

MINUTES OF A MEETING OF THE  
MAYOR AND BOARD OF ALDERMEN  
TOWN OF CHAPEL HILL, MUNICIPAL BUILDING  
THURSDAY, MARCH 8, 1979  
7:30 P.M.

Mayor Wallace called the meeting to order. Present were:

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

Also present were Town Manager E. Shipman and Town Attorney E. Denny. Alderman Howes was excused.

Mayor Wallace stated the special meeting had been called to consider a resolution transmitting a bill to enlarge the extraterritorial zoning and subdivision jurisdiction of the Town of Chapel Hill. ALDERMEN EPTING MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION TRANSMITTING A BILL TO ENLARGE THE EXTRATERRITORIAL ZONING AND SUBDIVISION JURISDICTION OF THE TOWN OF CHAPEL HILL

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby transmits to the North Carolina General Assembly a proposed bill to amend the Charter of the Town of Chapel Hill with respect to enlarging the extraterritorial zoning and subdivision jurisdiction of the Town, for action by the 1979 session of the General Assembly.

This the 8th day of March, 1979.

Alderman Cohen stated the issue had come up in the past and he had voted for it. He had voted against the extension of the planning area to the south. He thought the Board had an obligation to work with the people in the affected areas before trying to overrule the decisions of elected officials. He thought this an unwise decision at this time.

Alderman Epting stated he agreed with the League of Women Voters who had urged the County Commissioners to extend the planning jurisdiction of Chapel Hill. Alderman Smith was concerned over the effect this action would have on a new board when dealing with the County Commissioners. He said the Board had no assurance that the General Assembly would overrule the County Commissioners nor that the legislators would introduce the bill to the General Assembly. He objected to extending the area into Chatham County. He would vote against the motion.

Alderman Kawalec reported on the meeting of the task force with the County Commissioners on joint planning. A comprehensive plan, developed by Chapel Hill, Carrboro, Orange County and their respective planning staffs, should be used for the joint planning of the area under discussion. They did not discuss the joint planning guidelines because of the long discussion on the line. The County Commissioners had suggested a joint meeting between the two boards to discuss the joint planning. Alderman Boulton added that the proposal was a compromise.

Alderman Smith asked if an entity had ever requested the General Assembly to overrule a county in granting extraterritorial jurisdiction. Mr. Denny said there may have been. Locally, in 1969, the General Assembly had informed the Town they would not pass a measure to give the Town jurisdiction over the southern triangle unless the County Commissioners approved or unless the Town agreed to a provision that the jurisdiction would not be exercised without the consent of the County Commissioners.

Alderman Boulton stated if the Town believed the planning area should be extended then they should take this action. Alderman Cohen stated the residents in Chatham had not been informed of the Town's intent to extend the planning jurisdiction in Chatham. The Board had made no effort to gain the confidence of the people in these areas. Alderman Boulton said approximately one-half of the county residents she had spoken with favored the extension of the planning

district. Alderman Epting pointed out there had been public discussions with the County Commissioners and with county residents on the extension of the planning district. Alderman Cohen argued that there had been no discussions with the Chatham County Commissioners. Mayor Wallace said Chatham County was included because this was the area through which one of the proposed corridors of the southern bypass was located. Secondly, amendments could be made to the bill. Because of the deadline for filing such bills the resolution should be passed, and Mayor Wallace anticipated discussions with the Chatham County Commissioners on the proposed bill. Alderman Vickery thought if Chapel Hill took this action, they would get a negative reaction from the Orange County Commissioners when next requesting funds for another purpose. Alderman Kawalec said there was a strong commitment to joint planning by the County Commissioners in the subcommittee, regardless of what else occurred. There was no bad feeling from the County Commissioners. Alderman Thorpe asked why it mattered who gave the Board authority to extend its jurisdiction. Alderman Smith responded that it was a matter of procedure and the consequences involved in the way Chapel Hill was proceeding. Alderman Vickery did not believe the Board had done all it could to convince the County Commissioners and the residents that the jurisdiction should be extended.

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

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

*James C. Wallace*

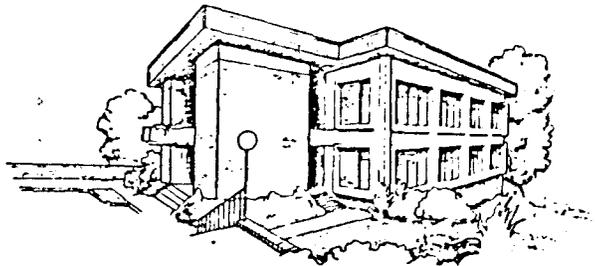
Mayor James C. Wallace

*David B. Roberts*

Town Clerk David B. Roberts

# 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  
Gerald Cohen  
Robert Epting  
Jonathan Howes  
Beverly Kawalec  
R. D. Smith  
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 Meeting Room, at 7:30 P.M. on March 13, 1979, substituting for the regular meeting previously scheduled for March 12, 1979.

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 March 13, 1979, at 7:30 p.m.

James C. Wallace  
MAYOR

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

