

Alderman Marshall asked for a discussion on the use of street numbers and house numbers in Chapel Hill.

Alderman Vickery made several requests: (1) a report from OWASA on the water supply and on Cane Creek; (2) a discussion of fringe benefits; (3) setting up a citizens public safety committee; (4) a post mortum on the budget; and (5) a discussion of the contribution of the state to municipalities for services provided to universities.

Alderman Silver asked to be excused for the last meeting in June and the meetings during July. He requested the Board to delay sensitive matters for which they felt he would want to be present, if possible.

There being no further business to come before the Board, the meeting as adjourned.

James C. Wallace David B. Roberts
Mayor James C. Wallace Town Clerk, David B. Roberts

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, JUNE 27, 1977, 7:30 P.M.

Mayor Wallace called the meeting to order. Present were:

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

Also present were Town Manager K. Jenne and Town Attorney E. Denny. Alderman Marvin Silver was excused.

Annexation of High School Property - Public Hearing

Mr. Jennings pointed out the location of the property proposed for annexation, just south of Homestead Road. Mayor Wallace asked for comments from the audience. There were none. Alderman Vickery asked why the Board was considering the annexation. Mayor Wallace responded that the school board had petitioned for annexation, recognizing that annexation would come eventually, and that from their point of view the sooner it could be done, the better. Alderman Cohen asked if the area was annexed in two years with the North Forest Hills area, would the annexation result in an additional cost. Mr. Jenne explained that the problems were created by the distance of the school property from the rest of the town. Back-ups and coverage for one of the zones would be needed if a call for police from the school came in. Similar coverage would be needed if the North Forest Hills area was annexed. Alderman Smith questioned the condition of the roads involved. Mr. Jenne explained that the two roads had been inspected. Both would need resurfacing within a couple of years. After inspection and discussion with the State Department of Transportation, it was recommended that in the event of annexation, the Town assume responsibility for the east-west road, and the state would continue to maintain the north-south road. Alderman Vickery asked if the schools now paid for fire protection. Mr. Denny stated that town policy was to extend fire protection to all property owned by the school system by agreement with the school board. Alderman Epting asked if the schools would continue to pay for garbage pick-up. Mr. Jenne responded that they would. There being no further comments, Mayor Wallace declared the public hearing at an end.

Ordinance to Extend the Corporate Limits of the Town of Chapel Hill under the Authority of Chapter 160A, Section 31 of the General Statutes of North Carolina
ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING ORDINANCE.

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AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL UNDER THE AUTHORITY OF CHAPTER 160A, SECTION 31 OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, a Petition for annexation has been received by the Chapel Hill Board of Aldermen, signed by 100% of the property owners of the area covered by the Petition as required in 160A-31, and

WHEREAS, the Town Clerk has certified the sufficiency of said Petition, and

WHEREAS, a Public Hearing on the matter of this annexation was duly advertised and held by the Board of Aldermen on the 27th day of June, 1977, and the Board of Aldermen has taken into full consideration the statements presented at the Public Hearing, and

WHEREAS, the Board of Aldermen finds that said Petition for annexation meets the requirements of GS 160A-31, and has concluded and hereby declares that the annexation of the area described herein is desirable for the orderly growth and development of the Town of Chapel Hill,

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

SECTION I

That from and after the 30th day of June, 1977, the effective day of this annexation, the following territory shall be annexed and become part of the Town of Chapel Hill, and the corporate limits of the Town of Chapel Hill shall on said date be extended to include said territory more particularly described by metes and bounds as follows:

Located in Chapel Hill Township, Orange County, North Carolina, beginning at an old iron stake, a control corner, located at a Southeastern corner of property now or formerly belonging to John Duncan, at a point S. 3°19'37" E. 655.99 feet from a point in the Southern line of property now or formerly belonging to Henry Burch, said beginning corner having North Carolina co-ordinates Y-799,685.29 and X-1,976,223.70; running thence from said beginning point N. 3°19'37" W. 655.99 feet to a point in the Southern line of Henry Burch Property; thence South 89°09'24" E. along the Southern lines of property now or formerly belonging to Henry Burch and Vernon Burch 1,334.18 feet; thence N. 0°21'36" E. 984.15 feet to a point in the Southern right of way line of said Homestead Road, S. 88°30' E. 100.02 feet to a concrete marker or monument located approximately 200 feet West of the Northeastern corner of the Vernon Burch Property; running thence from said point, S. 0°21'36" W. 983 feet more or less to a control corner, witnessed by a concrete monument; thence S. 0°21'36" W. along the Western lines of property now or formerly belonging to Mrs. Lacy D. Burch and Mrs. John W. Link 1,509.64 feet; thence S. 4°22'39" W. 1,827.12 feet to a concrete monument located at a common corner of the property herein described and the property belonging to the University of North Carolina; running thence S. 89°20' W. 1,329.90 feet with the property of the University of North Carolina to a concrete monument having North Carolina co-ordinates Y-796,972.23 and X-1,976,140.89; thence N. 19°09'24" W. 1,100 feet to a stake; thence N. 0°50'36" E. 825 feet to a stake along the line of T. E. Hogan Estate Property; thence N. 0°50'36" E. along the T. E. Hogan Estate Eastern line 747.55 feet; thence S. 89°47' W. 480.79 feet to a point in the Southern right of way line of Homestead Road; running thence along the Southern right of way line of said road, N. 16°49' E. 104.59 feet; running thence from said point N. 89°47' E. 452 feet to a control corner, witnessed by a concrete monument; thence S. 89°09'24" E. 419.10 feet to the beginning, containing 130.33 acres, more or less, being the same property described in the deeds conveying this land to the Chapel Hill City Board of Education, the predecessor of petitioner: Book 198, Page 759; Book 200, Page 438; Book 200, Page 957; Book 202, Page 280; Book 208, Page 15, Orange County Registry.

SECTION II

That from and after the effective date of this annexation, the territory annexed and its citizens and properties will be subject to debts, laws, ordinances, and regulations in force in the Town of Chapel Hill and shall be entitled to the same privileges and benefits as other parts of the Town.

SECTION III

That the Town Manager of the Town of Chapel Hill cause an accurate map of the annexed territory described in Section I to be prepared together with a duly certified copy of this Ordinance to be recorded in the Office of the Register of Deeds of Orange County, and the Office of the Secretary of State.

This the 27th day of June, 1977

Alderman Cohen thought this annexation would be better considered when the North Forest Hills area was considered for annexation. Alderman Howes did not think the four additional policemen recommended by the Manager in the event of annexation necessary. He asked how this figure was arrived at. Mr. Jenne explained that a back-up man and cover for zone No. 1 would be needed when the man covering zone No. 1 answered a call at the school. After discussions with Chief Stone, they had decided one man per shift would be needed. If this proved to be too many, they could reduce through normal attrition in a year's time. There was no good data from the sheriff's office on the type of calls usually received from the high school. Also the number of calls was expected to increase with the service. Alderman Marshall suggested the school might have something of equal value, such as park land, to compensate the town for this large expenditure of money. Mayor Wallace stated the school property was outside the planning jurisdiction. The annexation would influence the County Commissioners in their decision to extend the planning jurisdiction. Also, the annexation would create a favorable climate for cooperation in recreation. Alderman Vickery suggested working out an agreement with the County Sheriff to provide adequate protection to the time the residential areas surrounding it are annexed. Alderman Cohen thought an agreement with the County if the County added one deputy could be reached. Alderman Howes suggested adding this subject to the Mayor's agenda with the school board representatives. Alderman Smith said the problem was not coverage during the day. More protection was needed at night. ALDERMAN COHEN MOVED THAT THE MATTER BE POSTPONED PENDING A REPORT FROM THE MAYOR ON SCHOOL BOARD DISCUSSIONS. ALDERMAN MARSHALL SECONDED THE MOTION. THE MOTION WAS CARRIED UNANIMOUSLY.

Private Sale of Community Development Property - Public Hearing

Mayor Wallace called the public hearing to order. Mr. Denny explained that under the general redevelopment law, applicable to all community development acquired property is disposed of at public sale. In 1973, Chapel Hill had obtained modifications to the general law authorizing private sale upon several conditions. One was that after a public hearing, the Board of Aldermen could find that the redevelopment program would be assisted through a private sale. The property under consideration was being sold to an individual who had been displaced. The Board must now set a fair resale value, and after the public hearing pass a resolution that this sale would assist in carry out the goals of the redevelopment program. There were no comments from citizens. Alderman Gardner asked what price had been paid for the property by the Housing Authority. Mr. Leach said the Housing Authority had paid \$8150 which included a structure on the property. Mr. Denny stated there was a restriction that the buyer would have to build a home on the property for herself within a certain period of time. There being no further comments, Mayor Wallace declared the public hearing at an end.

Resolution Setting Fair Market Value for 407 Cotton Street

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

A RESOLUTION SETTING FAIR MARKET VALUE FOR 407 COTTON STREET

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby accepts the certification of the Executive Director of the Chapel Hill Housing Authority based on appraisals conducted under the provisions of HUD Handbook 7214.1, Land Marketing and Redevelopment (Revised) of the following valuation:

<u>Parcel</u>	<u>Area</u>	<u>Interest</u>	<u>Fair Market Value</u>
85-D-8 407 Cotton St.	6846 sq. ft.	Fee Simple	\$2,300.00

This the 27th day of June, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving the Private Sale of 407 Cotton Street by the Housing Authority

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

31 A RESOLUTION APPROVING THE PRIVATE SALE OF 407 COTTON STREET BY THE HOUSING AUTHORITY

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby finds, following a public hearing on June 27, 1977, which was duly advertised under the provision of General Statute 160A-514 as amended by Chapter 346 Sessions of 1973 that

- 1) The private sale of the lot at 407 Cotton Street, presently owned by the Chapel Hill Housing Authority to Ada Alston is necessary in order to facilitate the relocation of Ms. Alston, a person displaced by a redevelopment project; and
- 2) Ada Alston is the only known available, qualified, and willing redeveloper for the contemplated use; and

BE IT FURTHER RESOLVED that the Board of Aldermen hereby approves the private sale of 407 Cotton Street to Mrs. Ada Alston at the fair, actual value of the property, \$2,300.00, as previously determined by the Board upon competent evidence.

This the 27th day of June, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Petitions and Requests

Alderman Cohen requested consideration of a resolution calling for a public hearing on the issue of whether the charter should be amended to allow the Mayor to vote. ALDERMAN MARSHALL, MOVED, SECONDED BY ALDERMAN HOWES, THAT THE MATTER BE PLACED ON THE END OF THE AGENDA. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Robert Midgette, attorney for Laketree Community developers, petitioned the Board to consider the ordinances and resolutions concerning Laketree at the earliest possible date. He disagreed with Mayor Wallace's decision to take the matter off the agenda because an alderman was not present. He stated the designers were available for a worksession to discuss the changes which had been made in the project since the Board had last discussed it. ALDERMAN VICKERY MOVED TO PLACE THE CONSIDERATION OF THE REQUESTS FOR RE-ZONINGS AND SPECIAL USE PERMITS ON THE AGENDA FOR JULY 11. ALDERMAN MARSHALL SECONDED THE MOTION. Alderman Cohen wanted the Board to consider the project at a worksession before July 11.

Alderman Vickery felt a three months delay unnecessary and harsh for the developer. Alderman Smith requested staff input on the sewage treatment availability since the changes had been made. And, he wanted to know if OWASA could supply water for the project. Alderman Howes wanted to wait until September for the full Board to vote on this important project. Otherwise, it could be decided on less than a majority. He wanted the worksession to discuss the changes made. Alderman Marshall stated the charter change to enlarge the Board had been partially so there would be no obligation for Aldermen to be at every meeting. She felt that the Town asked so much of the developer that it could consider projects as quickly as possible. She did not remember a citizen's petition for hearing being denied before. Mayor Wallace stated there was several members of the Board who did not want the project heard until a full Board could be present. He thought there were two questions, a procedural question of when to hear the matter and a substantive one of whether to approve the requests. He had decided to separate the two questions and have the procedural question heard tonight. ALDERMAN COHEN MOVED THAT THE BOARD HOLD A WORK SESSION AS EARLY AS POSSIBLE IN JULY, AND THAT LAKETREE NOT BE SCHEDULED AS AN AGENDA ITEM UNTIL AFTER THE WORKSESSION. ALDERMAN HOWES SECONDED THE SUBSTITUTE MOTION. Alderman Gardner thought the worksession could be held before July 11. ALDERMAN VICKERY MOVED TO AMEND THE MOTION TO PLACE THE DISCUSSION OF LAKETREE ON THE JULY 11 AGENDA, AND HAVE A WORKSESSION BEFORE JULY 7. ALDERMAN MARSHALL SECONDED THE MOTION. Alderman Epting stated this would not give OWASA time to discuss the water and sewer situation. He asked Alderman Vickery to amend his motion to place the matter on the July 11 agenda and set the worksession not later than July 20. Alderman Vickery amended the amendment. He added that Alderman Silver had not believed the Board would consider this matter in his absence. Alderman Gardner stated the zoning ordinances would require a vote of 6 aldermen, and the effect of placing the matter on the agenda for the 25th would be to delay until September, unless a special meeting was called. Alderman Vickery stated he would be willing to attend a

special meeting if the ordinances received a majority vote on the 25th, but did not pass. THE SUBSTITUTE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH ALDERMEN COHEN, EPTING, GARDNER, MARSHALL, SMITH AND VICKERY SUPPORTING AND ALDERMAN HOWES OPPOSING.

Mrs. Rodman petitioned the Board to find a method for equalizing the amount of city taxes paid by Durham County residents and Orange County residents, recently changed by the revaluation of Durham County. Mr. Jenne explained that there had been a number of inquiries on this from the 105 homeowners living in the Durham County portion of Chapel Hill. Orange County property was reappraised in 1973, and at that time the Orange County property values were higher than the Durham County property. Now the reverse was true because of the Durham County reappraisal. The General Statutes empower municipalities to equalize the appraisal values. The tax collector was now collecting information necessary to a determination of values and a recommendation to the Board. He hoped to have this recommendation before the Board recessed for August.

Ms. Edna Nevillen, of JOCCA, stated that JOCCA would not receive \$500 which had been appropriated for their use. She requested the Board to reappropriate this money to their crisis intervention program. Mr. Jenne explained that the performance contract with JOCCA had not been fulfilled, and therefore, he had not authorized the final quarterly payment. There had been discussions with Ms. Grove on diverting the money to another program, however, Mr. Jenne did not advise making the final payment. Alderman Epting stated his information was that the performance contract had not been fulfilled because JOCCA spent an excessive amount of money helping people in the cold weather project. Mr. Jenne responded that he would not object to the payment if the cold weather services had been the only cause for the contract not being fulfilled. However, in the four to five months before the cold weather crisis, no action had been taken to implement the programs called for in the contract. There had been ample time to start programs to show good faith. Alderman Marshall felt it important for performance contracts to be completed with JOCCA. This was agreed to be by the Board.

Alderman Smith asked the public works department to consider storing landfill material which could be used for firewood. Mr. Jenne stated this had been done last year and he would see if the practice was being continued.

Minutes

On motion by Alderman Epting, seconded by Alderman Smith, the minutes of the meeting of June 13 were approved as corrected.

Resolution Approving the Request by the McCauley Street Coalition For a Temporary Street Closing

A RESOLUTION APPROVING THE REQUEST BY THE McCAULEY STREET COALITION FOR A TEMPORARY STREET CLOSING

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby approves the request of the McCauley Street Coalition that McCauley Street between Ransom and Pittsboro Streets be closed between the hours of 2 p.m. and 9 p.m. on Saturday, July 2, 1977, to allow a block party to be held;

Provided that such request is approved only if said Coalition provides manned barricades at both ends of the street to allow passage of emergency vehicles, and that the approval shall be withdrawn automatically if said barricades are left unmanned.

This the 27th day of June, 1977.

Alderman Gardner asked if all the residents had signed the petition requesting the street closing. Mr. Jenne explained that not all the residents had signed, but the Planning Department had determined that there were 46 dwelling units and 33 signatures had been on the petition. Alderman Epting stated he did not think the streets were the place for these kinds of parties. Alderman Epting asked if Alderman Cohen would accept an amendment adding the words "and vehicles of persons residing on the street," after the words "emergency vehicles". Alderman Cohen agreed to the modification. Alderman Smith objected to considering the resolution since there was no one from the McCauley Street Coalition present. Alderman Howes argued the Board had frequently voted on such

requests without requiring someone to be present. The group had followed the procedure suggested by the Manager's office for such a request. THE FOLLOWING RESOLUTION WAS ADOPTED BY A VOTE OF SIX TO ONE WITH ALDERMEN COHEN, EPTING, HOWES, GARDNER, MARSHALL, AND VICKERY SUPPORTING AND ALDERMAN SMITH OPPOSING.

A RESOLUTION APPROVING THE REQUEST BY THE McCAULEY STREET COALITION FOR A TEMPORARY STREET CLOSING

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby approves the request of the McCauley Street Coalition that McCauley Street between Ransom and Pittsboro Streets be closed between the hours of 2 p.m. and 9 p.m. on Saturday, July 2, 1977, to allow a block party to be held;

Provided that such request is approved only if said Coalition provides manned barricades at both ends of the street to allow passage of emergency vehicles, and vehicles of persons residing on the street, and that the approval shall be withdrawn automatically if said barricades are left unmanned.

This the 27th day of June, 1977.

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

ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN EPTING, 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

GENERAL FUND	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECRFASE</u>	<u>REVISED BUDGET</u>
Mayor and Board of Aldermen	78 465	+8 000	-	86 465
Town Manager	159 520	+3 500	-	163 020
Personnel	55 430	+1 000	-	56 430
Finance	76 480	+12 000	-	88 480
Tax Collector	22 050	+2 000	-	24 050
Town Clerk	36 720	+3 000	-	39 720
Human Services	162 285	+10 000	-	172 285
Police	939 455	+57 000	-	996 455
Fire	597 010	+60 500	-	657 510
Recreation	319 485	+8 500	-	327 985
Library	94 275	+17 445	-	111 720
Sundry	1 028 600	-	182 945	845 655
OTHER FUNDS				
Transportation	955 150	+10 000		965 150
Library Fund	163 915	+21 780		185 695
Library Gift Fund	0	+15 000		15 000
Community Development	467 205	+192 515		659 720

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REVENUE	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
Transportation	955 150	+10 000		965 150
Library Fund	163 915	+21 780		185 695
Community Development	467 205	+192 515		659 720

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

This the 27th day of June, 1977.

Alderman Marshall stated the amendments to the budget usually came with the quarterly report. Mr. Jenne responded that the third quarterly report had been delayed by the budget, and because of the closeness to the end of the year, he had decided to consolidate the third and fourth quarterly reports. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Authorizing Preapplication for \$411,000 in Bureau of Outdoor Recreation Grants

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

A RESOLUTION AUTHORIZING PREAPPLICATION FOR \$411,000 IN RECREATION GRANTS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby authorizes the Town Manager, Kurt J. Jenne, to submit grant preapplications for \$411,000 in Bureau of Outdoor Recreation funds in connection with the Town of Chapel Hill Capital Improvement Program.

This the 27th day of June, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending Chapter 7 "Fire Prevention and Protection" of the Code of Ordinances of the Town of Chapel Hill

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

AN ORDINANCE AMENDING CHAPTER 7, "FIRE PREVENTION AND PROTECTION" OF THE CODE OF ORDINANCES, TOWN OF CHAPEL HILL

BE IT RESOLVED that Chapter 7, "Fire Prevention and Protection," of the Code of Ordinances, Town of Chapel Hill, is hereby amended as follows:

Section I

In Section 7-15, REPLACE the words "1970 edition" with the words "1976 edition."

Section II

ADD a new Section 7-31 to read as follows:

Section 7-31. Section 27.6(b) amended

Section 27.6(b) is hereby amended by striking out all of said subsection and inserting, in lieu thereof, the following:

- (b) Doors in main entrances to places of assembly having capacity less than 100 persons are not required to be equipped with panic or fire exit hardware; such doors are permitted to be equipped with hardware approved by the Chief of Fire Prevention Bureau, and arranged so as to be readily opened from the side from which egress is to be made at all times when the building, structure or area served is occupied.

Section III

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

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THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending Chapter 17 "Streets and Sidewalks" of the Code of Ordinances of the Town of Chapel Hill

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

AN ORDINANCE AMENDING CHAPTER 17, "STREETS AND SIDEWALKS", 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 17 of the Code of Ordinances, Town of Chapel Hill, is hereby amended as follows:

SECTION I

AMEND Section 17-42 to read:

Section 17-42. Fees.

For the privilege of making a street cut, the applicant for a permit required by this article shall pay a fee therefor as follows: For surface-treated streets, Twenty Dollars (\$20.00) per square yard for cuts up to and including five square yards. Ten Dollars (\$10.00) per square yard for cuts larger than five square yards, and for dirt or gravel streets, Six Dollars (\$6.00) per square yard.

SECTION II

AMEND Section 17-43 to read:

Section 17-43. Backfilling ditch made.

The applicant for a street cut permit shall backfill any ditch made with approved soil that is free of organic material and does not contain more than 5 percent clay content (number 200 sieve). Backfill material at a moisture content range of ± 2 percent of optimum shall be placed in a surface-dry ditch in six (6) inch layers and compacted to 95 percent of laboratory compaction (Modified Proctor). If required by the Town's inspector, the applicant shall verify soil compaction from an approved independent testing laboratory. Testing cost shall be borne by the applicant where the test results indicate the failure to comply with the conditions of this ordinance and by the Town where the test results comply with these requirements. For paved streets the ditch shall be filled with compacted soil to a point no higher than ten (10) inches below the top of the pavement. Stone shall be placed in two (2) layers and compacted as above. The stone shall be level with the top of the pavement. For dirt or gravel streets the ditch shall be filled with compacted soil to a point no higher than six (6) inches below the finished grade of the street. Stone shall be placed in one (1) layer and compacted as described above. The stone shall be level with the finished grade of the street.

SECTION III

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

This the 27th day of June, 1977.

Alderman Gardner asked if the affected agencies had been notified of the increase. Mr. Jenne did not know if they had been notified. He stated the resolution was to bring the charges in line with the cost and to insure, by more stringent standards, that the backfill was done properly. Alderman Gardner asked why this was not done at budget time. Alderman Howes said the matter was discussed at the budget. Alderman Gardner thought the increase should have been part of the budget. THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH ALDERMEN COHEN, EPTING, HOWES, MARSHALL, SMITH AND VICKERY SUPPORTING AND ALDERMAN GARDNER OPPOSING.

Resolution Requesting the County Board of Elections to Hold Special Voter Registration in September and October, 1977, and Authorizing the Manager to Provide One-Half the Cost

Alderman Cohen explained that when both the County and the Town had fall elections, special registrations were held with the Town paying one-half the cost. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN MARSHALL, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REQUESTING THE COUNTY BOARD OF ELECTIONS TO HOLD SPECIAL VOTER REGISTRATION IN SEPTEMBER AND OCTOBER, 1977, AND AUTHORIZING THE MANAGER TO PROVIDE ONE-HALF THE COST

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town hereby requests the Orange County Board of Elections to hold special voter registration at the following times and places within the Town of Chapel Hill:

Whereas regular Registration at Chapel Hill Municipal Building, and Chapel Hill Public Library to end Friday, September 9 (30 days before end of registration).

Special Registration CHAPEL HILL MUNICIPAL BUILDING		
Saturday, September 17(2), 24(2), October 1(3), 8(4)	9a.m. to 1p.m.	
Tuesday, September 20(2), 27(2), October 4(4)	Noon to 8p.m.	
Thursday, September 22(2), 9(2), October 6(4)	Noon to 8p.m.	
Monday, October 10(7)	9a.m. to 5p.m.	
WOOLLEN GYM		Noon to 8p.m.
Wednesday, September 28(5)		
EPHESUS ROAD SCHOOL or other available site		Noon to 8p.m.
Wednesday, October 5(2)		
FRANK PORTER GRAHAM SCHOOL or other available site		Noon to 8p.m.
Monday, September 26(2)		

AND BE IT FURTHER RESOLVED that the Board of Aldermen hereby directs the Town Manager to provide funds for the Town's share of the cost of said special registration.

This the 27th day of June, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution - Tax Releases

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

RESOLUTION - TAX RELEASES

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

<u>Name</u>	<u>Rec. #</u>	<u>Amount</u>	<u>Reason</u>
Donald D. Foree	2310 (1976)	\$ 6.72	Not in Town.
Hiroshi Okada	9781 (1976)	.90	Taxes were computed wrong. Over charged.
Stikes Production Inc.	8644 (1975) 8621 (1976)	101.76 87.83	Property was listed in error located in County
Elizabeth Atwater	203 (1975) 420 (1976)	3.86 4.20	Listed in wrong name per county.
Richard Lee Anthony	9353 (1976)	26.61	Not in Town.

WHEREAS, the above list of persons have made application for release of said taxes.

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that it finds the taxes on the above listed persons were levied through clerical error, and in the discretion of the Board should be released to the taxpayer.

IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such release.

This the 27th day of June, 1977.

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THE MOTION WAS CARRIED UNANIMOUSLY.

Discussion of Street and House Numbering

Alderman Marshall said the town was putting a lot of money in emergency services, but did not have houses well marked. She suggested an ordinance requiring street numbering. Mr. Denny said a resolution would cover the situation unless enforcement sanctions were included, in which case an ordinance would be needed. Alderman Cohen said asking people to put their number out would not necessarily solve the problem in subdivisions where there were different numbering systems. Alderman Howes suggested a comprehensive study for systematic numbering. Alderman Marshall suggested adopting a resolution which would take into account the different suggestions. The Manager in consultation with the attorney and the Planning Department was directed to come up with a recommendation.

Report on Water Situation from OWASA

Alderman Howes reported that there had been an exchange of correspondence with Mr. Peck in Durham, making arrangements for OWASA to buy water from Durham when necessary. The water would be made available to OWASA at a rate 2½ times that charged Durham city residents. Work on a 3 million gallon storage tank had been completed and could be used for storage of water from Durham each night. OWASA had commissioned both a long-term and short-term study on conservation measures. Immediate action recommendations would be forthcoming by July 8. Alderman Howes added that the levels on the dam were being monitored closely. Alderman Vickery suggested holding a worksession with OWASA after the study recommendations had been given.

Orange County Council on Aging - Appointment

The Council on Aging had notified the Board that one of its nominees, Katherine Stern, had already been appointed to the Council by the County. Alderman Marshall asked the Board not to make the appointment because she wanted to talk with Ms. Stern to get the names of more people who are interested in serving. It was agreed to delay the matter until July 11.

Planning Board - Nominations

The Planning Board had submitted the name of Peg Parker for the vacancy which would be created by the expiration of Ms. Parker's term. The Board agreed to request the Planning Board for two names as is its policy.

Historic District Commission - Vacancy

The Board was notified of the resignation of Fran Verkuil from the Historic District Commission. The Commission will submit names for filling this position.

Resolution of Intent to Amend Charter

Alderman Cohen stated he had distributed a resolution calling a public hearing on July 11, to consider amending the Charter to allow the Mayor to vote. After the public hearing, the Board would decide whether to place the question before the voters on November 8.

Tonight was the latest meeting at which a public hearing could be called and still adopt an ordinance placing the question on the November 8 ballot. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF CHAPEL HILL TO PERMIT THE MAYOR TO VOTE ON ALL ISSUES BEFORE THE BOARD

THAT WHEREAS, Section 162A-101(8)(a) of the General Statutes of North Carolina provides that a town may modify the provisions which respect to the power of the mayor to vote, and

WHEREAS, Section 162A-102 of the General Statutes of North Carolina provides that such amendment to the charter may be made by Ordinance adopted after a resolution of intent shall be adopted describing the proposed charter

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amendments briefly, which said resolution of intent shall also call for a public hearing on the proposed charter, the date of the hearing to be not more than forty five (45) days after the adoption of the resolution, and

WHEREAS, notice of said public hearing must be published at least once not less than ten (10) days prior to the date fixed thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL that it intends to consider an ordinance amending the Charter pursuant to the authority granted by General Statute Section 160A-101(8) (a) so as to permit the Mayor of the Town of Chapel Hill to vote on all matters before the Board of Aldermen, and

BE IT FURTHER RESOLVED that a public hearing pursuant to General Statute Section 160A-102 is hereby called for 7:30 p.m. on the 11th day of July, 1977 in the meeting room of the Municipal Building, 306 North Columbia Street, Town of Chapel Hill on said proposed amendment, AND

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to post notice of said adoption of this Resolution and notice of public hearing at least ten (10) days prior to the 11th day of July, 1977.

This the 27th day of June, 1977.

Alderman Gardner suggested holding a worksession to consider the Charter Commission recommendations on this issue. THE MOTION WAS CARRIED UNANIMOUSLY.

Legislative Report

Alderman Cohen reported that senate bill 208, authorizing funding for small municipalities, had been passed by the Senate. The House Committee wants to wait another year to study the transit situation. The American Public Transit Association is working to get some authorizing legislation passed this year. The State House passed a bill which will allow the Planning Board to issue special use permits if delegated authority by the Board of Aldermen.

The legislature also extended the due date for taxes to January 3.

Future Agenda Items

Alderman Marshall asked for a presentation on the central dispatch system to be on the agenda.

There being no further business to come before the Board, the meeting was adjourned.



Mayor James C. Wallace



Town Clerk, David Roberts

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, MUNICIPAL BUILDING MONDAY, JULY 11, 1977, 7:30 P.M.

Mayor Wallace called the meeting to order. Present were:

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

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

Charter Amendment to Allow the Mayor Voting Rights - Public Hearing

Mr. Denny stated the General Statutes provide that the charter may be amended by ordinance. The procedure would be for the Board to adopt