

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, SEPTEMBER 26, 1977, 7:30 P.M.

Mayor Wallace called the meeting to order. 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. A quorum of the Planning Board was present for the public hearings.

Resolutions of Appreciation

Mayor Wallace introduced and read the following resolutions of appreciation to citizens of the town who had given of their time in service to the Town.

R E S O L U T I O N

WHEREAS, Mr. Hugh McLeese served as Chairman of the Chapel Hill Advisory Council on Aging following his appointment in 1971 until merging with the Orange County Council on Aging in 1974, and

WHEREAS, Mr. McLeese served as Chairman on the Advisory Committee to the Chapel Hill Office in 1974, as one of its Consumer Representatives on the Board of Directors in 1974, and as Vice Chairman on the Board of Directors of the Orange County Council on Aging from 1975 until 1977, and

WHEREAS, Mr. McLeese has been active in various community activities having served on the Board of Directors of the United Fund 1970 to 1973; on special committees of the Inter-Church Council, and as a past Elder of the University Presbyterian Church;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Aldermen of the Town of Chapel Hill, on behalf of all the citizens, express deep appreciation to Mr. McLeese 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 twenty-six day of September, 1977.

R E S O L U T I O N

WHEREAS, Mrs. Velda Fluellen contributed a good deal of effort during the time she served on the Planning Board from July 1976 until August 1977, and

WHEREAS, Mrs. Fluellen did conscientiously give of her time during the one year she served, and

WHEREAS, Mrs. Fluellen accepted the responsibilities of her appointment and performed with dedication and loyalty;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and members of the Board of Aldermen of the Town of Chapel Hill, on behalf of all of the citizens, express sincere appreciation to Mrs. Fluellen; and

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

This the twenty-six day of September, 1977.

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R E S O L U T I O N

WHEREAS, Mr. William Levine served as a member of the Planning Board from September 1975 until September 1977, and

WHEREAS, Mr. Levine contributed long hours of dedicated service to the Town of Chapel Hill, and

WHEREAS, Mr. Levine did, at the same time, serve on the Transportation Board;

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. Levine for the excellent service he 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 twenty-sixth day of September, 1977.

R E S O L U T I O N

WHEREAS, Mrs. Liz Martin served for a year on the Planning Board, and

WHEREAS, Mrs. Martin was a member of the zoning subcommittee of the Planning Board during her tenure, and

WHEREAS, Mrs. Martin contributed particularly to the Planning Board's work by using her public relations expertise to provide ideas for publicity and information dissemination to increase citizen participation in Planning Board activities;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and members of the Board of Aldermen of the Town of Chapel Hill, on behalf of all of the citizens, express sincere appreciation to Mrs. Martin; and

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

This the twenty-sixth day of September, 1977.

R E S O L U T I O N

WHEREAS, Lee Corum did serve on the Transportation Board from November 1975 until August 1977, serving initially as a representative of the UNC Student Body, and

WHEREAS, during his tenure he did give innovative and progressive leadership while serving with concern, dedication and distinction, and

WHEREAS, all citizens of Chapel Hill benefited greatly from his untiring efforts and contributions of time;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and members of the Board of Aldermen of the Town of Chapel Hill, on behalf of all of the citizens, express sincere appreciation to Mr. Corum; and

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

This the twenty-sixth day of September, 1977.

R E S O L U T I O N

WHEREAS, Warren Levinson has, in his years in Chapel Hill, endeavored to provide adequate and accurate coverage of the meetings of the Board of Aldermen for Radio Station WCHL, and

WHEREAS, Warren Levinson has gone to great length to provide extensive coverage of events of interest to the citizens, and

WHEREAS, Warren Levinson has displayed cooperation and understanding exemplifying the highest levels of journalism;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Aldermen of the Town of Chapel Hill, on behalf of all the citizens of Chapel Hill, express deep appreciation and gratitude for the excellent services rendered by Warren, and regard his departure as a great loss to the citizens, and

BE IT FURTHER RESOLVED that as Warren leaves Chapel Hill for Kentucky, where he is being promoted to News Director of the Village Companies Lexington radio station, we extend to him our very best wishes for continued success, 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 26th day of September, 1977.

ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN EPTING, ADOPTION OF THE RESOLUTIONS OF APPRECIATION. THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Request by Security Savings and Loan for a Drive-In Business Special Use Permit - Public Hearing

Security Savings and Loan had applied for a drive-in business special use permit to convert an existing gas station to a drive-in business. The drive-in savings and loan building was to be located on the corner of Franklin and Estes. Three corners of the intersection, including the subject property, are zoned Suburban Commercial with the fourth corner being zoned R-20. All corners are being used as commercial or office buildings. The applicant planned an addition to the existing building and parking for 17 spaces. The use meet all standards of the zoning ordinance. Mr. Jennings entered into the record a drive-in business policy adopted by the Planning Board.

Drive-in Business Developments shall be strictly regulated and shall be included among those uses for which special use permits are required. Such regulation is necessary to ensure the achievement of the Town's objectives of arresting strip commercial development and encouraging compact neighborhood commercial centers which reduce dependence on the automobile in favor of other modes of travel. Drive-in businesses shall be discouraged except in cases where the drive-in use is located within a planned shopping center or unified business development and is placed in a manner which isolates it from those traffic lanes required to serve traffic circulation within the parking lot and points of access and egress to the shopping center. Where feasible, drive-in uses shall be incorporated as an ancillary service of a use also providing the same service within the building or structure to pedestrians. Cases where such incorporation is not feasible include car washes and similar uses.

Concern at the public hearing of the Planning Board was for traffic. However, Mr. Jennings pointed out that the drive-in savings and loan would be less intensive use than that the site had been used for.

Mr. Atkins stated the developer planned to extend the building 10 feet to the east and 7 feet to the north. Pneumatic units with subsurface tubes would be used for transactions. He stated that window business volume for a savings and loan was much lower than that of a bank. The existing entrances would be used. Additional landscaping would be put in around the parking. The roof would be modified to be A-shaped. Mr.

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Atkins asked that the statement of justification be included in the record.

Statement of Justification

Security Savings and Loan Association
Lot 18, Block A, Map 47 Chapel Hill Township
Special Use Permit Application

The following outline response coincides with the outline of Item 2G. of "Procedures for Special Use Permits Town of Chapel Hill"

1. The use of the property and existing building as proposed on the attached plans will not materially endanger the public health or safety.
 - A. It is anticipated that traffic volume will be less than that generated by a service station, which was the previous useage of the property. It is proposed to offer drive-up service for customers, but this will be a low volume traffic generator.
 - B. Existing utilities now serving the existing building will be used. Garbage collection as scheduled for the gas station operation will continue. The closest fire station is one block away at the corner of Elliot Road and Franklin Street.
 - C. Since this is a renovation of an existing building there will be no site grading work.
 - D. The site is not in flood plain.
2. Security Savings and Loan Associations intends to comply with all applicable ordinances relating to the development of this project. The attached drawings, to the best of our knowledge, comply with all Town requirements.
3. The proposed use of the property and existing building will not substantially injure the value of adjoining or abutting property.
 - A. There are no conflicts between the proposed use and the surrounding uses. The uses on all four sides of the property are commercial ones consisting of 1 service station, 1 office building, and 2 restaurants.
 - B. The proposed use is in conformance with the suburban commercial zone which is the zoning indicated on the zoning map.
 - C. The proposed use is not a public necessity.
4. If the proposed plan is approved it will be in harmony with the area in which it is to be located and will be in general conformance with the plan of development of Chapel Hill and its environs.
 - A. See 3B above.
 - B. The site has no relationship to the Chapel Hill flood plain or the greenway plan. The property is located on the southwest corner of Franklin Street and Estes Drive.

Alderman Howes asked if the applicant had considered closing one of the curb cuts on Franklin Street. Mr. Atkins replied that they had, but thought there would be better internal flow of traffic by leaving it as it. Alderman Cohen asked if the developer planned to put a sidewalk on the portion of the corner of Franklin and Estes which did not now have it. Mr. Atkins said they had not planned to, but would do so. Alderman Smith was concerned that customers coming into the bank from Franklin Street and wishing to go back downtown would have to cross five lanes of traffic to turn left onto Estes Drive. Mr. Atkins stated this would be true if one tried to turn left on Franklin Street also. Alderman Marshall asked the applicant to consider closing one of the curb cuts on Franklin Street. Mr. Francisco asked how many employees would be parking at the savings and loan building. Mr. Atkins stated that the maximum would be seven employees, but that the site had good bus access. Mr. Parker asked if Mr. Atkins had any specific

traffic data on the number of cars at a window. Mr. Atkins had no specific data, but from work on Wachovia estimated the traffic at those banks to be approximately 40 cars per hour on the average, and approximately 5 cars per hour at the savings and loan. Alderman Howes asked where Security Savings and Loan was located. Mr. Atkins stated they association was located in Durham with branch offices in other towns. He agreed to submit the signage for approval to any appropriate body. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN SMITH, TO REFER THE MATTER TO THE PLANNING BOARD FOR CONSIDERATION AND RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

Request by Trigon Associates for a Unified Business Development Special Use Permit - Public Hearing

Trigon Associates proposed to build an addition of four office buildings to the Chapel Hill Professional Village. The 3.91 acres is zoned R-3. All of the property to the south is zoned regional commercial. The site was the subject of a zoning map amendment which was denied by the Board of Aldermen. Discussion at that time had centered around the desire to see the interior of this land as a residential core and that a zoning change would allow a wide variety of uses. Mr. Hakan stated they had thought the town was concerned about the lack of control over development on this land. The developers had tried to answer any questions which might arise as to the use of the land. Mr. Anderson again reviewed the uses around the subject property. He thought their plan would encourage residential use of the property to the north of this site. The owners of surrounding properties had supported a commercial use on the site. Although at the public hearing, it had been stated that this site was above the rest of the Chapel Hill Professional Village in elevation, Mr. Anderson said this was not true. There was a difference in topography, but he thought the site well integrated with the present offices. The property was grown up with scrub pines, but was not heavily wooded with hard woods. The area to the north was the heavily wooded area. The addition would be of the same type of architecture as the existing buildings. Landscaping would help to give the offices the same kind of residential look that apartments would have. The parking areas would be screened as would the two dumpsters. The four buildings would be staged so that there would be two ways of access by the time that half of the complex was built. Mr. Anderson stated the complex when completed would have a minimal effect on the street capacity. The applicant proposed 18 parking spaces with the rest of the property required for parking used in landscaping. Mr. Hakan asked that the statement of justification be included in the record.

ADDITION TO CHAPEL HILL PROFESSIONAL VILLAGE JUSTIFICATION FOR SPECIAL USE PERMIT-UNIFIED BUSINESS

The tract for which this special use permit is requested is an elongated tract containing 3.91 acres which lies immediately north of the regional commercial line which passes through the original tract of the old Conner Farm.

Adjacent to the tract on the south are regional commercial uses which include the Chapel Hill Professional Village, the main Post Office, the rear of the tract occupied by NCNB, the Medical Arts Buildings and the Doctor's Building.

West and northwest of the tract are the pressure reducing station of Public Service Gas Company and Kutz Realty. The area north of the tract is basically open land. The east boundary is Conner Drive which the "Professional Building" faces.

This tract has approximately 2,340 feet of perimeter of which 1,550 feet or 66% abut office or commercial uses. The topography, the shape of the tract and its relationship to abutting land uses suggest that this request for a Unified Business Special Use Request is appropriate.

Access to this tract is from three points: Conner Drive, The Chapel Hill Professional Village and a 30' egress right-of-way that circles Kutz Realty and enters Estes Drive south of Walkers Gulf. These entrances will allow more than adequate distribution of traffic from this site. They pass through commercial land uses which are suitable access points to the office complex proposed for this site.

The four findings and considerations for this statement are as follows:

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(1) "That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved."

- a. Traffic on the 2 thoroughfares on which all new parking will empty will not be materially affected by the addition of 187 cars required for parking this project. In cars per day this amount of additional traffic would approximate traffic generated if this property were used for Residential-apartments.

Two existing access points are a part of the plans for this addition to the existing Chapel Hill Professional Village thereby eliminating need for new curb cuts on either Estes Drive or Willow Drive.

- b. 1. Sewer to this project will be through existing sewer main serving Chapel Hill Professional Village. The 5" C.I. main is adequate to handle 65 1/2 bath units, more than enough for this project.
2. Water service and fire protection will be served from Estes Drive and Conner Drive with internal hydrants. Each building will be separately metered.
3. Adequate provisions are made in the site plan for trash collection. Dumpsters are located thereon.
4. Electric Service will be underground from poles on property lines.

- c. Soil Erosion -

All provisions of the North Carolina Sedimentation Pollution Control Act of 1973 will be taken into consideration. The storm water collected on the site will be retained thereon and released at a rate no greater than under the present use in a 10 year storm.

- d. Relation to the Flood Plain -

No buildings are located within the flood plain. The site plan shows the land that falls within the flood plain fringe and its type of use and characteristics.

(2) The proposed use meets all required conditions and specifications namely:

- a. All plans will meet the zoning ordinances for Special Use Permits and land development regulations.
- b. The plan provides for 1.05 acres of open space in the 4 acre tract. This excludes areas required for as parking lots and driveways, side yards and setbacks as well.

(3) The intended use will not injure the value of adjoining property because:

- a. The intended use, Unified Business is an addition to an existing use in a Regional Commercial area. Approximately 66% of the surrounding adjacent property is now used for non-residential purposes. A special use permit was recently granted by the Town to allow a new office building across Conner Drive to the north to be developed. The area between this proposed new development and the adjacent residential property to the west is to be screened with plantings and existing natural growth.
- b. The plan is in conformance with the zoning maps and the plan of development of Chapel Hill and Its Environs:

The Town of Chapel Hill does not have an approved land use plan. It does have a policy supportive of multi-nucleated activity centers, each having a variety of land uses and density of development. While the land in question is not suited for residential use, the large tract at the northeast is. (Tax map 46-B-1) The use of the Conner Tract as a logical extension of the office development in its vicinity provides places of work for families and individuals who might live in the nearby residential developments in the future. The use of the Conner Tract, as proposed, will provide needed community services - Doctors, Lawyers, Architects, Engineers, Realtors and Advertising and Personnel offices - offices of all types which serve the community needs. The need for such space is further documented by the September 30, 1976 survey by the Planning Department of the Town of Chapel Hill that shows that there is no space available in the outlying major office centers and only an insignificant amount of space available downtown. Chapel Hill needs office space, the most logical location is the outlying centers rather than downtown where there is severe traffic congestion and an impossible parking problem. The site in question meets criteria Chapel Hill has set for its future development.

- (4) The project will be in harmony with the area in which it is located and in general conformation with the plan of Development and Its Environs namely:
 - a. The buildings are designed as an addition to the existing Chapel Hill Professional Village which has been in existence for over ten years. The architectural design will be similar in use of materials, and other treatment.
 - b. The buildings do not fall in the floor plain and neither the Chapel Hill Thoroughfare plan or Greenway plan is affected.
 - c. There is unanimous neighborhood support for use of this land for non-residential purposes. All adjacent property owners with the exception of absentee owner of the post office have signed petitions supporting this use.

The buildings would have no common areas. No driveways or business ends would be shown to the north. The complex would be well screened on that side from any residential development which might occur. Alderman Vickery asked the Planning Board to consider the hazardous situation at the existing entrance to Estes Drive. Mr. Anderson stated the bump at the entrance was dangerous because the developers had not been allowed by the State DOT or Chapel Hill to make a larger radius at the entrance. If the Town or the State DOT would agree, they would make the radius wider. There was also a legal right-of-way to the north onto Franklin Street which would be used if the Planning Board and the Town wished it. ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN EPTING, TO REFER THE MATTER TO THE PLANNING BOARD FOR CONSIDERATION AND RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

Request by Dr. Lowell Williams for a Unified Housing Development Special Use Permit - Public Hearing

Dr. Lowell Williams proposed to construct a 26 unit apartment complex in seven structures on 2.98 acres of land. The site abuts 15-501 but will have access by Howell Street only. Howell Street is paved to state standards without curb and gutter. Property to the north and west is zoned R-5 and property to the south and east R-20. The subject property is zoned R-5. Residences are across the street from the property. Residents attending the informal public hearing were concerned about the large number of apartments in the area and the traffic flow and number of dogs caused by these apartments. The applicant had proposed 39 parking spaces. As parking had been removed from Howell Street, the residents did not think 39 spaces would be enough for apartments which would probably attract students. Mr. Portier asked how close the property was to the sewer line. Mr. Harris responded that the sewer line went through the property but he did not know exactly where. Mr. Charles

Anderson asked if there was a sidewalk or right-of-way for a sidewalk to the hospital. Mr. Jennings stated there was no sidewalk but that a trail through the park was a part of the capital improvements program.

Mr. Atkins asked that the statement of justification be included in the record.

Statement of Justification

Village Terrace Apartments
Lot 19 B & C, Block C, Map 71 Chapel Hill Township
Special Use Permit

The Following outline response coincides with the outline of Item 2 G, of "Procedures For Special Use Permit", Town of Chapel Hill, North Carolina

- 1. The use of the property and proposed unified apartment development shown on the attached plans will not materially endanger the public health or safety.
 - A. Howell Street has recently been regraded and paved to a width of 20 feet. Because of high student population of these apartments and the close proximity to the campus it is expected that the anticipated additional traffic on Howell Street will be minimal. Also the project does not include any additional units above the number presently zoned for Howell Street. The development proposes one new curb cut 150' from the 90o turn of Howell Street, refer to preliminary site plan. This curb cut is not anticipated to endanger the public health in the area.
 - B. Provisions will be made for all services and utilities including sewer, water, electric, telephone, garbage collection, and fire protection on the same basis as these services already exist to the neighboring residential property owners.
 - C. The development intends to comply with all soil erosion and sedimentation control requirements during site grading and construction as set forth by the state of North Carolina.
 - D. The site is not located within the Chapel Hill flood plain.
- 2. The VILLAGE TERRACE APARTMENT development intends to comply with all applicable ordinances relating to the development of this project. The attached drawings, to the best of our knowledge, comply with all of the Town's requirements.
 - A. The development will be in compliance with the zoning ordinance and the land development regulations and standards. The unified apartment development is located in a R-5 zone.
 - B. The development proposes 1200 sq. ft. of open area per dwelling unit as required by the zoning ordinance for a total area of 31,200 sq. ft. for the complex. The development also proposes to have a picnic area to the south of the stream.
- 3. The VILLAGE TERRACE APARTMENT development will not substantially injure the value of adjoining or abutting property.
 - A. There is no conflict between the proposed use and the surrounding uses. Three sides of the property are zoned R-5 residential with the fourth side to the south across the 200' wide right-of-way for the U.S. 15-501 by-pass being zoned R-20 residential.

- B. The proposed use is in conformance with the R-5 zone, which is the existing zone shown on the Town's zoning map.
- C. The proposed use is not a public necessity.
- 4. If the proposed plan is approved it will be in harmony with the area in which it is located and will be in general conformance with the plan and development of Chapel Hill and its environs.
- A. See 3 B above.
- B. The site has no relationship to the Chapel Hill Flood Plain, the Thoroughfare Plan, or the Greenway Plan.

The applicants had tried to fulfill all requirements. They believed the use to be compatible with the area. Each structure would have 4 units, two on each level with an on-grade entrance for each level, should one of the renters be handicapped. The open area would be near the creek and would be left in its natural state. The units would be set back from Howell Street to give a landscaped entrance. The project could not be built for two to three years when they would be given an allocation for sewer.

Mayor Wallace read a letter from Nanette Mingle opposing the apartment project because of the parking and traffic. Ms. Sandra Halperin gave some of the history of Howell Street. She stated that any heavy equipment on Howell Street would be destructive to the street. She opposed the apartments because of heavy traffic and too much noise. Purefoy Purefoy Road had no sidewalk and joggers, walkers, children and dogs were frequently in the street. Alderman Smith asked the Planning Board to consider the ordinance requirement for 1½ cars per apartment unit. He thought this too little. Alderman Cohen suggested that if space was not provided for more cars, there would not be more cars. Mr. Charles Anderson presented a petition signed by residents of Howell Street, Purefoy Road and surrounding streets opposing the apartments because they would alter the character of the neighborhood. Mr. Atkins stated the developers could build these apartments or could build duplexes on the property. The apartments had the advantage of only one ingress-egress point to Howell Street. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN HOWES, TO REFER THE MATTER TO THE PLANNING BOARD FOR CONSIDERATION AND RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

Petitions and Requests

Mr. Jenne asked that the Board add to the minutes the approval of the minutes of July 25. He also requested that they add an item 5A, consideration of the closing of Springview Trail for a block party.

Mayor Wallace stated that in response to a request from citizens and members of the Board for a citizens committee for examining the firemen and PSO situation, he would name the committee within a week and would notify the Board of the committee and its charge.

Alderman Silver asked the Board to add to the agenda discussion of a work-session for the Board and the Chapel Hill representatives of OWASA.

Mr. E. J. McDonald petitioned the Board for permission to fill his swimming pool. He had purchased a home with a swimming pool in disrepair. The former owner, to repair the pool, had ordered a pool liner at a cost of \$1300. The liner had now arrived but could not be installed without filling the pool. The liner would deteriorate if it was not installed soon or was installed without water. Mr. Denny stated the ordinance as written prohibited the filling of any swimming pool. Alderman Howes said his neighbor had trucked in water to fill his pool. Mr. McDonald explained he had considered this alternative, but that the cost of trucking in the water was prohibitive. Alderman Vickery asked Mr. Jenne if Mr. Harris could find some alternative. Mr. Jenne responded that the Town had had the same problem when the A. D. Clark pool was drained by a vandal. The town had been unable to find another alternative and had determined that the cost of trucking in water was not feasible. He would however look into the problem. Mr. Denny said no exception to the ordinance could be drawn without repealing it. ALDERMAN HOWES MOVED SECONDED BY ALDERMAN VICKERY, TO RECEIVE THE PETITION AND

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REFER IT TO THE TOWN MANAGER AND THE ATTORNEY. THE MOTION WAS CARRIED UNANIMOUSLY.

Minutes

ON MOTION BY ALDERMAN GARDNER, SECONDED BY ALDERMAN SMITH, THE MINUTES OF JULY 25, 1977, WERE APPROVED. ON MOTION BY ALDERMAN SMITH, SECONDED BY ALDERMAN GARDNER, THE MINUTES OF SEPTEMBER 12, 1977, WERE APPROVED AS CORRECTED.

Resolution Closing Portions of Cole Street

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

A RESOLUTION CLOSING PORTIONS OF COLE STREET

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Pine Knolls Community, Inc. is hereby authorized to close Cole Street to vehicular traffic, between Crest and Grant Streets, on October 12, 1977 from 12:00 Noon to 8:00 p.m., for the purposes of holding a Street Fair and a fund-raising campaign, with the following stipulations:

Warning barricades at either end of the closed area shall be erected and manned so that emergency vehicles can enter and exit the street without moving the barricades. The street should be cleared of any debris promptly after 8:00 p.m., and the barricades promptly removed.

This the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Resolution Temporarily Closing Springview Trail

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

A RESOLUTION TEMPORARILY CLOSING SPRINGVIEW TRAIL

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the residents of Springview Trail are hereby authorized to close Springview Trail from Foxwood to Honeysuckle, i.e. its entire length, on October 8, 1977 from 5:00 p.m. to 10:00 p.m., for the purpose of holding a neighborhood block party, with the following stipulations:

Warning barricades at either end of the closed area shall be erected and manned so that emergency vehicles can enter and exit the street without moving the barricades. The street should be cleared of any debris promptly after 10:00 p.m., and the barricades promptly removed.

This the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

An Ordinance Amending Section 8-37, Collection Procedures for Household Refuse and Garbage

Mr. Jenne explained that the proposal before the Board was one that was considered at budget time, an experiment for innovations in the trash and garbage collection in Chapel Hill. The experiments were to be done in different neighborhoods. The green can system, whereby a resident would roll an 8 gallon plastic container to the curb on the night before pick-up, to be returned to his yard after pick-up, was to be tried in the Colonial Heights area. Trash collection would be incorporated in the 8 gallon container, eliminating the need for dual collection. A dual trash and garbage pick-up was proposed for the Briarcliff and Colony Woods areas. This would result in more frequent pick-up of trash from the curb and more efficient use of the trucks. Because of concerns over the evaluation procedure, the staff had approached researchers and received assistance in the kind of evaluation to be done at the end of the experiment. There was a great deal of opposition from residents to the experiments.

Mr. Tom Heffner, of the Chapel Hill Board of Realtors, presented a petition signed by approximately 2300 residents opposing the curbside pick-up. Rev. John Manley expressed his opposition to the curbside pick-up. Residents were willing to pay more to have backyard pick-up. Alderman Marshall was upset by the emotionalism displayed by residents and thought the pilot program should be tried. Mr. Thorpe asked how long the pilot program would last. Mr. Jenne answered 4 months. Mr. Thorpe was concerned that once the money was invested, it would be hard to stop the program. He asked how much money had been invested. Mr. Jenne stated the study had cost \$25,000 and the rental of the green can equipment would be \$6,000. Mr. H. A. Whitfield had visited two of the town which already had this system. In Gardner he had seen cans in all conditions on the streets and sidewalks. In High Point, the same problem had existed. The cans sitting in front of a home during the day was an indication that residents were not at home, and an invitation to burglary. He was also concerned that the physical liability would be transferred to residents. Mr. David Otto did not think the green cans could withstand the dog onslaught. He also thought the cans would cause injuries to the townspeople. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION AUTHORIZING COMBINED GARBAGE/TRASH COLLECTION

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby authorizes the Town Manager to implement an experimental twice-weekly curbside trash pick up combined with normal rear-yard garbage pickup on the Colonial Heights and Briarcliff-Colony Woods routes.

This the 26th day of September, 1977.

Alderman Silver asked Mr. Jenne if thought was being given to other suggestions which came up during the public hearing. Mr. Jenne said they were being considered. Alderman Smith said that each time the issue of green cans was discussed, the purpose of the Manager's proposal had been avoided, that is, to reduce the cost of service, to reduce the injuries and to reduce the amount of turnover. In many communities people had to separate their garbage to reduce the workload for garbage-men. If residents were worried about slipping on ice, he suggested the pilot program be tried during the spring. Mayor Wallace asked the Board to consider the ordinance first. Alderman Howes withdrew his motion. ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING SECTION 8-37, COLLECTION PROCEDURES FOR HOUSEHOLD REFUSE AND GARBAGE

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby amends Section 8-37 of the Code of Ordinances, Town of Chapel Hill, by deleting the words "in the rear yard" therefrom.

This the 26th day of September, 1977.

THE MOTION WAS DEFEATED BY A VOTE OF SEVEN TO TWO WITH ALDERMEN MARSHALL AND SMITH SUPPORTING AND ALDERMEN COHEN, EPTING, GARDNER, HOWES, SILVER, VICKERY AND MAYOR WALLACE OPPOSING.

ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF A RESOLUTION AUTHORIZING COMBINED GARBAGE/TRASH COLLECTION. THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Ordinance Amending Chapter 21, "The Traffic Code"

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

AN ORDINANCE AMENDING CHAPTER 21, "THE TRAFFIC CODE"

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

SECTION I

In Section 21-27.1 (C), DELETE

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Street	Side	From	To
S. Roberson St.	Either	Full Length	
and ADD			
S. Roberson St.	West	Franklin St.	Cameron St.
S. Roberson St.	East	150 ft. South of Franklin St.	Cameron St.

SECTION II

In Section 21-35, ADD

(q) The space along the curb on the south side of W. Rosemary Street from a point 272 ft. East of N. Roberson St. to a point 346 ft. East of N. Roberson St. shall be reserved from 8 a.m. to 5 p.m. Monday through Saturday, with no parking allowed except for loading and unloading.

This the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Resolution Relative to Designation of Central Carolina Bank & Trust Company as Depository

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

RESOLUTION RELATIVE TO DESIGNATION OF CENTRAL CAROLINA BANK AND TRUST COMPANY AS DEPOSITORY

At a meeting of the Board of Directors of the Town of Chapel Hill held at its office in the City of Chapel Hill, North Carolina on September 26, 1977, pursuant to due notice, at which a quorum of the Board was present, on motion, duly seconded, the following resolution was unanimously adopted:

RESOLVED THAT CENTRAL CAROLINA BANK AND TRUST COMPANY, Chapel Hill, North Carolina, (Hereinafter called CCB) be and hereby is designated a depository for the funds of this corporation, and CCB is hereby authorized and requested to honor and to charge to this corporation, checks, drafts, and other orders for the payment of money drawn in the name of this corporation against funds of the corporation on deposit with CCB when bearing the signature(s) of any two of the following:

NAME	TITLE
Robert Godding	Transportation Director
William Callahan	Transportation Administrative Asst.
Anthony I. Hooper	Finance Director

FURTHER RESOLVED WHEREAS, this Corporation is desirous of using the night depository of the Central Carolina Bank & Trust Company, and

WHEREAS, the use of such night depository is available only to those depositors who are willing to be bound by the terms of the bank's night depository contract and regulations;

NOW, THEREFORE, BE IT RESOLVED, that the President, Vice-President, Secretary, Treasurer, or _____ is authorized and directed to execute and deliver to the CENTRAL CAROLINA BANK AND TRUST COMPANY a night depository AGREEMENT, AND BE IT

FURTHER RESOLVED, that the President, Vice President, Secretary, Treasurer or _____ is hereby authorized to designate, from time to time, the officers and employees empowered to act as agents of this Corporation under the foregoing agreement and to certify to said Bank the names of the agents so designated, and changes in such designations, and said Bank shall be fully protected in relying at any time upon the then current list of agents so certified and in refusing to honor the actions of a person not at the time on the current list.

RESOLVED FURTHER that the provisions of this resolution shall remain in full force and effect until specifically rescinded or modified by resolution of the Board of Directors of this corporation, and a certified copy of such resolution has been filed with CENTRAL CAROLINA BANK AND TRUST COMPANY.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said corporation, the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Ordinance to Amend the "Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1977"

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN GARDNER, 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, 1977"

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, 1977" as duly adopted June 13, 1977 be and the same is hereby amended as follows:

<u>Revenue - Article II</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
Wastewater Fund	70 100		6 100	64 000
General Revenue Sharing	418 825		15 500	403 325
Housing Loan Trust Fund	12 500		2 700	9 800
Capital Improvements Fund	2 861 915		165 415	2 696 500

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

This the 26th day of September, 1977.

Alderman Silver asked for the rationale behind this change. Mr. Jenne stated that the Local Government Commission, before the sale of bonds, had suggested the town balance each of these accounts. THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Bids

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR UNIFORM RENTAL SERVICE

WHEREAS the Town of Chapel Hill has solicited formal bids on uniform rental service and the following bids have been received:

<u>Bidder</u>	<u>Work Uniforms for 90 men Unit Cost/week</u>	<u>Bid Executive Uniforms for 5 men Unit Cost/week</u>	<u>Total Cost for 95 men per week</u>
Dixie Uniform Rental Raleigh, N.C.	\$5.00	\$6.00	\$480.00
Durham Linen Service Durham, N.C.	\$5.00	\$7.00	\$485.00
Johnson-Forrester, Inc. Durham, N.C.	\$4.90	\$6.75	\$474.75
Salem Uniform Service, Inc. Winston-Salem, N.C.	\$5.20	\$7.00	\$503.00
Sealey Cleaners Greensboro, N.C.	\$5.00	\$5.50	\$477.50
Textilease Corp. Durham, N.C.	\$5.75	\$9.75	\$566.25

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Johnson-Forrester, Inc. for uniform rental service at the unit prices of \$4.90 per week per man for work uniforms and \$6.75 per week per man for executive uniforms, and that it be awarded the contract.

This the 26th day of September, 1977.

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THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR ONE CHASSIS AND CAB EQUIPPED WITH ONE AERIAL TOWER BODY AND 28-FOOT AERIAL TOWER

WHEREAS, the Town of Chapel Hill has solicited formal bids on one chassis and cab equipped with one aerial tower body and 28-foot aerial tower and the following bids have been received:

<u>Bidder</u>	<u>Bid</u>
Baker Equipment Engineering Co. Richmond, Virginia	\$17,797.00
Map Enterprises, Inc. Graham, North Carolina	\$16,254.00
Utilities Service, Inc. Charlotte, North Carolina	\$18,579.00

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Baker Equipment Engineering Company for one chassis and cab equipped with one aerial tower body and 28-foot aerial tower in the amount of \$17,797.00, and that it be awarded the contract.

This the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR I-2 ASPHALTIC CONCRETE, H-B ASPHALT, AND TACK COAT

WHEREAS, the Town of Chapel Hill has solicited formal bids on I-2 asphaltic concrete, H-B asphalt, and tack coat and the following bids have been received:

<u>Bidder</u>	<u>I-2/ton</u>	<u>H-B/ton</u>	<u>Bid Tack coat/gal.</u>	<u>Total cost</u>
C.C. Mangum, Inc. Raleigh, N.C.	\$14.25	\$13.25	\$.50	\$46,900.00
William Muirhead Construction Co. Durham, N.C.	\$12.50	\$11.75	\$.50	\$43,004.00

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of William Muirhead Construction Company at the unit price of \$12.50 per ton for I-2 asphaltic concrete, \$11.75 per ton for H-B asphalt, and 50¢ per gallon for tack coat, and that it be awarded the contract.

This the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR POWER FILES, OPEN-SHELF FILES, AND RELATED SOFTWARE

WHEREAS the Town of Chapel Hill has solicited formal bids on power files, open-shelf files, and related software and the following bids have been received:

BID

<u>Bidder</u>	<u>3 Power Files</u>	<u>Open-Shelf Files</u>	<u>Software Alternate I</u>	<u>Software Alternate II</u>	<u>Installation</u>
Aamot Corporation, Chapel Hill, N.C.	-	\$1050.00 (without doors & locks) 1595.00 (with doors & locks)	-	-	\$250.00 325.00
Acme Visible Records, Raleigh, N.C.	\$12,594.08	3027.72 (with doors & locks)	770.40	879.20	800.00
Patterson Business Systems, Raleigh, N.C.	\$14,773.88	1356.32 (without doors & locks)	-	650.00	installa- tion in cluded in price of files.
Southern Business Systems, Raleigh, N.C.	\$14,324.48	933.90 (with doors & locks)	-	481.25	600.00

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bids of Acme Visible Records for three power files, software Alternate I, and installation in the amount of \$14,064.48, and that the Alternate bid by Aamot Corporation for shelf files with doors and locks and installation in the amount of \$1,920.00 and that these firms be awarded the contract.

This the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Resolution Authorizing the Chapel Hill Public Library Book Sale

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

A RESOLUTION AUTHORIZING THE CHAPEL HILL PUBLIC LIBRARY BOOK SALE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby declares the approximately 5,000 donated and discarded books, held in storage at the Chapel Hill Public Library, to be surplus to the needs of the Town, and authorizes the Library Board of Trustees to sell said books at auction on October 9, 1977; and

BE IT FURTHER RESOLVED that the Board hereby authorizes the Board of Library Trustees to dispose of, at private sale, such books as are not sold at auction; or to transfer unsold books to other governmental units; and to dispose of in any way possible such books as are found to be utterly without monetary value.

This the 26th day of September, 1977.

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THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Ordinance Amending the "Ordinance Establishing a Position Classification and Pay Plan for the Period July 1, 1977, Through June 30, 1978."

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

AN ORDINANCE AMENDING THE "ORDINANCE ESTABLISHING A POSITION CLASSIFICATION AND PAY PLAN, FOR THE PERIOD JULY 1, 1977, THROUGH JUNE 30, 1978"

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the "Ordinance Establishing a Position Classification and Pay Plan For Employees of the Town of Chapel Hill and Bonds of Officials for the Period July 1, 1977 Through June 30, 1978" is hereby amended as follows:

In Section IV C, PUBLIC SAFETY, delete

	<u>No.</u>	<u>Hours</u>	<u>Grade No.</u>
Police Officer I	24	42	12
Public Safety Officer	17	42	12

and add

Police Officer I	21	42	12
Public Safety Officer	20	42	12

SECTION II

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

This the 26th day of September, 1977.

Alderman Smith wanted to wait until the study had been completed on the firemen and PSO's before approving an increase in the number of PSO's. Mr. Jenne stated that if the hours of the firemen were changed, the PSO's could be changed to firemen. Authorizing PSO positions at this time would give the town more flexibility. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH ALDERMEN COHEN, EPTING, GARDNER, HOWES, MARSHALL, SILVER AND VICKERY SUPPORTING AND ALDERMAN SMITH OPPOSING.

Resolution Directing the Sale of a Street Flusher Truck

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

A RESOLUTION DIRECTING SALE OF A STREET FLUSHER TRUCK

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby declares the following item a personal property to be surpluse to the needs of the Town:

One 1968 G.M.C. Chassis and Cab equipped with flusher body

AND BE IT FURTHER RESOLVED that the Board hereby directs the Purchasing Agent to dispose of said street flusher truck under the provisions of General Statuts 160A-274 to UNC at Chapel Hill for the sum of (\$1.00).

This the 26th day of September, 1977.

Alderman Gardner asked if the Recreation Department could use this truck for watering the fields. Mr. Jenne explained that Mr. Hall had been aware that the truck was going to be sold and had not requested its use. The town was buying a new truck to replace this one, and the Recreation Department could request the use of a new truck. The

University had the capability of doing the repair work needed on the old truck and could then clean streets on University property thereby benefiting the town. THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Resolution Authorizing Execution of a Contract for a Transit Development Program Grant

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

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT FOR A TRANSIT DEVELOPMENT PROGRAM GRANT

WHEREAS, the Board of Aldermen of the Town of Chapel Hill has requested the North Carolina Department of Transportation to provide fifty (50) percent of the non-federal cost of the following mass transportation project:

Preparation of a Transit Development Program

at an estimated total cost of \$20,000 of which the non-federal cost amounts to \$4,000;

WHEREAS, the Town of Chapel Hill, North Carolina desires to provide the other fifty (50) percent of the non-federal cost of the above-described mass transportation project;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED that the Manager and Clerk of the Town of Chapel Hill, North Carolina be and they hereby are authorized and empowered to enter into a contract with the Department of Transportation as may be necessary to effectuate the aforesaid expressed purpose, thereby binding the said Town to the fulfillment of its obligations incurred under said contract and this resolution.

This the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Committees and Commissions

The Board of Aldermen was notified that a vacancy on the Historic District Commission was created by the resignation of Renee Gledhill-Earley. The Commission was to send recommendations to fill this vacancy.

The Historic District Commission had recommended Myrick Howard and Christie Lee to fill the vacancy created by the resignation of Frank Verkuil, term ending January 1979. Ms. Lee was appointed by a vote of 6 to 2 with Mayor Wallace not voting.

The Transportation Board had recommended Jean Ann Hemmens and Marcie L. Dean to fill the vacancy created by the resignation of Lee Corum, term ending December 31, 1977. Ms. Dean was appointed by a vote of 6 to 3.

The Planning Board had recommended Marie Mann and Joe Capowski to fill a vacancy for a term ending June 1980.

Ms. Mann was appointed by a vote of 7 to 1 with Mayor Wallace not voting.

The Board of Adjustment had recommended Eve Shy and Polly Warner to fill a vacancy for a term ending June 1980.

Mayor Wallace announced that the public hearing on the Planning area extension request would be held on October 4, at 7:30 p.m. in the Cultural Arts Building at the high school.

Worksession with OWASA members

Alderman Silver stated the Board's relationship with the OWASA members was not clearly spelled out. He wanted to meet with the members to discuss some of his concerns. Alderman Howes asked that this date not be set until the Board had heard from the Planning Board could be set to also discuss questions which had arisen from Laketree.

138 Executive Session

ALDERMAN VICKERY MOVED, SECONDED BY ALDERMAN SILVER, THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS MATTERS OF PERSONNEL AND PENDING LITIGATION INVOLVING THE TOWN. THE MOTION WAS CARRIED UNANIMOUSLY.

After an hour of discussion in Executive Session, the Board reconvened. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

AN ORDINANCE AMENDING THE "ORDINANCE ESTABLISHING A POSITION CLASSIFICATION AND PAY PLAN FOR THE PERIOD JULY 1, 1977, THROUGH JUNE 30, 1978

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby amends the "Ordinance Establishing a Position Classification and Pay Plan for Employees of the Town of Chapel Hill... for the Period July 1, 1977, through June 30, 1978" as follows:

SECTION I

In Section IV, B. "Mayor, Aldermen and Town Manager" DELETE

<u>POSITION</u>	<u>NO.</u>	<u>SALARY</u>
Town Manager	1	\$30,750

SECTION II

In Section IV, B. "Mayor, Aldermen and Town Manager" ADD

Town Manager	1	\$32,500
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SECTION III

This ordinance shall be in effect from and after July 1, 1977.

SECTION IV

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

This the 26th day of September, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 8 TO 0.

Resolution on I-40

Mayor Wallace stated the Board had considered the issue of Chapel Hill's representation in connection with any litigation developing on I-40, proposed to run between Hillsborough and Research Triangle Park. Several alternatives had been proposed. In September 1974 the Board of Aldermen had adopted a resolution opposing a corridor through Orange County. They contended the environmental impact statement was deficient. Alternate 1B had now been selected by DOT. This recent action is being opposed by environmental groups. Already petitions had been delivered to DOT requesting a new public hearing and permission to speak at this hearing which had been denied to some groups at the last one. The County Attorney was consulting with Mr. B. B. Olive.

The Board of Aldermen now needed to give the attorney instruction on how to proceed in any legal action in the matter. Mayor Wallace cautioned that the several possible plaintiffs against the project might be taking dissimilar positions. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN SILVER, ADOPTION OF THE FOLLOWING RESOLUTION.

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that the attorney be and hereby is authorized to join in the preparation filing, and prosecution it legal action seeking to enjoin the I-40 project on the grounds deemed appropriate, and to keep the Board informed of all developments.

THE MOTION WAS CARRIED BY A VOTE OF 7 TO 2 WITH ALDERMAN COHEN, EPTING, HOWES, MARSHALL, SILVER, SMITH, AND MAYOR WALLACE SUPPORTING AND ALDERMEN GARDNER AND VICKERY OPPOSING.

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

James C. Wallace
Mayor James C. Wallace

David B Roberts
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, OCTOBER 10, 1977 7:30 P.M.

Mayor Wallace called the meeting to order. 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.

Resolution of Appreciation

Mayor Wallace read a resolution of appreciation for Blaine Liner for his service to the Town on the Planning Board. ALDERMAN VICKERY MOVED, SECONDED BY ALDERMAN MARSHALL, ADOPTION OF THE RESOLUTION.

R E S O L U T I O N

WHEREAS, Mr. Blaine Liner has served on the Planning Board from July 18, 1975 until his resignation in August 1977, and

WHEREAS, Mr. Liner gave outstanding leadership in his role as Vice-Chairman, and

WHEREAS, Mr. Liner has chosen to serve on the Mayor's Recreation Task Force, and

WHEREAS, as a professional planner and Executive Director of the Southern Growth Policies Board, Mr. Liner brought a regional perspective to the Town's planning and growth management efforts;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and members of the Board of Aldermen of the Town of Chapel Hill, on behalf of all of the citizens, express sincere appreciation to Mr. Liner; and

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

This the 10th day of October, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Paving Chase Avenue, Portions of Markham Drive, Markham Court and Old Oxford Road - Public Hearing

Mr. Jenne stated a public hearing had been scheduled for the September 9 meeting, after a valid petition had been received on each of the streets. At that time, it had been discovered that proper notice of the public hearing had not been given and the public hearing was rescheduled for this meeting. The petitions received had been validated by the attorney's office. Mr. Jenne pointed out that the petition for Markham Drive did not include approximately 450 feet between the existing paving and the intersection of Tadley. Alderman Smith asked why the 450 feet was excluded. Mr. Jenne responded that the petition had excluded it. Rev. S. Edward