

183
MINUTES OF A SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, NOVEMBER 21, 1977, 7:30 P.M.

Mayor Wallace called the meeting to order. Present were:

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

Also present were Town Manager K. Jenne, and Town Attorney E. Denny.
Alderman Epting was excused.

Mayor Wallace announced that the special meeting had been called to discuss a contract for maintenance, use and improvement of joint Town/School recreational facilities, and to consider a resolution authorizing the Mayor and Clerk to sign such contract. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN MARSHALL, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION AUTHORIZING THE MAYOR AND THE TOWN CLERK TO EXECUTE, ON BEHALF OF THE TOWN OF CHAPEL HILL, A MUTUAL COOPERATION AGREEMENT, A JOINT IMPROVEMENT, MAINTENANCE, AND USE AGREEMENT, AND A LEASE AGREEMENT WITH THE CHAPEL HILL-CARRBORO SCHOOL BOARD

BE IT RESOLVED that the Mayor and the Town Clerk are hereby authorized and directed to execute the Mutual Cooperation Agreement, the Joint Improvement, Maintenance, and Use Agreement, and the Lease Agreement with the Chapel Hill-Carrboro School Board which are hereby approved and attached hereto by reference.

This the 21st day of November, 1977.

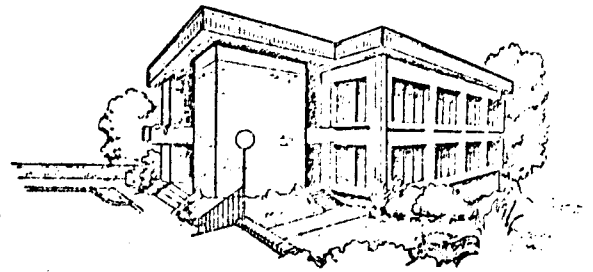
Alderman Vickery stated that the Board had agreed that the bond funds would be held harmless for these projects. The contract called for the projects to be funded by bond funds and he wanted a resolution stating the Board's intent. Mr. Jenne responded that the administration was aware of the Board's intent and the bond funds might be replaced by BOR funds if the grant was approved by the State. Alderman Howes said that the capital improvements program had been amended to include the \$150,000 and the Board's intent had been stated in the minutes at that time. Alderman Vickery thought the contract could indicate the Board had changed its mind, and he would like a resolution stating that the Board would be replacing the money taken from the bond funds. Mr. Denny agreed that if the above resolution was adopted, he would draft the resolution requested by Alderman Vickery for consideration at the November 28 meeting.

Alderman Vickery was concerned that the contract could be interpreted such that minor modifications from the only initially approved schedule could be made. Mr. Denny explained that the intent was that minor modifications could be made by the administration through time.

Alderman Smith asked if a schedule had been worked up for taking each of the fields out of service for maintenance. Mr. Jenne said it had not, that it would be difficult to anticipate the exact schedule for fields. This could be done with a larger number of fields, but they did not yet know which fields would need to be taken first, nor how long each would take. Alderman Marshall stated a commitment from the Board that the recreational program would not be enlarged until the fields could be taken out of service was called for. Alderman Smith also asked if there would be any system for watering the new fields to maintain them. Mr. Jenne answered that watering facilities were being contemplated at Cedar Falls but not at Ephesus or Culbreth. Alderman Smith asked whose responsibility it would be to furnish the water and how much it would cost if another drought required water to be trucked in or a well dug. Mr. Denny said the cost of utilities would include water, but not the cost of drilling a well. Alderman Marshall suggested that whether or not a well should be dug should be part of the budget priority discussions in January. This would be discussed by the new Board. Alderman Smith disagreed in that the old Board would be approving the contract and should be recommending some source of watering. Alderman Marshall said there would be enough water from the

TOWN OF CHAPEL HILL

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NOTICE OF SPECIAL MEETING OF THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL

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

You, and each of you, are hereby notified that the Board of Aldermen have called a Special Meeting, to be held in the Meeting Room, at 4:30 P.M. on November 21, 1977, to consider a resolution on Town/Schools Joint Development of Recreation of facilities, followed by a worksession on the Land Use Plan.

James C. Wallace

MAYOR

ACCEPTANCE OF NOTICE

We, the undersigned, members of the Board of Aldermen of the Town of Chapel Hill, hereby accept notice of a Special Meeting of the Board of Aldermen, called by Honorable James C. Wallace, Mayor, to be held in the Meeting Room, on November 21, 1977, at 4:30 P.M.

James C. Wallace

MAYOR

Jonathan B. Howes

Shirley E. Marshall

Cohen

Marvin Silver

Thomas B. Gardner

R. D. Smith

Robert Epting

Edward Vickery

Hillsborough line to supply Chapel Hill in case of another drought. Alderman Howes agreed that the two administrations could make a recommendation on this subject to the two Boards.

Alderman Gardner stated that all memorandums until tonight had referred to joint development and use of school recreations facilities, but that the memorandum just received referred to joint development and use of Town/School recreational facilities. He did not think the Town would be gaining that much in additional facilities for the cost. Alderman Marshall said this had been discussed at the initial discussions of use of facilities, where use of Cedar Falls fields while the high school field was being reconstructed had been discussed. Alderman Gardner listed several other concerns he had over the contract, most specifically that the contract was for thirty years and would, in his opinion, provide for continuing conflict.

Mr. Scott Herman-Giddens was concerned that the high school fields had not been included in the agreement as recommended by the Recreation Commission. Mr. Jenne stated he had given his reasons for not recommending that in his memorandum to the Board. Alderman Howes stated the agreement could be amended later. THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH ALDERMEN COHEN, HOWES, MARSHALL, SILVER, SMITH AND VICKERY SUPPORTING AND ALDERMAN GARDNER OPPOSING.

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

James C. Wallace

David B. Roberts