

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR
AND BOARD OF ALDERMEN, MUNICIPAL BUILDING, SEPTEMBER 11, 1978
7:30 P.M.

Mayor Wallace called the meeting to order. Present were:

Marilyn Boulton
Gerald Cohen
Robert Epting
Jonathan Howes
Beverly Kawalec
R.D. Smith
Bill Thorpe
Edward Vickery

Also present were Interim Town Manager G. Shipman, Town Attorney E. Denny and Town Clerk D. Roberts.

Public Hearing to Consider Renaming the Henderson Street at Brendle's

Mr. Jennings pointed out the location of the road. With the opening of Brendle's the Streets and Safety Committee was concerned there would be some confusion over the two streets named Henderson. When asked for a suggestion, the staff had proposed the road be renamed Sage Road. They knew of no other road in the corporate limits with that name. There were no comments from the public. The public hearing was adjourned.

Alderman Smith asked if the residents on the road were notified. Mr. Shipman said yes. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION RENAMING HENDERSON STREET ON US 15-501

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby renames that portion of Henderson Street to the north of US 15-501 (Chapel Hill-Durham Boulevard) from Henderson Street to Sage Road.

This the 11th day of September, 1978

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

Minutes

On motion by Alderman Epting, seconded by Alderman Smith, the minutes of July 19, 1978, were approved.

On motion by Alderman Smith, seconded by Alderman Howes, the minutes of July 24, 1978, were approved as amended.

On motion by Alderman Cohen, seconded by Alderman Howes, the minutes of June 26, 1978 were corrected.

Petitions and Requests

Mayor Wallace announced that Ms. Lib Poythress, Secretary to the Mayor and Board of Aldermen had resigned her position.

The owner of the Record Bar requested the closing of Henderson Street on September 16, 1978, from 9:00 p.m. to 1:00 a.m. The Record Bar, Inc. wanted to sponsor a street dance and record sale with proceeds going to the heart fund. The staff objected because this was a football weekend and all available officers would be on duty to control traffic. They also felt the event would cause much littering. Alderman Vickery objected because the event was connected with a commercial venture. Public streets should be

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closed only for public events. Alderman Epting agreed with this, but felt the request not unlike the fraternities' parties. He thought all requests should be treated equally. Mr. DeFravio stated the proposed sale was only minimally connected with the Record Bar. The store was donating 10,000 records to the heart fund and holding the dance and sale at their old location. Alderman Howes asked if the street had to be closed to hold the event. Mr. DeFravio said the sale could proceed, but the band could attract some people. Alderman Vickery stated if this request was granted, the Board could not refuse others. Alderman Boulton questioned the time of the street closing but did not object to the closing as the proceeds were going to charity. Mr. DeFravio indicated he would agree to any stipulations the Board wanted to put on the closing. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DENYING THE REQUEST OF THE RECORD BAR FOR CLOSING HENDERSON STREET ON SEPTEMBER 16, 1978

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby denies the request of the Record Bar to close portions of Henderson Street on September 16, 1978.

This the 11th day of September, 1978.

Alderman Epting did not believe the traffic would be heavy at this time of night. Alderman Cohen thought Henderson Street should be closed altogether. THE MOTION WAS CARRIED BY A VOTE OF SIX TO TWO WITH ALDERMEN EPTING, HOWES, KAWALEC, SMITH, THORPE AND VICKERY SUPPORTING AND ALDERMEN BOULTON AND COHEN OPPOSING.

The University petitioned the Board to close a portion of Country Club Road on September 29, 1978, between 3:00 p.m. and 7:00 p.m. to facilitate the dedication of the Paul Green Theatre. Alderman Cohen emphasized that parking would not be allowed on this street even though it was closed. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION TEMPORARILY CLOSING PORTIONS OF COUNTRY CLUB ROAD

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby directs the closing of Country Club Road between Boundary Street and Raleigh Road to vehicular traffic on September 29, 1978, from 3:00 p.m. to 7:00 p.m., to allow dedication of the Paul Green Theatre.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY A VOTE OF FIVE TO THREE WITH ALDERMEN COHEN, HOWES, KAWALEC, SMITH AND VICKERY SUPPORTING AND ALDERMEN BOULTON, EPTING AND THORPE OPPOSING.

The Recreation Commission requested Franklin and Henderson Streets be closed on October 8, 1978, between 11:00 a.m. and 8:00 p.m. to facilitate the holding of the Fall Street Fair. Alderman Howes suggested the activities be spread out so the crowds would not be so dense. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN EPTING, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION TEMPORARILY CLOSING PORTIONS OF FRANKLIN AND HENDERSON STREETS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby directs the closing of Franklin Street between Columbia Street and Graham Memorial Hall, and Henderson Street between Franklin and Rosemary Streets to vehicular traffic between the hours of 11:00 a.m. and 8:00 p. m. Sunday, October 8, 1978, to allow holding the 1978 Fall Street Fair.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN HOWES, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO PROVIDE FOR NO PARKING ON HENDERSON AND FRANKLIN STREETS

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill.

SECTION I

That on the 8th day of October, 1978 between the hours of 11:00 a.m. and 8:00 p.m., there shall be no parking on either side of Henderson Street between Franklin and Rosemary Street and there shall be no parking on either side of Franklin Street between Columbia Street and Graham Memorial Hall. The Police Department of the Town of Chapel Hill is hereby authorized to cover the parking meters situated on said streets during such hours on said date, and to post signs during said time that said areas are tow zones. The Police Department is further authorized to remove, tow in, and impound automobiles and vehicles of any kind which are parked on said streets during such hours in controvention of this Ordinance. The owner shall be responsible for any pay storage and moving cost of any vehicle removed pursuant to the provisions of this Ordinance, and the Police Department shall use reasonable diligence to notify the owner of the removal and storage of such vehicle.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Mr. and Mrs. Greg Rausch presented a petition, signed by the residents of Springview Trail, requesting the closing of Springview Trail on Saturday, September 23, 1978, between 5:00 p.m. and 10:00 p.m. for a block party. Mr. Shipman explained the petition had been received too late to put on the agenda. He had therefore suggested the residents present their petition to the Board. The Board had granted a similar petition last year. ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION APPROVING CLOSING OF PORTIONS OF SPRINGVIEW TRAIL

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby grants the petition of the residents of Springview Trail to close the portion of Springview Trail between Honeysuckle Drive and Foxwood Road on Saturday, September 23, 1978, between 5:00 p.m. and 10:00 p.m. (with a rain date of Sunday, September 24, 1978, between the same hours), upon the following condition:

The residents will set up barricades at either end of the blocked portion and man them during the hours the street is blocked to allow passage of emergency vehicles.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH ALDERMEN BOULTON, COHEN, EPTING, HOWES, KAWALEC, SMITH AND VICKERY SUPPORTING AND ALDERMAN THORPE OPPOSING.

The Board had requested to investigate the problem of flooding of Cedar Creek, and the possibility of dredging the creek. The matter was referred to the Town Manager and the Engineer.

Consideration of a Request to Extend the Environmental Review Period for the Proposed University Press Building

The Chapel Hill Preservation Society had requested the extension of the review period for more information to be filed. Alderman Smith suggested in view of Mr. Temple's indication he could provide the additional information within twenty days, that the review be extended to September 30. Alderman Epting proposed that the review period be extended until the information was provided to the Town. ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN HOWES THAT THE REVIEW PERIOD BE EXTENDED FOR A PERIOD OF TIME SUFFICIENT TO PROVIDE A RESPONSE. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH ALDERMEN BOULTON, COHEN, EPTING, HOWES, KAWALEC, SMITH AND VICKERY SUPPORTING AND ALDERMAN THORPE OPPOSING.

The Mayor's Task Force and Recreation Commission had investigated the Tenney property and did not feel the site was a high priority for recreational use. Mayor Wallace had hoped the matter could be resolved along the lines of a park. He felt that social benefits would accrue to the surrounding neighborhoods even if there were only marginal recreational benefits.

There was a dispute over the question of access to the subdivision and the Board was now involved in the litigation. However, Mr. Denny believed that access was settled on the part of the town and was an issue between the owner and the plaintiff in the case. The owner wished the Board to consider the subdivision request.

Alderman Howes stated that although on the task force, he did not agree with the report of the task force. He believed the acquisition of any open space to be a high priority. Alderman Epting asked why the Board did not have information on the right-of-way as that was the issue over which the law suit was filed.

Mr. Denny explained that the position of the plaintiffs was that by acting favorably on the subdivision request, the town was finding a right-of-way existed. Mr. Denny disagreed with that position. There are frequently questions on access or ownership in subdivisions or special use requests. The town, has in the past, taken the position that it will not certify the title or examine the title to anyone's property; but except as prima facia evidence the statement that the title holder is the owner or has access. Mr. Denny would not express an opinion as to who had the right-of-way. His opinion was that until such time as it is judicially determined that a right-of-way does not exist, that the town had before it a prima facia showing of right-of-way. Mr. Drake stated there were plats on record showing a 60 foot right-of-way. Mr. Denny did not think it appropriate for the Board to try to judicially determine whether the right-of-way existed. Alderman Epting asked if access was a condition for development under the Subdivision Ordinance. Mr. Denny responded that the developer must have access to the property to commence work. However, the Board if it approved the request, would be saying that the proposal would comply with the subdivision ordinance if and when built as proposed. The Town was not enjoined from considering the request. Mr. Denny added that it was within the discretion of the Board to require further information or clarification prior to final action if the Board so desired.

Alderman Epting asked, if the right-of-way was a condition of the special use permit for Village Green, why the Board could not see those stipulations. Mr. Drake stated the special use permit was unclear. The question was not what had been required, but what had been dedicated.

Alderman Epting argued that the dispute resolved around a previous Board action, the granting of the special use permit and its conditions. The Board should ask the staff to try to clarify the situation.

Alderman Cohen did not object to the use of the land outside the floodway fringe but suggested the town purchase as a scenic easement the land below the floodway fringe. Mr. Tenney could build to a higher density on the upper level property.

Mr. Dailey, the attorney for Village Green Association, disagreed with the opinion of the Town Attorney.

Mr. Reppy, attorney for Mr. Tenney, did not believe a good faith finding by the Board that access existed could slander the title of the Village Green homeowners.

Mr. Alexander represented homeowners on the north and south side of the creek, who objected to the project on land use basis. The maps of the floodway were incorrect. He believed the subdivision ordinance governing this property a bad one.

As the road had to be lowered at the intersection to Village Green condominiums, it was suggested that approval of the subdivision could allow some work to be done. Mr. Post responded that the developers would not be constructing the road unless they could develop the rest of the property.

ALDERMAN KAWALEC MOVED THAT THE MATTER BE REFERRED BACK TO THE STAFF FOR THE PURPOSE OF ALLOWING THE ISSUE OF ACCESS TO TRY TO BE SOLVED AND FOR THE PURPOSE OF GETTING FURTHER RECOMMENDATIONS FROM THE STAFF ON CONDEMNING THE LOWER PORTION OF THE PROPERTY AS A SCENIC EASEMENT. ALDERMAN EPTING SECONDED THE MOTION.

ALDERMAN COHEN MOVED THAT THE PROPERTY BELOW THE FLOODWAY TURNING LINE BE APPRAISED FOR ACQUISITION AS A SCENIC EASEMENT, THAT FURTHER INFORMATION ON THE ACCESS BE GATHERED AND THAT THE MATTER BE PLACED ON THE AGENDA FOR THE NEXT MEETING. ALDERMAN HOWES SECONDED THE MOTION. Alderman Smith did not believe access should be a part of the motion as the attorney did not consider the question of access within the prerogative of the Board. ALDERMAN VICKERY MOVED TO AMEND THE MOTION TO REQUEST THE MANAGER TO OBTAIN ADDITIONAL INFORMATION ON THE ADEQUACY OF THE DESIGN OF THE STORM WATER RETENTION BASIN AND OTHER DOWNSTREAM RUN-OFF QUESTIONS. ALDERMAN HOWES SECONDED THE MOTION TO AMEND.

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN VICKERY, THE PREVIOUS QUESTION. DISCUSSION WAS CLOSED BY UNANIMOUS VOTE. THE MOTION AS SUBSTITUTED WAS CARRIED BY UNANIMOUS VOTE.

Resolution Approving A Special Use Permit for the Chapel Hill Insurance Agency Building

Mr. Jennings reviewed the project which had been considered by the Board at its last two meetings. The staff and Planning Board recommended denial of the request on the basis that the project is not in compliance with the land use plan.

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

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A RESOLUTION DENYING A SPECIAL USE PERMIT FOR THE CHAPEL HILL INSURANCE AGENCY OFFICE BUILDING

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby fails to find that:

the location and character of the Unified Business Development Special Use requested for the Chapel Hill Insurance Agency Office Building would 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; and, therefore,

BE IT FURTHER RESOLVED that the Board hereby denies the Special Use Permit requested for said development.

This the 11th day of September, 1978.

THE MOTION WAS DEFEATED BY A VOTE OF FIVE TO FOUR WITH ALDERMEN HOWES, KAWALEC, SMITH AND VICKERY SUPPORTING AND ALDERMEN BOULTON, COHEN, EPTING, THORPE AND MAYOR WALLACE OPPOSING.

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

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO CHAPEL HILL INSURANCE AGENCY FOR THE CONSTRUCTION OF TWO OFFICE BUILDINGS ON AIRPORT ROAD

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby finds that the construction of two office buildings proposed by Chapel Hill Insurance Agency if developed in accordance with the plans submitted April 5, 1978 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 detailed architectural elevations, and a site plan showing the location of landscaped areas, signage, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.
2. That a detailed landscape/planting plan including detailed sign and lighting plans be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
3. 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 by the end of the next planting season.
4. That the off-street parking area be screened from properties to the north and south by solid evergreen planting a minimum of six (6) feet in height, and screened from the public right-of-way by a solid screen a minimum of three feet in height. Such screening shall be shown on the landscape plan.
5. That as much significant planting as possible be retained and that such planting be shown on the landscape plan. Existing planting shall be protected during construction by appropriate fencing or barriers. Provision for such protection shall be shown on the landscape plan.

WITH REGARD TO SAFETY AND HEALTH

6. That a drainage plan be submitted to and approved by the Town Manager prior to issuance of a grading permit or building permit. Improvements included in the drainage plan shall be completed prior to issuance of a certificate of occupancy.
7. That the off-street parking area be paved.
8. That any abandoned curb cuts be replaced by curb and gutter to Town standards.
9. That a paved sidewalk be constructed along the frontage of the property with Airport Road.

OTHER STIPULATIONS

10. That provision for trash collection be approved by the Town Manager.
11. That both buildings one and two be constructed simultaneously. That a building permit be issued only upon submission of detailed construction plans for both buildings and that a certificate of occupancy be issued only upon completion of construction of both buildings.
12. That construction begin by September 1, 1980 and be completed by September 1, 1982.

BE IT FURTHER RESOLVED that the Board hereby grants a Unified Business Development Special Use Permit in accordance with the plans as submitted and approved and the stipulations above.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY A VOTE OF FIVE TO FOUR WITH ALDERMAN BOULTON, COHEN, EPTING, THORPE AND MAYOR WALLACE SUPPORTING AND ALDERMEN HOWES, KAWALEC, SMITH AND VICKERY OPPOSING.

Tenney Meadows

Mr. Tenney proposed to put condominiums on the higher portion of his property and to give the rest of the property to the Town. He wanted the Board to give tentative approval of a special use permit for the condominiums. Alderman Cohen suggested the Board invite Mr. Tenney to submit an application for a special use permit and schedule a public hearing as soon as possible. The Board indicated in principle a concurrence with the proposal.

ALDERMAN EPPING MOVED, SECONDED BY ALDERMAN BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DIRECTING SANITARY SEWER IMPROVEMENTS SERVING THE SOURWOOD and SMITH/COOLIDGE AREAS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that:

1. The Board of Aldermen of the Town of Chapel Hill directs the Town Manager to undertake sanitary sewer improvement projects as follows:

Area I: Sourwood, serving properties abutting portions of:

- Sourwood Drive
- Sourwood Circle
- Bartram Drive
- Shady Lane
- Ashe Plane
- Spring Dell
- Coker Drive

Area II: Smith/Coolidge, serving properties abutting portions of:

- Coolidge Street
- Dawes Street
- Smith Avenue
- Old Pittsboro Road
- West Lane
- Pittsboro Road
- Woodland Road
- Pine Bluff Trail
- Monroe Street

2. The project shall consist of the installation of eight-inch sewer laterals.

3. It is anticipated that the basis for assessing said project costs shall be the actual costs of the installation of said sewers, and that said costs so computed be assessed against the property owners equally for each lot which can be served with sewer by reason of said sewer improvements; and

4. The amount of said assessment may be paid in full without interest at any time before the expiration of 30 days after the date of the notice of confirmation of said assessment has been published, or may be paid in 10 equal annual installments each bearing interest on the unpaid balance at the rate of 6% per annum from the date of said confirmation.

This the 11th day of September, 1978.

In response to the Skinners' questions, Mr. Denny explained that the acreage charge was based on the size of the lot and the annual charge was based on the number of units. Although the assessment was on a per lot basis, when all charges were considered, the effect was a sliding scale.

The Town could change its policy and assess on a front footage basis or partially on a unit basis. Alderman Howes felt there might be a more equitable way of assessing. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH ALDERMEN BOULTON, EPPING, HOWES, KAWALEC, SMITH, THORPE AND VICKERY SUPPORTING AND ALDERMAN COHEN OPPOSING.

Resolution Authorizing an Agreement with Holmes Day Care, Inc.

After discussions with the Board of Directors of Holmes Day Care and the Recreation Commission, Mr. Shipman presented the lease agreement for space at Hargraves Center to the Board for approval. Holmes would pay \$100 a month for utilities for 5 years. Alderman Boulton suggested the \$100 a month be renegotiated annually as the cost of utilities would go up. Alderman Smith

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did not believe the Town should limit the time Holmes was allowed to use the center. He stated the building was constructed for the purpose of providing day care services. The Town had not paid for the construction. He suggested a 99 year lease be given to Holmes Day Care Center. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN THORPE, TO LEASE 3950 SQ. FT. TO HOLMES FOR ITS USE FOR 99 YEARS. Alderman Kawalec was concerned for all the children in the community. Alderman Smith stated if the Town wanted to expand the center in the future, they could do so. Mr. Shipman indicated the Holmes Day Care Board had agreed to a 5 year lease. Alderman Howes felt the 99 year lease unrealistic. Alderman Vickery suggested the right to renew the contract after 5 years be given to Holmes Day Care Board. Alderman Howes was willing to make the contract larger than 5 years but not to leave discretion for renewing completely to the Holmes Board. Mayor Wallace suggested the discretion for renewal after 5 years be given to Holmes with mutual renegotiation after 10 years.

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN EPTING, THAT THE LANGUAGE OF THE LEASE AGREEMENT BE CHANGED TO ALLOW HOLMES THE DISCRETION OF RENEWING THE AGREEMENT AFTER FIVE YEARS WITH MUTUAL RENEGOTIATION AFTER TEN YEARS, AND TO PROVIDE FOR MAINTENANCE BY HOLMES SO THAT THE TOWN WOULD NOT BE LIABLE. THE MOTION WAS CARRIED BY UNANIMOUS VOTE. It was agreed that the attorney would draft appropriate language and bring the agreement back to the Board at its next meeting.

Resolution Authorizing a Post Office Lease Extension

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

A RESOLUTION AUTHORIZING A POST OFFICE LEASE EXTENSION

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby authorizes the Town Manager to execute a lease extending for one year the rental by the Town of an office in the Franklin Street Post Office, such extension to be on the same terms as the existing lease.

This the 11th day of September, 1978.

Mayor Wallace announced that the Town would be receiving a notice that the Post Office building was for sale by the end of the month. THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Ordinance Amending Article VI of Chapter 11, "Bicycles"

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

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 21, "BICYCLES"

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

VI. BICYCLES

- 21-41. Definitions.
- 21-42. Establishment of Bikeways; Signs.
- 21-43. Shared Facilities.
- 21-44. Bicycles Prohibited on Certain Sidewalks.
- 21-45. Applicability of Traffic Laws.
- 21-46. Obedience to Traffic Control Devices.

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- 21-47. Entering Bikeway or Roadway.
- 21-48. Riding on Roadway Adjacent to Bike Path or Lane.
- 21-49. Direction of Travel.
- 21-50. Right of Way at Intersection.
- 21-51. Walking Bicycles.
- 21-52. Driving Vehicles across Bikeways.
- 21-53. Equipment.
- 21-54. Owner Protection and Identification - Finding and Declaration of Necessity.
- 21-55. Same - Registration of Bicycles Generally.
- 21-56. Same - Registration of Bicycles temporarily operated within the town.
- 21-57. Same - Transfer of Ownership.
- 21-58. Same - Duration of Registration.
- 21-59. Same - Registration Fees.
- 21-60. Same - Failure to Register.
- 21-61. Same - Penalties.

Section 21-41. Definitions

- (1) Bicycle: A nonmotorized vehicle with two or three wheels tandem, a steering handle, one or two saddle seats, and pedals by which the vehicle is propelled. (GS 20-171.1)
- (2) Bikeway: A thoroughfare suitable for bicycles, and which may either exist within the right-of-way of the modes of transportation, such as highways, or along a separate and independent corridor. The term "bikeway" may include "bike lanes", "bike paths" and "bike trails".
- (3) Bike Lanes: That portion of a roadway set aside for the use of bicycles and so designated as provided in Section 21-42.
- (4) Bike Path: A separate pathway for bicycles and pedestrians paralleling a roadway, located within the right-of-way of said roadway and so designated as provided in Section 21-42.
- (5) Bike Trail: A pathway for bicycles and pedestrians located within a public easement or right-of-way other than that of a roadway and so designated as provided in Section 21-42.

Section 21-42. Establishment of Bikeways; Signs

The Town Manager shall place or cause to be placed appropriate signs or other markings indicating the bikeways designated below:

- (a) The following are designated as Bikepaths:
 - E. Franklin Street (northside) - Estes Drive to Hillsboro Street
 - Airport Road (east side) - Hillsborough Street to Estes Drive
 - Airport Road (west side) - Umstead Drive to N. Columbia Street
 - Columbia Street (west side) - Airport Road to Cameron Avenue
 - Columbia Street (east side) - Cameron to Rosemary Street
 - Raleigh Road (north side) - NC 15-501 By-pass to Country Club Rd.

259 (b) The following are designated as Bike Lanes:

Country Club Rd. (east side) - Gingham Rd. to Boundary Street

(c) The following are designated as Bike Lanes from 7:00 A.M. to 10:00 A.M.:

Cameron Avenue (south side) - Pittsboro St. to Graham St.

(d) The following are designated as Bike Lanes from 3:00 P.M. to 6:00 P.M.

Cameron Avenue (north side) - Fetzer Lane to Graham St.

(e) The following are designated as Bike Trails:

Muirhead Trail - from Cleland Road to Ridgefield Road

Glendale Trail - from Weaver Road right-of-way to Valley Park Drive.

Section 21-43. Shared Facilities

While roadways are provided for the safety and convenience of vehicles, sidewalks are provided for the safety and convenience of pedestrians and bikeways are provided for the safety and convenience of bicycles, it is recognized that in many instances such facilities may be shared. On shared facilities, the following regulations shall apply:

- (a) When using bike paths and bike trails, pedestrians shall walk as far to the right as practicable; shall walk no more than two abreast; and shall exercise due care. Bicyclists shall give audible signal before passing a pedestrian on a bike path or bike trail.
- (b) When using sidewalks, bicyclists shall not exceed seven miles per hour, shall yield the right-of-way to pedestrians and shall pass only on the left and only after giving audible warning to pedestrians.
- (c) When using a roadway, bicyclists shall ride as far to the right as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction, and shall not pass standing or slower moving vehicles in their lane on the right except as permitted by G.S. 20-150.1.
- (d) Persons riding bicycles upon a roadway, sidewalk, or bikeway shall ride single file except when passing another bicycle.

Section 21-44. Bicycles Prohibited on Certain Sidewalks

It shall be unlawful for any person to ride a bicycle on the following sidewalks:

- (a) Franklin Street (both sides) - Henderson Street to Columbia Street
- (b) Rosemary Street (both sides) - Henderson Street to Columbia Street

Section 21-45. Applicability of Traffic Laws

Every person riding a bicycle upon a street, bikeway, or sidewalk shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles, this Code or other ordinances of this town applicable to the driver of a vehicle, except as to those provisions of laws and ordinances which by their nature can have no application, and except as otherwise provided in this chapter.

Section 21-46. Obedience to Traffic Control Devices

Any person operating a bicycle shall obey the instructions of official traffic control signs, and other control devices applicable to vehicles and bicycles, unless otherwise directed by a police officer.

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Section 21-47. Entering Bikeway or Roadway

The operator of a bicycle, before entering a bikeway, shall yield the right-of-way to all bicycles and pedestrians approaching on such bikeway, and before entering a roadway shall yield the right-of-way to all vehicles or bicycles approaching on such roadway.

Section 21-48. Riding on Roadway Adjacent to Bike Path or Lane

When a bike path or lane has been designated, no person shall ride a bicycle upon a roadway adjacent to such path or lane, except:

- (a) When he is travelling in the opposite direction to the designated direction of travel of such path or lane;
- (b) When he is travelling southward on Airport Road between Estes Drive and Airport Drive.
- (c) or as otherwise permitted by the provisions of this chapter.

Section 21-49. Direction of Travel

The following bikeways are designated for two-directional traffic:

- Airport Road (east side) - Airport Drive to Estes Drive
- Muirhead Trail
- Glendale Trail

All other bikeways shall carry bicycle traffic only in the direction of the nearest adjacent traffic lane.

Section 21-50. Right of Way at Intersection

Right-of-way at intersections shall be as determined by General Statute wherever applicable. Bicycles using bike lanes and bike paths shall have the right-of-way over vehicles making turning movements from parallel lanes of roadway.

Section 21-51. Walking Bicycles

Bicycles may be walked subject to all provisions of law applicable to pedestrians.

Section 21-52. Driving Vehicles across Bikeways

No person shall drive a motorized vehicle upon or across a bikeway except at street intersections or to enter a driveway. No person shall drive upon or across a bikeway as permitted by this section except after giving the right-of-way to all bicycles within the lane.

Section 21-53. Equipment

Every bicycle shall be equipped with a lighted lamp on the front thereof, visible under normal atmospheric conditions from a distance of at least 300 feet in front of such bicycle, and shall also be equipped with a reflex mirror or lamp on the rear, exhibiting a red light visible under like conditions from a distance of at least 200 feet to the rear of such bicycle, when used at night. (GS 20-129(e))

Section 21-54. Owner protection and identification - Finding and declaration of necessity.

It is hereby found that the number of bicycles owned by the citizens and residents of the Town of Chapel Hill and the operation of bicycles on the public streets have been greatly increasing in recent years; that the number of accidents involving bicycles while being operated on the public streets has been growing; that larceny of bicycles has risen to many hundreds in recent years with consequent monetary losses formerly in excess of twenty-five thousand dollars (\$25,000.00)

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per year, and now more than double, and that the rate of monetary loss is steadily increasing; that many of the accidents have occurred by reason of improperly maintained, equipped, or operated bicycles and that the operators thereof have lacked proper personal identification; that theft of bicycles is being encouraged by reason of a lack of registration and proper identification and their recovery is unlikely; that proper identification of bicycles temporarily the subject of unauthorized use and subsequently recovered as abandoned has not been possible, and proper notification to owners has been impeded by lack of sufficient information; that a comprehensive program of inspection, operator education, registration, and identification of all bicycles owned and operated in the Town of Chapel Hill as a means of owner protection and identification is necessary and that it is in the public interest that such program be instituted as soon as possible, and that the necessity for the provisions hereinafter ordained is hereby declared as a matter of legislative determination to be in the public interest.

Section 21-55. Same - Registration of bicycles generally.

All bicycles located within the town owned by persons living in the Town of Chapel Hill shall be registered with the town and shall at all times bear a valid registration decal issued by the town.

Section 21-56. Same - Registration of bicycles temporarily operated within town.

Any bicycle temporarily operated upon the public streets and sidewalks of the town by persons not living in the Town of Chapel Hill may be registered with the town in accordance with the provisions of this article.

Section 21-57. Same - Transfer of ownership

The transfer of ownership of any bicycle required to be registered shall be reported to the town and registration by the new owner obtained within thirty (30) days after transfer of ownership.

Section 21-58. Same - Duration of registration

In order to assure that there exist at all times a current registration and a legible decal on such bicycle for the purpose of identification, registration shall be valid for period ending December 1 in even-numbered years two (2) years after the effective date of these registration provisions; provided, however, that in the event a registration decal becomes illegible by reason of being damaged, defaced, or otherwise mutilated the owner shall immediately apply for a new decal.

Section 21-59. Same - Registration fees.

In order to partially defray the cost of operation of this program, the cost of the decals, and the maintaining of current comprehensive records of registration, and the identification of said bicycles, the following fees shall be charged:

- (a) For initial registration \$0.50
- (b) For transfer of registration 0.25
- (c) For a replacement decal 0.25

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Any person failing to register a bicycle required to be registered by the provisions of this article shall be advised of the requirement of registration and shall be issued a warning that in the event said bicycle is not registered within seven (7) days and proof of said registration filed with the police department, he shall be subject to the penalties for violation of this article.

Section 21-61. Same - Penalties

Any person violating the provisions of Sections 21-55, 21-57, or 21-58 shall be subject to a fine not to exceed ten dollars (\$10.00)

Section II

With the exception of Sections 21-55 and 21-56, this ordinance shall be effective upon adoption. Sections 21-55 and 21-56 shall be effective from and after December 1, 1978.

Section III

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

This the 11th day of September, 1978.

Alderman Howes suggested that Section 21.57 be deleted. He did not believe an adult should have to be present for registration. He also felt the ordinance would be difficult to enforce. Alderman Cohen said the ordinance was trying to establish a more comprehensive registration program. Alderman Vickery wanted to delete Section 21.60 and 21.61 because the Town was not likely to enforce the ordinance strictly. Mr. Denny explained this was to mitigate the normal penalty for not obeying an ordinance of \$50 or thirty days in jail. He suggested as there was no question up to Section 21.53 this could be adopted, with Sections 21.54 through 61 adopted as a resolution, affording a procedure for registration. Alderman Cohen felt for a serious program of registration, there should be penalties. Alderman Kawalec thought the solution was to make registration easy. After more discussion, the motion was carried by a vote of six to two with Alderman Boulton, Cohen, Epting, Kawalec, Smith and Thorpe supporting and Alderman Howes and Vickery opposing.

Special Parking Permits

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

A RESOLUTION GRANTING SPECIAL PARKING PERMITS (RENEWABLE)

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby finds regarding the below-listed applicants for special parking permits as follows:

- 1) the applicants are domiciled on streets on both sides of which in front of applicants' domiciles parking is prohibited at some time; and
- 2) the applicants have vehicles which they have no practical way of parking off the public right-of-way; or there is no practical way in which two guest vehicles in addition to applicants' own vehicles (if any) may be parked off the public right-of-way; and
- 3) in the opinion of the Town Engineer, it would cost more than \$800 to construct each parking space for applicants' vehicles off the public right-of-way; or in the opinion of the Board, such construction would require the destruction of an area or object of historical or natural significance to the Town as a whole; and

THEREFORE, the Board hereby grants the following special parking permits for the period August 1, 1978 through July 1, 1979 and renewable thereafter for further one-year periods upon a showing of no change in circumstances:

<u>Address</u>	<u>Applicant</u>	<u>#Affixed</u>	<u>#Guest</u>
111 Cameron Court	Robert & Ann DeMaine	2	2
#2 Cobb Terrace	D. Howard Lineberger	1	2
#2 Cobb Terrace	Wallace R. Tew	1	2
#2 Cobb Terrace	Bernard P. Scott	2	0
#2 Cobb Terrace	B. J. ...	1	0

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201 Purefoy Road	William R. Daniels	2	2
201B Purefoy Road	Nancy Oathorn	3	2
302 Henderson Street	Linda Carmichael	1	2
610 North Street	Dr. Kimball King	2	2
102 Pine Lane	Arnold D. Kaluzny	2	2
109 Pine Lane	C. Hugh Holman	1	2
702 Gingham Road	Louis D. Rubin, Jr.	2	2
305 Brookside Drive	Wallace Ambrose	1	2
307 Ransom Street	Anthony C. Lunde	1	2
416 Westwood Drive	Joan Lipsitz	1	2
414 Westwood Drive	Michael Johns	1	2
413 North Street	Gregory Galico	1	2
210 Henderson Street	Richard Neil Kernodle	1	2
210 Henderson Street	Michael A. Armstrong	1	2
210 Henderson Street	Charles N. Cobb, Jr.	1	0
210 Henderson Street	Philip Schaeffer Adkins	2	0
210 Henderson Street	Douglas Stuart Kernodle	1	0
217 Vance Street	R. T. Maddey	1	2
401 North Street	Steven E. Allen & Dan Strait	1	2
105 Pine Lane	Bruce W. Miller	2	2
107 Pine Lane	Gordon B. Cleveland	2	2
500 Dogwood Drive	Kathryn D. Tanner	1	2
500 Dogwood Drive	William Snider	1	2
513 S. Boundary Street	Clifford Pool & Don Hinshaw	1	2
602 East Rosemary Street	Nell Pickard	1	2
110 Cameron Court	John Cromartie	3	2
408 Westwood Drive	Carl M. Smith	0	2
428 Whitehead Circle	Lillian D. Smith	0	2
309 Briar Bridge Valley	Daniel W. Patterson	0	2
315 W. University Drive	Mrs. Caro MacNeill Pugh	0	2
305 Briar Bridge Valley	Marvin Silver	0	2
111 Cameron Court	Mason L. Merrill	0	2
105 Pine Lane	Joe M. Galloway	0	2
400 Westwood Drive	Jessie M. Hogan	0	2
225 Vance Street	Margaret B. Jackson	0	2
227 Vance Street	C. W. Shields	0	2
101 Pine Lane	Mrs. Richmond P. Bond	0	2
338 Tenney Circle	Helen M. Parrish	0	2
414 Westwood Drive	Dorothy Blum	0	2
520 Hooper Lane	Lyman A. Cotton	0	2
202 E. Rosemary St.	Laura J. Sutton	1	2
803 Woodland Avenue	David Loiselle	1	2

This the 11th day of September, 1978

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

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

A RESOLUTION GRANTING SPECIAL PARKING PERMITS (NON-RENEWABLE)

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby finds regarding the below-listed applicants for special parking permits as follows:

- 1) the applicants are domiciled on streets on both sides of which in front of applicants' domiciles parking is prohibited at some time; and
- 2) the applicants have vehicles which they have no practical way of parking off the public right-of-way; or there is no practical way in which two guest vehicles in addition to applicants' own vehicles (if any) may be parked off the public right-of-way; and
- 3) in the opinion of the Town Engineer, it would be possible to construct each parking space for applicants' vehicles for \$800 or less; and

THEREFORE, the Board hereby grants the following special parking permits for the period August 1, 1978 through July 1, 1979; however, such permits shall not be renewed without showing that all the circumstances contemplated in Section 21-27.2(c), Code of Ordinances, Town of Chapel Hill obtain:

Address	Applicant	# Affixed	# Guest
500 W. North Street	Rosena Morrison	1	2
500 E. Main Street	Nadine Scholten	1	2

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405 E. North Street	Carol Davidson	1	2	264
		1	2	SEP 11
208A Vance Street	Susan Fenley	1	2	
205 Vance Street	G. F. Peterson	1	2	
416 Pittsboro Street	Douglas Murray	1	2	
205 Wilson Court	Mrs. T. W. Parker	1	2	
205 Wilson Court	Alice Carol Gaor	1	2	
303-2 Brookside Drive	Phyllis Carter	1	2	

This the 11th day of September, 1978

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

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

A RESOLUTION DENYING SPECIAL PARKING PERMITS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby fails to find regarding the below-listed applicants for special parking permits as follows:

- 1) The applicants are domiciled on streets on both sides of which in front of applicants' domiciles parking is prohibited at some time; or
- 2) the applicants have vehicles which they have no practical way of parking off the public right-of-way; and

THEREFORE, the Board hereby denies special parking permits for the below-listed applicants:

<u>Address</u>	<u>Applicant</u>	<u>#Affixed</u>	<u>#Guest</u>
406 Ransom Street	Cindy Stout	1	
406 Ransom Street	Lisa Hall	1	
406 Ransom Street	Lisa Smith	1	
205 University Drive	Samuel D. Johnson	1	
311 W. University Drive	O. David Garvin	3	
509A Dogwood Drive	H. C. Hurlburt	2	
509 Dogwood Drive	Frances M. Ferguson	1	
204 Cameron Avenue	James D. Blount III	1	
504½ North Street	Ann Holmes Pennywitt	2	
223 Vance Street	Beryl A. Stone	1	
227 Vance Street	S. E. Cook	1	
117 S. Graham Street	Wilbur L. Fearrington	3	
428 Cameron Avenue	Tom Bland	1	
305 W. University Drive	Mrs. A. C. Rogers	1	
206 N. Boundary Street	Lurlene J. Sather		

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

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

A RESOLUTION REVOKING SPECIAL PARKING PERMITS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the following special parking permits are revoked:

<u>Address</u>	<u>Applicant</u>	<u>Affixed</u>	<u>Guest</u>
312 W. University Dr.	Mrs. H. R. Ritchie	0	2
314 W. University Dr.	Indy H. Cannon	2	2
318 W. University Dr.	J. Temple Gobbel	0	2

This the 11th day of September, 1978.

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THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Resolution of Intent to Close Idlewood Lane

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

A RESOLUTION OF INTENT TO CLOSE IDLEWOOD LANE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby declares its intent to permanently close Idlewood Lane at a point 40 feet north of the northern right of way line of Mason Farm Road; and

BE IT FURTHER RESOLVED that the Board hereby calls a public hearing on the question of closing said street at 7:30 p.m. on October 30, 1978, in the Meeting Room of the Chapel Hill Municipal Building, 306 North Columbia Street.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Preliminary Resolution of Intent to Pave Indian Springs Road

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

A PRELIMINARY RESOLUTION OF INTENT TO PAVE INDIAN SPRINGS ROAD

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board intends to undertake the paving of Indian Springs Road with curb and gutter:

1. It is anticipated that the basis for assessing said project costs against the abutting property owners shall be 50% of the total cost on a pro rata front-foot basis; and that the excess above said assessed 50% of the total costs shall be borne by the Town;
2. The amount of said assessment may be paid in full without interest at any time before the expiration of 30 days after the date that the notice of confirmation of said assessment has been published, or may be paid in 10 equal annual installments each bearing interest on the unpaid balance at the rate of 6% per annum from the date of said confirmation;

and

BE IT FURTHER RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that a public hearing is hereby called on this proposed project on the 30th day of October, 1978 in the Meeting Room of the Municipal Building, Chapel Hill, North Carolina at 7:30 o'clock p.m., and

BE IT FURTHER RESOLVED that at least 10 days before date set for said public hearing, that notice of said hearing and the adoption of the preliminary resolution be published in the Chapel Hill Newspaper, and that a copy of said notice be mailed by first class mail at least 10 days prior to said hearing to all property owners whose property may be subject to assessment by reason of this project as shown on the County Tax Records.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Ordinance Amending Section 6-23

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

AN ORDINANCE AMENDING SEC. 6-23 (COST OF GRAVE SPACE)

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby amends Sec. 6-23 of the Code of Ordinances, Town of Chapel Hill, by ADDING a new third sentence between the present second and third sentences to read as follows:

Half-spaces for the interment of cremated remains shall be sold at half the cost of full spaces.

This the 11th day of September, 1978.

Alderman Epting asked why the spaces were to be halved. Mr. Shipman explained there had been requests for less space for cremations, and halbing them would prolong the life of the cemetary and maintain uniformity with the markers. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH ALDERMEN BOULTON, COHEN, HOWES, KAWALEC, SMITH, THORPE, AND VICKERY SUPPORTING AND ALDERMAN EPTING OPPOSING

Resolution Naming a Memorial Terrace

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

A RESOLUTION NAMING A MEMORIAL TERRACE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby names the sunken terrace to be constructed to the east of the Chapel Hill Public Library building as the Elizabeth Dantzler Geer Memorial Terrace, and directs the Town Manager to arrange for a suitable plaque on the site.

This the 11th day of September, 1978.

Alderman Smith suggested the dedication be held with an appropriate ceremony. THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Bids

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

A RESOLUTION REJECTING BIDS ON 110 LINEAR FEET OF ACOUSTICAL SCREEN PANELS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town has received the following bids on 110 linear feet of acoustical screen panels:

<u>Bidder</u>	<u>Bid</u>
Colonial Flooring & Acoustical Co. Durham, North Carolina	\$7,272.00
Partitions, Inc. Raleigh, North Carolina	4,400.00 (invalid bid bond)
Raleigh Office Supply Co. Raleigh, North Carolina	5,261.15
Storr Sales Co. Raleigh, North Carolina	5,455.00
Shields, Inc. Winston-Salem, North Carolina	10,071.00

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AND BE IT FURTHER RESOLVED that the Board hereby rejects all bids as being over the budgeted amount or invalid in form, and directs the Purchasing Agent to rebid the materials.

This the 11th day of September, 1978.

Mayor Wallace stated that some of these panels were to be put in the only open space in the building and he felt they would impinge on the space allotted to the Mayor and Board of Aldermen. He suggested the Board look at the plans for this and consider objecting. THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR TWO WORD PROCESSING AND INFORMATION RETRIEVAL SYSTEMS

WHEREAS the Town of Chapel Hill has solicited formal bids on Two Word Processing and Information Retrieval Systems and the following bids have been received:

<u>Bidder</u>	<u>Bid</u>
International Business Machine Corp. Raleigh, N. C.	\$20,045.00 (one IBM Model 6/452)
Rowe Business Equipment Durham, N. C.	\$19,000 less a \$3,172.50 credit for seven months rental of machine presently in operation or \$15,827.50. (Two Olivetti Model T.E.S. 501s)

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Rowe Business Equipment in the amount of \$15,827.50.

This the 11th day of September, 1978.

Alderman Vickery questioned the desirability of purchasing the equipment rather than leasing it. Mr. Hooper explained that he had looked at the pay-back period, the resale value and the equity the Town would have in the machine. The purchase would be financially sound. THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

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

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

WHEREAS the Town of Chapel Hill has solicited formal bids on One Cab and Chassis Equipped with One Rear Loading Packer Body and the following bids have been received:

<u>Bidder</u>	<u>Bid</u> <u>Cab and Chassis</u>	<u>Packer Body &</u> <u>Installation</u>
Miller Truck Sales & Service, Inc., Durham, North Carolina	\$22,739.64	No Bid
Quality Equipment & Supply Co., Inc., Charlotte, North Carolina	23,284.00	\$11,242.60
Raleigh Tractor & Truck Co., Raleigh, North Carolina	20,155.82	No Bid
Sanco Corp., Winston-Salem, North Carolina	24,620.00	11,097.00
	Alternate 24,620.00	13,438.00
Simpson Equipment Corp., Wilson, North Carolina	No Bid	9,000.00
	(Alternate bid on a complete unit \$33,138.00)	

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Waste Industries, Inc., Raleigh, North Carolina	24,533.00	11,870.00
Worth Keeter, Inc., Charlotte, North Carolina	No Bid	10,135.00

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Worth Keeter, Inc. for a rear loading packer body in the amount of \$10,135.00 and the bid by Raleigh Tractor and Truck Company for a cab and chassis with an above cab exhaust in the amount of \$20,365.80.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR ONE PLAIN PAPER COPIER WITH COIN OPERATION ATTACHMENTS

WHEREAS the Town of Chapel Hill has solicited formal bids on One Plain Paper Copier with Coin Operation Attachment and the following bids have been received.

<u>Bidder</u>	<u>Bid</u>	<u>Make and Model</u>
Alfred Williams and Co., Durham, North Carolina	\$4,525.00	Royal RBCI
Gray and Creech, Inc., Raleigh, North Carolina	3,315.00	A.B. Dick 901
Paul B. Williams, Inc. Durham, North Carolina	3,657.00	Savin 755
Paul B. Williams, Inc. Durham, North Carolina	4,557.00	Savin 770

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Gray and Creech, Inc. in the amount of \$3,315.00.

This the 11th day of September, 1978.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

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

SEP 15

WHEREAS the Town of Chapel Hill has solicited formal bids on Fire, Police and Public Safety Officer Uniforms and the following bids have been received,

Bidder	<u>Police</u>	<u>Fire</u>	<u>Total</u>
American Uniform Sales, Inc. Fayetteville, N.C.	\$10,508.48	\$7,898.70	\$18,407.18
Frank's Uniforms, Inc. Savannah, Ga.	11,918.40	8,404.65	20,323.05
Roberts' Uniforms Winston-Salem, N.C.	10,122.63	7,478.00	17,600.63
Stinnette Uniform Sales, Inc. Raleigh, N. C.	11,853.96	8,896.90	20,750.86
The Hub Uniform Co. Charlotte, N. C.	11,021.00	7,625.00	18,646.00

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Roberts' Uniforms in the amount of \$17,600.63.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Committees

Ellen Ironside, John K. Burchard, Robert Joesting and Stuart Keller had been nominated for two positions on the Board of Adjustment, to expire June 30, 1981. Ms. Ironside, receiving 9 votes, and Mr. Joesting, receiving 7 votes, were appointed.

The Board was notified of a vacancy on the Planning Board created by the resignation of Marie Mann.

The Board was notified of one vacancy on the Orange Water and Sewer Authority created by the resignation of Allen Waters.

Future Agenda Items

Alderman Kawalec suggested the Board and the Personnel Department reevaluate the position of the Secretary to the Board of Alderman.

Alderman Cohen asked that privilege licenses for mixed drinks be considered soon.

Mr. Denny had some appraisals on West Franklin Street property which the Board had requested. He asked if the Board wished to consider these in a special executive session. The Board agreed to meet on September 18 for an executive session.

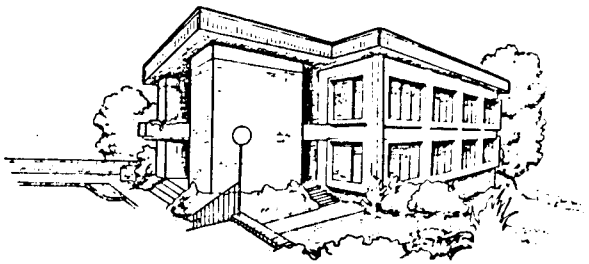
There being no further business to come before the Board, the meeting was adjourned.

Mayor James C. Wallace James C. Wallace

Town Clerk David B. Roberts David B. Roberts

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA ST.
CHAPEL HILL, N.C., 27514
(919) 929-1111



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

TO: Marilyn Boulton
Gerry Cohen *11:30 AM*
Robert Epting
Jonathan Howes
Beverly Kawalec *11:00 AM*
R. D. Smith *2:55 AM*
Bill Thorpe
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 Conference Room - Mun. Bldg., at 7:30 P.M. on September 18, 19 78, to consider various property acquisitions.

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 Conference Room of the Municipal Building.

James C. Wallace
MAYOR

Edward Vickery
Marilyn Boulton
Robert Epting
Bill Thorpe
Jonathan Howes

