

AN ORDINANCE TO AMEND THE SALARY AND POSITION CLASSIFICATION PLAN FOR THE VARIOUS TOWN EMPLOYEES BEGINNING JULY 1, 1973 AND ENDING JUNE 30, 1974.

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

Section I. That the Ordinance of the Town of Chapel Hill entitled: "An Ordinance Establishing Salary Ranges, Position Classification, Salaries, Bonds of Officials and Certain Benefits. For the Various Salaried and Hourly Full-Time Employees, and Salaries for the Various Part-Time and Non-Permanent Employees Within the Service of the Town of Chapel Hill, North Carolina, For the Period July 1, 1973 to June 30, 1974" as duly adopted on July 23, 1973 be and the same is hereby amended as follows:

Section II. Police Department, which reads as follows:

<u>Position</u>	<u>No.</u>	<u>Hours</u>	<u>Range</u>	<u>Salary Range</u>
Police Lieutenant	10	42	23	\$9,636-\$12,300

Be amended to read as follows:

Police Lieutenant 11	42	23	\$9,636-\$12,300
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Section III. That all Ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 5th day of November , 1973.

Alderman Smith moved, seconded by Alderman Gardner, to adopt the ordinance increasing the number of lieutenants in the Police Department as read. Said motion was unanimously adopted.

As there was no other business to come before the Mayor and Board of Aldermen, said meeting was adjourned at 8:50 p.m.

Mayor

David B. Roberts  
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, NOVEMBER 12, 1973 AT 7:30 P.M.

The Mayor and Board of Aldermen met at a public hearing on November 12, 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  
Joseph L. Nassif  
Ross E. Scroggs  
R. D. Smith  
Alice M. Welsh

Absent: Shirley E. Marshall

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 stated that the purpose of this hearing was to consider proposed Zoning and Subdivision Ordinance amendments concerned with recreational open space in subdivisions and unified housing developments. He asked Van Opdenbrow to comment, and Mr. Opdenbrow asked for comments and questions from the Board. There were none. Mayor Lee asked for proponents of the proposed ordinances. Dr. Philip Cooke, Chairman of the Planning Board, said that the Planning Board has revised the ordinances in response to concerns of the Board of Aldermen for such matters as simplified format, provisions for private ownership, and federal park and open space standards. The proposed ordinances have been approved by the Town Attorney and the Recreation Commission. No one spoke in favor of the proposed ordinances. No one spoke in opposition to them.

Alderman Scroggs said that in the Unified Housing Developments proposed ordinance Section I, A-1, the second sentence re. "court areas, yards, and other open areas..." was not clear to him. Mr. Opdenbrow said that this meant that such areas as front, side, and rear yards required by the Zoning Ordinance could not be counted as satisfying any part of the recreational open space requirement. Other portions of land not required by the Zoning Ordinance or Building Codes, such as excess from a parking lot, could be counted as part of the recreational area if it met the other requirements listed. Alderman Scroggs said this would make "arithmetic shambles" of both ordinances as it could not be determined what was a lot. He presented examples of the problem. Alderman Nassif said that small developmental units, such as five, would present a problem because they would not have sufficient recreational space. Mr. Cooke said that it seemed that the ordinance allowed the Aldermen to make exceptions for such situations (Section I, 2A). Alderman Scroggs said it might be simpler to use the 1200 square feet per dwelling unit and not consider the open areas required by the Zoning Ordinance and Building Codes in the computation of recreation areas. Mr. Arthur Berger said that every requirement in the proposed ordinances would present some problems when applied. He said a conflict between shape and certain lot dimensions, or parking needs could reduce the number of units allowed but the ordinance needs to contain the provision. Special use permits would not apply to five units or less and the exemption clause previously mentioned might be useful. Alderman Scroggs was concerned about the lack of predictability and uncertainties in determining recreational space. Alderman Welsh suggested that the Planning Board study the questions raised and return with recommendations. Dr. Cooke invited Aldermen Scroggs and Nassif to attend the Planning Board's November 13 meeting to discuss it further. Alderman Welsh moved, seconded by Alderman Nassif, to refer the proposed ordinances to the Planning Board for reconsideration and recommendations. Alderman Nassif commended the Planning Board for its work on this ordinance. Said motion was approved by a vote of four to one with Alderman Smith opposing.

The public hearing was adjourned at 8:00 p.m.

REGULAR MEETING

Alderman Smith moved, seconded by Alderman Gardner, that the minutes of the meeting of November 5, 1973 be approved as circulated. Said motion was unanimously carried.

<u>UNC Homecoming -</u> <u>Exemptions From Ordinances -</u> <u>Petition</u>	Students John Harper and John Tucker presented their plans for UNC Homecoming, November 15: In the afternoon 5000 ping pong balls would be dropped by helicopter into the Pit. They would be labeled and winners would receive door prizes. That evening cheerleaders and a band would lead people to a pep rally at Ehringhaus Field, where a band will play from 8:00 to 10:00 p.m. Exemptions from ordinances were requested to allow the
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helicopter to fly below 1000 feet and to allow the band to play outside after 8:00 p.m. Town Attorney Denny said that only a government helicopter is permitted to fly under 1000 feet. Mr. Tucker asked if the students could get a government plan, if the Board would approve the request for flying below 1000 feet. Alderman Scroggs moved, seconded by Alderman Gardner, to accept the petition and add this item to the end of the agenda for further consideration. Said motion was unanimously approved.

Public Works -  
Construction Division  
Proposal

Town Manager Kendzior requested that consideration of the Construction Division proposal be deferred until the January 3 meeting when the results of the revaluated

property tax collection would be clear. If the revenue anticipated from this source were to fall short funding would have to come from other sources. When Mr. Kendzior said that this delay would result in a construction delay, Alderman Welsh suggested deciding on priorities now so as to lessen delay. Alderman Nassif said that the Board should wait until the tax collection results were clear, but that planning should start now even with the funding source uncertain. He said the Board should decide whether it is for or against the Construction Division proposal and establish sidewalk priorities. If the Board is against the proposal, then it should begin putting out bids as soon as possible. Mayor Lee suggested that he and Alderman Nassif meet with the Town Manager to further consider the proposal.

Parking - Horace  
Williams House

Alderman Scroggs reported that there is no clear solution for the lack of adequate parking for visitors to the Horace Williams House. Only

a few cars can park on Rosemary Street between Boundary and Glenburnie (off the pavement), and Glenburnie is not wide enough for parking on both sides of the street. He suggested no parking on either side of that block of Rosemary and no parking on oneside of Glenburnie. Alderman Welsh said that it was misleading to have no parking signs because it was possible to have some off-pavement parking and signs should indicate this. Aldermen Scroggs said that a lot of such parking would block fire trucks and that it would be desirable to install an additional hydrant at the intersection. Alderman Scroggs moved, seconded by Aldermen Nassif, to refer the matter to the Streets Committee for consideration and recommendations. Said motion was carried unanimously.

Parking Tickets -  
UNC Campus

Alderman Scroggs reported that the Town did not have the authority to issue parking tickets in campus park-

ing lots and that the Town should not be accepting parking fines from these lots. In his conversation with UNC Vice-Chancellor Jones, he was told the University thinks the Town has authority and should continue to ticket and collect fines, but that if the Town decides to stop, it should do so in December. Town Attorney Denny said that it should be noted that there is a difference between overtime violations in off-campus lots and parking where there are restrictions. Police Chief Blake said that several years ago the State Legislature passed a law that campus streets, alleys, etc. should be considered public thoroughfares and subject to Town ordinances. Town Attorney Denny said that there is a law authorizing the issuance of tickets and collection of fines (civil penalty) but there is no ordinance concerning it. He said there has been an informal working agreement with the University and that in the event of prosecution for non-payment of fines, the University policemen who issue the ticket, must sign the warrant and testify. Mayor Lee said that the Town has gotten bad publicity from issuing tickets on campus lots and that the revenue is not worth the bad publicity. Town Manager Kendzior said that the revenue comes to \$15,000 annually, almost one-half of the total parking-meter revenue collection, and the meter revenue has been falling off. He said this goes toward the Off-Street Parking

Facilities debt service fund. He recommended continuing enforcement until September, when the bus system will be operating, making changes in the Town parking lots, and then letting the University begin to police its own lots. He said that if the campus lot revenue is discontinued now it will have to be made up elsewhere. Alderman Scroggs moved, seconded by Alderman Gardner, to refer the campus parking problem to the Town Manager, Town Attorney, Police Chief, and Mayor for further study and recommendation at the November 26 Board meeting. Said motion was carried unanimously.

Parking - Willow Drive;  
Loading Zone - W. Rose-  
mary Street; Street Name  
Change - Edwards Alley

Mayor Lee said the Street Committee requests that these items be postponed. He said a 14-day survey of parking requirements is being made for Willow Drive; that W. Rosemary Street business

owners are meeting with the Streets Committee Wednesday, November 14; and that the request for the street name change is being reviewed.

#### Fuel Reduction

Town Manager Kendzior said he has issued a directive to Town employees, in response to President

Nixon's address on energy conservation.

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1. All vehicles and motor equipment engines shall be turned off when not in use.
2. All vehicles shall observe Town Speed limits and no vehicle shall exceed 50 M.P.H. on the interstate or open highways.
3. All vehicles and motor equipment records shall be checked to be sure the engines have been properly tuned within 10,000 miles and sooner if required.
4. All tires shall be checked for proper inflation.
5. Car and/or pick-up pools shall be formed where possible.
6. At no time shall there be more than two (2) cars and/or pick-up trucks on one job unless it is an emergency.
7. All building thermostats shall be turned down to provide a maximum heat of 68° F. during working hours (7 a.m. to 5 p.m.)
8. All building thermostats shall be turned down at night to provide a maximum heat of 50° F. (5 p.m. to 7 a.m.)
9. All lights shall be turned off when the area or room is not being occupied.
10. Minimum security lights will be required at night inside and outside of building.
11. All trucks going to the Landfill should be fully loaded.
12. Remove any excess light bulbs.
13. Janitorial service instructed to limit lighting entire building when cleaning.
14. Xerox machine kept on off until in use.
15. All office machines turned off (mag cards, calculators, etc.) until in use.
16. Lock all unnecessary doors to reduce heat loss.
17. Install wall locks on all temperature controls.
18. New Police vehicles and inspection vehicles will be smaller vehicles and manager's and inspector's vehicles will be compact and sub-compact type.

19. Review weekly progress on fuel consumption for vehicles (Town allocated 12,000 gallons per month).
20. Possibly reduce certain services if Town cannot stay within fuel allocations.
21. Review any unnecessary street lighting.
22. Advise merchants about Christmas lighting.
23. Reconsidering installing outdoor lights for recreation areas (ball fields, tennis courts, etc.).

In addition, he said that he hoped that all employees and citizens would practice energy conservation on thier own. If the Town uses up its 12,000 gallon fuel allotment, new conservation methods will have to be employed. Mayor Lee said that he, along with other public executives, received two telegrams from the President containing recommendations for energy conservation. He commended merchants for deciding to reduce Christmas lighting; said that the Town would not have any such lighting, and urged individuals to do the same. He said he would like to have the Town purchase smaller, fuel-conserving vehicles in the future. At Mayor Lee's suggestions a motion was made by Alderman Smith, seconded by Alderman Welsh, to form an Energy Conservation Committee to coordinate a systematic, overall plan for fuel reduction. Committee members should include representatives from the Chanber of Commerce, Merchants' Association, School Board, and UNC. Alderman Welsh suggested inviting Carrboro to participate. Said motion was unanimously carried.

Housing Authority -  
Street Construction

Town Manager Kendzior said that the project for street construction in the Northside-Knolls area is now being advertised and that

the Board should pass an assessment ordinance. Town Attorney Denny said that as directed by present statutory procedure, the Board has adopted a preliminary assessment resolution and has held a public hearing. He said that prior to construction, the Board must adopt an assessment resolution. He said that the assessment has been advertised as \$2.00 per linear foot both inside and outside the NDP area, but that in fact the Town only has the authority to assess outside the area. Inside the NDP, the Housing Authority would provide 100% federal funding. Technically, the Board should make a decision on its assessment before the letting of the contract. The Town Manager sggested keeping the \$2.00 assessment fee outside the NDP. Mr. Denny said that then the Board would be distinguishing between inside and outside, that this was a joint Housing Authority-Town project, and that the distinction could lead to dissension among neighbors. Mayor Lee said the Board's intent was to keep charges the same inside and oustide the NDP area. In response to Alderman Smith's question, Town Attorney Denny said that the cost outside the NDP area would be substantial but he did not know much, and that it was not financed by Revenue Sharing. Alderman Smith move that no one either inside or outside the NDP area be assessed. The motion died for a lack of a second. At Town Attorney Denny's suggestion, Mayor Lee asked Town Manager Kendzior to give the Board a total package of costs related to street paving and improvements and any other utility improvements expected to be undertaken in the NDP area. Town Attorney Denny said the Board should also know how much the Town would recover from the \$2.00 assessment, during the next ten years. Alderman Nassif said the rate of assessment should be changed so that it floats with the bids.

Zoning Ordinance  
Amendment - R-4A

Alderman Scroggs moved, seconded by Alderman Smith, that the following ordinance concerned with R-4A zoning be adopted.

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 October 1, 1973, to consider proposed changes in the Zoning Ordinance, and

WHEREAS following said public hearing the Planning Board of the Town of Chapel Hill reviewed the following amendment to the Zoning Ordinance and made a report thereon to the Board of Aldermen, and

WHEREAS thereafter the Board of Aldermen voted to adopt the following amendment to the Zoning ordinance, NOW THEREFORE

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

SECTION I

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 so that the following area be and the same hereby is rezoned from R-6, R-4, and IND to R-4A and the uses permitted in aareas designated as R-4A in the Zoning Ordinance shall hereafter apply to the following area:

R-4A REZONING

MAP	BLOCK	LOTS
84	A	1-8
--	B	6-15
--	C	ALL
--	D	3-5, Part of 6
84	E	ALL
84	F	ALL
--	G	1 & 2, 18-26
--	I	3A & 4, 5-9B, 10 & 11, 37, 37A, 37C, 38
--	J	10-26
85	A	1-4, 16
--	B	ALL
--	C	ALL
--	D	ALL
--	E	1-5, 20-28
--	L	1 & 2, 27 & 28, 35, part of 36, 37-41
91	A	ALL
--	B	ALL
--	C	ALL
--	D	ALL
--	G	1-12, 18A, 18B, 19-23, part of 17
--	H	ALL
--	I	ALL
92	E	9-24
--	F	5-24
--	G	7-10, 16-19
--	H	1
--	J	12 and 12A
93	H	19
--	I	1-5
--	J	ALL
--	K	1-24
--	L	1-18, 20-33
--	M	ALL
94	B	15-17, part of 18
97	F	3,4,6
100	C	4-11, part of 14

## SECTION II

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

This the 12th day of November, 1973.

Said motion was unanimously carried.

Off-Street Parking  
Facilities Ordinance

Alderman Smith moved, seconded by Alderman Scroggs, that the following ordinance to appropriate funds for the off-street

parking facilities for the fiscal period beginning December 1, 1973 to November 30, 1974 be adopted.

AN ORDINANCE TO APPROPRIATE FUNDS AND TO RAISE REVENUES FOR THE OFF-STREET PARKING FACILITIES FOR THE FISCAL YEAR BEGINNING DECEMBER 1, 1973, AND ENDING NOVEMBER 30, 1974.

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

## SECTION I

The following amounts, or so much of each item thereof as may be necessary, are hereby appropriated for the operation of the Town of Chapel Hill Off-Street Parking Facilities and its activities for the fiscal year beginning December 1, 1973 and ending November 30, 1974 according to the following schedules:

DEBT SERVICE FUND (21)	
Principle and Interest	\$ 17,162
REVENUE FUND (36)	
Contributions to Debt Service and Operations	\$ 19,800
OPERATIONS FUND (37)	
Personnel	\$ 7,500
Operations	2,100
Captial	2,000
	\$ 11,600
REPAIR, EQUIPMENT AND IMPROVE- MENT FUND (38)	
Contributions to Debt Service	\$ 434
CAPITAL PROJECTS FUNDS (61)	
Capital	\$ 3,263
LEASED LOTS (36)	
Personnel	\$ 5,513
Operations	25,437
Capital	1,500
	\$ 32,450
TOTAL APPROPRIATIONS	\$ 84,709

## SECTION II

It is estimated that the following revenues will be available during the fiscal year beginning December 1, 1973, and ending Novmeber 30, 1974, to meet the foregoing appropriations, according to the following schedules.

DEBT SERVICE FUND (21)	
Interest on Investments	\$ 900
Contribution from Revenue Fund	8,200
Contribution from R, E, and I Fund	434
	\$ 9,534

Appropriated Fund Balance	\$ 7,628
TOTAL	\$ 17,162
REVENUE FUND (36)	
Meter Receipts Lot #1	\$ 11,000
Meter Receipts Lot #2	<u>8,800</u>
TOTAL	\$ 19,800
OPERATIONS FUND (37)	
Contributions from Revenue Fund	<u>\$ 11,600</u>
TOTAL	\$ 11,600
REPAIRS, EQUIPMENT AND IMPROVE- MENT FUND (38)	
Interest on Investments	\$ 300
Appropriated Fund Balance	<u>134</u>
TOTAL	\$ 434
CAPITAL PROJECTS FUND (61)	
Interest on Investments	\$ 180
Appropriated Fund Balance	<u>3,083</u>
TOTAL	\$ 3,263
LEASED LOTS (36)	
Meter Receipts	\$ 21,950
Rental Receipts	<u>10,500</u>
TOTAL	\$ 32,450
TOTAL REVENUES	\$ 73,864
TOTAL FUND BALANCES	<u>10,845</u>
TOTAL	\$ 84,709

### SECTION III

There is hereby fixed the following rates for the use of off-street parking facilities owned or operated by the Town of Chapel Hill.

Per rental space per month \$ 10.00

Per metered space per hour .10

Such rates are subject to amendment during the fiscal year should the Board of Aldermen determine that economic feasibility and/or requirements for debt service are not being met by such rates.

### SECTION IV

All ordinances in conflict herewith are hereby repealed.

This the 12th day of November, 1973.

Said motion was unanimously adopted.

Parking Ordinance -  
Park Place

Alderman Smith moved, seconded by Alderman Scroggs, that the following ordinance to restrict parking on both sides of Park

Place between E. Franklin Street and Boundary Street be adopted.

### PARKING ORDINANCE

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



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that §21-27 of the Code of Ordinances be amended to delete the words  
"(on the pavement)" following the words "Park Place, East and  
Southeast."

This the 12th day of November, 1973.

Said motion was unanimously carried.

Sanitary Sewer Cost -  
Northside NDP Area

Mayor Lee asked the Board to consider approving the Town share of sanitary sewer cost (\$14,348.50) with the Housing Authority for the Northside

NDP area, received last September 11, 1973. Both eree presented to the Board at its regular September 24, 1973 meeting but never acted upon. The joint sewer project was approved earlier by the Town Beard to secure better bids. The contracts have been sent by the Housing Authority to be signed so construction may begin. The total sanitary sewer project is \$81,483.00 to be done by Wrean-Wilson Construction Company. Alderman Scroggs moved, seconded by Aldermen Welsh, to approve the Town's share of the cost, \$14,348.50. Said motion was carried unanimously.

Assessment McMasters Street;  
Church Street

Town Manager Kendzior asked for consideration to levy assessments for the McMasters Street and Church Street sanitary sewer pro-

jects. Only three lots not presently on sewer would be assessed. After Aldermen Smith questioned the ability of property owners to afford the assessment, Town Manager Kendzior stated that the three lots Aldermen Smith referred to were erroneously included. Town Attorney Denny said that the improvements advertised involved 15 lots, some with and some without sewer presently, and all outside of the NDP. Completion of the work will mean updating and extending the Church Street sewer. Mayor Lee said funds could be shifted with Reveune Sharing Funds to help finance this. He also said he thought federal funding would become available for the NDP area. Alderman Welsh moved, seconded by Aldermen Smith, that the Town participate with the Housing Authority in the installation of the Church Street sanitary sewer with no assessments and with the understanding that federal credit for the improvements will be sought. Said motion was unanimously carried.

UNC Homecoming Ex-  
emption Request

Mayor Lee said that the hours for bands playing outside was an administrative decision not a Board policy. Town Attor-

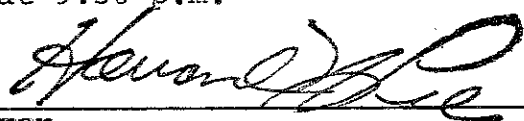
ney Denny said that there was no way for a helicopter to operate under 1000 feet unless it were a government plane being used for a valid public purpose except by amending the existing ordinance. He said that dropping ping pong balls is not a valid public purpose. Mr. Turner said he planned to determine whether the craft could fly above 1000 feet and use a larger target than Ehringhaus Field. Alderman Nassif moved, seconded by Aldermen Gardner, that the noise policy be modified to allow organized pep rallies after 8:00 p.m. Said motion was unanimously carried.

I-40 Advisory  
Committee

Mayor Lee reported that the final draft of the Environmental Impact Statement for I-40 is being prepared and a 14 member advisory

committee is being formed to discuss it. He said this is an attempt by the Highway Department to involve local government. He asked the Board members to make 3 or 4 nominations within the next two days of people to be recommended for the advisory committee.

As there was no other business to come before the Mayor and Board of Aldermen, said meeting was adjourned at 9:50 p.m.

  
Mayor

  
David B. Roberts, Town Clerk