

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR AND
BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, APRIL 4, 1977
7:30 P.M.

Mayor Wallace called the meeting to order at 7:30 p.m. Present were:

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

Also present were Town Manager, K. Jenne, Town Attorney, E. Denny, and Town Clerk, D. Roberts.

Proposed Uses of Revenue Sharing Funds - Public Hearing

Mayor Wallace called the public hearing to consider proposed uses of revenue sharing funds to order. Mr. Jenne explained that the state and local fiscal assistance act (revenue sharing) was reenacted by Congress to continue the general revenue sharing program which has been in existence for approximately four years. New legislation provides funding for a period of 3 3/4 years from the beginning of 1977. The reenactment legislation is actually an amendment to the existing law to include some changes. The first change was to eliminate expenditure categories. In past revenue sharing legislation there have been particular priority categories in which localities were urged to put the money. These have now been abolished and the localities now have freedom to spend the money. Secondly, the matching prohibition, previously existing, has been eliminated. Under the new legislation it is possible to use revenue sharing funds to match other federal programs. Thirdly, two public hearings are now required for citizen participation. The first, tonight, must be on the proposed use of funds, and held not less than 7 calendar days before the budget is submitted to the Board. The second hearing must be on the proposed uses in relationship to the entire budget.

Mayor Wallace asked for comments from the audience on uses for the money. Mr. Scott Herman-Giddens asked that some of the money go toward the bus system. He said it gave his children transportation while he and his wife were working.

Alderman Smith stated that years ago the Town had started to pipe the Tanyard Branch. It had been piped to a certain point and then left. He suggested looking into the possibility of extending the pipe. Mayor Wallace stated he would like to see the Town purchase land, especially for perimeter parking. Mr. Mel Rashkis supported the purchase of land, but he wanted good park sites. There being no further comments, the public hearing was concluded.

Petitions and Requests

Mr. Warren T. Howard requested the Board to allow him to speak on the Norem subdivision. Ms. Elizabeth L. Taylor also asked to speak on this subdivision. The Board agreed to hear these persons after Mr. Jennings gave his presentation on the project.

Mrs. Ruby Riggsbee of Whitaker Street said she had been before the Board during Mayor Lee's term, and was back for the same purpose. There was loud noise and band music in the building next to her home, three apartments owned by George Tate. She had called both Mr. Tate and the police when the noise was late at night. She felt Mr. Tate should make it clear to his renters that they were not to make loud noise late at night. She asked the Board to try to deal with the problem. Mayor Wallace asked Mr. Jenne and Mr. Denny to consider the case and make a recommendation at the next meeting.

Alderman Cohen petitioned to have a resolution placed on the end of the agenda. The resolution was to transfer 1/3 acre of land to Carrboro, changing the municipal boundaries.

Mr. Jenne stated he had been informed that Mr. Bayliss had resigned from the Planning Board. He petitioned the Board to add the notification of vacancy to the agenda to speed the process of replacement. The Planning Board was also requesting waiver of the normal nomination process.

Mr. Denny requested a discussion of property acquisition be added to the agenda.

Resolution Approving the Preliminary Sketch for Norem Subdivision

Mr. Jennings stated the property was located off Halifax Road. There is a 60' right-of-way dedicated to provide access to the property behind Estes Hill subdivision. The 7-1/2 acre tract now has access by private drive on the public right-of-way off of Estes Drive. The request is to divide the tract into three lots with access off Halifax Road. The property is below the sewer line on Estes Drive and cannot be provided with central sewage. The staff recommended approval with stipulations of paving Halifax Road to Town standards, 27' wide curb and gutter, ending in a cul-de-sac; dedication of a 40' sanitary sewer easement to tie into sewer from Franklin Street; and that 20,400 sq. ft. of open space be provided in the northeast corner of the third lot. The Planning Board concurred in this recommendation.

Alderman Cohen stated he had seen a road platted through the third lot, 4.2 acres, on an old subdivision map. He asked if this lot were further subdivided for development, would it be possible to put the road in without running it down the creek bed. Mr. Jennings said the road would cross the creek, but would not follow it. Alderman Cohen asked the justification for paving Halifax Road if the third lot could be served from Audubon. Mr. Jennings stated the paving was required because of the subdivision. The Town had experienced difficulty in keeping private roads maintained by their owners. Alderman Smith asked if there were percolation tests for the septic tanks. Mr. Jennings replied that the tests had not yet been performed, but that a soils scientist had been over the property and found it suitable for septic tank. In response to Alderman Gardner's comments, Mr. Jennings stated the Halifax Road was a dedicated public right-of-way, but that the Town had not accepted it for maintenance. If it was paved, the developer would incur the cost of paving, and that once it was paved to Town standards, there would be little maintenance needed. Alderman Vickery did not feel it equal treatment to require the developer to pay the full cost of the street paving, when a subdivision already approved could have the Town share the cost of paving a street by petitioning. Mr. Jennings stated this was an admission on the part of the Town that the road should have been paved before, and sharing the cost would be the only way to get it paved now. The subdivision ordinance is trying to overcome the deficiency of not requiring paving in the past. Alderman Vickery responded that the Town's paying part of the cost would be a recognition that the Town would benefit some from the paving. Alderman Cohen stated if the Town was going to require access from Audubon Road for the third lot in the future, it should not require paving for Halifax Road which would only serve two lots. He asked Mr. Denny if the Town could condemn a right-of-way to give access from Audubon to the third lot if it came in for subdivision. Mr. Denny said no as long as there was alternate access from Halifax Road.

Alderman Epting stated that even if the Board approved the Planning Board recommendation, it would not be economically feasible for the developer to pave the road with only three lots. He suggested having access to the left and middle lot from Halifax Road, and asking the developer to waive his right to access to the third lot and not develop it until he has access from Audubon.

Mr. Warren Howard did not believe that he and Mr. Burman, with property fronting on both Estes Drive and Halifax Road should have to share in the cost of paving Halifax Road, as they did not use it. He hoped the Board would be able to accommodate Mr. Norem without his sharing in the expense of development. He also asked if the property was part of Estes Hills subdivision which had deed covenants regarding the use of septic tanks. Mr. Jennings did not believe it was part of Estes Hills. Mrs. Taylor presented a petition, signed by the Whites, Taylors, Reynolds, and the Kochs, objecting to the increased use of septic tanks in the developed region of the city. She also questioned whether the owner of a property was unbiased in submitting an environmental impact assessment, and should the Town allow owners to file their own environmental impact assessments. She stated the environment was changed significantly, such as birdlife, when homes were built in the area. She urged the Board to maintain the stan-

dards set forth in the city ordinances.

Mr. Mel Rashkis, representing Mr. Norem, agreed that the Howards and the Burmans should not have to share in the cost of paving Halifax Road. He stated the septic tanks would be put on minimum one acre lots. Sewer service would allow the developer to have smaller lots. Mr. Rashkis believed putting a road through the third lot to connect with Audubon would be almost impossible. Mr. Norem was not presently planning to develop the third lot. Mr. Rashkis stated that when the third lot was presented to the Board for further subdivision, then would be the time to force the developer to pave Halifax Road. Paving for two houses was imposing unnecessary expenses on the developer. Since the road had been allowed to exist in the past without paving, Mr. Rashkis believed the Town should now assume some responsibility for the cost of paving. He also objected to the location of the required open space, as this was the choice part of the lot for development.

Alderman Marshall asked Mr. Denny if the Board would be able to require the developer to pave Halifax Road if they waited until the third lot was further subdivided. Mr. Denny responded that the developer would have a practical argument that the owners of the first two lots did not have to pay for paving; therefore, he should not have to pay. The Board could not require access from Audubon.

Mr. Jenne explained that the extension of Halifax Road to Audubon was not being proposed by the Planning staff. He also stated the staff had not suggested the Burmans and Howards be asked to pay a portion of the paving. He added that although Halifax Road had been dedicated, it had never been accepted by the Town for maintenance.

Alderman Silver suggested a gravel road for Halifax might discourage development of the third lot because of the cost of paving Halifax Road which would be required. Alderman Howes thought requiring paving of Halifax Road would serve as enticement to the developer to subdivide the third lot. He questioned whether the one acre lot was all that was required for septic tank. Mr. Denny answered a certificate from the Health Department was needed as well as the one acre lot. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN SILVER, ADOPTION OF THE FOLLOWING RESOLUTION.

RESOLUTION APPROVING THE PRELIMINARY SKETCH FOR NOREM SUBDIVISION

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby approves the Preliminary Sketch dated April 4, 1977, for Norem Subdivision subject to the following requirements:

1. That Halifax Road be improved by the developer.
2. That a 40 foot wide storm water and sanitary sewer easement be dedicated along the drainage swale extending from Halifax Road to the southeastern property corner.
3. That the applicant comply with the open space requirement and that the open space be located in the northeast corner of the subdivision.

This the 4th day of April, 1977.

Mr. Denny explained there would be problems with this. He stated that normally a subdivision comes before the Board in its preliminary stage. This is almost a formality. He thought the subdivision ordinance should be reconsidered because the Board was actually considering granting variances and exceptions to the subdivision ordinance. He felt this should be a matter for the Board of Adjustment. The three recommendations of the Planning Board were required by the ordinance for the approval of the subdivision. There is no provision for maintenance of private roads in the ordinance. He agreed with Mr. Jennings that in the future, owners of these properties would probably be asking the Town to maintain Halifax Road if no provision for maintenance was now made. Alderman Gardner asked if a maintenance contract agreement would be sufficient. Mr. Denny stated a maintenance agreement among the owners of the land would put prospective purchasers on notice that the Town would not maintain the road, and provide a method for getting the funds for the work. Alderman Vickery asked if the Board could proceed as it had in the Sparrow subdivision and grant the developer the right to subdivide with a private road. Mr. Denny said

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this could be done legally, but it was a question of whether the Board wanted to keep extending private roads within the corporate limits. ALDERMAN VICKERY MOVED TO AMEND THE RESOLUTION BY SUBSTITUTING THE FIRST STIPULATION WITH THE FOLLOWING: 1. Access to by private road from Estes Drive along dedicated 60' public right-of-way, and that the developer execute and record a private maintenance covenant, running with the seven and one-half acre tract providing for the maintenance in perpetuity to Town standards, of the private roadway twenty feet in width, and that the agreement contain express provisions that in the event property owners fail to maintain said private roadway Town of Chapel Hill shall have the right to enforce said covenants through injunctive relief, and be approved by the Town Attorney prior to recording. Alderman Howes and Silver accepted the amendment. Alderman Smith argued that allowing a private road would put future boards in the same position the Board now found itself in, that of deciding who would pay for the paving of Halifax Road when the third lot was developed. In that case, the Howards and Burmans might be assessed. Mr. Rashkis questioned the location of the open space. Alderman Marshall stated the open space was for children to be able to play ball. This corner was chosen because it is flat and open. Mayor Wallace suggested staying with the designation and if the third lot came it for further development, the Board could consider changing the open space location at that time. THE FOLLOWING RESOLUTION WAS ADOPTED BY A VOTE OF SEVEN TO ONE WITH ALDERMEN COHEN, EPTING, GARDNER, HOWES, MARSHALL, SILVER AND VICKERY SUPPORTING AND ALDERMAN SMITH OPPOSING.

A RESOLUTION APPROVING THE PRELIMINARY SKETCH FOR NOREM SUBDIVISION

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby approves the Preliminary Sketch dated April 4, 1977, for Norem Subdivision subject to the following requirements:

1. Access to by private road from Estes Drive, along dedicated 60' public right-of-way, and that the developer execute and record a private maintenance covenant, running with the seven and one-half acre tract providing for the maintenance in perpetuity to Town standards of the private roadway twenty feet in width, and that the agreement contain express provisions that in the event property owners fail to maintain said private roadway Town of Chapel Hill shall have the right to enforce said covenants through injunctive relief, and be approved by the Town Attorney prior to recording.
2. That a 40 foot wide storm water and sanitary sewer easement be dedicated along the drainage swale extending from Halifax Road to the southeastern property corner.
3. That the applicant comply with the open space requirement and that the open space be located in the north-east corner of the subdivision.

This the 4th day of April, 1977.

Ordinance Amending Chapter 6A "Environmental Protection" of the Code of Ordinances of the Town of Chapel Hill

Alderman Epting had written some amendments to the environmental protection ordinance exempting from the thirty day waiting period, certain projects which would not otherwise come before a Town board such as the Planning Board, Appearance Commission or Zoning Board. It would also exempt projects for interior alterations provided an energy minimization statement was filed. ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN SILVER, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING CHAPTER 6A, "ENVIRONMENTAL PROTECTION" OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that Chapter 6A of the Code of Ordinances, Town of Chapel Hill, is hereby amended as follows:

SECTION I

In subsections 6A-3-A-2 and 3, replace the final periods with commas and ADD the clause, "except for projects falling within the provisions of Section 6A-4."

SECTION II

ADD a new Section 6A-4 "Exceptions", to read as follows:

6A-4. Exceptions

Notwithstanding the provisions of subsections 6A-3-2 and 3, a developer may be immediately issued the permit or approval he seeks under the following conditions:

- A. If the permit or approval sought does not require the review or approval of the Board of Aldermen, Planning Board, Board of Adjustment or Appearance Commission; and the developer has requested on the face of the Assessment waiver of the 30-day review period; and if the anticipated cost of construction is less than \$5000; or:
- B. If the permit or approval is sought for construction or renovation which is confined to an area within an existing structure; and if the developer has requested on the face of the Assessment waiver of the 30-day review period. For projects falling under this subsection, the Development Impact Assessment may be limited by the developer to discussion of methods to be used to minimize energy usage within the proposed use.
- C. In the event either subsection A or B applies, publication shall not be required.

SECTION III

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

This the 4th day of April, 1977.

He added that newspaper publication of those projects for which the thirty day period would be waived would be eliminated. Alderman Cohen explained that the request constituted waiver of the waiting period. Alderman Epting stated with the amendments the environmental protection ordinance would go with the proposed changes for the CBD. If special use permits are required for the CBD, interior renovations for commercial buildings will be covered in the environmental impact assessment filed for the special use permit.

Mr. Bill O'Brien thought the \$5,000 limit too small. He felt the limit should be \$15,000 to \$20,000 in order not to stop small projects. He did not understand why an energy statement should be filed if the project could proceed without a waiting period. Aldermen Cohen explained that the filing of the statement would require developers to consider energy conservation alternatives. THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Adding a New Section 18-15 "Notification" to the Code of Ordinances

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

AN ORDINANCE ADDING A NEW SECTION 18-15 "NOTIFICATION" TO THE CODE OF ORDINANCES

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that Chapter 18, "Subdivisions", of the Code of Ordinances, Town of Chapel Hill, is hereby amended by addition of a new Section 18-15 to read as follows:

Section 18-15 Notification

The subdivider shall prepare a list of the owners of all property within 500 feet of the property to be subdivided and provide the Planning Director with two copies of said list. The subdivider shall obtain from the Planning Director copies of the Notice of Public Meeting at which his request is to be considered and shall return these copies to the Planning Director in stamped envelopes properly addressed to all property owners on the above-described list no later than eight (8) working days prior to the date of the public meeting. The Planning Director shall mail these copies of the notice to the property owners no later than one day following receipt of the envelopes.

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

This the 4th day of April, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending "An Ordinance Establishing Salary Ranges, Position Classifications, Salaries, Bonds of Officials and Certain Benefits for the Various Salaried and Hourly Full-Time Employees"

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

AN ORDINANCE AMENDING "AN ORDINANCE ESTABLISHING SALARY RANGES, POSITION CLASSIFICATIONS, SALARIES, BONDS OF OFFICIALS AND CERTAIN BENEFITS FOR THE VARIOUS SALARIED AND HOURLY FULL-TIME EMPLOYEES, AND SALARIES FOR THE VARIOUS PART-TIME AND NON-PERMANENT EMPLOYEES WITHIN THE SERVICE OF THE TOWN OF CHAPEL HILL, NORTH CAROLINA, FOR THE PERIOD JULY 1, 1976 TO JUNE 30, 1977."

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the "Ordinance Establishing Salary Ranges, Position Classifications, Salaries, Bonds of Officials and Certain Benefits for the Various Salaried and Hourly Full-time Employees, and Salaries for the Various Part-time and Non-permanent Employees Within the Service of the Town of Chapel Hill, North Carolina, for the period July 1, 1976 to June 30, 1977" is hereby amended as follows:

DELETE from Section IV C., Legal:

<u>Position</u>	<u>Number</u>	<u>Hours</u>	<u>Range No.</u>
Secretary	1	40	13

and ADD to Section IV D., Police Department:

Secretary	1	40	13
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Section II

This ordinance shall be effective from and after April 4, 1977.

Section III

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

This the 4th day of April, 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 and Resolution Directing Redemption of All Outstanding Parking Facilities Revenue Refunding Bonds of 1965"

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

ARTICLE I

PARKING FACILITIES DEBT SERVICE FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Revised Budget</u>
Parking Facilities Debt Service	40 090	47 675	87 765

ARTICLE II

PARKING FACILITIES DEBT SERVICE FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Revised Budget</u>
Parking Facilities Fund Balance	-	72 795	72 795

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

This the 4th day of April, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY. ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN MARSHALL, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DIRECTING REDEMPTION OF ALL OUTSTANDING PARKING FACILITIES REVENUE REFUNDING BONDS OF 1965

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby directs the Town Manager of the Town of Chapel Hill to take such steps as are required by Section 301 of the "Resolution Authorizing the Issuance of \$240,000 Parking Facilities Revenue Refunding Bonds of 1965, Etc" to redeem on June 1, 1977, all outstanding bonds which have been issued under said resolution; and

BE IT FURTHER RESOLVED by the Board of Aldermen that the Town Clerk is hereby directed to publish such notices as are required by Section 302 of said resolution in conjunction with such redemption.

This the 4th day of April, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY. ALDERMAN SMITH MOVED SECONDED BY ALDERMAN GARDNER, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION OF APPRECIATION TO PURCHASERS OF PARKING FACILITIES BONDS

WHEREAS lack of parking was a serious detriment to citizens wishing to use the Chapel Hill Central Business District and the merchants located therein; and

WHEREAS the parking situation was considerably alleviated by the purchase and development by the Town of what is now known as Parking Lot #1; and

WHEREAS said purchase and development would not have been possible had not public-spirited persons purchased low-interest revenue bonds issued for the project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby, on the occasion of the retirement of the remainder of the Parking Facilities Revenue Bonds of 1965, expresses its appreciation on behalf of the citizens of Chapel Hill to all the purchasers of said bonds for their service to the Town.

This the 4th day of April, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution of Support for Bills Extending Mass Transit Operating Assistance

Alderman Cohen stated two bills had been introduced in Congress. One, Senate Bill 208 was to continue authorization of the Urban Mass Transit Act for an additional period of 3-1/2 years. There are currently three classes of cities receiving funding under the Urban Mass Transit Act. The bill would open the class of cities under 50,000 to receive the same type of operating expenses as the class of cities from 50,000 to 200,000. The Public Transit Association was having a legislative conference in Washington which Alderman Cohen was planning to attend. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING RESOLUTION OF SUPPORT.

A RESOLUTION OF SUPPORT FOR BILLS EXTENDING MASS TRANSIT OPERATING ASSISTANCE

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BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board strongly endorses changes in the Urban Mass Transit Act which would make operating assistance available to the mass transit systems of communities of under 50,000 population as such assistance is currently available to large communities; and

BE IT FURTHER RESOLVED that the Board specifically supports Senate Bill 208 and House Bill 5010 which would extend operating assistance as above described; and

BE IT FURTHER RESOLVED that the Board hereby directs the Town Clerk to transmit copies of this resolution to Senators Jesse Helms and Robert Morgan and Congressmen L.H. Fountain, Ike Andrews, and William Hefner.

This the 4th day of April, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY. Alderman Silver asked that a copy of the resolution be sent to the Subcommittee on Transportation of the League of Cities.

Resolution Declaring Twenty-Six Articles of Personal Property Surplus and Authorizing the Sale of Said Property by Public Auction and Directing The Sale of Said Property

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

A RESOLUTION DECLARING TWENTY-SIX ARTICLES OF PERSONAL PROPERTY SURPLUS AND AUTHORIZING THE SALE OF SAID PROPERTY BY PUBLIC AUCTION AND DIRECTING THE SALE OF SAID PROPERTY

WHEREAS, Article 12 of General Statutes 160A and Section 4.144 of the Charter of the Town of Chapel Hill authorize the Town to dispose of surplus personal property, and

WHEREAS, the Town desires to dispose of certain articles of personal property, no longer needed for Town purposes, NOW THEREFORE,

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

SECTION I

That the following articles of personal property are hereby declared surplus property:

<u>ARTICLE</u>	<u>QUANTITY</u>	<u>MINIMUM ACCEPTABLE UNIT BID</u>
1974 Plymouth Fury Sedans	2	\$ 725.00
1975 Plymouth Fury Sedan	1	\$ 850.00
1976 Plymouth Fury Sedans	3	\$1,050.00
1967 Chevrolet Station Wagon	1	\$ 75.00
1969 GMC Garbage Truck (packer body obsolete)	1	\$ 800.00
1967 Chevrolet Garbage Truck (packer " body obsolete)	1	\$ 800.00
1965 Chevrolet Garbage Truck (packer body obsolete)	1	\$ 450.00
1956 Studebaker Tanker Truck (asphalt spreader)	1	\$ 300.00
Microfilm Reader, Model A	1	\$ 10.00
Air Conditioners	4	\$ 1.00
Executive Swivel Chair	1	\$ 1.00
Executive Chair	1	\$ 1.00
Gold Plastic Chair	1	\$ 1.00
2-seat Sofa	1	\$ 35.00
3-seat Sofa	1	\$ 1.00
Bench Grinder	1	\$ 1.00
Gilbarco Fuel Pump & Dispensary	1	\$ 1.00
Bumper Pool Table	1	\$ 1.00
Football Tables	2	\$ 1.00

SECTION II

That the Town Purchasing Agent be, and is hereby authorized to dispose of any and all articles according to the applicable procedures by Public Auction thereof, with sales made to the highest bidder and designated final on the day of the auction if the bid price equals or exceeds the minimum acceptable amount specified for each item in Section I.

SECTION III

BE IT FURTHER RESOLVED by the Board of Aldermen of the Town of Chapel Hill that if any of the above surplus property is not sold at the auction, the Purchasing Agent of the Town of Chapel Hill is hereby authorized to sell such surplus property either by advertisement for sealed bids under the provisions of General Statute 160-268, or by private sale under the provisions of General Statute 160A-267, choice of method to be determined by the value and sales potential of the left over items.

This the 4th day of April, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Accepting Bids and Awarding of Contract for Softballs, Baseball Uniforms and Equipment

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR SOFTBALLS, BASEBALL UNIFORMS AND EQUIPMENT.

WHEREAS, the Town of Chapel Hill has solicited formal bids on softballs, baseball uniforms and equipment, and the following bids have been received:

Items	Bocock- Stroud Greensboro, N.C.	Johnson- Lambe Raleigh, N.C.	Durham Sporting Goods Company Durham, N.C.	McGinty's Sport Shop, Inc. Chapel Hill, N.C.
90 doz. softballs	\$2,583.00*	\$2,848.50	\$2,691.00	\$2,791.80
3 sets uniforms	-	499.50*	-	468.00
90 T-Shirts	171.00	142.20*	-	144.00
120 T-Shirts	-	342.00*	-	-
25 fill-in jerseys	-	116.25*	-	-
16 pr. fill-in pants	-	99.40*	-	-
15 doz. baseballs	337.50	337.50	324.00*	358.80
15 doz. baseballs	337.50	284.25	324.00*	358.80
15 doz. baseballs	262.50	284.25*	225.00	231.00
20 27" bats	155.00	195.00*	198.00	165.00
20 28" bats	155.00	145.00*	198.00	165.00
10 31" bats	77.50	72.50*	99.00	82.50
10 32" bats	77.50	147.50*	91.00	128.60
5 33" bats	38.75	73.75*	45.40	64.30
30 helmets	178.50	163.50*	237.00	214.50
3 chest protectors	50.85	46.50*	73.50	54.00
3 umpire masks	56.85	22.50*	51.00	45.00
6 counters	5.40*	8.10	9.00	6.30
3 sets bases	329.85	54.00	253.50*	295.00
25 scorebooks	45.00	33.75	25.00*	46.25
2 doz. rosin bags	9.50	8.50*	11.20	9.70

* Items recommended for acceptance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bids of Bocock-Stroud Company in the amount of \$2,588.40 for softballs and counters; Johnson-Lambe Co. in the amount of \$2,358.35 for uniforms, some baseballs, bats, chest protectors, umpire masks and rosin bags; and Durham Sporting Goods in the amount of \$926.50 for some baseballs, bases, and scorebooks.

This the 4th day of April, 1977.

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THE MOTION WAS CARRIED UNANIMOUSLY.

Discussion Regarding Alternative Local Funding Allocations to Triangle J Council of Governments

Alderman Marshall wanted direction from the Board of Aldermen on two questions. The first was the COG program content and consequently the level to be funded for the next year, and the second was the method of allocation of local appropriation. Mr. Stewart had proposed keeping the present staff and giving them a 10% raise as they had had none last year. This would call for double the local appropriation. The Advisory Committee had felt this was too much. They had discussed the program and asked the delegates to discuss it with local boards. Mr. Jenne said the staff in reviewing the program to determine how much value could be gained by Chapel Hill out of the program, found little significant change. He did not recommend deletion of any programs or many changes. He recommended the Board urge adoption of the formula based on basis of judgment of benefit. Alderman Marshall agreed with Mr. Jenne.

Alderman Howes stated federal support for regional agencies like COG is declining, and the Board will be faced in the future with the question of how much they value this regional body. He felt all of the Aldermen should become familiar with COG to determine its value to Chapel Hill.

Community Appearance Commission - Appointments

Robert Bryan, Eunice Brock, James Webb, Lamar Cecil, James R. Leutze, Jane Turvey and Watts Hill, Jr., had been nominated for the three positions on the Commission with terms ending December 31, 1979. Mr. Webb received five votes, Ms. Brock five, Mr. Bryan four, Mr. Leutze three, Mr. Cecil seven, Mr. Hill three and Ms. Turvey zero. Mr. Cecil, Mr. Webb and Ms. Brock were elected and appointed to the three positions.

Resolution to Transfer a Portion of Chapel Hill to Carrboro

Alderman Cohen explained that Ms. Hunt had receive a local bill from Carrboro requesting transfer to two lots on W. Rosemary Street. At the same time, the Town of Carrboro had requested permission to transfer the lots from Chapel Hill. Carrboro wanted to clean the lot and use it for a parking lot. Mr. Jenne said he had been contacted by Mr. Knight and by Ms. Hunt regarding the lot. He had no problems with consolidating the lot in Carrboro.

Alderman Howes could not rationalize the boundary of Chapel Hill and Carrboro created by the transfer. Extending Carrboro's boundary further into Chapel Hill would be confusing. He thought an identifiable object such as the curb line should be the boundary. Alderman Smith agreed with Alderman Howes and asked that the bill introduced by Ms. Hunt be amended to transfer portion of the lot in Carrboro to Chapel Hill. Alderman Cohen moved to postpone the matter until April 25 for further study. Alderman Howes seconded the motion. The motion was carried unanimously.

Noise Ordinance

Alderman Silver thought it was possible to write a quantitative noise ordinance that would be enforceable. Aldermen Howes and Silver agreed to work together on such an ordinance.

Property Acquisition

Mr. Denny explained that most of the cases on property acquisition for the sewer had been resolved and the property turned over to the Authority. However, there was one case which had been in court which was still not resolved. A deposit of \$660 had been made several years ago. A second appraisal had recently been made in the amount of \$1150. He asked for authority to settle the case for the additional amount of money. ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN EPTING, THAT MR DENNY BE AUTHORIZED TO SETTLE THE CASE FOR AN ADDITIONAL \$490. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH ALDERMEN COHEN, EPTING, HOWES, GARDNER, MARSHALL, SILVER AND VICKERY SUPPORTING AND ALDERMAN SMITH OPPOSING.

Future Agenda Items

Alderman Smith asked for a discussion of the thoroughfare plan and some action to be placed on a future agenda.

There being no further business to come before the Board, the meeting was adjourned at 10:40 p.m.

220 James C. Wallace
Mayor, James C. Wallace

David B. Roberts
Town Clerk, David B. Roberts

MINUTES OF A PUBLIC HEARING AND MEETING OF THE MAYOR AND BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY APRIL 25, 1977
7:30 P.M.

Mayor Wallace called the meeting to order at 7:30 p.m. Present were:

- Gerald Cohen
- Thomas Gardner
- Jonathan Howes
- Shirley Marshall
- Marvin Silver
- R. D. Smith

Also present were Town Manager K. Jenne, Town Attorney E. Denny, and Town Clerk D. Roberts.

Resolution of Appreciation - Robert Bryan

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

OFFICE OF THE MAYOR

R E S O L U T I O N

WHEREAS, Robert Bryan served as a member of the Community Appearance Commission from June 1973 through December 1976, and

WHEREAS, Robert Bryan contributed long hours of service to the Town of Chapel Hill demonstrating unflagging dedication in the pursuit of a more attractive Chapel Hill, and

WHEREAS, Robert Bryan provided vigorous and determined leadership during his three and a half years of service;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Aldermen of the Town of Chapel Hill, on behalf of all of the citizens, express deep appreciation to Mr. Bryan, for the excellent services rendered; and

BE IT FURTHER RESOLVED that this resolution be signed by the Mayor and each member of the Board of Aldermen and a copy be duly filed with the permanent records of the Town of Chapel Hill.

This the 25th day of April, 1977.

James C. Wallace
Mayor James C. Wallace

Alderman Gerald Cohen

Alderman Robert Epting

Alderman Thomas B. Gardner

Alderman Jonathan B. Howes

Alderman Shirley Marshall

Alderman Marvin Silver

Alderman R. D. Smith

Alderman Edward Hickory

