

Said motion was unanimously carried.

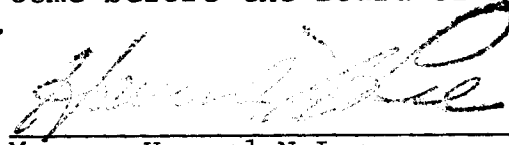
HB 473 and HB 254

Town Manager Kendzior said that a communication has been received from the League of Municipalities requesting that Board oppose HB 473 which provides for a 50% reduction in the property tax of business inventories, and HB 254 which provides for exclusion of personal household items from property tax. Alderman Cohen said that he has reservations about taxing personal household items, since local governments spend a lot of money evaluating property and keeping records and receiving small revenue in return. Mayor Lee said that he agrees with Alderman Cohen. He said that many items listed as luxury items are often considered necessities by residents, such as washing machines and TV sets. He said that he opposes HB 473. Alderman Welsh agreed with Mayor Lee. Alderman Marshall agreed with Mayor Lee. Alderman Cohen moved, seconded by Alderman Welsh, that Town administration write a letter to State representatives indicating that Board opposes HB 473. Said motion was unanimously carried.

New Horizons Bicentennial
Committee--Meeting

Mayor Lee announced that New Horizons Bicentennial Committee meeting will be held on Tuesday, June 17, 1975 at 4:00 p.m. in the committee meeting room.

There being no further business to come before the Board of Aldermen, said meeting adjourned at 8:55 p.m.



Mayor, Howard N Lee



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 OLD TOWN HALL, MONDAY, JUNE 9, 1975 AT 7:30 P.M.

The Board of Aldermen met for a Public Hearing, followed by a regular meeting on June 9, 1975 in the Old Town Hall. 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
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Absent:	Howard N. Lee, Mayor
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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.

PUBLIC HEARING

Budget Hearing for 1975-76

Mayor pro tem Smith said that the Public Hearing is called to consider the proposed Town Budget for 1975-76. He explained the procedure to be followed at the hearing. Town Manager Kendzior said that the recommended budget for fiscal year 1975-76 reflects a number of policy issues which have faced the Town over the past year. The budget document is a means by which these issues can be brought into focus in a comprehensive manner and by which the Board of Aldermen can set a definite direction for the provision of public services in the community during the new year. A great deal of effort has been made to describe and define clearly the public service programs which are

recommended and to specify what these programs will accomplish during the new fiscal year. Moreover, the recommended budget emphasizes productivity. Careful attention has been given to streamlining operations, fixing responsibility, improving accountability and making efficient use of available resources.

Town Manager Kendzior said that GENERAL GOVERNMENT consisting of the Mayor, Board of Aldermen, Town Manager, Finance, Tax, Clerk and Legal, is recommended at \$374,500, an increase of \$39,500 over the current year. Several functional improvements are described in the Manager's and Clerk's programs which will increase the efficiency of administrative operations in the new year. SOCIAL AND PHYSICAL DEVELOPMENT, consisting of Human Services, Planning, Inspections and Public Works is recommended at \$1,668,000, an increase of \$456,000 over the current year. This increase primarily reflects several major changes in the Public Works Department in the new year. The establishment of an engineering section will enable the Town to centralize implementation and coordination of all capital projects and engineering work. A construction crew is necessary to perform the many small projects tasked to DPW each year and will be absolutely essential when the Town loses its sewer maintenance crew, currently the primary resource for these projects, to a water/sewer authority. In the new year, funds for all maintenance and repair of vehicles, vehicle supplies and utilities are budgeted in Public Works. Also, a long-term program is initiated to increase efficiency in the Town's sanitation operations. The major focus of the planning program in the new year is to produce significant progress in the formulation of a revised long-range development plan in conjunction with continuing refinement of the Town's capital improvement and community development programs. Inspections will continue its high quality of construction and housing inspection and will play an important role in the implementation of the community development program. Human Services will also make significant contributions to the achievement of the community development objectives. Its organization, its functions and its objectives for the new year are more clearly defined than in past years. PUBLIC SAFETY, consisting of Police, Fire, Animal Control, Civil Preparedness and Off-street Parking is budgeted at \$1,346,000, an increase of almost \$121,000 over the current year. Emphasis is being placed in the new year on improved comprehensive training and more effective manpower deployment in both police and fire. Although off-street parking is budgeted in this general fund category, supervision of this function will be transferred to the Transportation Department as an initial step in developing a comprehensive transportation program for the Town. LEISURE ACTIVITIES including Recreation and Library is budgeted at \$315,000, an increase of \$25,000 over the current year. Recreation will offer a strengthened teen program in the new year and the Library will be able to extend its consistently high-quality service to the additional public space which was provided in the current year. SUNDRY, consisting of personnel fringe benefits, a small contingency and debt service, is budgeted at \$1,059,190, an increase of \$469,930 over the current year. The new year budget incorporates general reclassification of employees in Recreation and Library and the Town's class of secretarial employees, the three groups identified by the state personnel study as having salaries most inconsistent with their job responsibilities and competitive market rates. Also budgeted in the new year is a 5% cost-of-living increase for all Town employees. Debt service is budgeted to include the Town's current obligations and the additional debt service which would be required in the new year to support the five-year Capital Improvement Program recommended to the Board in March. Also included is a \$110,000 contribution to the Capital Improvements Fund for start-up project costs. Total General Fund revenues are estimated at \$4,763,695, an increase of \$446,040 over the current year. This increase will result from an aggressive collection program by the Town and an increased fund balance over that of the current year. The general fund budget proposes no tax increase. The new year tax levy for the general fund budget will remain at \$.89 per \$100 valuation. Town Manager Kendzior said that

the Wastewater Fund will be self-supporting in the new year with no increase in service charges. The Landfill Fund will also be self-supporting but will require an increase in user charges. The public transit system will offer for the first time, special service for the elderly and handicapped and will institute several changes in routing and scheduling to improve both service and economy. Transportation Fund revenues reflect both a \$388,000 contribution from General Revenue Sharing and an additional \$143,800 from the ad valorem tax. The new year tax levy for the Transportation Fund budget will increase from the current \$.035 per \$100 valuation to the full \$.10 per \$100 valuation authorized. In the new year the Town will realign its capital funds by closing out five separate project funds and consolidating most long-term public improvement projects in a single Capital Improvement Fund. This will provide a clear view of the Town's annual capital budget and will facilitate accurate and coordinated project management and accounting. The Community Development Program has been budgeted in accordance with the Town's original intent, anticipating state legislation which will permit the Town to engage in all of the activities included in the program.

Mayor pro tem Smith asked for comments from citizens. Dr. Gertrude Willis asked whether the funds budgeted for transportation are only for the bus system, or whether these also include parking; whether the 10¢ levy for Transportation Fund is intended to be continued indefinitely; and why there is a need for thirteen persons in the Department of Human Services. She also said that she feels it would be better to account for the cost of postage and telephone by departments rather than together in one item. Town Manager Kendzior said that the Transportation Budget attempts to combine similar Town functions and does not include only bus system; the 10¢ tax levy is the maximum permitted by law and will need to be continued to maintain the present level of service. He said that the Department of Human Services has ten proposed positions under general budget; Manpower project is funding this year a police social worker and this position will be continued next year; a position under Housing Authority funded by redevelopment funds will also be placed under Department of Human Services. Also RSVP director and Council on Aging are under this department. He said that placing postage and telephone for all departments together is an attempt to get a true overall cost of these expenses.

Ms. Ilene Lee, president of Orange County Day Care Coalition, urged that the Board allocate revenue sharing funds to supplement Community Development money already budgeted and to urge the Board to implement the following recommendations presented by Mayor's Task Force on Day Care: 1) allocate scholarship funds to help the many low income families who will not receive any Department of Social Services Title XX funds; 2) set up an expansion and improvement fund which will help increase the number of adequate child care centers in Town; 3) appoint a committee for children to develop guidelines and policies for dispersement of funds; and 4) create an office for children, staffed by a person who can assess needs, develop program plans and proposals, coordinate the many existing resources for families and their young children, and seek new sources of funds from both private and public sources. Ms. Lee asked that supporters of this proposal in audience stand up. About fifty persons stood.

Ms. Sue Konrad, member of Orange County Day Care Coalition, said that they have received leaflets from Miami, Florida, where more than \$500,000 have been allocated from revenue sharing funds for operation and assistance to day care. She asked that Board support the Mayor's Task Force on Day Care report and its major recommendations. She presented petitions with 1,330 signatures indicating a desire for Town's support of day care.

Mr. George Harris said that he supports day care, and considers it a community service and an obligation. He said that the alternatives to day care are custodial care, or care of children by grandparents

or older children. He said that the children are the main beneficiaries of day care, not the parents. He said that the services provided by day care, such as hot lunches for children, physical education, and early detection of learning disabilities, make day care support one of the best ways to spend tax money.

Rev. Jim Riddle said that he is most familiar with one day care center, which serves forty children and has ten full-time and two part-time staff persons. The average salary of staff is less than \$100 per week. The total budget for this year has been over \$68,000, with projected budget for next year at \$80,000, which averages at about \$2,000 per child. He said that day care allows a large number of two parent families to work or go to school, with money earned by parents being spent in the community. He said that even tuition paid by Department of Social Services is now inadequate and needs to be supplemented by about \$300 per year per child. In 1975 this day care center will have a deficit of about \$4,000, and for next year the deficit is projected at \$9,000. He said that most of the centers are sponsored and operated by volunteers and it is unrealistic for each center to continue raising several thousand dollars a year to continue operation; the only solution is for public to bear a responsibility for this support, similar to the support of public educations. He asked that Board support day care and fulfill the four aims of the Mayor's Task Force on Day Care recommendations.

Ms. Ida Couch, member of the Parents' Board of Community School for People Under Six, and member of Mayor's Task Force on Day Care, said that she feels day care has encouraged her to do things for herself and to give a better home for her child. She said that, without day care, many children would have problems at a later age. She asked that Board support day care to give both children and parents a chance.

Ms. Pat Faherty said that she has two children in Community School for People Under Six; as a parent she has chosen to put her children in a day care because of the value of the excellent learning experience, with children learning to deal with other adults and children. As a parent, it has been consoling to know that she is not the children's entire world, and has been able to enrich her own life. Through day care, she has become involved in community. She asked for Board to remember that day care is not a last alternative, but a positive good for children, and needs to be treated as such.

Ms. Susan Rosenthal said that she works in special educations and has had a child in day care since one year of age. For that age, there are only two day care centers in Town both with long waiting lists, and she was forced to put her child in a morning program, with afternoon babysitters, at a total cost of over \$200 per month. She said that now women can have the opportunity to continue their careers after they have children, and that she hopes opportunities for women in Town will not be denied because of a lack of quality of day care.

Mr. Craig Remy, a researcher at Frank Porter Graham Child Development Center, said that concern has been expressed about social consequences of day care on very young children, but preliminary conclusions can be drawn from studies completed that show children enjoy social and intellectual benefits from day care. Concern has also been expressed that day care may have a divisive influence on family, but this is more dramatic in statement than in content. He asked that resources be allocated to day care, since this is a worthy cause.

Ms. Patti Paddock, parent and teacher at Community School for People Under Six, said that the center is in need of new facilities by August, and that it will probably need to spend \$500 to \$2,500 to make any new facilities licensable and certifiable. Closing of this center would be devastating to Town, since there are now 100-150 children on waiting lists in need of day care. She said that the center is one of five programs serving two-year olds and the only certified after-school program. She said that day care in Town is

in a financial crisis and asked Board to consider support very seriously and to consider all four points on the Mayor's Task Force on Day Care recommendations.

Ms. Diana Boulard of Orange County Department of Social Services, said that Town has nine certified day care centers. She said that the staff is concerned about the high cost of meeting the certification standards because of the necessary services that must be provided. All the centers are now being supplemented by community in various ways, and additional help is needed to expand the services and to continue to provide present services. When Title XX becomes effective, it is estimated that the number of eligible children will double from 80 to 160. More spaces are needed for infants, age 18 months to three years, before school, after school and summer school-age children. She asked that Board support revenue sharing funds for day care.

Ms. Bobby Summers said that University and hospital are the only industries in Town, and that she can understand Town feeling uncomfortable about supporting day care when these employers are not helping. She said that the hospital has now set up a task force similar to the one set up by Town and is also starting to work on the problem of need for day care.

Ms. Margeret Holmberg said that the Mayor's Task Force for Day Care report indicates that the staff of day care is overworked and underpaid, with a high turnover. She said that public support is needed to ensure a quality care, and that Town can provided this support with available money to hire well-trained teachers at adequate salaries.

Ms. Pat Gustaveson, member of the United Fund Child Day Care Services Agency, said this group coordinates the four centers that receive United Fund support. She said that there is a great need for assistance to day care in Town, and asked Board to take the leadership in pulling together all the resources concerning day care, with a relatively small amount of money needed to create the office for children.

Ms. Marilyn Boulton said that there is a need for an early commitment of money for the salary of teen coordinator in recreation, so that this person can be hired by July 1, 1975, and asked whether the Board can consider giving this commitment. Mayor pro tem Smith said that the budget should be approved by June 23, 1975, but that no early commitments can be given.

Mayor pro tem Smith said that he appreciates the value of day care to Town, and said that the Board is also willing to support day care, which is why the Task Force was created, but the only action that Town can take within the confines of the present law is to create a position in Department of Human Services for coordinating and evaluating programs and services for children in Town; this the Board is considering. At the budget work session at which Department of Human Services was considered, Board requested that a letter be written to County Commissioners who have the responsibility to determine the number of children to take in under Title XX, requesting that the maximum number be considered. Aldermen Cohen will attend a meeting with County Commissioners to urge this. Alderman Cohen said that he found his work with the Mayor's Task Force on Day Care very educational and was impressed with the depth of concern about day care in community. He said that he hopes as much of the Task Force report can be implemented as is possible. He said that the Board has allocated \$21,500 from Community Development funds for day care, and has discussed the office for children, commission for children, and setting money in a contingency fund for certifying and expanding day care centers.

The Public Hearing adjourned at 8:35 p.m.

REGULAR MEETING

Alderman Cohen moved, seconded by Alderman Welsh, that minutes of the meeting of June 2, 1975 be approved as corrected. Said motion was unanimously carried.

Annexation--McFarling
Property

E. C. McFarling property fronting Old Oxford Road, included in Area 2 of annexed property. She said that in meetings with Planning Board and Board of Aldermen, the owners understood that all of McFarling property would be excluded from annexation. The property is zoned agricultural, is part of the McFarling farm, is used as a pasture for farm animals, and is not a part of either Foxcroft or Booker Creek subdivisions. She said that she believes the intent of the Board of Aldermen was to exclude all farm property from annexation, and asked that the situation be rectified immediately. Mr. Mike Jennings, Planning Director, said that all property fronting Mount Moriah Church Road was excluded from annexation. The ownership of the properties was not a consideration and the boundary line was drawn as a logical straight line along edge of properties fronting Mount Moriah Church Road. He said that the exclusion of the five acre lot would make a jog in the boundary line. He said that he has not researched the minutes of the Planning Board meeting, but it was his understanding that only property fronting Mount Moriah Church Road should be excluded from annexation. Alderman Gardner moved that the petition be received and referred to Town Attorney for his consideration and report back to the Board. Alderman Welsh offered a substitute motion, seconded by Alderman Marshall, that the petition be received, and consideration of the matter placed on agenda under 5a. Said motion was unanimously carried.

Budget for 1975-76

Mrs. Nicholson said that the Board should consider paring the budget to the existing rate, since a 5% increase in budget will mean that room rents for students will also need to be increased. She said that living accommodations for students are very expensive, and, since University and students provide the main livelihood for Town, Board needs to consider ways to pare the budget.

Board of Adjustment--
Nominations

Mayor pro tem Smith said that Board of Adjustment has a vacancy created by the resignation of James Barnett, whose term expires June 30, 1975. The Board of Adjustment recommends Mr. Peter G. Glenn of 404 Thornwood Road and Ms. Wanda H. Lewis of 309 McDade Street for nomination. Alderman Welsh nominated Peter G. Glenn and Wanda H. Lewis to the Board of Adjustment. Mayor pro tem Smith said that nominations will remain open until the Board meeting of June 16, 1975.

Transportation Advisory
Committee--Report on G
Route Change

Mayor pro tem Smith presented a report from TAC chairman, stating that TAC voted 3-2 to recommend that G-route be switched on an experimental basis from North Street and Boundary Street to a loop along Cameron Avenue, South Boundary Street, and Franklin Street. Staff recommends that this change not be made, but, if Board decided that buses should be removed from North Street, recommends that G-route run directly along Hillsborough Street from Franklin Street to Airport Road. Mr. John Pappas, Transportation Director, said that staff has looked at all the alternatives and made a recommendations to Town Manager that G-route remain on North Street. He said that TAC received comments on route changes at its public meeting and subsequently voted to retain G-route on North Street, reconsidered the matter when further suggestions were made, and recommend now that the proposed route change be made on an experimental basis. He said that staff feels that North Street route is sound, but, if Board wished to remove buses from it, that the bus take the most direct route between Franklin Street and Airport Road. Alderman Cohen said that, after considering the matter, he feels buses should be removed from North Street, since the extension of B-route will also serve public library. He said that he does not feel the proposed route change should be made, since it digresses from the most direct route;

since G-route is not yet operating at capacity, routes should be made as short as possible to encourage people to take the bus. He said that he feels the bus should take the direct route on Hillsborough Street, which is only one and a half blocks from the public library. Alderman Marshall said that the final decision on B-route has not yet been made. She said that she is concerned that pressure from a group of people not using the bus should be sufficient to cause bus route change. She said that there have been discussions at both the Board meetings and TAC meetings about more use of buses for Town services and activities. During summer vacations many children can take buses to the library if the library is on a direct route, while parents may be reluctant to permit children to use the buses if library is not served directly. Alderman Gardner said that elimination of North Street from the route would shorten the route and permit buses to keep more closely to their schedule. He said that North Street and Tenney Circle are close to the center of town and walking is a viable alternative. Other bus routes are still close by for use by residents. Continuing G-route on North Street gives the area residents a disproportionately favorable bus service. He said that the route distance savings would allow the expansion of service in another area. Mr. Pappas said that the time savings by eliminating North Street from the route amount to one or two minutes and would be mainly psychological. Alderman Welsh said that the area is considered a pedestrian precinct, and a bus route in the area does not benefit the residents to any great extent. She said that bus route on Hillsborough Street would still serve the library, and said that she favors removing the bus from North Street and making the route direct from Franklin Street to Airport Road. Mayor pro tem Smith asked whether staff has considered making the jog on Rosemary Street instead of North Street. Mr. Pappas said that this was the first alternative reviewed, and, even though this is a viable alternative, it still would violate the spirit of providing a quarter mile service to area residents. There is also a bad turn on Rosemary Street and Hillsborough Street intersection. Widening the street would help, but it is not certain whether there is enough area available for widening. Mayor pro tem Smith said that if residents of an area do not wish a service, then an alternate solution needs to be found. He said that he prefers the direct route, rather than the jog on Cameron Avenue and Franklin Street, and that the Rosemary Street route might be tried on a trial basis. Alderman Welsh said that Rosemary Street residents have indicated that they would object to a bus on their street. She said that the goal of a bus within a quarter mile of all area residents is not being met in other parts of Town, such as Mt. Bolus area. Alderman Cohen moved, seconded by Alderman Welsh, that G-route be removed from North Street and placed on Hillsborough Street with August schedule change. Mr. Pappas said that the route change can be made immediately with change to summer schedule. Alderman Cohen amended his motion to make the route change effective with change to summer schedule. Said amended motion passed by a vote of five to one, with Alderman Marshall opposing.

Parking Advisory Committee--Report

Mayor pro tem Smith said that the Parking Advisory Committee recommends that the access to Lot #2

be changed from North Columbia Street to East Rosemary Street. Alderman Welsh said that the Parking Advisory Committee has observed the parking lot utilization for a long time. During February and March Lot #2 was used less than 50%; during April - 53%; and during May - about 40%. The space utilization of lot #2 is so much less than of #1, that the committee felt it would be better to change the entrance of the lot to Rosemary Street, since entrances to other parking areas are there also. She said that the traffic movement on Columbia Street will be improved with this change. Alderman Marshall moved, seconded by Alderman Cohen, that the matter of changing access to Parking Lot #2 to East Rosemary Street be referred to Town Manager for cost estimates and report back to the Board. Alderman Cohen said that the proposed change in entrance would make it easier for people to get from Lot #1 to Lot #2, in case Lot #1 were full. Alderman Marshall said that, if the access were changed, Police Department will need to make a special effort to keep all illegal parking off Rosemary Street. Said motion was unanimously carried.

Annexation--Report
and Ordinance

Mr. Mike Jennings, Planning Director, presented the amended Annexation Plan Report, to reflect

deletion of Countryside and Argonne Hills from Area 1. Alderman Welsh moved, seconded by Alderman Cohen, that the Annexation Plan Report be accepted as amended on June 3, 1975. Said motion was unanimously carried. Town Attorney Denny said that the format of the annexation ordinance is the same as those the Board adopted at the meeting of June 2, 1975. Alderman Gardner moved, seconded by Alderman Marshall, that the following annexation ordinance be adopted:

AREA 1

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL UNDER AUTHORITY GRANTED BY ARTICLE 4A, SECTIONS 45 through 56 of CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, on the 24th day of March, 1975, the Board of Aldermen adopted a Resolution of Intent to consider the annexation of the area hereinafter described simultaneously with other areas not adjacent hereto, but adjoining and contiguous with the municipal boundaries of the Town of Chapel Hill, and

WHEREAS, said Resolution of Intent set the time and place of a public hearing thereon at 7:30 p.m. on the 28th day of April, 1975 in the courtroom of the Town Hall in the Town of Chapel Hill, described the area under consideration, and provided that the annexation report required by the provisions of Section 47 of Chapter 160A of the General Statutes of North Carolina be available at the office of the Town Clerk at least 14-days prior to the date of the public hearing, and

WHEREAS, notice of said public hearing was duly given by publication in a newspaper having general circulation in the Town of Chapel Hill once a week for a least four (4) successive weeks prior to the date of the hearing, and

WHEREAS, publication was duly made in the Chapel Hill Newspaper on April 6, April 13, April 20, and April 27, 1975, and

WHEREAS, on March 24, 1975, which is fourteen (14) days before the date of the public hearing the Board of Aldermen received and approved the report provided for in GS §160-A-47, and made same available to the public at the offices of the Town Clerk, and in addition thereto copies of said report were prepared for public distribution, and

WHEREAS, a public hearing was duly held at 7:30 p.m. on the 28th day of April, 1975 in the Town Hall of the Town of Chapel Hill at which said hearing a representative of the Town of Chapel Hill first made an explanation of said report, following of which all persons, resident or owning property in the territory described in notice of public hearing, and all other residents of the municipality in attendance were given an opportunity to be heard, and at which time the nature and character of the area was discussed, the large tracts then individual ownership, if any, the population residing in each particular portion of the area, and the services to be provided in the area by the Town in the event of its annexation, and

WHEREAS, an amended annexation report subsequent to said public hearing has been prepared, and

WHEREAS, said annexation report, as amended, was duly adopted by the Board of Aldermen of the Town of Chapel Hill on the 9th day of June 1975, and

WHEREAS, the Board of Aldermen has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the Town of Chapel Hill, and

WHEREAS, all of the prerequisites to the adoption of this Ordinance described in Article 4A, Sections 45-56 of Chapter 160A of the General Statutes of North Carolina have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That from and after the effective date of this annexation Ordinance, which will be the 20th day of June, 1975, the following described territories shall be annexed and become part of the Town of Chapel Hill, and the corporate limits of the Town of Chapel Hill shall on said date be extended to and include said territory more particularly described by metes and bounds as follows:

Area 1. A portion of North Lake Forest Estates and Greene Hills.

BEGINNING at the Northeast corner of Lot 37, Chapel Hill Township Tax Map 25, and proceeding South with the Western line of Lot 25-16 approximately 1045 feet to the Northern line of Lot 41B-8; proceeding thence South with the present Chapel Hill Corporate Limits 244 feet with the Eastern line of Lot 41B-8; proceeding thence South with the Eastern line of Lot 41B-7, 56, 125, and 206 feet to the right-of-way of Brookview Road; proceeding thence across said right-of-way to the Northeast corner of Lot 41B-6, South with the Eastern line of said Lot 260 feet and West with the Southern line 53 and 200 feet to the Eastern line of Lot 41B-5; proceeding thence South with the Eastern lines of Lots 41B-5 and 4, 115 and 210 feet to the Southeastern corner of Lot 41B-4; proceeding thence West 165 feet with the Southern line of said lot to the right-of-way of Kenmore Road; proceeding thence West across said right-of-way to the Southeastern corner of Lot 41B-3 and 200 feet West with the Southern line of said lot; proceeding thence North with the Western line of 41B-3 70 feet; proceeding thence West 140, 158, and 159 feet with the Southern lines of lots 41B-2 and 1; proceeding thence South approximately 300 feet with the Eastern lines of Lots 28B-A-17 and 18 and across Shady Lawn Road and 266 feet South with the Eastern line of Lot 28B-B-5; proceeding thence West along the Southern lines of Lots 28B-B-5; through 3 and 28B-C-10 through 3, a total of 1232 feet; proceeding thence 282 feet Southwest with the Southeast lines of Lots 28B-C-2 and 1; proceeding thence West 515 feet with the Southern lines of Lots 28B-C-1 and 28B-A-1 and across the right-of-way of Shadylawn Road; proceeding thence North and East with the back lines of Lots 28B-A-1 through 16, a total of 2416 feet, to the Northwestern corner of Lot 41B-1; proceeding thence North with the Western lines and extended Western lines of Lots 41B-16 and 17 approximately 1420 feet to the Southeastern corner of Lot 25-23; proceeding thence East with the Northern lines of lots 25-35 and 37 and across the right-of-way of Kenmore Road, approximately 1200 feet to the point of BEGINNING.

SECTION II

The Board of Aldermen hereby specifically find and declare that the above described territory meets the requirements of G. S. §160A-48 as follows:

Area 1 extends north from the existing Town limits near Brookview, Road. It includes the subdivisions of Green Hills and North Lake Forest Estates. All development is residential in character.

1. Area 1 is contiguous to the Town's boundaries, as defined in G. S. 160A-53(1), at the time of the beginning of the annexation proceeding. (G. S. 160A-48(b) (1))
2. The aggregate external boundary of the area is estimated at 10,800 feet of which 4,200 feet adjoin and are contiguous with the present municipal boundary. The percentage of this external boundary which adjoins or is contiguous with the present municipal boundary is therefore approximately 38.9 percent which considerably exceeds the required one-eighth (12.5%). (G. S. 160A-48(b) (2))

3. No part of Area 1 is included within the boundary of another incorporated municipality. (G.S. 160A-48(b) (3))
4. This area is developed for urban purposes as defined in G.S. 160A-48(c) (1). It contains approximately 75 acres with 45 privately owned houses, resulting in an estimated population of 152 persons and a density of 2.02 persons per acre.
5. The boundaries of Area 1 have been drawn such that, wherever practical, natural topographic features have been used. Where a street is used as a boundary, land on both sides of the street is included and the outside boundary extends no more than 200 feet beyond the right-of-way of the street. (G.S. 160A-48(e))

SECTION III

Provision of Services

It is the purpose and intent of the Town of Chapel Hill to provide services to an area being annexed on substantially the same basis and in the same manner as such services are provided within the rest of the Town prior to annexation. Plans for providing such services to Area 1 are outlined below as required by G.S. 160A-47(3).

1. Street Lighting. The University of North Carolina supplies electricity and street lighting, under contract, for the Town of Chapel Hill. Immediately following the adoption of the annexation ordinance, an order for street lighting will be placed with the University by the Town with the request that the lights be installed with metal poles and underground wiring. These lights will be placed in accordance with the existing Town policy for street lighting which is one (1) street light at each intersection and in the middle of long blocks, or curving roadways, and at points in curving streets where necessary.
2. Garbage Collection. Garbage collection will be on twice a week schedule and will commence on the date the annexation ordinance becomes effective. Existing collection routes will be rearranged or extended. As in other parts of the Town, trash, limbs, and leaves will be picked up at the curb and on a non-scheduled basis. This will provide garbage and trash collection on the same basis as exists in the rest of the Town, and in accordance with Town practice and policy.
3. Sewer Service. This area is completely served with sewer at the present time and is connected to and is a part of the sewer system of the Town of Chapel Hill. Charges for services therefor and maintenance thereof will be the same as for other residents of the Town of Chapel Hill.
4. Public Water. Public water is available in the entire area, and is provided by the University of North Carolina as is all public water within the Town of Chapel Hill. The Town does not own or maintain a water system.
5. Street Maintenance. Street maintenance in this area except streets which are a permanent part of the State Highway System, will be undertaken by the Town immediately, and street maintenance and cleaning in this area will be performed on the same basis as that in the rest of the Town. Paving and improving of the streets will be in accordance with existing Town policies and paving, curbing and guttering installed by the Town upon petition and a portion of the costs thereof assessed against the property owners. Streets signs will be erected of the same style and type as exist elsewhere in the Town.

6. Storm Drainage. Additional storm drainage is needed in parts of this area. The Town has begun a 5 year program to improve storm drainage within its corporate limits. Improvements in Area 1 will be comparable with this 5 year program.
7. Fire Protection. Fire protection will be provided immediately in the area upon the effective date of annexation. With water available, installation of fire hydrants will be ordered immediately after the adoption of the annexation ordinance. They will be installed in the required locations so as to place each residential structure within 1000 feet thereof as in the policy throughout the rest of the Town. Immediate service is possible from existing municipal fire stations.
8. Police Protection. Police protection in the area will be the same as in other areas of the Town effective immediately upon annexation. Police protection in the Town in the residential areas is on a regular patrol basis. Patrol of the area will be provided through rearrangement or extension of existing police patrol routes.
9. Transportation. It is not feasible to provide bus service directly into this area at the present time. However, this situation is not uncommon in other low density, single family areas currently within the Town limits. Residents of this area have access to Route B which passes close to the area along Honey-suckle Road and Lake Shore Drive.
10. Recreation. Recreation facilities and services of the Town of Chapel Hill will be immediately available to this area upon annexation and upon the same basis as provided to other residents.
11. Other Municipal Services. All other municipal services including library, inspection, administrative, etc. will be immediately available upon annexation.

Method of Financing Services

The annual operating expenses for this area are estimated to be \$12,341. This figure includes a portion of the annual operating cost of an additional garbage truck operated by 4 men and a portion of the cost of one additional police patrol (4 men and one vehicle) which would be needed to serve all areas proposed for annexation.

The total cost for capital improvements for this area is estimated to be \$42,850. This figure includes a portion of the cost of one garbage truck and a portion of the cost of additional street maintenance equipment. (The purchase cost of the police car was included in the cost of the patrol, above). This figure also includes the initial cost of street signs. The additional equipment (vehicles, street signs, etc.) will be provided during the first year after annexation. Street improvements and storm drainage will be evaluated and improved on a basis comparable to that in the rest of the Town over a 5 year period.

All costs will be provided from the General Fund.

SECTION V

That from and after the effective date of this annexation, the territory annexed and its citizens and properties will be subject to all debts, laws, ordinances, and regulations in force in the Town of Chapel Hill, and it shall be entitled to the same privileges and benefits as other parts of the Town.

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SECTION VI

That the newly annexed territory described herein shall be subject to town taxes levied for the fiscal year beginning July 1, 1975 and annually thereafter.

SECTION VII

That the Mayor of the Town of Chapel Hill shall cause an accurate map of the annexed territory described in Section I hereof, together with the duly certified copy of this Ordinance, to be recorded in the Office of the Register of Deeds of Orange County, and in the Office of the Secretary of State.

SECTION VIII

That notice of date of adoption of this Ordinance shall be published once (1) in the Chapel Hill Newspaper.

This the second day of June, 1975.

Mayor, Town of Chapel Hill

ATTEST:

Town Clerk

Said motion was unanimously carried.

Annexation--McFarling
Property

Mr. Mike Jennings, Planning Director, said that minutes of the

Planning Board meeting of March 18, 1975 indicate that Planning Board recommend adoption of annexation report minus the dotted area shown on annexation map. He showed on the map the triangular five acre area in question. He said that the annexation map has been available to public at all times. He said that the boundaries that were drawn are the most logical, and include areas on both sides of Old Oxford Road, making it easier to determine which areas are within Town limits. He said that the use of the property is agricultural, and if the intent was to omit all agricultural properties, then an error in discretion was made. Mr. Hugh McFarling said that the property is a separate lot since it was acquired at a different time, but is part of the same farm, and the intent was to request that the entire farm be excluded from annexation. Mayor pro tem Smith asked whether the property can be excluded from annexation once the annexation ordinance is adopted. Town Attorney Denny said that, once the ordinance is adopted, it cannot be revised to include more property unless another public hearing were held; the ordinance can be amended to reduce the area to be annexed as long as the remaining area meets all statutory requirements. He said that such an amendment can be done only after the annexation report is amended, and before the effective date of the ordinance. Alderman Cohen asked whether the Town boundary can be drawn to the right-of-way of Old Oxford Road. Mr. McFarling said that this road has no recorded right-of-way. He said that he does not object to the area being annexed, but wishes to be able to continue the use of the land for pasture. Mayor pro tem Smith said that he feels Board intended that all agricultural land be excluded from annexation. He recommended that the boundary line be redrawn by next Board meeting. Town Attorney Denny said the qualifications for annexation of the area and boundary descriptions would need to be changed in the report. He said that statutes discourage the use of the center line of a road as boundary, and said that the boundary should be one foot from whatever right-of-way exists; this would be sufficient for traffic control signs. In this case it would be difficult to determine the boundary since no right-of-way exists. He said that there are other instances within corporate limits where farm animals are kept. Alderman Welsh asked whether the matter could be handled by retaining the area within Town limits and revising the pertinent section of Town Code. Town Attorney Denny said that this would be a possibility, but that the matter is up to the Board. He said that the

section dealing with farm animals has been unchanged virtually since the original Code of Ordinances was drawn. Alderman Welsh said that she feels the matter can be handled easier by ordinance change. Alderman Gardner agreed. Alderman Cohen said that he would be concerned if the area were annexed against the wishes of the owner, and said that the area can be annexed in the future after Board changes the policy on farm animals within Town limits. Alderman Welsh said that she would rather annex the area now and deal with the policy on farm animals afterward. Alderman Welsh moved, seconded by Alderman Gardner, that the annexation plan report not be revised for Area 2 to take out the five acre tract in question. Alderman Cohen offered a substitute motion, seconded by Alderman Rancer, that the annexation plan report and annexation ordinance be amended for next regular Board meeting to delete the five acre tract in question. Town Attorney Denny ruled that it is not a proper substitute motion. Alderman Cohen withdrew his motion, and asked that the motion on the floor be defeated, so people will not be put in the position of violating Town Ordinances. Said motion passed by a vote of four to two, with Alderman Cohen and Rancer opposing. Town Attorney Denny read the pertinent sections of the Code of Ordinances, and said that these sections can be modified by stating that the restrictions apply only to lots of less than a certain size. This amendment can be prepared for the Board meeting of June 16, 1975. Mayor pro tem Smith asked Town Attorney to prepare this ordinance amendment.

Solicitor's Office
Intern--Report

Mayor pro tem Smith presented the report on activities of Solicitor's Intern for the period January through May, 1975. Alderman Marshall moved, seconded by Alderman Welsh, that the report be received and filed. Said motion was unanimously carried.

Dual Head Hydraulic
Diaphragm Pump--Bids

Town Manager Kendzior said that the 1974-75 budget allocated funds for capital improvements for Wastewater Treatment. The pump is to be incorporated into the alum treatment system. There are only three possible suppliers of this specialized item. Notice to bidders appeared in the May 19, 1975 edition of the Chapel Hill Newspaper, and notices and specifications were sent to three prospective bidders. On May 28, 1975 two bids were received. The Director of Public Works and Engineering Services, and the Purchasing Agent recommend that the low bid from Wallace and Tiernan of Charlotte, North Carolina be accepted. Alderman Gardner moved, seconded by Alderman Welsh, that Board accept the low bid from Wallace and Tiernan of \$3,891.00 for one dual head hydraulic diaphragm chemical solution metering pump. Said motion was unanimously carried.

Public Hearing for
Assessments

Mayor pro tem Smith said that the Board needs to establish a date for a public hearing for assessments to include street, sidewalk, and sanitary sewers for Burris Place, Purefoy Road, Whitehead Circle, Chase Avenue, and North Lake Shore Drive. The public hearing cannot be held sooner than ten days from the date Board reviews the assessments. Alderman Welsh moved, seconded by Alderman Marshall, that the public hearing for assessments to include street, sidewalk, and sanitary sewers for Burris Place, Purefoy Road, Whitehead Circle, Chase Avenue, and North Lake Shore Drive be set for June 23, 1975 at 7:30 p.m. Said motion was unanimously carried.

Refunds

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

RESOLUTION - TAX REFUNDS

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

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Phyllis B. Pettit,	640-74	\$ 45.60	We have charged 236 & 238 McCauley St. for 6 units. Checked by Building Inspector has only 5 units. We have a request from Mrs. Pettit for a refund. Can only go back for 3 years.
Executrix for estate of	640-73	36.00	
Marjory M. Bradshaw	655-72	36.00	
		\$117.60	

WHEREAS, the above listed persons have made application for refund of said taxes;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that it finds that taxes on the above listed persons were levied and collected through clerical error, and in the discretion of the Board should be refunded to the tax payer, IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such refund.

This the ninth day of June, 1975.

Said motion was unanimously carried.

First Citizens Bank-
Elliott Road--Special
Use Modification

Mr. Mike Jennings, Planning Director, said that the Special Use Permit for First Citizens Bank - Elliott Road was first

approved on June 12, 1972, with subsequent modifications. The starting and completion date was modified on March 4, 1975 for the office building to start within three years and be completed within four and one-half years. First Citizen's Bank is now requesting a second extension of the starting and completion dates for the office building by amending stipulation number 5, imposed on June 12, 1972, stating that construction of the office building start within five years and be completed within six and one-half years. Mr. Jennings said that he recommends the modification to stipulation number 5 be approved as requested, and that all other stipulations placed upon the original special use permit shall continue in force. Alderman Cohen said that he feels continued extension of starting and completion times may encourage speculative permits. Mr. Jennings said that the bank building has already been built, but that the office building may be speculative. He said that if indicating that the Special Use in not speculative the time is not extended, it will become non-conforming use, since it was built under Unified Business Permit. Alderman Welsh said that she was opposed to the original Special Use Permit and will oppose the request. Alderman Gardner moved that the request to grant time extension be approved. The motion died for a lack of a second. Alderman Cohen asked whether the time can be extended for a year at a time. Town Attorney Denny said yes. Alderman Cohen moved, seconded by Alderman Gardner that stipulation number 5, imposed on June 12, 1972 on First Citizens Bank - Elliott Road be amended to read as follows:

5. That construction of the Bank building start within one year and be completed within two years, and that construction of the office building start within four years and be completed within five and one-half years.

Alderman Marshall asked whether it is possible to state that this is the last time that the starting and completion times will be modified. Town Attorney Denny said that the Board can so state, but that the modification can be considered in the future anyway. Alderman Marshall said that Board has been bothered by repetitive requests of this sort, that she is concerned with continuous requests for extension and wishes to see the construction completed. Alderman Cohen asked how desirable it is to have additional office space in that part of Town. Mr. Jennings said that the project is located on an intersection of a major thoroughfare with a collector road, and that there is intense commercial development in the area. Office use at such an intersection is preferred to a commercial development since it would generate less traffic. He said that downtown

office developments and suburban office developments, are both necessary. Alderman Welsh said that the Board felt originally that the best use for the property would be to build apartments rather than offices. Planning Board attempted to encourage the development of large tracts of land along Franklin Street, and to discourage strip development. Granting of this particular special use permit was in opposition to the Planning Board intent of development in the area. Alderman Cohen said that residents of the area are concerned about further special use permits in the area. He said that maybe the best thing for long range plan would be to turn down the request and to look at the area as a whole. Mr. Jennings said that he agrees commercial development within the block should be discouraged, but that he feels this may be the best use for a corner property, forming a commercial nucleus within a residential area. Said motion passed by a vote of three to two, with Alderman Cohen and Welsh opposing, and Alderman Rancer abstaining because of a conflict of interest.

Coordinator for Children--
Communication

Mayor pro tem Smith read a letter proposed to be sent to Triangle J COG regarding the proposed Coordinator for Children in the Department of Human Services. After some revisions were made, he asked that Town Manager send the letter to the Executive Director of Triangle J COG.

Title XX Program--
Communication

Alderman Cohen read a letter proposed to be sent to County Commissioners regarding their action on Title XX program. After several revisions were made, Mayor pro tem Smith asked that Town Manager send the letter to all members of Orange County Commissioners.

Wells--Communication

Mayor pro tem Smith read a letter from the family of Carrboro Mayor Wells' father thanking Board for the expressions of sympathy.

Day Care Support--
Communication

Mayor pro tem Smith read a letter from Ms. Miriam Slifkin asking for Town support of day care.

Ephesus Church Road
Recreation Site--
Drinking Fountain and
Sanitary Facilities

Mayor pro tem Smith read a letter from Oxford Town House Condominium Association regarding the lack of drinking facilities and toilet facilities at Ephesus Church Road Recreation Site, and stating that area residents are being put in the position of providing these to persons using the recreation site. Alderman Marshall said that during the joint recreation committee meetings the first agreement was that water and sewer facilities need to be installed, and asked Town Manager when this will be done. Town Manager Kendzior said that the first priority was for a ball field, and an architect is now developing plans for a soccer field and a concession stand, which will also include a drinking fountain. He said that he needs to check with the architect to see when the plans will be ready. Mayor pro tem Smith asked Town Manager to check on the situation and to reply to the letter by June 23, 1975.

Transportation Advisory
Committee--1975-76 Budget

Mayor pro tem Smith presented a memo from TAC about the proposed changes in the 1975-76 budget. He said that discussion of this will be postponed to budget considerations.

Parking on Rosemary Street

Mayor pro tem Smith presented a request from Major Durham to extend the no parking zone on north side of Rosemary Street from Roberson Street toward Mitchell Lane for a total of 125 feet. Alderman Welsh moved, seconded by Alderman Gardner, that the request be received and the matter referred to Streets Committee for their consideration and report back to the Board as soon as possible. Said motion was unanimously carried.

Handicapped--Need for Services

Alderman Marshall presented a communication from Mr. Jonathan May, who is blind, about problems that exist for a blind person who walks around Town. She asked that Town Manager consider the problems expressed in the letter and other problems experienced by handicapped persons other than those who are blind and report back to the Board at next regular meeting. She also said that she would like to see the access to Municipal Building become more readily available to handicapped persons, since it is very difficult to get to the Municipal Building when taking the bus. Mayor pro tem Smith asked that Assistant Town Manager for Public Safety consider the problem and report back on the matter.

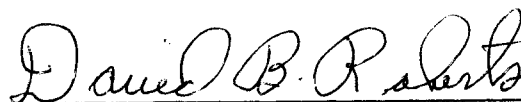
Work Session--CIP and Finance

Mayor pro tem Smith announced that a work session on CIP and finance will be held immediately after the close of this meeting.

There being no further business to come before the Board of Aldermen, said meeting adjourned at 10:35 p.m.



Mayor, Howard N. Lee



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, JUNE 16, 1975 AT 7:30 P.M.

The Board of Aldermen met for a Public Hearing, followed by a regular meeting on June 16, 1975 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

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

PUBLIC HEARING

Delta Upsilon Fraternity--
Special Use Modification

Mayor Lee said that the public hearing is called to consider a request by Delta Upsilon Fraternity for a modification to their approved Special Use Permit for the Fraternity House located at the corner of Rosemary Street and Hillsborough Street on property identified as Orange County Tax Map 79, Block E, Lots 19 and 20. Notices have been mailed to area residents notifying them of this request. Mayor Lee explained the procedure to be followed at this hearing.

Mr. Mike Jennings, Planning Director, presented the request for modification of the Special Use Permit and showed the area on a map. He said that the special use permit for the fraternity was originally granted by the Board on June 13, 1966. On September 7, 1971 the fraternity applied for another special use permit to construct a new