

WHEREAS the Town of Chapel Hill has demonstrated an interest in energy conservation programs through participation in the Orange County Energy Conservation Task Force, and

WHEREAS, the Town has made consistent efforts to implement energy conservation programs.

NOW, THEREFORE BE IT RESOLVED that the Town Manager is hereby authorized to advise the State Task Force of Chapel Hill's willingness to serve as a Pilot Community for Energy Conscious Purchasing as proposed by the Purchasing Advisory Committee.

This the 20th day of December, 1976.

Alderman Gardner asked for the requirements of participating with regard to meetings and time. Mr. Jenne answered there would be one meeting on the tenth, and some additional record keeping over the trial period of a year. He added that he had planned to do the additional record keeping anyway. THE MOTION WAS CARRIED UNANIMOUSLY.

There being no further business to come before the Board, the meeting was adjourned at 10:25 P.M.

James C. Wallace

Mayor James C. Wallace

David B. Roberts

Town Clerk, David B. Roberts

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, JANUARY 10, 1977, 7:30 P.M.

Mayor Wallace called the meeting to order at 7:35 p.m. Present were:

- Gerald Cohen
- Robert Epting
- 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. Alderman Howes was excused from the meeting.

Wesley Drive Sewer Line Extension - Public Hearing

Mayor Wallace stated the purpose of the public hearing was to consider sanitary sewer improvements for Wesley Drive. Mr. Jenne said the matter arose in May, 1976, when the Board denied a petition by Dr. Levitt to tie into a 4" sewer line because there were problems with the septic tank of the home he was buying. The Board at that time instructed the staff to provide for service to the area by a standard line by November, 1976. Funding was arranged as a part of the Town's summer sale of sewer bonds, a line extension permit was secured from the state, and the project was engineered and bid. At the public hearing held on this project on November 22, 1976, a question was raised regarding the total number of lots which might be served by the proposed improvements. A new hearing was set at that time for January 10, 1977. All notification requirements were followed. He then asked Mr. McAdams, the engineer designing the project, to review the project.

Mr. McAdams explained that the project was originally designed to serve the Levitt property and any property that could be economically reached in the area of that property. Because of developments at the last public hearing, the project was redesigned to serve all properties on Wesley Drive. The engineers had worked up three alternative methods of service, the first of which would serve 8 properties at a cost per property at \$3148, the second of which would serve all ten properties at a cost of \$3495. The firm recommended that the Aldermen approve alternative 2.

Mayor Wallace asked for questions from the audience.

Mr. John Cates asked how many lineal feet would be involved and how many manholes. Mr. McAdams replied that he did not have that information. There was further discussion between Mr. Cates and Mr. McAdams after which Mr. Cates expressed the opinion that the design was not the most economical one. He thought there were too many manholes. Mr. McAdams explained the turns in the sewer line.

Mr. Roderick Ironside read a petition to the Aldermen signed by many of the residents on Wesley Drive. They asked that a ceiling be put of the amount of assessment to any given lot owner in relation to any single improvement project. They said that part of the cost was due to the lay of the land, and the high cost constituted a penalty for something over which they had no control. The residents believed the sewer was a public health benefit to the Town. They did not believe they should have to pay interest charges when choosing the option of paying the assessment over ten years. The lot-owners wanted off-site construction costs to be paid by the Town because it did not directly serve lotowners. They requested a schedule for direct and consistent communication, that all persons affected by a project be contacted several weeks before surveyors entered their property, and that engineering drawings be available for inspection. They requested that easements be limited to 15 feet in total width, and that affected lotowners be able to mark and preserve given trees, and that the sewer lines be arranged to suit personal and aesthetic needs of the lotowners.

In response to Mr. Pruett's question, Mr. McAdams explained that the low bid covered the construction of the original work planned in December, and that the additional work would be added on a unit cost basis. Mr. Pruett asked if this was the typical way for assessment. Mr. Jenne answered yes, and that no one was allowed to tap into an outfall line.

Mr. Cates stated he did not believe the feeder line off Umstead could be tapped into without the permission of Elkin Hills Sewer Association. However, Mr. Denny had come in, and he explained that this line had been given to the town in an agreement for maintenance. Mr. Cates was also concerned that the lot belonging to Property Investors would not be suitable for building with the sewer across it. Mr. McAdams said the sewer line would be put in so as to leave the property suitable for building within Town regulations. Mr. Cates suggested that the Pruett line be a 4" line cutting the cost in half.

Alderman Smith asked if the line serving the Pruett property would require crossing private property, and if any of the manholes could be eliminated. Mr. McAdams replied negatively to both of these questions.

Mr. Roy Talmadge asked if the Town required that the property owners hook up to the sewer line once it was in. Mr. Jenne explained that there was a requirement, but that it had not been strictly enforced except in cases where there was a health hazard, that owners were given a year to hook up. Mr. Falk thought the main sewer line should be paid by the city as a whole.

Alderman Cohen asked the Manager if there had been a case, except where a federal grant was involved, in which the residents had not paid for sewer lines. Mr. Jenne's response was negative. Mr. Stern asked why in the past the Board had not considered paying the off-site construction costs, and assessing a cost proportionate to the value of the property.

Alderman Marshall said there were some improvements which would by their nature add-to the value of the property. There were other costs, such as the treatment of the sewage, which were paid for by taxes, to balance off the costs paid by the property owners. Mr. Falk said the property value increase would not matter because he was not selling his property.

Alderman Cohen asked Mr. McAdams if the entire subdivision had been sewered at the same time, would the design have been the same. Mr. McAdams answered that it probably would have been the same design, but that the subdivision might have been designed differently to allow the sewer.

Alderman Vickery stated that he would prepare a fuller report in writing later, but at present he wished to say that he supported the policy of sewer assessment. If residents chose to live in an area where the terrain made improvements difficult, they must bear the cost of living in such an area. The sewer assessment was higher than it had been in the past be-

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cause prices had gone up. He added, that the Town had to pay interest on the bonds which paid the initial cost of the sewer, and therefore the property owners should pay interest on the assessment when paid over ten years.

Mrs. Pruett stated that when the property was developed, it was not in the city limits. They had had no choice when the property was annexed. Although they had then had to pay city taxes, there had been no improvements except garbage collection. She did not think the ten property owners should have to bear the cost of the total construction of the off-site lines. Mr. Roy Richardson said he had approached the University a year ago for a sewer tap-on, and had been told it could not be done. He had then paid for and installed a septic tank. Now he was having to pay for sewer which he did not need. He stated the town should take into consideration the cost of, and make some provision for, sewer when it annexed property. Alderman Gardner asked Mr. Denny to address the question of annexation and the duties of the town. Mr. Denny replied that the Town, within a year, must make available to the newly annexed property, the same services as are available to other residents of the town. However, the Town is not obligated to pay for these services. The Town policy has been that sewer lines would not be installed until there was an indicated need. Alderman Smith added that now the septic tank had failed on the Levitt property, the Town had to provide sewer. Mr. Pruett asked that the implementation of the project be delayed until the design had been checked to be sure that it was done at the lowest possibly cost. Mr. Jenne stated a great deal of effort had gone into the design. The engineers had tried to stay away from trees, houses, and take into account easements on the properties. He asked Mr. McAdams if every feasible alternative had been examined, and the most economical design had been offered. Mr. McAdams answered that there were some areas where footage could be shortened in the line, but that this would have a greater impact on the property. Mr. Levine, speaking for Mr. Levitt, said there should be further exploration in the matter to look for a method of reducing the cost.

Alderman Cohen asked the Manager to explain the part of the proposal regarding state funding. Mr. Jenne responded that as the state funding was not certain, he did not like to go into it in detail. However, he said it had been used in the past, and it was possible the state would provide up to 25% of the project cost under funds for the clean water bond act. He added that the actual project cost would not be known until it was completed. Alderman Cohen asked if there would be problems in allowing Mr. Pruett to have a 4" line. Mr. Jenne stated a 4" line would be installed at Mr. Pruett's expense, and that in the past the Town had experienced difficulties with subsequent owners on problems of maintenance of a 4" line. Alderman Cohen understood that Mr. Pruett would have to bear the expense of installing the line, but did not see why the town could not maintain it since it only served one house. Mayor Wallace asked if there were any more questions from the audience. There being none, he declared the public hearing closed, and said the Board would consider the resolutions regarding the sewer line improvements.

Resolution Ordering Sanitary Sewer Improvements to Portions of Wesley Drive

Alderman Epting asked if the only difference in cost between a 4" line and an 8" line was the difference in cost of the materials. Mr. McAdams said there was a difference in the installation method of the two lines, that no manholes would be required for a 4" line. The difference in cost would be approximately \$2000. ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN SILVER, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ORDERING SANITARY SEWER IMPROVEMENTS TO PORTIONS OF WESLEY DRIVE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby directs that the Town Manager undertake construction of a sanitary sewer improvement project serving a portion of Wesley Drive by the construction of 8-inch sewer laterals as described in the preliminary resolution of December 13, 1976.

1. The basis for assessing said project costs shall be the actual costs of the installation of said sewers; said costs so computed shall be assessed against the property owners equally for each lot which can be served with sewer by reason of said sewer improvements;

2. The amount of said assessment may be paid in full without interest at any time before the expiration of 30 days after the date of the notice of confirmation of said assessment has been published, or may be paid in 10 equal annual installments each bearing interest on the unpaid balance at the rate of 6% per annum from the date of said confirmation.

This the 10th day of January, 1977.

ALDERMAN COHEN MOVED TO AMEND THE RESOLUTION BY STRIKING THE REFERENCE TO 8" LINE. Mr. Denny said this would violate the policy of the Town, which has been to consistently refuse to maintain 4" line. He added that there was also a question of whether the Authority would accept 4" line from the Town when it took over the sewer system. Alderman Cohen felt that since this line would only serve one house, the present town policy would require money to be spent for no reason. Alderman Silver asked Mr. McAdams if the saving would be this high since the heavy equipment would have to be on the site anyway. Mr. McAdams said he did not know, this might have an effect on the cost. Alderman Marshall stated this was a policy decision, and she thought the resolution should be passed; then perhaps the staff could bring the Board a new policy to consider. Alderman Cohen said if the reference to 8"-lines was dropped from the resolution, engineering studies could be done to determine if 4"-line was feasible and there would be no delay in putting it in. Alderman Gardner asked Mr. Jenne when he would be notified about the grant money. Mr. Jenne said it would be before the end of the fiscal year. Alderman Smith asked Mr. Ironside what difference the state funds of approximately \$750 would make. Mr. Ironside said the residents would have to caucus on the matter, but he did not think it would make much difference. Alderman Gardner asked Mr. Harris what the town policy on 4" lines was, and if the town at present maintained any 4" lines. Mr. Harris said there might be 1 or 2 4"-lines presently being maintained, but that the Town had tried to replace all 4"-lines with 8"-lines because of the problems with 4"-lines. He explained that 4"-lines had to be cleaned by hand, while 8" lines could be done by machine. Alderman Gardner asked if these lines were replaced at Town expense, and the reply was yes. Mr. Denny added that any 4"-lines which the Town presently maintained and most of those replaced were very old. Alderman Marshall said the Board had been trying to move away from inconsistencies. The Town staff had worked very hard after annexations to explain what the Town's obligations were and to have these carried out within a year. She felt it unfair to insinuate that the Town was in the same situation as it was when this area was annexed. Alderman Smith stated the Board could not be sure there would be only one house on the Pruett line; it might be Mr. Talmadge's advantage, once the lines were laid out, to tie into this line also. Alderman Cohen's amendment received no second. THE MOTION WAS CARRIED BY A VOTE OF FIVE TO TWO WITH ALDERMEN EPTING, GARDNER, MARSHALL, SILVER AND VICKERY SUPPORTING AND ALDERMEN COHEN AND SMITH OPPOSING.

Resolution Accepting Bids and Awarding of Contract for Sewer Line Construction (Wesley Drive)

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

A RESOLUTION ACCEPTING BIDS AND AWARDED OF CONTRACT FOR SEWER LINE CONSTRUCTION (WESLEY DRIVE)

WHEREAS the Town of Chapel Hill has solicited formal bids on Sewer Line Construction (Wesley Drive) and the following bids have been received:

<u>Bidder</u>	<u>Bid</u>
T.H. Blake Construction Co., Greensboro, North Carolina	\$25,926.68
Wrenn-Wilson Construction Co., Durham, North Carolina	\$22,002.05
TLH Construction Corp., Research Triangle Park, North Carolina	\$23,821.15
J. F. Wilkerson Contracting Co., Inc.	\$19,180.45

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of J. F. Wilkerson Contracting Company, Inc. for the amount of \$19,180.45 and that it be awarded the contract.

This the 10th day of January, 1977.

Alderman Cohen asked if the Town would be exercising its option to increase the work done for more properties at the unit price. Mr. Jenne said this was correct. Alderman Gardner asked why there was so much urgency in awarding the bid. Mr. Hooper explained that the project had been bid several months ago, and if it were not awarded tonight, the project should be rebid. Mr. J. responding to Alderman Gardner's question, said the health problem was still the same. Alderman Gardner asked if the Property Investor's lot was unusable. Mr. Jenne answered that it was usable, but could not be developed unless sewerred. THE MOTION WAS CARRIED BY A VOTE OF FIVE TO SEVEN WITH ALDERMEN EPTING, GARDNER, MARSHALL, SILVER AND VICKERY SUPPORTING AND ALDERMEN COHEN AND SMITH OPPOSING.

Resolution Authorizing the Town Manager to Apply for Clean Water Bond Funds in Connection with the Wesley Drive Sewer Extension

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

~~A RESOLUTION AUTHORIZING THE TOWN MANAGER TO APPLY FOR CLEAN WATER BOND FUNDS IN CONNECTION WITH THE WESLEY DRIVE SEWER EXTENSION~~

WHEREAS, the North Carolina Clean Water Bond Act of 1971 has authorized the making of grants to aid units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, and

WHEREAS, the Town of Chapel Hill, N.C., has need for and intends to construct 1533 LF of 8" sewer laterals in western Chapel Hill, and

WHEREAS, the Town of Chapel Hill, N.C., intends to request State grant assistance for the project,

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, N.C. that the Town of Chapel Hill N.C., will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the Town of Chapel Hill, N.C., will adopt and place into effect on or before completion of the project a schedule of fees and charges which will provide adequate funds for proper operation, maintenance and administration of the system.

That the Town of Chapel Hill, N.C., will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Kurt J. Jenne, Town Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Chapel Hill, N.C., with the State of North Carolina for a grant to aid in the construction of the project described above.

That Kurt J. Jenne, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town of Chapel Hill, N.C., has substantially complied with or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto; and hereby authorized the above designated representative to execute an affidavit so stating.

Adopted this the 10th day of January, 1977.

ALDERMAN MARSHALL THEN MOVED TO REFER THE MATTER OF LACK OF COMMUNICATION TO THE TOWN MANAGER FOR COMMENT AND SUGGESTION OF POLICY. ALDERMAN COHEN SECONDED. THE MOTION WAS CARRIED UNANIMOUSLY.

Petitions and Requests

Mr. Marvin Norwood requested the Board waive the penalty for paying his taxes late. Mr. Norwood explained that he had not received his usual statement in August. He had called the tax office in December and asked for a statement to be mailed to him. When he had not received this by the 30th of December, he came to the tax office and asked for another statement. The tax collector had given him a register tape with the amount he owed but had not given him a statement. He then came back to the tax office of January and asked for a statement and was given a copy of his original statement. However, he did not feel he should have to pay the interest on taxes paid after January 1 because he did not receive his statement. Mr. Roberts explained that when Mr. Norwood first called in December the tax office mailed to him a copy of the statement which had been sent out in August. He had no explanation for why the two copies which had been mailed to Mr. Norwood had not reached him since they were not returned to the tax office. When Mr. Norwood came in the office on December 30, he had given Mr. Norwood a tape with the correct figures on it, after which Mr. Norwood left. When Mr. Norwood came back to the office on the 3rd and asked for another statement, Mr. Roberts made a thermofax copy of the statement and gave it to him. Mr. Norwood later returned to pay his taxes but was told he would have to pay the interest penalty which he refused to do. Alderman Marshall asked if there was any leeway in the law for forgiving the interest penalty. Mr. Denny answered there was not. Mayor Wallace asked Mr. Norwood if he had received his original statement. He had not. Alderman Silver asked if Mr. Norwood's appearance on the 30th could be construed as a willingness to pay but a contest to the figures. Mr. Denny replied that even if the figures were being contested, the penalty applied as long as the tax was not paid by the 31st. Alderman Epting stated he had sympathy for Mr. Norwood, but that it was not lawful for the Board to waive his penalty. ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN GARDNER, TO DENY THE PETITION BY MR. NORWOOD. THE MOTION WAS CARRIED UNANIMOUSLY. Alderman Smith asked if citizens could get a copy of the statement once the bill was paid. Mr. Roberts answered that a copy of the statement marked paid was given to each citizen after the taxes were paid. Mr. Norwood also stated there was no road to his property, just to the edge of the property. Alderman Smith asked Mr. Jenne to check into this matter as the road was supposed to give access to all properties.

Alderman Cohen requested that the nominations for the Historic District Committee be put on the end of the agenda, and after the Board had received all nominations, that a list be sent to Alderman Howes. Mr. Jenne said that he was requesting the Board to consider both the Historic District Committee and the nominations for the Recreation Commission. He suggested they be put on the agenda just after consideration of the Board of Adjustment vacancies. Mayor Wallace hearing no objection, said this would be done.

Mr. Wes Hair presented a petition for Gaitha Lassiter who had had to leave the meeting. They were requesting the Board's help in getting a ramp built so that E-Z Rider could deposit riders at the side of the multi-purpose center so wheelchairs would not have to go up steps. The county was willing to bring in the gravel necessary to make the ramp. He had not been able to get the special use permit necessary for the wall to be cut. Mr. Harris said he could authorize a curb cut but could not spend Town money building the ramp. Alderman Smith asked that the Town Manager look into the matter and consult with the County to see if the Town would help in getting the ramp built.

Alderman Epting said he had had several requests from citizens for a report on the citizen who was shot at the University Mall by an off-duty policeman. He requested the Town Manager to prepare a report on this incident, including the SBI report, and the policy of the Town for police officers to carry guns while off-duty.

Minutes

On motion by Alderman Smith, seconded by Alderman Marshall, the minutes of the Special meeting of December 6, 1976, were approved. On motion by Alderman Smith, seconded by Alderman Marshall, the minutes of the regular meeting of December 13, 1976, were approved as corrected. On motion by Alderman Cohen, seconded by Alderman Gardner, the minutes of the special meeting of December 14, 1976, were approved.

Resolution Approving the Preliminary Sketch for Brookview Subdivision

Before the Board considered any resolutions, Mr. Jenne pointed out that a letter had been distributed in which the state had changed its policy of not maintaining any roads with curb and gutter less than 33 feet wide. There had also been verification of Mr. Goforth's statement that a gravel road would be maintained. As the state had agreed to maintain roads 26 feet in width, Mr. Jenne suggested that Brookview be 27 feet. ALDERMAN VICKERY MOVED, SECONDED BY ALDERMAN EPTING, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION APPROVING THE PRELIMINARY SKETCH FOR BROOKVIEW SUBDIVISION

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby approves the preliminary sketch for Brookview Subdivision submitted December 17, 1976, subject to the following conditions:

1. If the subdivision is not annexed before a final plat is submitted for approval, that the cross section of Brookview conform to state standards for subdivision roads with curb and gutter. If the subdivision is annexed before a final plat is submitted for approval, that the road be paved to a 27 foot cross section with curb and gutter.
2. That the pavement and base design for Brookview conform to Town standards. That Brookview be exempted from the requirement for a graded sidewalk and the 8% maximum grade standard.
3. That the portion of Riggsbee Road which lies within Brookview be paved to state standards without curb and gutter; and that Martha Lane be improved to state standards of gravel roads to serve as an access route.
4. That Lots 1, 1A, 2, 3, 4 and 5 be connected to the municipal sewer system.
5. That a fifty foot wide storm water, sanitary sewer, pedestrian and bikeway easement be dedicated along the entire length of the southern property line. This property line abuts the stream and the northern boundary of Green Hills Subdivision. This easement shall fulfill the open space requirement for the subdivision. The area within the open space easement is approximately 1.83 acres.
6. That a 30 foot drainage easement be provided in the vicinity of Lots 1A, 2 and 3.
7. That plans for Brookview, Martha Lane, and Riggsbee Roads be approved by the Town Manager prior to construction.

This the 10th day of January, 1977.

Alderman Vickery said he was convinced this would meet the objections to the former plan which centered around a secondary access route for service vehicles and emergencies. Alderman Smith suggested the cul-de-sac be extended to Emily Road and eliminate the portion of Riggsbee Road to be extended in the subdivision. Alderman Cohen objected to this because the traffic from Cedar Hills would then have a straight path through to Brookview Road. Mr. Jennings said that although Emily Road was being improved, it would still not be up to state standards.

Mr. Liner asked to speak to the Board. He said the residents would prefer a 20 foot road without curb and gutter built to town standards. Mr. Jenne explained that the town standards for roads without curb and gutter were the same as the state; therefore, a 20 foot road would require the same cut and fill as a 33 foot road with curb and gutter, whereas a 27 foot road with curb and gutter would not. Mr. Liner then agreed with the 27 foot road. Alderman Smith asked if there would be any private roads in the subdivision. Mr. Jennings answered no. ALDERMAN VICKERY MOVED THE QUESTION. ALDERMAN GARDNER SECONDED AND DISCUSSION WAS STOPPED BY UNANIMOUS CONSENT. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving Modifications to the TOPS/SUNOCO Special Use Permit, with Stipulations

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

A RESOLUTION APPROVING MODIFICATIONS TO THE TOPS/SUNOCO SPECIAL USE PERMIT, WITH STIPULATIONS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board finds that, subject to the following stipulations:

1. That the sign plan be approved by the Appearance Commission prior to the issuance of a certificate of occupancy.
2. That any and all planting which dies during the life of the special use permit shall be replaced with planting of the same species and approximately the same size during the next planting season.
3. That prior to issuance of a certificate of occupancy the landscaping shall be brought into compliance with the approved landscape plan.
4. That the service station property be screened from abutting street rights-of-way as described in Section 4-C-2-e of the Automobile Service Station Special Use Regulations and that such screening be approved by the Appearance Commission.
5. That all stipulations placed on the original special use permit shall continue in effect.

The Special Use Permit issued to Sunoco on May 18, 1970, for an automobile service station at the southwest intersection of East Franklin Street and Estes Drive, will continue to meet the four required findings if modified as follows:

1. Remove all SUNOCO signs and replace with TOPS signs. Such signs to consist of a pole sign and a sign on the front elevation of the building. These signs will have the same location as the existing SUNOCO signs. All signs are in compliance with the Zoning Ordinance.
2. Remove the pump island parallel to Estes Drive and add three additional pumps to each of the two pump islands located parallel to Franklin Street. This will involve increasing the length of each of these pump islands in order to accommodate the additional pumps.

BE IT FURTHER RESOLVED that the Board of Aldermen hereby grants the above modifications to said Special Use Permit, in accordance with the plans as submitted and the above stipulations.

This the 10th day of January, 1977.

Alderman Gardner asked if the new pumps would be single or dual. The applicant replied they would be single. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving an Extension of Time for Planning Board Review

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

A RESOLUTION APPROVING AN EXTENSION OF TIME FOR PLANNING BOARD REVIEW

BE IN RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby extends the Planning Board review period on the following Projects:

Easco Photo Booth N.C. Highway 54 Special Use Permit
 Easco Photo Booth Village Plaza Special Use Permit
 Sparrow Apartments Special Use Permit
 Alpha Chi Omega Sorority Special Use Permit

to the Planning Board meeting of January 20, 1977.

This the 10th day of January, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving the Subdivision of the Rogerson Drive Lift Station

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

A RESOLUTION APPROVING THE SUBDIVISION OF THE ROGERSON DRIVE LIFT STATION

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby gives preliminary sketch approval of the plat of the subdivision of the Rogerson Drive Lift Station.

This the 10th day of January, 1977.

Alderman Cohen asked if this property would be transferred to OWASA. It will be along with the sewer system. THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending Portions of Chapter 21, The Traffic Code

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

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 21, THE TRAFFIC CODE

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that Chapter 21, The Traffic Code, of the Code of Ordinances, Town of Chapel Hill, is hereby amended as follows:

SECTION I

In Section 21-28.1, "Bus Stops," DELETE

<u>Street</u>	<u>At</u>	<u>Direction</u>	<u>Feet</u>	
			<u>From</u>	<u>To</u>
E. Franlin Street	Henderson St.	E-F	131-	0

SECTION II

In Section 21-29, "Parking Meter Zones", DELETE the present first paragraph of 21-29 (a), "East Franklin Street, south side:" and REPLACE with:

One-hour parking from Old Fraternity Row to Henderson Street.

SECTION III

In Section 21-15, "Vehicular traffic at marked crosswalks with stop signs," REVISE 21-15 (a) to read:

- (a) The Town Manager shall cause to be marked on East Franklin Street between Henderson Street and Columbia Street approximately 400 feet east of Columbia Street, and on South Columbia Street specifically, approximately 300 feet north of Cameron Avenue, crosswalks for pedestrian traffic, and shall cause to be erected at or about the center of the street at such marked crosswalks signs or manually operated traffic lights notifying drivers traveling on said streets to come to a full stop for pedestrians.

SECTION IV

In Section 21-35, "Loading and unloading of delivery vehicles," REPLACE in 21-35 (d) the figures "217" and "288" with the figures "410" and "500" respectively: and REPLACE in 21-35 (h) the figures "74" and "212" with the figures "170" and "250" respectively.

SECTION V

The provisions of each section of this ordinance shall become effective when signs, signals, and/or other markings have been erected in conformity with said section.

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

This the 10th day of January 1977

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending Section 21-27 "No Parking as to Particular Streets"

Alderman Cohen explained that the Town had received a request to restrict parking on Cameron Court during certain hours, in part due to heavy traffic. In particular, two elderly residents, who had no car, were having trouble with access to their apartment, and could not get to taxis nor did the taxis have room to turn around. If all of the parking had been removed, there were other residents who had no drive and could not have parked. Therefore, the proposal was to remove parking in front of the two units of the elderly residents. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN GARDNER, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING SECTION 21-27 "NO PARKING AS TO PARTICULAR STREETS"

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that Section 21-27 of the Code of Ordinances, Town of Chapel Hill, is hereby amended by addition of the following street:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Cameron Court	E	390 ft. from Cameron Ave.	434 ft. from Cameron Ave.

Section II

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

This the 10th day of January, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Certifying Valuation as Required by HUD Handbook 1320.1

Alderman Gardner was concerned that there was no location for the property listed on the Certificate of Just Compensation submitted by the Housing Authority for approval. Mr. Jenne stated this certificate was being done just as those in the past had been done. Alderman Smith asked if the heirs of the Hargraves property and the Peace property had been contacted about the sale of the property and had agreed to the price. Mr. Stephenson said they had been contacted, but the price would not be negotiated until after the Board of Aldermen had agreed to the value set by the appraisers. Mr. Denny explained the procedures which would be followed if the owners and the Housing Authority did not agree on value. ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CERTIFYING VALUATION AS REQUIRED BY HUD HANDBOOK 1320.1

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

<u>Parcel Number</u>	<u>Area (Sq. Ft.)</u>	<u>Owner</u>	<u>Interest to be Acquired</u>	<u>Established Fair Market Value</u>
81-B-7	1,118	Laura Merritt Heirs	Structure	\$ 2,500.00
81-B-8	1,351	Hargraves Heirs	Structure	\$ 6,500.00
84-J-18	1,550	Mary Pegram Lassiter	Structures	\$ 6,600.00
85-L-7	2,931	Carl Neville	Structures	\$10,200.00
85-L-13	5,777	Bessie Peace Heirs	Structure	\$ 5,300.00
85-L-35	523	Paul Harriston	Structure	\$ 4,849.00
92-E-22	984	E. H. Hackney	Structure	\$ 5,200.00
92-I-12	1,347	Brooks McCauley, Jr.	Structures	\$ 7,800.00
92-J-20	949	Alvis Hargraves	Structure	\$ 4,900.00

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

This the 10th day of January, 1977.

In answer to Alderman Gardner's question. Mr. Stephenson explained how the appraisers were selected. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Agreeing to Modify the Agreement on Landfill Operations

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

A RESOLUTION AGREEING TO MODIFY THE AGREEMENT ON LANDFILL OPERATIONS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby authorizes the Mayor and Town Clerk to execute a modification (in conjunction with the other parties to the Agreement) to the agreement of November 30, 1972, of Orange County and the Towns of Chapel Hill and Carrboro regarding the purchase and operation of a solid waste disposal facility; specifically to replace present Section 5.c. with a new Section 5.c to read as follows:

Annual payments in amount equal to annual depreciation of capital equipment shall be made to a Capital Equipment Reserve Account in accordance with generally accepted accounting principles for an Enterprise Fund.

This the 10th day of January, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Granting Joint Orange-Chatham Community Action, a Partnership, a Non-Exclusive Franchise to Operate a Limited-Client Transportation Service Within the Corporate Limits of the Town.

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

AN ORDINANCE GRANTING JOINT ORANGE-CHATHAM COMMUNITY ACTION, INC.,

A NON EXCLUSIVE FRANCHISE TO OPERATE A LIMITED-CLIENT
TRANSPORTATION SERVICE WITHIN THE CORPORATE LIMITS OF THE TOWN

WHEREAS, it appears to the Board of Aldermen and the Board finds as a fact that it would be in the public interest, and that public convenience and necessity requires that the Town grant to Joint Orange-Chatham Community Action, Inc. (JOCCA), a non-profit corporation partnership, a non exclusive franchise to render limited motor bus transportation service as hereinafter provided between points and places within the Town;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

That consent and permission be, and the same is hereby given and granted to JOCCA, Inc., to engage in the furnishing of passenger transportation service as hereinafter provided over present and future streets in the Town, along the routes established from time to time as herein provided with the equipment and for the purposes as herein set forth, and to that end it is hereby authorized to operate over, along, and across the streets and highways within the Town, buses subject to the following terms and conditions:

1. Services to be rendered. The operation of buses over streets and highways within the Town shall be as to provide limited motor bus transportation service for Chatham County residents to the University of North Carolina at Chapel Hill, North Carolina Memorial Hospital, and to the Central Business District of the Town. It is the sole intent and purpose of this franchise to grant to JOCCA the authority and permission to operate over the streets of the Town for the purpose of providing such motor bus transportation to said points along the routes as hereinafter defined, with stops as herein set forth, and with passengers limited as herein provided.
2. Routes. Routes along streets of the Town shall be as provided on the attached map marked Exhibit "A". Any change in the route of the buses shall be subject to prior written approval of the Town Manager of Town and the Director of Transportation, and will be shown on a map affixed to a copy of this franchise.

93 3. Bus stops. Buses operated pursuant to this franchise shall stop for the purpose of loading and unloading passengers only at points designated on said map attached hereto as Exhibit "A" as may be modified from time to time with agreement of the Town Manager and the Director of Transportation. Except for emergency purposes, said buses shall not pick up or discharge passengers at other stops along said route.

4. Passengers. Passengers on said buses shall be limited to Chatham County residents, and employed in Chapel Hill or utilizing medical or educational facilities within Chapel Hill.

5. Charges. Charges will be made for persons riding any of the buses operated pursuant to this franchise. As follows:

\$3.00 weekly from Pittsboro

5 Round trips \$30.00

\$12.00 weekly from Siler City --

Goldston- Bear Creek

5 - Round trips \$44.00

and free service provided for eligible low income persons as determined by Chatham Department of Social Services.

6. Number and Type of Buses. Permission is herewith granted for the operation of two school type, A Wayne Busette with lift and 2-15 passenger vans.

7. Insurance. JOCCA, Inc. agrees to carry at times when operated over the public streets of the Town pursuant to this franchise insurance so as to indemnify and save harmless Town from any claims, liability, damages, occasioned by the operation of said buses on streets of Town, and JOCCA, Inc. agrees to indemnify and save harmless Town from any and all such claims, demands, liabilities, actions and causes of actions, occasioned by the operation under this franchise.

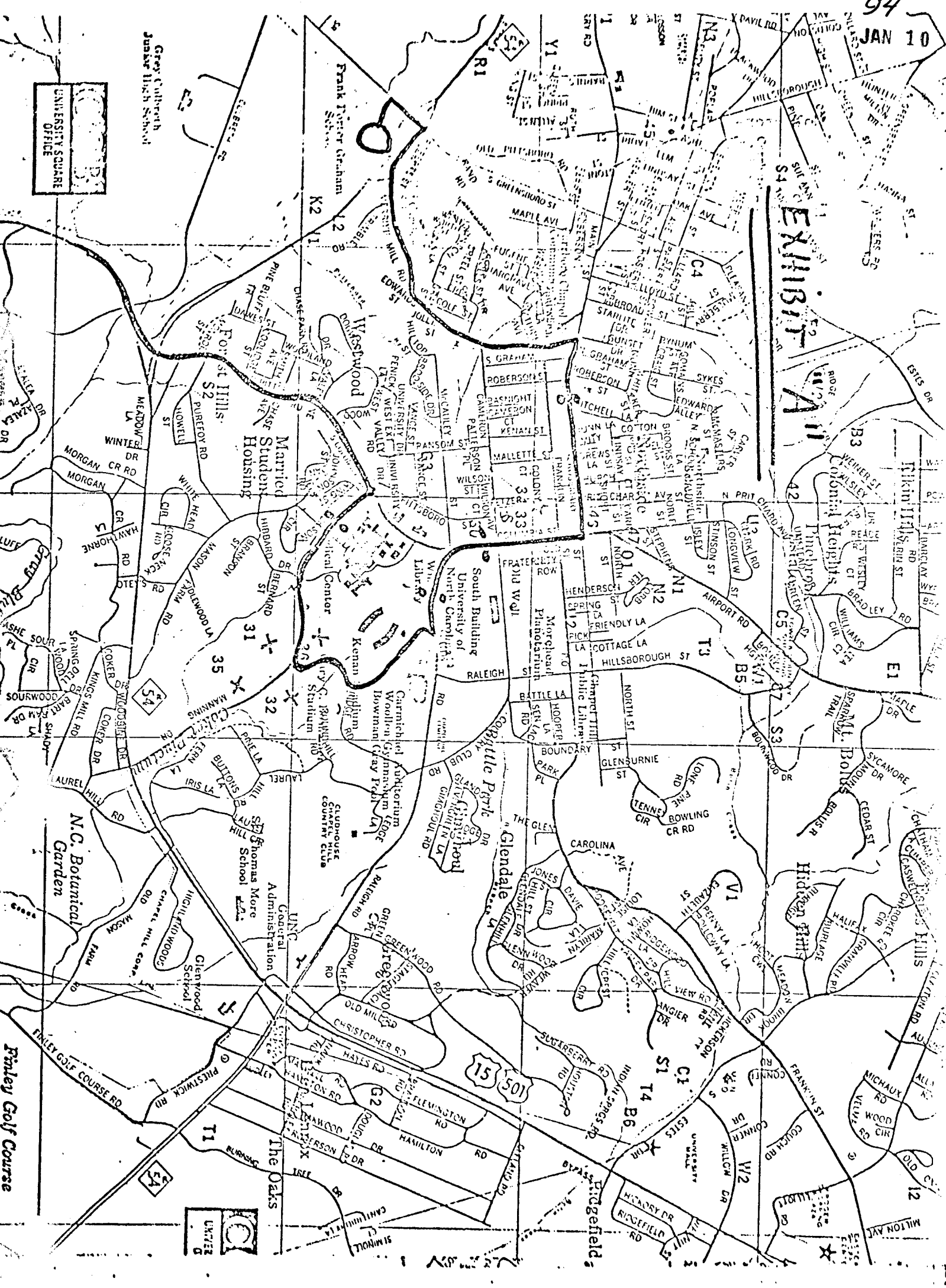
8. Duration of Franchise. This franchise shall exist and continue for a period of one year after final action by the Board of Aldermen thereon, and may be renewed for mutually acceptable periods thereafter upon application to and approval by the Town.

9. The franchise granted herein to JOCCA by the Board of Aldermen shall in no way prohibit or prevent the Board of Aldermen of the Town from granting other franchises, or from the operations of any mass transportation system within or into Town.

10. Assignment. This franchise and the right contained hereunder shall not be sold or assigned, or in any manner transferred without the prior expressed approval of the Board of Aldermen.

This the 10th day of January, 1976.

(Next Page MAP)



Alderman Smith asked if the bus stops would be the same as the Town stops. Mr. Jenne said yes, but riders cannot get on and off within the Town. Alderman Epting asked if the service would be available to anyone in Chatham County. Mr. Hair explained it would, that low income people would be riding free, but there was a fee set as they hoped to encourage other riders too.

There was some discussion as to whether a franchise from the State was needed. THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending the "Ordinance Establishing Salary Ranges, ETC., For the Period July 1, 1976 through June 30, 1977"

95

Alderman Marshall asked for some information on the Assistant Animal Control Officer who was being added to the budget. Mr. Jenne explained how the funds for this had been provided. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN COHEN, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING THE "ORDINANCE ESTABLISHING SALARY RANGES, ETC. FOR THE PERIOD JULY 1, 1976 THROUGH JUNE 30, 1977.

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the ordinance of June 14, 1976, entitled "An Ordinance Establishing Salary Ranges, etc, for the Period July 1, 1976 through June 30, 1977" be hereby amended as follows:

SECTION ONE

In Section III, "Assignment of Classes and Ranges", ADD

Range

- 12 Assistant Animal Control Officer
- 20 Chemical Analyst
- 25 Transportation Planner

SECTION TWO

In Section IV, C. "Full Time Positions" DELETE

<u>Position</u>	<u>No.</u>	<u>Hours</u>	<u>Range</u>
Human Services Police Social Worker	2	40	22
Library Library Assistant II	2	40	16
and ADD			
Planning Transportation Planner	1	40	25
Human Services Police Social Worker	3	40	22
Public Works (Wastewater Treatment) Chemical Analyst	1	40	20
Library Library Assistant II	3	40	16
Public Works (Equipment Services) Service Attendant	1	40	12
Police Assistant Animal Control Officer	1	40	12

SECTION THREE

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

This the 10th day of January, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance to Amend the "Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning, July 1, 1976"

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN EPTING, ADOPTION OF THE FOLLOWING ORDINANCE.

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1976" as duly adopted on June 14, 1976 be and the same is hereby amended as follows:

Article I

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised</u>
GENERAL FUND				
Human Services				
Support Services	68 800	4 835		73 635
Public Works				
Equipment Services	253 330	3 030		256 360
Police				
General Services	193 970	2 755		196 725
Library	90 925	3 350		94 275
Sundry				
Contingency	29 470		13 970	15 500
Total	5 296 990	13 970	13 970	5 296 990

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

This the 10th day of January, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Report and Ordinance to Amend the "Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1976"

At the meeting of November 8, 1976, budget changes concerning the recreation budget had been considered by the Board. However, they had requested more information on individual items. Mr. Jenne submitted a report (attached) showing all changes.

MEMORANDUM

TO: Mayor and Board of Aldermen
FROM: Kurt J. Jenne, Town Manager
SUBJECT: Report on Recreation Athletic Budget - Proposed Revisions
DATE: January 6, 1977

At the Board meeting of November 8th additional information was requested concerning the budget changes in the Athletic portion of the Recreation Department Budget. The proposed Budget Ordinance provides a reduction in the appropriation of \$1,520 from \$73,680 to \$72,160. A detailed comparison of the adopted and first quarter budget revision is shown below.

	<u>Adopted</u>	<u>Change</u>	<u>1st Quarter Revised</u>
<u>Athletics</u>			
<u>Youth Sports</u>			
Reg. Salaries and Wages	9 620	-1 415	8 205
Part-time Salareis and Wages	16 060	+4 845	20 905
Rent	7 255	-6 985	270
Supplies	1 030	+ 400	1 430
Equipment	9 490	+ 175	9 665
Participant Insur.	250	-	250
Equipment	305	-	305
Sub Total	44 010	-2 980	41 030

<u>Adult Sports</u>			
Reg. Salaries and Wages	11 290	-	11 290
Part-time Salaries and Wages	11 570	+4 005	15 575
Rent	2 660	-2 660	-
Supplies	75	+ 45	120
Equipment	4 075	+ 70	4 145
	<u>29 670</u>	<u>+1 460</u>	<u>31 130</u>
Sub Total			
Total	<u>73 680</u>	<u>-1 520</u>	<u>72 160</u>

The basic thrust of the change is to provide funds for salaries and supplies required by the expanded number of hours that school facilities are available under the new agreement with the County. The chart below illustrates the number of facility hours included in the adopted budget and the number of hours currently anticipated.

	<u>Adopted Facility Hours</u>	<u>Adopted Budget</u>	<u>Revised Facility Hours</u>	<u>Revised Budget</u>
<u>Youth Sports</u>				
Basketball	1 116	\$7 255	1 116 +937	-
Free Play	-	-	+600	-
<u>Adult Sports</u>				
Basketball	409	\$2 660	409 +441	-
Volleyball	-	-	- +112	-
	<u>1 525</u>	<u>\$9 915</u>	<u>3 615</u>	

The facilities plan also includes 187 hours for the summer program of 1976, and 348 hours for the summer program of 1977 through June 30. An additional 136 hours are included for special programs. Because of anticipated schedule changes, the plan was developed with a base of approximately 4,300 hours. The plan is subject to revision based on the need of the schools for these facilities.

By contractual agreement, the Town leases auditorium, multi-purpose and gymnasium space at area schools including Chapel Hill High, Culbreth, Ephesus, Estes Hill, Lincoln and Phillips. As explained below, the rate of \$6.50 per hour has been established by the school system for use of their facilities after normal duty hours and week-ends. During the summer, when school is out of session, the space is available (Monday through Friday, 8:30-5:00 p.m.) at the rate of \$2.00 per hour.

It is anticipated that the \$25,410 budgeted by the County for the rental of school facilities will be used to purchase space as follows:

3,774 hours at \$6.50/hour = \$24,531

439 hours at \$2.00/hour = 878

Total = \$25,410

The use of school personnel to supervise recreation programs at school facilities is a concept that has been promoted as a possible method of reducing expenditures for recreation programs. The proposal is designed to impact on the method that rental fees for school facilities are charged. The following illustrates the costs associated with the use of school facilities:

JAN 10

<u>Facility Rental</u>	
Utilities	\$2.00 per hour
School Staff presence (1.5T)	<u>4.50</u> per hour
	6.50 per hour
<u>Program</u>	
Supervision	<u>\$2.50</u> per hour
Total	\$9.00 per hour

The use of school personnel was a means intended to eliminate the separate requirements of the School and Town concerning facility and program supervision. In theory, the use of school personnel as program supervisors was thought to result in the following charges for school facilities:

<u>Facility Rental</u>	
Utilities	\$2.00 per hour
Facility & Program Supervision	<u>2.50</u> per hour
	\$4.50 per hour

If this concept were workable, more efficient use of available program funds might result. There are, however, a number of serious limitations associated with implementation of the concept. These factors are:

- 1) Inability to successfully recruit school personnel due to time demands, schedule conflicts, wage rates, interest, and qualifications.
- 2) Potential problems associated with the proposed \$2.50 rate for school personnel with regard to FLSA, Retirement and other fringe benefits.
- 3) From an administrative standpoint, implementation would pose problems related to accountability, control and training needs of the Recreation program. These concerns are adequately met when Town hires university students and residents but would be more difficult to achieve in relation to the work schedules of school personnel.

These limitations have prevented implementation of the concept to date. From a programming standpoint, and the concerns stated in point number three, it is now believed by the School and Town administrations, and the Recreation Committee of the Intergovernmental Task Force, that other alternatives should be sought which would meet both the needs of the school for facility control and the Town for program supervision.

It is likely that some new alternative or a continuation of the present system of staffing recreation programs will not result in direct monetary savings to the Town. Since the Town will need to be the employer of supervisory personnel, the potential savings are in the area of the school rental costs. This could ultimately lead to more hours available to the Town or an increase in the Recreation Support funds to the Town if a new alternative were developed. The need for the budget change to increase staffing costs in response to the expanded number of program hours available will most likely remain.

Given the increase in facility hours, the corresponding increase in the number of participants, teams and games to be played, and the current inability to attract School personnel to act in a dual role, it is necessary to increase expenditures for part-time salaries. The chart below further defines this increase.

Youth Sports

Basketball	+937 hours, +100 games	
Supervisors	937 hr. x 2.50 per hour	2 345
Referees	100 games 2 at 2.50 per hour	500
Timer, Scorckeeper	100 games 2 at 2.50 per hour	500

Free Play	600 hours		
Supervisors	600 x 2.50		1 500
		Total	<u>4 845</u>

Adult Sports

Basketball	+441 hours, 146 games		
Supervisors	441 hr. x 2.50 per hour		1 105
Referees	146 games at 13 per game		1 890
Scorer, Timekeeper	146 games, 2 at 2.50 per hour		730
Volleyball	+112 hours x 2.50 per hour		<u>280</u>
			<u>4 005</u>

Changes in supply and equipment accounts provide funds for basketballs and other auxiliary materials. It could be looked at as follows:

Of the \$5,600 cash contribution from the County, and the \$9,915 minus \$270 originally budgeted for facilities rental but freed up, or a total of \$15,245, approximately \$8,850 is applied to supervision of expanded programs and about \$6,395 is applied to capital improvements.

Passage of the attached Budget Ordinance is recommended.

Mr. Hooper explained how the monetary value of the hours donated by the County could be shown in the budget. ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN VICKERY, 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, 1976"

BE IT ORDIANED by the Board of Aldermen of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1976" as duly adopted on June 14, 1976 be and the same is hereby amended as follows:

Article I

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
General Fund				
Recreation				
Athletics	73 680	-	1 520	72 160

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

This the 10th day of January, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Report on the Timetable for the Completion of the Comprehensive Plan

Alderman Smith asked what would speed up the completion of the Comprehensive Plan. Mr. Jennings had submitted an outline of the elements involved in the Comprehensive Plan. He estimated the land use concepts and the housing assistance plan would be completed by the end of the fiscal year. He stated the development requests had far exceeded those expected for the year. He thought only an increase in the staff of long-range planners would complete the work any quicker. Alderman Smith asked if any of this work could be farmed out. Mr. Jennings stated he would rather not farm the work out, because the staff was familiar with the Town. Alderman Marshall said the Board should decide on some priorities and give some guidance to the Planning Department as to what their priorities should be. She agreed with Alderman Smith that some things could be done by consultants. Alderman Smith asked that the Manager look into how some of the staff time could be freed. Mr. Jenne said the special studies area would be the best to have done by consultants. Alderman Marshall asked when the zoning ordinance would be updated. Mr. Jennings answered that the zoning could be after the land use elements were complete. Alderman Cohen announced that Durham would be having an extra-territorial zoning hearing on Tuesday. Mr. Denny brought up the proposed agreement on the line between Orange County and Carrboro which would affect Chapel Hill.

Report on the Review Process for Zoning and Subdivision Requests

Mr. Jennings had submitted three alternative methods of considering projects before they came to public hearing. He stated that the Planning Board and Appearance Commission had already begun working on alternative one which would add an informal public hearing held by the Planning Board and Community Appearance Commission prior to the required joint public hearing. They would try all of the methods before finally recommending one.

Resolution Setting a Public Hearing on January 24, 1977, at 7:30 P.M. to Consider Application for a Community Development Discretionary Grant

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

A RESOLUTION SETTING A PUBLIC HEARING ON JANUARY 24, 1977 AT 7:30 P.M. TO CONSIDER APPLICATION FOR A COMMUNITY DEVELOPMENT DISCRETIONARY GRANT

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board will hold a public hearing at 7:30 p.m. on January 24, 1977 to consider the application of the Town of Chapel Hill for a Community Development Discretionary Grant.

This the 10th day of January, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance to Amend the Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1976

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN SILVER, 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, 1976"

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year beginning July 1, 1976" as duly adopted on June 14, 1976 be and the same is hereby amended as follows:

Article I

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
SEWER FUND				
Interim Improvements	-	1 114 100	-	1 114 100
Plant Expansion				

Article II

SEWER FUND				
Reimbursement From OWASA	-	1 114 100	-	1 114 100

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

This the 10th day of January, 1977.

Alderman Gardner asked if a maximum time limit should be put on the time in which the Authority is allowed to pay back sums now expended by Chapel Hill for sewer. Alderman Marshall said it was not needed. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Accepting Bids and Awarding Contract for Mason Farm Waste Treatment Plant Interim Improvements

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR MASON FARM WASTE TREATMENT PLANT INTERIM IMPROVEMENTS

WHEREAS the Town of Chapel Hill has solicited formal bids on Mason Farm Waste Treatment Plant interim improvements and the following bids have been received:

<u>General Construction</u>				
<u>Bidder</u>	<u>Plant</u>	<u>Filter Bldg.</u>	<u>Bridge</u>	<u>Total</u>
W.F. Brinkley & Son Construction Granite Quarry, N.C.	\$1,166,000.00	\$111,000.00	\$ 30,000.00	\$1,307,000 0
Brown Construction Company Concord, N.C.	1,055,700.00	122,000.00	45,000.00	1,222,700.00
Central Builders, Inc. Rocky Mount, N.C.	1,199,297.00	130,616.00	43,819.00	1,373,732.00
Christopher Con- struction Co. Fieldale, Va.	1,035,100.00	97,000.00	46,900.00	1,179,000.00
Consolidated Construction Co., Inc. Fayetteville, N.C.	1,080,200.00	115,200.00	74,200.00	1,269,600.00
James E. Cox Con- struction, Inc. Charlotte, N.C.	1,000,073.00	131,100.00	37,500.00	1,168,673.00
Crain & Denbo, Inc. Durham, N.C.	1,043,840.00	80,000.00	45,000.00	1,168,840 0
Crowder Construction Co. Charlotte, N.C.	1,108,500.00	77,000.00	42,000.00	1,227,500.00
Evans, Eller & Assoc. Inc. Statesville, N.C.	1,250,000.00	150,000.00	30,000.00	1,430,000.00
George W. Kane, Inc. Durham, N.C.	1,088,309.00	88,513.00	45,217.00	1,222,039.00
King-Hunter, Inc. Greensboro, N.C.	988,000.00	120,000.00	60,000.00	1,168,000.00

<u>General Construction</u>				
<u>Bidder</u>	<u>Plant</u>	<u>Filter Bldg.</u>	<u>Bridge</u>	<u>Total</u>
T.A. Loving Co. Goldsboro, N.C.	1,049,500.00	91,000.00	34,000.00	1,174,500 0
Wm. Muirhead Con- struction Co. Inc. Durham, N.C.	1,075,078.00	82,312.00	84,972.00	1,242,362.00
Noll Construction Co. Charlotte, N.C.	NO BREAKDOWN			\$1,237,300.00
Thamer Construction, Inc. Atlanta, Ga.	\$1,104,700.00	\$107,200.00	\$ 56,500.00	1,268,400.00
Wrenn-Wilson Con- struction Co. Durham, N.C.	989,542.00	109,250.00	37,730.00	1,136,522.00

JAN 10

Electrical Construction

<u>Bidder</u>	<u>Plant</u>	<u>Filter Bldg.</u>	<u>Total</u>
Bolton Corp. Raleigh, N.C.	\$48,741.00	\$16,654.00	\$65,395.00
Davie Electric Co. Durham, N.C.	37,372.00	8,183.00	45,555.00
Electrical Assoc., Inc. Raleigh, N.C.	45,379.00	9,565.00	54,944.00
Electricon, Inc. Kinston, N.C.	43,240.00	10,740.00	53,980.00
Modern Electric Co., Inc. Statesville, N.C.	50,600.00	17,500.00	68,100.00
Pendergraph & Thomerson Electric Co., Inc. Durham, N.C.	45,745.00	9,127.00	54,872.00
Southerland Electric Co. Jacksonville, N.C.	70,107.00	14,334.00	84,441.00
Watson Electrical Construction Company Wilson, N.C.	49,494.00	10,847.00	60,341.00

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Wrenn-Wilson Construction Company in the amount of \$1,136,522 for general construction and the bid of Davie Electric Company in the amount of \$45,555 for electrical construction and that these firms be awarded the contracts.

This the 10th day of January, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Board of Adjustment - Nominations

The Board of Adjustment had submitted six names to fill three vacancies on the board which were created by the term expirations of Werner Hausler and Monica Kalo and the resignation of Wanda Lewis. The names submitted were: Monica Kalo, Werner Hausler, Stella Grew, Dr. David Yeowell, Ellen Ironside and Syd B. Alexander. Charles Foskey's name had also been submitted in nomination by one of the Aldermen. Alderman Cohen then nominated Susie Simpson.

Transportation Board - Nominations

Mr. Terry Lathrop had written a letter to the Board recommending that Paul Arne and Eva Caldwell be reappointed to the Transportation Board as their terms expired December 31, 1976. He was recommending the name of Sam Mason to fill the position created by the term expiration of Edward Vickery. Alderman Silver said the Board should ask for two names for each position to be consistent with past policy. Mr. Denny explained that the policy was sometimes embarrassing to those members of the board or commission which had to put a name in competition with that of someone already on the board. He asked if the Board would like to consider changing the policy. Alderman Marshall explained why the policy was instituted to begin with. Alderman Cohen suggested the Transportation Board be asked for six names. By a consensus of opinion, this would be done.

Historic District Commission - Nominations

The Chapel Hill Preservation Society and the Historical Society had been asked to submit names to be nominated for positions on the Historic District Commission. A list of names had been submitted: Bob Stipe, Joe Sloan, Ed Yaggy, Ralph Watkins, Olga Eyre, Helen Jane Wittach, Alice Welsh, Eugenia Palmer, Nance Preston, Watts Hill, Jr., Car Smith, Dick Lamberton, Joe Herzenberg, Rene Early, Roland Giduz, Betsy Bryan and Jim Webb. The Aldermen then nominated Mr. Bruce Tindell, Dr. Lamar Cecil and Ms. Lynn Oberist.

Recreation Commission - Nominations

The terms of George Holcomb, Cameron Hargraves and Scott Herman-Giddens expired as of December 31, 1976. The Recreation Commission had submitted the following names to be placed in nomination for these positions: Scott Herman-Giddens, Cameron Hargraves, Kathy Logan, Marilyn Christopher, Fred Mueller, John O'Neill, and Moyer Smith. They had also recommended Leslie Green be appointed to fill the interim vacancy created by the leave of absence granted to Chick White. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN VICKERY, THAT LESLIE GREEN BE APPOINTED TO FILL THE INTERIM VACANCY LEFT BY CHICK WHITE. THE MOTION WAS CARRIED UNANIMOUSLY.

Library Board Reference Facility Naming

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN GARDNER, TO REFER THIS REQUEST TO THE FACILITIES NAMING COMMITTEE. THE MOTION WAS CARRIED UNANIMOUSLY.

Discussion Regarding Salary Continuation Plan

Mayor Wallace said he had placed this item on the agenda because he wanted the Board to consider benefits regarding disability pay. This matter had come up because of the illness of Claudia Cannady. Alderman Marshall stated that in bidding on OWASA, she had encountered both short and long-term disability plans. She thought the Town should look into these plans. Alderman Cohen also wished the Board to consider a provision for advancing sick days to an employee who had not been with the Town long enough to earn sick days. This had recently occurred when a fireman was hurt on the job and his workman's compensation did not start until after seven days out of work. Mr. Denny said there was a provision under which the Aldermen could authorize payment to the fireman. Mr. Jenne stated this case had been taken care of, but he thought the Board should consider provisions for those persons who were exposed to injury in their job. It would have to be a policy decision. He asked if they would like to make this a part of the budget consideration or discuss it immediately. Alderman Silver suggested the Board consider it as a part of the fringe benefits offered to employees.

Discussion Regarding Personnel Grievance Committee Appointments

Mayor Wallace explained that only a small list of persons had been appointed to the Personnel Grievance Committee, and with several hearings recently, all of the persons had served several times. He asked that each member of the Board submit at least one or more names to him to be added to this list so that the Committee members would not be asked to give up so much of their personal time. A time limit for their terms of office also needed to be set.

Discussion Regarding Environmental Statements

Alderman Epting had drafted an ordinance to establish Chapel Hill's environmental policy. With this policy, he hoped to force developers to assume a certain posture thirty days prior to their application for a permit. This ordinance would require developers of major projects to file an environmental assessment statement with the Town thirty days prior to application for any permits. In this manner, no permit would be granted before the Town had an opportunity to assess the environmental impact of the development. Alderman Epting added the statement did not have to be approved, simply submitted with enough review time to awaken the Town to any possible changes. Alderman Silver requested that energy conservation be included in the statement, and he and Alderman Epting agreed to meet to work this aspect into the ordinance. Alderman Epting did not want the statement to be burdensome, and to this end defined major projects as those defined by North Carolina General Statutes. However, he suggested Chapel Hill might seek special legislation to allow it to include smaller projects so that developments like the Western Sizzler would also be covered. Mayor Wallace said this would help to get public input early. Discussion followed on whether the impact statement should be approved or not before issuance of a permit. Mr. Jenne is to place this subject on the agenda for the meeting of the 24th, and Mr. Denny will draft the ordinance in Code form.

Request to Set Work Sessions

Mr. Jenne had suggested a schedule for work sessions during January and February. However, the Aldermen could not meet at these times and a new schedule was partially worked out.

ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN SMITH, TO ADJOURN INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS AND LAND ACQUISITION. The meeting was adjourned by unanimous consent at 12:40 a.m.

David B. Roberts
Town Clerk, David B. Roberts

James C. Wallace
Mayor James C. Wallace