

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, APRIL 22, 1974 AT 7:30 P.M.

The Board of Aldermen met for a public hearing, followed by a regular meeting, on April 22, 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
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Absent:	None
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A quorum of the Board was present and in attendance at the meeting. Also present were Town Manager C. Kendzior and Town Clerk D. Roberts. Town Attorney E. Denny was absent.

PUBLIC HEARING

Kappa Delta Sorority--
Sorority House Special
Use Permit

Mayor Lee opened the public hearing to consider a request submitted by Kappa Delta Sorority for a Sorority House Special Use Permit

to erect at 214 East Rosemary Street an addition to the existing sorority house at 219 East Franklin Street, the property being identified as Lots 5 and 10, Block E, Orange County Tax Map 80. Notices of the public hearing have been mailed to area residents, notifying them of this request. The Legal Notice has appeared twice in THE CHAPEL HILL NEWSPAPER. Mr. Kurt Jenne, Director of Urban Development, presented the project. The request is made under Section 4-C-9 of the Zoning Ordinance, dealing with fraternity and sorority houses. The location is on about half an acre lot, fronting on both Franklin and Rosemary Streets in the 200 block, and is zoned R-10-a. On the north are private residences, on west are Village Apartments and Rashkis Realty, on east are a fraternity house and University offices and on south is Morehead Planetarium. Originally the site consisted of two lots, with a fraternity located on the lot fronting Rosemary Street; the house was vacated and the building demolished in 1973, after which the sorority purchased the lot. This is a nonconforming use, since the sorority was in existence prior to the adoption of Section 4-C-9 of Zoning Ordinances requiring a Special Use Permit for fraternities and sororities. The project proposes an addition of about 5000 square feet to the existing 5200 square feet structure and some renovation to the existing structure. The addition, located on Rosemary Street side will be 2½ stories high. Parking will be on Rosemary Street side, with the developer proposing 12 spaces at the ratio of three spaces for every 10 residents; the proposed project would house a total of 37 residents. Chapter 6-B-2 of Zoning Ordinances gives two options for parking space provisions. The developer proposes exemption from the stricter requirement by stating that the improvement cost will not exceed 60% of the current assessed valuation of the property. The staff is somewhat skeptical that the addition can be done within this range, since the total cost of addition and renovations would have to be \$73,800 or less, or about \$14.50 per square foot. If the total cost exceeds 60% of the evaluation, 37 parking spaces are required; there is not sufficient room for these on the lots. Mr. Anderson, architect for the project, showed details of the proposed project and landscaping. He stated that the combined residents of the sorority house and previously existing fraternity house were more than in the proposed plan, and that the square footage of housing in the proposed plan will be larger. The addition will blend in with the existing structure. The connection between the existing structure and the proposed addition will be at the second story level of the existing structure. Alderman Marshall asked if the sorority owns the land. Mr. Anderson said yes. Alderman Welsh said that the sorority house is located in the historic district on Rosemary Street and asked if it would be possible to set the fence back from sidewalk to create more space for planting

of shrubs. Mr. Anderson said that this could be done. Alderman Welsh said that there are a number of elderly residents in Village Apartments and asked if the social room can be screened so there would be less noise. Mr. Anderson said that the social room is located on the opposite side of the house, so this problem will not exist. Alderman Cohen asked how many residents are in the house now. Assistant Town Attorney David Drake said that he thinks there are 27 residents. Mayor Lee asked for statements in favor of the project. Mr. Roger Foushee said that he would like to make a general statement in regard to the historic district. There is a proposal being prepared requesting Town to make additional review of zoning in the historic district, and he hopes that the sorority will consider the appropriateness of its building. Mr. Foushee said that he feels the Rosemary Street side of the project should be considered with the community in mind and that certain improvements, such as restoring an existing stone wall, should be made there. Mayor Lee asked for statements in opposition. There were none. Alderman Smith asked if all property owners in the neighborhood have been notified of the proposed project. Town Manager Kendzior said that notices have been sent. Alderman Smith asked what happens if the addition costs more than 60% of the present evaluation. Mr. Anderson said that, if necessary, building area will be reduced to bring the cost within 60%. Alderman Marshall asked if this ordinance is applicable to additional land, and if so, whether the cost of the land also has to fit within the 60% evaluation. Assistant Town Attorney Drake said that the staff is considering this problem at the present time. The ordinance states 60% within a three year period and considers remodelling of a building. The particular situation before Board has not come up before; it would have to be the judgement of Board in interpreting the ordinance. Alderman Cohen said that if the project is built with only 12 parking spaces, the residents need to realize that they cannot park illegally. It is a good trend to have less than one space per resident. Mayor Lee suggested that the wording of the ordinance be cleared up. Alderman Welsh moved, seconded by Alderman Marshall, that the request for a Special Use Permit for Kappa Delta Sorority be referred to the Planning Board for consideration and recommendation back to this Board. Said motion was unanimously carried. The public hearing was adjourned at 7:55 p.m.

REGULAR MEETING

Alderman Smith moved, seconded by Alderman Gardner, to approve the minutes of the meeting of April 8, 1974 as corrected. Said motion was unanimously carried.

Post Office Acquisition

Alderman Marshall said that CBD Implementation Team requests the addition of the acquisition of Franklin Street Post Office Building by Town to the end of agenda. Alderman Welsh moved, seconded by Alderman Gardner, that the petition to consider the acquisition of Franklin Street Post Office by Town be placed at the end of agenda. Alderman Smith said that he feels this discussion should be done in an executive session. Alderman Smith made a substitute motion, seconded by Alderman Gardner, that the acquisition of Franklin Street Post Office Building be discussed in an executive session. Alderman Marshall asked Town Manager if he feels this is necessary, since the original discussion was done by CBD Implementation Team in an open meeting. Town Manager Kendzior said that open discussion may affect bids if the Post Office site was ever released for bids. The substitute motion passed by a vote of five to one, with Alderman Cohen opposing.

Releases--Alderman 250 Corporation

Town Clerk Roberts presented a petition requesting that this release be considered with other releases. Alderman Smith moved, seconded by Alderman Welsh, that Alderman 250 Corporation release be considered with other releases on the agenda. Said motion was unanimously carried.

University Mall--Special Use Permit--Estes Drive Improvements

Mr. E. N. Richards, Chairman of North Hills, Inc. of Raleigh said that he received a letter from the Building Inspector stating that

the Special Use Permit for University Mall has expired on March 31, 1974 and that Estes Drive improvements have not been completed as stipulated in the permit. He said that he has met with Teer Construction Company and they informed him that State has requested that no work be done because of the weather. The work will be completed prior to July 1, 1974. Mr. Richards said that he paid Teer Company \$50,000 to expedite the job, but that he has no further control over the project since it is a State contract. Alderman Smith asked if the State contract stipulates that exits and entrances have to be regraded. Mr. Richards said that it is a typical contract. Alderman Welsh moved, seconded by Alderman Gardner, that Special Use Permit be granted to University Mall to July 1, 1974 to complete the improvements to Estes Drive. Mr. Rose, Director of Public Works, said that he understood that Teer Company would make improvements beyond the property line. Mr. Richards said that this is not in accordance with State or Town specifications. Mayor Lee said that the contract will have to be checked. Mr. Rose said that the agreement went further than the contract; grade was raised in the Post Office area, and this will be difficult to correct. Mr. John Davis said that a plant strip was removed by widening the road and asked who will be responsible for replacing it. Mr. Richards said that the State plan will show what Teer Company will do. Alderman Smith said that he does not feel that Town should be left with the responsibility of fixing up the road.

Town Attorney Denny came to the meeting.

Mayor Lee said that it is not the developer's total responsibility to see that the road gets done right, Town has to assume some responsibility. Alderman Smith suggested that Town Manager contact State to see that the project is completed right. Mayor Lee said that Town needs to see that the contract is followed. Said motion was unanimously carried.

Aluminum Recycling

Mayor Lee presented a communication from Tammie Russell, Cadette Troop 59, in reference to Aluminum Recycling. Ms. Russell has met with the Town Manager, and the Town Manager has granted permission to use the Airport Road site and the two fire stations for the program in conjunction with newspaper recycling. Town Manager Kendzior said that the Scouts have painted the collection barrels and Town has distributed them to the various sites. Alderman Welsh asked Town Manager if it is possible to place bulk containers for newspapers and aluminum cans at Rosemary and Church Streets at Quik-Pik location; Mr. Gardner has indicated his approval of the proposal.

Recreation Commission-- Nominations

Mayor Lee said that the Board must consider filling the vacancy created by the resignation of Sherri Simpson. The Recreation Commission at its regular March 20, 1974 meeting nominated John Anderson, 15 Rogerson Drive, and Matthew Moffitt, 202 Manley Dormitory. Nominations will be open until the next Board meeting, at which time appointment will be made.

Orange County Council on Aging--Nominations

Mayor Lee said that the Board must consider appointing three consumer members who are over sixty years of age to the Board of Directors of the Orange County Council on Aging. Names submitted by the Council are: David Brunn, Almonte Howell, Gatha Lassiter, Leonard Mayo, Hugh McLeese, and Arlena Riggsbee. Presently all are members of the Chapel Hill Council on Aging. Also, one representative from the Town Board must be selected. Nominations will be open until the next Board meeting, at which time appointments will be made.

Council on Aging-- Length of Terms

Mayor Lee said that the Council on Aging is requesting that the length of terms of members who were appointed January 14, 1974 meeting of the Town Board be reconsidered. The Council on Aging had recommended that the terms of Almonte C. Howell, Leonard Mayo, and Hugh D. McLeese be extended until December 31, 1975. The minutes of the January 14, 1974 meeting

indicated that the terms have been extended for three years, beginning January 1, 1974. Alderman Smith moved, seconded by Alderman Welsh, that the length of terms of members of Council on Aging appointed January 14, 1974, be until December 31, 1975. Said motion was unanimously carried.

Releases

Mayor Lee presented the releases.

Alderman 250 Corporation, owner of Eastgate Shopping Center, has appealed 1973 valuation, and State Property Tax Commission has reduced valuation because the acreage price applied to the property was predicted upon the sales prices of several small tracts and because the appraisal failed to recognize the economic obsolescence suffered by the property due to new competition. Alderman Smith moved, seconded by Alderman Gardner, to grant the following releases:

RESOLUTION - TAX RELEASES

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

Walter J. Snider	5864	\$ 49.03	County reduced value from 49,300 to 44,000
John Bryan	(1972) 7454	75.31	Lot in Lake Forest picked up in error - not in Town
	(1973) 7944	81.40	
Chapel Hill Publisig Co.	7098	168.30	Sewer was computed on wrong water account
Village Assoc. One, Inc.	7583	196.10	County reduced value from 132,500 to 111,300
Alderman 250 Corp.		7,065.15	County reduced value from 2,633,700 to 1,869,900

WHEREAS, the above list of people have made application for release of said taxes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that if finds that taxes on teh above listed people were levied through clerical error, and in the discretion of the Board should be released to the taxpayer,

IT BEING FUTHER RESOLVED that the Tax Collector is authorized and empowered to make such release.

Said motion was unanimously carried.

Parking Advisory Committee-- Ordinance

Mayor Lee presented an ordinance establishing a Parking Advisory Committee. The purpose of the

Committee would be to observe and recommend to the Town Board on the operation of the parking system and its enforcement. Alderman Welsh said that it should be understood that Parking Advisory Committee should in no way be in conflict with Streets Committee. Mayor Lee said that an Alderman will chair the committee and other members will be citizens. Alderman Smith moved, seconded by Alderman Gardner, that the following ordinance establishing Parking Advisory Committee be adopted and that Alderman Welsh be named chairman of this committee.

O R D I N A N C E

BE IT ORDAINED by the Board of Aldermen, Town of Chapel Hill, that Chapter 2 of the Code of Ordinances, Town of Chapel Hill, be amended by the addition of a new Article VII, Parking Advisory Committee, to read as follows:

SECTION I

Article VII. Parking Advisory Committee

§2-120. Created; named

There is hereby created a Parking Advisory Committee for the Town of Chapel Hill.

§2-121. Membership; terms; vacancies; compensation

The Parking Advisory Committee shall be composed of Five members serving without pay. They shall be appointed by the Mayor and the Board of Aldermen and vacancies occurring on the Committee shall be filled in the same manner for the unexpired terms. The term of office of members shall begin upon their appointment and end on December 31 of 1976. A member's seat shall be declared vacant when he has been absent without cause for three consecutive regular meetings, or a total of six regular meetings during the year; in which event the chairman shall request the Mayor and Board of Aldermen to fill the vacancy.

§2-122. Meetings

The Parking Advisory Committee shall hold meetings at such times and places as may be fixed by the commission.

§2-123. Duties

The Parking Advisory Committee shall: investigate the parking situation in the CBD and surrounding affected areas; compile data on the need and use of parking within the various subsections of the CBD and surrounding areas; study the effect of the Chapel Hill Mass Transit System on parking within the CBD and surrounding areas; make recommendations to the Board of Aldermen from time to time on needs, rates, and other matters concerned with parking in the CBD and surrounding areas; and to consolidate in orderly form all data gathered in the course of investigation and to deliver the same along with such conclusions and recommendations the Committee may have in the form of a final report to the Board of Aldermen before December 31, 1976.

SECTION II

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

This the 22nd day of April, 1974.

Said motion was unanimously carried.

Council on Aging--Reconstitution to Chapel Hill Advisory Committee on Aging

Mayor Lee presented an ordinance to reconstitute the local Council on Aging to the Chapel Hill Advisory Committee on Aging. Alderman

Marshall moved, seconded by Alderman Cohen, that the following ordinance reconstituting Advisory Council on Aging to Chapel Hill Advisory Committee on Aging be adopted:

ORDINANCE

BE IT ORDAINED by the Board of Aldermen, Town of Chapel Hill, that Article V, Chapter 2, of the Code of Ordinances, Town of Chapel Hill, be amended by:

SECTION I

The replacement of the words "Advisory Council on Aging" in the article title; §2-86; §2-88; §2-89; §2-90; §2-91; §2-92; and §2-93; with the words "Chapel Hill Advisory Committee on Aging"; and

SECTION II

The revision of §2-87 to read as follows:

"§2-87. Purposes of the committee on aging.

The purpose of the Chapel Hill Advisory Committee on Aging shall be to assist the Orange County Council on Aging in the accomplishment of its objectives."

SECTION III

The effective date of this ordinance shall be July 1, 1974.

SECTION IV

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

This the 22nd day of April, 1974.

O R D I N A N C E

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 Appropriations:

	<u>Increase</u>	<u>To Total</u>
<u>General Fund</u>		
10-560 Streets - Capital	25,000	312,268
10-660 Non-Departmental - Operations	96,099	775,905
<u>Transportation Fund</u>		
40-810 Operations - Operations	34,950	62,950
Operations - Capital	117,600	117,600
<u>Revenue Sharing Fund</u>		
50-810 Operations - Operations	23,357	383,191

Decrease the following Appropriations:

	<u>Decrease</u>	<u>To Total</u>
<u>Transportation Fund</u>		
40-660 Non-Departmental - Operations	15,425	2,175
40-810 Operations - Personnel	12,550	12,450

Increase the following Revenues:

	<u>Increase</u>	<u>To Total</u>
<u>General Fund</u>		
10-329-00 Interest on Investments	41,000	90,000
10-337-00 Franchise Tax	15,575	131,575
10-341-00 Beer and Wine Tax	16,524	81,924
10-345-00 Sales Tax	48,000	386,600
<u>Transportation Fund</u>		
40-329-00 Interest on Investments	1,700	2,200
40-339-00 Intangibles Tax	3,419	5,954
40-397-10 Contributions from General Fund	96,099	96,099
40-397-50 Contributions from Rev. Sh.	23,357	23,357

Fund

	<u>Increase</u>	<u>To Total</u>
<u>Revenue Sharing Fund</u>		
50-329-00 Interest on Investments	23,357	58,000

Increases the total revenue and appropriations budgets as follows:

	<u>Increase</u>	<u>To Total</u>
General Fund (10)	\$121,099	
Transportation Fund (40)	124,575	
Revenue Sharing Fund (50)	23,357	

The total budget of all funds is increased by \$269,031 to \$6,917,484 less interfund transfers of \$679,318 for a net total budget of \$6,238,166.

Said motion was unanimously carried.

Budget Amendment--Street
Resurfacing, Transportation

Mayor Lee presented an ordinance to amend budget expenditures for street resurfacing, providing

funds for the purchase of used buses, and providing funds for an interim bus system. Town Manager Kendzior explained that additional \$25,000 are needed to provide funds for street resurfacing and that \$124,575 are needed to get the interim bus system ready for operation. The transportation expenses include salary for maintenance supervisor; maintenance and repair of vehicles; building rent; vehicle supplies; and capital equipment, such as the buses, fareboxes, headsigns, and transportation costs to Chapel Hill. Alderman Welsh said that the figures given in memo of March 25, 1974 and present figures do not agree. Town Manager Kendzior said that the memo figures were for the whole year and the present figures will take the bus system only to the end of the present fiscal year. Alderman Gardner asked when the buses will be in Chapel Hill. Town Manager Kendzior said that the buses will be brought up from Atlanta in three separate groups within two weeks. Alderman Gardner asked if the entire budget amendment needs to be approved tonight. Town Manager Kendzior said yes, since funds are needed even before the buses get to Chapel Hill. Alderman Gardner asked that a Transportation Committee meeting be called to deal with some of these problems. Alderman Welsh moved, seconded by Alderman Smith that the following ordinance to amend the budget Ordinance for the fiscal year beginning July 1, 1973 and ending June 30, 1974 be adopted: (See above ordinance)

Said motion was unanimously carried.

Street Vending--CBD
Implementation Team Report

Alderman Marshall, Chairman of CBD Implementation and Evaluation Team, said that this committee

will try to have a complete report ready within sixty days, but before the report can be completed a final resolution of the vending problem is needed. CBD Implementation Team recommends street vending with a strong control ordinance. Alderman Cohen reported that the ordinance was drafted after talks with past street vendors, flower ladies who are now vending in a private alley off East Franklin Street, and after conferences with Assistant Town Attorney. Alderman Cohen presented the ordinance and explained it. He said that he feels an acceptable proposal can be drawn up to meet any objections to street vending. The situation that led to problems with vending several years ago does not exist anymore, and street vending can be an attraction for CBD. If full use will be made of vending space available, 100 block of East Franklin could have 50 vendors on north side and 35 on south side. Alderman Cohen said that if the Board does not want to support the proposed ordinance, there should be no more discussion on the issue during the current term; if passed, the ordinance could be repealed or amended at any time. Alderman Smith asked why CBD Implementation Team feels that the vending issue has to be settled before the general report is presented. Alderman Marshall said that a short range recommendation is needed regarding handling of traffic in pedestrian area, and that this recommendation will depend on presence or absence of vending. The ordinance would not change any long range plans regarding vending. Alderman Smith said that he feels if street vending were

permitted, the number of vendors would be as large as before; he would like to see the entire recommendation, before the Board deals with the problem of vending. Alderman Marshall said that at the time vending was removed from the street, it was agreed that the Board should consider an ordinance; this was never implemented and permanent facilities for vending were considered instead. Many people are interested in having vending before the permanent facilities become available. Alderman Welsh said that in December, 1971 an ordinance was tabled by the Board until a plan for vending could be submitted; this was done in spring, 1972 but the Board took no action since the plan was not popular. The trend has been to move toward the concept of public market. Alderman Marshall said that the Board can decline the proposed ordinance, but that some action is needed. Alderman Smith asked about the inclusion of other business areas than CBD in the proposed ordinance. Alderman Marshall said that there is no expectation that these areas would have vending, but that it was felt that all business areas should be included. Alderman Cohen said that the issue of vending is divisive but that he feels the need to support the concept of public markets. Alderman Marshall said that regarding vending Leary report states:

b. Outdoor uses permissible on either public or private property shall be as follows:

- (1) Arts and crafts exhibits, including demonstrations and performances.
- (2) Restaurants
- (3) Sales of flowers, objects of art or handicrafts, but not mass produced items.

Such uses shall be generally permissible in designated public or private areas within the district (subject to licensing or other requirements which may apply generally) or permanent permits established by the Town Board. No such use shall be so located or conducted as to create undue impediments to principal flows of pedestrian traffic. Central Chapel Hill. Robert H. Leary and Associates, Raleigh, 1973, p. 89.

CBD Implementation Team feels that it cannot deal with this part of the report until it knows how the Board feels about it. Alderman Welsh said that linear sidewalk vending is controversial and asked if CBD Implementation Team is considering the idea of public market in CBD. Alderman Marshall said that this is being considered as a long range solution. Alderman Welsh said that she supports the idea of a public market. Alderman Marshall said that she feels that Leary report supports sidewalk vending. Alderman Welsh disagreed with this interpretation. Alderman Cohen moved, seconded by Alderman Marshall, that the ordinance on vending be introduced and placed on the agenda for consideration by the Board for May 6, 1974. Said motion was defeated by a vote of four to two with Aldermen Cohen and Marshall supporting. Alderman Cohen moved, seconded by Alderman Marshall, that the ordinance on vending be tabled. Alderman Welsh asked Mayor Lee for his opinion on sidewalk vending. Mayor Lee said that when the problem with sidewalk vending first came up, it was understood that the Board would try to act as soon as possible to deal with the matter, but it was not a promise that vending could return to streets. Things have changed considerably since 1969 in CBD; there is more traffic. Mayor Lee said that he feels that controlled vending can be an asset for CBD, but short term sidewalk vending should be handled very cautiously, with open air market being considered for a long term program. Said motion was defeated by a vote of four to two with Aldermen Cohen and Marshall supporting. Mr. Joe Augustine of Merchants Association said that Merchants Association is opposed to street and sidewalk vending, and that it is concerned that CBD Implementation Team places emphasis on this aspect of the report and that Town Board seems to be preoccupied with vending. Street vending does not have many things in its favor; it provides an outlet for crafts and it may be an amenity to CBD. Its liabilities are interference with free flow of pedestrian traffic; it is a barrier between parking and sidewalk, it is an attractive hazard, with Town responsible for any accidents; it clutters street's appearance; there is a lack of consumer protection; it is discriminatory to set a number of vendors; there is an

inability to regulate vending fully; and vendors will be responsible for State and Federal taxes and fees. Both the Board and Merchants' Association are interested in viability of CBD, but positive approaches should be taken towards improvements; Mr. Leary stated in his report that it is imperative that cooperation be received from all parts of the community and especially from property owners and businessmen. Alderman Marshall said that CBD Implementation Team wished to get vending out of way first so that it could see how to act on rest of the report; it is obvious how the Board feels, so no more time will be spent on vending. Alderman Cohen said that he supports free enterprise and small business, but that he accepts the Board's decision not to accept the proposed ordinance. Mayor Lee said that he thinks the CBD Implementation Team is right in considering vending first; the Board owes it to the community to set a target date either to permit vending or to deny it. Alderman Welsh said that she is not opposed to vending but feels that linear sidewalk vending is not the way to handle the matter. Marketing opportunities must be expanded on a larger scale and the establishment of a public market is the way to provide these; it would not have the drawbacks of sidewalk vending and would be an asset to CBD. Alderman Welsh said that she hopes that the Board will move towards this idea as soon as possible. Alderman Cohen said that the idea is already being considered by the CBD Implementation Team. Alderman Gardner said that the Post Office site may be the best outlet for a market place; he is in favor of pursuing this purchase. The issue of street vending has been clouded by the previous trial and as a business man he cannot support it. Mayor Lee requested that the issue of long range vending be included in CBD Implementation Team report. Alderman Marshall said that it will do so, but that the short range vending control ordinance will not be considered again.

Bus System--Support
from Orange County

Mayor Lee said that the Board must consider submitting a request to the Orange County Commissioners

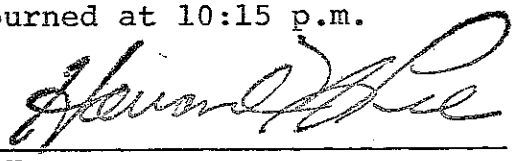
to provide County funds to support the Town Bus System for the 1974-75 fiscal year. House Bill 1952 permits counties to cooperate and provide funds for bus lines and mass transit systems. This legislation was brought to the attention of the Town Manager by Alderman Gerald Cohen. Mayor Lee said that he feels the Board should not apply to the County Commissioners. Alderman Cohen said that residents outside Chapel Hill will use the bus system and that Orange County Commissioners should be asked to help with the funding. Airport Road fringe lot is outside Town limits and support could be asked on a per car basis. County Commissioners will meet on May 6, and he feels that the request should be presented then. Town Manager Kendzior said that he originally thought of asking help on a per capita basis, but that asking support based on the use of Airport Road lot is a better approach. Alderman Cohen said that \$6600 would be a proportionate share of the deficit by Airport Road lot users. Alderman Welsh said that she supports the proposal; it is important to have cooperative ventures, and Town residents often pay for services that stop at corporate limits. Alderman Marshall said that she feels County Commissioners will not support the proposal but that they should be aware of the legislation. Mayor Lee said that State passed the legislation, but that no money was appropriated for the Counties to be able to provide support. He expressed his disappointment that State did not appropriate \$1,000,000 that might have been able to generate \$6,000,000 in Federal support. The proposal has to be presented to the County Commissioners on May 6, since their next meeting will be in June. Town Manager can design the proposal. Alderman Smith said that the refusal of counties to appropriate any money may make State realize its responsibility in supporting mass transit systems. Alderman Cohen said that County Commissioners have helped other communities in the County. Mayor Lee suggested that Town Manager be requested to draw up a proposal for presentation to County Commissioners on May 6, 1974; if Town Board will not meet before then, the proposal can be circulated to Aldermen and their approval obtained by telephone. Mayor Lee also asked Alderman Cohen to represent the Town Board in the presentation. Alderman Smith moved, seconded by Alderman Marshall, that Town Manager draw up a proposal for presentation to the Orange County Board of Commissioners on May 6, 1974, requesting County support of the Town bus system for the 1974-75 fiscal year. Said motion was unanimously carried.

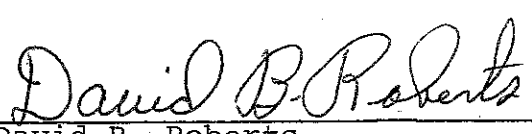
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Code of Ordinances--Sale
of Beer in Pool Halls

Ordinances. Mr. Richard M. Taylor, Jr., asked for reconsideration of this section and for reasons for the initial enactment of the ordinance. He represents Mr. James Rieout, proprietor of the Cave, who wishes to operate pool tables in space adjacent. Mr. Taylor said that previous minutes of Town Board show no discussion or reasons given why this ordinance was originally enacted, and that other games are permitted in pool halls. Mr. Page, who introduced the bill in 1964, thinks the bill was passed because at that time there was no age limit for people frequenting pool halls; now the age limit is 18 years of age or older. Chief Blake has no strong feelings about the ordinance. Town Attorney Denny said that the matter has been before the Board a number of times; the last time the matter was before the Board it was conceded that one man could operate both establishments as long as a physical barrier was between the two; the operator has to enforce the separation of beer and pool. Chief Blake is concerned that there is a tendency towards increased fighting if actual beer consumption is on the premises. A repeal of the ordinance has been requested twice before and the Board has heard all the arguments and reasons for the separation of the two. Initially, there was also a statutory prohibition of the sale of beer and wine within a certain distance of the University; also University approval was needed for any pool halls in Chapel Hill. Alderman Smith said that he feels that the present ordinance should be continued; he has heard Chief Blake's recommendations before and also feels that there is a lack of age enforcement in pool halls. Alderman Cohen said that he does not see a justification for the ordinance and sees no reason to presume more age enforcement in pool halls than in other game parlors where beer is served. Mr. Taylor said that he is not requesting that Board consider the matter tonight and asked if it can be referred to a committee to investigate the reasons for the ordinance and to see what ordinances other communities have. Mayor Lee said that he has gone along with the ordinance but that he fails to see justification for it, since there is no difference between drinking beer and playing pool or playing pool after the beer has already been consumed. Alderman Marshall said that Mayor Lee's comments sound logical and that she is willing to vote for repeal of the ordinance; it is always possible for the Board to change its mind later. Alderman Gardner said that there may be other aspects to the matter and that he feels that Chief Blake and University should be consulted before action is taken. Alderman Rancer moved, seconded by Alderman Marshall, that an ordinance be drafted repealing Section 10-69 of the Chapel Hill Code of Ordinances. Mayor Lee said that the vote on the ordinance would be at the next meeting, and Chief Blake can be present then to give his views. Said motion passed by a vote of five to one with Alderman Smith opposing.

There being no further business to come before the Mayor and the Board of Aldermen, said meeting was adjourned at 10:15 p.m.


Mayor


David B. Roberts
Town Clerk