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MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD  
OF ALDERMEN OF THE TOWN OF CHAPEL HILL HELD IN  
THE MUNICIPAL BUILDING, MONDAY, MARCH 11,  
1974 AT 7:30 P.M.

The Board of Aldermen met at a regular meeting on March 11, 1974 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

Present: Howard N. Lee, Mayor  
Thomas Gardner  
Shirley E. Marshall  
Sid Rancer  
R. D. Smith  
Alice M. Welsh

Absent: Gerald Cohen

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

Alderman Marshall moved, seconded by Alderman Smith, to approve the minutes of the meeting of March 4, 1974 as circulated. Said motion was unanimously carried.

Refunds--Kavanau Real  
Estate Trust

Town Clerk Roberts petitioned the Board to consider a refund of tax overpayment for Camelot Apartments.

Alderman Welsh moved, seconded by Alderman Gardner, that said petition be considered under item 7 of the agenda. Said motion was unanimously carried.

Central Business District  
Study Committee--Report

Mr. James Wallace, Chairman of CBD Study Committee read the Committee's recommendations.

RECOMMENDATIONS TO THE CHAPEL HILL BOARD OF ALDERMEN FROM THE CENTRAL BUSINESS DISTRICT STUDY COMMITTEE CONCERNING THE LEARY REPORT ON CENTRAL CHAPEL HILL.

The CBD Study Committee has recently held two meetings at which the report on Central Chapel Hill was considered. The Committee appreciates the opportunity to appear here tonight and wishes to make the following observations:

1. In general, the Committee approves of the Report and urges its adoption as a guide for future action and its implementation within the shortest feasible period of time. It must be understood, however, that several developments have occurred subsequent to the completion of the report that might affect our future direction; i.e., the energy crisis, the bus system, a new parking study and the on-going efforts by the University in developing its own plans in areas related to the report. These items must be evaluated before any final action is taken.
2. The Committee recognizes that the Report contains many recommendations, ranging from small items which can be achieved relatively quickly and inexpensively, to quite large undertakings requiring years to achieve and involving quite substantial outlays. It is the Committee's view that the necessary preparatory action relating to the larger issues should go forward simultaneously with the implementation of those projects of shorter duration. Accordingly, while we proceed with the amenities involved in the recommendation for the main block of Franklin Street, we should do the groundwork relating to the long-range context into which this relatively simple, yet highly visible, improvement will eventually be fitted.

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3. In making these observations, the Committee wishes to impress upon the members of the Board, and upon the members of the Planning Board, that the Report should be considered as a whole, rather than as a kind of grab-bag from which a few items will be extracted and the rest abandoned. The Committee is especially mindful of the large number of previous reports which were prepared at considerable cost, and which were never implemented, either in whole or in part. It is the Committee's fervent wish--and we feel certain that it is the wish of both the Board of Aldermen and of the Planning Board--that our recent efforts, involving PITCH and the CBD Study, will at long last bear fruit. With these preliminary remarks in mind, the Committee would like to make the following specific recommendations:

A. Establish a Downtown Development Corporation, with broad representation, for the purpose of further defining and implementing a Central Business District Plan. It is the Committee's feeling that the Board, with its taxing (and bonding) authority, and as custodian of the general welfare, should play, initially, the principal role in launching the Corporation. As the Plan develops, other components of the community would be encouraged to take a larger part in the enterprise, permitting the Board to assume a supportive posture. While the undertaking proposed is considerable, and while some hesitancy in tackling projects of such magnitude is understandable, it is, nonetheless, the Committee's belief that Chapel Hill has the resources, both human and economic, equal to the task at hand.

B. Engage an architectural firm experienced in urban development to produce several alternative renderings for the central area. It is the Committee's view that such work is a condition precedent to establishing a clear direction for treating this central block which constitutes the core of the CBD. Once such visual alternatives are available, it will then be possible to involve the members of the community in our concerns in a more meaningful way than heretofore. Also, a decision for the core area will serve to simplify determinations relating to the remainder of the CBD. In addition, such a clarification of what we have in mind could aid in resolving other difficulties. For example, should a plaza--which many have envisioned--become a reality, it might be desirable to permit vending in the area. This idea is commended to the Planning Board, the Development Corporation (once it is formed) and the Appearance Commission for their consideration.

C. Include within the budget for the next fiscal year an amount sufficient to upgrade pedestrian amenity and safety within the main block of Franklin Street. The Committee does not express an opinion concerning whether a portion of this cost should be charged to the owners of real property in the area.

D. Establish a special committee, consisting of members knowledgeable in matters relating to the disposition of government property, for the purpose of acquiring the Franklin Street Post Office. This structure serves as the eastern anchor for the whole of the Central Business District. It is essential that a concerted effort now be made, without delay, in order to achieve this goal.

E. Move immediately to acquire the land in the vicinity of the old Town Hall. This area represents the key to our CBD proposals on the western side. Either the intercept parking lot or other desirable public use would depend upon acquisition of this property. That portion of the Thoroughfare Plan which shows Airport Road extending through this area to connect with Cameron Avenue at Pittsboro Street should be restudied, particularly in light of the possible four-lanning of Columbia from the Naval Armory to the Carolina Inn, and with reference to cost and to impact upon properties along Pittsboro Street.

F. Investigate the status of the land in the vicinity of Yates Motors concerning its availability and its necessity as an additional intercept lot.

G. Request the Planning Board to review the matter of Special Public Interest Districts, with particular reference as to how they could be related to the plans contemplated in the CBD Report, and to make appropriate recommendations.

H. Once further information is at hand--concerning the Post Office, the property adjacent to the old Town Hall, a current recommendation concerning the Airport Road extension, and a series of renderings for the main block of Franklin Street, including the amenities referred to above--launch a public information program regarding these proposals for the purpose of helping to generate the public support so necessary to implementation of the final Plan. In addition, request the Planning Board to provide any further comments it may have upon either the CBD Report or upon these recommendations.

I. And, last of all, discharge the Central Business District Study Committee. It is the feeling of the Committee that its mission has been accomplished, and that it is now appropriate for the Town to carry forward concerning any further action. Needless to say, all the members of the Committee stand ready to assist in any way possible, and we wish to express our appreciation for haven been given the opportunity to serve the community in this way.

Following the reading, Mayor Lee thanked Mr. Wallace for the report. Mr. Wallace made further comments on certain items in the report.

3A. When the remaining \$90,000 of parking bonds are paid off, the Town will have property with equity of 1 million dollars; therefore it should take the lead in determining what is proposed. It is difficult to permit bankers to invest in an idea rather than a concret plan.

3B. Related to the problems of investment in 3A: Several ideas should be presented and reaction obtained from the community as a whole. Private investment could then be in a position to act or react.

3C. As these physical amenities should cost a small sum of only \$50,000 to \$60,000, the Town should be willing to make this highly visible investment.

3D. The Town has a number of residents knowledgeable in dealing with the Federal Government who should be used to move this project expeditiously through the channels of Government. Alderman Welsh stated that the Town had been engaged for three years in trying to acquire the Post Office. To Alderman Welsh's query, Mr. Wallace indicated a willingness to serve as chairman of such a committee.

3E. On query from Alderman Smith, Mr. Wallace stated that enough property next to the Old Town Hall should be acquired to give space for a parking lot and, if necessary, for an extension to the building. As the value of land is rising rapidly here, the Town should acquire the land it may need as soon as possible.

In addition to the items in the report, Alderman Smith asked if the Committee feels that vending is desirable in the Central Business District. Mr. Wallace replied that except for the possibility explained of vending in a plaza area, the Committee did not address themselves to this issue. Mayor Lee said that the Board of Aldermen and the Town owe the CBD Study Committee a debt of gratitude for the study, and that

the Board will now need to move aggressively and quickly to make long-range plans regarding the project. Mayor Lee recommended that the CBD Study Committee and its chairman be discharged with thanks and that appropriate resolutions be drawn up to express appreciation. Alderman Welsh moved, seconded by Alderman Gardner, that the CBD Study Committee report be referred to the Planning Board and to the Appearance Commission for their use and recommendation back to the Board of Aldermen. Said motion was unanimously carried. Alderman Marshall moved, seconded by Alderman Smith, that CBD Study Committee be discharged and their services recognized by appropriate resolutions to each member of the Committee. Said motion was unanimously carried. Mayor Lee said that the Board of Aldermen needs to develop a structure with a time table, and he recommended that the Board consider establishing a Central Business District Implementation Committee, with the responsibility to develop a plan to implement each area described in the report, to devise the process by which these recommendations are implemented, to develop cost factors to recommend to the Board setting up any necessary groups or organizations such as the Downtown Development Corporation, and to report back to the Board within sixty days. This Committee should consist of two members from the Planning Board, three members from the Board of Aldermen, and two manager appointees, possibly the Director of Urban Development, and the Assistant Manager, with Mayor and Town Manager being ex-officio and with one of the Aldermen sitting as chairman of the Committee. Alderman Marshall moved, seconded by Alderman Smith, that the CBD Implementation Committee be set up as recommended by Mayor Lee. Alderman Welsh asked if this committee will have to wait for the report from the Planning Board. Mayor Lee said that the Committee can start its action and confer with all appropriate Town Committees and Commissions; any recommendations will go directly to the Committee. Alderman Marshall said that if the Implementation Committee moves quickly, the recommendations to the Board can come in stages. Said motion was unanimously carried. Mayor Lee said that he would appoint three members of the Board of Aldermen and appoint one of them as Chairman, that he would ask the Chairman of the Planning Board to designate two members and the Chairman of the Appearance Commission to designate one member. He would also consult with the Town Manager on the appointment of members of the Town administration. At the next meeting, the Board of Aldermen will appoint the Implementation Committee. Ms. Sonna Loewenthal, an appointee to the CBD study group from the student body, asked the Board to consider students in future appointments.

<u>Parking Committee--</u>	Alderman Welsh, Chairman of the
<u>Progress Report</u>	Special Town Board Parking Committee

reminded the Board of the charge to implement attendant parking in lots 1, 2, 3, and 4 within 30 days from February 11. She said that a very extensive document on the order of a public policy report regarding parking in Central Business District has been drafted. It considers such concepts as the myth of free parking; equal rates for on and off-street parking; enforcement of parking regulations; towing vehicles from parking lots; parking charges and time limits; acquisition of off-street parking lots; collecting revenues and financing of off-street parking; legal questions; coordination with the bus system, with UNC policies and with thoroughfare plans. At the last committee meeting the group agreed that free parking is nonexistent, and that the same rates for on and off-street parking are desirable. The report discusses a concept of a three-way token, to be used in on-street parking meters, off-street parking lots, and as bus fare; Merchants' Association and Committee members are enthusiastic about this proposal. On March 6 the Committee met with Joe Augustine, George Spransy, George Poe, Watts Hill, Jr., Chief Blake, Town Attorney Denny, Neal Evans, Alderman Gardner and Welsh, John Temple, Dr. Turlington, Carl Smith and John Wettach in attendance. The committee feels that the Town needs to resolve the parking problem and supports the idea of equal on and off-street hourly rates; supports the three-way token idea; feels that parking should be self-sustaining; and feels that the implementation of attendant parking in Lots 1, 2, 3, and 4 should be delayed indefinitely, since the implementation of the three-way token system has to be done

at one time with careful planning and good publicity. Alderman Marshall said that the report is good, but that she still has reservations regarding the legality of off-street parking enforcement. Although she agrees with the report in principle, she still would have to vote against it. Town Attorney Denny said that he cannot add any new information regarding the legal question. There has not been a problem of enforcement in the last month. The ordinance the Town has is valid, but the question is what means to use to enforce compliance. Alderman Welsh said that the Committee feels that token parking can be implemented within three months if the Town moves ahead as soon as possible. Town Attorney Denny said that the concern is with the timing of attendant parking and rate structure change; if street meter rates are changed, it will be necessary to determine how soon tokens will be required and what parts are needed for the meters. This may take one to three months. Alderman Welsh also pointed out that there are no lease agreements in effect with the owners of lots 3 and 4. Mayor Lee asked if the Committee has considered a time table regarding changing to attendant parking. Alderman Welsh said that the details have not yet been worked out, but that implementation should be done very carefully, so that the plan will have a chance to succeed. Alderman Smith said that he is concerned about the effect of tokens on the bus system, about the agreement with owners of parking lots to turn all revenue from these over to them, and about the possibility of courts requiring that Town refunds fees to users of lots in case enforcement is illegal. Town Attorney Denny said that Town can have off-street parking with imposed penalties for violation, but that the question of legality deals with the enforcement of penalties by criminal process. No refunds would be required, since collecting of fees is legal. The representatives of the private lots are satisfied with the present enforcement of parking fees and also realize that the revenues from the parking lots will not yield a realistic return for the value of their property. Mayor Lee said that in spite of the indecision of the Board, the owners, merchants, University and Town have come together and reached a general agreement on parking enforcement in such a way that on-street, off-street and transportation systems are all compatible. Town Attorney Denny said that Transportation Director John Pappas is agreeable to using tokens on buses, with single busfare costing 25¢ and a token being worth 20¢. Mayor Lee said that the tokens will be sold by Town to business institutions. Alderman Welsh said that the token system should appeal to a number of merchants for giving to customers. Alderman Smith said that the riders who pay 25¢ may feel that they are being discriminated against. Mayor Lee said that people buying passes or 40-trip tickets will also get discounts. Alderman Welsh said that the specifics of the proposal still need to be worked out. Alderman Marshall asked how the Town will need to move to implement the proposal in three months. Town Attorney Denny said that the Board will need to authorize investigation of obtaining tokens, authorize investigation of changeover of meter parts and time necessary to do so and to do all other administrative processes. Alderman Marshall said that it will take time to change all the meter heads. Town Attorney Denny said that it is impractical to do everything at once, but that a time-table can be set up, with off-street parking coming first and on-street parking a definite set time later. Bus system may not be in effect yet when the switch-over is made. Alderman Marshall asked if Town Manager Kendzior is ready to implement attendant parking this week. Assistant Town Manager Levine said that the Town Manager was prepared to implement attendant parking this week, but since the question of tokens came up with the merchants requesting that they be part of the new arrangement, a delay is recommended. Alderman Smith said that there would seem to be a better opportunity to convert all meters to tokens with attendant parking in effect. Town Attorney Denny said that the Town would have to store the meters if they were pulled from lots now. If the attendant parking is delayed, then the attendant parking can be started and the meters from lots pulled when replacement parts are available; these meters would then be converted to be used as on-street meters. Alderman Welsh reemphasized that the committee feels that the transition has to be done smoothly,

and that it is important for the Board to authorize necessary action tonight. Mayor Lee recommended that the Committee request be accepted, that Town Manager be requested to have a report by March 25, 1974 regarding the time needed to obtain parts, tokens and other supportive materials to carry on the parking system; that the Committee continue with their work of developing plans; that the total parking system be operating by August 1, 1974; and that the Town immediately revert back to the old system of monetary division within lots and continue forthwith with parking system as it now stands in all existing lots. Alderman Welsh asked if the recommendation also includes the concepts of equal rates for on- and off-street parking the 20¢ fare, three-way token, hourly parking rates, shorter parking times for Post Office, attendant parking from 8 a.m. to 10 p.m., and dealing with leases for lots 3 and 4. Mayor Lee said that he agrees including these in his recommendation. Alderman Gardner moved, seconded by Alderman Smith, that Mayor's recommendations be accepted. Said motion was unanimously carried. Mayor Lee thanked the Committee for its work.

Performance Bonds, Policy--  
Report

Mayor Lee said that this report will be delayed until Town Manager is in attendance.

Recreation Commission--  
Appointment

Mayor Lee said that the Recreation Commission recommends that the Town Board of Aldermen consider filling the unexpired term of Daryll Powell (Dec. 31, 1974) who resigned, effective February 27, 1974. The Recreation Commission recommends two names, Dr. John Anderson, 15 Rogerson Drive and Ms. Maryln Boulton, 2125 N. Lakeshore Drive for Board consideration. Alderman Smith moved, seconded by Alderman Gardner, that nominations be closed. Said motion was unanimously carried. The Board voted by a secret ballot. Ms. Maryln Boulton was appointed by a vote of 3 to 2 for a term ending December 31, 1974.

Carol Woods--Special  
Use Permit

Mayor Lee said that the Planning Board has referred this request to its Zoning Committee for further review, and placed it on the April 2 Planning Board Agenda.

Subdivision Ordinance--  
Amendment

Mayor Lee said that the Planning Board recommends adoption of amendments 1, 3 and 4 as listed in the Legal Notice for the February 25 public hearing; and recommends re-advertising amendment 2, modified to include specific standards for the required improvements. Alderman Smith moved, seconded by Alderman Marshall, that ordinances be drawn for the adoption of the following amendments:

1. Amend Section 5 by adding a new Section 5(A) as follows, and re-numbering subsequent sections:
  - (A) Extent of Improvements. All streets, curbs, gutters, sidewalks, sanitary sewer lines, water lines, underground utilities and other improvements shall be completed to the limits indicated on the final plat. In those cases in which final plats are submitted for a portion or portions of the property shown on the approved preliminary plat, the extent of such improvements shall be as determined by the Town Manager.
2. Amend Section 5(B) by adding a new final paragraph, as follows:
 

"In every case in which a street approved on a preliminary plat is constructed in sections, a temporary gravel cul-de-sac shall be provided at the start of construction at the end of each section being constructed and maintained by the subdivider until construction of the next

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section is completed, at which time the cul-de-sac shall be removed and the area seeded as directed by the Town Manager."

3. Amend Section 5(D), first and second sentences, to read as follows:

"All subdivisions shall be connected to an approved sewage disposal system, except as follows:

Where a stabilized rate of percolation of more than one inch per hour is obtained on each lot, septic tanks may be installed on lots with a minimum area of one acre. On any and all lots where a stabilized rate of percolation of one inch per hour or less is obtained, septic tanks will not be permitted; and no final plat of such lots shall be approved until the subdivision is connected to an approved sewage disposal system or bond has been posted for same.

Said motion was unanimously carried.

Zoning Ordinance--Amendments Mayor Lee said that the Planning Board recommends adoption of the transfer of jurisdiction of Section 4-D-11, Parking Garages, from Board of Adjustment to Board of Aldermen as heard at the January 21 public hearing. Mr. Kurt Jenne, Director of Urban Development, said that the amendments are presented as a set but that they should be considered separately, since Section 13 should be readvertised because of ambiguity in defining dwelling units. Alderman Welsh moved, seconded by Alderman Marshall, that an ordinance be drawn for the adoption of amendments transferring the jurisdiction of Section 4-D-11, Parking Garages, from Board of Adjustment to Board of Aldermen. Said motion was unanimously carried. Mayor Lee presented recommendation concerning 4-D-22 and 4-D-23, heard at January 28 public hearing. Alderman Welsh moved, seconded by Alderman Smith, that an ordinance be drawn for the adoption of amendments placing jurisdiction for all Unified Housing Special Uses directly under the Board of Aldermen, requiring Special Use Permits for development of three (3) or more dwelling units, and re-defining Unified Housing Development. Said motion was unanimously carried. Mayor Lee presented recommendation concerning all Special Use Permits. Alderman Welsh moved, seconded by Alderman Smith, that an ordinance be drawn for the adoption of amendments transferring the jurisdiction of all Special Uses remaining under the jurisdiction of the Board of Adjustment to the Board of Aldermen. Said motion was unanimously carried. Alderman Welsh moved, seconded by Alderman Smith, that amendment to Section 13, dealing with dwelling unit definitions, be readvertised for the regular April public hearing. Said motion was unanimously carried.

The Oaks--Modification of Special Use, Landscaping Mayor Lee said that the Planning Board, Appearance Commission and staff recommend granting the request, with stipulations. Mr. Kurt Jenne, Director of Urban Development, presented the project and showed it on the map. The developers are requesting approval of changes in landscape plan, approval of constructing internal brick sidewalks, requesting that the unpaved walkway along Highway 54 be grass, changing the walkway exit to Highway 54, eliminating drive-in area for loading to activities building increasing the number of trash containers from three to six, and permitting the developer to add to landscape plan. The following stipulations are recommended:

1. That the bulk trash container in the parking lot of buildings 1, 2 and 3 be relocated as indicated by the Appearance Commission on the plan submitted, provided that this relocation is accessible to service vehicles.
2. That the bulk trash containers be painted to match the screening, provided that this is permitted by the contracted trash collector.
3. That all mechanical equipment be screened from view.



4. That additional planting be provided between the apartment buildings and N.C. 54.
5. That the grass sidewalks along N.C. 54 and Burning Tree Drive be maintained by the developer.
6. That the bulk trash container between buildings 14 and 15 be moved from the parking spaces, and relocated subject to the approval of the Town Manager.
7. That grass sidewalks be provided on the north side of N.C. 54 and the west side of Burning Tree Drive, design of these sidewalks subject to approval by the Town Manager.
8. That the landscape plan be revised to incorporate all stipulations imposed, and that the revised plan be filed with the Town prior to issuance of any further Certificate of Occupancy.
9. That all plantings pursuant to the approved landscape plan be maintained by owner.

Alderman Smith moved, seconded by Alderman Marshall, that the Oaks Special Use Modification, landscaping, be approved, subject to recommended stipulations. Said motion was unanimously carried.

Finley Road Subdivision--  
Preliminary Plat

Mayor Lee said that the Planning Board and staff recommend approval.

Mr. Kurt Jenne, presented the project and showed it on the map. The project is located on 2/3 acres behind Pines Restaurant, with access from Finley Golf Course Road. All but twenty feet of the area are in suburban-commercial zone, with land to South zoned R-20 and owned by Univeristy Motor Lodge, Inc. The stated purpose of the subdivision is to provide a real estate office. The owner intends to use as parking 25 spaces from Pines parking lot; Pines will still meet the requirement of one parking space for each four seats in the restaurant. Alderman Smith asked if there will be a barrier between the two parking lots. Mr. Jenne said no. Alderman Welsh asked if this request also involves a Special Use Permit. Mr. Jenne said not, that the project involves subdividing a lot from Pines and adding 20 feet from the University Motor Lodge to get enough acreage. Town Attorney Denny said that if the subdivision is approved and the lot created the developer will have avoided the necessity of having a Special Use Permit and will have extended the suburban-commercial zone twenty feet, since if a lot is bisected by a zone, the zoning can be extended 35 feet. Alderman Welsh moved, seconded by Alderman Gardner, that the Preliminary Plat on Finley Road Subdivision be approved. Said motion was unanimously carried.

Countryside Subdivision--  
Final Plat

Mayor Lee said that the Planning Board and Staff recommend approval with stipulations. Mr. Kurt Jenne,

Director of Urban Development, presented the project and showed it on the map. The project is located on 47 acres south of Weaver Dairy Road and west of Town Park. The preliminary plat was approved in April, 1973. The project includes 55 lots, with 19 conventional single family lots of 6/10 acre each in the southwest portion of the project, two large lots suitable for 4-11 cluster housing in the southeast portion and 34 single family clusters of 1/3 acre each in the north portion. Cluster housing can be located on lots smaller than required, if the difference is made up in open space. The developer is planning 10.25 acres open space dedication, with the largest area along Cedar Fork Creek. There are three pedestrian easements to Town Park. A 60 feet right-of-way is reserved for a possible extension of Saddle Ridge Road. The subdivision will receive sewer and water service from the existing connections on Kenmore Road. The following stipulations are recommended:



1. That a pedestrian easement be provided in the private drive serving lots 2-1 through 2-15, from Kenmore Road to the Town Park. (The developer has agreed to this stipulation)
2. That a bond, of type and amount as determined by the Town Manager, be posted to cover the cost of incomplete improvements.
3. That an additional 15 feet of right-of-way be reserved south of Weaver Dairy Road to be dedicated in the event that Weaver Dairy Road is designated a thoroughfare, to provide 90 feet right-of-way.

Town Attorney Denny asked if the additional right-of-way can be provided without hurting the lots. Mr. Jenne said yes, since the access road has been moved closer to Weaver Dairy Road after the preliminary plan was granted. Town Attorney Denny asked if the developer has agreed to it. Mr. Jenne said that he understands that Mr. Rose has made an agreement with the developer. Mr. Al Reimer, vice-president of Wiggins & Reimer Construction Engineers, said that they agreed to bring the paving of the road as far to the project side of the right-of-way as practical. If Weaver Dairy Road were widened, it would not infringe too significantly on the private drive. Alderman Welsh said that at one time the question regarding annexing the subdivision by Town came up. Mr. Reimer said that at that time the project was not adjacent to Town and could not be annexed. Town Attorney Denny said that the Town Park has been acquired since the request was made, but that the project has to adjoin a certain footage of the total boundary. Alderman Welsh asked if the roads are made to Town specifications. Mr. Jenne said yes. Alderman Welsh said that the project is very nice. Ms. Jean Stewart said that at the Planning Board meeting a question came up regarding the pedestrian right to go from Kenmore Road to Town Park along a private drive. Mr. Reimer said the whole private drive is dedicated as pedestrian and utility easement. Alderman Welsh moved, seconded by Alderman Gardner that the final plat of Countryside Subdivision be approved, subject to recommended stipulations. Said motion was unanimously carried.

Refunds--Kavanau Real  
Estate Trust

Town Clerk Roberts said that the original 100% value for Camelot Apartments for 1973 was \$1,187,700.

The taxes were paid, under protest, on December 31, 1973. The North Carolina Department of Revenue has assessed a new value of \$1,027,900 to the project, which means that the owners have overpaid by \$1,478.15. Town Clerk Roberts said that he recommends that this amount be refunded as soon as possible. Town Attorney Denny said that the original appraisal evaluated the land and the structures taking into consideration depreciation, and that several property owners have appealed the assessment. State uses the value of gross rentals less operating expenses as the basis for the new assessment. Alderman Smith moved, seconded by Alderman Welsh, that \$1,478.15 be refunded for Camelot Apartments to Kavanau Real Estate Trust. Said motion was passed by a vote of four to one, with Alderman Rancer abstaining due to financial conflict of interest.

Personnel Ordinance--  
Amendment--Salary and  
Position Classification

Mayor Lee presented an ordinance amending 1973-1974 Salary and Personnel Ordinance for creating a new position of Planner II for the De-

partment of Urban Development. The Town Board at its last regular March 4, 1974 meeting authorized the creation of this position at the request of the Town Manager. Alderman Welsh moved, seconded by Alderman Marshall, that the following ordinance be approved:

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 20, 1974" as duly adopted on July 23, 1973 be and the same is hereby amended as follows:

Section II. Department of Urban Development include the following positions:

<u>Position</u>	<u>No.</u>	<u>Hours</u>	<u>Range</u>	<u>Salary Range</u>
Planner II	1	40	28	\$12,300-\$15,696

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

This the 11th day of March, 1974.

Said motion was unanimously carried.

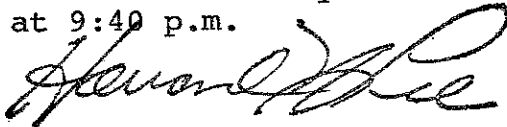
<u>Budget Ordinance--</u> <u>Recreation Department</u>	Mayor Lee said that the Board must consider amending the Budget Ordinance in reference to Recreation Department expenditures. Alderman Marshall said that she has a question in regard to item 10-620-04 Professional Services. If NDP Professional Services are added to the proposed budget, the total spent by the Recreation Department is already more than the proposed budget. Mr. Neal Evans, Finance Director, said that there are additional funds for this item from revenue sharing and from Park Services. Alderman Marshall said that she also has questions in regard to items 10-365-05 and 10-365-07, recreational fees for child and adult classes, with the proposed revenue being greater than the proposed expenditures, and said that she thought that the Department would specifically not collect fees in excess of the projected expenses. Mr. Evans said that he does not know the reason for this, but that possibly part of the money goes for staff salaries. Mayor Lee suggested delaying action on the budget ordinance until Recreation Director can be in attendance to answer questions. Alderman Smith moved, seconded by Alderman Welsh, that the Budget Ordinance in reference to Recreation Department budget be delayed until Town Manager and Recreation Director are able to be in attendance. Said motion was unanimously carried.
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<u>Kroger's Family Center--</u> <u>Special Use Landscape Plan</u>	Town Attorney Denny suggested that the Board recommend that Town Attorney write some letters in reference to this project. Alderman Welsh moved, seconded by Alderman Smith, that Town Attorney Denny write letters to the appropriate people in reference to Kroger's Family Center Special Use Landscape Plan. Said motion was unanimously carried.
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<u>Special Use Permits--</u> <u>Transfer to Board of</u> <u>Aldermen</u>	Mr. Joe Nassif said that he wishes to make a statement regarding the removal of granting Special Use Permits from Board of Adjustments to Board of Aldermen. When the substation was built on Durham Boulevard, the granting of Special Use Permit was given to the Board of Aldermen with the promise that the Planning District would have some way
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to petition legally the Board of Aldermen, since presently the people living outside Town jurisdiction have no way of appealing to the Board. Mr. Nassif suggested that it might be desired to have a five to one vote by the Board if a Special Use Permit is petitioned. Mayor Lee thanked Mr. Nassif and suggested that Charter Commission consider the problem and that Mr. Kurt Jenne, Director of Urban Development also consider the problem. Alderman Welsh said that the Board of Adjustment are not concerned with land use management, and said that she is not sure presently whether Town should have responsibility for the Planning District outside Town Limits. She said that the Charter Commission should consider the problem.

There being no further business to come before the Mayor and Board of Aldermen, said meeting was adjourned at 9:40 p.m.



Mayor



David B. Roberts, Town Clerk

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING  
OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE  
TOWN OF CHAPEL HILL HELD IN THE MUNICIPAL BUILDING,  
MONDAY, MARCH 18, 1974 AT 7:30 P.M.

The Board of Aldermen met for a public hearing, followed by a regular meeting, on March 18, 1974 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.

PUBLIC HEARING

North Lakeshore Drive--  
Street and Sidewalk  
Improvements

Mayor Lee opened the public hearing to consider the improvement of North Lakeshore Drive, by assessment, to include the installation

of sidewalk on the north side, widening of the road to 30 feet with curbing and guttering, and resurfacing of the street from the bridge at the west end of the lake to the bridge near Lakeshore Court. Notices to all property owners were mailed March 4, 1974 informing them of the meeting, and the legal notice appeared in the Chapel Hill Newspaper February 27 and March 6. Mr. Joseph Rose, Director of Public Works, described the project, which consists of a road 30 feet back to back with curbing and guttering on both sides, a five foot concrete sidewalk and three foot parkway on north side only, storm drainage and catch basins, transitions to existing streets and driveways, new grades for sidewalk and/or curb and guttering, relocation of signs and mailboxes, resurfacing to 28 feet with one-and-a-half inches asphalted concrete, removal and replacement of shrubs, and seeding and mulching of lawns where curb cuts are made. The basic established grade will not be changed, with changes made only where necessary for curbing and guttering. The estimated cost for paving with curbing and guttering is \$152,400, for sidewalk is about \$20,000 and for one-and-a-half inch asphalt is \$6,500, with a total cost for the project of about \$208,900. Capital Improvement, 10-560-73 has \$137,585, with \$71,315 needing to be appropriated from the 1974-75 budget. Mayor Lee asked for objec-