

his deep sense of loss as a result of the resignation and said that all Board members feel indebted to Ms. Levine for her significant contributions to the growth of Chapel Hill.

There being no further business to come before the Mayor and Board of Aldermen, said meeting was adjourned at 9:15 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 25, 1974 AT 7:30 P.M.

The Board of Aldermen met for a public hearing, followed by a regular meeting, on March 25, 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, Town Attorney E. Denny, and Planning Board members Peg Parker and Charles Weiss.

PUBLIC HEARING

Subdivision Ordinance,
Amendment--Fees for Pre-
liminary Sketch

Mayor Lee opened the public hearing to consider a proposed amendment to the Subdivision Ordinance, Chapter 18 of the Code

of Ordinances of the Town of Chapel Hill, which amendment would establish fees required with each application for a preliminary subdivision sketch as follows:

Sec. 18-22. Fee to accompany request for approval of preliminary sketch.

There shall accompany each request for approval of a preliminary subdivision sketch a base fee of twenty-five dollars (\$25.00), plus an additional fee of five dollars (\$5.00) per lot in the proposed subdivision, to a combined maximum total of one-hundred dollars (\$100.00).

The Town Board at its regular February 25, 1974 meeting set the date and time for this public hearing. The Legal Notice appeared in the March 10 and March 20, 1974 CHAPEL HILL NEWSPAPER./

Mr. Kurt Jenne, Director of Urban Development, explained that at the present time Town charges a nominal fee for the various special permits to offset the cost to Town of processing these permits. Presently there is no fee charged for request for approval of preliminary plats; the proposed amendment would charge a fee for the preliminary plats but not for final plats, since if the work is done well, very little staff time is needed for the final plat approvals. The fee

is set on a sliding scale so that small developers would not be penalized. In comparing fees with other North Carolina Towns, only Raleigh charges a fee of \$25 for a preliminary plat application. Mayor Lee asked for objections to the proposed amendment. There were none. Mayor Lee asked for statements in support. There were none. Alderman Marshall asked if the proposed fee is adequate to cover Town cost in staff time. Mr. Jenne said no, and that it was never intended to do so. The intention is to charge a nominal fee to offset partially some of the cost. Alderman Marshall said that over the last few years Town has started charging various fees and asked if this proposal is equitable with these. Mr. Jenne said yes, especially since a sliding scale is built into the proposal. It takes about the same amount of time to review a project for a preliminary plat as it does for a special use permit, for which Town charges \$100. Alderman Cohen moved, seconded by Alderman Welsh, that the proposed amendment to the Subdivision Ordinance, establishing fee requirements for preliminary subdivision sketches, be referred to the Planning Board for their consideration and recommendation back to the Board of Aldermen. Said motion was unanimously carried. The public hearing was adjourned at 7:40 p.m.

REGULAR MEETING

Minutes of March 11 and March 18, 1974

Alderman Marshall moved, seconded by Alderman Smith, to approve the minutes of the meeting of

March 11, 1974 as corrected. Said motion was unanimously carried. Alderman Welsh said that there is too much detail and minutia in the minutes as now prepared, and requested that less detail be included. Alderman Smith moved, seconded by Alderman Welsh, to approve the minutes of the meeting of March 18, 1974 as corrected. Said motion was unanimously carried. Mayor Lee said that he has requested Town Manager to investigate and prepare a report of the possibility of setting up a filing system with verbal recording of all minutes of Board of Aldermen and Public Hearings. The Aldermen would then receive minutes covering major actions and steps leading to these.

Towing of Vehicles

Alderman Smith petitioned the Board to consider the practice of towing

cars without notifying owners. Alderman Welsh moved, seconded by Alderman Gardner, that this petition be placed at the end of agenda. Said motion was unanimously carried.

Minutes of February 4, 1974--Addition

Town Manager Kendzior requested that the following correction be included on page 4 of February 4,

1974 minutes under Alderman Rancer's comments: If the development is in a state of being unhealthy, unsanitary, or unsafe, have the district health officer in Chapel Hill, Dr. O. David Garvin, inspect the property and order whatever improvements are necessary.

If the tenants have been misled through brochures or through verbal promises as to what they would get as tenants of the development, such as tennis courts, swimming pools, and laundry facilities, then they should complain to the Consumer Protection Division of the Attorney General's Office in Raleigh.

Alderman Marshall moved, seconded by Alderman Smith, that the minutes of February 4, 1974 be amended to include the correction. Said motion was unanimously carried.

Recreation Department Secretary--Position Reclassification

Town Manager Kendzior requested that action be deferred on this matter, since Town is in process of having State Personnel Board re-

view many other Town positions and the reclassification should all be done at the same time.

Fire Protection--Oaks
and Briarcliff Sudivisions

Mayor Lee presented petitions from residents of Oaks and Briarcliff Subdivisions, requesting that a fire district be created. Alderman Cohen moved, seconded by Alderman Marshall, that this matter be referred to Town Manager for consultation with Fire Chief, study and report back to the Board of Aldermen. In response to questions from Alderman Cohen, Town Manager Kendzior said that the target date for preparing this report is April 8, 1974, and that possibilities other than the creation of a fire district will be considered, such as annexation. Said motion was unanimously carried.

NCNB--Special Use Modification

Town Manager Kendzior said that the request from NCNB for a modification of a special use permit was improperly submitted to the Board at its last regular March 18, 1974 meeting. The request has been forwarded to the Appearance and Planning Commission, and their recommendation will be submitted to the Town Board at a later date.

Triangle Housing Development Corporation--Preliminary Report

Mayor Lee asked for a report from Alderman Marshall, Town Board representative to the Triangle Housing Development Corporation. Alderman Marshall gave a brief history of the Corporation. It was being considered as early as October, 1971 when the first Triangle Regional Planning Commission submitted a report, Housing Activities of Non-Profit and Limited Dividend Sponsors in Research Triangle Region, suggesting that non-profit corporation be formed to help raise money to proceed in dealing with the great lack of housing in the area for low income families. At that time it was estimated that the region had 20,000 insufficient units, and the report recommended that 1000 units per year be built. There were some meetings with interested persons and the committee was set up but then the federal fund freeze was announced on all types of help. The Executive Committee continued work until THDC was formed. This Committee was made up of Mr. Fred Herndon, Durham builder and chairman of special legislative study commission on housing; Mr. Howard Welch of Hillsborough, Cone Mills executive; Mr. Earl Bardon of Raleigh, Vice President of First Union National Bank; Ms. Rosilla Burgess of Raleigh, President of North Carolina Turnkey Home Buyers Association; Ms. Annie Laurie O'Neil of Durham, League of Women Voters; and Ms. Adelaide Walters, a former Chapel Hill Alderman. The Triangle Housing Development Corporation held its first meeting on March 19, 1974. Its structure is made up of General Membership, with thirty members each from Orange, Durham, Wake, Lee, Chatham and Johnston counties and a 19 member Board of Directors, with chairman Mr. Tom Bradshaw who is also chairman of Triangle J COG; six County Commissioners' representatives, with Mr. Howard Welch appointed from Orange County; six Mayors' representatives, with Ms. Adelaide Walters appointed from Chapel Hill; and six general members' representatives, with Mr. Charles Daye, a law student, elected from Orange County. The Board of Directors will meet on April 2, 1974 to elect an Executive Committee. The relationship of Chapel Hill Board of Aldermen to THDC is two-fold: 1) through Triangle J COG representative Alderman Smith and Triangle J COG chairman, who is also chairman of the Corporation's Board of Directors and 2) through Orange County Directors and General Members, with Aldermen Smith and Marshall being representatives. This second relationship is more familiar, but state and federal governments are becoming less and less willing to deal with 100 counties and 400 or more municipalities. Guidelines are now being written that more and more favor dealing with 17 regions, even though this approach is not liked by the regional councils or local governments. One of two things can happen: 1) general purpose local governments can unite, take strong interest and become a major funding source of regional councils,

with the Region becoming a creature of the local governments, with resulting higher control and participation in State and Federal Governments' decisions; or 2) State and Federal Governments can make more demands on Region, backed by money, with the Region being forced to respond to State with a resulting loss of control by general purpose local governments. This is a situation that has already occurred once with Council on Aging, with State Government telling Town how it had to be set up. The Corporation's first venture will be to build 200 units for elderly with at least 16 units in Orange County. This was chosen because money is available from Farmers Home Administration under whose guidelines building can be done within corporate limits of Towns up to 10,000 population or at least one mile out of city limits from larger Towns. In Chapel Hill, Seibel apartments at the end of Church Street are an example of a project built under Section 23, which will still operate under old guidelines, with Housing Authority leasing and managing the apartments. The new guidelines, which have not been completely studied, require that the developer manages the apartments. THDC will be a developer and will have priority over single entities, and Regional Housing Authorities will have priority over local ones. There is also money available for planning and research grants, and the Corporation has been encouraged to apply. About 50-60% of money is set-aside for state and there may be set-asides for region also. Alderman Marshall said that there is also a bill before the General Assembly to create an authority to give loans, and for an eight million reserve fund that would enable the State to issue \$100 million revenue bonds at 7-8% interest. Federal leasing plan has 1% interest. Mayor Lee said that the strength of the Triangle Housing Development Corporation is to show private developers how to be profitable in this type of venture and to stimulate interest. It will be able to manipulate both private and public funds which now is not possible by either Housing Authority or private developers except as it concerns a specific project. The Corporation is controlled by public entity through the representation on the Board and can determine priorities by consultations with local authorities. Mayor Lee thanked Alderman Marshall for the report.

Wastewater Treatment
Committee--Report

Alderman Welsh requested that the report be delayed until April 1, 1974 meeting.

701--Comprehensive Plan-
ning Assistance Grant--Report

Town Manager Kendzior said that Town has been in contact with State Division of Community Develop-

ment for "701" Comprehensive Planning funds for fiscal year 1974-75. With the approval of Planner II, Department of Urban Development intends to complete long-range planning study and a capital improvement program study. The State has tentatively indicated that these might be eligible for grant support up to \$12,000. The Town would match the grant amount on a 1/3 Town, 2/3 State basis. The matching amount would consist of in-kind services--that is the salaries of existing personnel engaged in work on the project. If the Board grants permission to apply, a letter of intent will be sent to the State and an application prepared for submission on or about April 15. If Town does not qualify for the grant, the application will be withdrawn. Alderman Welsh asked if this would delay hiring a planner. Town Manager Kendzior said no, that the grant would defray some of the cost of other salaries. Alderman Smith moved, seconded by Alderman Gardner, that Town Manager be given permission to send a letter of intent to apply for "701" Comprehensive Planning Assistance Grant from Department of Natural and Economic Resources. Said motion was unanimously carried.

Parking Meter Equipment--
Report

Town Manager Kendzior said that the Board requested a report at March 11, 1974 meeting, regarding

converting meters to token use. The Town has contacted the manufacturer's representative who selected several meters as samples

to be sent to the manufacturer; as soon as the representative reports where these are to be sent, this will be done, and the conversion cost and time needed will be estimated. Alderman Welsh asked if an endorsement is needed from the Board in regard to the parking rate. Mr. Neal Evans, Finance Director, said that it would help. Town Manager Kendzior said that the intent is to convert the meters to take tokens, dimes or nickels. Some of the meters may not be able to be converted to multi-size activators, which is why several sample meters were chosen. Town Attorney Denny said that there has been some reaction from merchants regarding 20¢ tokens, and that it may be more desirable to have tokens of lower value, maybe 10¢ ones. Alderman Welsh said that the Board needs to decide this now so that Town Manager can proceed with the conversion estimates; her recommendation is that tokens be 10¢, parking cost 20¢ per hour, and meters accomodate tokens, dimes and maybe nickels. Town Attorney Denny said that it is necessary to get meter parts and tokens ready so that the project can be completed on schedule. Alderman Welsh moved, seconded by Alderman Gardner, that token value be 10¢. Said motion was unanimously carried.

Appearance Commission--
Chairman

Mayor Lee said that the Appearance Commission, on February 13, 1974 unanimously elected Mr.

Gordon Pearlman to serve as Chairman through December 31, 1974.

Bus Services--Contract
with UNC

Town Attorney Denny said that the revised agreement with UNC has been distributed to Aldermen,

and asked for questions. Alderman Cohen asked about page 7, Delivery of Payment, if second year schedule of payment will be set when cost increases are negotiated. Town Attorney Denny said that this paragraph deals with the second year but not with specific amounts. Alderman Marshall asked if Town would have to charge more for their passes if University paid more for their passes. Mayor Lee said that this is a flexibility clause, with increases or decreases in local cost carried on across the board. Alderman Marshall asked if the University is selling passes at cost. Town Attorney Denny said that some are sold at cost and others at more than cost to cover administrative expenses. Alderman Cohen asked about page 8, paragraph 11 dealing with parking prohibition. Mayor Lee said that it will be to everyone's interest to discuss parking situation near campus. Alderman Marshall said that four students are presently developing a computer model for parking and will present the report to Board in the next few weeks. Town Attorney Denny said that Country Club and Hillsborough streets have already been mentioned in preliminary discussions with University as problem areas. Mayor Lee said that he hopes that the agreement with the university will continue beyond the two year period, but that he also feels strongly that any new people on the Board or at the University after 1975 should have a chance to plan the continued agreement. Alderman Rancer said that he feels the agreement should be for three years. When the buses will begin operating, the agreement will already be six months old, and problems cannot be worked out in year and a half. If there are still problems with the system when the contract needs to be renegotiated, the University will not be inclined to continue the agreement. This is a joint venture between the University and Town and both would like it to work well, but there is not enough time. If the agreement were stretched out to 1975, it would lie well both with the University and the community. Mayor Lee said that the University is purchasing a service, but that it is Town's venture. Alderman Rancer said that the University is financing the system heavily and that Town depends on their support. Mayor Lee said that he does not know if the additional year would make much difference, but that he hopes that problems can be worked out in year and a half. Alderman Rancer said that he is not opposed to the bus system, he is definitely for it, but that year and a half or two years is not enough time for a working period. This is not even allowing Town to amortize the cost of buses. Alderman Marshall said that she appreciates both points of view but that she feels each Board should work out its own way. Alderman Cohen said that if the agreement is only for two years and the system still has problems, then people will have the possibility to show their dissatisfaction in the next election. Alderman Smith said that there will always

be some problems present, but that major problems should be solved in year and a half. Transportation Director has had enough experience to work out any problems and make necessary changes. Alderman Gardner said that he feels two years are adequate for deciding if the project is working to everyone's satisfaction. Alderman Smith moved, seconded by Alderman Welsh, that agreement with University be approved. Said motion was passed by a vote of five to one, with Alderman Rancer opposing. Alderman Rancer said that he is opposing the agreement for the reason of three years against the two years. Town Attorney Denny read the following resolution:

R E S O L U T I O N

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

That the proposed Agreement between the Town of Chapel Hill and the University of North Carolina at Chapel Hill with respect to the establishment and operation of a mass transit system within the community, and the purchase and sale of passes thereon to the University in an amount not less than \$300,000 per year be, and the same is hereby approved, subject to the approval of the Board of Trustees of the University of North Carolina at Chapel Hill, and

BE IT FURTHER RESOLVED that upon approval by the Board of Trustees of University of North Carolina at Chapel Hill, the Mayor and the Town Clerk are hereby authorized and directed to execute such Agreement in behalf of the Town.

This the 25th day of March, 1974.

Alderman Welsh moved, seconded by Alderman Cohen, that said resolution be approved. Said motion was unanimously carried. Alderman Welsh said that there are some apprehensions in regard to the bus system operation, but that some people have been waiting for it since 1969. This is a tremendous step forward and an exciting venture, and the Board can look forward to approval of the agreement from the Board of Trustees and to a very successful bus system. Mayor Lee said that Town Manager and Transportation Director have prepared financial estimates for the operation of the bus system. Page 1 deals with operating expenses and some probable alternative financing, page 2 shows breakdown of cost, page 3 deals with alternatives of probable financing and page 4 shows details of capital items. This still needs further discussion for more in-depth presentation to the Board in regard to other alternatives. Because of the pressure of time, management system and bus leasing were not considered as alternatives, but they should be explored. Mayor Lee said that he, Town Manager, two Manager's appointees, and Aldermen Gardner, Welsh and Rancer will go over the report and work out a financial plan for presentation to the Board.

Budget Ordinance-- Amendment

Mayor Lee said that the Board must consider amending Budget Ordinance to transfer \$1,058

from account #10-490.02 (Salaries) to 10-490.74 (Capital Equipment) for a desk and chair for the new Planner and chairs for Director of Urban Development. Town Manager Kendzior said that originally it was intended to submit this amendment separately but that recreation special projects and miscellaneous revenues were incorporated in the amendment. This can be acted on separately. Mayor Lee said that the ordinances will be acted on separately. Alderman Marshall moved, seconded by Alderman Smith, that the following ordinance amendment be adopted:

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR 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 Budget Ordinance of the Town of Chapel Hill entitled "An

Ordinance to Appropriate Funds and to Raise Revenue for the Fiscal Year Beginning July 1, 1973 and Ending June 30, 1974" as duly adopted on July 23, 1973 be and the same is hereby amended as follows:

Increase the following General Fund Appropriations

	<u>Increase</u>	<u>To Total</u>
10-490 Urban Development - Capital	1,058	9,993

Decrease the following General Fund Appropriations:

	<u>Decrease</u>	<u>To Total</u>
10-490 Urban Development - Personnel	1,058	114,968

SECTION II

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

This the 25th day of March, 1974

Said motion was unanimously carried.

<u>Code of Ordinances--</u> <u>Amendment--Filing fees</u>	Alderman Cohen said that originally Chapel Hill had no filing fees, but that in 1971 General Assembly set a schedule of filing fees according to the population of the Town, with Chapel Hill fee set at a minimum of \$25. In 1974 General Assembly changed the legislation with filing fees to be based on the salary of the elected position, with a minimum of \$5.00 and a maximum of 1% of the salary. Alderman Cohen said that he recommends filing fee to be as low as possible. The filing fees can be amended any time up to 90 days before election. Alderman Marshall moved, seconded by Alderman Smith, that the following ordinance amendment to set filing fees be adopted:
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AN ORDINANCE TO AMEND ARTICLE I, CHAPTER 2, CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL

WHEREAS, G.S. 163-294.2(e) has in the past provided a minimum filing fee of \$25.00, and such fee was adopted by the Board of Aldermen, and

WHEREAS, such Section has been amended Chapter 870, Session Laws of 1973 (1974), effective February 18, 1974, to set a new minimum fee of \$5.00, and a maximum fee of 1% of the salary of said elective office, and

WHEREAS, the \$25.00 fee heretofore set by the Board of Aldermen exceeds the maximum permitted, the salaries for members of the Board of Aldermen being \$1500 per annum, NOW THEREFORE

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

SECTION I

That Article I, Chapter 2, Code of Ordinances, Town of Chapel Hill be amended by adding a new section to be designated 2-2.1 to read as follows:

"Section 2-2.1 Filing Fees for Election. Filing fees for election to Town office shall be as follows:

Board of Aldermen	\$ 5.00
Mayor	\$10.00

SECTION II

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

SECTION III

That copies of this ordinance be sent to the Orange County Board of Elections, and to the State Board of Elections.

This the 25th day of March, 1974.

Said motion was unanimously carried.

Zoning Ordinance--Amendments

Mayor Lee said that the following amendments to Zoning Ordinance must be considered:

- (1) Transfer of jurisdiction over Parking Garage Special Uses from Board of Adjustment to Board of Aldermen.
- (2) Provision that all multi-family developments of more than two units shall be Special Uses; and that all such Unified Housing Developments shall be under jurisdiction of Board of Aldermen.
- (3) Transfer of jurisdiction over all Special Uses remaining under jurisdiction of Board of Adjustment to Board of Aldermen.
- (4) Redefining "Unified Housing Development."

Alderman Smith moved, seconded by Alderman Welsh, that the following amendments to the Zoning Ordinance be adopted:

AN ORDINANCE AMENDING "THE ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS" AS ADOPTED JUNE 19, 1972, AND AS SUBSEQUENTLY AMENDED

WHEREAS, after due advertisement as provided by law, public hearings were duly called and held on January 21, January 28, and February 25, 1974, by the Board of Aldermen and the Planning Board of the Town of Chapel Hill to consider the changes in the Zoning Ordinance as set forth in Sections I, II, III, IV and V below; and

WHEREAS, after said public hearings the Board of Aldermen adopted certain recommendations of the Planning Board, NOW THEREFORE

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

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas," as adopted June 19, 1972, and as subsequently amended, be and the same hereby is further amended as follows:

SECTION I

Amend Section 4-D-11 by changing the last word of 4-D-11-a. from "Adjustment" to "Aldermen."

SECTION II

- A. Amend title of Section 4-D-22 to read as follows:
"UNIFIED HOUSING DEVELOPMENTS of any type, of three (3) or more dwelling units."
- B. Amend Section 4-D by deleting Section 4-D-23 and renumbering subsequent sections.

SECTION III

- A. Amend Section 4-A, second paragraph, be deleting in entirety, the following:

"Procedures for handling these uses are based upon the nature of the use. Where the possible harmful effects of the use are likely to be limited to a relatively small area, issuance of a Special Use Permit is in most cases made the duty of the Board of Adjustment. Where the use has wider effects upon the community as a whole, or involves larger tracts of land, the situation is closer to that in which application is made for amendment to the zoning ordinance. In such cases, issuance of a Special Use Permit is made the duty of the Board of Aldermen, sub-

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ject to recommendations of the Planning Board."

B. Amend Section 4-A, third paragraph, to read as follows:

"The uses for which Special Use Permits are required are listed in Section 4-C along with requirements for submission. Uses specified in this section shall be permitted only upon issuance of a Special Use Permit. Detailed descriptions of the procedures for the issuance of permits are contained in Section 4-B."

C. Delete in entirety, Section 4-B, SPECIAL USE PERMITS ISSUED BY THE BOARD OF ADJUSTMENT, which describes in detail the procedure for issuance of permits reviewed by the Board of Adjustment and renumber subsequent sections and references to those sections.

D. Amend paragraph a. of Sections 4-D-3, CEMETERIES; 4-D-4, CONVALESCENT OR NURSING HOMES, QUASI-PUBLIC BUILDINGS FOR INSTITUTIONAL ORGANIZATIONS OF AN EDUCATIONAL AND/OR NON-PROFIT CHARACTER, AND PRIVATE SCHOOLS; 4-D-12 LANDFILLS, RECLAMATION; 4-D-14, LIMITED EXTRACTIVE USE; 4-D-19, STUMP DUMP; 4-D-24, PORTABLE BUILDINGS FOR USES OTHER THAN RESIDENTIAL, DRIVE-IN BUSINESS OR TEMPORARY BUILDINGS DIRECTLY RELATED TO DEVELOPMENT OF A LOT, TRACT OR PARCEL OF LAND; and 4-D-25, CHILD DAY CARE CENTERS AND PRIVATE KINDERGARTENS FOR MORE THAN FIVE CHILDREN to read as follows:

"Approved By: Special Use Permits for....
shall be approved by the Board
of Aldermen."

SECTION IV

Amend Section 10-D, describing the powers of the Board of Adjustment, by deleting in entirety, paragraph 10-D-2, "To grant, in particular cases and subject to appropriate conditions and safeguards, permits for special uses as authorized by Section 4 hereof." and renumbering subsequent paragraphs.

SECTION V

Amend Section 13, definition of Unified Housing Development to read as follows:

"Unified Housing Development. Any development of a single lot, tract or parcel for residential purposes, and consisting of three (3) or more dwelling units, attached or detached, whether for rent or sale."

SECTION VI

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

This the 25th day of March, 1974.

Said motion was unanimously carried.

Subdivision Regulations-- Amendments

Mayor Lee said the following
amendments to Subdivision Regu-

lations must be considered:

- (1) Requirement that all improvements be installed to the limits of a subdivision.
- (2) Requirement that temporary cul-de-sacs be provided for streets constructed in sections.
- (3) Increase of minimum size of lots served by septic tanks from 20,000 square feet to one acre.

Alderman Cohen asked if the Health Department currently indicates one acre minimum for septic tanks. Mr. Joseph Rose, Director of Public Works, said that the Health Department recommends a minimum of 40,000 square feet, and that one acre is 43,560 square feet.

Alderman Gardner asked if the percolation test is related to the size of property. Mr. Rose said yes, that the test deals with the amount of water percolated from the soil in a certain length of time; the ordinance establishes minimum size of lot. Alderman Smith moved, seconded by Alderman Welsh, that the following amendment to Subdivision Regulators be adopted: AN ORDINANC

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL

WHEREAS, after due advertisement as provided by law, a public hearing was duly called and held on February 25, 1974 by the Board of Aldermen and the Planning Board of the Town of Chapel Hill to consider the changes in the Code of Ordinances as set forth in Sections I, II, and III below; and

WHEREAS, after said public hearing the Board of Aldermen adopted certain recommendations of the Planning Board, NOW THEREFORE

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

That the Code of Ordinances of the Town of Chapel Hill be and the same hereby is amended as follows:

SECTION I

Amend Article IV. of Chapter 18 by adding the following section:

Sec. 18-75. 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 sketch the extent of such improvements shall be as determined by the Town Manager.

SECTION II

Amend Sec. 18-68, by adding at the end a new street standard (6), as follows:

- (6) In every case in which a street approved on a preliminary sketch 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 section is completed, at which time the cul-de-sac shall be removed and the area seeded as directed by the Town Manager.

SECTION III

Amend Sec. 18-71, by changing paragraphs (1) and (2) to read as follows:

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

- (1) 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.
- (2) 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. The stabilized rate of percolation shall be that certified to the Planning Board by the district health department at the time the preliminary sketch is submitted.

SECTION IV

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

This the 25th day of March, 1974.

Said motion was unanimously carried.

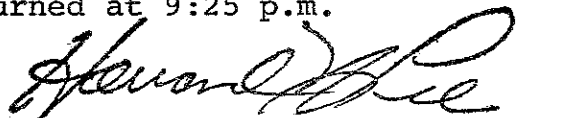
Budget Ordinance--Recreation
Department, Special Situa-

ment, Special Situation. Mayor Lee said that the Board must consider appropriating \$7,079.43 to Recreation Department, Special Situation. Alderman Gardner said that he understood that when the gift was approved, the decision on the proposed plan would come back to the Board. Town Manager said that Recreation Commission considered several proposals at their March 20, 1974 meeting and requested that this donation be placed in a special project fund to be used at the discretion of Recreation Director. Mr. Hank Anderson, Recreation Director, said that a number of proposals were discussed at this meeting, such as trips to Washington D. C., John Doe program dealing with dynamics of outdoor experiences, and cultural programs, such as outdoor concerts. Ministers of various churches were contacted and their suggestions considered. It was decided that the money should be used as catalyst in the Black community to start activities with children. The motion was made by L. Rubin that these funds be spent at the discretion of Recreation Director and Director of Hargraves Center to enrich the cultural life of the community as designated by the donor, with the proviso that future implied commitment of funds beyond the scope of the gift not be obligated either directly or indirectly by the expenditure. Mr. Cameron Hargraves seconded the motion and it was passed by a vote of 6-2. Alderman Welsh said that the two top priorities were bus trips and camping experiences. All of the proposals have found wide appeal in the community in the past. Mr. Anderson said that other activities would be concerts and coordinated activities with Durham. Alderman Welsh said that the money could be spread out over a period of two years. Mayor Lee asked how many people would benefit from the program. Mr. Anderson said that ideally it should include 100% in the Black community. Recreation Department is trying to pool resources by working with Inter-Church Council and other groups to set up programs. Realistically, about 80% of the community may benefit, with main emphasis on 6-16 age group. Alderman Gardner asked how children will be selected for trips. Mr. Anderson said that this has not yet been decided, but that the Center Director knows the children and would be able to make a selection. Alderman Smith said that he hopes that the money would be spent in a way that would leave tangible results in the community. Alderman Cohen asked who approves the expenditure of this gift. Town Attorney Denny said that it can be Recreation Commission if the Board so desires, but that this is not usual. Alderman Gardner moved, seconded by Alderman Welsh, that Recreation Department submit a detailed proposal for the expenditure of these funds with a detailed budget proposal for consideration by the Board of Aldermen. Said motion was unanimously carried.

Towing of Vehicles

Alderman Smith said that he has heard a report of a car being towed from a space leased to Public Service without any notification to the owner. The owner reported the car stolen. Alderman Smith asked if the Police Department could be notified on which vehicles are towed so that they would not be reported stolen. Mayor Lee said that he thought this matter can be handled by Town Manager. Alderman Smith moved, seconded by Alderman Cohen, that the matter of notification of towed vehicles be referred to Town Manager for handling. Said motion was unanimously carried.

There being no further business to come before the Mayor and Board of Aldermen, said meeting was adjourned at 9:25 p.m.


 Mayor

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 David B. Roberts, Town Clerk