

MINUTES OF A SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, JULY 18, 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 Acting Town Manager E. Shipman, Town Attorney E. Denny, and Town Clerk D. Roberts. Alderman Silver was excused.

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 Vickery would not support the annexation without a demonstrated need for it. Any request for police protection above the mutual aid agreement between the Town and the County Sheriff's Department would be a drain on the resources of the Town. Alderman Marshall was also against the annexation, but would consider it if the School Board agreed to give the Town full use of Lincoln gym. Mayor Wallace thought the figure given by the Town Manager for police protection high. ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REFUSING TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL AND DIRECTING THE PLANNING BOARD TO CONSIDER A PETITION FOR ANNEXATION

BE IT RESOLVED, by the Board of Aldermen of the Town of Chapel Hill, that the Corporate Limits of the Town of Chapel Hill not be extended at this time.

This the 18th day of July, 1977.

Alderman Cohen asked if this would leave open the annexation should agreement be reached at a later time. Alderman Gardner agreed that this resolution would defer the annexation until a later time. He added that he would like the area north of Town studied by the Planning Board. The condition and maintenance of the roads remained a question. Alderman Howes asked that the following amendment be added to the resolution.

BE IT RESOLVED, that the Planning Board is hereby directed to consider and review a Petition for annexation, received by the Town of Chapel Hill, and annexation of other areas to the north of Town, and submit as soon as possible a formal recommendation of action to be taken by the Board of Aldermen with regard to such Petition.

Alderman Gardner accepted the amendment. Alderman Smith was concerned that the school board had asked only for the annexation of the high school. He thought they would later ask for the annexation of the junior high school, and he would rather annex both at one time. He understood the annexation request was for the purpose of police protection, and the junior high school needed this as well as the high school. However, Alderman Smith did not want police patrolling the high school during the day. THE FOLLOWING RESOLUTION WAS CARRIED BY UNANIMOUS VOTE.

A RESOLUTION REFUSING TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL AND DIRECTING THE PLANNING BOARD TO CONSIDER A PETITION FOR ANNEXATION

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that the Corporate Limits of the Town of Chapel Hill not be extended at this time; and

BE IT FURTHER RESOLVED, that the Planning Board is hereby directed to consider and review a Petition for annexation, received by the Town of Chapel Hill, and annexation of other areas to the north of Town, and submit as soon as possible a formal recommendation of action to be taken by the Board of Aldermen with regard to such Petition.

This the 18th day of July, 1977.

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Resolution Receiving Recommendations of Joint School/Recreation Facility Development

Mayor Wallace stated that at the meeting of July 13, the Board had requested him to proceed with exploring with the school authorities the possibility of cooperation for joint facilities. He submitted to the Board a list of recommendations which the Board of Education had adopted without dissent. If the Board of Aldermen also adopted these recommendations, detailed documents covering use, maintenance, security and other problems would need to be prepared. The matter would then come back to both boards for final approval. Alderman Cohen objected to the recommendation for building a pool at the high school. The bond money was to have a pool and community center close to a large number of residents of the city. The high school is not close. Also, this pool was to be with the community center. He would consider a pool at the high school if the School Board agreed to repay the Town for funds used to build the pool.

Alderman Smith stated that everyone would have to ride to the high school, which would not be conserving energy. He did not see how a pool and enough parking for the pool could be put on the school site. Mayor Wallace said the pool at the high school did not foreclose a pool at another site.

Alderman Vickery was against a pool being built at the high school with town funds because it would be available to the town only when the school was not using it. He wanted to continue discussions with the School Board on other projects. Alderman Howes said he would agree to a pool at the high school if it did not preclude a pool at Plant Road, and if a repayment scheme with the School Board could be worked out. He did not think the use of Lincoln Gym an adequate exchange for the pool. Alderman Howes supported the recommendation for lighted fields at Culbreth. Alderman Vickery asked that the Chairman of the Recreation Commission be added to the negotiating group on the joint facilities.

Alderman Gardner suggested the report be considered each section at a time.

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

A RESOLUTION RECEIVING RECOMMENDATION ON JOINT SCHOOL/RECREATION FACILITY DEVELOPMENT

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby receives the recommendations of the Town-School Board Task Force on Joint Facility Development, and directs the Town representatives, now to include the Chairman of the Recreation Commission, to continue negotiations with the Chapel Hill-Carrboro School system toward the implementation of said recommendations, with the provision that the Town be reimbursed for any funds used for construction of a pool at the high school.

This the 18th day of July, 1977.

Mr. Denny stated it would probably be at least 7 years before the Board of Education could repay the town for the pool. Alderman Howes stated the Town could not wait that long. He added that he wanted design work to continue on Plant Road. Alderman Gardner proposed the town and schools move ahead with the field maintenance and expansion as was recommended for Culbreth. He suggested the Town ask the School Board to assign Lincoln gym to the County in hopes that the County would make the gym available to the County Recreation department. Alderman Epting asked that the resolution include final resolution of the Frank Porter Graham project. Alderman Vickery thought this too restrictive. He wanted negotiations on all projects to remain open. 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.

Alderman Smith asked that the manager look into the possibility of stepping up the feasibility study of Plant Road. Mr. Shipman explained that the removal of the Transportation Department would be coordinated with the UMTA grant which would pay for the move. The design study was being held in abeyance until resolution of the report recommendations. Alderman Howes asked that the study be done as soon as possible without waiting for negotiations with the School Board. Alderman Vickery asked for a report on the study on the agenda of the 25th.

JUL 18 1

Water Shortage and Water Conservation Measures

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

AN ORDINANCE PROVIDING FOR THE CONSERVATION OF WATER DURING A WATER SHORTAGE, AND RESTRICTING THE USE OF WATER DURING MORE SEVERE SHORTAGES

WHEREAS, University Lake provides the only source of raw water from which the Orange Water and Sewer Authority supplies water to the Town of Chapel Hill, and

WHEREAS, the level of said lake indicates the amount of reserve water available and the need to conserve water or restrict its use, and

WHEREAS, it is essential for the protection of the health, and safety of the citizens of Chapel Hill that restrictive measures be imposed upon the use of water supplied within the Town of Chapel Hill, and the surrounding territory through the facilities of the Orange Water and Sewer Authority, in the event the reserve supply reaches from below normal to critical levels.

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

SECTION I

A water shortage shall be deemed to exist when the reserve supply available through the facilities of the Orange Water and Sewer Authority shall have reached the point where the reserve supply has been so reduced that the citizens cannot be supplied with water to protect their health and safety without curtailing substantially the water demand.

SECTION II

In the event of a water shortage in any of the five degrees of severity hereinafter setforth in the Town water supply threatening the health and safety of the citizens of the Town, the Mayor of the Town of Chapel Hill is authorized, empowered, and directed to issue a public proclamation declaring to all persons the existence of such state and the severity thereof, and in order to more effectively protect the health and safety of the people within the Town of Chapel Hill, to place in effect the restrictive provisions hereinafter authorized.

SECTION III

In the event the Mayor issues any such proclamation described in Section II, then and in that event it shall be unlawful for any person, firm, or corporation to use or permit the use of water from the water system within the Town of Chapel Hill supplied through the facilities of the Orange Water and Sewer Authority for any of the purposes hereinafter setforth until such time as this Ordinance be amended or repealed, or until the Mayor, by public proclamation, has declared certain provisions no longer in effect.

SECTION IV

The severity of the water shortage shall be determined by the level of University Lake, and the restrictive measures in effect at each stage are as follows:

- A. In the event the water level of University Lake declines to a level of 346 feet above mean sea level (36 inches below full), a stage I of water shortage ALERT shall be deemed in effect, and the following voluntary water restrictions imposed:
  - 1. An extensive publicity campaign will be initiated using public media and specialized methods to inform the public of an impending water shortage.
  - 2. Residential conservation measures will be encouraged and recommended including the following:

- a. Use shower for bathing rather than bathtub and limit shower to no more than four (4) minutes.
  - b. Limit flushing of toilets by multiple usage.
  - c. Do not leave faucets running while shaving or rinsing dishes.
  - d. Limit use of clothes washers and dishwashers and when used, operate fully loaded.
  - e. Limit lawn watering to that which is necessary for plants to survive.
  - f. Water shrubbery the minimum required, reusing household water when possible.
  - g. Limit car washing to the minimum.
  - h. Do not wash down outside areas such as sidewalks, patios, etc.
  - i. Install water flow restrictive devices in shower heads.
  - j. Use disposable and biodegradable dishes.
  - k. Install water saving devices such as bricks, plastic bottles or commercial units in toilet tanks.
  - l. Limit hours of operation of water cooled air conditioners.
3. It is recommended that water supply line pressure reducing valves be set to the minimum necessary for effective operations of fixtures and equipment.
  4. Conservation in public buildings, institutions, dormitories, etc. is encouraged by reducing pressure at plumbing fixtures, by installation of restricting devices, and shutting down on water flow control devices and by only periodic flushing of urinals.

B. In the event the water level of University Lake declines to the level of 345 feet above mean sea level (48 inches below full), a stage II water shortage WARNING shall be deemed in effect, and in addition to the restrictions heretofore imposed, the following moderate mandatory water restrictions shall be in effect. It shall be unlawful:

1. To water lawns, shrubbery, flower and vegetable gardens except during the hours between 4 p.m. and 8 p.m. on Saturday.
2. To introduce water into swimming pools except to the extent necessary to maintain operation.
3. To operate water-cooled air conditioners or other equipment that does not recycle cooling water, except when the health and safety are adversely affected.
4. To wash any motor vehicle including commercial washing.
5. To wash down outside areas such as sidewalks, patios, or driveways, or to use water for other similar purposes.
6. To use or introduce water into any decorative fountain pool or pond.
7. To serve water in a public restaurant except upon request.
8. To use water for any unnecessary purpose or to intentionally waste water.

It is recommended that pressure reducing valves be installed in facilities with high water pressure with a setting to limit supply pressure to the minimum necessary to operate the fixtures and equipment.

- C. In the event the lake level of University Lake declines to the level of 343 feet above mean sea level (72 inches below full), a stage III water shortage DANGER shall be deemed to exist, and in addition to the restrictions heretofore imposed, the following severe mandatory water restrictions shall be in effect. It shall be unlawful:
1. To water or sprinkle any lawn.
  2. To water any vegetable garden or ornamental shrubs except during the hours of 4 p.m. to 8 p.m. on Saturday.
  3. To fill any swimming pool or replenish any filled pools except to the minimum essential for operation.
  4. To make any non-essential use of water for commercial or public use, and the use of single service plates and utensils is encouraged and recommended in restaurants.
- D. In the event the level of University Lake declines to the level of 341 feet above mean sea level (96 inches below full), a stage IV water shortage EMERGENCY shall be deemed to exist, and in addition to the restrictions heretofore imposed, the following stringent mandatory water restrictions shall be in effect. It shall be unlawful:
1. To use water outside a structure for any use other than an emergency involving fire.
  2. To operate an evaporative air conditioning unit which recycles water except during the operating hours of the business.
  3. To introduce water into any swimming pool.
- E. In the event the level of University Lake declines to the level of 338 feet above mean sea level (132 inches below full), a stage V water shortage CRISIS shall be deemed in effect, and a system of water rationing shall be put in effect in addition to all previously imposed restrictions. In the event of water rationing in which water will be supplied in the minimal quantities required for the health, welfare, and safety of the citizens in accordance with a program determined by the Orange Water and Sewer Authority.
1. It shall be unlawful to fail to act in accordance therewith or use water in any manner or attempt to evade or avoid such water rationing restrictions.
  2. Fire protection will be maintained, but where possible tank trucks shall use raw water.

#### SECTION V

Any violations of the provisions of this Ordinance shall constitute a misdemeanor punishable upon conviction by a fine not exceeding FIFTY DOLLARS (\$50.00) or imprisonment not exceeding thirty (30) days as provided by General Statute Section 14-4 and in addition thereto such violation may be enjoined and restrained as provided in General Statute Section 160A-175.

#### SECTION VI

Pursuant to the provisions of General Statute Section 160A-193, the remedies therein provided shall be applicable for the summary abatement or remedying of appropriate conditions dangerous or prejudicial to the public health both within the town limits of the Town of Chapel Hill and within one mile thereof and the expense thereof assessed as therein provided.

#### SECTION VII

If any section, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

## SECTION VIII

All Ordinances and clauses of Ordinances in conflict herewith are hereby repealed.

## SECTION IX

This Ordinance shall be in full force and effect from and after its adoption.

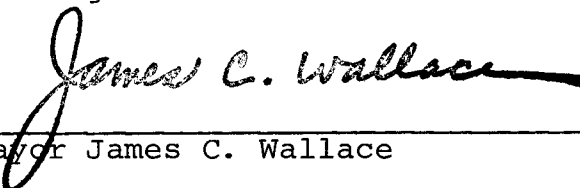
This the 18th day of July, 1977.

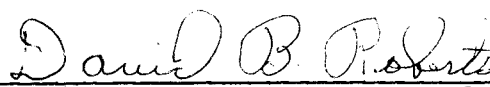
Alderman Smith was concerned that swimmingpools were put above watering vegetable gardens. Alderman Howes explained the University grounds maintenance people had assured OWASA 4 hours a week would be enough to water plants. Alderman Marshall stated there would be a water shortage for many years and swimming could not be shut down for that long. Swimming also reduced the amount of water used for bathing and washing clothes. Alderman Cohen asked that OWASA wage an extensive media campaign so that everyone would realize the urgency of the need to cut consumption. Alderman Gardner asked that OWASA consider buying water from Durham sooner in future years. Alderman Smith thought the restrictions were not stringent enough. The Town should be conserving what water was left. THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH ALDERMEN COHEN, EPTING, GARDNER, HOWES, MARSHALL AND VICKERY SUPPORTING AND ALDERMAN SMITH OPPOSING.

UNC-Town Transportation Agreements

Mr. Shipman reported that on July 13, the manager and the Chairman of the Transportation Board had met with University representatives to discuss the University's contribution to the Transportation budget. Mayor Wallace stated Mr. Jenne had sent to Dr. Jones a letter detailing service to the University. Mr. Jenne and Mr. Lathrop hoped to restore the University's funding to the level of last year. If this could be done the town would need to add approximately \$34,000 to make the Transportation Budget. ALDERMAN HOWES MOVED THAT THE MAYOR PROPOSE TO THE UNIVERSITY THAT THEY RETURN FUNDING TO LAST YEAR'S LEVEL, AND THE TOWN WOULD THEN ADD APPROXIMATELY \$34,000 TO KEEP THE TRANSPORTATION BUDGET AT \$902,000. ALDERMAN EPTING SECONDED THE MOTION. Alderman Epting added that as the town was providing the same level of service to the University but was not increasing funding, they were putting the burden of inflationary costs on the taxpayers. Alderman Vickery stated he would like to continue discussions on the basis for financing services. THE MOTION WAS CARRIED BY A VOTE OF FOUR TO THREE WITH ALDERMEN EPTING, HOWES, MARSHALL AND VICKERY SUPPORTING AND ALDERMEN COHEN, GARDNER AND SMITH OPPOSING.

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

  
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 Mayor James C. Wallace

  
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 David B. Roberts, Town Clerk