

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD
OF ALDERMEN OF THE TOWN OF CHAPEL HILL HELD IN
THE MUNICIPAL BUILDING MONDAY, DECEMBER 17,
1973 AT 7:30 P.M.

The Board of Aldermen met at a regular meeting on December 17, 1973 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

Present:	Howard N. Lee, Mayor Gerald Cohen Thomas Gardner Shirley E. Marshall Sid Rancer 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.

Alderman Smith moved, seconded by Alderman Marshall, to approve the minutes of the meeting of December 10, 1973 as corrected. Said motion was unanimously carried.

<u>Releases</u>	Town Clerk Roberts requested consideration of releases. The Mayor said they could be considered at the appropriate time on the agenda. There were no objections.
-----------------	--

<u>North Forest Hills--Final Approval; Estes Drive Paving</u>	Town Manager Kendzior requested that these items be added to the agenda. Alderman Marshall moved seconded by Alderman Smith, to add the items requested by the Town Manager to the end of the agenda. Said motion was unanimously carried.
---	--

<u>Recycling Petition</u>	Mr. Lawrence L. Kehrer requested that the Board consider a recycling petition. Alderman Marshall said the petition could be discussed in connection with the report from the Energy Task Force Commission. There were no objections.
---------------------------	--

<u>Elkin Hills Sanitary Sewer</u>	Town Manager Kendzior outlined the history of the sewer line which was owned by the Elkin Hills Sewer Association. He said that although Mr. John Cates has requested that the Town purchase the Elkin Hills Sanitary Sewer from the Elkin Hills Sewer Association, his recommendation is that the Board not take any action on Mr. Cates' request and that the Town staff be advised to terminate any and all of the Elkin Hills Sewer Association rights to charge and collect fees for future tap ons or rights to control future tap ons. Mr. Cates said that prior to annexation, the Association petitioned the Town to extend the agreement, that no one has tapped on to the line without permission, that the line was installed under Town supervision, and that the Association has a contract with the Town and he does not know why there is no record of it. Alderman Cohen requested clarification of the problem. Mayor Lee said that he was not sure that it could be clarified easily. Mayor Lee read a letter from the Elkin Hill Sewer Association requesting that the Board of Aldermen set a reasonable value on the sewer line rights and accept all future benefits arriving therefrom, thus giving the Elkin Hill Sewer Association members a tax deduction for the gift to the Town. He said the request was almost impossible to grant. Mr. Cates said that there is another group that wants the line but the Association thought the Town would want it. Alderman Smith
-----------------------------------	--

54
asked how many people have not taken advantage of the availability of the sewer line. Mr. Cates said he did not know. Mayor Lee requested that this discussion be delayed in order for the Town Manager to have additional time to gather information. Mr. Cates said that the Association would be forced to give the line to another group and he withdrew the request.

Energy Task Force
Commission--Report

Alderman Marshall said that the Energy Task Force Commission met on December 4th and needed to

collect more information about citizen needs and problems. She said that she had been elected the permanent chairman of the Commission and that the Commission would seek technical advisors and interested citizens who can help investigate and study problems of concern to the Energy Task Force Commission. She said that the Commission recognizes the need for a recycling program, that it should be planned carefully, and encouraged support for the proposed ECOS recycling project. She said the next meeting of the Commission would be December 19th.

Mr. Kehrer described the proposed recycling program and Eco-Home. He said that a major problem for ECOS is a lack of funds for financing projects and that some funds would become available if Eco-Home could take over the Town's newspaper recycling program. Alderman Gardner asked how the newspaper collection would be handled. Mr. Kehrer said that they would use a truck to empty the dumpsters and take the newspapers to Durham where they could get a good rate.

Alderman Rancer asked what items the group planned to collect for recycling. Mr. Kehrer said newspaper, cardboard, glass, aluminum cans, and possibly metal and steel. Alderman Rancer asked how the group planned to handle various metals, what their concern was for paper, what contacts they had made in the industry, and said he thought the shortage of newspaper would only last a short time. Mayor Lee said that the ECOS request was for access to the Plant Road site for storage and for the Town to give up its newspaper recycling program. He said that more information and study would be essential for making a good decision. Mr. Kehrer asked if the Town would consider letting the ECOS project handle the newspaper recycling on a trial basis. Mayor Lee said that would not be possible at this time due to a lack of time for adequate planning. Alderman Marshall asked if the problem involved space for storage or whether the Town should give up the program. Mayor Lee said both. Alderman Marshall said that the Energy Task Force Commission would try to help the ECOS project find space if town land was not available. Town Manager Kendzior said that the Finance Director made a report in July, 1973 which indicated that the recycling program was just breaking even and that he was concerned about the use of space on the Plant Road site. Alderman Cohen said that he hoped that the Town would consider beginning other types of recycling efforts, perhaps even using town collection trucks for door-to-door pickup. Alderman Rancer moved, seconded by Alderman Welsh to refer the ECOS recycling petition to the manager for his study and recommendation. Said motion was unanimously adopted.

Marlboro Meadows -
Modification, Special
Use Permit

Town Manager Kendzior said that he had met with the developer to discuss the recreational facilities and he showed the pro-

posed plan. He said that the Recreation Commission had reviewed the proposed plan, concurred with the recommendations and stipulations with the exception that the developer provide lighting for the tennis and basketball courts. He showed a diagram indicating the elevations, and described the grades and the proposed uses. Alderman Smith asked if the developer would provide paved tennis courts. Town Manager Kendzior said yes and that this was stated in a letter. Town Manager Kendzior requested that the Board add a stipulation that the construction plan be submitted so that an adequate bond can be

set. Alderman Welsh asked if it would be possible to change section B-12 concerned with open space. Town Attorney Denny said that the developer is coming in for a modification and that could be changed when the modification is considered. Alderman Welsh requested that it be restated to require that notice be given to the Town before the open space would revert to the owner of the property. Town Attorney Denny said that could be done by specifying the amount of notice that the Town would have to be given before the area would revert to the owner. Town Manager Kendzior suggested that the word "athletic" be changed to read "recreation" in that stipulation. Alderman Welsh suggested that the developer be required to give six months notice before the open space would revert back to the owner. The members of the Board agreed. Town Attorney Denny restated the intent of the modification, that if the developer concludes that the Town is not using the area for recreational purposes, he will give notice to the Town and indicate that if the area is not used for recreational purposes within the six months, the open space will revert to the owner of the rest of the property. Alderman Smith moved, seconded by Alderman Gardner, to grant the modification of the Special Use Permit for Marlboro Meadow with the following stipulations:

A. Special terms and conditions approved by the Board of Aldermen June 12, 1972 as follows:

1. That sanitary sewer and storm drainage facilities be installed to Town standards, and subject to approval by the Town Manager.
2. That the entrance drive be widened to 32 feet for its full length, to provide for parking to serve the recreational area.
3. That all drives and parking areas be curbed and guttered.
4. That a five-foot paved sidewalk to Town standards be built on the north side of the drive, on all parking lots, connecting each parking area with the entrance sidewalk, and from the far end of the entrance drive to the school property.
5. That the entrance to the project be realigned to form a 90-degree angle with Legion Road.
6. That Legion Road be paved, curbed and guttered along the property frontage to a width of 18 feet from the centerline (to provide for an eventual 36-foot street).
7. That a five-foot paved sidewalk to Town standards be provided along the Legion Road frontage.
8. That the area designated as open space be dedicated as permanent open space.
9. That the detailed landscape plan, to be reviewed by the Appearance Commission and approved by the Board of Aldermen prior to the issuance of a Building Permit, include the following:
 - a. Location and design of signs;
 - b. Location and design of exterior lighting;
 - c. Screening of bulk trash containers;
 - d. Screening of air-conditioning condensers and other mechanical equipment;
 - e. Screening between parking lots and adjacent property.

B. Special terms and conditions approved by Board of Aldermen at their March 12, 1973 meeting as follows:

1. That drainage and sanitary sewer easements be provided to the satisfaction of the Town Manager and Orange County Department of Soil and Water Conservation;
2. That all water lines be installed to the standards of the University Service Plants, and approved by them, and that all driveways and parking areas be paved and approved by the Building Inspector prior to issuance of a Certificate of Occupancy;
3. That fire hydrants be installed as indicated by the Fire Dept.
4. That a ten-foot bicycle easement be provided along the south side of the entrance drive, to the school property; and along Legion Rd. as approved by the Recreation Department;
5. That all drives and parking areas be curbed and guttered;
6. That a five-foot paved sidewalk to Town standards be built on the north side of the drive, on all parking lots, connecting each parking area with the entrance drive to the school property;
7. That the entrance to the project be realigned to form a 90-degree angle with Legion Road;
8. That Legion Road be paved, curbed and guttered along the property frontage to a width of 18 feet from the centerline (to provide for an eventual 36 foot street).
9. That five-foot paved sidewalk to Town standards be provided

9. That five-foot paved sidewalk to Town standards be provided along the Legion Road frontage;
10. That a detailed landscape plan to be reviewed by the Appearance Commission and approved by the Board of Aldermen prior to the issuance of a Building Permit, include the following:
 - a. Location and design of signs
 - b. Location and design of exterior lighting
 - c. Screening of bulk trash containers
 - d. Screening of air-conditioning condensers, and other mechanical equipment
 - e. Screening between parking lots and adjacent property
 - f. That planting be maintained
 - g. That the open space area be designated by planting or other means.
11. That all improvements and utilities be installed to Town standards and subject to approval by the Town Manager;
12. That the area designated as open space be clearly delineated on the plan; and be dedicated to the Town of Chapel Hill as requested by the developer until such time as the Town shall cease to use and maintain the area for recreational purposes, at which time the area would revert to the owner of the rest of the property; providing, however, that no such reversion occur unless the Town has been given six months written notice to maintain and make recreational use of the property and has failed to do so.

C. That existing stipulations recommended by the Appearance Commission and Development Review Staff be included as follows:

1. That the property be screened from adjacent properties, as indicated by the Appearance Commission on the plan, with a fence six feet in height or planting capable of attaining six feet in two years.
2. That bulk trash containers be painted to harmonize with the buildings, and screened on at least three sides.
3. That the parking area for the recreational facilities be divided into at least two areas, separated by planting, but with no reduction in the total number of parking spaces.
4. That location and design of signs, exterior lighting, and the recreational building be revised and approved by the Appearance Commission prior to issuance of building permits for these improvements.
5. That small signs be provided identifying the bicycle path.
6. That a five-foot wide paved bicycle path be provided in the bicycle easement.
7. That detailed grading plans for the recreational area be submitted and approved by the Town Manager prior to issuance of a Building Permit.
8. That the planned water lines be approved by the University Service Plant prior to issuance of a Building Permit, and that the installed water lines be inspected and approved by the University Service Plants prior to issuance of a Certificate of Occupancy.
9. That every effort be made to secure a sanitary sewer easement across the adjacent property to the southwest, to allow tie-in to the Ephesus Church sewer line.
10. That the developer request the Orange Soil and Water Conservation Service to prepare a soil and water conservation plan, and carry out the plan in development of the project, prior to issuance of a Certificate of Occupancy.
11. That the developer consult with the Public Works Director and Recreation Director, and reach a satisfactory resolution of problems in the proposed recreational areas, prior to issuance of a Building Permit.

D. That the developer provide the following recreational facilities at no cost to the Town as follows:

- I. Site Grading:
A tot lot and playfield with a grade of approximately 1%, and two flat areas for tennis courts and a basketball court. All areas disturbed by grading and not intended for a hard surface recreational facility will be grassed.
- II. Recreational Facilities
 - A. Tot Lot:
Two swings, two sliding boards, one climber bar, and two benches.
 - B. Playfield:
The playfield will consist of grading and grassing.
 - C. Basketball Court:
A 42' x 74' concrete playing surface with two 18" diameter baskets, two 4' x 6' rectangular backboards and two supporting poles.
 - D. Tennis Courts:
Two concrete double courts each 60' x 120', enclosed with a 10' high chain link fence.
- III. Miscellaneous Facilities:
 - A. 30 vehicular parking spaces adjacent to the recreation area southwest of Valleyfield Drive and 10 vehicular parking spaces adjacent to the passive recreational area northeast of Valleyfield Drive.
 - B. A 5' paved bicycle path along the western right-of-way line of Valleyfield Drive from American Legion Road to the Ephesus Road Elementary School property line.
- IV. The area northeast of Valleyfield Drive, southeast of American Legion Road and northwest of the Marlboro Meadow property will remain a natural area for passive recreation.
- V. Also based on previous agreements with the Town, all recreational facilities will be for daytime use only with the exception of lighted basketball and tennis courts.
- VI. Prior to construction of the tennis courts and basketball courts, the developer will furnish to the Town's Director of Public Works insurance of adequate design and engineering for the courts, and insurance or evidence of controlled fills based on 95% Procter Test for special precaution for the construction of the concrete slabs for the tennis and basketball courts to insure against minimum separation and cracks.
- VII. Prior to construction, complete construction plans will be presented to the Town Manager for the purpose of establishing a bond.

Said motion was unanimously carried.

Coker Hills Subdivision--
Allard Road

Town Manager Kendzior outlined the history of the Allard Road paving and stipulation for a sidewalk. He showed the area on a map and recommended that the Town require the developer, Mr. Goforth, to extend Allard Road to the southern corner of lot 109 and to release Mr. Goforth from the requirement to grade sidewalks on lots 109 and 110. Town Manager Kendzior said that if the road were not going to be extended any further, as it probably would not be, a cul-de-sac should be installed. Aldermen Smith asked the length of the road because the Town has the policy regarding cul-de-sacs. Town Manager Kendzior said that the Town does not have adequate right-of-way to establish a cul-de-sac now. Alderman Gardner asked if the problem of the road extension is not a problem between the property owner and developer. Town Attorney Denny described how the subdivision had been submitted for approval, indicating that when lot 109 was sold

it was realized that final approval for it had never been given, and that the Board approved the subdivision with the stipulation that Allard Road be extended to provide access to Lot 109. There was a question about where the driveway was located when the Board made the decision and Van Opdenbrow said that the driveway had always been located on the southern end of the lot, but that was not explained to the Board. Town Attorney Denny said that the Board could give the developer an option to consider. Alderman Smith moved, seconded by Alderman Welsh, to grant the developer the option to grade sidewalks to Town standards on lots 109 and 110 across the full width of both lots, or to extend Allard Road to the southern end of lot 109 to Town standards with curb and gutter. Alderman Gardner asked if the developer had met the other requirements. Town Manager Kendzior said yes. Said motion was approved by a vote of five to one with Alderman Gardner opposing.

Appearance Commission--
Vacancies

Mayor Lee said that there are two vacancies on the Appearance Commission and that the Appearance

Commission had submitted four recommendations. He said that nominations will be considered in January.

Releases and Refunds

Alderman Smith said that he did not understand the discrepancy

between property which was completely developed having a reduction when other property values are doubling, and asked if the Board can take any action. Alderman Welsh said that perhaps one factor affecting the Glen Lennox Corporation is that the land is in the flood plain. Town Attorney Denny said that some land in the flood plain has increased in value and that probably was not the major reason for the reduced valuation. Alderman Cohen said that some errors on the valuation were clerical and are presently being corrected. Town Attorney Denny said that the responsibility for the valuation of property lies with the County, that any property owner can appeal a valuation to the Board of Equalization and Review and ultimately can appeal to the State Board. He said the Board of Aldermen can request the basis for reevaluation or reconsideration on property or it can have it considered by the State Board. Alderman Smith asked if the change in valuation would effect the budget as it was adopted. Town Manager Kendzior said no. Alderman Welsh moved, seconded by Alderman Marshall, to adopt the following resolution for the releases:

RESOLUTION - TAX RELEASES

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

<u>NAME</u>	<u>RECEIPT #</u>	<u>AMOUNT</u>	<u>REASON</u>
Daphne Athas	153	\$ 20.12	Property located on Old Hillsborough Rd.
Ms. Robert R. Clark	1140	110.08	County released this and added it to Tract #1175
Glen Lennox Corp.	7231	416.25	County reduced val. from 75,600 to 70,500
John F. Plymale	5066	297.90	Property located in Carrboro
E. G. Merritt	4317	109.15	County changed val. from 15,600 to 3,800
Betty Sue Barnard	290	13.14	Personal property listed in error
Charles M. Atkinson	172	6.98	Property was listed in error
John Lewis Temple	6222	68.95	Personal property in The Oaks
Fred E. Edney, Hrs	1773	3.89	Moved in Oct., 1972. Listed in error

Linda Homer Wilkins	6791	29.23	Error in valuation of car
Glen Lennox Corp.	7226	11,402.48	County reduced val. from 4,199,600. to 2,966,900.
Glen Lennox Corp.	7230	649.35	County reduced val. from 472,000 to 401,900
Great American Inc.	7240	29.09	Property was double listed
E & E Dev of C H	7176	166.50	County changed val from 944,500 to 926,500
E. N. Richards	5326	24,751.15	County changed val from 5,631,000 to 2,955,200
R. A. & Ann Birgel	490	2,561.32	County changed val from 903,200 to 626,300
R. A. & Ann Birgel	491	3,996.00	County changed val from 2,111,900 to 1,679,900
John Allen Cates	3198	29.60	County changed val from 24,600 to 21,400
Shepard Lane Apt	7467	287.67	County changed val from 451,500 to 420,400
Sue C. Karres	3345	138.75	County changed val from 19,300 to 71,900
Madeline Patterson	4889	121.17	County changed val from 19,300 to 7,200
Donald N. Levine	3716	251.58	Property located in North Forest Hills

Alderman Smith made a substitute motion to release all but four of the releases and request an explanation for the release of those four with sizable reductions. Said motion died for lack of a second. A vote was taken on the original motion and was passed by a vote of five to one with Alderman Smith opposing.

Waste Water Facilities--
Planning--201

Alderman Smith moved, seconded by Alderman Gardner, to adopt the following resolution:

R E S O L U T I O N

WHEREAS, the Town of Chapel Hill is preparing plans and specifications for the construction of a new 21-inch gravity sanitary sewer line, and has engaged engineering consultants to up-date a wastewater study; and

WHEREAS, the Federal Water Pollution Control Amendments of 1972, Section 201 requires an Area Facilities Plan to be determined by the State Office of Air and Water Resources, before any grant applications are approved; and

WHEREAS, Section 201 requires a designation of a lead agency to represent area governments desiring grants for wastewater improvements and construction other than a Council of Governments;

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen, Town of Chapel Hill that to expedite the planning area process required under Section 201 that the City of Durham, North Carolina be designated as the lead agency, and responsible only for completing the application and associated paper work throughout the project.

This the 17th day of December, 1973.

Said motion was unanimously carried.

Manpower Mobilization
Project

Alderman Smith moved, seconded by Alderman Cohen, to adopt the following resolution:

R E S O L U T I O N

WHEREAS, the city of Durham is presently engaged in the development of a community comprehensive manpower planning effort, by its support of the Manpower Mobilization Project, and

WHEREAS, the Town of Chapel Hill has identified its manpower planning and coordination needs, and

WHEREAS, the Town of Chapel Hill has established its intent to address the manpower planning and coordination needs within its community,

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the attached agreement between the City of Durham and the Town of Chapel Hill be approved.

This the 17th day of December, 1973.

AN AGREEMENT BETWEEN THE TOWN OF CHAPEL HILL AND CITY OF DURHAM

Re: A Cooperative Manpower Planning Agreement in the Development of a Community Comprehensive Manpower System

As the City of Durham is presently engaged in the development of a community comprehensive manpower planning effort, by its support of the Manpower Mobilization Project, and

As the Town of Chapel Hill has identified its manpower planning and coordination needs, and

As the Town of Chapel Hill has established its intent to address the manpower planning and coordination needs within the community, and

As there is recognized economic and social interdependence between the Town of Chapel Hill and City of Durham, and

As the Mayors of Chapel Hill and Durham have established the desirability of combining resources to address the manpower planning and coordination problem in the larger community of Durham and Chapel Hill,

It is the desire of the Town of Chapel Hill to substantially engage with the City of Durham in the support of the Manpower Mobilization Project for the delivery of certain services to include:

- A. The establishment of a functional Durham-Chapel Hill Manpower Advisory Council, under the direction of the Offices of the Mayors of Durham and Chapel Hill. The Council will:
 1. Assure the input of other local governmental units in the development of comprehensive manpower planning, coordination, and program activities.
 2. Actively involve business and economic interest in the identification of manpower needs in manpower planning and utilization.
 3. Actively involve learning, training, and service institutions and agencies in developing coordination and increased flexibility in response to identified local manpower needs in training and skill development.
 4. Actively involve community leaders and community professional groups and agents in the identification of specific manpower needs and resources.
- B. The identification of the manpower service agencies in the Chapel Hill-Orange county area.
 1. To establish communication links among those services agencies around the manpower planning and service question.
 2. To establish communication links between the manpower service vendors in Durham and Orange counties.
- C. The development of coordination among community manpower service programs in
 1. Planning for program service for the two county area.

2. Accessing program operational efficiency.

- D. The establishment of coordinated and proportional representation of the Durham-Chapel Hill Manpower Advisory Council on the Region J Manpower Area Planning Council.
- E. The development of a manpower operational planning grant request to the U. S. Department of Labor for financial support in the development of the Durham-Chapel Hill Manpower System.

The day-by-day development of the above mentioned plans and services will be the responsibility of the Manpower Coordinator. The Coordinator will be supervised by the Mayor of the Durham and will be responsible to the Mayor of Chapel Hill and to the Mayor of Durham. Manpower Mobilization Project's monthly activity reports will be submitted to the Mayors and City Managers of Durham and Chapel Hill.

The Manpower Mobilization Staff will provide the secretariate and coordination support to the Council, which will be co-chaired by the Mayor of Durham and Chapel Hill.

- F. This agreement can be terminated sixty (60) days prior to the scheduled expiration date of any year.

CITY OF DURHAM

WITNESS: _____

By _____
Mayor

TOWN OF CHAPEL HILL

Alderman Gardner asked about the agreement the Town has with the Housing Authority for contracting for social services. Town Manager Kendzior said that there is one social worker hired by the Housing Authority to work in public housing and that the Housing Services Advisor hired by the Town of Chapel Hill was employed to work primarily in the NDP area. Town Manager Kendzior explained the change of position from Manpower Development Specialist to Housing Services Advisor, indicating that because of the delay in hiring a person there is \$3,085 available which can be used for the Town's share in the Manpower Mobilization Project. Said motion was unanimously carried.

Kings Mill Sanitary Sewer
Assessment--Public Hearing

Alderman Smith moved, seconded by Alderman Welsh, to adopt the following preliminary resolution for a public hearing to be held on January 14, 1974.

PRELIMINARY RESOLUTION

SANITARY SEWER IMPROVEMENTS, KINGS MILL ROAD, SOURWOOD DRIVE, WOODBINE DRIVE AND COKER DRIVE

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

1. The Board of Aldermen of the Town of Chapel Hill intends to undertake a sanitary sewer improvement project on Kings Mill Road, Sourwood Drive, Woodbine Drive and Coker Drive, in the Town of Chapel Hill;
2. The project shall consist of the installation of eight inch sewer laterals for serving the properties abutting said streets above named;
3. It is anticipated that the basis for assessing said project costs shall be the actual costs of the installation of said sewers, and that said costs so computed be assessed against the property owners equally for each lot which can be served with sewer by reason of said sewer improvements;

4. The amount of said assessment may be paid in full without interest at any time before the expiration of 30 days after the date of the notice of confirmation of said assessment has been published, or may be paid in 10 equal annual installments each bearing interest on the unpaid balance at the rate of 6% per annum from the date of said confirmation, and

BE IT FURTHER RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that a public hearing is hereby called on this proposed project on the 14th day of January, 1974 in the meeting room of the Municipal Building, Chapel Hill, North Carolina at 7:30 o'clock p.m., and BE IT FURTHER RESOLVED that at least 10 days before the date set for said public hearing, that notice of said hearing and the adoption of the Preliminary Resolution be published in the Chapel Hill Newspaper, and that a copy of said Notice and this Resolution be mailed by first class mail at least 10 days prior to said hearing to all property owners whose property may be subject to assessment by reason of this project as shown on the County Tax Records.

This the 17th day of December, 1973.

Said motion was unanimously carried.

State Land Use Policy Plan Town Attorney Denny suggested an addition to the proposed resolution. Alderman Welsh commended the Town Attorney for incorporating the concerns of the Board into the resolution. Alderman Welsh moved, seconded by Alderman Marshall, to adopt the following resolution with the amendments suggested by the Town Attorney.

RESOLUTION CONCERNING PROPOSED
LEGISLATION TO DEVELOP STATE
POLICY WITH RESPECT TO LAND USE
AND LAND MANAGEMENT FOR THE PRO-
TECTION OF THE ENVIRONMENT AND
THE CONSERVATION OF BASIC LAND
RESOURCES

WHEREAS, a Committee of the General Assembly of North Carolina is considering a land policy act known as House Bill No. 1180, and

WHEREAS, said Bill proposes to provide a procedure that the development of state policy with respect to land use and land management for the protection of the environment and the conservation of the basic land resources; and

WHEREAS, the concept of a state policy for said purpose is highly desirable and necessary for the protection of the environment and the basic land resource, and

WHEREAS, the development of said policy would be more productive if local authorities are afforded the opportunity for participation in the creation of such state wide policy, inasmuch as its application and much of its implementation will be on the local level.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, that the Board go on record as endorsing the concept of a land policy act for the State of North Carolina, and

BE IT FURTHER RESOLVED that the Board strongly recommends that the procedure for adoption of said policy involve local authorities which will be effected thereby, and that a system of mutual adoption between Regional Councils representing their constituent local agreements and their appropriate state agencies or councils of said policy be incorporated in the provisions of any proposed legislation in order to involve local authorities.

This the 17th day of December, 1973.

Alderman Smith said that it is important for local governments to

be included in the development of land use plans and that the Board should support the proposed legislation and develop its own land use policies. Said motion was unanimously adopted.

Tow Zones Alderman Smith moved, seconded by Alderman Cohen, to adopt the following ordinance with the addition of Section III.

AN ORDINANCE TO AMEND CHAPTER 21, THE TRAFFIC CODE, OF THE CODE OF ORDINANCES, TOWN OF CHAPEL HILL

SECTION I

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that Chapter 21 of the Code of Ordinances of the Town of Chapel Hill be amended by the addition of a new section 21-21A to read as follows:

21-21A: Tow Zones

The Police Department of the Town is hereby authorized to remove, tow in, and impound automobiles and vehicles of any kind which are parked on the public streets, sidewalks or alleys of the Town in contravention of this ordinance. The streets set out below shall be marked by signs reading, "Tow Zone." The owner shall be responsible for and pay storage and moving costs for any vehicle removed pursuant to the provisions of this section, and the Police Department shall use reasonable diligence to notify the owner of the removal and storage of such vehicles.

The following streets are found to have a peculiar relation to the safety and welfare of the citizens of the Town of Chapel Hill, and are delineated as tow zones under this section:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Cottage Lane	Both	Full Length	

SECTION II

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

SECTION III

This ordinance will be effective from and after January 1, 1974.

This the 17th day of December, 1973.

Said motion was unanimously carried.

<u>North Forest Hills</u> <u>Subdivision, Section III--</u> <u>Final Approval</u>	Town Manager Kendzior said that he received a request that afternoon for the Board to consider final approval for the North Forest Hills Subdivision, Section III. He recommended that this be referred to the Planning Board for review. Aldermen Smith asked if it had been referred to the Planning Board previously. Mr. Kurt Jenne said that a number of serious engineering problems had to be worked out with the Town staff before it could go to the Planning Board, and those had not been resolved. Mrs. Ted Greene said that they had done what was required. Mayor Lee said that the petition came in at 4:00 o'clock that day and there was not adequate time for review. He said that whoever is responsible for the project must work out the details with the Town Manager and that the Board cannot take action without adequate information. Mr. Ted Greene described the problems with that project and requested final approval of this section. Alderman Marshall moved, seconded by Alderman Smith, to accept the Town Manager's recommendation and refer this request to the Planning Board for study and recommendation. Said motion was unanimously approved.
---	---

64

Estes Drive--Paving

Town Manager Kendzior said that he had received a request from North Hills, Inc. to extend the deadline for the paving of Estes Drive. Town Manager Kendzior said the final surface is needed on a portion of the road and recommended that the deadline be extended to March 31, 1974. Alderman Welsh asked why wheelchair ramps had not been constructed on Franklin Street and asked if they could be installed by the same deadline. Alderman Smith asked if stripping could be put on the road even though the final surface would not be on. Alderman Smith moved, seconded by Alderman Marshall, to grant the extension to North Hills, Inc. for completion of the Estes Drive widening and pavine by March 31, 1974, with the condition that stripes be drawn on the road immediately to increase the safety. Mr. Coolidge Porterfield said that the University Mall developer could not be held responsible for the State installing wheelchair ramps. Said motion was unanimously carried. Alderman Smith said he would like the State Highway Department to consider a method for making the street markings more visible.

Board of Adjustment--
Appointment

Aldermen Cohen said that Mr. Laurens Walker was appointed to the Board of Adjustment

in March, 1973, that his term was unclear, and that he was available for reappointment. He asked that this item be added to the next agenda.

Christmas--Emergency
Arrangements

Town Manager Kendzior said the Landfill will be open on December 24th and December 26th. He

said that commercial pickups would be made on December 24th, and that the following emergency number could be used during the holidays: 929-7106. Aldermen Marshall requested that emergency arrangements be made for the use of the cemeteries if necessary.

Board of Aldermen Meeting--
February 18, 1974

Mayor Lee requested that the meeting of February 18, 1974 be suspended so that the newly

elected members of the Board can attend a conference at the Institute of Government. Aldermen Smith moved, seconded by Alderman Welsh, to suspend the February 18, 1974 meeting of the Board of Aldermen and to encourage the newly-elected members of the Board to attend the conference at the Institute of Government. Said motion was unanimously carried.

Region J--COG

Alderman Smith said that the Region J-COG would meet December

19th and that if there are any members of the Board who have ideas to be expressed at that meeting, he would be glad to relate them.

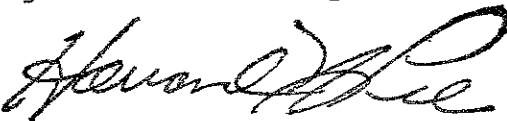
Emergency Medical Services
Committee

Alderman Gardner said that the next meeting of the Orange County Emergency Medical Services

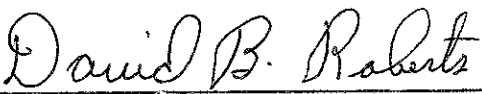
Committee would be on Thursday, December 30th.

Mayor Lee wished the members of the Board of Aldermen and those present at the meeting a Merry Christmas.

There being no further business to come before the Mayor and the Board of Aldermen, said meeting was adjourned at 9:35 p.m.



Mayor



David B. Roberts, Town Clerk