

MINUTES OF A PUBLIC HEARING AND A REGULAR MEETING OF THE MAYOR AND THE BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, INSTITUTE OF GOVERNMENT, MONDAY, APRIL 26, 1976, 7:30 P.M.

Mayor Wallace called the meeting of the Board of Aldermen to order; present and seated were:

- James C. Wallace, Mayor
- Gerald Cohen
- Robert Epting
- Thomas Gardner
- Jonathan Howes
- Shirley Marshall, Mayor pro tem
- Marvin Silver
- Edward Vickery

Alderman R. D. Smith was not present.

Also present were Town Manager K. Jenne, Town Attorney E. Denny and Town Clerk D. Roberts. Planning Board members present were Bill Levine, Peg Parker, and Jane Stein.

CAPITAL IMPROVEMENT PROGRAM 1976-81 - PUBLIC HEARING

Mayor Wallace called the public hearing to order regarding the recommended five year Capital Improvement Program 1976-81, and explained the procedure to be followed at the hearing.

Mr. Gene Shipman, Assistant Town Manager, presented the Town Manager's Capital Improvement Program 1976-81, and reviewed it in detail with the use of slides to illustrate existing conditions for the various items in the program. He said that the proposed transportation programs would total about \$3,100,000, the recreation programs would total about \$4,500,000, the public safety programs would total about \$1,600,000, the municipal facilities would total about \$898,000, and the sewer utilities would total about \$3,100,000; the entire program totals about \$11,300,000. He reviewed the debt service summary for the Capital Improvement Program and for the sewer bonds.

Mayor Wallace asked for comments from proponents and opponents of the proposal.

Mr. George Coxhead proposed that the extension of McCauley Street be expedited, since there is a need for another throughway in the area to alleviate some of the traffic problems.

Mr. John Brooks requested that either the extension of McCauley Street be expedited, or that the Merritt Mill Road be improved, since this road has heavy traffic travelling at 35 mph. He said that if the road were not to be improved, the speed limit should be lowered, and that the present speed limit should be enforced more strictly.

Mr. Dave Otto said that he is speaking on behalf of a committee for bikeways in Orange County and Chapel Hill, which is working together with the Planning Department in attempting to obtain federal funds for bikeway development. He said that there is much interest in bicycling in the community, and that a survey at the high school has indicated that as many as five times more students would ride their bicycles to school if a safe route were available. He said that there is an advantage in developing bikeways along the Greenway belt, and that such routes could eventually link all parts of the community.

Ms. Anne Merzbacher suggested that the proposed recreational facility at Ephesus Road site be considered for location at the Phillips Junior High School, since this is on three bus routes, and since the Phillips Junior High School has a lack of physical education facilities.

Ms. Gertrude Willis spoke in support of the recreation program proposal and suggested that recreational facilities be distributed throughout the Town in the form on small parks.

Mr. Leonard Mayo, Chairman of the Chapel Hill Committee on Aging, said that the Town needs a senior citizen center at a location, perferrably downtown, which would be available to all aging community members, would provide information on available services and perhaps house some of the agencies, and would provide meeting space. He requested that this be included in the program and held in abeyance until more specific plans and

cost estimates can be submitted by a special committee that is working on this.

Col. George Matthews expressed concern about the lack of riders on some of the buses during off-peak hours. He suggested that the Board reconsider that amount of money spent on the operation of the Transportation Program, and to free these funds for other projects. He said that about 85% of the riders are connected with the University, and that perhaps the method of bus operation at Amherst, as described in the April 25, 1976 Chapel Hill Newspapers, should be considered carefully, where the university operates a bus system.

Mr. Parker Reist, Chairman of the Animal Protection Society Shelter Committee, spoke in support of funding an animal shelter. He said that an animal shelter properly operated does not create problems with noise.

Mr. Joseph Lee said that the recreational activity proposal should be given a higher priority in funding, and the first programs funded should be distributed more evenly in the various areas of town. He said that several of the proposed recreational facility locations are not easily accessible on foot, and that he would prefer a large number of small neighborhood facilities.

Mr. Wilson McKerrow said that he feels the proposed programs that should receive the highest priorities are water, sewer, and transportation and street improvements, with leisure time activities being given a lower priority than these essential services.

Lt. Col. Wesley Egan requested that for future public hearings documents be available to citizens at no cost, and be more widely distributed. He said that some of the items in the proposal seem to be more in the category of current expenses rather than capital improvements, such as street improvements, and cautioned Board on using borrowed money for these. He said that debt service is not the best way of financing programs. He said that the proposed park and ride lot on the south side of the town anticipates the use of about 100 cars, while the estimated number of cars entering town daily from this area is about 400 and said that if only a small proportion of these riders are going to use the park and ride lot, then it should not be developed. He said that the present temporary bus maintenance building, constructed at a cost of \$52,000 is adequate at the present time and can be expanded, which eliminates a need for the maintenance building in the proposal. He said that the sewer line extensions should be given a higher priority, since there are some areas of town that have been annexed a number of years ago, and where sewer lines are still not available.

Mr. George Coxhead said that he agrees that information for public hearings should be more widely available to the citizens. He said that he feels the proposed bus stop shelters, which have an estimated cost of \$399,000 from all funding sources, are too expensive.

Mr. Henry Latane spoke in opposition to the extension and widening of McCauley Street. He said that a more thorough study on the traffic problem in the area is needed and that widening McCauley Street will not improve the existing traffic congestion. He said that the Merritt Mill Road should be improved separately from McCauley Street.

Ms. Judy Cole said that she is a resident of the McCauley Street, and that the residents of the area are adamantly opposed to the extension of McCauley Street.

Mr. Charles Smith said that documents for public hearings should be more widely available to the citizens. He said that the town has very poor recreational facilities, and that improvements of the existing facilities should be high on the priority list. He said that the buses that operate at low ridership on inadequate roads should be discontinued, although services should be retained in areas where the demand is heavy, whether or not the roads are adequate, and that funds that are saved by this proposal be used for other programs. He suggested that the Board consider posting weight limit signs on roads that cannot support heavy vehicles.

Ms. Joann Haggerty said that the leisure activity programs should receive a higher priority, with early funding being distributed more evenly in the community, and that neighborhood recreational areas should be developed. She said that there is a need for a senior center, and that the present housing of the Department of Human Services needs air conditioning.

Mr. Dave Otto said that the Town needs swimming facilities and asked whether the Board has considered providing public access to the various bodies of water in the area of the Town for recreational purposes. Town Manager Jenne

8  
said that the swimming pool proposed at Ephesus recreational facility would be ready by 1981, and that there are no plans at the present time to incorporate natural water areas in the recreational program. Mr. Otto suggested that this be considered, and that a creek might be possibly dammed to provide an artificial lake.

Town Manager Jenne announced that work sessions on the Capital Improvement Program are scheduled for Monday, May 3, and Thursdays May 6, and May 13, 1976 at 7:30 p.m.

Alderman Cohen said that a town resident has indicated that the intersection at Caswell Road and Estes Drive needs improvement, because of the large amount of traffic using this exit from Lake Forest and Coker Hills. He said that it has also been suggested that the downtown post office building be considered for Town use, possibly as a senior center. Mayor Wallace said that Congressman Fountain has assured Town that he will keep the Town informed on any plans for the post office.

The public hearing adjourned at 9:10 p.m., and the Board reconvened at 9:20 p.m.

#### Regular Meeting

##### Approval of Minutes

The minutes of the April 5, 1976 meeting were duly considered. ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE SAID MINUTES BE ADOPTED FOR OFFICIAL RECORDING AS PRESENTED. THE MOTION WAS UNANIMOUSLY CARRIED.

The minutes of the April 12, 1976 meeting were duly considered and corrections were made. ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN VICKERY, THAT THE SAID MINUTES BE ADOPTED FOR OFFICIAL RECORDING AS CORRECTED. THE MOTION WAS UNANIMOUSLY CARRIED.

##### Petitions and Requests

Alderman Vickery requested that the Executive Session at the end of the meeting be expanded to include matters of property acquisition. There **was** no objection from the Board.

##### Petition by Albert West

Town Manager Jenne requested that this matter be continued to the May 10, 1976 meeting, since the staff has not had sufficient time to prepare a recommendation based on the two independent studies made. He said that both Mr. West and Mr. Vickery, who represented him, concur with this request. ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN HOWES, THAT THE TOWN MANAGER'S REQUEST BE GRANTED. THE MOTION WAS UNANIMOUSLY CARRIED.

##### Annexation Report Revision - Resolution

Mayor Wallace presented a memorandum from the Town Manager, dated April 22, 1976, on the Planning Board and Town Manager's recommendation that holes 12 and 13 of the Chapel Hill Country Club Golf Course be excluded from annexation. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE FOLLOWING RESOLUTION TO REQUEST THE TOWN MANAGER TO REVISE THE ANNEXATION REPORT TO EXCLUDE HOLES 12 AND 13 OF THE CHAPEL HILL COUNTRY CLUB AND TO REQUEST THE TOWN ATTORNEY TO DRAW UP ANNEXATION ORDINANCES BE APPROVED. THE MOTION WAS UNANIMOUSLY CARRIED.

A RESOLUTION TO REQUEST THE TOWN MANAGER TO REVISE THE ANNEXATION REPORT TO EXCLUDE HOLES 12 AND 13 OF THE CHAPEL HILL COUNTRY CLUB AND TO REQUEST THE TOWN ATTORNEY TO DRAW UP ANNEXATION ORDINANCES

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill: that the Town Attorney is hereby directed to draw an ordinance in accordance with the provision of GS 160A-49 annexing the Town of Chapel Hill, the portion of right-of-way near Frank Porter Graham School as described in the notice of April 12, 1976, public hearing, and the Oaks Subdivision as described in the notice of the April 12, 1976 public hearing save for the lots comprising holes 12 and 13 of the Chapel Hill Country Club; and

BE IT FURTHER RESOLVED that the Town Manager is hereby directed to revise the Annexation Report on the Oaks Subdivision as modified by the exclusion of the lots comprising holes 12 and 13 of the Chapel Hill Country Club.

This the 26th day of April, 1976.

81

Speed Limits on Town Streets - Resolution and Ordinance

Town Manager Jenne presented a memorandum, dated April 21, 1976, on the ordinance regulating speed within Town. He said that the North Carolina GS 20-141 has been rewritten to set the speed within the corporate limits of a municipality at 35 mph unless the municipality takes specific action to change the speed limit. He said that the Town's legal department recommends that all the speed limits other than posted 35 mph limits should be re-adopted to conform with the changes in the State law, and that he recommends that the resolution and ordinance be adopted as presented.

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN SILVER, THAT THE FOLLOWING RESOLUTION REQUESTING STATE BOARD OF TRANSPORTATION CONCURRENCE IN SETTING CERTAIN SPEED LIMITS BE APPROVED, AND THAT THE TOWN MANAGER BE AUTHORIZED TO TRANSMIT THE RESOLUTION TO THE STATE BOARD OF TRANSPORTATION FOR CONSIDERATION. THE MOTION WAS UNANIMOUSLY CARRIED.

A RESOLUTION REQUESTING STATE BOARD OF TRANSPORTATION CONCURRENCE IN SETTING CERTAIN SPEED LIMITS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town of Chapel Hill has determined that the following speed limits to be reasonable and safe for the listed roads:

<u>STREETS</u>	<u>SPEED LIMITS</u>
15 & 501	45 mph w/in Town limits
E. Franklin Street	20 mph from Columbia to Raleigh Street
W. Franklin Street	20 mph from Columbia to Merritt Mill Road
Airport Road	35 mph
*N. Columbia Street	*20 mph from Rosemary to Franklin Street
	*35 mph from Rosemary to North Street
S. Columbia Street	20 mph from Franklin to Cameron Avenue
	25 mph from Cameron Ave. to Manning Dr.
Ephesus Church Road	35 mph (except at school zone 25 mph)
W. Estes Drive	45 mph from Airport Road to Railroad
E. Estes Drive	35 mph except at school zone (25 mph)
Manning Drive	25 mph from S. Columbia St. to Ridge Rd.
Merritt Mill Road	35 mph (20 mph from Cameron Ave. to Rosemary West)
Old Durham Road	45 mph
Weaver Dairy Road	45 mph
Umstead Drive	25 mph from Airport Rd. to Weiner St.
*Raleigh Road	*45 mph from Country Club Rd. to 15 & 501 and Himilton Rd. to City limits east
*South Road	*25 mph from S. Columbia to Raleigh St.
	*35 mph from Raleigh St. to Country Club Rd.
Mason Farm Road	35 mph
Ridge Road	25 mph
Finley Golf Road	35 mph
Legion Road	35 mph

AND BE IT FURTHER RESOLVED, that the Town of Chapel Hill requests the State Board of Transportation to pass a concurring ordinance under the provisions of GS 20-141 (f) for the above State maintained roads.

This the 26th day of April, 1976.

ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN EPTING, THAT THE FOLLOWING ORDINANCE ESTABLISHING 25 MILE-PER-HOUR SPEED LIMITS ON CERTAIN TOWN-MAINTAINED STREETS BE ADOPTED. Alderman Gardner said that there has been an abnormal increase in speeding arrests in Town during the first three months of 1976, and that he will bring this matter up for consideration at the Streets and Public Safety Committee meeting. THE MOTION WAS UNANIMOUSLY CARRIED.

AN ORDINANCE ESTABLISHING 25 MILE-PER-HOUR SPEED LIMITS ON CERTAIN TOWN-MAINTAINED STREETS

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that sub-section 21-11 (B) (2) of the Code of Ordinances, Town of Chapel Hill, be rewritten to read as follows:

(2) Twenty-five (25) miles per hour on the following streets:

- Airport Drive
- Allred Road
- Amity Street
- Andrews Lane
- Angier Drive
- Arlington Street
- Arrow Head Road
- Ashe Place
- Audley Lane
- Audubon Road
- Avalon Court
- Barclay Road
- Barthram Drive
- Basnight Street
- Battle Lane
- Bear Lane
- Beech Tree Court
- Belmont Street
- Berkley Road
- Bernard Street
- Birch Circle
- Bolin Heights
- Bolinwood Drive
- Booker Avenue
- Booker Circle
- Booker Creek Road
- Boundary Street
- Bowling Circle Road
- Bradley Road
- Branch Street
- Brandon Road
- Branson Street
- Brierbridge Lane
- Brierbridge Valley Road
- Brigham
- Brooks Street
- Brookside Drive
- Burlage Drive
- Burlington Blvd.
- Burris Place
- Buttons Lane
- Buxton Court
- Bynum Street
- Caldwell Street
- E. Cameron Avenue
- W. Cameron Avenue
- Cameron Court
- Carolina Avenue
- Carr Street
- Carver Street
- Caswell Road
- Cedar Falls
- Cedar Street
- Chapel Street
- Chase Avenue
- Chenburnie Street
- Chendale Drive
- Glenhill Lane
- Glenwood Drive
- Gomains Avenue
- Gooseneck Road
- Graham Street
- Grant Street
- Chase Park Road
- Chatham Lane
- Cherokee Circle
- Christopher Road
- Churchill
- Church Street
- Clayton Road
- Clark Court
- Clark Road
- Cleland Drive
- Cobb Terrace
- Coker Drive
- Cole Street
- Colony Court
- Colony Woods
- N. Columbia Street
- Conner Drive
- Conner Road
- Coolidge Street
- Cottage Lane
- Cotton Street
- Couch Road
- Country Club Road
- Craig Street
- Creel Street
- Crest Drive
- Croom Court
- Cumberland Road
- Curtis Road
- Cypress Road
- Daley Road
- Daniels Road
- Davie Circle
- Dawes Street
- Dickerson Court
- Dogwood Drive
- Douglas Road
- Eastowne Drive
- Eden Lane
- Edwards Alley
- Edwards Street
- Elizabeth Street
- Elliott Road
- Emory Drive
- Evergreen Lane
- Fenwicke Road
- Fern Lane
- Ferrell Drive
- Fetzer Lane
- Fireside Drive
- Flemington Road
- Fountain Ridge
- Foxwood Drive
- Friendly Lane
- Gimghoul Road
- Glandon Drive
- Knob Court
- Knolls Street
- Knollwood Drive
- Kornegay Place
- Lake Shore Court
- Lake Shore Drive
- Lake Shore Lane

82

Granville Road  
 Green Place  
 Green Street  
 Greenwood Road  
 Grove Street  
 Halifax Road  
 Hamilton Road  
 Hartig Street  
 Hawthorne Lane  
 Hayes Road  
 Hemlock Lane  
 Henderson Street  
 Henderson Street (Univ. Heights  
 Subdivision)

Hibbard Drive  
 Hickory Drive  
 Highview Drive  
 Highlandwoods  
 Hill Street  
 Hillcrest Circle  
 Hillsborough Street  
 Hilltop Street  
 Hillview Road  
 Holloway Street  
 Holloway Lane  
 Holly Lane  
 Hooper Lane  
 Hoot Owl  
 Honeysuckle Court  
 Honeysuckle Road  
 Houston Road  
 Howell Lane  
 Howell Street  
 Idlewood Lane  
 Indian Springs Road  
 Iris Lane  
 Isley Street  
 Jackson Circle  
 Jean Court  
 Johnson Street  
 Jolly Street  
 Jones Street Justice Street  
 Kenan Street  
 Kenmore Road  
 Kensington Drive  
 King Street  
 Kings Mill Road  
 N. School Lane  
 Nunn Lane  
 Nunn Street  
 Oakwood Drive  
 Old Fraternity  
 Old Mill Road  
 Old Oxford Road  
 Otey's Road  
 Overland Drive  
 Oleander Road  
 Owens Court  
 Park Place  
 Patterson Place  
 Penny Lane  
 Penick Lane  
 Pickard Lane  
 Pinegate Drive  
 Pine Bluff Court  
 Pine Lane  
 Pittsboro Road  
 Pittsboro Street  
 Plant Road  
 Plum Lane  
 Powell Street  
 Preswick Road  
 Pritchard Avenue  
 Pritchard Street  
 Purefoy Road  
 Raleigh Street  
 Ransom Street  
 Read Road

Lakeview Drive E.  
 Lakeview Drive S.  
 Lakeview Drive W.  
 Lamont Court  
 Lanark Road  
 Landerwood Lane  
 Laurel Hill Circle  
 Laurel Hill Road  
 Lea Court  
 LeClair Street  
 Ledge Lane  
 Lindsay Street  
 Little Street  
 Lone Pine Road  
 Long Leaf Drive  
 Longview Street  
 Louise Street  
 Lyons Road  
 Mallette Street  
 Manly Street  
 Maple Drive  
 Marilyn Lane  
 Markham Court  
 Markham Court  
 Markham Drive  
 Maxwell Road  
 May Court  
 Mayberry Court  
 McCauley Street  
 McDade Street  
 McMasters Street  
 Meadow Brook  
 Mears Road  
 Merritt Street  
 Michaux Road  
 Millwood Court  
 Milton Avenue  
 Mitchell Lane  
 Monroe Street  
 Morgan Creek Road  
 Morgan Creek Road  
 Mount Bolus Road  
 Murray Lane  
 Noble Street  
 North Street  
 Sparrow Trail  
 Springdell Lane  
 Spring Lane  
 Springview Trail  
 Spruce Street  
 Stagecoach Road  
 Stayman Circle  
 Stephens St  
~~Summerville~~ Summerville Road  
 Summirt Road  
 Stinson Street  
 Sunset Drive  
 Surry Road  
 Sycamore Drive  
 Sykes Street  
 Tadley Road  
 Taylor Street  
 Tenny Circle  
 The Glen  
 Thornwood Road  
 Tilghman Circle  
 Tinkerbelle Road  
 Totten Place  
 Trimble Road  
 Tryon Court  
 Umstead Drive  
 University Drive  
 Valentine Lane  
 Valley Road  
 Vance Street  
 Velma Road  
 Village Drive

Red Bud	Walnut Street
Ridgecrest Drive	Ward Street
Ridgefield Road	Wayfarer Court
Ridgewood Lane	Weaver Road
Roberson Street	Weiner Street
Rock Creek Road	Wellington Drive
Rogerson Drive	Wells Court
Rolling Road	Wentworth Street
Roosevelt Drive	Wesley Court
Rosemary Street E.	Wesley Drive
Rosemary Street (Church Street to W. Town Limits)	West University Drive
Rosewood Court	Westwood Drive.
Roundhill Road	Whitaker Street
Sedgefield Drive	White Head Circle
Senlac Road	White Plains Road
Severin Street	Wildwood Drive
Shady Lane	Williams Circle
Shadylawn Road	Willow Drive
Sharron Road	Wilson Court
Short Street	Wilson Street
Smith Avenue	Wood Circle
Sourwood Circle	Woodbine Drive
	Woodlan Circle
	Wyrick Street

Section II

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

This the 26th day of April, 1976.

Releases and Refunds

Mayor Wallace presented a memorandum, dated April 26, 1976, from the tax collector on the tax refund to Southland Associates, stating that the Wake County Superior Court has ordered a reduction in the property value for 1973-75, and ordered that interest be paid on the money to be refunded, which amounts to a total of \$885.53 for the three years in question. He presented a list of tax releases and reasons for the releases. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN VICKERY, THAT THE FOLLOWING RESOLUTION ON TAX RELEASES BE APPROVED. THE MOTION WAS UNANIMOUSLY CARRIED.

RESOLUTION - TAX RELEASES

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

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Jerry W. Withrow	9162	30.25	This was listed in error on Jan. 1, 75. Was living on Jones-Ferry Road.
John S. Black	501 (1974)	37.70	This had a N.C.M.H. address when listed. Personal property was located in Booker Creek not annexed until 1975.
Charles W. Street	9204	65.78	This property was listed in error. Located on Rogers Road.
Atlee Goins Neville	5220	45.60	Was charged for 3 units on sewer. Only had 2.
John M. & Shelley Day	1723	6.42	Property was listed in error. Was located on University Station Road.
Raymond J. & Marcia Carrol	1125	16.45	Meadow Lane not in town. Listed in error.

Sparrow Masonry Contractor	8579	32.09	Mowed to Eubanks Road in August 1974.
Eastgate T.V. & Appliance	8110	212.30	County reduced valuation from 78,160 to 56,160. Personal Property listed incorrect.
Paul L. King	3885	38.60	Was listed in error. Had an incorrect address.
John Henry Barbee	208 (68) 238 (69) 272 (70) 287 (71)	7.67 22.74 20.00 36.80	This person moved out of Chapel Hill in 1967. Had a Box No. Was picked up in error. Lives near Hillsborough.
Charles Brian Pelon	4983 (72) 4941 (73) 4754 (74) 5554 (75)	23.64 15.99 12.26 10.62	In 1972 Mr. Pelon on Jan. 1. was living at Rt. 1, Mebane. The last Jan. he moved to 204 Valley Park. In July 1972 he moved To Rt. 4, Chapel Hill and this had been picked up in error.

WHEREAS, the above listed persons have made application for release of said taxes:

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

This the twenty-sixth day of April 1976.

ALDERMAN VICKERY MOVED, SECONDED BY ALDERMAN GARDNER, THAT THE FOLLOWING RESOLUTION ON TAX REFUNDS BE APPROVED. THE MOTION WAS UNANIMOUSLY CARRIED.

RESOLUTION - TAX REFUNDS

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

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
W. T. McGalliard	4487	12.67	Orange County released late listing charge. Was paid 11-14-75.
Southland Association	7480 7084 8574	269.64 269.64 281.30	This refund is a result of an appeal to the courts.

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 if 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 taxpayer, IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such refund.

This the twenty-six day of April 1976.

Baseball Uniforms and Equipment Bids - Resolution

Mayor Wallace presented a memorandum from the Town Manager, dated April 22, 1976, on bids for baseball uniforms and equipment recommending adoption of the resolution. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE FOLLOWING RESOLUTION ACCEPTING A BID FOR BASEBALL UNIFORMS AND EQUIPMENT BE APPROVED. THE MOTION WAS UNANIMOUSLY CARRIED.



A RESOLUTION ACCEPTING A BID FOR BASEBALL UNIFORMS AND EQUIPMENT

WHEREAS the Town of Chapel Hill has solicited formal bids for items of baseball uniforms and equipment and the following bid on all but two items has been received:

<u>Bidder</u>	<u>Total Bid</u>
Bocock-Stroud Co., Greensboro, N.C.	\$2,344.50

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Bocock-Stroud Company for \$2,344.50.

This the 26th day of April, 1976.

Diesel Agricultural Tractor Bids - Resolution

Mayor Wallace presented a memorandum from the Town Manager, dated April 22, 1976, on bids for one late-model, used, diesel agricultural tractor, recommending adoption of the resolution. ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN HOWES, THAT THE FOLLOWING RESOLUTION ACCEPTING A BID FOR ONE LATE MODEL, USED, DIESEL AGRICULTURAL TRACTOR BE APPROVED. THE MOTION WAS UNANIMOUSLY CARRIED.

A RESOLUTION ACCEPTING A BID FOR ONE LATE MODEL, USED, DIESEL AGRICULTURAL TRACTOR

WHEREAS the Town of Chapel Hill has solicited formal bids for a late model, used, diesel agricultural tractor and the following bid has been received:

<u>Bidder</u>	<u>Bid</u>
Globe Equipment Corp., Durham, N.C.	\$8,266.00

NOW, THEREFORE, be it resolved by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Globe Equipment Corporation of \$8,266.00.

This the 26th day of April, 1976.

Portable Radios and Personal Pager Bids - Resolution

Mayor Wallace presented a memorandum from the Town Manager, dated April 22, 1976, on bids for three UHF FM voice personal portable radios and one UHF personal pager, recommending adoption of the resolution. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN VICKERY, THAT THE FOLLOWING RESOLUTION ACCEPTING BIDS ON PORTABLE RADIOS AND A PERSONAL PAGER BE APPROVED. THE MOTION WAS UNANIMOUSLY CARRIED.

A RESOLUTION ACCEPTING BIDS ON PORTABLE RADIOS AND A PERSONAL PAGER

WHEREAS the Town of Chapel Hill has solicited formal bids on three UHF FM Portable Radios and associated equipment, and one UHF Personal Pager, and the following bids have been received:

<u>Bidder</u>	<u>Bid</u>	
Aerotron, Inc., Raleigh, N.C.	3 Radios	\$3,205.50
	3 Vehicular Chargers	936.36
	3 Desk Chargers	129.60
	1 Personal Pager	No Bid
Motorola, Inc., Raleigh, N.C.	3 Radios and Accessories	\$5,055.00
	3 Radios	3,885.00
	3 Vehicular Chargers	909.00
	3 Desk Chargers	261.00
	1 Personal Pager	383.00
	1 Alternate Pager	235.00
RCA, Greensboro, N.C.	3 Radios	\$3,699.00
	3 Vehicular Chargers	873.00
	3 Desk Chargers	210.00
	1 Personal Pager	244.00

NOW, THEREFORE be it resolved by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Aerotron, Inc. for \$3,872.94 for the three UHF FM Portable Radios, two Vehicular Chargers, and one Desk Charger, and the bid of Motorola, Inc. of \$235.00 for the UHF Personal Pager.

This the 26th day of April, 1976.

Street Excavation and Reconstruction Bids - Resolution

Mayor Wallace presented a memorandum from the Town Manager, dated April 21, 1976, on bids for the excavation and reconstruction of streets, recommending adoption of the resolution. ALDERMAN VICKERY MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE FOLLOWING RESOLUTION ACCEPTING A BID FOR THE EXCAVATION AND RECONSTRUCTION OF STREETS BE APPROVED. THE MOTION WAS UNANIMOUSLY CARRIED.

A RESOLUTION ACCEPTING A BID FOR THE EXCAVATION AND RECONSTRUCTION OF STREETS

WHEREAS the Town of Chapel Hill has solicited formal bids for the Excavation and Reconstruction of Streets and the following bids have been received:

<u>Bidder</u>	<u>Bid Unit/sq. yd.</u>	<u>Total/13,000 sq. yds.</u>	<u>Undercut (cu. yd.)</u>	<u>Drains (Linear ft.)</u>
B & B Paving Contractors, Inc. Mornsville, N.C.	\$7.64	\$99,320.00	\$12.00	\$5.00
C. C. Mangum, Inc. Raleigh, N.C.	6.94	90,220.00	4.50	4.00
Mellott Contractors, Inc. Carrboro, N.C.	9.44	122,720.00	8.00	5.00
Nello L. Teer Co. Durham, N.C.	8.30	107,900.00	8.00	3.25
Oscar Miller Contractors, Inc. Raleigh, N.C.	6.87	89,310.00	4.50	5.00
William Muirhead Construction Co. Durham, N.C.	6.74	87,620.00	6.00	6.50

NOW THEREFORE, be it resolved by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the unit bids of William Muirhead Construction Company, for a total contract price not to exceed \$109,525.

This the 26th day of April, 1976.

Recreation Commission - Appointment

Mayor Wallace said that Mr. Walter Mallett, Jr., Mr. Joe Hodgson, and Mr. Moyer Smith have been nominated to fill one vacancy on the Recreation Commission created by the resignation of Mr. Louis Rubin. He asked for additional nominations. ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN HOWES, THAT NOMINATIONS BE CLOSED. THE MOTION WAS UNANIMOUSLY CARRIED. On a vote by closed ballot, Mr. Joe Hodgson received six votes and Mr. Moyer Smith received one vote. Mr. Joe Hodgson was appointed to fill the vacancy on the Recreation Commission.

Transportation Board - Nominations

Mayor Wallace presented a letter dated April 14, 1976, from Mr. George T. Lathrop, Chairman of the Transportation Board, recommending that Mr. Paul Arne and Mr. Mike Dixon, students at the University, be considered for nomination to the Transportation Board to fill the vacancy created by the resignation of Ms. Gayle Rancer. Alderman Vickery said that the recommendation of Mr. Billy Richardson, student Body President, that Mr. Paul Arne be appointed to the Transportation Board, was discussed by the Transportation Board, and was endorsed.

Alderman Cohen nominated Mr. Paul Arne and Mr. Mike Dixon to the Transportation Board to fill the vacancy created by the resignation of Ms. Gayle Rancer. He said that Ms. Rancer was not a student appointee as such, but was one of the two students serving on the Transportation Board, and that the student body recommendation is made because of concern that there be several student appointees on the Transportation Board. Alderman Mar-

shall said that the Transportation Board members were appointed by individual Aldermen, and that there was no specific type of person appointed, as such, for any of the positions on the Transportation Board. She asked whether this type of Aldermanic appointment needs to be continued for this particular body. Town Attorney Denny said that the resolution setting up the Transportation Board does not specify how the members are to be appointed, but states that a certain number of Transportation Board members shall be appointed by the Board of Aldermen and that one member shall be appointed by the Mayor.

Mayor Wallace said that nominations shall remain open until the next Board meeting, at which time appointments will be made.

Recreation Commission - Vacancy

Mayor Wallace announced that a vacancy has been created on the Recreation Commission by the resignation of Ms. Susan Lieberman, effective June 1, 1976, and that the Recreation Commission will submit recommendations for this position.

Thoroughfare Plan Report and Meeting

Mayor Wallace presented a memorandum, dated April 20, 1976, from Ms. Ruth West, Mayor of Carrboro, on a meeting on the Thoroughfare Plan Report scheduled for April 28, 1976 at 7:30 p.m. in the Carrboro Town Hall, and inviting the Board to attend this meeting.

Alderman Marshall said that the Council of Governments has a meeting scheduled for the same evening, and that the Board should not encourage meetings with other jurisdictions for the same time. She recommended that the Mayor express the appreciation to Mayor West for the invitation, and also request a separate meeting with the Department of Transportation before the scheduled public hearing so that the Town residents can have an opportunity to hear the presentation. Alderman Silver said that he is concerned that the lack of Board attendance at the meeting, because of the COG meeting, not be interpreted as the Board feeling the Thoroughfare Plan is not a mutual problem for both communities, and suggested that Mayor West might be requested to postpone the meeting. Mayor Wallace said that he will communicate with Mayor West.

Executive Session

Alderman Vickery said that he requested that the discussion of the acquisition of Water and Sewer Utility be in an Executive Session, since the Board needs to discuss specifics on how the presentation should be made, such as timing, judgements, etc. Alderman Cohen said that he feels dealings between several governmental agencies are not appropriate matters to be discussed in an Executive Session. Alderman Howes said that he favors discussing the matter in an Executive Session, since the Board has stated its intent to purchase the utility, and discussion of this in an Executive Session is within the law. Town Attorney Denny said that the Executive Session can be held to discuss certain aspects of property acquisition, such as the issue of a specific acquisition and terms of that acquisition, but that if the Board wishes to discuss other aspects of the acquisition, this has to be done in an open session. ALDERMAN VICKERY MOVED, SECONDED BY ALDERMAN HOWES, THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS AND PROPERTY ACQUISITION. THE MOTION CARRIED BY A VOTE OF SIX TO ONE, WITH ALDERMAN COHEN OPPOSING.

Mayor Wallace announced that Aldermen Epting and Howes have been designated to attend a luncheon at 12:30 p.m. at the Pines Restaurant on April 27, 1976 to meet with two representatives each from Carrboro and Orange County.

Mayor Wallace said that the Executive Session will reconvene in a work study session, if material not appropriate for an Executive Session is brought up for discussion.

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

*James C. Wallace*  
Mayor  
*David B. Roberts*  
Clerk