

Grant Offer from EPA

Town Manager Kendzior said that in October 1973 he reported that an amendment in Public Law 92-500 might make the Town eligible for at least a 50% reimbursement of construction and expansion costs for the sewer plant in 1966-67. The staff made the grant application, which required extensive staff time. Town needs to accept the grant offer to receive its share of \$159,200 at the present time, with the balance of \$159,200 paid sometime in 1975 after all eligible municipalities have received dispersements. Alderman Smith moved, seconded by Alderman Cohen, that the grant offer be accepted. Said motion was unanimously carried.

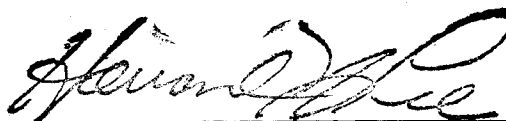
Committee on Aging--  
Vacancies

Mayor Lee said that the Board has been notified that the Committee on Aging recommends that Arlena Riggsbee, Gatha Lassiter, and William Hawkinson be re-appointed to two-year terms expiring December 31, 1976. The Committee does not have at this time a recommendation for the replacement of Mr. Graham Cook, whose term expired on December 31, 1974. Nominations will be open until the next Board meeting.

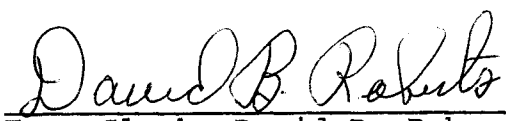
Recreation Commission--  
Vacancy

Mayor Lee said that the Recreation Commission recommends that Mr. Lee W. Hauser be appointed to the Commission for a three-year term ending December 31, 1977. Nominations will be open until the next Board meeting.

There being no further business to come before the Board of Aldermen, the meeting adjourned at 11:30 p.m.



Mayor



Town Clerk, David B. Roberts

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, JANUARY 27, 1975 AT 7:30 P.M.

The Board of Aldermen met for a joint public hearing with the Planning Board, followed by a regular meeting, on January 27, 1975 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

Present:

- R. D. Smith, Mayor pro tem
- Gerald A. Cohen
- Thomas B. Gardner
- Shirley E. Marshall
- Sid S. Rancer
- Alice M. Welsh

Absent:

- Howard N. Lee, Mayor

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

PUBLIC HEARING

Saralyn Unified Housing  
Development--Special Use  
Permit

All persons desiring to give testimony were sworn in. Mayor pro tem Smith said that the public hearing is called to consider a request

submitted by Saralyn, Inc. for a Unified Housing Development Special Use Permit, under Section 4-C-22 of the Zoning Ordinance, to convert an existing residence at 307 McCauley Street to six apartment units. The property is identified as Orange County Tax Map 87, Block E, Lot 6. Notices have been mailed to area residents notifying them of this request. Copies of the notice of public hearing, project fact sheet, background report, and applicant's statement of justification have been distributed to Board members. Mayor pro tem Smith presented the procedure to be followed at the public hearing. Mr. Mike Jennings, Planning Director, presented the project and showed it on the map. The proposed project would convert a large condemned house, located on a 26,000 square foot lot, into six apartment units, bringing the structure into compliance with the Building Code. Three wooden accessory buildings located on the lot will be removed after construction has been completed. The structure is located in a R-4 zoning district. The surrounding residential property is zoned R-4 on east, north and west sides and R-10 on south side. Water and sewer service is currently available to the property, but the lines will need to be inspected, since the building has not been occupied for ten years. The open space requirement for six units is 7200 square feet, and there is sufficient land exclusive of the R-4 yard requirements, the 9-space parking area, and the driveway to meet this requirement. The property is not near the flood plain. Paving for the driveway and parking area is not shown on the applicant's plan. Access is by McCauley Street which is a major thoroughfare. The present right-of-way width is 50 feet; an additional 20 feet on each side of the street must be obtained to meet the 90 foot standard for thoroughfare streets. There is an existing rock wall on the property, with an unpaved walkway along McCauley Street; there is no sidewalk from the house to street. The plan as presented meets all requirements. Mr. Wallace Kaufman, president of Saralyn, Inc. said that the property is already in conformance with the existing zoning code. In reference to the four necessary findings, the use will not materially endanger the public health or safety if located where proposed and if developed according to the plan as submitted and approved; the six units will not substantially increase the traffic load on McCauley Street; sewer and water are currently available; there will be no additional grading on the site; and fire standards are being met. The use meets all required conditions and specifications. The use will not substantially injure the value of adjoining or abutting property; the use is residential and in conformity with the area and the zoning plan of Town and the present zoning ordinances; the improvements to the structure which has been vacant for ten years, and grounds will upgrade the quality of the neighborhood and the value of the property. An attempt will be made to establish a tenant co-operative to own and manage the building and thus remove its units from the rent-price spiral. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of the development of Chapel Hill and its environs. The use contributes to the Town's desire to provide residential structures within walking distance both of the university and the CBD, and is in conformity with the Town's desire to up-grade run-down structures and bring them in conformity with required housing codes. The building has existed for several years as six wired and plumbed apartments and two roughed in apartments; this will be reduced to a total of six apartments. Alderman Cohen asked about the size of the apartments. Mr. Kaufman said that the size will vary from about 700 to over 1000 square feet. Alderman Cohen asked whether there will be a common area in the building. Mr. Kaufman said that while the tenants will be deciding on this, it is planned to encourage the use of common space.

Alderman Cohen asked whether all the units will be single floor units. Mr. Kaufman said that the plan is to use the original house on the premises as one unit originally, this would be divided later. Ms. Mary White of 407 Patterson Place asked whether there is a need for another apartment building in Town. Mr. Kaufman said that there are no facilities in Town at the present time with the concept of a co-operative; Town needs apartments in the downtown area. It is estimated that the apartments will rent for not over \$175 per month, and the rent would be decreased with time. Alderman Cohen asked whether the building would be owned by tenants. Mr. Kaufman said that the co-operative will sell shares, and by law it is required to sell most of the shares to residents; the tenants will lease their apartments from the co-operative. Mr. William Dykstra of 304 McCauley Street said that he has looked at the property, and it is in poor shape. He asked whether the plan is to have four apartments in the back unit. Mr. Kaufman said yes; this unit is entirely new and has never been rented as apartments before. Mr. Dykstra asked whether the house is presently occupied. Mr. Kaufman said that a caretaker lives there; he will be occupying one of the apartments in the house. Ms. Sara Bolter, of McCauley Street, asked whether there would be space available for common garden. Mr. Kaufman showed on the map where the garden could be located. Mayor pro tem Smith asked for statements opposing the project. Mr. Dykstra said that while he is a recent property owner in the area, he has lived there all his life and has seen much of area being turned into apartment houses. It is difficult to park on the street, because of a lack of parking spaces for most apartment units; there are residents that have small rental cottages on the back of the lots. He said that he does not think that another apartment building will help his property values. Ms. Sue Bowles, of 306 McCauley Street, asked for an explanation of a co-operative. Mr. Kaufman said that each tenant will lease his apartment from the co-operative, which will own the building; this will encourage long term leases and permanent residency. Ms. Bowles asked whether the number of dogs permitted in the apartments will be restricted. Mr. Kaufman said that they plan to restrict this for environmental reasons. Ms. Bowles asked whether drawings are available showing what the property will look like. Mr. Kaufman said that the property is already cleaned up, and two of the sheds have been torn down; he invited the area residents to visit the site and see the improvements that have been made. There will be a walkway from the house to the sidewalk. Mayor pro tem Smith asked for statements in favor of the project. There were none. Mayor pro tem Smith asked for statements from the Board. Alderman Gardner asked about the legal documents involved in a co-operative venture. Mr. Kaufman said that the tenants would have leases, preferably long-term ones, which would encourage tenants to put in improvements. The difference between condominiums and cooperatives is that condominium residents do not have a real control over the over-all appearance of the property. Alderman Gardner asked whether the legal documents involved in this agreement between the tenants and the co-operative would be presented to the Planning Board for their consideration. Mr. Kaufman said yes. Alderman Gardner asked how the maintenance of the building would be handled. Mr. Kaufman said that this would be overseen by the co-operative Board of Trustees. Alderman Gardner said that most condominiums are restrictive as to the permitted changes inside and outside the units. Mr. Kaufman said that this is also true of co-operatives. A resident asked whether the building will be brought up to agree with the present North Carolina building code. Mr. Kaufman said yes; if the building plans are not up to code, then the building permit will not be issued. Alderman Welsh moved, seconded by Alderman Gardner, that the request for a special use permit as submitted by Saralyn, Inc. for a Unified Housing Development Special Use Permit Under Section 4-C-22 of the Zoning Ordinance, to convert an existing residence at 307 McCauley Street to six apartment units be referred to the Planning Board for their review and recommendation back to this Board. Alderman Marshall asked whether all the persons giving statements had been sworn in. Those persons who had not been sworn in took their oaths and stated that they reaffirm their statements. Said motion was unanimously carried.

Smith Avenue Condominium--  
Special Use Permit

Town Clerk Roberts swore in witnesses. Mayor pro tem Smith said that the public hearing is called

to consider a request submitted by James A. Heavner for a Unified Housing Development Special Use Permit, under Section 4-C-22 of the Zoning Ordinance, to bring a five unit non-conforming apartment structure, at 409 Smith Avenue, into compliance with the Zoning Ordinance requirements for five condominium dwelling units on a single lot. The property is identified as Orange County Tax Map 89, Block H, Lot 3. Notices have been mailed to area residents notifying them of this request. Copies of the notice of public hearing, project fact sheet, background report, and applicant's statement of justification have been distributed to Board members. Mr. Mike Jennings, Planning Director, said that the 32,545 square foot lot is located in a R-10 zoning district, and is surrounded on all sides by R-10 zoning, with residential uses. Water and sewer service is currently available to the property. The open space requirement of 6000 square feet has been met. The property is not within the flood plain. Space for the required eight parking spaces is provided. Access to the property is by Smith Avenue which has a paved width of 18 feet. The applicant requests a variance from the minimum lot size requirement of the Zoning Ordinance, based upon the undue hardship resulting from its enforcement. The building permit for the five-unit apartment building was issued in February, 1969, at which time the minimum lot size requirement for RA-10 zoning districts was 10,000 square feet plus 5,000 square feet for each family over one for which a dwelling unit is provided. Under this requirement, the lot met the Zoning Ordinance minimum lot size requirement of 30,000 square feet. A few months after the Building Permit was issued, the Zoning Ordinance was amended to include that the size of any lot shall be not less than 10,000 square feet in area for each family for which a dwelling is provided. The minimum lot area for two-family dwellings may be reduced to 15,000 square feet. Under this new lot area requirement, the apartment project became a non-conforming structure, since a minimal lot size of 45,000 square feet is required for five units in a R-10 district. With this exception, the project meets all other requirements and specifications. Alderman Cohen asked whether the project is already occupied by five tenants. Mr. Jennings said yes. Mr. Robert Midgette, representing Mr. Heavner, said that the building is divided into five separate two-bedroom units, arranged in row-house fashion with varying facades and staggered front and rear lines for maximum privacy and individuality. The building is attractively designed, of quality construction, and in excellent repair. He distributed photographs of the building to Board members. In reference to the four necessary findings, the use will not materially endanger the public health and safety, since no change in use or building design is involved, no changes in traffic circulation are involved, and no part of the property lies within the floodway or the flood plain. The use meets all required conditions and specifications, with the possible exception of the question of lot size. This ordinance can also be interpreted to require no more area for the third, fourth and fifth units than for the second unit, since it obviously intends to grant relief for multiple units; to revert to the first unit requirement to determine the area needed for the third or subsequent units requires a tedious and tenuous interpretation. If the smaller lot size interpretation is used, then a total of 30,000 square feet lot size is needed and the project meets this requirement. The use will not substantially injure the value of adjoining or abutting property, since the sole effect on surrounding properties will be that their neighbors will be homeowners rather than apartment tenants. The location and character of the use will be in harmony with the area and in general conformity with Chapel Hill's plan of development, since the Smith Avenue area is a somewhat heterogeneous neighborhood with single family dwellings, duplexes and apartment buildings. The applicant requests a variance as to the area requirements, if this is found necessary, because the previous permission from Town to build the structure created a real hardship on the applicant; no practicable means exist for enlargement of the

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lot; and the conversion of the property to condominiums will effect no adverse effects on surrounding properties and no added danger or increase in population density. Town Attorney Denny said that the Board of Aldermen cannot grant variances; this is delegated to the Board of Adjustment. Mr. Midgette said that the Planning Department indicated that the situation is similar to that for Eastgate AMOCO, in which instance the Board of Aldermen granted four variances. Town Attorney Denny said that in some instances in the Zoning Ordinance there is leeway in interpretation, but not in the lot size; this is delegated to the Board of Adjustment. He said that the minutes of the public hearing at which the Zoning Ordinance change from RA to R designation was considered, clearly indicate that the Planning Department interpretation is correct; this, however, does not preclude the Board from granting a Condominium Special Use Permit, since non-conforming uses may be continued if the structure was conforming at the time of the construction. If, however, the building were destroyed while non-conforming, only three replacement units could be built. If the Board of Adjustment granted variance to the project, then it will be complying and five units could be rebuilt. The Board of Aldermen can complete the public hearing and refer the matter to the Planning Board or the Public Hearing can be carried as far as hearing all testimony, then recessed, with the matter taken to the Board of Adjustment for action after which the hearing will be included and matter referred to the Planning Board. Mr. Midgette asked whether the Board can reclaim the authority from the Board of Adjustment in this instance and grant the variance. Town Attorney Denny said that the Board sits as a quasi-judiciary fact finding body in special use hearings and, in granting a variance, it would be asked to vary the terms of an express written ordinance to apply it to a particular situation; this power they have granted to the Board of Adjustment. Mr. Midgette asked that the public hearing be concluded; he will take the matter to the Board of Adjustment and attempt to have them act on the matter before it is referred back to the Board of Aldermen by the Planning Board; he would welcome a recommendation from the Board to the Board of Adjustment on this. Alderman Welsh said that when the zoning density designations were reconsidered in 1969, Town had no RA-5 zoning; the present R-5 zoning would have been comparable, and was applied to areas that had a fairly high density under the RA-10 zoning. Mayor pro tem Smith asked for comments in opposition to the project. There were none. Mayor pro tem Smith asked for comments in support of the project. Mr. Mel Rashkis, a member of the Board of Realtors, said that he has had business dealings with Mr. Heavner and may be involved in the sale of the condominiums. He feels that Town needs projects of this size, that encourage home ownership. The building is very attractive, and should serve as an example for other builders to follow. The building fits in with the single family neighborhood. He feels that granting the special use permit would be a service to the Town. Mr. John Coffey, a member of Mel Rashkis Realty Company, said that he has contacted the property owners in adjacent areas, and has been unable to acquire any additional property. The neighbors have stated that they have no opposition to the conversion of the units to condominiums. He read a letter from Mr. Robert L. Johnson of 413 Smith Avenue, stating that he does not wish to sell part of his property to the condominiums, and that he does not have any objections to converting the property to condominium use. Mr. Robert Epting, who has not been sworn, expressed his support of the project, and stated that the building is in good repair, and is a quality project. Mr. Jonathan Howes, chairman of the Planning Board, asked how the present residents feel about the conversion. Mayor pro tem Smith said that there have been no statements in opposition. Alderman Cohen asked whether the current tenants have been notified of the public hearing. Mr. Rashkis said that they have been notified. Alderman Cohen suggested that a formal procedure for notifying residents in cases such as this be considered by the Planning Department. Alderman Welsh said that she agrees with Mr. Rashkis that home ownership should be encouraged and asked the Planning Department to look for areas in Town that might be suitable for row houses. Alderman Welsh moved, seconded by Alderman Gardner, that the request

by James A. Heavner for a Unified Housing Development Special Use Permit, under Section 4-C-22 of the Zoning Ordinance, to bring a five unit non-conforming apartment structure, at 409 Smith Avenue, into compliance with the Zoning Ordinance requirements for five condominium dwelling units on a single lot be referred to the Planning Board for their consideration and recommendation back to this Board. Said motion was unanimously carried.

Proctor Land--Rezoning Request

Mayor pro tem Smith said that the public hearing is called to consider a request submitted by T. G.

Proctor, Jr., to rezone a tract of land from R-20 to Regional Commercial. This tract containing 1.4 acres more or less, fronts on the east side of U.S. 15-501 (Pittsboro Road) near the intersection of U.S. 15-501 and Smith Level Road, and is identified as part of Lot 2, Block B, Orange County Tax Map 127. Notices have been mailed to area residents notifying them of this request. Copies of the notice of public hearing, project fact sheet, background report, and applicant's statement of justification have been distributed to Board members. A valid protest petition has been filed. Town Attorney Denny said that witnesses do not need to be sworn in for rezoning. Mr. Mike Jennings, Town Planning, presented the project and showed it on the map. He said that the lot which is across the road from Watts Commercial area, is 3.04 acres, but only 1.4 acres of the lot is within the Chapel Hill Planning Area, with the remaining portion located in Chapel Hill Township. The abutting properties to the southwest and northwest are commercial, with residential uses and zoning abutting the remaining sides of the property. Mr. Proctor owns three other abutting parcels, two of which are presently zoned commercial. A request has been submitted to Orange County also for rezoning. Access to the property is by U.S. 15-501. The traffic condition in this area requires caution due to the conflict between the high speed traffic on the highway and the vehicles entering and leaving the Watts Commercial Area. Pittsboro Road and the nearby Smith Level Road are major thoroughfares. Pittsboro Road has a right-of-way width of 60 feet; an additional 15 feet of right-of-way on each side of the road is needed to bring the width up to the 90 foot standard for major thoroughfares. The sight lines from the property along Pittsboro Road are good. In 1973, the traffic volume in the area was 5,500 vehicles per day on the highway. Sewer service is available from the Town of Carrboro and water is provided by the University Service Plants. Fire protection is available from South Orange Rural Fire Department. A valid protest petition has been filed with the Planning Department. In 1969, Lot 2 was also a part of a rezoning request to Regional Commercial zoning. This request was denied, based on the Planning Board recommendation, for the following reasons: that the development would conflict with the residential development in the area, that this might provide a commercial entrance to a larger commercial development over which Town would have no control; and because development on both sides of the street in the area is undesirable. Commercial development policy, which is presently being considered by the Planning Board, considers Watts Commercial Development appropriate for expansion, with a need for additional commercial zoning. Alderman Cohen asked whether there has been any contact regarding the area zoning with the Carrboro, Orange County or Chatham County Planning Departments. Mr. Jennings said no. Mayor pro tem Smith asked whether the protest petition should be read. Town Attorney Denny said that this is not necessary. Mr. Wade Barber, Jr., representing Mr. Proctor, said that the area has changed since 1969, with much residential development planned and already completed in Chatham County. There is no shopping center in the area. The property is located on a relatively straight portion of U.S. 15-501, just before Watts Commercial Development. Mr. Barber showed the various existing zonings in the area. He said that the reasons for denying the rezoning request in 1969 now are not pertinent, since the character of the area has changed, with more commercial zoning present; an entrance to the larger commercially zoned area is now also available for expansion on the east side of 15-501. Town Planning staff recommends in their draft policy that the existing commercial uses in the area be expanded. An application is pending before Orange County

to have the remainder of the lot rezoned to commercial, and the 20 acres behind the property were rezoned by Chatham County to Commercial in July, 1974. Alderman Marshall asked whether any action has been taken on the request before Orange County. Mr. Barber said no. Mr. Jonathan Howes, chairman of Planning Board, asked whether it is intended to develop the property in some unified fashion. Mr. Barber said yes; Mr. Proctor owns all the adjacent commercially zoned property. Mr. Thomas Dark asked whether more definite developmental plans are available. Mr. Barber said no. Mr. James Huegerich asked why a commercial development is needed in the area when Carrboro is within five miles. Mr. Barber said that persons living in Chatham County developments have to drive to eight miles now to get to a grocery store through areas that are more congested than the area in which the property in question is located. Mr. Huegerich said that the proposed entrance to the proposed commercial development would be directly across from the Smith Level Road intersection. Mr. Don Parrish asked why the area needs to be rezoned when the adjacent twenty acres in Chatham County is already zoned commercial with an entrance to highway possible. He said that area residents are concerned that a restaurant or bar may be built on the small parcel of land. He is a resident of the area and does not wish to have more commercial development nearby, since the congestion of the highway is already heavy. Mr. Barber said that the area is not suitable for residential development since it will be adjacent to and opposite from commercial development. He said that access to the commercial development from the property in question would be away from the Smith Level Road intersection, since the twenty acre commercial property is directly across from this intersection. Mayor pro tem Smith asked for comments objecting to the proposed rezoning. Mr. Marvin Poythress said that he is representing his brother, Robert L. Poythress, who is ill, and distributed to Board members maps of the area showing residential properties. Mr. Poythress said that this is the third time that the rezoning request is being considered. A protest petition with 35 signatures has been filed. The area is already very congested; residents are concerned about noise increase and about danger to children, since three school buses drive in the area. The present residences are well spaced, and commercial development will decrease residential values. Mr. Poythress showed the commercial areas on the map. The lot is situated on one of the most traveled highways in the area, and the residents feel that it would be unwise to rezone the lot. He said that even though the Board of Aldermen are not elected by area residents, they will have to abide by their decision, and asked that this decision be favorable. Alderman Welsh asked what future use the area residents see for the property. Mr. Parrish said that the residents would prefer that the area remain as it is presently. Mr. Huegerich said that traffic in the area is bad, with a number of near accidents. The highway is not wide enough for added traffic. He would dislike to see commercial development in the area because of the danger to children, who ride their bicycles along the road. Mr. Poythress said that his brother's property is immediately adjacent, with five rental houses on it. Mr. Dark said that he lives in one of these rental houses, and is a student at the university. While he feels it is obvious that the area will develop commercially, he would not like to have an adjacent commercial development. He said that he does not feel the project on the property would be one of which the Board would approve, and rezoning the area would set a bad precedent for future. Mayor pro tem Smith asked for comments favoring the rezoning. There were none. Mayor pro tem Smith asked for comments from Planning Board and Board of Aldermen. Alderman Cohen said that he feels the involvement of four zoning jurisdictions in the area work to the advantage of the property owner and expressed his regret that Chatham County did not contact Town Board about the rezoning of the adjacent twenty acres. He said that he hopes no final action on the matter will be taken until Orange County Planning Board can be contacted before their February hearing. Alderman Welsh asked about existing commercial zoning on 15-501 in Chatham County. Mr. Barber said that there is one commercially zoned area of 3-4 acres on the west side of the road in the area between Haw River and Orange County line; none of the other areas are in excess of two acres. Alderman Welsh asked whether the intent is for Chatham County to limit commercial development to these two areas to avoid strip development. Mr. Barber said that he hopes so. He said

that he realizes that the involvement of three jurisdictions presents a problem, but Mr. Proctor is also adversely affected by this. The traffic in the area is bad, but much of this is from residents in Chatham who go shopping into Carrboro or to Chapel Hill shopping centers. A grocery store in the area would decrease the distance these persons have to drive. The safe point for access to the commercial development would have to be determined by the Highway Commission, but it would seem to be logical on the lot in question. A large commercial zoning would be advantageous, since it would avoid strip development, which causes traffic problems, is spread out and unsightly. The various areas in question would provide an area large enough for a shopping center. Alderman Gardner said that the rezoning was turned down previously because of conflict with residential development. Most of the residential development in the area since 1969 has been in Chatham County; he said he finds it odd that the project comes so close to Orange County line to serve Chatham residents. Mr. Barber said that resident opposition can be expected wherever commercial development is proposed, but it needs to go somewhere; the fact that the rezoning request has been made before indicates that people feel this property is best for commercial use. Ms. Ann Slifkin, Planning Board member, asked whether the rest of the property could be developed commercially, leaving the lot in question as a buffer between the commercial and residential areas. Mr. Barber said that he cannot answer the question. Mr. Wallace Kaufman said that he is not a resident of the area and feels neutral about the proposal, but it would seem that it would be advantageous to rezone commercial; since then the Board would also have some say as to what kind of development goes on the twenty acre lot. Mayor pro tem Smith said that conditions cannot be put on zoning requests, only on special use requests. Mr. Poythress said that Orange County has been sent a copy of the protest petition. Alderman Welsh moved, seconded by Alderman Gardner, that the request from T. G. Proctor, Jr., to rezone from R-20 to Regional Commercial a tract of land of 1.4 acres more or less, identified as part of Lot 2, Block B, Orange County Tax Map 127, be referred to the Planning Board for their review and recommendation back to this Board. Said motion was unanimously carried.

The Public Hearing was adjourned at 9:30 p.m.

#### REGULAR MEETING

Alderman Marshall moved, seconded by Alderman Welsh, that the minutes of the meeting of January 20, 1975 be approved as corrected. Said motion was unanimously carried.

Petitions and Agenda Changes Mayor pro tem Smith read a petition from Alderman Marshall requesting that item 8a, dealing with overtime parking, be removed from the agenda unless findings have been made that Section 21.22 of the Town Code is unclear in its legal meaning, or that it has to be re-evaluated because the Department of Urban Development believes that parking and traffic circulation in the Town can now support long-term storage parking, and unless a request for consideration of a specific written ordinance change is being presented; if the petition should not be granted, Alderman Marshall petitions the Board to excuse her from the meeting during the discussion of the item, since it would compromise her sworn oath in regard to executing laws, ordinances and regulations of the Town. Alderman Welsh moved, seconded by Alderman Gardner that item 8a, dealing with overtime parking, be delayed until next week's meeting. Said motion was unanimously carried. Mr. Kurt Jenne, Assistant Manager for Community Development and Services, petitioned the Board that item 6d, dealing with bids for surplus Town property, be delayed until the meeting of February 3,



1975. Alderman Welsh moved, seconded by Alderman Gardner, that item 6d, dealing with surplus property, be delayed until next week's meeting. Said motion was unanimously carried.

Community Development Task Force--Status Report

Mr. Kurt Jenne, Assistant Manager for Community Development and Services, presented a report from

Community Development Task Force listing long and short term objectives in the areas of adequate housing for low and moderate income families, necessary services to promote community pride, and neighborhood improvements. The Task Force will provide additional reports to keep the Board abreast of its activities.

Town Vehicles--Bids

Mr. Kurt Jenne, Assistant Manager For Community Development and

Services, presented a report from Town Manager on the questions raised by Board members at the January 13, 1975 meeting. The report shows that it is difficult to make a strict decision with the information available. Town Manager recommends that (1) the Board accept the bid for nine police vehicles and one standard vehicle without trade, (2) the Board reject the other bids, (3) that the two best police cars be rotated to the inspection department after minor modifications are made, (4) that other cars be sold at auction, and (5) that Town begin immediate cost record keeping for each individual vehicle in Town inventory. Alderman Gardner said that he thinks the recommendation is good, but questioned selling the vehicles at auction, since he feels selling them by sealed bids would be cheaper and better. Town Attorney Denny said that sealed bids for the vehicles could be solicited separately, but the vehicles could not be sold as a lot since it would exceed \$5,000, which is the limit for informal bids. Alderman Marshall said that she has discussed with Mr. William Blake, Assistant Manager for Public Safety, the possibility of maintaining a reserve fleet of police cars to allow better maintenance and of longer life for police vehicles. Mr. Blake indicated that with the existence of Town garage this would be feasible. Alderman Marshall asked that the decision on selling the vehicles be delayed until this possibility can be investigated. Alderman Gardner said that he agrees with Alderman Marshall; this would give Town Manager more flexibility and time to make a final decision on disposition of these cars. Mayor pro tem Smith said that he agrees with Alderman Marshall. Alderman Cohen moved, seconded by Alderman Marshall, that the bid from Yates Motor Co. for nine police cars without trade for \$39,030.69, and for one standard car without trade for \$3,891.00 be accepted, and that the other bids be rejected. Said motion was unanimously carried.

Library Shelving--Bids

Mr. Kurt Jenne, Assistant Manager for Community Development and

Services, said that the trustees of the Chapel Hill Public Library and the Purchasing Agent recommend accepting the second low bid because the company is able to match the existing shelving, the quality of the product is better, and delivery time is more acceptable. There are funds budgeted for the shelving in Town budget, and excess cost will be covered by Walter Prichard Eaton Fund. Town Attorney Denny said that he is concerned that the three reasons given for accepting the second low bid may not be valid, since no indication is made that color matching is not met by any of the bidders, matching the existing shelving is not one of the bid conditions, and delivery time was not made a factor in bid acceptance. Mayor pro tem Smith asked whether the bid needs to be accepted immediately. Town Attorney Denny said no. Alderman Welsh moved, seconded by Alderman Gardner, that the consideration of bids for library shelving be delayed until the meeting of February 3, 1975. Said motion was unanimously carried.

Housing Loan Trust Fund--  
Resolution

Town Attorney Denny presented a resolution dealing with the Housing Loan Trust Fund. This resolution considers three recommendations made in the Housing Loan Trust Fund Report, which pointed out the areas where the Housing Authority has had difficulty, such as the difference between the housing standard in NDP area and the Town's minimum housing standard, and the possible obsolescence of income standard on eligibility for loans. These two areas are not under Board consideration at this time. The Board needs to act on the matters that are outlined in the three sections of the resolution. At the present time credit life insurance is mandatory, and in most cases the benefits of the loan are eliminated by this requirement since premiums are high and some persons are un-insurable. In the three loans that have been granted, this requirement has been waived. The Housing Authority asks that this requirement be modified, making it possible to waive the insurance if the additional cost would bring the loan payment to over 25 percent of the owner's income. Alderman Welsh asked whether the insurance can be used as a collateral. Town Attorney Denny said yes, but it is not intended as such. Alderman Welsh asked whether the Housing Authority agrees with the three recommendations unanimously. Town Attorney Denny said yes. Alderman Marshall asked whether the credit life insurance will be included when possible. Town Attorney Denny said yes. Alderman Gardner asked whether some specific guidelines for the credit life insurance requirement can be put down. Town Attorney Denny said that all situations cannot be anticipated and it is better to leave the matter general. Alderman Welsh asked about the possibility of default payments on the insurance. Town Attorney Denny said that in most cases the insurance has a one-time premium; the cost of this premium would be added to the loan, so no default is possible. He said that Section II of the resolution attempts to deal with the problem of the death of the head of the household. At the present time the loan becomes payable immediately on the death of the head of the household, since the credit life insurance covers this situation, but if the insurance is not involved, then it must be considered whether the new owners would qualify for the loan; if they qualify then the loan will be continued; if not, then the loan has to be repaid to make the money available for someone else. Section III of the resolution deals with the interest rates. Alderman Marshall asked whether the person getting the loan has to live in the house that is being repaired. Town Attorney Denny said yes. Alderman Marshall commended Housing Authority on the report and information provided, and asked that this be kept available for informational purposes. Alderman Welsh moved, seconded by Alderman Cohen, that the following resolution be adopted:

A RESOLUTION TO AMEND THE RESOLUTION AUTHORIZING  
A LOAN TO THE CHAPEL HILL HOUSING AUTHORITY FOR THE  
PURPOSE OF ENABLING THE ESTABLISHMENT, IMPLEMENTATION,  
AND ADMINISTRATION OF THE HOUSING LOAN TRUST FUND

SECTION I

That Subsection b of Section XI of the Resolution above referred to as adopted November 19, 1973 be, and the same is hereby amended to read as follows:

"Must agree to obtain and pay for credit life insurance for the full amount of said loan, if available, and if within the means of the property owner".

SECTION II

That Subsection e of Section XI of said Resolution as adopted November 19, 1973 be amended to read as follows:

"In the event of the death of the head of household, said loan shall continue for a minimum period of six months thereafter. During said six month period, the then owners of the property subject to the loan may apply to the Loan Committee of the Housing Loan Trust Fund for the continuation of said loan or for its refinance. If such owners qualify for assistance pursuant to the criterion established for such in the Housing Loan Fund, the said loan shall be continued in effect according to its original terms and conditions or upon such other terms and conditions as the owners and the Loan Committee may agree. In the event the owners of such property fail to apply for continuation or refinance during such six month period, or in the event the owners do not qualify for assistance, then and in that event at the election of the Trustees of the Housing Loan Trust Fund, and upon ninety (90) days written notice to the then owners, said loan shall become payable in full; provided however, that so long as the loan payments are made in accordance with the terms of the original loan agreement without default, and the property is owned and occupied by direct minor heirs of such head of household, this subparagraph shall not apply; and provided further, that nothing contained in this subparagraph shall be construed to prevent the owner and the financial institution which made such loan from agreeing to continue such loan, without further subsidy or guaranty by the Housing Loan Trust Fund".

SECTION III

That the interest rate on all loans subsidized or guaranteed by the Housing Loan Trust Fund be made at the lowest available current rate, provided however, that the interest payable by the owner on subsidized loans shall be no greater than as set forth in said Resolution.

This the twenty-seventh day of January, 1975.

Said motion was unanimously carried.

Blue Cross-Blue Shield--  
Fire Protection Agreement

Mayor pro tem Smith said that the Board must consider adopting a resolution authorizing the Mayor to

enter into a contract with North Carolina Blue Cross-Blue Shield for the Town to provide fire protection service at a fee equivalent to the amount that would be paid if a 10¢ tax rate were applied to the property. Town Attorney Denny said that Blue Cross-Blue Shield requested Town fire protection and proposed the 10¢ tax rate in July, 1973; the Board agreed, but no approval was made in writing and no payments have been made. The presented agreement is to put the existing agreement in writing; it is in force to July, 1975. Alderman Cohen said that he feels the matter should be reviewed, since the rates for The Oaks and Briarcliff were set at 20¢; also the possibility of satellite annexation should be considered. Fire Chief Lloyd said that he feels the 10¢ rate is equitable, since they are also paying for fire protection from New Hope Fire District. Town Attorney Denny said that the Board is not considering setting a rate, but approving the execution of a document that is in force from July, 1973 to July, 1975; the rate can be reviewed when the agreement expires. Alderman Welsh and Alderman Cohen agreed with maintaining the 10¢ rate. Alderman Welsh moved, seconded by Alderman Gardner, that the following contract between the Town and North Carolina Blue Cross-Blue Shield be approved for a period ending July, 1975:

NORTH CAROLINA  
ORANGE COUNTY

WHEREAS NORTH CAROLINA BLUE CROSS-BLUE SHIELD HAS REQUESTED AND THE TOWN OF CHAPEL HILL HAS PROVIDED, SINCE AUGUST 1, 1973, FIRE PROTECTION ON CERTAIN PROPERTIES OUTSIDE THE CORPORATE LIMITS OF THE TOWN: AND

WHEREAS THE PARTIES NOW DESIRE TO REDUCE THEIR AGREEMENT TO WRITING, THIS CONTRACT BETWEEN NORTH CAROLINA BLUE CROSS-BLUE SHIELD, HEREINAFTER "OWNER", AND THE TOWN OF CHAPEL HILL HEREINAFTER "TOWN",

W I T N E S S E T H :

THAT, FOR AN IN CONSIDERATION OF THE MUTUAL UNDERTAKINGS HEREIN CONTAINED AND, SUBJECT TO THE TERMS AND CONDITIONS HEREINAFTER SET FORTH, TOWN HEREBY AGREES TO FURNISH OWNER, FOR A PERIOD ENDING JUNE 30, 1975, FIRE PROTECTION TO THE FOLLOWING DESCRIBED PROPERTY, NOW OWNED BY OWNER, LOCATED OUTSIDE OF THE TOWN OF CHAPEL HILL AND HEREINAFTER CALLED "PREMISES":

All that certain tract or parcel of land situated, lying and being in Chapel Hill Township, Orange County, North Carolina, and more particularly described as beginning at an iron stake in the southern margin of U.S. Highway 15-501, which stake is located north  $65^{\circ} 29'$  east 329.00 feet from another iron stake in the southern margin of said highway right-of-way, corner of the property of Harris Land Company, Inc.; running thence along the southern margin of said highway right-of-way north  $65^{\circ} 29'$  east 329.00 feet to an iron stake, running thence south  $82^{\circ} 56'$  east 329.00 feet to an iron stake, running thence south  $3^{\circ} 45'$  west 897.84 feet to an iron stake in the northern margin of N.C. road 1740; running thence along and with the northern margin of said state road 1740 north  $85^{\circ} 31' 30''$  west 235.36 feet to an iron stake in the northern margin of state road 1740; running thence north  $8^{\circ} 06'$  west 726.20 feet to the point and place of beginning, containing 6.25 acres, more or less, according to survey and plat recorded in plat book \_\_\_\_\_ at page \_\_\_\_\_, Orange County Registry, to which plat reference is hereby made for a more particular description of same.

BEGINNING at a stake in the North Property line of the Old Chapel Hill-Durham Road which point is found by measuring 970 feet in a Westerly Direction along the North property line of the old Chapel Hill-Durham Road from the intersecting property lines at the Southwest intersection of Lakeview Drive East and said old Chapel Hill-Durham Road; running thence from said beginning North  $0^{\circ} 21'$  West 205.1 feet to an iron stake; continuing thence North  $0^{\circ} 11'$  East 256.7 feet to a stake; continuing thence North  $2^{\circ} 51'$  West 202.5 feet to a stake in the North property line of Lakeview Drive; running thence in an Easterly direction of 187.6 feet along the arc of a circle having a radius of 287.5 feet, the North property line of Lakeview Drive to a stake in the North property line of said drive; running thence South  $72^{\circ} 35'$  East 208.5 feet along the North property line of said Lakeview Drive to a stake; running thence North  $13^{\circ} 37'$  East 8.9.0 feet to a stake in the South right-of-way line of U.S. Highway 15-501; running thence South  $64^{\circ} 58'$  West 1166.0 feet along the property line of said Highway to a stake; running thence South  $86^{\circ} 10' 30''$  East 118.5 feet to a stake; running thence South  $3^{\circ} 18' 30''$  West 896.0 feet to a stake running thence South North property

old Chapel Hill Durham Road; running thence South 85° 22' 30" East 437.0 feet along the North property line of said road to the point and place of beginning, containing 17.5 acres more or less and being that property surveyed and platted by Thomas L. Hardy, Reg. Sur., designated property of Helen G. Roberson, in May, 1959.

BEGINNING at a stake on the east side of 60 feet road. North 0° 21' West 205.1 feet from the intersection of the east side of said road and the north side of the Chapel Hill Road, the northwest corner of Lot 38 as per plat and survey hereinafter referred to and running thence with the east side of said 60 foot road, North 0° 11' East 256.7 feet to a stake; thence further with the east side of said road. North 2° 51' West 139.5 feet to a stake, thence with the south side of Lakeview Drive South as the same curves in an easterly direction, a distance of 162 feet to a stake; thence with the south side of Lakeview Drive South, South 72° 35' East 61.2 feet to a stake, northwest corner of Lot 44; thence with the west side of Lot 44, South 17' 22' East 345.2 feet to a stake, southwest corner of Lot 44; thence with the north side of Lots 32, 33, 34, 35, 36, 37 and 38, South 74° 35' West 312.4 feet to the place and point of beginning, and being Lots 39, 40, 41, 42 and 42 as per plat and survey entitled "Property of Helen G. Roberson" by Hunter Jones, C. E., dated May, 1957 of record in Book of Plats 6, at Page 78, Orange County Registry.

BEGINNING at a stake on the South side of Lakeview Drive West, northeast corner of Lot 43 as per plat and survey hereinafter referred to; running thence with the south side of Lakeview Drive West, as the same extends in a southeasterly direction, a distance of 239.1 feet to a stake, northwest corner of Lot 48; thence with the west side of Lot 48, South 17° 22' East 216.5 feet to a stake, southwest corner of Lot 48; thence with the west side of Lot 50, South 19° 31' West 18.8 feet to a stake; thence South 74° 35' West 188.7 feet to a stake; southeast corner of Lot 43; thence with the east side of Lot 43; North 17° 22' West 345.2 feet to the place and point of beginning, and being lots 44, 45, 46, and 47 as per plat and survey entitled "Property of Helen G. Roberson "Part of Cedar Terrace Annex" by Hunter Jones, C.E., of record in Book of Plats 34, Page 17, Durham County Registry, and Book of Plats 6, at page 78 Orange County Registry.

- 1. Nature of Protection: Upon call by on or behalf of OWNER, TOWN will dispatch to PREMISES and there utilize in combating such fires as may exist, such equipment and so many men as the Fire Chief of TOWN, or his designated, deem, in his sole and absolute discretion, available under the circumstances. From the moment any of the Fire Personnel of TOWN arrive on PREMISES in response to a call, such person as is in command of the detail shall assume absolute command of all activity being carried on on PREMISES and all persons on PREMISES will be subject to his absolute direction and control. Such Fire Personnel shall have sole direction as to the manner in which such fires as may exist are combated and what men and equipment are to be committed thereto. TOWN shall, through its Fire Department, exert its best efforts under the circumstances in combating such fires that shall in no way be liable for its failure or lack of succeeds in connection therewith or for damage done to property of OWNER or to that of its agents, servants, employees, licensees or invitees by virtue of or arising out of the same. All obligations of TOWN to respond to calls hereunder shall be secondary and subordinate to TOWN's duties to furnish fire protection to the residents and property owners of TOWN. The TOWN has no duty to provide fire hydrants or other source of water.

- 2. Liability of Town: TOWN shall be liable to OWNER for damages resulting from either malicious or willfully negligent act of TOWN or its employees but otherwise shall have no liability to OWNER by virtue of or arising out of its acts or omissions in responding to said cann and/or combating said fires.
- 3. Owner's Liability: OWNER shall be liable to TOWN for all damages done to the property of TOWN caused by the negligence of OWNER, its tenants or lessees, or its or their agents, servants, employees, licensees or invitees, while said property is on PREMISES.
- 4. Unless either TOWN or OWNER gives the other notice of its desire to terminate this contract at least 30 days prior to each year's expiration the same shall be continued on a year to year basis, upon payment of OWNER of the sums hereinafter set forth.
- 5. For the services to be performed by TOWN hereunder, OWNER shall pay to the TOWN a fee equivalent to the amount that would be paid if a ten cent (10¢) tax rate were applied to the property described aboce as listed as of January 1, 1974 or of the year of renewal for each subsequent renewal. Payments for the first period and each renewal shall be made in advance on or before July 1 of the year of contract or renewal based on the most recent information as to tax valuation, and shall be corrected if any correction is necessary, as soon as an official valuation for the year can be obtained from the County.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their respective names by their duly authorized officers and agents, this the \_\_\_\_\_ day of \_\_\_\_\_, 1975.

NORTH CAROLINA BLUE CROSS-BLUE SHIELD

By \_\_\_\_\_

\_\_\_\_\_

TOWN OF CHAPEL HILL

By \_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_  
Town Clerk

NORTH CAROLINA  
ORANGE COUNTY

This \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, personally came before me by \_\_\_\_\_, a Notary Public \_\_\_\_\_ County, N. C., \_\_\_\_\_, who being by me duly sworn, says that he knows the common seal of NORTH CAROLINA BLUE CROSS-BLUE SHIELD, INC. and is acquainted with \_\_\_\_\_, who is the \_\_\_\_\_ president, and he, \_\_\_\_\_,

Secretary, as aforesaid, affixed said seal in said instrument, and he the \_\_\_\_\_, signed his name in attestation of the execution of said instrument in the present of said President of said corporation.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

NORTH CAROLINA  
ORANGE COUNTY

This the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_, personally came before me \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, N.C., David B. Roberts, who being by me duly sworn, says that he knows the common seal of the TOWN OF CHAPEL HILL, and is acquainted with Chester Kendzior, Jr., who is the Town Manager, and he, David Roberts, Town Clerk, as aforesaid, affixed said seal to said instrument, and he, the said David Roberts, signed his name in attestation of the execution of said instrument in the presence of said President of said corporation.

Witness my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Alderman Gardner reminded that thirty day notice must be given to terminate the contract. Said motion was unanimously carried.

Land Policy Act of 1974--  
Resolution

Alderman Cohen moved, seconded by Alderman Marshall, that the following resolution be adopted:

RESOLUTION ON THE LAND POLICY ACT OF 1974

WHEREAS the intent of the Land Policy Act of 1974 is to provide a procedure for the development of land use which encourages the conservation of the State's resources by local governments; and

WHEREAS the bill seeks to provide essential public services equitably to all persons within the State; and

WHEREAS the bill seeks to develop a State Land Classification System to provide for the orderly growth and development of land in a manner consistent with the wise use and conservation of land resources; and

WHEREAS the bill provides technical assistance for the systematic identification of areas of environmental concern and for the development and implementation of State and local land use programs; NOW THEREFORE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that the Board strongly urges the General Assembly to establish, without delay, machinery necessary for the application and implementation of the policy goals contained in the Land Policy Act of 1974.

This the twenty-seventh day of January, 1975.

Said motion was unanimously carried. Alderman Welsh requested that copies of this resolution be sent to the same persons to whom the State Land Management Policy resolution is sent.

State Land Management  
Policy--Resolution

Alderman Welsh moved, seconded by Alderman Cohen, that the following resolution be adopted:

RESOLUTION ON STATE LAND MANAGEMENT POLICY

WHEREAS the Coastal Areas Management Act of 1974 has as its goals the creation of a management system to preserve and manage the natural ecology; to ensure that the development or preservation of areas is determined by ecological considerations; to ensure orderly and balanced use of land resources; and to establish policies and guidelines over a broad spectrum of land uses; and

WHEREAS the above goals are no less applicable to and desirable for the Piedmont and Mountain areas of North Carolina, threatened as they are by similar and uncontrolled pressures for development, than they are for the coastal areas of the state; and

WHEREAS the existing framework could be expanded to include the State as a whole under the Coastal Areas Management Act; NOW THEREFORE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that the Town of Chapel Hill strongly supports the extension of the concepts and procedures of the Coastal Areas Management Act of 1974 to cover the entire state, and that the Town urges all citizens and legislators of the State to act in furtherance of this desirable end; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to State Senator Charles Vickery, State Senator Russell Walker, Representative Patricia Hunt, and Representative Edward Holmes.

This the twenty-seventh day of January, 1975.

Said motion was unanimously carried.

Mass Transit Federal Guide-  
lines--Resolution to UMTA

Alderman Cohen said that the resolution is asking for changes in the law that limits federal support to cities under 50,000; Chapel Hill is not eligible under this law, since it is considered to be in Durham district. Alderman Cohen moved, seconded by Alderman Gardner, that the following resolution be adopted:

RESOLUTION ON PROPOSED COMMENTS TO UMTA ON FEDERAL GUIDELINES ON OPERATING EXPENSES FOR MASS TRANSIT

WHEREAS the Urban Mass Transit Administration requested comments on its proposed regulations for federal assistance, in 40F.R.2534; and



WHEREAS the Town of Chapel Hill is an interested party, as operator of a transit system; NOW THEREFORE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, North Carolina, that:

1) the Board of Aldermen feels that no Congressional intent was shown in Public Law 93-503 or the accompanying committee report to limit operating aid to cities under 50,000;

2) the Board of Aldermen is unsure of the meaning of Section E, allowing extensions of urbanized areas, and urges that the regulations be amended to encourage such extension where an existing transit system could receive funds.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Urban Mass Transportation Administration.

This the twenty-seventh day of January, 1975.

Alderman Welsh requested that the recommendation also be sent to the Secretary of DOT. Said motion was unanimously carried.

Budget Ordinance--Amendment Mr. Kurt Jenne, Assistant Manager for Community Development and Services, said that the ordinance is needed to cover the purchase of law books for police legal adviser; 80 percent of this cost will be reimbursed by federal government. The amendment also covers the construction of basketball court on WCHL property; these funds are taken from money budgeted for football equipment. Town Attorney Denny asked whether the Recreation Commission approves this change. Alderman Welsh said yes. Alderman Welsh moved, seconded by Alderman Gardner, that the following ordinance amending the budget ordinance for the fiscal year beginning July 1, 1974 and ending June 30, 1975 be adopted:

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1974 AND ENDING JUNE 30, 1975

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 Revenues for the Fiscal Year beginning July 1, 1974 and Ending June 30, 1975" as duly adopted on July 15, 1974 be and the same is hereby amended as follows:

<u>General Fund (10)</u>	<u>Increase/(Decrease)</u>	<u>Total</u>
10-470-04	(2000)	\$5600
10-470-74	2000	\$2000
10-629-3437	(650)	\$3336
10-620-73	50	\$ 50
10-620-74	600	\$2300

#### SECTION II

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

This the twenty-seventh day of January, 1975.

Said motion was unanimously carried.

Committee on Aging--  
Appointments

Ms. Arlena Riggsbee, Ms. Gatha Lassiter, and Mr. William Hawkinson be re-appointed to two-year positions; the Committee still does not have a recommendation for the replacement of Mr. Graham Cook, whose term will expire December 31, 1976. Mayor pro tem Smith asked for additional nominations. Alderman Welsh moved, seconded by Alderman Gardner, that Arlena Riggsbee, Gatha Lassiter, and William Hawkinson, be re-appointed to the Committee on Aging for terms expiring December 31, 1976 by acclamation. Said motion was unanimously carried.

Mayor pro tem Smith said that the Board has received recommendations from the Committee on Aging that

Recreation Commission--  
Appointment


Mr. Lee W. Hauser be appointed to fill the three-year term ending December 31, 1977. Mayor pro tem Smith asked for further nominations. Alderman Welsh moved, seconded by Alderman Marshall, that nominations be closed. Said motion was unanimously carried. Alderman Welsh moved, seconded by Alderman Marshall, that Lee W. Hauser be appointed to the Recreation Commission for a term ending December 31, 1977 by acclamation. Said motion was unanimously carried.

Mayor pro tem Smith said that the Board has received a recommendation from the Recreation Commission that

There being no further business to come before the Board of Aldermen, the meeting adjourned at 10:45 p.m.



Mayor



David B. Roberts, Town Clerk

MINUTES OF A REGULAR MEETING OF THE MAYOR AND THE BOARD OF ALDERMEN  
OF THE TOWN OF CHAPEL HILL HELD IN THE MUNICIPAL BUILDING, MONDAY,  
FEBRUARY 3, 1975 AT 7:30 P.M.

The Board of Aldermen met for a regular meeting on February 3, 1975 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

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

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, Town Clerk D. Roberts and Town Attorney E. Denny.

Alderman Smith moved, seconded by Alderman Welsh, that minutes of the meeting of January 27, 1975 be approved as corrected. Said motion was unanimously carried.