

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, NOVEMBER 14, 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

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

Minutes:

On motion by Alderman Smith, seconded by Alderman Marshall, the minutes of October 24, 1977, were approved. On motion by Alderman Epting, seconded by Alderman Smith, the minutes of November 2, 1977, were approved.

Petitions and Requests

Ms. Parker stated the Planning Board wished to petition the Board of Aldermen to continue with the review of the Land Use Plan, and to request that another worksession be held. They had forwarded a copy of the Plan to the School Board and were ready to send it to Carrboro, OWASA and the County Commissioners, but wanted more guidance from the Board first. As the Manager had requested a special meeting as well, the meeting and work-session were set for Monday, November 21, 1977, at 4:30 p.m.

Alderman Cohen requested that nomination and appointment of vacancies listed under 13c through g be delayed for two weeks so that the new Board might appoint the members. There was no objection.

Resolution Granting a Unified Business Special Use Permit for an Addition to the Chapel Hill Professional Village with Stipulations.

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

A RESOLUTION GRANTING A UNIFIED BUSINESS SPECIAL USE PERMIT FOR AN ADDITION TO THE CHAPEL HILL PROFESSIONAL VILLAGE WITH STIPULATIONS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby finds that the addition to the Chapel Hill Professional Village requested by Trigon Associates if developed in accordance with the plans submitted to the Board for approval and the stipulations and conditions set forth below:

1. will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. meets all required conditions and specifications,
3. will not substantially injure the value of adjoining or abutting property, and
4. that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs.

The stipulations upon which the above findings are based are as follows:

1. That the northern side of the property be screened from abutting residentially zoned property by natural screening and a solid evergreen hedge a minimum of six (6) feet high, where necessary to supplement natural screening. Such planting to be shown on the landscape plan.
2. That the detailed architectural design of the buildings be approved by the Appearance Commission prior to issuance of a building permit.
3. That a detailed landscape plan, grading plan, sign plan and lighting plan be approved by the Appearance Commission prior to issuance of a building permit. Hose bibbs shall be provided to water the landscaped islands.
4. That the bulk trash containers be screened and that their location be shown on the landscape plan.
5. That the parking area abutting Conner Drive be screened by a solid evergreen hedge a minimum of three (3) feet high. Such screening to be shown on the landscape plan.

6. That any an all planting which dies during the life of the special use permit shall be replaced with planting of the same species and approximately the same size during the next planting season.
7. That access to Estes Drive be improved, subject to the approval of the Town Manager. That a paved connection between Estes and Conner Drive be completed upon construction of the second of the four buildings. That no access to the residential property to the northwest be permitted after the completion of the connection between Conner Drive and Estes Drive.
8. That the parking requirement be reduced as proposed, due to the fact that this is to be an office park, no traffic problems are anticipated as a result of the reduction and the spaces eliminated are proposed to be put into landscaping.
9. That upon completion of the second building, Conner Drive be paved with curb and gutter to the northwestern limits of the property. Such paving to be to the standards of the Town of Chapel Hill.
10. That the location and installation of fire hydrants be approved by the Town Manager.
11. That all sidewalks be paved.
12. That utility and drainage easements be recorded as required by OWASA and the Town of Chapel Hill prior to issuance of a building permit.
13. That a detailed drainage plan for the site be approved by the Town Manager prior to issuance of a building permit.
14. That water and sewer improvements be made to the standards of OWASA.
15. That all sewer service be by gravity flow and that all utilities be placed underground.
16. That construction begin by November 1, 1980, and be completed by November 1, 1984.
17. That phasing of the development be as follows: Building 1, Building 4, Building 3 and Building 2.

BE IT FURTHER RESOLVED that the Board hereby grants a Unified Business Special Use Permit for the addition to the Chapel Hill Professional Village in accordance with the plans as submitted and approved and the stipulations above.

This the 14th day of November, 1977.

Alderman Smith asked what the width of the buffer was and if the trees which would not be cut had been specified. Mr. Jennings suggested the width of the buffer be the measurement shown on the drawings of the site. Alderman Cardner asked if the parking would be enough when reduced, since there was now a shortage of parking at the Professional Village. Mr. Hakan stated the shortage was due to some tenants using more parking than agreed, and this would be taken care of shortly. The parking would be enough for their tenants. He added that the width of the buffer would be 20 feet. ALDERMAN SMITH MOVED THAT STIPULATIONS FOR A MINIMUM WIDTH OF 20 FEET FOR THE BUFFER, AND FOR TREES TO BE SAVED TO BE SPECIFIED BE ADDED TO THE RESOLUTION. ALDERMEN EPTING AND SILVER ACCEPTED THE AMENDMENT.

THE FOLLOWING RESOLUTION WAS ADOPTED BY UNANIMOUS VOTE OF 7 TO 0.

A RESOLUTION GRANTING A UNIFIED BUSINESS SPECIAL USE PERMIT FOR AN ADDITION TO THE CHAPEL HILL PROFESSIONAL VILLAGE WITH STIPULATIONS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby finds that the addition to the Chapel Hill Professional Village requested by Trigon Associates if developed in accordance with the plans submitted to the Board for approval and the stipulations and conditions set forth below:

1. will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. meets all required conditions and specifications,
3. will not substantially injure the value of adjoining or abutting property, and
4. that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs.

The stipulations upon which the above findings are based are as follows:

1. That the northern side of the property be screened from abutting residentially zoned property by natural screening and a solid evergreen hedge a minimum of six (6) feet high, and a minimum of 20 feet wide where necessary to supplement natural screening. Such planting to be shown on the landscape plan. That trees to be retained be marked before grading.
2. That the detailed architectural design of the buildings be approved by the Appearance Commission prior to issuance of a building permit.
3. That a detailed landscape plan, grading plan, sign plan and lighting plan be approved by the Appearance Commission prior to issuance of a building permit. Hose bibbs shall be provided to water the landscaped islands.
4. That the bulk trash containers be screened and that their location be shown on the landscape plan.
5. That the parking area abutting Conner Drive be screened by a solid evergreen hedge a minimum of three (3) feet high. Such screening to be shown on the landscape plan.
6. That any an all planting which dies during the life of the special use permit shall be replaced with planting of the same species and approximately the same size during the next planting season.
7. That access to Estes Drive be improved, subject to the approval of the Town Manager. That a paved connection between Estes and Conner Drive be completed upon construction of the second of the four buildings. That no access to the residential property to the north-west be permitted after the completion of the connection between Conner Drive and Estes Drive.
8. That the parking requirement be reduced as proposed, due to the fact that this is to be an office park, no traffic problems are anticipated as a result of the reduction and the spaces eliminated are proposed to be put into landscaping.
9. That upon completion of the second building, Conner Drive be paved with curb and gutter to the northwestern limits of the property. Such paving to be to the standards of the Town of Chapel Hill.
10. That the location and installation of fire hydrants be approved by the Town Manager.
11. That all sidewalks be paved.
12. That utility and drainage easements be recorded as required by OWASA and the Town of Chapel Hill prior to issuance of a building permit.
13. That a detailed drainage plan for the site be approved by the Town Manager prior to issuance of a building permit.
14. That water and sewer improvements be made to the standards of OWASA.
15. That all sewer service be by gravity flow and that all utilities be placed underground.
16. That construction begin by November 1, 1980, and be completed by November 1, 1984.
17. That phasing of the development be as follows: Building 1, Building 4, Building 3 and Building 2.

BE IT FURTHER RESOLVED that the Board hereby grants a Unified Business Special Use Permit for the addition to the Chapel Hill Professional Village in accordance with the plans as submitted and approved and the stipulations above.

This the 14th day of November, 1977.

Resolution Discouraging Future Non-Residential Development of Land Zoned R-3 in the University Mall-Kroger Plaza-Eastgate Area.

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

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A RESOLUTION DISCOURAGING FUTURE NON-RESIDENTIAL DEVELOPMENT OF LAND ZONED R-3 IN THE UNIVERSITY MALL-KROGER PLAZA-EASTGATE AREA

WHEREAS the Town of Chapel Hill has attempted to encourage a mix of residential and commercial uses in the University Mall-Kroger Plaza-Eastgate area by zoning the core area bounded by these commercial developments to a R-3 residential district; and

WHEREAS the Town of Chapel Hill feels that the potential for residential development in this core area would not be reduced by the approval of the Special Use Permit requested by Trigon Associates to expand the Chapel Hill Professional Village by virtue of the transition it would provide as proposed between the commercial and residential areas; and

WHEREAS the Town of Chapel Hill is concerned that further non-residential development of land zoned R-3 in this core area would reduce its potential for residential development; therefore,

BE IT RESOLVED that the Town of Chapel Hill hereby would consider further non-residential development of land zoned R-3 in this core area not to be in conformity with the plan of development for Chapel Hill and its environs.

BE IT FURTHER RESOLVED that this resolution be included as a policy statement in the Goals and Objectives, Section G, Objective 2, Police d.

This the 14th day of November, 1977.

Alderman Howes asked Mr. Jenne what the staff position on this resolution was. Mr. Jenne agreed that the purpose of the resolution would be accomplished in the adoption of the Land Use Plan. However, the staff had no problem with this resolution being adopted now, in that it would make clear the Town policy regarding development in this area. Mayor Wallace suggested the use of the word "clarifying" instead of "discouraging". Alderman Marshall agreed that the title of the resolution should be changed to clarifying. Alderman Silver accepted the change. Alderman Howes stated the resolution had no force and did not really do anything. THE MOTION WAS DEFEATED BY A VOTE OF FOUR TO FOUR WITH ALDERMEN EPTING, MARSHALL, SILVER AND SMITH SUPPORTING AND ALDERMEN COHEN, GARDNER AND HOWES AND MAYOR WALLACE OPPOSING.

Resolution Granting a Drive-In Business Special Use Permit for Security Savings and Loan Association with Stipulations

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

A RESOLUTION GRANTING A DRIVE-IN BUSINESS SPECIAL USE PERMIT FOR SECURITY SAVINGS AND LOAN ASSOCIATION WITH STIPULATIONS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby finds that the Security Savings and Loan if developed in accordance with the plans submitted to the Board for approval and the stipulations and conditions set forth below:

1. will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. meets all required conditions and specifications,
3. will not substantially injure the value of adjoining or abutting property, and
4. that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs.

The stipulations upon which the above findings are based are as follows:

1. That the following traffic/safety improvements be made:
 - A. Close the Franklin St. curb cut closest to the Franklin-Estes intersection.
 - B. Reduce the other Franklin Street curb cut to 25 feet in width.
 - C. Reduce the Estes Drive curb cut closest to the Estes-Franklin intersection to 25 feet.

Implementation of the above shall include extension of existing improvements, including curb and gutter, landscaping, and paved sidewalk, in areas where curb cuts are reduced or eliminated.

- D. Restrict the other Estes Drive curb cut to access only.
- E. That a paved sidewalk be constructed to Town standards along the frontage of the property with Estes Drive.

2. Special Terms and Conditions Related to Appearance.

- A. That a landscape plan, lighting plan and sign plan be approved by the Appearance Commission prior to issuance of a building permit. Such plans to include provisions for hose bibbs, and the location of bulk trash containers as approved by the Town Manager, and proposed screening of the containers.
- B. That any and all planting which dies during the life of the special use permit shall be replaced with planting of the same species and approximately the same size during the next planting season.

3. Other Special Terms and Conditions.

- A. That construction begin by November 1, 1978 and be completed by November 1, 1980.

BE IT FURTHER RESOLVED that the Board hereby grants a Drive-In Business Special Use Permit for Security Savings and Loan in accordance with the plans as submitted and approved and the stipulations above.

This the 14th day of November, 1977.

Alderman Smith was concerned that the restriction on traffic direction on Estes Drive curb cuts would slow traffic in rush hour. Mr. Jennings explained that it was done to cut down the number of turning movements. Alderman Cohen wanted a stipulation that the sidewalk would be continued to the corner of Estes and Franklin. Mr. O'Brien stated this was covered under the stipulation requiring sidewalks where curb cuts were closed and the developer intended to have the sidewalks extend to that corner. Alderman Howes agreed with Alderman Cohen that it should be specified. Alderman Smith and Howes agreed to accept an amendment adding a stipulation requiring the sidewalks to extend along the entire frontage of the property on both streets. Alderman Gardner wanted to amend the resolution in compliance with the developer's request, to have the landscape, lighting and sign plans approved by the Appearance Commission before the issuance of a certificate of occupancy instead of the issuance of a building permit. This would allow the developer to start on the renovation right away while still working on the landscape plan. Ms. Marshall suggested March 1, 1978, be stipulated as the date for implementation of the landscape plan so that the landscaping would be done in the next year. Both of these amendments were accepted by the mover and seconder. THE FOLLOWING RESOLUTION WAS ADOPTED BY UNANIMOUS VOTE OF 7 TO 0.

A RESOLUTION GRANTING A DRIVE-IN BUSINESS SPECIAL USE PERMIT FOR SECURITY SAVINGS AND LOAN ASSOCIATION WITH STIPULATIONS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby finds that the Security Savings and Loan if developed in accordance with the plans submitted to the Board for approval and the stipulations and conditions set forth below:

- 1. will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
- 2. meets all required conditions and specifications,
- 3. will not substantially injure the value of adjoining or abutting property, and
- 4. that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs.

The stipulations upon which the above findings are based are as follows:

- 1. That the following traffic/safety improvements be made:
 - A. Close the Franklin St. curb cut closest to the Franklin-Estes intersection.
 - B. Reduce the other Franklin Street curb cut to 25 feet in width.
 - C. Reduce the Estes Drive curb cut closest to the Estes-Franklin intersection to 25 feet.

Implementation of the above shall include extension of existing improvements, including curb and gutter, landscaping, and paved sidewalk, in areas where curb cuts are reduced or eliminated.

- D. Restrict the other Estes Drive curb cut to access only.
- E. That a paved sidewalk be constructed to Town standards along the entire frontage of the property with Estes Drive and Franklin Street, including the area currently not provided with a sidewalk along Franklin Street.

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2. Special Terms and Conditions Related to Appearance.
 - A. That a landscape plan, lighting plan and sign plan be approved by the Appearance Commission prior to issuance of a Certificate of Occupancy and implemented prior to March 1, 1978. Such plans to include provisions for hose bibbs, and the location of bulk trash containers as approved by the Town Manager, and proposed screening of the containers.
 - B. That any and all planting which dies during the life of the special use permit shall be replaced with planting of the same species and approximately the same size during the next planting season.
 3. Other Special Terms and Conditions.
 - A. That construction begin by November 1, 1978 and be completed by November 1, 1980.

BE IT FURTHER RESOLVED that the Board hereby grants a Drive-In Business Special Use Permit for Security Savings and Loan in accordance with the plans as submitted and approved and the stipulations above.

This the 14th day of November, 1977.

Resolution Approving a Modification of the Special Use Permit for Northampton Plaza

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

A RESOLUTION APPROVING A MODIFICATION OF THE SPECIAL USE PERMIT FOR NORTHAMPTON PLAZA.

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Special Use Permit granted to Richard Birgler October 9, 1967 and later amended is hereby modified to include a 5,000 square foot cafeteria and 40-bed infirmary as shown on plans submitted with the application for a modification, subject to the following stipulations:

1. Stipulations relating to Public Safety:
 - A. That automatic sprinklers be installed throughout the existing building and the proposed additions to the building. Such improvements shall comply with applicable requirements of National Fire Protection Association Standard #13. That the automatic sprinkler system be connected with a supervisory panel at Central Communications of the Chapel Hill Police Department.
 - B. That an approved ionization type smoke detection system be installed throughout the building with the exception of building corridors. Such system shall be interconnected with the existing pull box fire alarm system and shall have a supervisory panel at Central Communications of the Chapel Hill Police Department.
 - C. That all corridors over 150 feet in length be divided into sections not to exceed 150 feet in length. Such division of corridors shall be by 20 minute smoke partitions.
 - D. That the addition of the proposed cafeteria/dining area and the infirmary wing shall not preclude the circulation of fire trucks around the building. The construction plans for these additions shall be approved by the Town Manager.
 - E. That improvements be made to the existing building to comply with Section 7-39 of the Code of Ordinances regarding elevator control. Such improvements to apply to all elevators.
 - F. That a positive latching device and self-closer be provided for trash chute openings on each floor. Automatic closers shall be provided on trash chute vestibule room doors on each floor.
 - G. That existing building and proposed building additions comply with Section 7-44 of the Code of Ordinances regarding Evacuation Plans.
 - H. That the existing and proposed building additions comply with Section 7-45 of the Code of Ordinances regarding Voice Communication System.
 - I. That the paved sidewalk through the open space be repaired. Improvements shall be approved by the Town Manager and shall include a railing along one side of the sidewalk.

- J. That a sidewalk having a minimum width of five (5) feet be provided between the front entrance of the building and Airport Road, and along the frontage of the property with Airport Road. Such sidewalks shall include a railing along the side of the sidewalk furthest from the curb.
- K. All design improvements to the bathroom and kitchen areas of the apartments shall be in accordance with the standards set forth in the Handicapped Code.
- L. That if the flow test indicates insufficient water supply for Fire Department use in supplying sprinkler and stand pipe systems that an additional fire hydrant be placed at the east end of the building.

2. Stipulations Relating to Appearance.

- A. That the landscape plan, sign plan, and lighting plan be reviewed and approved by the Appearance Commission prior to issuance of a building permit. Such plan to include screening of mechanical equipment.
- B. That the location and screening of the bulk trash container(s) be shown on the landscape plan. The location of such container(s) shall be approved by the Town Manager.
- C. That any and all planting which dies during the life of the special use permit be replaced with planting of the same species and approximately the same size during the next planting season.
- D. That the detailed architectural plans for the cafeteria/dining facility and the infirmary wing shall be approved by the Community Appearance Commission prior to issuance of a building permit.

3. Other stipulations

- A. That an outdoor recreation area be provided for passive recreational use by the residents. That plan for such recreation area shall be approved by the Town Manager after consultation with the Recreation Commission.
- B. That in separating Northampton Plaza from Northampton Terrace, sufficient land area shall be provided to comply with the density requirements and open space requirements of the Zoning Ordinance.
- C. Since the available parking on the property is expected to be greatly in excess of that needed to serve the residents and their guests, it is suggested that the applicant consider converting some of the parking area to landscaped area. A reduction in the parking requirement can be considered as a variance by the Board of Adjustment.
- D. That construction begin by December 1, 1979 and be completed by December 1, 1982.

BE IT FURTHER RESOLVED that the Board of Aldermen finds that the use as modified in accordance with the plans submitted and approved continues to meet the requirements of the four findings made by the Board of Aldermen on October 9, 1967.

This the 14th day of November, 1977.

Alderman Howes asked if there was a problem with the water flow for the fire hydrant. Chief Lloyd stated he did not think there would be any problem, but had not been able to run the test because of the water crisis. THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 7 TO 0.

Resolution Authorizing the Manager to Apply for a Ridesharing Grant From the Energy Division, North Carolina Department of Commerce

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

A RESOLUTION AUTHORIZING THE MANAGER TO APPLY FOR A RIDESHARING GRANT FROM THE ENERGY DIVISION, NORTH CAROLINA DEPARTMENT OF COMMERCE.

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 non-matching grant applications for up to \$13,000 to the Energy Commission, North Carolina Department of Commerce to develop and implement a ride-sharing program.

This the 14th day of November, 1977.

Alderman Smith requested that the commuters to Research Triangle Park, especially those parking across from Glen Lennox, be included in the system to implement carpooling. Mr. Jenne stated if it was possible they would be.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 7 TO 0.

Ordinance Amending the Traffic Code

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

AN ORDINANCE AMENDING THE TRAFFIC CODE (NO PARKING)

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

SECTION I

In Section 21-27.1(c) 9:00 a.m. to 4:00 p.m., ADD the line:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Greenwood Road	East	Full Length	

SECTION II

In Section 21-27, ADD the line:

Cleland Road	Either	75 feet east of Hamilton Road	75 feet west of Hamilton Road
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Section I shall be effective from and after December 15, 1977.

Section II shall be effective immediately.

SECTION IV

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

This the 14th day of November, 1977.

Alderman Cohen suggested delaying the implementation date for Greenwood Road until the end of the semester so that students might have warning, and a chance to get a parking sticker from the University. Alderman Smith asked what the parking situation was on Greenwood. Chief Stone answered that approximately 20 to 30 cars per day parked along both sides. Alderman Smith thought the ordinance should take effect immediately. Alderman Silver and Gardner accepted the change to December 15.

THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH ALDERMEN COHEN, EPTING, HOWES, GARDNER, MARSHALL AND SILVER SUPPORTING AND ALDERMAN SMITH OPPOSING.

Resolution Regarding Eligibility to Receive Federal Surplus Property

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

A RESOLUTION REGARDING ELIGIBILITY TO RECEIVE FEDERAL SURPLUS PROPERTY

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby authorizes the Town Manager to sign such agreements and assurances as may be necessary to obtain eligibility for the Town to participate in the North Carolina Federal Surplus Property Program.

This the 14th day of November, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 7 TO 0.

Report on Status of Town/Schools Joint Development of Recreation Facilities

Mr. Jenne reported that after the adoption of the concept proposal, the proposal for joint development went to the school board. It was acted on, but at that time concern was expressed by Orange County and Carrboro about possible exclusion of use by organizations or residents of Carrboro and Orange County of the facilities. The school board had accepted the proposal with the understanding that all mutually satisfactory use and maintenance agreements between the Town and school board should not be signed until the County Commissioners and Carrboro Aldermen had been consulted and provided an opportunity to comment. The School administration and Town administration had met to work out the principles of such an agreement. The attorney was drafting documents to embody these principles, and these documents would be the subject of the special meeting to be held on November 21. They would then be passed on to the Town of Carrboro and Orange County and then to the school board to be acted on the week of November 28.

Alderman Smith thought that if Carrboro and Orange County were going to be allowed to use these facilities and comment on their operation, they should put up some of the money. Alderman Marshall suggested that Carrboro and Orange County could contribute to maintenance or make some space available for use. Mr. Jenne stated that the Recreation Commission would have a chance to review the documents at their meeting on November 16.

Resolution Authorizing the Sale of \$2,650,000 in Public Improvement Bonds

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

RESOLUTION AUTHORIZING THE SALE OF \$2,650,000 IN PUBLIC IMPROVEMENT BONDS

WHEREAS, the Local Government Commission of North Carolina has informed the Board of Aldermen that it has sold in the manner prescribed by law the Town's \$2,650,000 Public Improvement Bonds, dated November 1, 1977, and that the contract of sale contemplates that the bonds shall bear interest as hereinafter provided; NOW, THEREFORE,

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

1. The Bonds hereinbefore described shall bear interest as follows:

Bonds payable in each of the years 1979 to 1984, inclusive, 6% per annum;

Bonds payable in each of the years 1985 to 1991, inclusive, 4.90% per annum;

Bonds payable in each of the years 1992 and 1993, 5% per annum;

Bonds payable in each of the years 1994 and 1995, 5.10% per annum;

Bonds payable in each of the years 1996 and 1997, 5.20% per annum; and

Bonds payable in the year 1998, 4% per annum.

2. The Official Statement dated October 11, 1977 setting forth financial and statistical data in connection with the offering of said bonds, which was circulated with the Notice of Sale thereof, is hereby approved. In connection with this approval, the Board of Aldermen has examined copies of the Official Statement and has, to the extent and in the manner it has deemed necessary, discussed the contents thereof with officers of the Town Administration. The Board of Aldermen does hereby recite that, upon its examination and discussions, nothing has come to its attention which would lead it to believe that said Official Statement contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading. The Mayor, Town Manager and Finance Director are hereby authorized and directed to execute the Official Statement.

This the 14th day of November, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 7 TO 0.

Bids

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR PADS AND DUPLICATING PAPERS

WHEREAS the Town of Chapel Hill has solicited formal bids on pads and duplicating papers and the following bids have been received:

<u>Item</u>	<u>Bids</u>			
	<u>Brame Specialty Company</u>	<u>Morrisette Paper Company</u>	<u>Storr Sales Company</u>	<u>Triangle Office Equipment Company, Inc.</u>
<u>Papers</u>				
120 cases white, 8½" x 11"	\$2,148.00	\$1,848.00	\$2,268.00	-
20 cases white, 8½" x 14"	456.00	392.00	430.00	-
25 cases colored, 8½" x 11"	477.50	434.00	552.50	-
48 cases colored, 8½" x 14"	1,128.00	1,058.88	1,382.40	-
<u>Pads - Alternate I</u>				
40 doz. 8½" x 14" yellow legal	128.00	-	-	-
6 doz. 8½" x 11" yellow legal	17.10	-	-	-
6 doz. 8½" x 11" white legal	17.10	-	-	-
20 doz. 8½" x 11" white wide-ruled memo	57.00	-	-	-
6 doz. 8½" x 11" white narrow-ruled memo	-	-	-	-
6 doz. 8½" x 11" white unruled memo	9.06	-	-	-
<u>Pads Alternate II</u>				
40 doz. 8½" x 14" yellow legal	128.00	130.00	116.00	228.00
6 doz. 8½" x 11" yellow legal	17.10	17.50	15.78	30.54
6 doz. 8½" x 11" white legal	17.10	17.40	15.78	30.06
20 doz. 8½" x 11" white wide-ruled memo	45.20	45.00	43.20	152.20
6 doz. 8½" x 11" white narrow-ruled memo	-	13.50	12.96	23.10
6 doz. 8½" x 11" white unruled memo	14.40	25.20	14.58	43.50

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Brame Specialty Company for all duplicating papers and all pads bid in Alternate I in the amount of \$4,437.76 and the bid of Storr Sales Company for six dozen narrow-ruled memo pads in Alternate II in the amount of \$12.96 and that these firms be awarded the contracts.

This the 14th day of November, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 7 TO 0.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR ONE CAB AND CHASSIS WITH REAR-LOADING PACKER BODY

WHEREAS the Town of Chapel Hill has solicited formal bids on one cab and chassis with rear-loading packer body and the following bids have been received:

<u>Bidder</u>	<u>Bid</u>		<u>Total</u>
	<u>Cab & Chassis</u>	<u>Body & Installation</u>	
1. Miller Truck Sales & Service, Durham, North Carolina	*\$20,340.52	-	\$20,340.52
2. Oxford Equipment Company, Inc. Burlington, North Carolina	18,360.45	-	18,360.45
3. Quality Equip. & Supply Co., Inc. Charlotte, North Carolina	** 22,111.00	9,113.00	31,224.00
	** 21,408.49	9,113.00	30,521.49
4. Raleigh Tractor and Truck Co., Raleigh, North Carolina	20,275.18	-	20,275.18
5. Simpson Equipment Company., Wilson, North Carolina	Included	Included	31,315.00
6. Suburban Sanitation Service, Madison, North Carolina	** 19,956.06	10,250.00	30,206.06
	** 20,652.14	10,250.00	30,902.14
7. Waste Industries, Inc., Raleigh, North Carolina	** 21,566.00	10,278.00	31,844.00
	** 22,567.00	10,278.00	32,845.00
8. Worth Keeter, Inc., Charlotte, North Carolina	-	* 9,381.64	9,381.64

* Manager's Recommendation

**These represent alternate bids on the cab & chassis made by three bidders.

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid on cab and chassis of Miller Truck Sales and Service in the amount of \$20,340.52 and that the bid on the packer body and installation by Worth Keeter, Inc. in the amount of \$9,381.64 be accepted and that these firms be awarded the contracts.

This the 14th day of November, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 7 TO 0.

Resolution - Tax Releases

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

RESOLUTION - TAX RELEASES

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

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Margaret Allen	00091	\$ 15.68	Listed a 1974 Ford; owned a 1973. Listed a 1972 Lincoln; owned a 1971.
Ruth Mize Booth	00731	\$ 18.93	Was living in Carrboro on 1-1-77.
Kearney W. Crissman & Mary	09334	\$ 5.04	Clerical error per county.
James R. Ellis	02160	\$ 20.16	Duplicate---same as a/c 1164300 listed to Carolyn E. Peele.
Donald D. Foree	02439	\$ 10.70	This Vance Street is not in town.
Daniel G. Grandstaff	02832	\$ 66.19	Property not in town.
Donald Hayman	03178	\$ 7.00	Listed a 1974 Ford Station Wagon; owned a 1973.

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John D. Kasarda & Mary	03958	\$ 74.14	Personal property to be separated out of Tract 14926 per owner's request.
Roy E. Martin, Jr.	04984	\$ 2.24	1973 Cutless priced in error.
Thomas H. Naylor & Dawn	05478	\$ 8.68	Listed a 1976 Volvo; owned a 1975.
James B. Pate & Pamela	05765	\$ 3.36	Listed a 1970 Volks wagon; owned a 1969.
Jiri Prazma & Tamara	06085	\$ 4.48	Listed a 1969 Rambler; owned a 1964.
Carole Purefoye	06138	\$ 5.88	Listed a 1974 LTD Ford; owned a 1973.
William A. Reppy, Jr.	06274	\$ 5.00	Paid for dog tag over the counter on 7-27-77.
John Parks Rogers & Jane R.	06410	\$ 6.16	Listed a 1976 Chevrolet; owned a 1975.
Robert S. Rosenbacher & Evelyn	06467	\$ 4.76	Listed a 1972 Olds.; owned a 1971.
James M. Shumway	06820	\$ 46.94	Listing error.
William Preston Tolliver & Virginia Mae E.	07107 (1976)	\$109.62	Error in real estate valuation.
Hai-Ping Wu	08212	\$ 14.28	Clerical error in pricing of automobile.
Macke Vendapak Co.	08725	\$ 15.85	A value of \$1,415 belongs to Carrboro.

WHEREAS, the above listed 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 of 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 14th day of November, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 7 TO 0.

Resolution - Tax Refunds

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

RESOLUTION - TAX REFUNDS

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

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Kearney W. Crissman & Mary		\$ 5.04	Listed a 1974 Honda; owned a 1973. Paid total bill before realizing this error.
CHM Aviation, Inc. (1976)		\$160.13	Paid total bill before realizing property was billed in error. Property (an airplane) not within city limits.

WHEREAS, the above listed persons have made application for refund of said taxes;

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

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

This the 14th day of November, 1977.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE OF 7 TO 0.

Committees

John K. Burchard, Robert Joesting, C. Thomas Nuzum and Roscoe E. Reeve had been nominated for a position on the Planning Board for a term ending June 30, 1979. Mr. Reeve received seven votes and was appointed.

The Board was notified of a vacancy on the Firemen's Relief Fund created by the term expiration of Thomas Gardner in January, 1978.

The Board was notified of four vacancies on the Recreation Commission created by the term expirations of Marilyn Boulton, Juanita Floyd, Lee Houser and Chick White in December 1977.

The Board was notified of three vacancies on the Transportation Board, created by the term expirations of Paul Morris, William L. Boone and Marcia L. Dean on December 31, 1977.

The Board was notified of three vacancies on the Public Facilities naming Committee created by the term expirations of Jonathan Howes, Shirley Marshall and R.D. Smith on December 31, 1977.

The Board was notified of four vacancies on the Historic District Commission created by the term expirations of Joseph Herzenberg, Lynne Obrist, Jim Webb and Myrick Howard on December 31, 1977.

The Board was notified of three vacancies on the Appearance Commission created by the term expirations of Sherri Ontjes, Jean Stewart, and Gordan Rutherford, on December 31, 1977.

The Board was notified of one vacancy on the Library Board, created by the resignation of Jamescina DeGraffenreidt, term expiring June 30, 1978.

Future Agenda Items

Alderman Marshall asked for a recommendation from the Manager for a system of having house numbers visible from the street.

Alderman Howes stated several parents had been interested in the closing of streets for snow time. They wanted some streets to be identified in advance as being closed for sledding.

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN EPTING, TO CANCEL THE SECOND MEETING IN DECEMBER. THE MOTION WAS CARRIED BY A VOTE OF FIVE TO THREE WITH ALDERMEN COHEN, EPTING, HOWES AND SMITH AND MAYOR WALLACE SUPPORTING AND ALDERMEN GARDNER, MARSHALL AND SILVER OPPOSING.

Mr. Michael Thomas had written a letter to the Aldermen concerning traffic in Chapel Hill. He asked if the Board was going to discuss this letter. Alderman Smith stated the Streets Committee had not discussed this letter but would do so at its next meeting. Then the Board would act on the Committee's recommendation.

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

James C. Wallace

David B. Roberts