

MINUTES OF A REGULAR MEETING OF THE MAYOR
AND THE BOARD OF ALDERMEN OF THE
TOWN OF CHAPEL HILL
HELD IN THE MUNICIPAL BUILDING,
MONDAY, NOVEMBER 26, 1973 AT 7:30 P.M.

The Board of Aldermen met at a regular meeting on November 26, 1973 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

Present: Thomas Gardner
Shirley E. Marshall
Joseph L. Nassif
Ross E. Scroggs
R. D. Smith
Alice M. Welsh

Absent: Mayor Howard N. Lee

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.

Alderman Nassif moved, seconded by Alderman Marshall, that the minutes be approved as corrected. Said motion was carried unanimously.

Mayor Lee came to the meeting.

Village West - Request
For Clarification

Mr. Arthur Cogswell requested that the Board continue its discussion of Village West developers' request for clarification as had been de-

cided at the last Board meeting. This item had inadvertently been left off the agenda. Alderman Welsh moved, seconded by Alderman Scroggs, that this request be received and placed on the agenda as Item 10-B. Said motion was carried unanimously.

Election Results -
Certification

Mayor Lee announced the official results of the November 6 municipal election presented by Town Clerk Roberts. Alderman Shirley E.

Marshall and Aldermen Thomas Gardner were elected. Sid Rancer and Gerald A. Cohen are newly elected Aldermen. Alderman Smith moved, seconded by Alderman Nassif, that the election results of November 6, 1973 as presented and read be hereby accepted. Said motion was carried unanimously.

Streets Committee Report

Alderman Smith, Chairman, presented a report of the Streets Committee recommending that ordinances be

drafted to incorporate recommended changes. Alderman Nassif asked that each change be considered individually and the Board concurred.

Parking -
N. Columbia St.

Alderman Welsh moved, seconded by Alderman Nassif, that an ordinance be drawn to eliminate parking on the west side of North Columbia

Street 100 feet north of W. Rosemary St. to Carr St. Said motion was carried unanimously.

There was discussion regarding the recommendation to eliminate parking on the north side of W. Franklin St. from N. Columbia St. to the driveway to the Merchants Association Building and to add a center turn lane. Alderman Marshall said that it was her understanding that the State Highway Commission will put in the center turn lane. Alderman Nassif said that the Town should delay removing metered parking

spaces until the CBD report is completed. He said that these parking spaces are badly needed. Mayor Lee said that removing these spaces would eliminate spaces for those not using the University Square parking lot. Alderman Smith said that the Police Department recommends no parking because the traffic turning left into University Square blocks the traffic flow. Alderman Welsh said she was concerned more with center lanes interfering with pedestrian traffic, especially since crosswalks have been eliminated in the area. Mayor Lee said that a letter he had received from Mr. J. Gordon Fisher pointed out the same pedestrian problem. Alderman Marshall said that she believed it was easier to cross with a center turn lane, giving the pedestrian a place to stand where traffic was not moving. Mr. Van Opdenbrow said that this recommendation was coordinated with the proposed agreement with the State DOT regarding intersections (Agenda Item 8a). The Planning Board has gone over all the State recommendations and finds them well-integrated and acceptable.

Parking -
W. Franklin

Alderman Scroggs moved, seconded by Alderman Marshall, that an ordinance be drawn to eliminate parking on the north side of W. Franklin Street

from North Columbia St. to the driveway to the Merchants Association Building, putting in a center turn lane. Said motion was carried by a vote of four to two, with Alderman Nassif and Alderman Gardner opposing.

Parking -
W. Rosemary

Alderman Gardner moved, seconded by Alderman Marshall, that an ordinance be drawn to eliminate parking on the west side of S.

Boundary St. from E. Franklin St. to Hooper Lane. Said motion was carried unanimously.

Parking -
Country Club Rd.

There was discussion regarding the recommendation to eliminate parking on the south side of Country Club Rd. from S. Boundary St. to

Gimghoul Rd. Alderman Nassif said it was unwise to remove so many parking places until the proposed bus system is in operation. He said there was an off-center yellow line on Country Club Rd. Mayor Lee read a letter from Aldermen-elect Rancer and Cohen requesting action on this be delayed until it can be assessed further. Alderman Scroggs recommended reducing the speed limit to 25. Town Attorney Denny said that if the Town rather than the State maintains the road the limit should be 25. Alderman Scroggs said that the sign said 35. Alderman Nassif moved, seconded by Alderman Welsh, that the recommendation to ban parking on the south side of Country Club Road from South Boundary St. to Gimghoul Rd. be delayed for further study by the Town Manager. Said motion was carried unanimously.

Parking -
Battle Lane

Alderman Welsh moved, seconded by Alderman Nassif, that an ordinance be drawn to eliminate parking on the east side of Battle Lane from

E. Franklin St. to Hooper Lane. Said motion was carried unanimously.

E. Franklin St. -
Crosswalks

There was discussion regarding the recommendation to leave one crosswalk in the 100 block of E.

Franklin St. in the middle of the block and remove the other two. Alderman Smith said that a crosswalk would still be at the former post office intersection. Mayor Lee said that only one crosswalk would encourage more jaywalking. Alderman Nassif said that the recommendation would contradict the proposed pedestrian-oriented main street and allow it to be dominated further by vehicles. Arthur Berger said that the State has changed its proposal and now wants to leave the two crosswalks in mid-block and not

include walk lights. Alderman Smith said that it is safer to have walk lights because traffic does not always stop at crosswalks without them. Alderman Nassif recommended synchronized walk lights. No action was taken by the Board.

Edwards Alley -
Name Change

Alderman Welsh moved, seconded by Alderman Gardner, that the following resolution be adopted to change the name of Edwards Alley to Edwards

Drive:

EDWARDS DRIVE RESOLUTION

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the public thoroughfare heretofore denominated "Edwards Alley" be and hereby is renamed "Edwards Drive;" and that signs be erected in conformity with this change.

This the 26th day of November, 1973.

Said motion was carried unanimously.

Parking - Horace Williams
House: Glenburnie

Alderman Smith moved, seconded by Alderman Marshall, that the Board accept the Street Committee's recommendation to ban parking on

E. Rosemary St. except at areas extended from the Horace Williams House property, and to ban parking on the west side of Glenburnie Street between North St. and Rosemary St. Said motion was carried unanimously.

Parking Tickets -
UNC Campus

Mayor Lee said that the Mayor, Town Attorney, and Town Manager met to consider the enforcement and collection of off-street campus

parking tickets. They recommended that appropriate personnel from the Traffic Division of UNC and Town of Chapel Hill, including the Town Manager, meet to work out an overall parking and enforcement plan identifying clearly off-street parking. They also recommend that issuance of parking tickets on campus lots be discontinued as of June 1, 1974. Alderman Welsh moved, seconded by Alderman Nassif, that the proposed meeting be held to consider these recommendations and report to the Board. Said motion was carried unanimously.

Parking - Ledge Lane;
Country Club Road

Alderman Welsh moved, seconded by Alderman Marshall, that the Board accept the Street Committee's recommendation to ban parking 165

feet on the east side of Ledge Lane north of Country Club Road and 80 feet on the south side of Country Club Road. Said motion was carried unanimously.

Bids - Police and
Passenger Vehicles

Town Manager Kendzior presented a report regarding the bids for two passenger vehicles for the Town and recommended acceptance of the

low bid from Ilderton Dodge. Alderman Nassif asked what happens to old Town vehicles. The Town Manager said that the old Recreation Department station wagon will replace a Public Works truck for pick-ups of parts, etc. and that eleven police cars will be traded in. Alderman Nassif moved, seconded by Alderman Welsh, to accept the low bid of Ilderton Dodge Co., Durham, for the compact vehicle at \$2,740.46 and the sub-compact vehicle at \$2,706.46. Said motion was carried unanimously. Town Manager Kendzior could not tell Alderman Smith exactly why the difference between the 4-door, 6-cylinder compact

Dart and the 2-door, 4-cylinder Valiant was only \$34.00.

Bids - Trucks

Town Manager Kendzior presented a report regarding the bids for one long-body truck and one one-ton truck, and recommended accepting the low bids submitted by Ilderton Dodge. Town Manager Kendzior said that bids were received with the Town of Carrboro. The first bids were not in compliance with specifications and were rejected and readvertised. Alderman Nassif said that before going out to bid again with modifications, the Town Manager should come before the Board of Aldermen. Town Attorney Denny concurred. Alderman Smith asked what would happen if there were different responses from Chapel Hill and Carrboro to bidders. The Town Manager said provision has been made for separate decisions. In response to Alderman Nassif's question about whether there is an advantage to joint bidding, Town Manager Kendzior said that there was little advantage with the police cars and none with the trucks. Dealers are not yet familiar with joint bidding and don't know how to bid. It will take more experience to evaluate the effectiveness. Alderman Nassif moved, seconded by Alderman Smith, that the Board accept the Town Manager's recommendation to accept the bid submitted by Ilderton Dodge Co. for a 1974 long-body truck for \$4,957.84 and a 1974 one-ton truck for \$3,231.63. Said motion was carried unanimously.

Council on Aging -
Membership

Mayor Lee said that the Chapel Hill Advisory Council on Aging recommendation to increase its membership from seven to nine would also increase its talent. Such increases would better prepare it for the anticipated expanded role in the community. Alderman Smith said that two names had to be submitted for vacancies but that these were new positions rather than filling vacancies. Alderman Nassif said that the Town ordinance required not more than two names for filling a position, but it was not necessary to have two. Alderman Nassif moved, seconded by Alderman Welsh, that an ordinance be prepared to increase the number of members on the Advisory Council on Aging from seven to nine. Said motion was carried unanimously. Alderman Scroggs read population figures for the elderly in Chapel Hill. Mayor Lee said not there are two new vacancies and nominations should be submitted by the next meeting. Mr. Hugh D. McLeese, Chairman, Advisory Council on Aging, said that the new terms would begin January 1, 1974 and would be for two year terms.

Energy Conservation
Task Force

Mayor Lee said that the School Board has submitted two names for the Energy Conservation Task Force. However, the Chamber of Commerce Merchants Association, Town of Carrboro, and UNC had not yet submitted names. He urged that Chapel Hill make its appointments while at the same time continuing efforts to obtain the other names. Alderman Nassif said he was pleased that the University was planning to include a student as part of its representation. Mayor Lee appointed Alderman Marshall and Alderman Nassif and asked Alderman Marshall to assume temporary leadership of the Task Force. He asked for the Task Force to meet by next week. Alderman Welsh moved, seconded by Alderman Gardner, that Alderman Marshall and Alderman Nassif be appointed to the Energy Conservation Task Force and that Alderman Marshall serve as temporary Chairman. Said motion was carried unanimously.

Releases

Alderman Smith moved, seconded by Alderman Gardner, that the following list of releases prepared by the Town Clerk be granted:

RESOLUTION -- TAX RELEASES

WHEREAS taxes listed below were erroneously levied through clerical

22
error on properties belonging to the following:

| | | | |
|--------------------------|------|-----------|--|
| Pearl Caldwell | 911 | \$ 196.10 | Was billed for two houses, only had one. |
| Jerrald B. Orne | 4767 | 36.00 | Not on Sewer |
| T. T. Atkins | 168 | 36.00 | Not on Sewer |
| Miss Billie Curtis | 1442 | 2976.00 | Not on Sewer |
| Gerald L. Eckstein | 1759 | 313.58 | Not in Town. N. Forest Hills |
| Robert F. Steelman | 5967 | 16.28 | Not in Town. Mt. Sinai Rd. |
| Dorothy H. Clements | 1155 | 205.44 | Not in Town. Windwood |
| Arnold D. Kaluzny | 3337 | 297.25 | Not in Town. Hillside Est. |
| John T. Margeson | 4152 | 21.82 | Not in Town. Rt. 5 |
| Robert R. Rush | 5486 | 215.94 | Not in Town. Stateside Dr. |
| Nettie Bynum | 872 | 174.27 | Not in Town. Rt. 5 |
| Ralph H. Burroughs | 844 | 37.93 | Not in Town. Carlton Acres |
| Hsi - Sheng Chi | 1094 | 245.31 | Not in Town. Rt. 4 |
| James Blummer | 545 | 265.52 | Not in Town. Heritage Hills |
| Milton E. Blackwood | 516 | 222.91 | Not in Town. Homestead Rd. |
| J. Earl Allison | 76 | 192.40 | Not in Town. N. Forest Hills |
| Mary S. Andersen | 98 | 698.38 | Not in Town. Carrboro |
| Mary S. Andersen | 99 | 201.65 | Not in Town. Carrboro |
| Katherine Aunspaugh | 199 | 14.99 | Not in Town. Booker Creek Apts. |
| Nina P. Best | 466 | 195.10 | Not in Town. Pittsboro Rd. |
| Steven & Libby Greenberg | 2429 | 89.73 | Listed to wrong person. |
| Roberta Cotton | 1318 | 6.48 | Not in Town. Edwards property |
| Jay A & Thelma Norem | 4707 | 49.05 | Not on sewer. |
| E. E. Blackwood | 515 | 43.48 | Not in Town. Homestead Rd. |
| Fred Wm. Baldwin | 248 | 97.48 | Not in Town. Rt. 4 |
| George Edwards | 1788 | 2.78 | Not in Town. Piney Mt. |
| Cameron P. Hargraves | 2590 | 4.63 | Not in Town. |
| Clarence W. Hargraves | 3591 | 13.88 | Not in Town. Rd. 1733 |
| Roland E. Harris | 2649 | 8.14 | Not in Town. |
| Donald G. Holloway | 2920 | 8.33 | Not in Town |
| Judy Baldwin Lee | 3668 | 6.48 | Not in Town |
| James S. McFadden | 3988 | 236.80 | Not in Town. N. Forest Hills |
| Sam Masarachia | 4212 | 4.63 | Not in Town |
| William C. Self | 5661 | 131.26 | Not in Town. Oaks |
| John M. Sorrow | 5882 | 65.68 | Not in Town |
| John Lewis Temple | 6222 | 591.08 | Not in Town. Oaks |
| Grant B. Varner | 6424 | 139.68 | Not in Town. Morgan Hill |
| Gregory T. Rice | 5321 | 30.06 | Not in Town. Rt. 5 |
| Harold Brady Surles | 6107 | 180.01 | Not in Town. Glen Hgts. |
| Ralph E. Wileman, Jr. | 6783 | 363.99 | Not in Town. Heritage Hills |
| Teel Enterprises Inc. | 7534 | 35.34 | Not in Town. Dogwood Acres |
| Jimmie R. Moore | 4471 | 197.49 | Not in Town. N. Forest Hills |
| William Robertson Keech | 3361 | 216.54 | Not in Town. Glenn Hgts. |

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.

This the 26th day of November, 1973.

Said motion was carried unanimously.

State Board of Transportation Intersection

Mayor Lee asked the Board to take action on the agreement between the Town and the State Board of Transportation to upgrade and interconnect 14 intersec-

tions on the State Highway System. Assistant Manager Levine said that

the signalized crosswalk on S. Columbia St. is not included on the plan. Mr. Opdenbrow said that it is. Alderman Nassif moved, seconded by Alderman Scroggs, that the agreement be accepted and the following resolution be adopted with the additional provisions that the signalized crosswalk on S. Columbia St. be installed and synchronized and that the two crosswalks in the 100 block of E. Franklin St. be retained:

COPY OF A RESOLUTION PASSED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, NORTH CAROLINA

WHEREAS, the North Carolina Board of Transportation has prepared and adopted plans to make certain street and highway improvements within the Town of Chapel Hill consisting of the upgrading the interconnecting of traffic signals at fourteen (14) intersections located on the state highway system with certain interconnecting signal work to be done on the municipal street system as shown on the plans of Project W.O. 9.8070322, Orange County, on file with the Board of Transportation in Raleigh, North Carolina; that said project is considered to be a most necessary street and highway improvement for the promotion of public safety and convenience; and,

WHEREAS, the Board of Transportation and this Municipality propose to enter into an agreement for the above mentioned project wherein this Municipality shall cooperate with said Board to the extent of:

1. Effecting the necessary adjustments of any utilities under franchise and providing for the adjustments of any municipally owned utilities, said adjustments to be accomplished without cost or obligation to the Board of Transportation.
2. Agreeing for the Board of Transportation, or its contractor, to accomplish the necessary interconnecting signal work that may be required on the municipal street system.
3. Entering into an agreement with the Board of Transportation as to establishing, maintaining, and enforcing traffic operating controls for the regulations and movement of traffic on the project.

NOW, THEREFORE, BE IT RESOLVED that Project W.O. 9.8070322, Orange County, be and it is hereby formally approved by the Board of Aldermen of the Town of Chapel Hill and that the Mayor and Town Clerk (or Manager) of this Municipality be and they are hereby empowered to sign and execute the required agreement between this Municipality and the Board of Transportation.

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

Alderman Smith said that the crosswalks on E. Franklin Street should also be signalized to make them safer for pedestrians. Mayor Lee said that motorists do respect the non-signalized crosswalks there, while they sometimes ignore walk lights in other areas, such as at Mason Farm Road. Said motion was carried by a vote of five to one, with Alderman Smith opposing.

| | |
|--|---|
| <u>Wastewater Treatment Plant Committee Report</u> | Alderman Welsh reported the Wastewater Treatment Plant Committee had met to consider the remaining capacity of the plant. She said that the plant has a total capacity of 4½ million gallons a day but now has a remaining one million gallons per day capacity. The plant is shared by the Town and the University, and the Town's share is further shared with Carrboro. Carrboro has unlimited use of the plant according to the present agreement. Before remaining capacity is used up, another plant must be built or the present plant expanded. The plant should last 10 more years with the predicted increments, but with excessive increments, the life of the plant will be reduced. Alderman Nassif said perhaps the Town should revise its present sewer extension policies. It is urgent that the Town avoid overburdening the plant and that it determine new policies to plan the use of the remaining capacity. Alderman Nassif said that the committee had no specific recommendations but that the Board should decide whether it wants to continue its present Town and Planning District sewer extension policies. Alderman Nassif predicted that with the energy |
|--|---|

24

crisis people would stay close to town and increase plant demands. Mr. James Wallace distributed and read his statement on water and wastewater problems. He said that Chapel Hill faces a potential emergency in relation to its water supply and its wastewater treatment facilities and made the following recommendations: 1. That Chapel Hill make immediate inquiry of Durham concerning what hard, long-range commitment Durham might be willing to make relating to water supply; 2. That Chapel Hill hold in abeyance any "official" connection with Carrboro until the contract giving them open-ended access to treatment facilities is renegotiated; and 3. That, in any renegotiation, Carrboro be limited to a fixed amount of gallons per day for a specific period of time. He asked the Board to declare an emergency situation, banning further extension of wastewater lines beyond the Town corporate limits and issue no further Special Use Permits where additional population density jeopardizes the health and welfare of Chapel Hill citizens. Mayor Lee said that he appreciated Mr. Wallace's report but that this is a problem rather than a crisis situation. There is no certainty that the Town will run out of treatment capacity in five years. He said that the basic idea of the Chapel Hill-Carrboro contract is good, although it needs some reworking, and that it represents valuable cooperation between the two towns. He said that following Mr. Wallace's recommendations might harm this cooperation. The Mayor said that the committee, consisting of Aldermen Welsh and Nassif, the Town Attorney, and the Town Manager, will continue to study the problem, including the contract, make recommendations to the Board and relevant Town departments, and meet with Carrboro officials. Mr. Wallace said that he was criticizing the Mayor's and Board's signing the agreement with Carrboro rather than criticizing Carrboro and repeated that this is an emergency situation. Alderman Scroggs said he objected to Mr. Wallace's statement because it worsens the relationship between the towns. Alderman Nassif said he agreed with the Mayor's recommendation. Mayor Lee requested a committee report as soon as possible and a meeting with Carrboro officials the week of December 10.

Fire Department - Salary and
Classification Plan -
Proposed Ordinance

Town Manager Kendzior said that the proposed Ordinance to amend the Salary and Position Classification Plan applies only to the Fire Department. He did not have the

benefit of job descriptions in preparing the plan. He recommends that the salary schedule be upgraded and job descriptions be evaluated. The League of Cities is completing job descriptions and classifications for other Town departments. Alderman Scroggs recommended that the pay increases be retroactive to May 1, 1973. He said that problems are built into the pay scale and recommended that: 1) the same factor should not be used between ranges and between steps; and 2) no one be promoted without receiving a raise. Alderman Welsh agreed that the raises be retroactive if the money is available. Town Manager Kendzior said that he doubted money is available but that he would review this. He said some revenue is greater than anticipated. Alderman Gardner asked if inequities similar to those in the Fire Department might occur in other departments. The Town Manager said that it could not be guaranteed, but that they were trying to prevent them. The comparison with other cities' job classifications and descriptions should help. Town Attorney Denny said that the number of hours listed for the Fire Lieutenant should be 66, not 60. Alderman Scroggs moved, seconded by Alderman Smith, that the Board adopt the following Ordinance with the provision that the salary increases be retroactive to May 1, 1973 if the budget allows:

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 en-

titled: "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 III. (B) which reads as follows:

| Fire Department | NO. | Hours | Range | Salary |
|----------------------|-----|-------|-------|-----------------|
| Firemen | 18 | 66 | 16 | \$6,852 - 8,748 |
| Fire Truck Driver | 10 | 66 | 17 | 7,188 - 9,180 |
| Fire Inspector | 1 | 66 | 20 | 8,328 -10,636 |
| Fire Mechanic | 1 | 66 | 20 | 8,328 -10,636 |
| Fire Lieutenant | 6 | 66 | 20 | 8,328 -10,636 |
| Fire Captain | 2 | 66 | 22 | 9,180 -11,712 |
| Assistant Fire Chief | 1 | 40 | 25 | 10,632 -13,510 |
| Fire Chief | 1 | 40 | 33 | 15,696 -20,040 |

Be Amended to read as follows:

Section III. (B)

| Fire Department | NO. | Hours | Range | Salary |
|----------------------|-----|-------|-------|-----------------|
| Firemen | 18 | 66 | 17 | \$7,188 - 9,180 |
| Fire Truck Driver | 10 | 66 | 19 | 7,932 -10,116 |
| Fire Inspector | 1 | 66 | 22 | 9,180 -11,712 |
| Fire Mechanic | 1 | 66 | 22 | 9,180 -11,712 |
| Fire Lieutenant | 6 | 66 | 22 | 9,180 -11,712 |
| Fire Captain | 2 | 66 | 25 | 10,632 -13,560 |
| Assistant Fire Chief | 1 | 40 | 29 | 12,912 -16,488 |
| Fire Chief | 1 | 40 | 33 | 15,696 -20,040 |

Section II. That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

Section IV. That this ordinance become effective on January 1, 1974.

This the 26th day of November, 1973.

Said motion was carried unanimously.

Sidewalk Priorities -
Reconsideration

Town Manager Kendzior said he hopes that bids can go out and some projects be completed this fiscal year. Otherwise the funds in the

special capital reserve fund for sidewalk construction would carry over to the next year. The priorities presently listed exceed the \$115,000 budget. Alderman Nassif suggested that the Town request unit cost bids for the total amount available rather than bid each project separately. Town Manager Kendzior suggested there be two alternative types of bids listed: 1) unit cost bids for the amount available; or 2) total package cost bids. Alderman Welsh moved, seconded by Alderman Smith, to accept the Town Manager's Sidewalk Priorities Report and authorize the Manager to let bids up to \$115,000 as a package including school sites. Said motion carried unanimously.

Village West - Request
For Clarification

Mr. Opdenbrow said that he, the Town Manager, Building Inspector, and Public Works Director had met that morning with the Village West

developers and had reached an agreement. The Town Manager said that in addition to unresolved issues such as uncompleted Phase I plans, completion of road and recreation facilities, and location of utilities

there was the additional issue designating some of the units as townhouses as well as condominiums. Mr. Cogswell said that townhouses and condominiums are virtually the same except that the land beneath the house and a small portion at the front and back belong to the owner of a townhouse. He said the same maintenance services are provided for both and that townhouses are classified in the Building Code and have thicker walls. Town Manager Kendzior said that there is an agreement to furnish a performance bond for the road, and one for recreational facilities, to hold money in escrow to insure completion of the projects, and to provide adequate trash collection. Mr. Cogswell said that they planned to develop recreational facilities gradually (in phases) to insure that they had adequate funds and population to support all proposed recreation facilities. He said he is very optimistic about the project, that due to the market situation all units should be quickly filled. Alderman Marshall said that owners would want all facilities provided immediately rather than gradually. Mr. Cogswell said that gradual development was common building practice. In response to Mayor Lee's question, Mr. Cogswell said that to build all nine buildings needed to insure all recreational facilities at one time would be much more expensive than building the development gradually. The further inability of Board members and developers to come to precise agreement on the unresolved issues led Town Manager Kendzior to recommend deferring action until December when recommendations could be provided to the Board. Mayor Lee concurred, saying that it was imperative to have written stipulations available. He said that he preferred one-phase rather than several-phased development. Alderman Smith moved, seconded by Alderman Welsh, to approve the modification of the Special Use Permit for Village West to permit the development of this Unified Housing Project as townhouses rather than condominiums and in three phases, subject to the following stipulations:

1. That the project be developed as phase I, phase II, and phase III as shown on the plans filed with the application.
2. That phase I be commenced in November, 1973 and completed by November, 1974; that phase II be commenced by November, 1974 and completed by November, 1975; that phase III be commenced by November, 1975 and completed by November, 1976.
3. That prior to the issuance of a building permit for phase I all plans for the development of said phase including all recreational facilities be filed with the Building Inspector.
4. That Village Drive to Estes Road be completed by November, 1975 and that a bond in an amount as determined by the Town Manager be filed with the Town to guarantee the completion of said road by said date prior to the issuance of a Building Permit.
5. That all recreational facilities shown on the plans be completed by November, 1974 and that a bond in an amount as determined by the Town Manager be filed with the Town to guarantee the completion of these facilities by said date prior to issuance of a Building Permit.
6. That all of the terms, conditions, and stipulations of the existing special use permit not inconsistent herewith are continued in effect.

Said motion was carried unanimously.

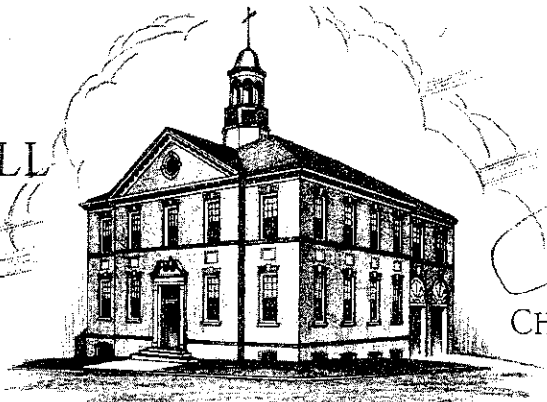
Historical Zoning
District - Petition

Alderman Welsh moved, seconded by Alderman Scroggs, that the petition presented by Roger B. Foushee, President, Chapel Hill Historical

Society, to establish the Chapel Hill Historic District be received and referred to the Planning Board to study of possible rezoning and make recommendation with all possible speed. Said motion was carried unanimously.

TOWN OF CHAPEL HILL

North Carolina
Orange County



CHAPEL HILL, N.C.

I, Sid Rancer, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, Sid Rancer, do solemnly and sincerely swear that I will be faithful, and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities, which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, Sid Rancer, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill and judgment all the duties of the office of Alderman, of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the town; and in the discharge of my duties I will do equal justice, in all cases whatsoever, so help me, God.

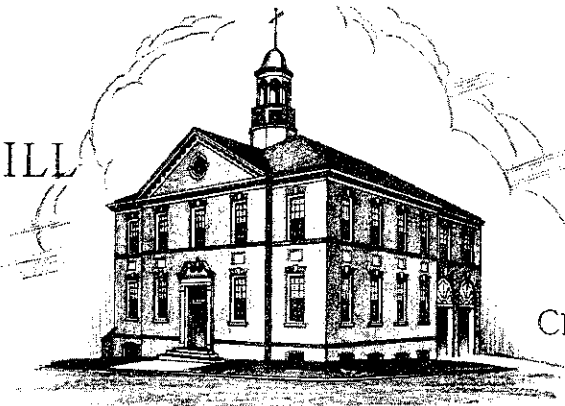
The above oaths were this day subscribed and sworn to before

Town Clerk

12-3-73

TOWN OF CHAPEL HILL

North Carolina
Orange County



CHAPEL HILL, N.C.

I, Gerald A. Cohen, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Gerald A. Cohen

I, Gerald A. Cohen, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

Gerald A. Cohen

I, Gerald A. Cohen, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill and judgment all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

Gerald A. Cohen

The above oaths were this day subscribed and sworn to before

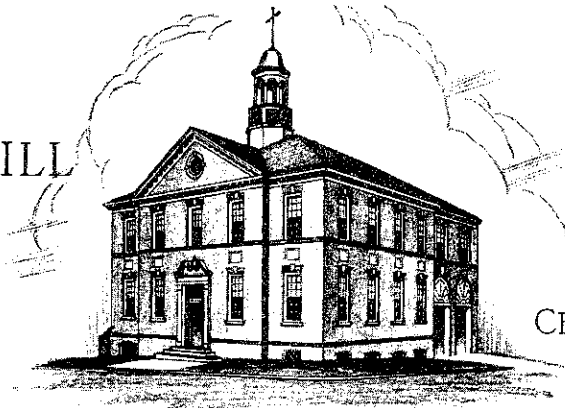
David B. Roberts

Town Clerk

12-3-23

TOWN OF CHAPEL HILL

North Carolina
Orange County



CHAPEL HILL, N.C.

I, Shirley E. Marshall, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Shirley E. Marshall

I, Shirley E. Marshall, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

Shirley E. Marshall

I, Shirley E. Marshall, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill and judgment all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

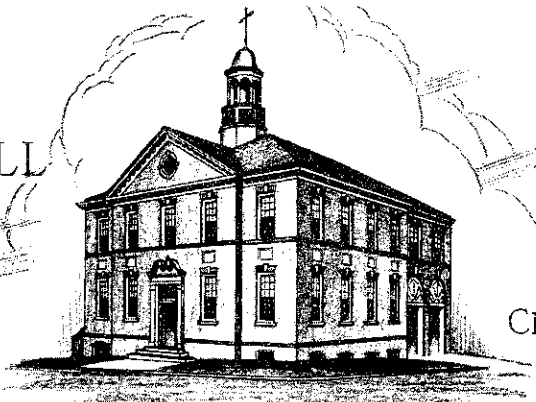
Shirley E. Marshall

The above oaths were this day subscribed and sworn to before

David B. Roberts
Town Clerk 12-3-73

TOWN OF CHAPEL HILL

North Carolina
Orange County



CHAPEL HILL, N.C.

I, Thomas B. Gardner, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Thomas B. Gardner

I, Thomas B. Gardner, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

Thomas B. Gardner

I, Thomas B. Gardner, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill and judgment all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

Thomas B. Gardner

The above oaths were this day subscribed and sworn to before

David B. Roberts

Town Clerk 12-3-73

Budget - Clarification

Mr. Neal Evans, Finance Director, reported that there had been a problem in the presentation of the internal transfers in the 1973-74 budget which resulted in the budget total appearing to be \$6.4 million when it is actually \$5.959 Million.

Street Committee Letter

Mayor Lee said that he had received a letter from Mr. J. Gordon Fisher stating the urgent need for a cross-walk on W. Franklin Street, as it is difficult to cross in front of the Carolina Grill without a pedestrian signal and crosswalk.

Board of Aldermen -
December 3 Meeting

Mayor Lee reported that he must be absent from the December 3 Board meeting because he will be attending the National League of Cities meeting in Puerto Rico. He requested that the organizational processes be deferred until the December 10 meeting. No one objected. Mayor Lee said that Mr. Rancer should sit to his left in Mr. Nassif's chair and Mr. Cohen should sit to his right in Alderman Scroggs' chair. Mayor Lee said he, Alderman Scroggs, and Alderman Nassif had all been elected in 1969 and served together for 4½ years. All had come of age fast. He said serving with these two men has been most rewarding, that the Town owes more to them than it could ever repay, and that they will be missed and could never be replaced. He extended his best wishes and felt a sense of sadness and ending. He asked them to return on December 10 for a special presentation. Alderman Nassif said that it had been a pleasure to serve on the Board and was an honor to be a member. He thanked all of his supporters and even those who did not support him and thanked other members of the Board, saying he would miss them. He said he will be available to serve the Board when needed and will write a letter to all Board members regarding unfinished business that may have been forgotten. Alderman Scroggs said that he enjoyed being on the Board, found it educational, sometimes rewarding, and sometimes a strain. He said he will try and not let himself miss them and will be of help when needed. Mayor Lee recognized and welcomed the new Board members.

There being no further business to come before the Mayor and the Board Board of Aldermen, said meeting was adjourned at 11:05 p.m.


Mayor


David B. Roberts, Town Clerk

MINUTES OF A SPECIAL MEETING OF THE
MAYOR AND THE BOARD OF ALDERMEN
OF THE TOWN OF CHAPEL HILL HELD IN THE
MUNICIPAL BUILDING, TUESDAY, NOVEMBER 27, 1973
AT 6:00 P.M.

The Board of Aldermen met at a special Meeting on November 27, 1973 at 6:00 p.m. in the Municipal Building. The roll was reported as follows:

Present:

Howard W. Lee, Mayor
Thomas Gardner
Shirley E. Marshall
Ross E. Scroggs
R. D. Smith
Alice Welsh

Absent:


Joseph L. Nassif


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.

Mayor Lee stated that he, the Town Manager, Town Attorney and Assistant Town Manager had met with Mr. Larry Yud, Special Assistant to the Secretary of the U.S. Department of Labor, and Jim Perlmutter, his assistant, Mr. Buddy Cohn, the Attorney for the Amalgamated Transit Union, and Mr. Wilbur Hobby, President of the North Carolina AFL-CIO. The Union wanted the Town to sign a contract with it protecting the bus drivers employed by Raleigh City Coach Lines. North Carolina law does not recognize any bargaining between a union and municipal government. Mr. Denny stated that the Town must agree to Section 13(c) of the Urban Mass Transit Act of 1964 in order to qualify for a federal grant. He said an acceptable arrangement was reached by the representatives of the Town, the Department of Labor and the Amalgamated Transit Union. He said the Town could submit a letter to the Department of Labor stating it will comply with the requirements of Section 13(c) as required and will submit the letter to be included as part of the grant package.

Alderman Smith moved, seconded by Aldermen Scroggs to authorize the Mayor to sign and submit a letter of arrangement to the U. S. Department of Labor, setting forth the arrangement for compliance with Section 13(c) of the UMTA of 1964, and to submit a carbon copy to the local union. Said motion was unanimously carried.

There being no further business to come before the Mayor and Town Board of Aldermen, said meeting was adjourned at 6:50 p.m.


Mayor


David B. Roberts, Town Clerk

MINUTES OF A REGULAR MEETING OF THE MAYOR
AND THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL
HELD IN THE MUNICIPAL BUILDING
MONDAY, DECEMBER 3, 1973 AT 7:30 P.M.

The Board of Aldermen met at a regular meeting on December 3, 1973 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

| | |
|----------|---------------------|
| Present: | Thomas Gardner |
| | Shirley E. Marshall |
| | Joseph L. Nassif |
| | Ross E. Scroggs |
| | R. D. Smith |
| | Alice M. Welsh |

| | |
|---------|---------------|
| Absent: | Howard N. Lee |
|---------|---------------|

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.

Mayor pro tem Smith said that he appreciated the opportunity to serve for 4½ years with Alderman Scroggs and Alderman Nassif. They have given unselfishly to Chapel Hill citizens, attempting to be just, diligent, and, above all, fair. They have searched hard for the facts upon which to make good decisions. He said that he regretted their leaving but welcomed their successors. Alderman Welsh said that this is a sad moment for all members of the Board. Since 1969 much has happened emotionally as well as intellectually. Taking stands often