

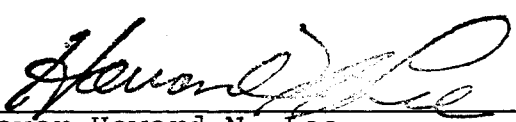
Alderman Cohen moved, seconded by Alderman Marshall that a Public Hearing be set for December 22, 1975 to hear the proposed amendments to the Zoning Ordinance. Said motion was unanimously carried.

Planning Board - Vacancy Mayor Lee presented a recommendation from the Planning Board of five names for consideration as nominees for the position on the Planning Board. Alderman Marshall said that the policy was to give only two names. Alderman Gardner moved, seconded by Alderman Marshall, that the matter be referred back to the Planning Board to re-examine the names in view of the policy of recommending two names per vacancy. Said motion was unanimously carried.

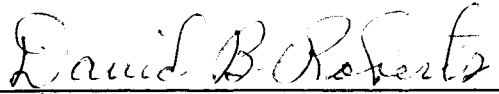
Finance Director Town Manager Jenne announced that Anthony Hooper was hired as Finance Director.

Executive Session - Property Acquisition Town Attorney Denny requested an Executive Session regarding Property Acquisition immediately following the close of the regular meeting.

There being no further business to come before the Board of Aldermen, said meeting adjourned at 8:35 P.M.



Mayor Howard N. Lee



David B. Roberts, Town Clerk

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, DECEMBER 8, 1975, 7:30 P.M.

Mayor Lee called said meeting to order; Present and seated were:

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

Also present were Town Manager K. Jenne, Town Clerk D. Roberts and Town Attorney E. Denny.

The minutes of the regular meeting of November 24, 1975 were duly considered and corrections were offered. On motion by Alderman Smith, seconded by Alderman Gardner, said minutes were approved for official recording as corrected.

Remarks By Outgoing Members Of The Board Of Aldermen.

As there were no resolutions and recognitions at the present, Mayor Lee recognized Alderman Rancer. After thanking the citizens for the opportunity to serve, as well as the opportunity to learn, about the workings of municipal government. Alderman Rancer presented the following statement:

As a member of the Water & Sewer Authority, I would hope that the new Board of Aldermen would accept the bid documents and agreements with as little change as possible. The Authority has worked long and diligently, ten months I believe, in formulating these documents with the competent legal guidance of Emery Denny and cooperation of County Attorney Lonnie Coleman, Carrboro Attorney William Staton and the Authority Attorney Claude Jones. In preparing these documents we gave a little and received a little. It seems to me that should negotiations be started again that the whole project may be scrapped by the Church Commission, the alternative will be Duke Power Company. I am sure that the citizens of the communities involved would not want that.

Alderman Rancer vacated his seat after the presentation of his nameplate by Mayor Lee.

Mayor Lee then recognized Alderman Welsh whose remarks included appreciation of all the citizens who attend Aldermen's meetings, the administration, the employees, the Town Attorney, the media, the Mayor and other members past and present of the governing Boards with whom she has served. "There were difficult times and there were easy times but members transcended differences and have worked harmoniously for public interest through respect for disparate views. As a result the town has moved steadily towards progress and stability and will continue to improve and advance so long as the new Mayor and Board members place the public good above private and selfish interests." After thanking the assembly, on presentation of her nameplate by Mayor Lee, she vacated her seat.

Remarks By Outgoing Mayor, Howard N. Lee.

In Mayor Lee's outgoing remarks he expressed both the shortness and eternity of his term of office and his gratitude to the citizens of Chapel Hill for having the faith and confidence in him to elect and support him as Mayor:

There have been times when I could have thrown up in despair and believed that there was not a chance that a person like myself could come from a sharecropper's farm in Georgia and have the good fortune of gaining the confidence of so many people who would entrust me with the mayoralship, the highest elected office of their city. But the people of Chapel Hill did and while there are those who have been very generous in their comments to give me credit for a lot of things, it is I who owe the credit and the honor to the citizens of Chapel Hill for taking the chance on an unknown entity. And though more than many people who have been willing to be generous in their comments, giving me credit for a lot of things during the six and a half years, that credit I do not deserve as a lone person. I happen to be in the forefront, I happen to have the good fortune to sit as Mayor and I happen to be able to work with a lot of good people who make those things happen and so there are people who are present here this evening who deserve the credit and there are people who no longer sit as members of the Board who deserve the credit. I owe a great deal of thanks and appreciation to Emery Denny whom I consider a person of the highest integrity, a man of sincere honesty and one who is willing to give the kind of support to a person in my position as needed. I owe a great deal of appreciation to Dave Roberts who served as both Tax Collector and Town Clerk and has been more than just a town employee but a very strong friend and in many ways an advisor. I owe a great deal of thanks to department heads such as Chief Blake, Chief Hilliard who is new here, and Chief Lloyd who has run an outstanding Fire Department during my administration. Many of you heard me say many times that I am not particularly fond of the Town Manager form of government. I leave with that same feeling. But I also leave with a different feeling. I think that if the Town Manager form of government is to ever work, is to convince me that I was wrong, it has the best chance in Chapel Hill in the person of Kurt Jenne.... Let me say that only good things can happen with the kind of people the citizens of Chapel Hill have elected to take over. We must see this as a symbol of why we should not ever lose confidence in our government. We must never lose faith in the political process and we must give our leaders every opportunity to provide the leadership that we have cast upon them. Those people who have been elected, whom I've known for quite a while, I feel more than capable, more than able of picking up the reins...

Swearing In Of Incoming Mayor, James C. Wallace And The Passing Of The Keys.

At the conclusion of his remarks, Mayor Lee presented the key to the city to Mayor-elect Wallace and received in return his well-pounded gavel. Mayor Lee then administered the Oath of Office to Mr. Wallace.

Swearing In And Seating Of Incoming Board Members.

Mayor Wallace then administered the Oath of Office to Aldermen Jonathan Howes, Marvin Silver, Robert Epting, Edward Vickery and R. D. Smith who then took their seats.

Remarks By Incoming Mayor, James C. Wallace.

Mayor Wallace expressed for all concerned the pleasure and responsibility of the new Board. He expressed too, their appreciation to those who had stepped down. After reserving the right to present a State of the Town address at a later date, Mayor Wallace spoke for himself saying, "I appreciate the support you have shown me in the recent election. I appreciate the support that has brought this Board together. I feel that it is evident if you will look around the Board, that we have here some of the very best talent that Chapel Hill has to offer... If we can't do it in Chapel Hill then it can't be done."

Organization Of The Board.

After nomination by Alderman Smith and proper closing of nomination, ON MOTION BY ALDERMAN HOWES, SECONDED BY ALDERMAN SMITH, ALDERMAN MARSHALL WAS APPOINTED MAYOR PRO TEM BY ACCLAMATION.

After nomination by Alderman Smith, seconded by Alderman Gardner, ON MOTION BY ALDERMAN SILVER, SECONDED BY ALDERMAN HOWES, DAVID B. ROBERTS WAS APPOINTED TOWN CLERK AND TAX COLLECTOR BY ACCLAMATION.

After nomination by Alderman Marshall, and proper closing of nominations, ON MOTION BY ALDERMAN HOWES, SECONDED BY ALDERMAN GARDNER, EMERY DENNY WAS APPOINTED TOWN ATTORNEY BY ACCLAMATION.

Committee Assignments.

Mayor Wallace instructed the newly appointed Aldermen to submit requests in writing for committee assignments.

Triangle J Council Of Governments - Appointment.

Expressing his hope of assuming the responsibilities of representing the Town of Chapel Hill as delegate to the Triangle J Council of Governments in the future, Mayor Wallace appointed Mayor pro tem Marshall as said delegate on an interim basis.

Mayor Wallace called a five minute recess of the Board.

Mayor Wallace reconvened the regular meeting of Board of Aldermen to address the business of the evening.

Harriss-Conners Chevrolet, Modification Of Special Use Permit.

Action on this request had been delayed from the meeting of November 24, 1975. In order to fill in the newly-sworn aldermen, the background of the request was presented by Planning Director Jennings. Questions and discussion centered on the enforceability of stipulations attached to issuance of Special Use Permits. After struggling with various approaches, ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN GARDNER THAT THE BOARD OF ALDERMEN APPROVE THE MODIFICATION OF THE SPECIAL USE PERMIT FOR 1) THE ADDITIONAL SAAB SIGN LOCATED BEHIND THE REQUIRED FRONT BUILDING LINE; 2) THE RELOCATION OF THE EXISTING BMW SIGN BEHIND THE REQUIRED FRONT BUILDING LINE; AND 3) THE MODIFICATION OF THE LANDSCAPE PLAN SUBJECT TO THE FOLLOWING:

1. That a minimum of fourteen (14) crepe myrtles be planted by March 1, 1976, eight (8) along U.S. 15-501 and six (6) along the property line abutting Old Durham Road, all spaced no more than sixty (60) feet apart, as designated on the plan submitted November 21, and that the crepe myrtles be a minimum of six (6) to ten (10) feet in height when planted.
2. That the crepe myrtles be supplemented by a tight evergreen hedge not less than six feet in height within three years of planting along Old Durham Road. This hedge must be planted by Janaury 1, 1977.
3. That all outdoor storage of refuse including automobile parts and tires be screened on at least three sides by a wall or fence of solid appearance not less than six feet high to conceal such areas from abutting residential uses and street rights-of-way.

4. That any and all planting as required shall be properly maintained, and that any and all planting which dies during the life of the Special Use Permit shall be replaced with planting of the same species and approximately the same size during the next planting season.
5. That these stipulations replace all previous stipulations.

SAID MOTION PASSED BY A VOTE OF FIVE TO FOUR WITH ALDERMEN HOWES, MARSHALL, VICKERY, GARDNER AND MAYOR WALLACE SUPPORTING AND ALDERMEN SMITH, EPTING, SILVER, AND COHEN OPPOSING. During the discussion, Mayor Wallace and the Board asked Town Manager Jenne to advise the Board on civil penalties that might be used to enforce approved stipulations.

University Mall Sign Plan, Modification of Special Use Permit.

After presentation by Planning Director Jennings and discussion by the Board, ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN MARSHALL THAT THE MODIFICATION OF THE "UNIVERSITY MALL" SIGN AND THE TWO "TEXACO" SIGNS BE APPROVED, BUT THAT THE "MCDONALD'S" SIGN BE DENIED. SAID MOTION WAS DEFEATED BY A VOTE OF FOUR TO FIVE WITH ALDERMEN SMITH, EPTING, VICKERY, COHEN AND MAYOR WALLACE OPPOSING AND ALDERMEN MARSHALL, SILVER, GARDNER AND HOWES SUPPORTING. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN VICKERY THAT THE "UNIVERSITY MALL" SIGN BE APPROVED. The motion passed six to two with Aldermen Marshall and Epting opposing. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN SILVER THAT THE BOARD RECONSIDER THE TWO "TEXACO" SIGNS. Said motion was unanimously carried. Finally, ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN HOWES THAT THE MODIFICATION OF THE "UNIVERSITY MALL" SIGN AND THE TWO "TEXACO" SIGNS BE APPROVED. SAID MOTION WAS UNANIMOUSLY CARRIED.

Continuation of LEAA Grant - Resolution.

ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN GARDNER, THE RESOLUTION AUTHORIZING THE MANAGER TO APPLY FOR CONTINUATION OF LEAA GRANT FOR POLICE SPECIAL CRIME TACTICAL SQUAD BE ADOPTED. THE MOTION WAS UNANIMOUSLY CARRIED.

RESOLUTION

WHEREAS, the Chapel Hill Board of Aldermen herein called the "Applicant" has thoroughly considered the problem addressed in the subgrant application entitled Chapel Hill Tactical Squad and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 90-351 as amended, the United States of America has authorized the Law Enforcement Assistance Administration, through the North Carolina Division of Law and Order to make federal grants to assist local governments in the improvement of the criminal justice system.

NOW THEREFORE BE IT RESOLVED by the Chapel Hill Board of Aldermen in opening meeting assembled in the City of Chapel Hill, North Carolina, this the 8th day of December, 1975, as follows:

1. That the project referenced above is in the best interest of the Applicant and the general public.
2. That Police Chief Sidney Hilliard be authorized to file, in behalf of the Applicant, an application in the form prescribed by the Division of Law and Order for a subgrant in the amount of \$1,076 State, \$19,376 Federal to be made to the Applicant to assist in defraying the cost of the project described in the application. This individual shall act as the authorized representative of the Applicant in connection with all aspects of the application process.
3. That if the subgrant is made, the Applicant shall provide or make arrangements to provide, a local cash matching contribution in the amount of \$9,357 and a local in-kind matching contribution valued under LEAA guidelines at N/A (or proportionately reduced local matching contributions if the subgrant amount is reduced) as required by the Act to defray the cost of the project.
4. That the Project Director designated in the application form shall furnish or make arrangements for other appropriate persons to furnish such information, data, documents and reports pertaining to the project, if approved, as may be required by the Division of Law and Order.
5. That certified copies of this resolution be included as part of the application referenced above.
6. That this resolution shall take effect immediately upon its adoption.

DEC 15

Truck Chassis - Bids.

ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN COHEN TO ACCEPT THE BID OF \$27,293.76 FOR TWO GASOLINE POWERED CHASSIS AND CABS FROM RALEIGH TRACTOR AND TRUCK COMPANY, THE LOWEST RESPONSIBLE BIDDER, WITH DELIVERY WITHIN SIXTY (60) DAYS. THE MOTION WAS UNANIMOUSLY CARRIED. During the discussion Alderman Marshall called for a policy decision by the Board of Aldermen in the near future on the use of diesel vs. gasoline vehicles.

Historic District and Historic Properties Ordinances - Public Hearing.

ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN EPTING THAT THE SETTING OF THE PUBLIC HEARING TO HEAR PROPOSED HISTORIC DISTRICT AND HISTORIC PROPERTIES ORDINANCES BE DEFERRED UNTIL NEXT WEEK SO THAT CERTAIN SECTIONS OF THE PROPOSED ORDINANCE COULD BE CLARIFIED BY ATTORNEY DENNY. THE MOTION WAS UNANIMOUSLY CARRIED.

Planning Board - Vacancy.

Alderman Smith moved that the names of Ms. Ellen Ironside and Mr. Edward Kaiser be placed in nomination to fill the vacancy on the Planning Board. Further nominations and appointment will occur at the next regular meeting.

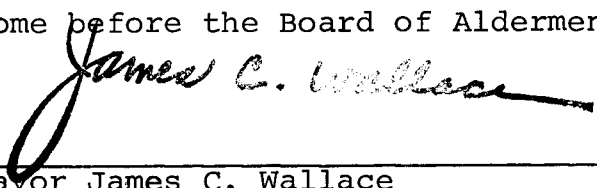
Work Session - Auditors.

Town Manger Jenne was instructed to contact the Auditors to set a work session after Christmas to discuss fund accounting, N.C. Unified Fiscal Control Act and Chapel Hill audit.

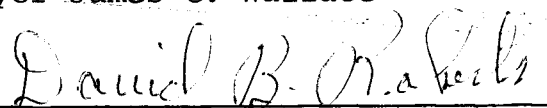
Executive Session - Disposition of Property.

ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN SMITH THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS DISPOSITION OF PROPERTY. THE MOTION WAS CARRIED BY A VOTE OF FIVE TO FOUR WITH ALDERMEN VICKERY, SMITH, GARDNER, EPTING AND MAYOR WALLACE SUPPORTING AND ALDERMEN MARSHALL, HOWES, COHEN AND SILVER OPPOSING.

There being no further business to come before the Board of Aldermen, said meeting adjourned at 9:35 P.M.



 Mayor James C. Wallace



 David B. Roberts, Town Clerk

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
 THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
 MONDAY, DECEMBER 15, 1975, 7:30 P.M.

Mayor Wallace called said meeting to order; present and seated were:

James C. Wallace, Mayor
 Gerald Cohen
 Robert Epting
 Thomas Gardner
 Jonathan Howes
 Shirley Marshall
 Marvin Silver
 R. D. Smith
 Edward Vickery

Also present were Town Manager K. Jenne, Town Clerk D. Roberts and Town Attorney E. Denny.

The minutes of the regular meeting of December 8, 1975 were duly considered and corrections were offered. On motion by Alderman Smith, seconded by Alderman Gardner, said minutes were approved for official recording as corrected. Discussion on the minutes centered around a memorandum from Alderman Marshall expressing a need for the Board to make policy decisions on the length and fullness of the minutes and whether or not the tapes of

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA ST.
CHAPEL HILL, N.C., 27514
(919) 929-1111



NORTH CAROLINA
ORANGE COUNTY

I, James C. Wallace, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, James C. Wallace, do solemnly and sincerely swear that I will, be faithful and bear true allegiance, to the State of North Carolina, and to the constitutional, powers and authorities which are or may be established, for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, James C. Wallace, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill, and judgement all the duties of the office of Mayor of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

The above oaths were this day, December 8, 1975 subscribed and sworn to before me.

James C. Wallace
Mayor

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA ST.
CHAPEL HILL, N.C., 27514
(919) 929-1111



NORTH CAROLINA
ORANGE COUNTY

I, Reginald D. Smith, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Reginald D. Smith

I, Reginald D. Smith, do solemnly and sincerely swear that I will, be faithful and bear true allegiance, to the State of North Carolina, and to the constitutional, powers and authorities which are or may be established, for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

Reginald D. Smith

I, Reginald D. Smith, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill, and judgement all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

Reginald D. Smith

The above oaths were this day, December 8, 1975, subscribed and sworn to before me.

James C. Wallace
Mayor

TOWN OF CHAPEL HILL

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NORTH CAROLINA
ORANGE COUNTY

I, William Edward Vickery, do solemnly swear that I will support the Constitution of the United States; so help me, God.

William Edward Vickery

I, William Edward Vickery, do solemnly and sincerely swear that I will, be faithful and bear true allegiance, to the State of North Carolina, and to the constitutional, powers and authorities which are or may be established, for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

William Edward Vickery

I, William Edward Vickery, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill, and judgement all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

William Edward Vickery

The above oaths were this day, December 8, 1975, subscribed and sworn to before me.

James C. Wallace
Town Clerk

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA ST.
CHAPEL HILL, N.C., 27514
(919) 929-1111



NORTH CAROLINA
ORANGE COUNTY

I, Robert Epting, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Robert Epting

I, Robert Epting, do solemnly and sincerely swear that I will, be faithful and bear true allegiance, to the State of North Carolina, and to the constitutional, powers and authorities which are or may be established, for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

Robert Epting

I, Robert Epting, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill, and judgement all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

Robert Epting

The above oaths were this day, December 8, 1975, subscribed and sworn to before me.

James C. Wallace
Mayor

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA ST.
CHAPEL HILL, N.C., 27514
(919) 929-1111



NORTH CAROLINA
ORANGE COUNTY

I, Marvin Silver, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Marvin Silver

I, Marvin Silver, do solemnly and sincerely swear that I will, be faithful and bear true allegiance, to the State of North Carolina, and to the constitutional, powers and authorities which are or may be established, for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

Marvin Silver

I, Marvin Silver, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill, and judgement all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

Marvin Silver

The above oaths were this day, December 8, 1975, subscribed and sworn to before me.

James C. Walker
Town Clerk

TOWN OF CHAPEL HILL

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CHAPEL HILL, N.C., 27514
(919) 929-1111



NORTH CAROLINA
ORANGE COUNTY

I, Jonathan B. Howes, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Jonathan B. Howes

I, Jonathan B. Howes, do solemnly and sincerely swear that I will, be faithful and bear true allegiance, to the State of North Carolina, and to the constitutional, powers and authorities which are or may be established, for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

Jonathan B. Howes

I, Jonathan B. Howes, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill, and judgement all the duties of the office of Alderman of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me, God.

Jonathan B. Howes

The above oaths were this day, December 8, 1975, subscribed and sworn to before me.

James C. Wallace
Mayor