

MINUTES OF A REGULAR MEETING AND PUBLIC HEARING OF THE MAYOR AND BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, OCTOBER 11, 1976 7:30 P.M.

Mayor Wallace called the meeting to order. Present were:

- Gerald Cohen
- Robert Epting
- Jonathan Howes
- Thomas Gardner
- Shirley Marshall
- Marvin Silver
- R. D. Smith
- Edward Vickery

Also present were Town Manager K. Jenne, Assistant Town Attorney D. Drake, and Town Clerk D. Roberts.

Public Hearing

Mayor Wallace announced that the public hearing had been called to consider street closing in Laurel Ridge. The hearing would begin with a presentation by Mr. Jennings.

Mr. Jennings stated that on September 13, 1976, the Board of Aldermen had passed a resolution of intent to close the streets and set a public hearing for this night to hear citizen's comments. All of the streets being considered were unpaved, unopened, previously plotted streets, within the Laurel Ridge apartment complex property. The roads are Edwards Street, south of Durham Street, Park Road, east of the Dorsett Estate, and Trimble Road, east of the Dorsett Estate. Mayor Wallace asked for comments from the audience. Mr. Jay Dubaney, attorney for the property owner, stated he had filed the petition to close the streets. The owner wished to close the streets as a matter of title information required by the title insurance company, to clear record title to the property. The plats were very old and had never been used. The owners wanted to get rid of them so their property would be contiguous.

There being no further comments or questions, Mayor Wallace adjourned the public hearing at 7:32 p.m.

Petitions and Requests

Mayor Wallace announced that a letter had been received from Mr. Sydenham B. Alexander, representing Mr. and Mrs. Gerald Barrett. The Barretts had objected to the paving of a portion of Laurel Hill Road in front of their property, and the town had decided to pave anyway. Now, in light of the recent action of the Board regarding the paving of Ward, Weiner and Coker Streets without assessment, the Barretts were requesting the Board of Aldermen to pave Laurel Hill Road without assessment. Alderman Cohen asked if the Road was a bus route. Mayor Wallace answered yes, that the road was a bus route five days a week, the weekend service had been stopped. He suggested the petition be received and referred to Mr. Denny for recommendation. ALDERMAN MARSHALL MOVED TO REFER THE MATTER TO MR. DENNY SECONDED BY ALDERMAN GARDNER. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Calvin Scoble, petitioning the Board on behalf of the Delta Upsilon Fraternity, requested to be heard when item number 6 came before the Board. There being no objection, Mayor Wallace announced the Board would hear Mr. Scoble.

Mr. Joe Nassif stated that a petition had been delivered to the Mayor's office on September 28, requesting a discussion concerning the recreational bond be placed on the agenda for this meeting. As the item had been left off the agenda, he was petitioning the Board to place the recreational bond discussion on the agenda now. Mayor Wallace explained that though the petition had been sent to his office, he had not actually read it until the afternoon before the meeting, and would accept responsibility for its being left off the agenda. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN COHEN, THAT THE PETITION BE RECEIVED AND PLACED ON THE AGENDA AS ITEM 8A. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Giles, representing Delta Delta Delta Sorority, requested the Board to consider a petition by the sorority to overrule the staff's delay of the sorority's application for a special use permit. ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN GARDNER, THAT THE BOARD ACCEPT THE PETITION AND PLACE IT ON THE AGENDA AS ITEM 8B. THE MOTION WAS CARRIED UNANIMOUSLY.

Ms. Parker asked the Board if they had edited the copies of the Comprehensive Plan given at the last meeting, and if so, to please return them to her.

Mrs. Carolista Baum requested the Board to hear a petition for another public hearing on the special use permit application of the Delta Delta Delta sorority. The Planning Board could only consider evidence which had been sworn to and presented at the public hearing; and she had been unable to attend the public hearing. The second request was that the Board act on the petition for a traffic study on Rosemary Street. She also asked to be allowed to speak to the Board when it considered item number 6, the request to close Rosemary Street. Alderman Epting asked why Mrs. Baum was requesting a second public hearing. Mrs. Baum answered she wished to present additional information on the matter. Alderman Epting questioned the type of information which she wished to present. Mrs. Baum said she had just received some photographs in the mail and had some additional information. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN VICKERY, THAT THE PETITIONS REGARDING THE DELTA DELTA DELTA PERMIT APPLICATION BE PLACED ON THE AGENDA AFTER MR. GILES' PETITION, AS ITEM 8C. THE MOTION WAS CARRIED BY A VOTE OF 7 TO 1 WITH ALDERMAN EPTING OPPOSING.

Alderman Cohen requested the Board to discuss an item it had considered once before, that of voter registration at the library, when the subject of increasing the library staff was considered.

Alderman Vickery requested that the Board reconsider its ban on swimming. He had had several calls from neighbors and residents asking that the university be allowed to open its pool. It is a self-contained system which would not use much water. He moved that the subject be placed on the end of the agenda. ALDERMAN COHEN SECONDED. ALDERMAN SMITH OBJECTED TO THE BAN BEING LIFTED ON THE GROUNDS THAT THE UNIVERSITY HAD ASKED THE TOWN TO IMPOSE THE BAN, AND ANY REQUEST FOR LIFTING IT SHOULD COME FROM THE UNIVERSITY. THE MOTION CARRIED BY A VOTE OF 7 TO 1 WITH ALDERMAN SMITH OPPOSING. Mr. Grey Moody, of Chapel Hill Athletic Club, stated his pool was also self-contained, that he had not added water to his pool, and did not wish to close his pool as had been ordered by the Police Department. Mayor Wallace said that since Mr. Moody was interested in this item also, it would be heard earlier on the agenda as item 8D.

Mayor Wallace announced that a petition from First Baptist Church had been received by the town and had been circulated among the Aldermen. ALDERMAN COHEN MOVED THAT THE PETITION OF FIRST BAPTIST CHURCH, ALONG WITH A SIMILAR ONE HE HAD RECEIVED ON EAST TOWN NEAR BLUE CROSS, BE REFERRED TO THE STREETS COMMITTEE. Alderman Epting added another petition for a loading zone in front of Kirkpatrick's to this list. Alderman Marshall had also received a petition on a parking on Cameron Court to be referred to the Streets Committee. ALDERMAN EPTING SECONDED THE MOTION WHICH WAS CARRIED UNANIMOUSLY.

Minutes

On motion by Alderman Smith, seconded by Alderman Gardner, the minutes of the meeting of September 27, 1976, were approved as corrected.

Ordinance Closing Certain Streets

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN COHEN, THAT THE FOLLOWING ORDINANCE REGARDING EDWARDS STREET, PARK ROAD, AND TRIMBLE ROAD BE ADOPTED.

AN ORDINANCE CLOSING CERTAIN STREETS

WHEREAS, on September 13, 1976, the Board of Aldermen of the Town of Chapel Hill adopted a Resolution declaring its intent to close certain streets under the provisions of North Carolina General Statutes Section 160A-299, and setting a public hearing for October 11, 1976 at 7:30 p.m. to consider the question; and

WHEREAS, the streets involved are more particularly described as follows:

- (a) Edwards Street south of Durham Street as shown on a plat attached to a deed showing the property of Luther Edwards as recorded in Deed Book 76, Page 146, Orange County Registry.

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- (b) Park Road east of the present H. G. Dorsett Estate and running generally south of Durham Street as shown on a plat of the property of General Building and Masonry Contractors, Inc., recorded in Plat Book 19, Page 86, Orange County Registry and as shown on a plat of the Kittrell Mill property of H. G. Dorsett as recorded in Plat Book 1, Page 9, Orange County Registry.
- (c) Trimble Road east of the present H. G. Dorsett Estate and running generally south of and parallel to Park Road as shown on a plat of the property of General Building and Masonry Contractors, Inc., recorded in Plat Book 19, Page 86, Orange County Registry and as shown on a plat of the Kittrell Mill property of H. G. Dorsett as recorded in Plat Book 1, Page 9, Orange County Registry; and

WHEREAS, said Resolution was published once a week for four (4) successive weeks, copies were posted prominently at two points along said streets, and a copy of said Resolution was sent by certified mail to every owner of property adjoining the streets as shown on county tax records; and

WHEREAS, at the hearing all persons desiring to speak on the question of whether the said closings would be detrimental to the public interest, or the property rights of any individual were heard; and

WHEREAS, after the closing of said hearing, it appears to the satisfaction of the Board of Aldermen of the Town of Chapel Hill that closing said streets would not be contrary to the public interest, and that no individual owning property in the vicinity of the streets or the neighborhood in which they are located would thereby be deprived of reasonable means of ingress and egress to his property; NOW THEREFORE,

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill, that the unnamed street through the above-described streets are hereby closed; and

BE IT FURTHER ORDAINED that a certified copy of this Order is filed with the Register of Deeds of Orange County.

This the 11th day of October, 1976.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting Modification to the Laurel Ridge Special Use Permit

ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN MARSHALL, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING MODIFICATIONS TO THE LAUREL RIDGE SPECIAL USE PERMIT

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Special Use Permit for Laurel Ridge be modified as follows:

1. That the total number of units in the project be reduced from 190 units to 160 units, eliminating all 20 units proposed for phase II, in addition to 10 units located near the recreation area, as shown on the plans submitted with this application; and in addition, eliminating from the area covered by the permit the northern portion of the Hogan tract, estimated at 11,369 square feet.
2. That the units be changed from condominiums back to apartments.
3. That the completion date of the project be extended to September 30, 1977.
4. That the use shall continue to be subject to all special terms and conditions previously placed upon the special use permit as originally approved and modified; and that, as so subject, the use as modified continues to meet the four findings as made upon the initial granting of the Special Use Permit.

This the 11th day of October, 1976.

Resolution to Establish Annual Sanitary Sewer Addition Allocations

Mr. Jenne stated that although no specific direction had been given by the Board on the sewer allocation policy, at the last meeting, he and Mr. Denny had inferred certain points of consensus.

From this they had drafted a "first-in, first-on" policy which attempted to address some of the problems raised by the Board. He introduced the following resolution for sewer allocation policy, and explained some of its provisions.

A RESOLUTION TO ESTABLISH ANNUAL SANITARY SEWER ADDITION ALLOCATIONS AND PROVIDE A METHOD FOR DETERMINING INDIVIDUAL ALLOCATIONS

THAT WHEREAS, the Chapel Hill Sanitary Sewer Treatment Plant is subject to limitations as provided in the NPDES Permit issued by the Department of Environmental Management, and

WHEREAS, said permit has imposed certain limitations on connections to the sanitary sewer system being served by said plant, and

WHEREAS, it is proposed that certain improvements be made to said plant to enable it to meet NPDES Elimination Standards as well as increase the volumetric capacity of said plant for adequate sewer treatment, and

WHEREAS, the capacity of said plant can be increased by said improvements to only 5.5 million gallons per day, and

WHEREAS, more adequate facilities to be provided through 201 construction will not be available until 1981 or 1982, and

WHEREAS, it is necessary to allocate the available additional sewage capacity over said period in a manner as to most adequately meet the needs of the community.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill:

- 1. That the following annual allocations are hereby established for the calendar years hereinafter set forth for maximum additional sanitary sewer daily volume to be added to the sanitary sewer system of the Town of Chapel Hill.

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>
GALLON ALLOCATION	175,000	260,000	190,000	220,000	150,000	150,000	150,000

The allocation policy shall be reevaluated once each year on the basis of actual additional loadings, any revised anticipated loadings and performance data. Any allocations not used in a particular calendar year shall be reallocated for the remaining year.

- 2. That the following individual allocations, against said annual allocations, have already been made by permits issued and outstanding as of the date of this resolution.

<u>1976</u>	<u>1977</u>	<u>1978</u>
107,400	119,800	62,600

3. That the Town will accept individual applications for allocation on a first in, first on basis. In instances of subdivision development or where a special use permit is required, a planning permit may be issued to a proposed developer, which said permit shall be valid for a period not to exceed one (1) year. In phased construction pursuant to a special use permit, an individual allocation may be made to coincide with the construction schedule provided for in said special use permit. In all other instances, a plumbing permit shall be applied for simultaneously with the application for a building permit, which said permit shall be valid for a period of not to exceed one (1) year, except in those instances where normal and expeditious construction time indicates that a greater period of time is required for completion, in which event, the permit shall state a specific time for completion and connection. In the event connection is not made within the period specified said permit shall become void. In issuing all permits, the year against which the individual allocation is to be charged, shall be the year in which actual connection to the sanitary sewer system is to be made. Any permits which expire may be renewed only upon written application, and shall be considered as if it had been originally submitted at that time. In the event the total annual allocation for a particular year has been allocated, then and in that event no further permits shall be issued for said year.

4. That in determining the amount of loading volume to be charged in individual allocation, the following flow rate in gallons per day shall be used where applicable:

Type of Establishment - Estimated Gallons  
Apartments

1-bedroom	250
2-bedroom	300
3-bedroom	350
Ordinary restaurants	35-per seat
24-hour restaurants	50-per seat
Institutions (resident)	100-per person
Laundries, coin operated	400-per machine
Motels	100-per unit
Nursing and rest homes	100-per person
Office buildings	20-per employee
Schools, elementary	15-per pupil
Schools, high and junior high	20-per pupil
Service Stations, first bay	1000-500 each additional bay
Single family dwelling	400
Stores	250-per water closet

5. That all applications for sewer connections shall be subject to all the terms, conditions, and procedures of the then existing NPDES Permit held by the operator of the Chapel Hill Sanitary Sewer Plant.

This the 11th day of October, 1976.

Alderman Gardner questioned the purpose of changing condominiums, which had originally been apartments, back to apartments. Mr. Robert Marsh, representative of the owner, stated that condominiums are not selling well, and the apartment market in this area is good. The owners want to keep the structure as apartments. Alderman Gardner then asked what assurance the Board would have of completion of the project, as the project was begun several years before, and had been before the Board for several changes. Mr. Marsh explained that the project had been through two bankruptcies and two foreclosures. Great American gained title to the property in May, 1976. They sold the property under an escrow agreement. In light of the trouble Great American went to to get title, and find a buyer who wanted the project finished, Mr. Marsh thought the project would now be completed. Alderman Smith asked if any alternatives or improvements had taken place in the area from which the 30 units had been eliminated. Mr. Marsh replied that the Hogan's tract and the area which had been planned for the 30 units had not been touched. Alderman Vickery asked if the Planning Board had any objection to the resolution. Mr. Jennings said he had spoken to the Chairman of the Planning Board, and they could not foresee any problems with the change. Alderman Silver stated he would abstain from voting because of a conflict of interest. THE MOTION WAS CARRIED UNANIMOUSLY.

#### Ordinance Temporarily Closing Rosemary Street

Mayor Wallace introduced the following ordinance, after which he stated that the manager had recommended denial of the ordinance.

#### AN ORDINANCE TEMPORARILY CLOSING A PORTION OF ROSEMARY STREET

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby orders the closing to vehicular traffic other than for emergency purposes of that portion of Rosemary Street between Hillsborough Street and the Alpha Delta Pi Sorority house on Friday, October 15, 1976, from 2:30 p.m. to 10:30 p.m. to allow the Beat State Extravaganza to be held in safety.

#### SECTION II

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

This the 11th day of October, 1976.

The Board had agreed to allow Mr. Scoble to speak at this time, and Mayor Wallace asked Mr. Scoble to step forward. Mr. Scoble stated that the Delta Upsilon Fraternity was seeking permission to close the portion of Rosemary Street in front of the DU house, on Friday, October 15, to facilitate some of the activities planned before the UNC and State football game. This will be the third year for the extravaganza. Before, it has taken place on a single afternoon, but this year is being expanded to start Tuesday night and continue until Friday. The purpose of the affair is to generate school spirit for the football game, and more importantly to raise money for the local Cancer Society. The fraternity hopes to raise approximately \$1000 for the American Cancer Society. Last year a similar petition to close off Rosemary Street had been approved. There had been complaints from neighbors about the noise, and DU had revised their plans this year to prevent the same types of problems as had occurred before. To eliminate some of the traffic problems, they proposed to close off Rosemary Street only from the corner of Hillsborough to the drive beside the DU house. Barricades would be set up and manned by off-duty policemen, paid by the DUs. There would be another policeman on Boundary Street to warn motorists that they could not get through. The street would be closed from 2:30 to 4:30 and from 6:15 to 10:00 p.m. The fraternity had informed the neighbors of their plans, and had obtained 64 signatures on a petition approving the street closing. Notices had been announced over the radio, and had been printed in the newspapers. This section of Rosemary Street was not a public bus route. With regard to the noise problem, the fraternity had informed the neighbors they would have a band. It would not be playing constantly. This would be on a Friday, which is not a school night. Mr. Scoble explained that the fraternity had expended time and money in preparing for the activities. Although they had already received \$600 in contributions, they had spent \$800 on a band and on publicity. Alderman Smith asked why, if the success of the venture depended on the street closing, the DU's had waited until this last week to get approval from the Board of Aldermen. Mr. Scoble stated that he did not believe that the members had known until last week that Mr. Jenne would not approve the closing. Mr. Dan Walker, president of the fraternity, said he had called the secretary before the last meet-

ing, and had been advised to get all of his petitions completed before he presented the matter to the Board of Aldermen. Alderman Smith asked Mr. Jenne if his recommendation for denial would be changed by the modification of the hours of street closing. Mr. Jenne responded that much of what Mr. Walker and Mr. Scoble had said was true, however, when he had first been approached by the fraternity to close the street, on September 15, he had informed them he was not inclined to recommend approval of the event at the DU house. He requested the fraternity to find another location, preferably on campus as it was a campus affair. Mr. Jenne stated that although the police had not received many complaints before, he had personally received calls from irate citizens who had been stopped and questioned while trying to drive home. He added that although this was not a public bus route, it was a school bus route, and one of the major problems last year was that school children had not been dropped off in proper locations because of the closing of the street. Although a lot of time and money had been expended on the part of the fraternity, he felt it very difficult to hold such an affair in a densely inhabited residential neighborhood, and had made his position clear to the fraternity on September 15. The hours revision would not change his recommendation. Alderman Gardner stated the fraternity had requested the street closing last year very late in the time schedule. Because so much money and planning had already gone on, the Board approved the request. However, he believed there had been an understanding that the fraternity would this year find another location. Alderman Cohen moved, seconded by Alderman Marshall, that the ordinance temporarily closing off Rosemary Street be adopted. Mr. Walker stated they had investigated the bus situation, and had called the transportation department. Mr. Williamson, driver of bus no. 18, and the transportation department had informed the fraternity that no busses came through this area. He said the fraternity had tried to solve the problems resultant from last year, and had received the permission of several neighbors for the event this year. The fraternity had tried to find a location on campus, but had found that they could not sell beer on campus. The game fields were already reserved for the weekend, and the NCNB parking plaza acoustics would not accommodate a band. The fraternity believed the house to be the most feasible location. Alderman Gardner asked wouldn't the DU's have to have a license to sell beer. He added that his objection to the event last year was the possible problem of intoxication, and that he was not in favor of closing a street to sell beer. He asked who the fraternity had talked with at the transportation department, because this street was a bus route, and the school board could be held responsible by state law if they did not drop off a child at the point where the child was picked up. The president of the fraternity stated the fraternity had obtained the signatures of their neighbors who would be affected by this on a petition. Alderman Epting questioned whether the signatures on the petition were those of responsible adults. Mr. Walker answered that they had tried to get the signature of an adult at each home. Mrs. Baum of 517 E. Rosemary said she had not been notified, nor had several of her neighbors. She had three school-age children who would be affected and she was objecting the selling of beer in a residential neighborhood. She also presented a letter from Mr. Robert Grew of E. Rosemary Street who also objected to a residential neighborhood being closed for the sale of beer. Alderman Marshall asked why the street was closed off at Boundary Street before, and at the drive of the DU house this year. Mr. Jenne explained that the DU's had asked for only a portion of the street last year but because of the reasons listed in his memo to the Board, among which was that a pocket is created with only a portion of the street is blocked, in which cars can drive and must then turn around, he had blocked the whole street. However, because of the problems created by barricading the whole street, citizens having to be questioned before they can get to their homes by a policeman, he thought only a portion of the street should be blocked this year. Alderman Vickery asked if the children could be met by representatives of the fraternity and escorted home. Mr. Scoble stated that either a representative of the fraternity would escort the children home or the barricades would be opened to let the busses pass. Mr. Jenne did not believe opening the barricades would be feasible, as it would not be easy to clear the street. Alderman Cohen asked why the fraternity had been unable to find another site. He added that it was unlawful to sell beer either on campus or off campus. Mr. Scoble stated the fraternity had obtained an ABC permit and a county permit. He said they could not give away the beer and rely on students to contribute enough money for it. Past experience had shown this was not feasible. THE MOTION WAS DEFEATED BY A VOTE OF SIX TO TWO WITH ALDERMEN COHEN AND MARSHALL SUPPORTING, AND ALDERMAN EPTING, GARDNER, HOWES, SILVER, SMITH AND VICKERY OPPOSING.

RECORD OF OPERATION  
MORGAN CREEK WASTEWATER TREATMENT PLANT  
CHAPEL HILL, NORTH CAROLINA

MONTH	VOLUME TREATED		EFFLUENT QUALITY BOD <sub>5</sub>		EFFLUENT QUALITY TSS	
	Monthly Average (MGD)	High Week (MGD)	Monthly Average (PPM)	High Week (PPM)	Monthly Average (PPM)	High Week (PPM)
1976 Permit	4.5	5.5	20	30	30	45
June, 75	3.1	3.3	34	42.8	44	73
July, 75	3.6	5.2	24	34.7	43	54.5
August, 75	3.1	3.9	23	25	33	42
*Sept., 75	4.1	5.1	16	30	28	36.8
Oct., 75	4.1	4.2	12	16	29	33
Nov., 75	4.0	4.5	16	20	26	29
Dec., 75	3.8	4.4	9	10	29	29
**Jan., 76	4.4	5.0	24	62	44	83
Feb., 76	4.3	4.8	78	79	81	99
March, 76	4.1	4.6	70	82	65	73
***April, 76	4.1	4.4	54	64	57	67
May, 76	3.3	3.4	45	49	40	44
****June, 76	3.6	3.7	36	42	40	55
July, 76	3.4	3.4	29	29	38	52
*****August, 76	3.2	3.3	11	15	30	40
Sept., 76	3.2	3.3	11	15	30	40
(1st - 15th)	3.2	3.3	12	14	26	32

\*Alum Feed Started  
 \*\*Centrifuge Breakdown - Alum Feed Stopped  
 \*\*\*Full-Time Plant Superintendent  
 \*\*\*\*Partial Series Operation Started  
 \*\*\*\*\*Alum in Secondary Clarifier Began 8/2/76



ANTICIPATED WASTEWATER LOADINGS BY KNOWN AND ANTICIPATED PROJECTS  
 CHAPEL HILL/UNC-CH/CARRBORO

	TOTAL LOADINGS (GPD)	1976	1977	1978	1979	1980	1981	1982+
1. Permits Approved as of 8/16/76	<u>151,380</u>	<u>105,380</u>	<u>39,425</u>	<u>6,575</u>				
SUB-TOTAL	151,380	105,380	39,425	6,575				
2. Chapel Hill Collector Lines	65,600	6,800	10,000	10,000	10,000	10,000	10,000	8,800
1. Kings Mill Road								
2. Purseys & Whitehead								
3. C. V. Collectors								
4. Proj. Necessary New Coll. Lines	86,400		12,000	20,000	20,000	18,000	16,400	
3. Carrboro Dry Collector Lines	<u>73,600</u>	10,400	10,400	10,400	10,400	10,400	10,400	11,200
SUB-TOTAL	225,600							
4. UNC - Under Construction		2,500	2,500					
1. Dental Office Addition								
2. Utility Office & Warehouse			2,500					
3. Department of Art Lab Building			2,500					
4. Wilson Library Addition			24,000					
5. NCMH Renovations			35,000					
6. Dramatic Art Building				14,000				
7. Faculty Office & Lab Building				42,000				
SUB-TOTAL	122,500							
5. UNC - Under Design			300	240	22,000			
1. Tennis Court					60,000			
2. N. C. Athletic Assoc.					39,000			
3. Student Health Bldg.						40,000		
4. Hospital Support Wing						10,000		
5. Physical Ed. Facilities								
6. NCMH Rehabilitation Center								
7. Continuing Ed. Center								
SUB-TOTAL	171,540							
6. Subdivisions - Approved	59,200	13,600	39,200	6,400				
A. Pine Hill	9,200							
B. Arden Hills	3,600							
C. Booker Creek	20,000							
D. Countryside	8,800							
E. The Oaks	7,600							
F. Coker Hills 6 & 7	5,200							
G. Coker Hills 5	2,000							
H. Farrington Hills	2,800							
I. Webbwood (Carrboro)	73,600	16,800	18,000	8,000	8,000	8,000	8,000	6,800
7. Miscellaneous - Vacant Lots								
A. Carrboro	14,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
B. Chapel Hill	<u>35,200</u>	5,600	5,600	5,600	5,600	5,600	5,600	1,600
SUB-TOTAL	182,000							
8. Condominiums - Approved	27,300		12,600	12,600	2,100			
A. Village West								
B. Oxford								
9. Unified Business (APP) w/o Bldg. Permits	7,660		6,000	1,200	460			
A. Eastowne Office Park								
B. First Citizens Bank								
C. Northwestern Bank								
D. Cedar Ridge Office Development								
10. Municipal Facilities	42,800	10,000	10,000	20,000	2,800			
11. Tarheel Manor (Approve CUP)	<u>57,600</u>		19,200	19,200	19,200			
SUB-TOTAL	215,360							
TOTALS	<u>908,380</u>	<u>173,080</u>	<u>248,725</u>	<u>178,215</u>	<u>201,560</u>	<u>104,000</u>	<u>52,400</u>	<u>30,400</u>
CUMULATIVE ADDITIONS		173,080	421,805	600,020	801,580	905,580	957,980	988,380
RESULTANT AVERAGE HYDRAULIC LOADINGS ON PLANT (MGD)		4.37	4.62	4.79	5.00	5.10	5.15	5.18

A subdivision permit would be valid in terms of allocation, for a period of one year, in order to prevent advantage being taken of allocation secured and held. This would also be true of short-term special use permits. For special use permits which would take longer than one year, the allocation would be charged against a build-out schedule for the project. Alderman Gardner asked if the unused allocation for one year would be divided over the remaining years or would be added to the next year's allocation. He believed the manager needed some guidance in this matter. After a discussion, there was a consensus of the Aldermen that unused allocation should be added to the next year's allocation. Alderman Howes asked what the status of the allocation policy will be when OWASA takes over the permit. Mr. Jenne replied that the policy would not become inoperable for the town because the tap-on permit is the last step in a long procedure for construction. Building permits, as well as subdivision permits and special use permits, would have to be issued by Chapel Hill in some orderly fashion which would take the sewer allocation into account. OWASA could not regulate its tap-on permits without cooperation from Chapel Hill and Carrboro in issuing building permits and planning permits. Alderman Marshall stated that OWASA had already begun discussing the sewer allocation with Carrboro and Orange County. Mr. Jenne added that it would be reasonable for OWASA to adopt this policy. Alderman Cohen asked for clarification as to the meaning of "first-in". Mr. Jenne discussed some examples, and concluded that in Alderman Cohen's hypothetical case of a federally subsidized housing project, most of the delay would occur before the actual application for a subdivision permit. If the planning allocation were used up before the application came in, then the suggestion would be to delay construction for a year. Alderman Howes suggested that some kind of evaluation or reporting procedure should be in the resolution. Mr. Jenne agreed. Alderman Silver thought such a report should come before the transfer to OWASA, perhaps at the year's end. Mayor Wallace asked if there was any safeguard as to the size of a project which could be built. Mr. Jenne answered there was not an implicit safeguard, but there was one in the form of the special conditions of the NPDES permit requirement of state approval for anything other than single-family homes. Alderman Smith asked if the allocation would be 200,000 per year over the next five years. Mr. Jenne answered that though the average might be 200,000 the allocation for some years would be higher and others lower. Alderman Smith asked if there were any legal implications for refusing allocation to a builder whose permit had expired because of construction delays. Mr. Jenne replied there were many legal implications. As the sewer is being turned over to OWASA in approximately 2 months, Alderman Smith preferred not to put a policy into effect which could be changed so soon. He wished to leave the question of allocation to the Authority. Mr. Jenne did not recommend this because the allocation of sewer capacity depends on allocation of planning permits. Control could be exercised by knowing what planning permits were being issued, and how much allocation they would use. Secondly, the Authority would benefit by having had the policy in operation for three months, and knowing what problems were developing. Alderman Howes believed it important for the town to make the planning decisions before the Authority takes over. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN GARDNER, ADOPTION OF THE FOLLOWING RESOLUTION.

(See next page)

A RESOLUTION TO ESTABLISH ANNUAL SANITARY SEWER ADDITION ALLOCATIONS AND PROVIDE A METHOD FOR DETERMINING INDIVIDUAL ALLOCATIONS

THAT WHEREAS, the Chapel Hill Sanitary Sewer Treatment Plant is subject to limitations as provided in the NPDES Permit issued by the Department of Environmental Management, and

WHEREAS, said permit has imposed certain limitations on connections to the sanitary sewer system being served by said plant, and

WHEREAS, it is proposed that certain improvements be made to said plant to enable it to meet NPDES Elimination Standards as well as increase the volumetric capacity of said plant for adequate sewer treatment, and

WHEREAS, the capacity of said plant can be increased by said improvements to only 5.5 million gallons per day, and

WHEREAS, more adequate facilities to be provided through 201 construction will not be available until 1981 or 1982, and

WHEREAS, it is necessary to allocate the available additional sewage capacity over said period in a manner as to most adequately meet the needs of the community.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill:

- 1. That the following annual allocations are hereby established for the calendar years hereinafter set forth for maximum additional sanitary sewer daily volume to be added to the sanitary sewer system of the Town of Chapel Hill.

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>
GALLON ALLOCATION	175,000	260,000	190,000	220,000	150,000	150,000	150,000

The allocation policy shall be reevaluated once each year on the basis of actual additional loadings, any revised anticipated loadings and performance data. Any allocations not used in a particular calendar year shall be reallocated for the next year.

- 2. That the following individual allocations, against said annual allocations, have already been made by permits issued and outstanding as of the date of this resolution.

<u>1976</u>	<u>1977</u>	<u>1978</u>
107,400	119,800	62,600

3. That the Town will accept individual applications for allocation on a first in, first on basis. In instances of subdivision development or where a special use permit is required, a planning permit may be issued to a proposed developer, which said permit shall be valid for a period not to exceed one (1) year. In phased construction pursuant to a special use permit, an individual allocation may be made to coincide with the construction schedule provided for in said special use permit. In all other instances, a plumbing permit shall be applied for simultaneously with the application for a building permit, which said permit shall be valid for a period of not to exceed one (1) year, except in those instances where normal and expeditious construction time indicates that a greater period of time is required for completion, in which event, the permit shall state a specific time for completion and connection. In the event connection is not made within the period specified said permit shall become void. In issuing all permits, the year against which the individual allocation is to be charged, shall be the year in which actual connection to the sanitary sewer system is to be made. Any permits which expire may be renewed only upon written application, and shall be considered as if it had been originally submitted at that time. In the event the total annual allocation for a particular year has been allocated, then and in that event no further permits shall be issued for said year.
  
4. That in determining the amount of loading volume to be charged in individual allocation, the following flow rate in gallons per day shall be used where applicable:

Type of Establishment - Estimated Gallons  
Apartments

1-bedroom	250
2-bedroom	300
3-bedroom	350
Ordinary restaurants	35-per seat
24-hour restaurants	50-per seat
Institutions (resident)	100-per person
Laundries, coin operated	400-per machine
Motels	100-per unit
Nursing and rest homes	100-per person
Office buildings	20-per employee
Schools, elementary	15-per pupil
Schools, high and junior high	20-per pupil
Service Stations, first bay	1000-500 each additional bay
Single family dwelling	400
Stores	250-per water closet

5. That all applications for sewer connections shall be subject to all the terms, conditions, and procedures of the then existing NPDES Permit held by the operator of the Chapel Hill Sanitary Sewer Plant.

6. That the Manager issue monthly reports on activity conducted under this resolution and quarterly narrative evaluations to be conducted the first such evaluation to be made no later than December 31, 1976.

This the 11th day of October, 1976.

RECORD OF OPERATION  
MORGAN CREEK WASTEWATER TREATMENT PLANT  
CHAPEL HILL, NORTH CAROLINA

MONTH	VOLUME TREATED		EFFLUENT QUALITY BOD <sub>5</sub>		EFFLUENT QUALITY TSS	
	Monthly Average (MGD)	High Week (MGD)	Monthly Average (PPM)	High Week (PPM)	Monthly Average (PPM)	High Week (PPM)
1976 Permit	4.5	5.5	20	30	30	45
June, 75	3.1	3.3	34	42.8	44	73
July, 75	3.6	5.2	24	34.7	43	54.5
August, 75	3.1	3.9	23	25	33	42
*Sept., 75	4.1	5.1	16	30	28	36.8
Oct., 75	4.1	4.2	12	16	29	33
Nov., 75	4.0	4.5	16	20	26	29
Dec., 75	3.8	4.4	9	10	29	29
**Jan., 76	4.4	5.0	24	62	44	83
Feb., 76	4.3	4.8	78	79	81	99
March, 76	4.1	4.6	70	82	65	73
***April, 76	4.1	4.4	54	64	57	67
May, 76	3.3	3.4	45	49	40	44
****June, 76	3.6	3.7	36	42	40	55
July, 76	3.4	3.4	29	29	38	52
*****August, 76	3.2	3.3	11	15	30	40
Sept., 76	3.2	3.3	12	14	26	32
(1st - 15th)						

\*Alum Feed Started  
 \*\*Centrifuge Breakdown - Alum Feed Stopped  
 \*\*\*Full-Time Plant Superintendent  
 \*\*\*\*Partial Series Operation Started  
 \*\*\*\*\*Alum in Secondary Clarifier Began 8/2/76

ANTICIPATED WASTEWATER LOADINGS BY KNOWN AND ANTICIPATED PROJECTS

CHAPEL HILL/UNC-CH/CARRBORO

	TOTAL LOADINGS (GPD)	1976	1977	1978	1979	1980	1981	1982+
1. Permits Approved as of 8/16/76	<u>151,300</u>	<u>105,300</u>	<u>39,425</u>	<u>6,575</u>				
SUB-TOTAL	151,300	105,300	39,425	6,575				
<u>Chapel Hill Collector Lines</u>	65,600	6,800	10,000	10,000	10,000	10,000	10,000	8,800
1. Kings Hill Road								
2. Puryear & Whitehead								
3. C. V. Collectors								
4. Proj. Necessary New Coll. Lines	86,400		12,000	20,000	20,000	18,000	16,400	
3. Carrboro Dry Collector Lines	<u>73,600</u>	10,400	10,400	10,400	10,400	10,400	10,400	11,200
SUB-TOTAL	225,600							
4. UNC - Under Construction		2,500						
1. Dental Office Addition		2,500						
2. Utility Office & Warehouse			2,500					
3. Department of Art Lab Building			2,500					
4. Wilson Library Addition			24,000					
5. NCHH Renovations			35,000					
6. Dramatic Art Building				14,000				
7. Faculty Office & Lab Building				42,000				
SUB-TOTAL	122,500							
5. UNC - Under Design								
1. Tennis Court			300					
2. N. C. Athletic Assoc.				240				
3. Student Health Bldg.					22,000			
4. Hospital Support Wing					60,000			
5. Physical Ed. Facilities					39,000			
6. NCHH Rehabilitation Center						40,000		
7. Continuing Ed. Center						10,000		
SUB-TOTAL	<u>171,540</u>							
<u>Subdivisions - Approved</u>	59,200	13,600	39,200	6,400				
A. Pine Hill	9,200							
B. Argon Hills	3,600							
C. Booker Creek	20,000							
D. Countryside	8,800							
E. The Oaks	7,600							
F. Coker Hills 6 & 7	5,200							
G. Coker Hills 5	2,000							
H. Farrington Hills	2,800							
I. Webbwood (Carrboro)	73,600	16,800	18,000	8,000	8,000	8,000	8,000	6,800
7. Miscellaneous - Vacant Lots								
A. Carrboro	14,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
B. Chapel Hill	<u>35,200</u>	5,600	5,600	5,600	5,600	5,600	5,600	1,600
SUB-TOTAL	182,000							
8. Condominiums - Approved	27,300		12,600	12,600	2,100			
A. Village West								
B. Oxford								
9. Unified Business (APP) w/o Bldg. Permits	7,660		6,000	1,200	460			
A. Eastowne Office Park								
B. First Citizens Bank								
C. Northwestern Bank								
D. Cedar Ridge Office Development								
10. Municipal Facilities	42,800	10,000	10,000	20,000	2,800			
11. Tarheel Manor (Approve CUP)	<u>57,600</u>		19,200	19,200	19,200			
SUB-TOTAL	215,360							
<b>TOTALS</b>	<u><u>900,300</u></u>	<u><u>173,000</u></u>	<u><u>248,725</u></u>	<u><u>178,215</u></u>	<u><u>201,560</u></u>	<u><u>104,000</u></u>	<u><u>52,400</u></u>	<u><u>30,400</u></u>
<b>CUMULATIVE ADDITIONS</b>		173,000	421,805	600,020	801,580	905,580	957,980	988,380
<b>RESULTANT AVERAGE HYDRAULIC LOADINGS ON PLANT (MGD)</b>		4.37	4.62	4.79	5.00	5.10	5.15	5.18

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RECORD OF OPERATION  
MORGAN CREEK WASTEWATER TREATMENT PLANT  
CHAPEL HILL, NORTH CAROLINA

MONTH	VOLUME TREATED		EFFLUENT QUALITY BOD5		EFFLUENT QUALITY SS	
	Monthly Average (MGD)	High Week (MGD)	Monthly Average (PPM)	High Week (PPM)	Monthly Average (PPM)	High Week (PPM)
1976 Permit	4.5	5.5	20	30	30	45
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(1st - 15th)						

\*Alum Feed Started  
\*\*Centrifuge Breakdown - Alum Feed Stopped  
\*\*\*Full-Time Plant Superintendent  
\*\*\*\*Partial Series Operation Started  
\*\*\*\*\*Alum in Secondary Clarifier Began 8/2/76

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving in Content the Historic Conservation District Ordinance

ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING ORDINANCE.

A RESOLUTION APPROVING IN CONTENT THE HISTORIC CONSERVATION DISTRICT ORDINANCE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby approves the content and boundaries of the proposed Historic Conservation District Ordinance and directs the Town Manager to forward copies thereof to the Secretary of the North Carolina Department of Cultural Resources for analysis and recommendations as required by the provisions of General Statutes 160A-395 (2).

This the 11th day of October, 1976.

In reviewing the Historic Conservation District Ordinance itself, Alderman Marshall desired the Board of Aldermen to be made the final body for approval of Certificates of Appropriateness; however, Mr. Drake pointed out the enabling legislation would not allow this. Alderman Epting clarified several points, especially with regard to the time limits for procedures to take place, and with regard to negotiations to take place between Historic District Commission and owners of buildings scheduled for demolition. **There** was also added language to specifically exempt paint color from the purview of the Commission. THE MOTION WAS CARRIED UNANIMOUSLY.

Petition Regarding Recreational Bonds from Mr. Nassif

Mr. Nassif stated he was not speaking as a representative of the group signing the petition which had been presented to the Board, but as one of those who signed it. He had worked to support bond issues on recreation in the past, and those referendums had failed because of a lack of specifics. He believed there was a misunderstanding about the points presented in the petition. The persons signing the petition were not against cooperation with other governmental units, nor were they designating the site on which facilities were to be placed. However, he did not think the town's interest would be served unless the town could have first priority in the facilities to be built. Mr. Dick Helwig agreed with Mr. Nassif's statement about the need to be specific. He wished to know which facilities were going to be built, and where they were going to be built. If the Board could not be so specific, then he would like the alternative of several facilities and their locations which might be built. Mr. Gary Giles did not think the town should compromise of the issue of whether they would have priority for recreational facilities. The lack of having priority was taking away from the recreational program. Alderman Marshall stated she would have to oppose any resolution moved in the sense of the petition on two counts. First, the petition asked for a resolution that would mislead the voting public. Limits of action placed on any Board of Aldermen would be from what is in the bond order. The farther away in years from the vote that the project is scheduled to begin, the less certain the governmental body can be on a variety of factors that may influence final and binding decisions. Secondly, any resolution passed now would not have input from the officials most newly elected before the project begins. She felt more time, study and citizen expression was needed before any final decision. Alderman Cohen agreed with Alderman Marshall. He did not believe the Board should adopt any plan to place the town as second in priorities, however, a resolution would leave no freedom to reach a cooperative agreement with any other governmental units. He wanted freedom to work for an agreement which would give the town the most it could get for the money expended. Alderman Smith asked if the town had received any information from the School Board for its priorities of joint development. Mayor Wallace said he had received no answer to his communication. Alderman Smith said he understood the School Board had discussed this matter and felt their best interests would not be served



by the proposal. They were planning to build an auditorium at Phillips. The school activity programs are expanding and the schools would have to have priority at their facilities in order to carry out their programs. The town needs facilities for its own use. Alderman Gardner stated that making the town first in priority would not prevent the town's receiving and using federal or matching funds in the future. Alderman Vickery said the CIP gives specifics for the bond issue. All sites are listed except the multi-purpose center, and he was convinced that there is good reason for not making a final decision on the site for this. He believed the town should not exclude agreement with the school board, as the savings from a joint development might be large. Alderman Howes agreed with Alderman Vickery. Mr. Nassif stated that no one was faulting the Board on its efforts on behalf of recreation, nor were they suggesting the town should not cooperate with other governments; however, because of discussion which had taken place among Board members and at Board meetings, he wanted the Board to take a stand that they believed the town should have priority in any facility which it built. ALDERMAN VICKERY MOVED TO RECEIVE THE PETITION. ALDERMAN SILVER SECONDED THE MOTION. Alderman Gardner said the Board should accept the petition in the spirit it was offered, that is, cooperation with other governments is good, so long as the town is given priority in the use of the facility to be built. THE MOTION WAS CARRIED UNANIMOUSLY.

Petition Concerning Tri-Delta

Alderman Cohen asked the attorney, for future reference, if the Board could adjourn a public hearing and reconvene it later, if it knew there was more evidence to be offered, but could not be put in the record at the time of the first public hearing. Mr. Drake said the Board could schedule another public hearing if it wished to. Alderman Howes asked when the request for a special use permit was to go before the Planning Board and what the effect of a delay would be. Mr. Jenne said the Planning Board was to consider the permit request on November 4. The Planning Director had asked Mr. Jenne if consideration of several special use permits could be postponed until after determination of the sewer allocation policy. Tonight, Mr. Giles was asking the Board to have the Planning Board consider the permit request for Tri-Delta posthaste, and Mrs. Baum was requesting further delay so that a second public hearing could be held. Mr. Jenne added that he had concurred with the request of Mr. Jennings because he did not foresee any hardship being placed on anyone, and had not heard of Mr. Giles petition until he had presented it to the Board. Alderman Howes asked if the Planning Board could refuse to act on the permit request if it were placed on their next agenda. Mr. Jenne replied they could. Alderman Howes asked to hear Mrs. Baum.

Mrs. Baum said her petition was based on the fact that she was out of town on the first public hearing date and had written a letter to the Board of Aldermen, not realizing that it could not be used as evidence since the writer was not sworn. She was now requesting another public hearing so that her evidence could be presented. She had also received photographs taken over the last two years of traffic problems in this neighborhood, since the first public hearing. She had requested a traffic study on Rosemary Street, the first request, being seven years ago, and now she was disturbed that a special use request could be heard without the traffic study being done. Alderman Marshall said the Board was concerned about traffic studies and had budgeted money for traffic studies in residential areas. Alderman Silver asked if there would be time for a public hearing on this matter with the Planning Board consideration delayed until November 4. Mr. Jenne stated time would be needed to advertise. Alderman Silver believed the Board should hold another public hearing at the earliest possible time, before November 4 so as not to interfere with the Planning Board agenda. Alderman Smith asked if the Planning Board could legally delay consideration of these special use requests until November 4. Mr. Drake answered the Planning Board was to respond within thirty days from the date the matter was referred to them at a public hearing; however they could ask for a thirty day extension. Alderman Epting said said the evidence Mrs. Baum wished to present was not evidence which could not have been gathered prior to the public hearing, but was not presented because she was not present. He did not think the Board should set a precedent of re-opening the public hearing in this matter. Mrs. Baum questioned whether the town could act on a special use request even though there was a prior petition regarding the same area. Mr.

Drake said they could act on the request. ALDERMAN SMITH MOVED THAT THE PETITION OF MR. GILES TO HAVE THE PLANNING BOARD CONSIDER THE SPECIAL USE REQUEST ON OCTOBER 12 BE DENIED. ALDERMAN VICKERY SECONDED THE MOTION. THE MOTION WAS CARRIED BY A VOTE OF SIX TO TWO WITH ALDERMEN EPTING, HOWES, MARSHALL, SILVER, SMITH AND VICKERY SUPPORTING AND ALDERMAN COHEN AND GARDNER OPPOSING. ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN MARSHALL, THAT MRS. BAUM'S REQUEST FOR A SECOND PUBLIC HEARING BE DENIED. THE MOTION WAS CARRIED BY A VOTE OF FIVE TO THREE WITH ALDERMEN EPTING, HOWES, GARDNER, MARSHALL, AND VICKERY SUPPORTING AND ALDERMEN COHEN, SILVER AND SMITH OPPOSING. Alderman Smith requested a traffic study be done before the matter of the Tri-Delta permit comes before the Board again. Mr. Jenne said this could not be completed in the time allotted before the matter was to be considered again. Alderman Epting urged Mrs. Baum to go to the Planning Board and argue against the granting of the permit on the basis of what evidence had been presented at the public hearing.

Ordinance Amending the Ordinance Providing for the Limiting of the Use of Water During a Water Crisis

Alderman Silver stated he thought the ordinance restricting the use of water should be modified to delete the use of swimming pools. He said the number of outdoor pools being used was practically non-existent, and the indoor pools in Chapel Hill were very few in number. The question of policing the pools no longer existed. ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN COHEN, THAT THE FOLLOWING ORDINANCE BE ADOPTED.

AN ORDINANCE AMENDING THE ORDINANCE ETC.

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the "Ordinance providing for the limiting of the use of water during a water crisis" of July 28, 1976, and amended August 16, 1976, be further amended by deleting from section F-4 the words: "To use any swimming, wading, or bathing pool or"

This the 11th day of October, 1976.

Alderman Silver added that there had been a number of petitions to Chancellor Jones to open the University pool. This could not be done because of the ordinance. As there were assurances no lake water would be added to the pools, he thought they should be opened. Alderman Howes asked Mr. Moody of the Chapel Hill Athletic Club if his swimming pool had a 100% recycling system. Mr. Moody said over a period of time he would lose water from evaporation, but that he could operate for approximately thirty more days without adding water. Mr. Cope of the Chapel Hill Swim Club said the high school swimming team and other teams could not plan their activities at the university pool, because the university would not coordinate activities with the pool closed. He asked the Aldermen to make swimming legal. THE MOTION WAS CARRIED BY A VOTE OF SIX TO TWO WITH ALDERMEN COHEN, EPTING, HOWES, MARSHALL, SILVER AND VICKERY SUPPORTING AND ALDERMEN GARDNER AND SMITH OPPOSING.

Resolution Setting a November 22 Public Hearing on Goals and Objectives for the Comprehensive Plan.

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN GARDNER, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION SETTING A NOVEMBER 22 PUBLIC HEARING ON GOALS AND OBJECTIVES FOR THE COMPREHENSIVE PLAN

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby calls a public hearing on November 22, 1976, to receive public reactions to the proposed goals, objectives and policies of the Comprehensive Plan.

This the 11th day of October, 1976.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Prohibiting the Giving of False Alarms

ALDERMAN VICKERY MOVED, SECONDED BY ALDERMAN SILVER, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE PROHIBITING THE GIVING OF FALSE ALARMS

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the Code of Ordinances, Town of Chapel Hill, is hereby amended by the addition of a new Article VIII, "Emergency Reporting System" to Chapter 11, "Miscellaneous Provisions and Offenses", to read as follows:

Article VIII. Emergency Reporting System

Section 11-90. Giving False Alarms; Tampering with Emergency Reporting System.

It shall be unlawful for any person or persons to wantonly and wilfully give cause to be given, or to advise, counsel or aid and abet anyone in giving a false alarm of fire or request for assistance via any emergency reporting system box anywhere within the corporate limits of the Town of Chapel Hill or to in any way wilfully interfere with, misuse, damage, deface, molest or injure any part or portion of the emergency reporting system. Any person violating any of the provisions of this section shall be guilty of a misdemeanor punishable by a fine not to exceed fifty dollars or imprisonment for not more than thirty days or both.

SECTION II

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

This the 11th day of October, 1976.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance to Amend the "Ordinance Establishing Salary Ranges, Etc. to Add a Library Clerk/Technician"

Alderman Cohen stated the State Legislature had in 1975, authorized the appointment of Library personnel as deputy registrars, by County Board of Elections, so that registration could be conducted at libraries at all time. About eight months ago, the Board of Elections had requested the library to make a request to have its personnel appointed registrars, and the library refused on the basis of not having enough staff. The statement was made because of the lines of people for registration. Alderman Cohen believed these lines to be so long because there was no regular registration. If the library had regular registration, these lines would not exist. He proposed also that as the same legislation allowed city employees to be appointed deputy registrars, the Board have the manager designate two or three city employees to be appointed registrars. The Board of Elections would pay for extra registrars to be at the Municipal Building the month before the books were closed. In this method, both Chapel Hill and the County would save \$1,000. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE MANAGER SUGGEST AT THE NEXT BOARD MEETING, THE NAMES OF CITY EMPLOYEES TO BE APPOINTED AS REGISTRARS. THE MOTION WAS CARRIED UNANIMOUSLY. Alderman Cohen then moved, seconded by Alderman Marshall that the Board of Aldermen convey to the Library Board of Trustees their desire to have Library personnel appointed registrars. A representative of the Library Board of Trustees said when the Board of Elections had contacted the library regarding registrars, the library had told the Board of Elections any personnel appointed as registrar would have only limited time to help the board of elections because the library was understaffed. The Board of Elections had decided that because of this limited amount of time, it would not be worth their while to train anyone on the library staff. She did not think increasing the library staff from 12 to 12.5, as was proposed, would free staff time for registration. Alderman Smith asked why the additional request for staff now before the Board was not in the budget along with the request for money. Mr. Jenne explained that because the library received funds from several sources, it was difficult for the library to evaluate its full capabilities until it had received funds from all of its sources. The money was allocated by the County, but because the Library was under the control of Chapel Hill the Library had to obtain permission from the Board of Aldermen to increase its staff. Alderman Smith asked if the town would have to

pay for the benefits allowed town personnel. Mr. Jenne said this would be paid for by the County also. Alderman Marshall wished to stress to the Library Board of Trustees that this matter was important to the Board of Aldermen. Alderman Cohen suggested that the money saved from not paying a registrar be used to pay the library personnel overtime if it became necessary. THE MOTION WAS CARRIED UNANIMOUSLY. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN EPTING, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO AMEND THE "ORDINANCE ESTABLISHING SALARY RANGES, ETC., FOR THE PERIOD JULY 1, 1976 TO JUNE 30, 1977" TO ADD A LIBRARY CLERK/TECHNICIAN

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the "Ordinance establishing salary ranges, etc., for the period July 1, 1976 to June 30, 1977" is hereby amended by deleting from Section IV-C-Library the line:

<u>Position</u>	<u>No.</u>	<u>Hrs.</u>	<u>Range No.</u>
Library Clerk/Technician	1	40	11

and replacing it with the following line:

Library Clerk/Technician	2	40	11
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SECTION II

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

This the 11th day of October, 1976.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Accepting the Bids and Awarding of Contract for Office Furnishings

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR OFFICE FURNISHINGS

WHEREAS the Town of Chapel Hill has solicited formal bids on office furnishings and the following bids have been received:

<u>Bidder</u>	<u>Bid</u>
Alfred Williams & Company Raleigh, N.C.	\$3,775.82
Capital Printing Company Raleigh, N.C.	\$2,882.90 (no bid on 9 items)
Carolina Office Supply Co., Inc. Durham, N.C.	\$4,340.00
David's Office Interiors, Inc. Durham, N.C.	\$4,236.93
The Rose Agency, Inc. Durham, N.C.	\$3,763.00
Triangle Office Equipment, Inc. Chapel Hill, N.C.	\$4,223.71

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Capital Printing Company in the amount of \$520.84 for four items of office furnishings and the bid of Alfred Williams and Company in the amount of \$3,219.88 for twenty-two items of office furnishings and that these two firms be awarded the contract.

This the 11th day of October, 1976.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Accepting Bids for One Front-Loader with Ripper, One Back-Hoe Attachment, and Two Equipment Trailers

ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN MARSHALL, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR ONE FRONT LOADER WITH RIPPER, ONE BACKHOE ATTACHMENT AND TWO EQUIPMENT TRAILERS

WHEREAS, the Town of Chapel Hill has solicited formal bids on one front loader with ripper, one backhoe attachment and two equipment trailers and the following bids have been received:

Bidder		Bid		18' Trailer	16' Trailer
		Alternate I	Alternate II		
Gregory Poole Equipment Co. Raleigh, N.C.	Loader	\$32,691.00	\$32,691.00	-	-
	Backhoe	7,676.00	7,676.00		
	Guaranteed Maintenance	4,000.00	-		
	Repurchase Price	(14,000.00)	-		
	Total Max. Cost over 5 years	30,367.00			

Delivery: 30 days on tractor and 84 days on backhoe

N.C. Equip- ment Co. Cary, N.C.	Loader	\$19,885.00	\$18,885.00	\$3,678.00	-
	Backhoe	4,287.00	4,287.00		
	Guaranteed Maintenance	12,000.00	-		
	Repurchase Price	(10,000.00)			
	Total Max. Cost over 5 years	26,172.00			

Delivery: 90-120 days on loader and backhoe, immediate on trailer

R.W. Moore Equipment Co. Inc. Raleigh, N.C.	Loader	-	\$18,038.42	\$3,500.00	-
	Backhoe		4,100.00		

Delivery 30 days on loader and backhoe

Spartan Equipment Co. Charlotte, N.C.		-	-	\$6,965.00	-
A.E. Finley & Assoc. Inc. Raleigh, N.C.		-	-	\$3,533.91	-

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of R.W. Moore Equipment Company, Inc. in the amount of \$25,638.42 for the front loader with ripper, backhoe attachment and 18' tilt top trailer and that it be awarded the contract.

This the 12th day of October, 1976.

Alderman Gardner asked for clarification with regard to the difference in contracts and prices. Mr. Jenne explained that two alternate bids had been requested, one for a total-cost bid for a 5-year period, and the other a straight purchase bid. After discussions with Mr. Harris, it was decided that given the usual maintenance requirements and the probability of a high resale value in five years, the low straight purchase bid of R. W. Moore Equipment Co. Inc. was the best buy. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Accepting Bids for the Printing of the Annual Report Calendar

ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR THE PRINTING OF THE ANNUAL REPORT CALENDAR

WHEREAS the Town of Chapel Hill has solicited formal bids on the printing of the annual report calendar and the following bids have been received:

<u>Bidder</u>	<u>Bid</u>
Craft Printing, Chapel Hill, N. C.	\$2,900.86 + \$150 for half-tone pictures
Creative Printers, Inc., Chapel Hill, N. C.	\$4,279.40
Greensboro Printing Co., Greensboro, N. C.	\$4,820.00
Piedmont Printers, Durham, N.C.	\$5,446.00

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Creative Printers, Inc. in the amount of \$4,279.40 and that it be awarded the contract.

THE MOTION WAS CARRIED UNANIMOUSLY.

Report on Education Bond Effort

Alderman Marshall reported that efforts had resulted in a tabloid of eight pages, to be distributed in the Anvil, The Advocate, The Chapel Hill Newspaper and the Tarheel. They had worked hard to make the tabloid educational, and it contains specific information as to what is in the bond issue. The next effort to be undertaken would be a public forum put together by the League of Women Voters, on October 13, at 8:00 p.m. This will be a general panel of people to answer questions about the bond referendum. Each member of the panel would give a brief introduction to a specific issue. They had contacted organizations throughout the town to get their help in spreading information about the bond issue. The Recreation Commission was discussing how it could promote the recreation bond issue. Alderman Cohen stated a large number of absentee ballots had been sent out for the election.

Work Session to Review Findings of Solid Waste Collection Study

Mayor Wallace suggested the work session be set for October 13, at 4:00 p.m. Mr. Jenne estimated it would last 1 to 1½ hours. The consultants had reached a point where they needed some guidance from the Board. Alderman Silver said he would not be able to stay for the whole meeting.

Work Session for Audit Report

As there was difficulty in finding a convenient time for the Aldermen to meet with the auditor, Mr. Jenne suggested he make a report to the Aldermen on the audit.

There being no further business before the Board, the meeting was adjourned at 12:25 a.m.

*James C. Wallace*  
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Mayor James C. Wallace

*David B. Roberts*  
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Town Clerk, David B. Roberts