

Howard N. Lee
Mayor

David B. Roberts
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, APRIL 14, 1975 AT 7:30 P.M.

The Board of Aldermen met for a regular meeting on April 14, 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
R. D. Smith
Alice M. Welsh

Absent: None

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

Alderman Smith moved, seconded by Alderman Marshall, that the minutes of the meeting of April 7, 1975 be approved as corrected. Said motion was unanimously carried.

Executive Session--
Land Acquisition and
Litigation

Mayor Lee said that an executive session is needed to discuss land acquisition and litigation. Alderman Welsh moved, seconded by Alderman Gardner,

that an executive session to discuss these matters be held at the end of this meeting. Said motion was unanimously carried.

House Bill 277--Petition

Ms. Ann o'Tuama, Board member of North Carolina Society for Autistic Children and Board member of Parents and Professionals for Handicapped Children (PPHC), and Ms. Stephanie Cashwell, President of Orange County Association for Retarded Children, presented a petition with 190 signatures that asks Board to reconsider its action of March 24, 1975 in regard to HB277 and to pass a resolution in favor of it.

Since the collection of these signatures, action in the legislature indicates that passage of this bill is unlikely, and the request is changed to filing the petition with the Town Clerk for Board's future reference. Mayor Lee said that the action of the Board was not in opposition to group homes in residential areas, but in opposition to the way that State is handling the matter; the Board opposed the concept that Town would have no say about the location or necessary requirements for group homes. Ms. O'Tuama requested that the Board consider passing a resolution stating that it supports the concept of location of group homes in residential areas. Alderman Marshall said that she feels such an action would be appropriate, since she has received many phone calls on the matter. Ms. O'Tuama said that there are difficulties present in establishing group homes in residential areas in Town, and requested that PPHC be allowed to provide input in the future Zoning Ordinance revision concerning this. Mayor Lee said that such input would be appropriate. Alderman Cohen said that he favors locating group homes in residential areas and would favor a State bill requiring certain municipal actions on this, but that he cannot support the language of HB 277 which would prevent any restriction over group homes, even such as Town exercises over residential

homes. Alderman Smith said that Town now requires no more of group homes than of residential homes, with the exception of more stringent requirements under fire code if a large number of people reside in the home. Town Attorney Denny said that there is some need for language clarification in Town ordinances, since group homes as such are not mentioned in the ordinances. The interpretation of these has been administrative, and the same standards have been applied as for rooming houses, unless the number of residents is large enough for the group home to be considered in the same category as fraternities. Alderman Welsh moved, seconded by Alderman Smith, that the petition be received, and a resolution drafted in support of location of group homes in residential areas. Said motion was unanimously carried. Alderman Gardner requested that PPHC provide more written material to the Board in this matter.

Day Care Task Force
Report--Work Session

Alderman Cohen requested that the scheduling of work session to consider the Day Care Task Force

Report be postponed until the next regular Board meeting. Alderman Welsh moved, seconded by Alderman Marshall, that scheduling of this work session be postponed until the Board meeting of April 21, 1975. Said motion was unanimously carried.

State Highway Plan--
Public Hearing

Alderman Welsh petitioned the Board to place on the agenda consideration of what presentation Board

may wish to make at the April 21, 1975 public hearing on setting highway priorities. Alderman Marshall moved, seconded by Alderman Welsh, that the petition be received and the matter placed on the agenda under 5b. Said motion was unanimously carried.

Transportation Department--
Temporary Garage

Town Manager Kendzior petitioned the Board to place on the agenda consideration of relocating the

temporary Transportation Department Garage from the location that was approved at the March 3, 1975 meeting. Alderman Welsh moved, seconded by Alderman Gardner, that the petition be received and the matter placed on the agenda under 4b. Said motion was unanimously carried.

Eubanks Road Improvements--
Fund Transfer

Town Manager Kendzior petitioned the Board to place on the agenda consideration of transferring

funds within the Landfill Account to permit the land acquisition on Eubanks Road. Alderman Gardner moved, seconded by Alderman Cohen that the petition be received and the matter placed on the agenda under 6e. Said motion was unanimously carried.

Capital Improvement Program
--Public Hearing

Alderman Marshall petitioned the Board to reschedule the Capital Improvement Program Public Hearing

from April 21, 1975 to May 5, 1975 because of the lack of publicity in news media. She presented the newspaper ads for the CIP hearing and Apple Chill Fair showing the lack of visibility of the CIP ad. Alderman Cohen said that he agrees with the concern about the lack of publicity. He asked whether large display ads in Wednesday and Sunday issues of the Chapel Hill Newspaper would be sufficient to permit the public hearing to be held on April 21. Town Manager Kendzior said that these ads could be inserted in the newspaper on Wednesday and Sunday. Alderman Marshall said that in that case she would be willing to have the hearing on April 21. Alderman Cohen requested that the ads indicate how much money is proposed to be spent in each of the nine different categories. Alderman Welsh asked that additional publicity besides the newspaper ads also be used. Alderman Smith moved, seconded by Alderman Welsh, that the petition be received, and that CIP Public Hearing remain scheduled for April 21, 1975, with Town Manager using all possible means of publicity. Said motion was unanimously carried.

Council of Governments

Alderman Marshall presented an article from the March, 1975 issue of Nation's Cities entitled "Health Care: Readying the System for Major Changes," and requested that Alderman Smith inquire about the status of the implementation of health service boundaries bill from Triangle J COG with a query as to what, if any, role it is expected the LRO will play. Alderman Smith agreed that often Triangle J COG delegates are expected to act on important matters without any input and that delegates can act better if this input from local Boards is available. Alderman Gardner agreed about the existing situation.

Transportation Advisory Committee--Public Meeting

Dr. Marvin Silver, Chairman of Transportation Advisory Council, said that a public meeting is scheduled for April 24, 1975, at 8:00 in the Municipal Building to receive input from citizens on the bus system. General publicity for this meeting is planned, but TAC will not contact individual people who have communicated with TAC in the past. TAC is also starting to develop service standards for the system, which may involve policy decisions at a later time. Alderman Welsh asked whether all the inquiries received by TAC have been reviewed. Dr. Silver said that some of these inquiries have already been implemented in the recent route changes; people with other concerns have been informed of the public meeting, at which these other matters can be reconsidered. Alderman Gardner asked whether a general information sheet on local bus operations is available. Dr. Silver said that TAC has not considered providing such information sheet, but that this should be helpful to receive an overall view of the present operation of the bus system.

Transportation Department--Temporary Garage

Town Manager Kendzior said that at the March 3, 1975 meeting Board approved a location for the temporary garage on the Plant Road site. Since that time a number of difficulties have become apparent with this location: it interferes with the underground storage tank, the underground utility pipes and the power lines. He asked that Board authorize the relocation of the building to the Alternate #2 site, as presented at the meeting of March 3, 1975. The only change that would be made in the building itself would be to increase the size of the bays from 20 feet to 25 feet, with a corresponding cost increase on a per foot basis. He said that Alderman Gardner and Rancer are aware of this proposed change and approve of it, as does TAC representative Mr. Morris. Alderman Welsh asked whether other alternative locations close to the existing building were considered. Town Manager Kendzior said that other locations would interfere with the gas service or present circulation problems. Alderman Welsh asked whether additional expenses will be caused by the necessary utility connections. Town Manager Kendzior said that the water and sewer lines are adjacent to the lot, and the cost for extending to these would be comparable to dealing with the problem of overhead power lines at Alternate #1 site. Public Works Department will do the preliminary grading for the site. Alderman Gardner said that, with this location, the future need for an additional Public Works building will be eliminated, since it will have better traffic circulation than Alternate #1. This location also fits in with the long range plans for the site. Alderman Cohen moved, seconded by Alderman Marshall, that Board action of March 3, 1975 on Transportation Department temporary garage location be rescinded, and that Town Manager be authorized to relocate the temporary garage to Alternate #2 site. Said motion was unanimously carried.

Greenway Development--Pedestrian Paths

Town Manager Kendzior said that the proposal, as presented at the last Board meeting, has been

reviewed, and that Public Works Department can make rustic signs which would be installed with volunteer help. Public Works Department can also help with necessary drainage on the path, provide wood chips to stabilize the path, provide necessary tools for the clearing work, and provide expertise and materials for the volunteers to construct necessary bridges along the path. The revised estimate for nine foot solid wood signs with directional arms is \$75 per sign which includes cost of materials and labor, but not installation. To provide the necessary signs from Battle Park to Estes Drive along the roadbed of Weaver Road, an estimated nine signs are needed. Alderman Welsh said that the Open Space Committee is feeling frustrated that Town is acquiring property, but that residents do not know how to get to these areas because of lack of directions. The committee felt that Town should clean up this area as cheaply as possible to see whether the trail system is a worthwhile one. Boy Scouts, Girl Scouts and Sierra Club are setting May 3, 1975 as a work day to begin clearing out this trail. The committee is requesting that Public Works Department provide the other services specified by Town Manager, with volunteers doing the necessary work, and with budget of less than \$1,000. Alderman Smith said that he does not object to clearing out the path, but feels that the cost of the signs is too much and that this could be decreased by using junior high school students in carpentry shop; he requested that the committee get an estimate on this from schools. He would prefer that the money be spent on improving the paths. Alderman Marshall said that she feels this project is very necessary, since many people are unaware of the paths but would enjoy them. Alderman Gardner said that he feels the cost of the signs can be cut down to \$25 with student work and that community organizations would be willing to help with other work on the project. Alderman Welsh said that Appearance Commission will be considering the appearance of the proposed signs. Alderman Smith expressed concern that Public Works regular duties will be affected if they help with this project. Alderman Welsh moved, seconded by Alderman Gardner, that the necessary improvements as outlined by Town Manager for the Greenway System be approved, and that up to \$1,000 be spent on signs and other materials as necessary. Town Manager Kendzior said that Board can get this money either from Board Contingency Fund or from line item transfer from areas what are presently under budget estimates. He recommended that the funds be obtained from line item transfer, with further Board action if necessary. Mayor Lee said that he feels the project is important, but would prefer that action on it is postponed until budget time to properly determine its priority in relation to other projects. Alderman Marshall said that the work day is already scheduled, and that \$1,000 is not a large amount to spend for improving Town property. Alderman Gardner said that many people in town are contributing to the project and that all the funds requested may not be needed. Alderman Marshall said that Town has spent a lot of money on ballfields and very little for pedestrian paths. Alderman Smith said that he feels student help should be used in making the signs, and that Public Works should do their regular duties first, since it is Town's responsibility to provide necessary services; this project should be done by volunteers as much as possible, with Public Works helping only if volunteers are unable to do the project. Alderman Welsh said that the Open Space Committee has been working for four years and now is seeing some property becoming available that can be used by Town. She said that Town should use this opportunity to see whether a trail system will be worthwhile, with volunteer services sparing the need for Town labor. She said she finds it difficult to accept that Board may not feel the project worthwhile. Alderman Smith said that he feels the project is worthwhile, but questions the estimated cost of the signs. Alderman Gardner said that if the Junior High School shops can build the signs at half the proposed cost, he will volunteer to raise the rest of the money from donors so that the signs will not cost Town anything. Said motion passed by a vote of five to one, with Alderman Smith opposing.

State Highway Plan--
Public Hearing

Alderman Welsh said that she would like the Board to discuss what action it wishes to take at the DOT public hearing scheduled for April 21, 1975. Mayor Lee said that the

purpose of the hearing is to review the overall highway plans and receive public input. This public hearing is one of several held around the state. Alderman Welsh asked whether public transportation is also included. Mayor Lee said no. He agreed that a Board representative should attend the hearing to express Board feelings. Alderman Cohen said that he feels a balanced transportation system should be considered, since the expression of feelings on highways alone will not make DOT aware of other developmental possibilities. Alderman Smith said that he feels Board should express its concern about an adequate highway to serve the State Zoo, since much of the traffic will pass through Town if another road is not developed, and the 15-501 Bypass would not be able to handle this traffic adequately. Alderman Gardner said that Town and Carrboro are in agreement about needed work on Highway 86 north, 54 east and West Franklin Street Extension. He suggested that a resolution be drafted on these three needs. Alderman Welsh requested that Town Manager draft a position statement on actions that Planning Board and Board of Alderman has taken in the past on highway matters, and that this be consolidated in a factual report to be transported to the public hearing. Alderman Smith moved, seconded by Alderman Welsh, that Town Manager act administratively in preparing a statement, and that Town Manager or his designate attend the hearing to read the prepared statement. Alderman Gardner and Cohen said that they also will be attending the hearing. Said motion was unanimously carried.

Senate Bill 506, Community
Development Block Grants--
Resolution

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

RESOLUTION IN SUPPORT OF SB506

WHEREAS counties and cities are not eligible for Community Development Block Grants, and

WHEREAS SB506 would authorize the counties and cities of North Carolina to fund a wider range of the programs previously supported by direct federal grants than is now possible under North Carolina statutes;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town of Chapel Hill supports the passage of SB-506.

This the 14th day of April, 1975.

Said motion was unanimously carried.

Community Development Block
Grant--Resolution

Mr. Kurt Jenne, Assistant Town Manager for Community Development and Services, said that action on

this matter was postponed at the last week's meeting, since Board wished to review the projected budget for administration of the program. Board held a joint work session with Housing Authority on April 10, 1975 to discuss the proposed administrative budget. Within the past week, Town has also learned that there are some difficulties with submitting the plan as prepared, since Town Attorney is unable to give assurances to HUD that Town has legal authority to undertake certain proposed activities. Staff recommends that the Board make some temporary changes in the Community Development Block Grant Application to place the funds from categories for which Town has no legal authority to categories that are uncontroversial. When SB506 which gives municipalities authority to provide these controversial services, becomes law, Board can file an amendment with HUD and replace these funds in their original categories. These temporary changes should be as follows: place \$21,500 from day care scholarships and \$11,500 from new home subsidies into local option activities; and place \$195,000 from housing relocation payments and \$45,000 from housing rehabilitation grants into storm drainage installation. The revised summary of activities and funding sources is as follows:

38

Mr. Jenne said that HUD officials have indicated that there should be no problems with amending the grant since many state communities are having similar problems. If SB506 is enacted into law prior to July 1, 1975, the amendment can be submitted prior to the start of the program year. Mayor Lee said that the grant amendment, once SB 506 is enacted, will come back to the Board, but he emphasized that the changes are intended as temporary in nature with funds replaced into the originally scheduled activities. Town Attorney Denny read the following resolution:

RESOLUTION ON COMMUNITY DEVELOPMENT BLOCK GRANT

BE IT RESOLVED by the Board of Aldermen, Town of Chapel Hill, that the Town of Chapel Hill authorizes Mayor Howard N. Lee to file with the Department of Housing and Urban Development an application, including all understandings and assurances required therein, for a grant of \$465,000 in Community Development Block Grant funds; and

BE IT FURTHER RESOLVED that Mayor Howard N. Lee be and the same is hereby directed and designated as the authorized representative of the Town to act in connection with the application and to provide such additional information as may be required.

This the 14th day of April, 1975.

Alderman Smith moved, seconded by Alderman Marshall, that the resolution be adopted as read. Said motion was unanimously carried.

Channel Posts--Bids

Town Manager Kendzior said that 1974-75 Budget allocates \$23,570 for supplies for buildings and grounds. Sign posts are a supply item and there are sufficient funds remaining for this purchase. He said that the 300 12-foot galvanized channel posts are used for street and bus signs, and is the estimated number needed for the coming year. Two hundred of these posts are three pound and one hundred are two pound weight, with the heavier weight used where sturdier posts are needed such as for bus stop signs. Notice to bidders appeared in the April 1, 1975 edition of the Chapel Hill Newspaper, and notices were sent to five prospective bidders. On April 8, 1975, five bids were received. The Director of Public Works and the Purchasing Agent recommend accepting the low bid from Southeastern Safety Supplies, Inc. of Columbia, S. C. Alderman Gardner asked whether local suppliers were contacted. Town Manager Kendzior said that staff made every effort to do so, but some of the main suppliers in the area did not reply. Alderman Welsh moved, seconded by Alderman Smith, that the Board accept the low bid from Southeastern Safety Supplies, Inc. of Columbia, S. C. for 200 three pound 12-foot galvanized channel posts at a unit price of \$15.10, and for 100 two pound posts at a unit price of \$10.03. Said motion was unanimously carried.

Street Maintenance--
Priorities

Mayor Lee said that Town Manager recommends resurfacing of the following streets in order of priority: Whitehead Circle, Morgan Creek Road, Mitchell Lane, Ferrell Road, Cherokee Circle, Hillview Road, Thornwood Road, Laurel Hill Road, and, if funds permit, Mallette Street and Carr Street. Town Manager recommends paving of the following streets in order of priority: Kingsmill Road and Laurel Hill Road, Cleland Road, Ward Street, Old Pittsboro Road, and Howell Street. Town Manager Kendzior said that the unpaved streets would be paved with asphaltic concrete without curb and gutter and that three of the unpaved streets on the list are part of bus routes. Alderman Gardner said that the priorities presented for resurfacing do not match the priorities for street resurfacing presented a year ago. Mitchell Lane, Cherokee Circle and Hillview Road were not on the previous list; Morgan Creek Road was #24, Ferrell Road was #14, Thornwood Road was #21, Laurel Hill Road was #13, Mallette Street was #23, and Carr Street was #11. Town Manager Kendzior said that the priorities have been changed because of the extensive deterioration of some of the streets during the year. Whitehead Circle was deferred from last year; Morgan Creek, Mitchell

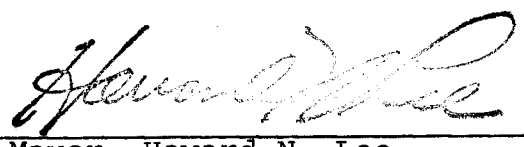
Lane, and Ferrell Road are breaking up extensively; Cherokee Circle had a water main replaced three years ago and the street surface was never refinished; Hillview is on the bus route; Thornwood has been patched many times and needs resurfacing; Laurel Hill Road needs routine maintenance; and Mallette and Carr Streets need leveling course and surfacing course. Some of the roads given high priority in last year's list have needed less maintenance than these roads. Alderman Gardner said that the residents need to be informed that the priorities have been changed, since they have been expecting that their streets will be resurfaced this coming year. Alderman Welsh asked whether there have been any petitions or requests on street improvements. Town Manager Kendzior said that he is not aware of any petitions; there have been many requests for street work, especially on substandard streets. Residents of Fern Lane have requested that their street be paved, but University owns land on one side of the street and the project needs to be coordinated with them. Mayor Lee asked that Town Manager approach University about paving Fern Lane, with University paying their share, and to report back to the Board. Alderman Gardner said that the residents of Fern Lane have indicated willingness to petition Town about paving the street, if Town will do so without curb and gutter. Town Attorney Denny asked whether residents will be assessed for paving the dirt streets. Town Manager Kendzior said no, since the paving is intended for stabilization of surface and does not include curb and gutter. Alderman Welsh requested that further consideration on the matter be postponed until the next regular Board meeting.

Eubanks Road Improvements--
Fund Transfer

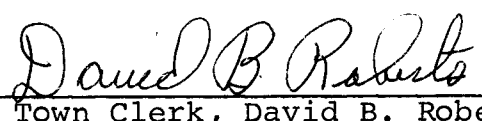
Town Manager Kendzior said that the Board authorized Mayor to sign escrow agreements and issue check;

it is also necessary to allocate \$8,000 from Capital Reserve to Capital Improvements and Equipment of Landfill Account to allow these checks to be issued. Alderman Welsh moved, seconded by Alderman Gardner, that Town Manager be authorized to transfer \$8,000 from Capital Reserve to Capital Improvements and Equipment of Landfill Account. Town Manager Kendzior said that these funds will need to be replaced, since it is necessary to maintain \$25,000 in the Capital Reserve. Town Attorney Denny said that approval of the other involved governing bodies is not needed for this fund transfer, since they have approved the escrow agreements. The \$8,000 is not the cost involved in the land acquisition, but is the amount required by DOT to be set aside for this purpose. Said motion was unanimously carried.

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



Mayor, Howard N. Lee



Town Clerk, David B. Roberts