

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.

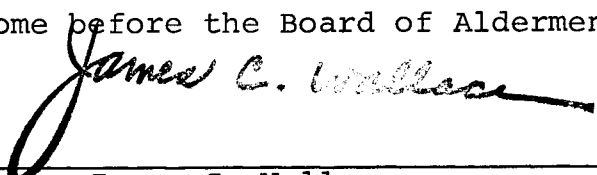
Work Session - Auditors.

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.

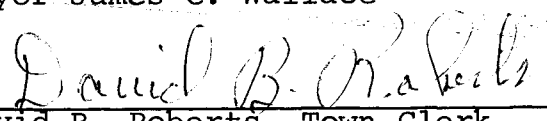
Executive Session - Disposition of Property.

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

the Board meetings should be kept and filed. It was suggested by Alderman Silver that a series of policy work sessions be held after the first of the year to discuss the conduct of business by the Board.

Closing of Roberson Street - Freedom Day Celebration

Acting on a request from Rev. J. R. Manley of First Baptist Church, ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE PETITION TO CLOSE A PORTION OF ROBERSON STREET, FROM ROSEMARY TO THE ALLEY BEHIND JOHNSON-STROWD-WARD, ON JANUARY 1, 1976, FROM 9:00 A.M. until 2:00 P.M. FOR A FREEDOM DAY CELEBRATION BE GRANTED. THE MOTION WAS UNANIMOUSLY CARRIED.

Requests

Mayor Wallace presented a request from Ret Autry, on of the Town's young citizens, for better recreation facilities for young girls. The matter was passed on to the Town Manager to be referred to the Recreation Department.

In response to a request from the members of the Henry Roland Totten Garden Club that the flower ladies be allowed to return to their previous sales posts on Franklin Street, NCNB has invited the ladies to use the walkway through the NCNB Plaza starting Tuesday morning, December 16, 1975.

ON MOTION BY ALDERMAN SMITH, SECONDED BY ALDERMAN GARDNER, THE REQUESTS WERE ACCEPTED AND REFERRED TO THE MANAGER.

Alderman Cohen petitioned the Board to place item four of the agenda after item seven because item four is dependent on the action taken in item seven. The petition was granted.

Subdivision Ordinance - Amendment

ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN VICKERY, THE ORDINANCE AMENDING CHAPTER 18, CODE OF ORDINANCES, TOWN OF CHAPEL HILL (Subdivision Ordinance) BE ADOPTED. THE MOTION WAS UNANIMOUSLY CARRIED.

AN ORDINANCE AMENDING CHAPTER 18, (CODE OF ORDINANCES, TOWN OF CHAPEL HILL (Subdivision Ordinance)

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that Chapter 18, the Subdivision Ordinance, of the Code of Ordinances, Town of Chapel Hill, is amended as follows:

In Section 18-13, REVISE the first paragraph to read: No real property within the Town or within the surrounding area defined by Chapter 527, 1953 Session Laws as amended, shall be subdivided and offered for sale or a plat thereof recorded until a preliminary sketch has been reviewed by the Planning Board and approved by the Borad of Aldermen, and a final plat has been reviewed and approved by the Planning Board. Plans of group developments for housing, commercial, industrial, or other uses or for any combination of uses designed for rental purposes shall be submitted in the same manner as other plats for review and approval by the Planning Board and the Board of Aldermen.

In Section 18-13, SUBSTITUTE in the first and twelfth lines of the second paragraph the words "Planning Board" in place of the words "Board of Aldermen".

In Section 18-20 REVISE the first and second clauses of the third sentence of the first paragraph to read: "Two copies shall be available for file in the Chapel Hill Planning Department,"

In Section 18-20, REVISE the second paragraph to read:

The final plat shall be reviewed by the Planning Board for compliance with this chapter and such other specifications as agreed upon at the time the preliminary sketch was reviewed. The Planning Board may thereupon approve the final plat in whole or in part, or subject to modifications, or may disapprove such plat. The approval of the final plat by the Planning Board shall be on condition that such plat is recorded in the office of the Orange County Register of Deeds within

thirty (30) days after such approval. As evidence of such recording, one reproducible copy, on plastic film, of the final plat as recorded shall be submitted to the Town of Chapel Hill by the developer. No building permit shall be issued for any of the properties on the final plat until receipt of this copy by the building inspector. The original tracing of the final plat shall be made available for authentication when the Planning Board takes final action on the plat. Approval of the final plat of a cluster development by the Planning Board shall be contingent on formal acceptance of any dedication to the Town of Chapel Hill or other public body shown thereon.

DELETE Section 18-21.

REVISE Section 18-66 to read:

Except as provided below in Section 18-73, the improvements required by this article shall be fulfilled before a final plat shall be reviewed or approved by the Planning Board.

REVISE Section 18-105 to read:

Section 18-105. Planning Board Endorsement

The plat shall show the following form for Planning Board endorsement:

Provided that this plat be recorded within 30 days of final approval; Approved by Planning Board, _____,
(Zoning Administrator/Director of Planning/Planning Board Chairman).

SECTION II

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

This the 15th day of December, 1975.

Community Development Program - Resolution

Presentation of background information was made by Town Manager Jenne followed by discussion by the Board centering around the deletion of parcel 208-5 from the original Certificaton of Just Compensation. Members of the Board showed concern as to future plans for this property and its effect upon the resident of this property, Mrs. Lottie Riggsbee. It was brought out by Manager Jenne that this parcel of land would lay in the right-of-way should the Board approve the extension of McCauley Street at a later date, consequently he recommended parcel 208-5 not be considered for partial acquisition at this time. He offered the alternative of whole acquisition or delay in action on the acquisition until the matter is looked into further. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN HOWES, THE RESOLUTION CERTIFYING VALUATION AS REQUIRED BY HUD HANDBOOK 1320.1 BE ADOPTED. In answer to questions by Alderman Vickery, Mr. Jenne stated that when properties are being rehabilitated, temporary relocation is found. In the case of Mrs. Riggsbee, it was not known by the Housing Authority at the time that it acted that Mrs. Riggsbee's home lay in the right-of-way should McCauley Street be extended. Further, if the Board does not extend McCauley Street, it can come back and take action on parcel 208-5. Al Stevenson, Executive Director of the Housing Authority stated that Mrs. Riggsbee is 74 years old, on a limited income and wishes to stay where she is. The Housing Authority prefers to persuade her to relocate so more time is needed. Answering a question by Alderman Smith, Mr. Stevenson stated that the rehabilitation will start after the first of the year and may take ninety to one hundred twenty days to complete and have the people back in their homes. Further, all the families are fully aware of what's happening and are satisfied. Liz DeCarlo, an interested citizen questioned the Board as to whether or not a time limit would prohibit future action on the situation with Mrs. Riggsbee. Mr. Stevenson stated that he saw no problem with the time element depending on Mrs. Riggsbee desire to cooperate. The relocation of Mrs. Riggsbee was referred to the manager and the Housing Authority to report back in thirty days. Mr. Stevenson assured the Board that the Housing Authority maintenance crew will be responsible for keeping grass mowed and trash picked up. THE MOTION WAS UNANIMOUSLY CARRIED.

A RESOLUTION CERTIFYING VALUATION AS REQUIRED BY HUD HANDBOOK 1320.1

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board of Aldermen has determined on the basis of three appraisals that the fair market value of certain properties intended for purchase by the Chapel Hill Housing Authority, is as follows:

Parcel Number	Area (Sq. Ft.)	Owner	Interested to be Acquired	Established Fair Market Value
11-5	24,750	Mary Roberts	Whole	\$10,572.00
200-5	2,604	Pearl Alston	Structures	\$ 3,796.00
202-3	1,292	Frank Merritt	Structures	\$ 2,955.00
206-9	868	Della Mason	Structures	\$ 5,204.00
207-8	539	Eleanor Alston	Structures	\$ 2,556.00
208-9	6,250	Bere Mitchell	Whole	\$ 3,123.00
208-10	6,250	Mamie Moore	Whole	\$ 3,889.00

BE IT FURTHER RESOLVED that the Board of Aldermen, on the basis of information supplied by Alvin E. Stevenson, Executive Director of the Chapel Hill Housing Authority, hereby certifies that the work of the appraisers and the review appraiser with respect to each of the above properties has been performed in a competent manner in accordance with applicable state and federal law and the policies and requirements of the Department of Housing and Urban Development.

This the 15th day of December, 1975.

Historic District and Historic Properties Ordinance - Public Hearing.

Town Manager Jenne described the changes that had been made to the ordinance at the request of the Board. On page four of the first document dealing with Historic District Commissions and on page two of the second document, lettered section VI was added making a stronger statement regarding open meetings. It reads, "All meetings or hearings of any kind held by the Commission shall be open to the public, and reasonable notice of the time and place thereof shall be given to the public." Alderman Cohen stated that in the General Statutes dealing with Historic District Commissions, the law specifically requires that all meetings be open to the public. Alderman Silver, who had previously raised a question regarding the phrase "...no less than 2 and no more than four (4)..." on page two of the first document, number III, stated that he was satisfied with the ordinance. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN SILVER, THAT A PUBLIC HEARING BE SET FOR JANUARY 12, 1976 TO HEAR PROPOSED HISTORIC DISTRICT AND HISTORIC PROPERTIES ORDINANCES. THE MOTION WAS UNANIMOUSLY CARRIED.

Capital Improvement Program - Spring Bond Referendum

Alderman Vickery expressed the great interest by the citizens in moving ahead more quickly with the Capital Improvement Program and setting recreation high on the list of priorities, asking a spring bond referendum as a start. There is enough time to prepare a priority list and there is an option of coming in the fall with a subsequent bond issue. Lisa Price, Chairman of the Recreation Committee on the League of Women Voters expressed the willingness of the League to help generate support for a spring bond referendum because of the need for recreational facilities. She read statements made by the newly-elected Board members and the Mayor during their campaigns, all of which were in favor of a spring bond referendum. The League she stated, is aware that there is a lot of work involved and pledged the League's support. Alderman Cohen stated that quick action, that is a spring bond referendum, would be paramount in the race against inflation. Dissenting opinion, offered by Alderman Marshall, centered around priorities in Planning Staff work and the effect of the passage of the spring bond referendum on the ad valorem tax rate over and above dept service. Town Manager Jenne pointed out that eighty-five to ninety days are needed to prepare the necessary materials, but it could be done. Alderman Silver expressed an interest in cooperation with other legislative units such as the School Board to reduce the cost of the Capital Improvement Program through joint projects. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN VICKERY, THAT THE BOARD PROCEED TOWARDS A SPRING REFERENDUM. Alderman Gardner stressed the importance of content rather than time. Lack of patience on the CIP

package will have a big effect on years to come and the Board is not fully prepared to make a promise at this time. ALDERMAN SILVER MADE A SUBSTITUTE MOTION, SECONDED BY ALDERMAN MARSHALL, TO HOLD WORK SESSIONS SETTING UP PRIORITIES BY THE END OF THE FISCAL YEAR FOR THE PURPOSE OF DECIDING ON A FALL REFERENDUM. Town Manager Jenne stated that the timing of the referendum may not effect the staff's work load as it is prepared to move quickly to establish priorities. The load, he said, falls more heavily on the Board than the staff because the staff must have policy guidance from the Board. Alderman Vickery suggested that a high priority list be selected for April saving others with less voter appeal for a more optimum time. Alderman Howes suggested the Board commit itself at this time to make a priority list and if it can't be done, make a definitive judgement later. Beverly Kawalec, President of the League of Women Voters stated that the League, by reading campaign statements, was not trying to put the Board on the spot. The voice of the citizen must be heard so that the Board can act on it. The League, she said, does not just offer its support on glamorous issues such as this one, but have always been willing to help promote issues important to the Community. Alderman Cohen stated that the referendum would not effect next year's operating budget as voters in November would not have to pay until 1977. THE SUBSTITUTE MOTION CARRIED BY A VOTE OF FIVE TO THREE WITH ALDERMEN VICKERY, COHEN AND HOWES OPPOSING.

Method of Election for Aldermen and Mayor

Alderman Cohen, concerned that the recent election saw fourteen candidates running for five seats on the Board of Aldermen, presented the alternative of a non-partisan primary and election process to be held when more than twice the number of candidates than there are offices, file for election. Alderman Smith expressed the belief that this was an unusual year and that it may never again happen that as many people run for seats on the Board. He suggested the matter be given to the Charter Commission to study. Alderman Marshall stated that the matter should be publicized and brought to public hearing. Alderman Silver stated that because Chapel Hill is growing, it might be wise to reconsider the method of election should there be a trend, however all the election methods should be explored first and the experience of another election would be well. Mayor Wallace stated that the number of candidates running is not the problem, but the manner in which the candidates are allowed to present themselves. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING SECTION 2-1, CHARTER OF THE TOWN OF CHAPEL HILL CONCERNING THE METHOD OF ELECTION FOR ALDERMEN AND MAYOR BE ADOPTED. Alderman Marshall stated that there is no commitment until after public hearing. ALDERMAN GARDNER MADE A SUBSTITUTE MOTION, SECONDED BY ALDERMAN SMITH THAT THE MATTER BE TURNED OVER TO A RECONVENED CHARTER COMMISSION FOR RECOMMENDATION AND THAT ACTION ON THE MATTER BE DELAYED UNTIL THE RECOMMENDATION OF THE COMMISSION. THE MOTION CARRIED BY A VOTE OF FIVE TO THREE WITH ALDERMEN SILVER, COHEN AND MARSHALL OPPOSING.

Pre-Application to EPA for Resource Recovery Grant.

After presentation of background information, Town Manager Jenne explained that this pre-application is not a commitment by the Town for money at this time. This is just a pre-application to see if the Environmental Protection Agency is interested in having the Town pursue a regular application. The normal application would require a commitment for money by the Town and it would feasibly be submitted during the budgetary deliberations. The pre-application is not, as it appears in the packet, complete but some additional materials will be added in the form of letters of support prior to submission on the deadline of December 22, if the Board authorizes the submission. ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN SMITH THAT AUTHORIZATION BE GRANTED THE TOWN MANAGER TO SUBMIT A PRE-APPLICATION FOR A RESOURCE RECOVERY GRANT FROM EPA. THE MOTION WAS UNANIMOUSLY CARRIED.

Board Appointed Committees - Vacancies

Action was delayed until after the first of the year pending receipt of nominations from the committees to fill said vacancies. Mayor Wallace appointed Alderman Vickery as an ad hoc committee of one to explore the rationale for some of the committees and to make a presentation to the Board. The urgency of the appointment of a liaison to the Transportation Board was brought out. Mayor Wallace requested that all Board members present their preferences for committee assignment immediately.

Planning Board - Vacancies

ON MOTION BY ALDERMAN SMITH, SECONDED BY ALDERMAN HOWES, NOMINATIONS WERE CLOSED ON THE NAMES OF MS. ELLEN IRONSIDE AND MR. EDWARD KAISER. The Board voted by secret ballot resulting in five votes for Mr. Kaiser, two votes for Ms. Ironside and one no vote. It was called to the attention of the Board that every member must vote. Upon a second secret ballot, MR. EDWARD KAISER WAS APPOINTED TO THE PLANNING BOARD BY A VOTE OF SEVEN TO ONE. Alderman Gardner stated that he had been the no vote in the first ballot and had done this because he was disturbed that not one person on the Planning Board represents land involvement from the standpoint of development, real estate, business or construction, all of which are major areas of concern when speaking of planning, growth and development of a community. The problem is the lack of proper representation on the Planning Board. He said he was not very familiar with either nominee and either one would have been fine.

Triangle J COG Meeting

As delegate to the Triangle J Council of Governments, Alderman Marshall informed the Board that the Triangle J COG meetings normally are held every fourth Wednesday at 7:30 P.M. with dinner at 6:30 P.M.; this month, however, it will be held on December 17. Orientation and status reports are to be discussed. Mayor West is attending as Alderman Marshall's guest and has pledged participation by Carrboro. Chapel Hill's application for Clean Water Bond money for Kings Mill Sewer II is up for A-95 review.

Community Appearance Commission - Vacancies

Alderman Howes placed the names of William O'Brien, Ronald C. Link and Thomas J. Land in nomination to fill vacancies on the Community Appearance Commission. Further nominations will be accepted and appointments made at the next meeting.

Bus System - Carrboro

Mayor Wallace announced that technical figures on costs for Carrboro's participation in the bus system are being prepared and will be transmitted to Carrboro authorities for their reaction as soon as they are finalized; copies of these figures will be distributed to the Board at the same time. Alderman Smith requested that the figures be distributed to the Board for reaction one or two days before being sent to Carrboro. Mayor Wallace stated that these are just technical figures not what the Town will charge or even if there will be a charge. Alderman Cohen stated that he had received a call from the Chairman of the committee requesting that he attend a meeting to discuss information. He said that no request had been made of him to make offers but simply that there be people there from Chapel Hill for a discussion. Mayor Wallace stated that the technical figures will not be ready for this meeting, however the materials that are being prepared have nothing directly to do with the meeting. Alderman Epting stated that he felt the Board should not get involved in a process that may seem to the public like one coalition or group of Aldermen dealing with another. Alderman Cohen stated that this is why he had called the Manager when he had received the call. Mayor Wallace stated that it would be for the best if communications were carried on only through the Manager's office.

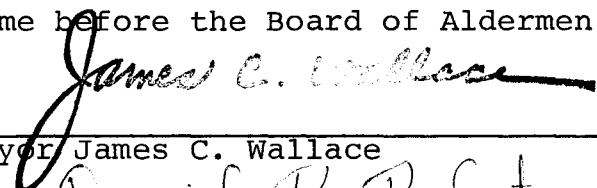
Town Holidays

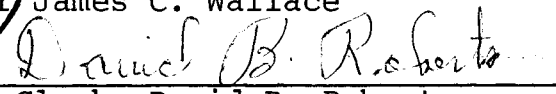
Town Manager Jenne announced Town holidays as Wednesday, December 24, Thursday, December 25, Friday, December 26 and Thursday, January 1. Service schedules for these days are being prepared and will be publicized.

Executive Session - Property Acquisition

ON MOTION BY ALDERMAN COHEN, SECONDED BY ALDERMAN SILVER, THE BOARD ADJOURNED TO EXECUTIVE SESSION TO DISCUSS PROPERTY ACQUISITION.

There being no further business to come before the Board of Aldermen, said meeting adjourned at 10:30 P.M.



Mayor James C. Wallace


Town Clerk, David B. Roberts