

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND THE BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, JUNE 28, 1976, 7:30 P.M.

Mayor Wallace called the meeting to order at 7:40 P.M. Present and seated were:

- James C. Wallace, Mayor
- Robert Epting
- Thomas Gardner
- Jonathan Howes
- Shirley Marshall, Mayor Pro Tem
- Marvin Silver
- Edward Vickery

Also present were: Town Attorney E. Denny, Acting Town Manager G. Shipman and Town Clerk D. Roberts.

Aldermen R. D. Smith and Gerald Cohen were excused from the meeting.

MINUTES.

On motion by Alderman Marshall, seconded by Alderman Vickery, the minutes of the special meeting of June 8, 1976, were approved. On motion by Alderman Vickery, seconded by Alderman Marshall, the minutes of the meeting of June 14, 1976, were approved.

Petitions and Requests.

Alderman Vickery petitioned the Board to consider the following resolution:

A RESOLUTION TO DESIGNATE HOWARD N. LEE APPRECIATION DAY

WHEREAS, the Honorable Howard N. Lee served with distinction as Mayor of the Town of Chapel Hill for six and one-half years, having been elected by the people for three successive terms, and

WHEREAS, during his term in office, many innovative and progressive policies and programs were introduced and implemented, and

WHEREAS, the citizens of the Town greatly benefited from his dedicated and untiring efforts in their behalf, and

WHEREAS, it is altogether fitting and proper that the Town recognize in an appropriate manner the public service of Howard N. Lee,

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that Wednesday, June 30, 1976 be and the same is hereby officially designated Howard N. Lee Appreciation Day to be observed throughout the Town.

This the 28th day of June, 1976.

ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN HOWES, THAT THE BOARD ADOPT THE RESOLUTION DESIGNATING JUNE 30, 1976, HOWARD LEE APPRECIATION DAY. THE MOTION WAS CARRIED UNANIMOUSLY.

Alderman Silver requested the Board allow him time at the end of the agenda to make an announcement regarding the recreation budget passed by the County Commissioners. Hearing no objection, Mayor Wallace added Alderman Silver's announcement to the end of the agenda.

Mr. Shipman asked the Board to delay consideration of Item 15, Annual Certification of Firemen, until July 12, as the present certification runs until June 30. Hearing no objection, Mayor Wallace announced the Annual Certification for Firemen would be placed on the agenda of the July 12, 1976, meeting.

Alderman Epting requested agenda space for the July 12, 1976, meeting for a report on the West Rosemary Street lot behind Fowler's Food Store. Hearing no objection, Mayor Wallace announced the report of Alderman Epting would be placed on the July 12 agenda.

Amendments to 1975-76 Budget Ordinance.

Mayor Wallace introduced a memorandum from the Town Manager recommending adoption of the following ordinance.

AN ORDINANCE TO AMEND THE "ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1975"

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the budget ordinance of the Town of Chapel Hill entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year beginning July 1, 1975" as duly adopted June 27, 1975, be and the same is hereby amended as follows:

GENERAL FUND

	Current Budget	Increase	Decrease	Revised
Legal	65 005	6 715	-	71 720
Planning	79 050	1 000	-	80 050
Public Works	1 416 165	-	25 015	1 391 150
Police	852 485	5 100	-	857 585
Fire	528 955	12 200	-	541 155
Total Net Change			-0-	

Section II

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

This the 28th day of June, 1976.

ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE ORDINANCE AMENDING THE BUDGET BE ADOPTED.

Mr. Hooper stated this ordinance was needed to close out the Fiscal Year; that it reflected the spending levels for 1975-76. THE MOTION WAS CARRIED UNANIMOUSLY.

Community Development Block Grant Application - FY 1976-77.

Mayor Wallace introduced a memorandum from the Town Manager advising that the Town's Community Development entitlement has been approved. He requested authority to execute the contract provisions applicable to this entitlement. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN EPTING, THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN A CD BLOCK GRANT AGREEMENT

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that Kurt J. Jenne, Town Manager, is hereby authorized to sign on behalf of the Town of Chapel Hill the Grant Agreement for \$465,000 in Community Development Block Grant funds for the Program Year beginning July 1, 1976.

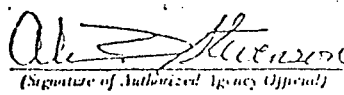
This the 28th day of June, 1976.

THE MOTION WAS UNANIMOUSLY CARRIED.

Schedule of Average Prices of Sale and Rental Housing in the C.D. Area.

Mayor Wallace introduced a memorandum from the Town Manager asking the Board to adopt a schedule of average prices of sale and rental housing. Mr. Shipman explained that this schedule was required by HUD for the Community Development Block Grant. ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN HOWES, THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION ADOPTING A SCHEDULE OF PRICES OF COMPARABLE HOUSING.

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board of Aldermen hereby adopts the following Schedule of Prices of Comparable Housing in Locality (Sales) in accordance with the requirements of the Department of Housing and Urban Development in determining replacement values, based on available units in the locality as certified by the Executive Director of the Chapel Hill Housing Authority:

SCHEDULE A. PRICES BASED ON NUMBER OF ROOMS				SCHEDULE B. PRICES BASED ON HABITABLE LIVING SPACE		
Number of Rooms	Size of Unit	Price Range		Total Habitable Living Space	Price Range	
		From	To		From	To
3 rooms or less	Small	\$ 0	\$ 0	800 square feet or less	\$	\$
	Medium	0	0	801 to 1,200 square feet		
	Large	0	0	1,201 to 1,600 square feet		
4 rooms	Small	18,000	18,250	1,601 to 2,000 square feet		
	Medium	18,000	18,400	More than 2,000 square feet		
	Large	18,250	18,400			
5 rooms	Small	20,000	20,400	5. Adoption of Schedule. The foregoing schedule is hereby adopted by the Chapel Hill Housing Authority for use in determining (Name of Local Agency) the cost of a "comparable" dwelling unit in connection with the computation of a replacement housing payment.  <u>10/14/75</u> (Date)  (Signature of Authorized Agency Official)  Executive Director (Title)		
	Medium	20,250	20,600			
	Large	20,500	21,000			
6 rooms	Small	23,500	24,000			
	Medium	23,750	25,000			
	Large	24,000	25,000			
7 rooms or more	Small	27,000	29,000			
	Medium	28,000	29,400			
	Large	29,000	29,400			

This the 28th day of June, 1976.

Alderman Epting requested information as to the source of the figures. Mr. Shipman replied they were arrived at from information submitted by local realtors and contained some input from HUD. Mr. Denny stated that although he knew nothing about the figures themselves, he was satisfied with the procedure outlined to compute the figures, that the figures would serve no purpose if not close to actuality. THE MOTION WAS CARRIED UNANIMOUSLY. ALDERMAN GARDNER MOVED SECONDED BY ALDERMAN MARSHALL, THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION ADOPTING A SCHEDULE OF PRICES OF COMPARABLE HOUSING.

A RESOLUTION ADOPTING A "SCHEDULE OF PRICES OF COMPARABLE HOUSING IN LOCALITY" (RENTAL)

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board of Aldermen hereby adopts the following Schedule of Prices of Comparable Housing in Locality (Rental) in accordance with the requirements of the Department of Housing and Urban Development in determining replacement values, based on available units in the locality as certified by the Executive Director of the Chapel Hill Housing Authority:

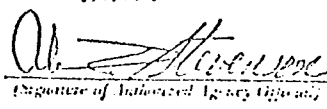
SCHEDULE A. PRICES BASED ON NUMBER OF ROOMS				SCHEDULE B. PRICES BASED ON HABITABLE LIVING SPACE		
Number of Rooms	Size of Unit	Price Range		Total Habitable Living Space	Price Range	
		From	To		From	To
3 rooms or less	Small	\$ 100	\$ 110	800 square feet or less	\$	\$
	Medium	125	135	801 to 1,200 square feet		
	Large	145	155	1,201 to 1,600 square feet		
4 rooms	Small	155	165	1,601 to 2,000 square feet		
	Medium	165	175	More than 2,000 square feet		
	Large	175	185			
5 rooms	Small	185	195			
	Medium	195	205			
	Large	205	215			
6 rooms	Small	215	225			
	Medium	225	245			
	Large	250	275			
7 rooms or more	Small	300	325			
	Medium	300	325			
	Large					

5. Adoption of Schedule.

The foregoing schedule is hereby adopted by the  
**Chapel Hill Housing Aut.** for use in determining  
(Name of Local Agency)

the cost of a "comparable" dwelling unit in connection with the computation of a replacement housing payment.

3/1/76  
(Date)

  
Signature of Authorized Agency Official

Executive Director

This the 28th day of June, 1976.

THE MOTION WAS CARRIED UNANIMOUSLY.

Sale of Property in the NDP Area.

Mr. Shipman stated that the Chapel Hill Housing Authority had advertised the sale of Lot 23 A on the Land Disposition Map of the NDP Area, on May 20, 1976. Mrs. Mary C. Roberts had submitted a lone bid of \$2,765.00. The Housing Authority Board of Commissioners adopted a resolution approving the sale and now requested the Board of Aldermen to concur by adopting the following resolution.

RESOLUTION OF SALE

Resolution Number           I            
Parcel Number           23-A            
Project Nubmer           N.C. A-5          

Seller: The Chapel Hill Housing Authority

Purchaser: Mrs. Mary C. Roberts

Amount: Two Thousand seven hundred sixty-five dollars (\$2,765.00)

Legal Description:

All of that certain lot or parcel of land located in the Town of Chapel Hill, County of Orange, State of North Carolina and more particularly described as follows:

All of Lot #23-A as shown on a Map entitled Northside-Knolls NDP, Area #1, Chapel Hill, North Carolina, prepared by City Planning and Architectural Associates Consulting Engineers, dated October 4, 1971, adopted by the Town of Chapel Hill's Board of Aldermen on October 4, 1971, as a part of the Redevelopment Plan.

Special Conditions:

Restrictive Covenants as applicable to Single Family Residential Area and conditions of contract between seller and purchaser, said contract being dated March 9, 1976, and including Part I and Part II, thereof.

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Housing Authority of the Town of Chapel Hill is hereby authorized to convey the premises above described to the above named purchaser and the terms and conditions of Contract of Sale are hereby approved in each and every detail.

Passed this 28th day of June, 1976.

ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN EPTING, THAT THE RESOLUTION OF SALE BE ADOPTED. Mr. Denny commented that the purchaser is required to submit building plans for a house with the bid, and the home must be erected within a certain amount of time. THE MOTION WAS CARRIED UNANIMOUSLY.

Highway Improvement Program.

Mr. Jennings explained that Chapel Hill presently has no roads in the state highway improvement program, other than Highway 54 to the East, although several requests were made last year. The Planning Board in discussing the program at its last meeting decided it would like to submit the same requests as it had last year with the exceptin of McCauley Street extension and the outer loop. Alderman Silver questioned whether, with the numerous traffic lights now on the by-pass, making the by-pass four lanes would make a significant difference in the traffic flow, whether the enlargement of the road would make it easier for traffic to get on the by-pass. Mr. Jennings stated four-laning would not make it easier to get on from adjoining roads, but would make the traffic flow easier. Alderman Marshall said the state wanted to make the by-pass six lanes, and then asked what the thoroughfare plan called for. Mr. Jennings replied that the thoroughfare plan called for four-laning the by-pass. Alderman Silver still had reservations as to whether four lanes would be the solution to the traffic problem on the by-pass.

Alderman Howes believed widening the road desirable and asked what would be the result of no action on this matter. Mr. Jennings stated that there would be no change of getting anything on the highway Improvement Program because they only responded to comments, that even with this action chances of getting it on the program were slim because there was no currently adopted thoroughfare plan.

Alderman Vickery stated he would like to see a consolidated statement on transportation which would include the bus system as well as the adequacy or inadequacy of roads. Mayor Wallace requested an additional statement reflecting the Board's intention to further study the thoroughfare plan at the earliest convenient time. Alderman Silver suggested deleting 15-501 from the request. Alderman Howes however, felt this might indicate that the Town was getting touchy over the profile of the road in the residential sections. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN GARDNER, THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION ON THE HIGHWAY IMPROVEMENT PROGRAM.

A RESOLUTION OF COMMENT ON THE STATE HIGHWAY IMPROVEMENT PROGRAM

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board reiterates its requests of April, 1975, to the State Department of Transportation regarding the Highway Improvement Program with the following exceptions:

1. The Board asks that McCauley Street Extension be deleted from its previous request;
2. The Board asks that the portions of U.S. 15-501 and N. C. 54 covered in the previous request be constructed with 4 lanes to better handle the heavy traffic load; and
3. The Board looks forward to the resolution of these and all other transportation matters in the context of general deliberations with DOT on the thoroughfare plan for Chapel Hill - Carrboro.

This the 28th day of June, 1976.

THE MOTION WAS CARRIED UNANIMOUSLY.

Eastowne Drive Sidewalk Plan.

Mayor Wallace introduced a memorandum from the Town Manager recommending that the Board approve the sidewalk plan for the Eastowne office/commercial development. The applicant has submitted the sidewalk plan, including phasing and construction standards, as is required before the issuance of a certificate of occupancy for building #2. The Planning Board in reviewing the sidewalk plan felt that the original stipulation requiring the plan should have also necessitated construction, but given the wording of the stipulation, the applicant is in compliance. ON MOTION BY ALDERMAN EPTING, SECONDED BY ALDERMAN GARDNER, THE BOARD UNANIMOUSLY ADOPTED THE FOLLOWING RESOLUTION APPROVING THE SIDEWALK PLAN.

A RESOLUTION APPROVING THE SIDEWALK PLAN FOR EASTOWNE DRIVE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby approves the sidewalk plan for Eastowne Drive including the phasing and construction standards submitted therewith.

This the 28th day of June, 1976.

Caswell Road Improvements.

The widening of Caswell Road between Clayton Road and Estes Drive was approved in the 1976-77 operating budget. Because there is no valid petition, the Town Manager has recommended that the Board adopt a resolution proposing the improvement of Caswell Road without petition and with assessment at the rate of 50% of the project cost. This would require personal inspection of the street and a public hearing on the matter. Alderman Vickery suggested that as the road was being improved to eliminate a safety hazard, that the Board only assess for paving and not for curb and gutters, as was discussed with Cleland Road. Alderman Epting asked if this would not open the Board to accusations of discriminatory action. Mr. Denny stated that this is always a possibility, however there is precedent for the action as the Town has at times levied full, partial or no assessment. He suggested that to avoid potential problems the

minutes should clearly reflect the discussion and conclusions behind each assessment. He added that by adopting resolutions of intent to improve, the Board was not obligating itself to assess, but only permitting itself to assess fully, partially, or not at all, at a later date. Alderman Epting disagreed, suggesting that the Board would be leaving itself open to other property owner's petitioning the Board for non-assessment. Alderman Howes asked if Dr. Nash would know the cost of assessment by the time of the public hearing. Mr. Denny gave assurances that Dr. Nash would be informed of the cost, and that the in-house labor by the Public Works Department would reduce the cost. Alderman Howes stated he believed Dr. Nash would be benefitted by the improvements and he was not convinced the Board should waive the assessment. One of the purposes of the hearing should be to decide if the improvements would be necessary if there was no school nearby. Alderman Marshall stated they could have the hearing proposing full assessment, and if the testimony at the hearing warranted, reduce or delete the assessment. Mr. Denny added that this would take another resolution. ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN GARDNER, THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION PROPOSING THE IMPROVE CASWELL ROAD WITHOUT PETITION AND WITH ASSESSMENT.

A RESOLUTION PROPOSING TO IMPROVE A PORTION OF CASWELL ROAD WITHOUT PETITION AND WITH ASSESSMENT

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board of Aldermen intends to make personal inspection of Caswell Road between Estes Drive and Clayton Road.

Said inspection to determine whether the public interest requires that the widening with curb and gutter of said street is necessary by reason of heavy traffic, safety, or is necessary in the public interest; whereupon the Board may without petition order the making of such improvement and the assessment of the cost thereof against abutting property in the same manner as such assessment would be made upon petition; and

BE IT FURTHER RESOLVED by the Board of Aldermen of the Town of Chapel Hill that a public hearing for the purpose of considering an order for the paving of the above streets and the assessment of abutting property owners for the costs therefor will be held in the Meeting Room of the Chapel Hill Municipal Building, 306 North Columbia Street, at 7:30 p.m. on July 26, 1976.

This the 28th day of June, 1976.

THE MOTION WAS CARRIED UNANIMOUSLY.

There was further discussion as to the exact amount of the assessment and whether the Board must state an exact amount. Mr. Denny advised that if the Board did not adopt a preliminary resolution of intent to improve with an exact amount for assessment before the public hearing, they would have to hold another public hearing to decide on the amount. At a public hearing proposing full assessment, the residents would have an opportunity to comment on a lesser amount for assessment. Alderman Marshall asked what the cost would be for the project. Mr. Shipman estimated the actual cost, because of in-house labor, to be \$2500. Alderman Marshall then suggested that because of the small amount the Board authorize the improvements without assessment. Mr. Denny said that if a resolution to improve without assessment was passed, the previous resolution just passed by the Board would be unnecessary. ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN SILVER, THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION TO MAKE THE IMPROVEMENTS TO CASWELL ROAD WITHOUT ASSESSMENT.

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board of Aldermen undertake the necessary improvements to Caswell Road, between Estes Drive and Clayton Road, a public street within the corporate limits of the Town of Chapel Hill, without petition and without assessment.

BE IT FURTHER RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the previous resolution passed by the Board proposing to improve a portion of Caswell Road without petition and with assessment is hereby nullified and declared void.

THE MOTION WAS UNANIMOUSLY CARRIED.

Claim of Albert West.

Mayor Wallace stated that Mr. West had previously filed a petition alleging damages to his property by the Town when installing the sewer along Morgan Creek. Mr. Denny introduced the following resolution authorizing a settlement of the claim of Mr. West.

## RESOLUTION AUTHORIZING SETTLEMENT OF CLAIM BY A. R. WEST

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town Manager and the Finance Director be, and they are hereby authorized to settle the damage claim of A. R. West for the sum of FORTY-FIVE HUNDRED DOLLARS (\$4500.00), upon receipt by the Town of a full and complete release.

This authorization is made without prejudice, and does not constitute admission of liability, but is made in compromise and settlement of a disputed claim.

This the 28th day of June, 1976.

Mr. Denny stated that the town had from time to time taken steps to correct the erosion of Mr. West's property, however these were insufficient and the situation had now stabilized. Alderman Marshall asked if Dr. West had work done to repair the damage, and there was damage to property downstream from Mr. West, would Mr. West be liable. Mr. Denny replied that the Town would not be liable. The resolution intentionally does not require Mr. West to spend the money to correct the problem; it is only a settlement of his claim. ON MOTION BY ALDERMAN VICKERY, SECONDED BY ALDERMAN MARSHALL, THE MOTION WAS UNANIMOUSLY CARRIED.

I-40 Statement.

Alderman Howes stated that the committee had met with Durham officials to discuss the route for I-40. The two groups of officials could not agree. However, because of the Board's previous actions, and responses of Orange County citizens supporting Alternate 4, Alderman Howes moved, seconded by Alderman Marshall, that the following resolution of comment be adopted:

## A RESOLUTION OF COMMENT ON I-40

WHEREAS, any routing of I-40 through Orange County will cause dislocation and do violence to human and wildlife habitats therein; but

WHEREAS, of the possible routings, Alternate 4 requires the least new construction; requires the least displacement of businesses and families; requires no new stream crossings; and causes a relatively slight loss of wildlife habitat acreage; NOW, THEREFORE,

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board continues to oppose all the I-40 alternate routes through Orange County but finds Alternate 4 the least objectionable of the possibilities; and

BE IT FURTHER RESOLVED that the Board continues to express its interest in the desperately-needed improvements to NC 54 East and NC 86.

This the 28th day of June, 1976.

Alderman Silver expressing his concern for Durham County residents and the impact of the highway on these residents, moved that the Board amend the resolution substituting the following paragraph for the third paragraph of the proposed resolution:

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board continues to oppose all the I-40 alternate routes through Orange County but finds Alternate 4 the least objectionable of the possibilities; and realizing that because most of Alternate 4 runs through Durham County, it will be necessary for the citizens and officials of Orange County to work closely in concert with those of Durham in order to minimize the impact on the area as a whole; and



Alderman Vickery seconded the motion to amend. Alderman Marshall stated that the amendment would not help to solve the disagreement between the two counties and therefore should not be added. Alderman Vickery said he would support the amendment because it tended to show the Department of Transportation that the Town was trying to take a logical approach to the routing of I-40, rather than simply expressing its dislike for having the highway in Orange County. THE MOTION TO AMEND WAS CARRIED BY A VOTE OF FIVE TO ONE WITH ALDERMEN EPTING, GARDNER, HOWES, SILVER AND VICKERY SUPPORTING AND ALDERMAN MARSHALL OPPOSING. Mayor Wallace called for a vote on the resolution as amended.

A RESOLUTION OF COMMENT ON I-40

WHEREAS, any routing of I-40 through Orange County will cause dislocation and do violence to human and wildlife habitats therein; but

WHEREAS, of the possible routings, Alternate 4 requires the least new construction; requires the least displacement of businesses and families; requires no new stream crossings; and causes a relatively slight loss of wildlife habitat acreage; NOW, THEREFORE,

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board continues to oppose all the I-40 alternate routes through Orange County but finds Alternate 4 the least objectionable of the possibilities; and realizing that because most of Alternate 4 runs through Durham County, it will be necessary for the citizens and officials of Orange County to work closely in concert with those of Durham in order to minimize the impact on the area as a whole; and

BE IT FURTHER RESOLVED that the Board continues to express its interest in the desperately-needed improvements to NC 54 East and NC 86.

This the 28th day of June, 1976.

THE RESOLUTION WAS ADOPTED UNANIMOUSLY.

Alderman Vickery commended Naomi Kaufman on her article in the Chapel Hill Newspaper on I-40. Alderman Howes added that the public hearing on I-40 would be on June 29, in Durham, and gave directions for the location of the hearing.

Bids for Maintenance Shop Equipment.

Mayor Wallace introduced a memorandum from the Town Manager showing bids received on three items of maintenance shop equipment for which there had been a second bid. The manager asked that the Board accept the low bid on the drill press. ON MOTION BY ALDERMAN HOWES, SECONDED BY ALDERMAN GARDNER, THE BOARD UNANIMOUSLY ADOPTED THE FOLLOWING RESOLUTION FOR MAINTENANCE SHOP EQUIPMENT.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR ONE (1) ITEM OF MAINTENANCE SHOP EQUIPMENT

WHEREAS the Town of Chapel Hill has solicited formal bids on three items of maintenance shop equipment and the following bids have been received:

<u>Bidder</u>	<u>Tire Changer</u>	<u>Test Bench</u>	<u>Drill Press</u>
Dillon Supply Company	-	-	1,404.04
Sears Roebuck Company	3,848.46	-	-
Smith-Courtney Company	-	-	1,229.29
Southern Parts & Electric Company	3,928.50	-	-
Turner Equipment Company Inc.	2,825.00	-	-

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Smith-Courtney Company for the Drill Press.

This the 28th day of June, 1976.

Tax Releases.

Mayor Wallace introduced the following resolution from the Town Clerk requesting that the taxes of a list of persons erroneously levied be released.

## 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>
Gertrude Flack	1973 - 2046	\$ 82.33	This property was listed to Mrs. Flack in error. Val of 8400 to Mrs. Burnett; Val 500 to Mr. Perin.
	1974 - 2031	82.33	
	1975 - 2269	85.89	
Raymond L. Perry	5261	45.60	Was charged with two units-only one connected to sewer
J & G. Corp.	1965 - 3940	2.47	This lot has been charged on the books since 1965 from the Hargraves Subdivision. Orange Co. advised it does not exist.
	1966 - 3990	2.31	
	1967 - 4203	2.42	
	1968 - 5258	2.44	
	1969 - 6375	2.65	
	1970 - 6617	2.90	
	1971 - 6991	3.13	
	1972 - 7352	3.23	
	1973 - 7284	6.48	
Sarah C. Webb	7433	42.46	Real Property in County, Personal in
Spence & Lester & Crumpton	8583	335.82	Double listed. Also listed to John E. Stanton and paid.
R. Neil Scott	6532	45.60	Not connected to sewer.

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 28th day of June, 1976.

ON MOTION BY ALDERMAN HOWES, SECONDED BY ALDERMAN GARDNER, THE RESOLUTION WAS UNANIMOUSLY ADOPTED.

Airport Road Site Development.

Alderman Epting stated he had received several calls during the day on this item and had given erroneous information to some of these persons by telling them the Airport Road Site Development would be discussed, but no determination would be made at this meeting of the Board. He suggested delaying any action until the next meeting of the Board. Alderman Howes asked if the committee of Aldermen Epting, Gardner and Smith had made any decision with regard to the site among themselves. Alderman Epting explained that most of their discussions had been with the belief that a previous board had already made a decision as to the use of the site. It was now his understanding that no Board had made a decision for the use and he would like to have a discussion on the matter with an opportunity to listen to Glen Heights residents. Alderman Marshall stated the Board had discussed the use of the Horace Williams Airport site in detail in executive session, although no public action had been taken. Mr. Jennings stated when the lease had been signed the Town Manager was under

the impression that no action had been taken; therefore, he had contacted the Glen Heights residents to get their input as to the development. Alderman Gardner said the previous Board had discussed the use of the site with the University over a period of several months, before the lease had been signed. Alderman Epting moved that the Board delay consideration of a resolution on the use of the site until the next meeting of the Board. Alderman Marshall seconded, adding that she wished it to be understood that there would not be a public hearing on the matter, that it would only be delayed so that residents could hear the discussion. Alderman Silver asked that the discussion be delayed until the staff could do some site engineering. Mr. Denny stated the details of the site use had not been worked out although there had been discussion on the specific facilities which could be built on the site. The University had also named certain uses which they would not like to see on the site. Alderman Epting amended his motion to postpone consideration of the matter until the staff had a rudimentary schematic site plan. ALDERMAN MARSHALL SECONDED, AND THE MOTION WAS CARRIED UNANIMOUSLY.

#### Internal Organization.

Alderman Marshall requested that because of the number of items the Board had to consider in July and August, and the fact that the Board would not meet in August, that the discussion of this item be delayed until September. As Alderman Vickery's study on committees would be related, he agreed to delay the discussion on organization provided there were informal meetings before September so that a report could be distributed at the end of August. There was a discussion as to the extent the committees would be involved in the internal organization of the Board. Mr. Denny suggested there be informal groups to discuss internal and external organization and then a meeting of these groups in September. The consensus was to have Mr. Denny's and Aldermen Vickery and Marshall's reports distributed to members of existing Town boards, committees, and other interested citizens, then hold informal meetings on the structural organization.

#### Water and Sewer Authority.

Mr. Denny reported that on June 28 the Secretary of State had issued the amended articles of incorporation for the Orange Water and Sewer Authority and the Authority was duly reconstituted. The members were to meet on July 1 to take the oath of office. A package containing the certifications by the Secretary of State and those of the individual governmental authorities had been delivered to Dr. Claiborne Jones at UNC. He continued that the Authority was now at a standstill because some of the professionals desired to be paid for previous work before going any further. The amount of money needed would be approximately \$30,000 - \$40,000. As the Authority had no money nor any way of raising revenue, the governing bodies constituting the Authority would have to advance the money through the loan process. He believed this should be done on the basis of representation; therefore, Chapel Hill would be making a loan of \$20,000 and Orange County and Carrboro \$8,000 each. Mr. Denny emphasized the need to move quickly so that documentary work could be completed. Alderman Marshall pointed out the position of strength the Town would be in if its representatives could go to the July 1 meeting with its contract signed and the authorization for the advance. Alderman Howes moved that the Board hold a special meeting July 1, at 4:00 P.M., so that the sewer agreement could be signed before the meeting of the Authority. ALDERMAN GARDNER SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY.

#### Solid Waste Study.

Mr. Shipman stated the 1975-76 budget contained an allocation of funds for a solid waste collection study. The administration assumed this would mean a comprehensive study. After interviewing a number of firms qualified to do the study, the staff has determined that a substantial cost savings of 30% - 50% could possibly be realized in solid waste collection, but because of citizen opposition to some of the alternative systems, the staff would like some guidance from the Board as to whether the Board wishes to give serious consideration to a whole range of alternative systems. Alderman Marshall said she believed it only a matter of time until the town had to change its system because of cost, and other towns' experiences have indicated other systems work well once citizens get used to them. The study would be divided into two phases and would take five or six months. Alderman Silver moved, seconded by Alderman Howes, that the Board authorize a full and comprehensive study of solid waste collection. The motion was carried unanimously.

#### Triangle J Commission on Criminal Justice.

The Triangle Commission on Criminal Justice merged with the Triangle J Council of Governments. The new by-laws provide for a representative from each unit

of government on the full Board. They would like a representative from Chapel Hill. Alderman Epting indicated his desire to serve on this Commission. ON MOTION BY ALDERMAN SILVER, SECONDED BY ALDERMAN HOWES, THE BOARD UNANIMOUSLY APPOINTED ALDERMAN EPTING TO THE COMMISSION ON CRIMINAL JUSTICE.

Library Board - Appointment.

The Library Board had nominated four persons to fill the two vacancies on the Board. The nominations were Mr. George W. Harris, Mr. Lewis Leary, Mrs. William S. Joyner, and Mrs. John H. Schutz. On motion by Alderman Marshall, seconded by Aldermen Howes, the nominations were closed. In secret ballot, Mr. Harris received six votes, Mr. Leary no votes, Mrs. Joyner no votes, and Mrs. Schutz six votes. Mr. Harris and Mrs. Schutz were appointed to the Library Board for a term ending 1982.

Planning Board Appointment

The Planning Board had submitted the names of Velda Fluellen and Marvin Patterson for the vacancy on the Planning Board. On motion by Alderman Marshall, seconded by Alderman Vickery, the nominations were closed. Mrs. Fluellen received four votes to Mr. Patterson's two votes by secret ballot. Mrs. Fluellen was appointed to the Planning Board to fill the unexpired term of All Slifkin ending June 1980.

Joint Orange-Chatham Community Action Board.

The Joint Orange-Chatham Community Action Board has a vacancy and would like a representative from Chapel Hill to fill this vacancy. Alderman Silver indicated that he had served before and would again like to serve on this board. ON MOTION BY ALDERMAN VICKERY, SECONDED BY ALDERMAN EPTING, ALDERMAN SILVER WAS APPOINTED TO THE JOINT ORANGE-CHATHAM COMMUNITY ACTION BOARD TO SERVE AT THE PLEASURE OF THE BOARD OF ALDERMEN.

Work Session for Budget.

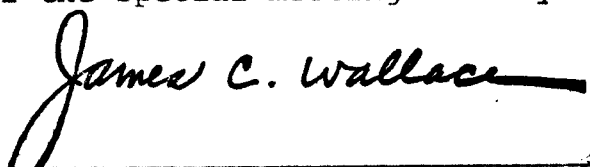
Alderman Vickery had asked for this time to discuss a work session on the budget. Alderman Howes stated he believed the Board needed to meet in an informal setting to discuss this matter. Alderman Vickery said he would ask Mr. Jenne to set a time for such a meeting.

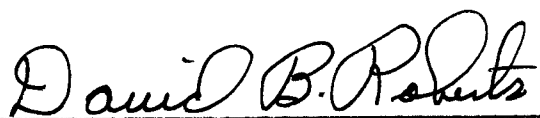
Orange County Recreation.

Alderman Silver announced that June 24 the County had enacted a budget which included \$50,000 for recreation to be used in the Southeastern portion of the County. In doing this, they were avoiding duplication by not having their County Recreation Department function where there are already two recreation departments operating. The major portion of the money will be used to make available school facilities for recreation. This will increase the number of hours school facilities can be used. It is hoped that new year this amount will increase.

Executive Session.

At 10:15, the Board adjourned into executive session to consider property acquisition. At 10:45 p.m., the Board was again called to order. Mayor Wallace announced that the Board had not been able to reach a decision, therefore the matter was delayed until the special meeting on July 1. The meeting was adjourned at 10:46 P.M.

  
 \_\_\_\_\_  
 Mayor, James C. Wallace

  
 \_\_\_\_\_  
 Town Clerk, David B. Roberts