggs and Welsh (6)
NAYES: None (0)

Charter Commission

Mayor Lee then reported that a resolution will be presented to the Board at its next regular meeting to appoint a Charter Review Commission and to charge it with specific responsibilities, and that the Board should consider possible names for nominations to the Commission.

There being no further business to come before the Mayor and Town Board of Aldermen, said meeting was adjourned at 11:20 p.m.D.S.T.



Mayor



David B. Roberts
Town Clerk

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN
OF CHAPEL HILL HELD IN THE COURT ROOM OF TOWN
HALL, 100 W. ROSEMARY STREET, MONDAY,
SEPTEMBER 24, 1973 AT 7:30 P.M.

The Mayor and Board of Aldermen met at a public hearing on September 24, 1973 at 7:30 P.M. in the Court Room at 100 W. Rosemary Street. The roll was reported as follows:

Present:

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

Absent:

None

A quorum of the Board was present and in attendance at the meeting. Also present were Assistant Town Manager M. Levine, Town Clerk D. Roberts, and Town Attorney E. Denny. Planning Board members present were: Phillip Cooke, Peg Parker, Bonnie Powell, and George Spransy. Town Manager Kendzior was absent.

PUBLIC HEARING

Mayor Lee described the format and procedure for the public hearing.

Special Use Permit
North Carolina National Bank

Mr. Phil Rominger requested a special use permit for North Carolina National Bank to erect a drive-in bank on Willow Drive,

the property being identified as lot 12 of Block A, Orange County Tax Map 47. Van Opdenbrow gave a description of the property as to location, elevation, site plan, traffic pattern, parking and landscaping plan. Jon Condoret, the architect for this project, stated he could describe the materials of the building if the Board desired. Two citizens opposed the request: one because it would be against the public safety and welfare, and the other questioning why Chapel Hill needs another drive-in bank. No one spoke in support of the request. Alderman Welsh said that the special use permit was needed only because of the drive-in nature of the business. Alderman Scroggs said that all banks' customers deserve the opportunity for drive-in services. Alderman Nassif moved, seconded by Alderman Smith, to refer this request to the Planning Board for recommendation. Said motion was unanimously approved.

Special Use Permit
Cultural Center - Restaurant

Ms. Valera McFarland requested a special use permit for the Far East Cultural Center and the House of Chu to erect a cultural center -

restaurant complex on U.S. 15-501 (Durham-Chapel Hill Boulevard) the property being identified as lot 12 of Block B, Orange County Tax Map 45. Van Opdenbrow described the property and the site plan, parking, landscaping, and the two proposed additional buildings. Mr. Peter Chu described the value of this cultural center - restaurant complex for the community. No one spoke in opposition or support of the request. Alderman Smith said there is a problem with traffic at that location. Van Opdenbrow stated that the Department of Transportation is working on the problem and would like to meet with the Board of Aldermen to discuss it, perhaps on October 8. Alderman Nassif said he agreed that there is a traffic problem in that area, and commended the architect for the lay-out. Alderman Welsh moved, seconded by Alderman Nassif, to refer this request to the Planning Board for recommendation. Said motion was unanimously approved.

Sidewalk Assessment Roll
Willow Drive

Mr. Dan Dobbs of 306 Spruce Street objected to the assessment roll, stating that the requirements in the North Carolina General Statutes

have not been met and the people being assessed were not provided proper notification. Mr. Dobbs said he had not signed a petition, he did not want the sidewalk, it was of no use to him, and he did not think he should be assessed for it. Town Attorney Denny said that the sidewalk had been requested by residents who had presented a petition to the Board of Aldermen. Mayor Lee requested that the public hearing be suspended until additional information could be presented. Town Attorney Denny said that he would review the petition, the legislation, and report to the Board. He said that another public hearing should be advertised and held to consider this assessment. Ms. Rachel Simon said that she was there representing some one who opposes the assessment. Receiving no objections, the Mayor suspended the public hearing on the sidewalk assessment.

REGULAR MEETING

On motion by Alderman Welsh, seconded by Alderman Gardner, the minutes of the meeting of September 14, 1973 were approved as corrected. Said motion was unanimously approved.

On motion by Alderman Smith, seconded by Alderman Nassif, the minutes of September 17, 1973 were approved as corrected. Said motion was unanimously approved.

Agenda Item

Alderman Welsh said that she was concerned that agenda items that have been postponed at one meeting

have not appeared on the agenda of the next meeting. She said that the long-range plan was one example, but did not want to have that discussed without the Town Manager present. Mayor Lee said that he would schedule a work session for the Board to discuss long-range planning policies within the next two weeks. Alderman Welsh said

that she would like sidewalk priorities and a status report on the post office to be on the agenda for the next meeting.

Noise

Alderman Scroggs said that there has been excessive noise over the weekends and requested that this item be discussed at the end of the agenda. Alderman Welsh moved, seconded by Alderman Nassif, that this item be placed at the end of the agenda. Said motion was unanimously approved.

N. Lakeshore Drive Paving

Mayor Lee read a letter from Mr. Robert Peck stating that there is a valid petition on file for the paving of N. Lakeshore Drive.

Mayor Lee expressed his appologies to Mr. Peck for any misunderstanding related to this project, indicating there had been no deliberate attempt to question his integrity. Alderman Nassif asked the Town Attorney to check the petition, particularly the basis on which the Lake Forest Homeowners Association had signed.

Bids - Storm Drainage Airport Road

Mayor Lee stated that the Town had received three bids for the storm drainage improvements for Airport Road, the lowest bid being \$61,585

submitted by P. H. Blake. He said the consulting engineers recommended rejecting these bids and re-advertising the project. On motion by Alderman Scroggs, seconded by Alderman Smith, the bids were rejected and authorization to re-advertise for new bids was given. Said motion was unanimously approved. Alderman Nassif asked if the high bidder, Dellinger, Inc., was a frequent bidder on Town projects. John McAdams, the consulting engineer, said no.

Sewer Improvement Assessment - NDP Area

Town Attorney Denny requested that this item be delayed until after the public hearing on October 1, 1973. There were no objections.

Housing Trust Fund

Mayor Lee requested that this item be delayed for further study. There were no objections.

Environmental Legislation

Mr. Milton Heath of the Institute of Government described recent legislation related to the environment, and affecting municipalities. He

discussed the portion of the Environmental Bill of Rights concerned with nature and historic preserve, the Occupational Safety and Health Act which affect municipalities in July, 1974, tax breaks for farm lands, the Clean Water Bond amendments which will be on the ballot in November, and the bills relating to non-returnable containers which were killed in committee. He said that land use control bills will be considered again in the next legislature and that the Town might want to find out more about this and monitor the activities. The major environmental legislation passed this year included: the Floodway Ordinance, the Sediment Control Bill, Septic Tank Legislation, and the extension of the Environmental Protection Act concerned with environmental impact statements. He said that the Town should begin to consider a sediment control bill and program, and that the Town should indicate its position on the septic tank legislation to the county which has been given the authority for enforcing this legislation.

Human Relations Commission Appointments

Mayor Lee stated that there are five vacancies on the Human Relations Commission for terms of three years each ending December, 1975.

Alderman Gardner nominated Ms. Helen Urquhart. Alderman Welsh moved, seconded by Alderman Nassif, that the nominations be closed. Said motion was unanimously approved. The Aldermen then considered and voted on the six candidates for the five vacancies and the vote was

tabulated as follows:

<u>Nominee</u>	<u>Votes Received</u>
Charles Jones	7
Frank Perry	7
Adam Stein	6
Gerald Cohen	6
Milton Carruthers	7
Helen Urquhart	2

The Mayor then stated that Messrs. Jones, Perry, Stein, Cohen, and Carruthers had received the majority vote of the Board present, and were appointed to the Human Relations Commission for three year terms expiring December, 1975.

Blue Cross-Blue Shield
Sign Plan

Van Opdenbrow stated that the Appearance Commission recommended approval of the design and location of signs with a stipulation. A

representative of the architect read a statement from his architectural firm indicating that the design and location for the signs had been reviewed by the architectural firm which recommends keeping the sign design as presented. Alderman Scroggs moved, seconded by Alderman Nassif, to approve the sign plan as presented by the architect. Said motion was adopted by the following vote:

AYES: Gardner, Marshall, Nassif, Scroggs, Smith (5)
NAYES: Welsh (1)

Northwestern Bank -
Sign and Exterior
Lighting Plan

Mayor Lee stated that the Appearance Commission recommended approval of the design and location of signs and exterior lighting subject to two stipulations. Alderman Smith

moved, seconded by Alderman Welsh, to approve the design and location of signs and exterior lighting for the Northwestern Bank subject to the following stipulations: 1. that provisions be made for several low lights along the pedestrian access from Franklin Street; 2. that the signs at the corner of Franklin Street and Elliott Road be joined at a common post, at an angle of approximately 90 degrees. Said motion was approved by the following vote:

AYES: Gardner, Marshall, Scroggs, Smith, Welsh (5)
NAYES: None (0)
ABSTENTIONS: Nassif (1)

Property Release

The Mayor then introduced and Alderman Smith moved, seconded by Alderman Gardner, adoption of the

following resolution to the taxes:

RESOLUTION

WHEREAS taxes listed below were erroneously levied through clerical error on properties belonging to the following:

Duke Power Company	7095	\$258.64	Property was released by the State Board of Assessment
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WHEREAS the above list of persons has made application for release of said taxes: NOW THEREFORE,

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that it finds the taxes on the above listed persons were levied through clerical error, and in the discretion of the Board should be released to the taxpayer. IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such release.

Said resolution was adopted by the following vote:

AYES: Gardner, Marshall, Nassif, Scroggs, Smith, Welsh (6)
NAYES: None (0)

Interchurch Council -
Federal Rent Supplement
Program

Alderman Nassif, moved,
seconded by Alderman Marshall, that
the following resolution be adopted:

"RESOLUTION APPROVING PARTICIPATION BY LOCAL HOUSING OWNERS
IN THE FEDERAL RENT SUPPLEMENT PROGRAM"

Said motion was adopted by the following vote:

AYES: Gardner, Marshall, Nassif, Scroggs, Smith, Welsh (6)
NAYES: None (0)

Mayor Lee expressed his appreciation to Ms. Adelaide Walters for all
of her efforts related to this program.

Recognition of
Anne Queen

Mayor Lee requested that this item
be delayed until the next meeting.

I-40

Mayor Lee read a resolution opposing
the construction of Interstate-40.
Alderman Smith moved, seconded by

Alderman Nassif, that the following resolution be adopted:

"RESOLUTION OPPOSING INTERSTATE-40"

Town Attorney Denny suggested that Hillsborough be added to the resolu-
tion. Said motion was adopted with the addition of Hillsborough to
the resolution by the following vote:

AYES: Gardner, Marshall, Nassif, Scroggs, Smith, Welsh (6)
NAYES: None (0)

Charter Commission

Mayor Lee introduced the following
resolution and requested its adop-
tion by the Board. Alderman

Marshall moved, seconded by Alderman Smith, that the following resolu-
tion be adopted:

"RESOLUTION FORMING A CHARTER COMMISSION FOR THE TOWN OF
CHAPEL HILL, NORTH CAROLINA"

Mayor Lee requested that nine appointments be made by the Board and
six appointments be made by the Mayor after the Board's appointments.
He recommended that this provision be added to the resolution and
that the Board appoint Alderman Joseph L. Nassif as Chairman of the
Charter Commission. Alderman Marshall moved, seconded by Alderman
Smith to adopt the proposed resolution with the addition requested
and appoint Alderman Joseph Nassif to be Chairman of the Charter
Commission. Said motion was adopted by the following vote:

AYES: Gardner, Marshall, Scroggs, Smith, Welsh (5)
NAYES: None (0)
ABSTENTION: Nassif (1)

Alderman Nassif asked if the Board preferred having the Charter
Commission study the structure of the Planning Board first in order to
have any charter changes related to the Planning Board considered by
the 1974 legislature. Mayor Lee said that would be desirable.

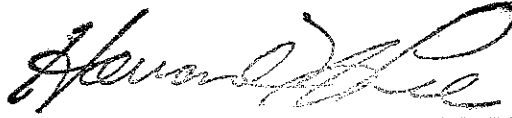
Noise

Alderman Scroggs said that the
Noise Ordinance was not being
enforced, that the Police Depart-

ment does not think that there is teeth in the ordinance, that
amplified bands are causing a disturbance outside, and that there has

been little or no help from the Police Department to get enforcement. Alderman Smith said that in addition to that kind of noise, there were violations from mufflers and barking dogs. Mayor Lee requested that the Police Department be informed that the Board is very dissatisfied with the lack of enforcement and requests that a more aggressive enforcement policy be undertaken. Alderman Welsh said that Mr. Al Turner would be willing to conduct regional workshops on noise enforcement at the Institute of Government. Mayor Lee requested that the Town administration convey the Board's concern to the Police Department. Alderman Nassif said that if enforcement is not possible because of the ordinance a special meeting could be held before the coming weekend.

There being no further business to come before the Mayor and Town Board of Aldermen, said meeting was adjourned at 10:15 p.m.D.S.T.



Mayor



David B. Roberts
Town Clerk

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN
OF CHAPEL HILL HELD IN THE COURT ROOM OF TOWN
HALL, 100 WEST ROSEMARY STREET,
MONDAY, OCTOBER 1, 1973 AT 7:30 P.M.

The Mayor and Board of Aldermen met at a public hearing on October 1, 1973 at 7:30 P.M. in the Court Room at 100 W. Rosemary Street. The roll was reported as follows:

Present:

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

PUBLIC HEARING

Mayor Lee described the format and procedure for the public hearing and said that the first item to be considered is the street improvement assessment for N. Lakeshore Drive, to include street widening, curbing, guttering, resurfacing, and installation of necessary storm drainage from the bridge at the west end of the lake to the bridge near Lakeshore Court. Town Attorney Denny described the area advertised for the street improvements and for the public hearing, and indicated that notices had been sent to the property owners in the area. He said that the improvement could be assessed under the current state law which allows a Town to undertake a public improvement and assess a portion of the project cost to the property owners if a petition has been signed by over 50% of the property owners representing over 50% of the linear front footage. He also said that a special act permits the Town of Chapel Hill to assess any portion of the project without a petition if the members of the Board of Aldermen determine that it is in the public interest to