

MINUTES OF A SPECIAL MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
TOWN OF CHAPEL HILL, MUNICIPAL BUILDING
TUESDAY, MARCH 13, 1979
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 Town Manager E. Shipman and Town Attorney E. Denny.

Public Hearing to Consider the 1979-80 Community Development Block Grant
Entitlement Program

Mr. Hooper reviewed the process for the application. It would be submitted to HUD by April 15. The staff was recommending focus be on the Pine Knolls and CD areas which would not be covered by the small cities grant. As this is the last year of the CD Program, the staff wanted to put together a program that could be closed out in an efficient way, and HUD clearances could be obtained. The existing level of staffing would be maintained until September 30, at which time they would be transferred to the small cities grant. Other positions would be on a task basis. The program included acquisition of vacant parcels for new homes, rehabilitation grants for substandard and rental property, intake and referral services, renovation of Lincoln gym, materials for neighborhood beautification projects, and public housing projects such as painting and improvements to the grounds of housing projects. The staff had recommended the sheltered workshop for the handicapped not be included. They thought this could better be funded by the county, and they wanted to continue the emphasis on housing in the community.

Alderman Epting understood the reasons for the staff's not recommending inclusion of the sheltered workshop, but he favored the project. Alderman Kawalec asked if land for this workshop had been provided by the Community Church. Mr. West answered that the land provided by the Community Church was for a group home, a separate project. Alderman Boulton asked if weatherproofing and insulation was considered in the program. Mr. Hooper said this would be continued in conjunction with JOCCA, which had a special categorical grant for that.

Alderman Smith stated the access from the Pine Knolls Center to Lincoln Center would go through private property. He asked if the owners of this property had been contacted. Mr. Hooper was not aware of any recent contact with the owners of this property; however, the idea had come from the Pine Knolls Community. Alderman Smith asked if contact had been made with the Garden Clubs or with the Appearance Commission for input for neighborhood projects. Mr. Hooper responded that it was envisioned that the community organization position in the Department of Human Services would work with existing neighborhood groups to identify neighborhood improvement programs or would work to form such groups.

Mr. Al West spoke for the physically handicapped and mentally retarded of Orange County. He worked with the sheltered workshop. They had presented a proposal to the Planning Board in October 1978 to use CD money to acquire land for a sheltered workshop in Chapel Hill. The existing building was delapidated and accommodated 40 people. The group hoped to build a facility which would accommodate 80 to 85 people. There were also, at the age of 14 or above in the Chapel Hill school system, 40 children. They would need training when they left the school system. The group was requesting \$30,000 to \$50,000. They asked that they be given equal consideration with Lincoln gym.

Mr. Gary Julian explained the sheltered workshop program and how it served the community. He reviewed the training program for the handicapped. Mr. Julian pointed out that individuals could not leave an institution unless they had somewhere to go. If the workshop could not accommodate them, they remained institutionalized. Alderman Smith asked what skills were taught. Mr. Julian responded that they were taught the value of work and of earning, but were also taught manual skills such as soldering, milling, working with electronics. Businesses in the community

subcontracted work to the workshop. Also, basic community living skills were taught. There was a set wage of \$.35/hour during the evaluation stage. Then the wage was based on the amount of work done. Alderman Smith asked where the source of funds for the building would come from. Mr. West answered that first they must have the land, then they could apply to the federal government for grants. They also hoped for community support. Mr. Julian added that the operational funds came from the State and would continue.

Dr. Connally stated that Chapel Hill had provided many community facilities, but had not provided facilities for the more severely handicapped. Alderman Cohen stated the county was eligible for community development funding. He asked if the group had asked the county for funding. Dr. Connally said the group had approached the county for some funding, but did not know whether it was community development funding. Alderman Cohen was concerned that several different sources of grant funds might cause administrative problems. Dr. Connally did not think there would be problems as this was a grant of funds for a single purpose, and would be a one-time request. Alderman Vickery stated the county did not respond quickly to requests for funding from Chapel Hill. He believed a local tax surcharge could be used for such a program, and suggested the group also come back at budget time for more funding. Mayor Wallace agreed with Alderman Vickery. Ms. Lucy Baldwin spoke as a parent of a handicapped child. She stated the workshop was needed because many of the individuals had to travel distances to Hillsborough. The workshop would be of more benefit if closer to Chapel Hill.

Mr. Bill Houck stated the center of population for the county was in Chapel Hill. Most of the people who needed the service would be in Chapel Hill.

Alderman Epting said this was a one-time infusion of funds which would provide for a continuity of services. He believed the renovation of Lincoln gym should be funded from the Recreation budget and use the CD funds for the workshop. Ms. Parker stated an idea of using the remainder of the land on Legion Road, purchased for public housing, had been suggested at the community facilitating meeting. Ms. White agreed with Alderman Epting.

Mr. Hinds said that residents from the Pine Knolls community also thought the recreation bonds were to be used to renovate Lincoln gym. Mr. Shipman responded that the Lincoln gym was not a part of the CIP. Mr. Hinds continued that the residents wanted the money used for low and moderate income housing. They also wanted the funds allocated for neighborhood projects spent in the Pine Knolls community. Although they endorsed the sheltered workshop program, the residents asked that funding for the workshop be found elsewhere, as this was the last year for CD funds.

Ms. Gaitha Lassiter asked that funds be used for a senior citizens center in the Northside area.

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN COHEN, THAT THE MATTER BE REFERRED TO THE PLANNING BOARD FOR CONSIDERATION AND RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

Minutes

On motion by Alderman Epting, seconded by Alderman Smith, the minutes of February 12, 1979, were approved. Alderman Cohen moved, seconded by Alderman Kawalec, that consideration of the minutes of February 19, 1979, be deferred until the next meeting. Mr. Shipman stated that the minutes of February 26, 1979, would be distributed as soon as completed.

Petitions and Requests

Mr. Shipman had distributed a petition from Mr. J. P. Goforth for annexation of property off Piney Mountain Road. Alderman Cohen moved, seconded by Alderman Epting, that the petition be received and referred to the Clerk for certification. Alderman Smith asked if it was not the policy of the Board to refuse to annex land which was undeveloped. Mr. Denny answered it was not. The Board had before, upon petition by owner, annexed land in Durham County which had been subdivided, but had not yet been developed. Some residents asked that the acceptance of the petition be deferred until the Board had considered Coker Hills West Subdivision, at which time they would like to speak. Alderman Cohen pointed out that law required the Board to refer a petition for annexation to the Clerk for certification, after which a public hearing would be held for citizens to offer comment. The motion was carried unanimously.

The N.C. Historic Preservation Society, Inc. petitioned the Board to be allowed to include the Town as a co-sponsor of the annual conference of the Historic Preservation Society. Alderman Howes moved, seconded by Alderman Smith, that the

Town be a co-sponsor of the annual conference of the Historic Preservation Society. The motion was carried unanimously.

Mr. Thomas Wallsten presented a petition from the Southern Orange-Northern Chatham Communities relative to the Southern By-pass. They formulated a list of 12 questions and asked that the Board respond to the questions at some future time.

Alderman Epting announced that the annual Mayor's meeting would be in Raleigh on March 22.

The County Commissioners were setting up a Water Resource Planning and Protection Task Force. They asked that the Board appoint an elected official and a technical person to this task force. Alderman Smith suggested Alderman Howes be appointed to attend the organizational meeting and permanent member could be appointed later. Alderman Howes was appointed.

The County Commissioners were also creating an Orange County Human Resources Advisory Commission and asked that the Board appoint a member. Alderman Epting suggested Alderman Kawalec attend these meetings, as she had been attending the meetings of the ad hoc committee which had served the same purpose. Alderman Kawalec said she would give a report on the ad hoc committee at the next meeting.

Alderman Kawalec announced that the invitation to the Board from the Presbyterian Campus Ministry had been changed to March 29, at 4:00 p.m. The Board members would be special guests.

Alderman Howes stated the ad hoc committee which had been meeting with the county commissioners on joint planning stood by its earlier report. They would like to continue with the discussions. The County Commissioners were requesting a work session on joint planning. The meeting was scheduled for March 27, 1979, at 7:30 p.m.

Alderman Kawalec asked the staff and Transportation Board to recommend a solution to the traffic problem existing at the intersection of Ephesus Church Road and the new A & P. Mr. Shipman said he had received a number of citizen complaints about this intersection. On March 23, 1979, representatives of the State DOT and the staff would meet at the intersection to view the problem and Mr. Shipman would make a report to the Board.

Alderman Vickery requested the Board add to its agenda a report from the CATV committee. This was added at the end of the agenda.

Mr. Shipman asked that items 4 and 7 be deferred until a subsequent agenda. Mr. Goforth had submitted an alternative development for Coker Hills West. Deferring the item until March 26 would allow the staff and Planning Board time to review the alternative. Mr. Denny said the developer wanted this alternative considered with the others previously submitted. Mr. Shipman had also received a request from Mr. Hazard, who represented Mr. Holland, that the Holland Office Buildings be taken off the agenda. Alderman Epting moved, seconded by Alderman Smith, that items 4 and 7 be deleted. The motion was carried unanimously.

Mr. Denny requested a time to report to the Board on the status of local legislation. The Board agreed to hear this report now. Mr. Denny had met with the legislative delegation with respect to local bills. The delegation felt that they did not want to become involved in conflicts between governmental agencies, until an opportunity to resolve those conflicts had occurred. They were concerned with the proposed legislation to extend the planning jurisdiction. They would not introduce any portion of that bill for the current session of the legislature. Representative Hunt had also indicated she would vote against the allocation of tax on liquor. The reorganization of the Planning Board and the Board of Adjustment could have several effects. The appointive power of the county commissioners for $\frac{1}{2}$ the membership could be removed by ordinance under this bill. The delegation had not discussed this with the county commissioners and did not feel the matter was urgent. The remainder of the local package, if rewritten and resubmitted, would be processed. This included the annexation, the changing of the mayor's term from four to two years, the change in the designation of the governing body, the requirement that the mayor vote on all issues, the changing of the term of Planning Board members from five to three years, the change to permit affirmative action by the Board of Adjustment by a majority vote in all matters except the granting of a variance or the overruling of the Building Inspector. Alderman Cohen stated the delegation would be willing to introduce a bill to change the Planning Board membership to a specific ratio of town/county members if they received a concurrent resolution requesting such from the county. Alderman Smith moved, seconded by Alderman Epting, that the attorney be authorized to redraft the legislative package. The motion was carried unanimously.

Alderman Thorpe asked that resolution be drafted praising the UNC basketball team for its performance this season and for winning the ACC championship. He also asked for a similar resolution for the high school for winning their regular season championship. Alderman Vickery thought other people should also be honored. Alderman Cohen moved, seconded by Alderman Epting, that Alderman Thorpe be requested to bring in the resolutions he wanted for the Board's consideration. Alderman Vickery also requested permission to bring in resolutions for the people he felt should be honored. The motion was carried unanimously, and the Board agreed that Alderman Vickery's resolutions should be considered at the same time.

Ms. Weaver requested CD funds for the relocation of her husband's business to a larger site. Alderman Thorpe moved, seconded by Alderman Vickery, that the matter be referred to the staff for investigation and a report back to the Board. Alderman Smith said he did not believe this was within the guidelines for federal funds. The motion was carried unanimously.

Ordinance Amending the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas"

Mr. Jennings stated that the items related to zoning, which had been heard at different times before the public, were all being presented at this time. This included zoning text amendments for special use permits for auditoriums, transitional devices including height and setback requirements for University A property abutting residential property, deletion of Unified Housing and Unified Business developments from University A districts; zoning map amendments requested by the Historic District Commission; and zoning map amendments recommended as a result of the Baity property rezoning. The zoning text amendments relating to auditoriums, the transitional devices and deletion of the Unified Housing and Business Developments would provide protection for residential developments near the university. Rezoning of parcels identified as Tax Map 60, Block B, Lot 3, Tax Map 66, Lot 13, Tax Map 88, Block H, Lot 1, Tax Map 86, Block E, Lot 11, Tax Map 87, Block B, Lots 11, 12, 13, and 14, and Tax Map 87, Block D, Lots 9, 10 and part of Lot 11 was not recommended. The staff recommended rezoning of the UNC President's House, the Spencer house and the Hickerson house be considered in the overall revision of the zoning map. Although the staff believed the site for the University Press Building should be low density residential, to change the zoning after plans for a project had been presented would raise many legal questions. There was also an issue of the policy implications should the town rezone property to prohibit a planned development. The rezoning of a parcel on Hillsborough Street was not recommended, as the lot was too small for a fraternity and the owners of the property objected. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN HOWES, ADOPTION OF THE FOLLOWING ORDINANCE. Alderman Kawalec questioned the setback for buildings on university property which abutted residential property which required a greater setback. She believed the university property should have the same setback requirement as the residential property next to it. Alderman Cohen stated the university district setbacks were stricter than the CBD where it abutted residential property. The object was to provide a buffer between commercial property and residential property. Alderman Howes thought this problem should be dealt with on the zoning map by providing a buffer between university property and residential property. Mr. Shipman stated the staff had attempted to treat the university consistently. Mr. Denny explained that if there were too many variants within a zone the town would be creating a number of very small zones and would be subject to spotzoning. The Board could solve this problem in zoning, by failing to rezone 50' from another property. Alderman Kawalec suggested the 12' side setback be changed to 20'. Alderman Cohen pointed out that a new public hearing would be necessary for such a change. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH ALDERMAN BOULTON, COHEN, EPTING, HOWES, KAWALEC, SMITH AND THORPE SUPPORTING AND ALDERMAN VICKERY OPPOSING. Alderman Kawalec suggested the Board have a work session with the Zoning Rewrite Committee or with the consultant. Mr. Shipman said he would submit a series of dates for the work session.

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS"

BE IT ORDAINED that "Ordinances Providing for the Zoning of Chapel Hill and Surrounding Areas" be amended as follows:

Section I

Amend Section 4-C-21-b to read:

- b. Permitted Districts: Unified Business Developments are permitted under Special Use Permits in any district except Industrial, University A, and University B.

Section II

Amend Section 4-C-22-b to read:

- b. Permitted Districts: Unified Housing Developments are permitted under Special Use Permits in any district except Industrial, University A, and University B.

Section III

In Section 4-C, ADD a new subsection 4-C-5 (Auditoriums accommodating 2,000 or more persons) to read:

Regulations for Special Use Permits

SECTION 4-C-5

5. AUDITORIUMS* ACCOMMODATING 2000 OR MORE PERSONS

- a. Approved by: Special Use Permits for Auditoriums shall be approved by the Board of Aldermen.
- b. Permitted Districts: Auditoriums are permitted under Special Use Permit within Central Business, Regional Commercial and University A zoning districts.
- c. Requirements:
1. Parking areas shall be screened from residentially zoned land by solid continuous walls or fences or by solid appearing evergreen hedges; such screen walls or fences shall be constructed not less than six (6) feet high, and hedges shall be six (6) feet high within two years after planting; no such wall, fence or hedge shall be so located as to obstruct the required line of sight. The required line of sight shall be from a point on the centerline of any driveway and fifteen (15) feet from the right-of-way of any abutting street, to each of two points on the street centerline located one hundred fifty (150) feet on each side of the intersection of any driveway centerline and the centerline of any street.
 2. Parking areas shall have a paved surface with parking spaces and traffic lanes clearly marked and properly maintained.
 3. A vehicle free strip, not less than five (5) feet wide, shall be left between the public right-of-way and abutting parking spaces and traffic lanes.
 4. Access driveways shall be of adequate design to provide for the traffic. Such driveways shall be placed at a

sufficient distance from any street or highway intersection to minimize traffic hazards, inconvenience and congestion. Such driveways shall have adequate stack-up space for vehicles entering and leaving parking areas.

5. All access drives to parking areas, loading areas and service areas shall have direct access to a public right-of-way having a minimum paved cross section of 48 feet.

* AUDITORIUM: A place of assembly to watch and/or hear athletic events, musical performances, dramatic or terpsichorean performances, speeches, and/or ceremonies. The term is intended to include such uses as stadiums, coliseums, athletic centers, theaters and arenas.

6. Ingress and egress to any street shall follow the North Carolina Manual on Driveway Entrance Regulations and Chapter 17 of the Chapel Hill Code of Ordinances.
7. On all streets having curb and gutter, a sidewalk, either of concrete or of brick construction, shall be built along the entire frontage of the property abutting public streets. The outside edge of the sidewalk shall lie along the right-of-way line. Such sidewalk shall be graded to a minimum width of eight (8) feet and paved to a minimum width of five (5) feet.
8. Access driveways shall be well defined by approved curbs and planting.
9. Lighting fixtures shall be designed and arranged so that the source of light shall not be visible from public rights-of-way and adjacent properties. Adequate lighting shall be provided for night time use.
10. Provision shall be made for the needs of handicapped persons, such provision to be in accordance with the North Carolina State Building Code Requirements.
11. Parking decks constructed to accommodate the required parking shall be included under this section and shall not require a separate special use permit. Such parking decks shall meet the requirements of Section 4-c-11-e-1, and Sections 4-c-11-e-3 through 12 of this ordinance.
12. The minimum off street parking requirement for uses included under this section shall be one space for every 4 seats. The off-street parking requirement may be reduced by up to 50% provided the Board of Aldermen finds that such a reduction is justified on the basis of the proximity of the use to existing parking areas and public transportation service. Such a reduction in the parking requirement may also be based upon whether the location of the use is within walking distance of major population centers.

- 13. Provision shall be made for the parking, loading and unloading of buses including consideration of exclusive bus lanes.
- 14. The developer shall prepare a list of the owners of all properties within 500 feet of the property for which the Special Use Permit is requested, and provide the Building Inspector with two copies of the list. The developer shall provide the Building Inspector with stamped envelopes, properly addressed to all property owners on the list described above, no later than 8 work days prior to the date of the Public Hearing. Such envelopes shall have the Town of Chapel Planning Department as the return address. The Building Inspector shall mail these copies of the Legal Notice to the property owners no later than one day following this receipt.

d. General Plan:

The following plans are required to be submitted with the initial application for a Special Use Permit. All drawings shall bear the seal of an architect, engineer, landscape architect or land surveyor as appropriate registered to practice in the State of North Carolina.

(1) The developer shall submit a sketch map, at a scale of not less than 100 feet to the inch nor more than 20 feet to the inch, showing the following:

(a) The property for which the Special Permit is requested, with location and approximate size of existing and proposed buildings, easements, rights-of-way, and open space. The proposed use of all easements and rights-of-way shall be shown;

(b) A perimeter line 800 feet from and surrounding the property lines of said property;

(c) Property lines, names of property owners, existing buildings and structures, and existing land uses for all properties within said 800 feet perimeter line;

(d) The area within a 1200 foot radius of said property, showing existing public streets and rights-of-way, and existing zoning districts.

(2) EXISTING SITE CONDITIONS SURVEY at a scale not less than 1 inch to 50 feet showing site boundaries, topography of the site at contour intervals of no greater than 5 feet, trees and natural elements, easements and rights-of-way, above ground and below ground facilities.

(3) PRELIMINARY SITE DEVELOPMENT PLAN at the same scale as in item (2) above showing all proposed and required building construction, grading, proposed finished topography of the site at contour intervals of no greater than 5 feet, paving, location of signs, lighting, and trash disposal facilities.

(4) PRELIMINARY LANDSCAPE PLAN as in item (2) above, showing existing trees and natural elements to be preserved and all proposed and required planting of trees, shrubs, vines, ground cover, and grass.

(5) PRELIMINARY BUILDING ELEVATIONS AND PERSPECTIVES OF A SCALE not less than $\frac{1}{2}$ inch to 1 foot indicating its visual character in sufficient detail to ascertain its relationship to the appearance of the surrounding neighborhood, and showing proposed exterior materials for all building elevations.

NOTE: For existing structures, the requirements for preliminary elevation, detailed elevation, and perspectives may be met by submission of one or more photographs of such structures or by elevations or perspectives from the original plans.

(6) PRELIMINARY SIGN PLAN at a scale of not less than $\frac{1}{2}$ inch to 1 foot showing location, size, construction, materials and color and type face for all proposed signs.

(7) FLOODWAY--the boundaries of both the floodway and the floodway fringe zone, as shown on the series of maps designed "Flood Boundary and Floodway Maps" shall be clearly delineated on the site plan.

(8) CIRCULATION--Proposed points of access and egress together with the proposed pattern of internal circulation.

(9) PARKING AND LOADING--Location and extent of proposed parking areas and location and extent of proposed service and loading areas.

(10) TIMING OF DEVELOPMENT--Proposed schedule of development including stages likely to be followed.

(11) LOCATION SPECIFICATIONS AND TYPICAL CROSS SECTION of paving, curbs, and gutters, sidewalks, and pedestrian and bicycle paths.

(12) PLANS FOR THE SERVICING OF THE SITE by sanitary and storm sewerage gas, electric, tele-communications and cable television. Plans for storm and sanitary sewerage shall include both natural and man-made features and the proposed treatment of ground cover, slopes, banks, and ditches.

(13) Prior to issuance of a Certificate of Occupancy the developer shall submit to the Building Inspector a recordable plat showing all dedicated easements and rights-of-way, and as-built drawings of all underground utilities.

e. Landscaping:

(1) Landscaping shall be completed no later than the first planting season following the date of issuance of the Certificate of Occupancy.

(2) All landscaping required for issuance of Special Use Permits shall be maintained in healthy condition for the duration of the Certificate of Occupancy.

(3) That any and all planting which dies during the life of the Special Use Permit shall be replaced with planting of the same or similar species and approximately the same size during the next planting season.

and RENUMBER present subsections 4-C-5 through 4-C-24 as numbers 4-C-6 through 4-C-25.

Section IV

In Section 3, Notes Accompanying Table of District Regulations, ADD a new subsection to read:

NOTE Q: Transitional Control Devices for "University A" Districts

- 1. Where a lot classified "University A" abuts, or is located within 35 feet of, any residential district, each structure located thereon shall observe the following required yards:
 - a. Front--35 feet
 - b. Side--12 feet
 - c. Rear--25 feet
- 2. Where a lot classified "University A" abuts, or is located within 35 feet of, any residential district, each structure located thereon shall not exceed a height of 35 feet, provided that a structure may exceed that height, if for each additional foot of structure height above 35 feet one additional foot of yard be provided.
- 3. Land classified "University A", located within 100 feet of a residential district shall not be developed to a floor area ratio (the ratio of gross floor area of the structure to the gross land area of the lot within 100 feet of residentially-zoned land) greater than 0.20.

Section V

In Section 3, Notes Accompanying Table of District Regulations, AMEND paragraph 3 of Note G to read:

The maximum building height for structures located within 500 feet of any aircraft landing field shall be thirty-five (35) feet.

Section VI

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

This the 13th day of March, 1979.

Consideration of a Modification of the Special Use Permit for Upsilon Fraternity

Alderman Epting stated that the property in question was north of the DU house. The original special use permit had required a solid fence between the two properties. The existing fence was of shrubbery but not solid. One neighbor, Mr. Sweiker, preferred the shrubbery which he cared for. Alderman Epting suggested money be put in escrow for a solid fence should future neighbors want the solid fence. Alderman EPTING MOVED, SECONDED BY ALDERMAN HOWES, THAT AN ESCROW FUND BE SET UP, SUFFICIENT IN AMOUNT TO CONSTRUCT A SOLID WALL. A condition of this fund would be that when a neighbor to the north requested the wall, the wall be built. Mr. Jennings explained that the fence was a zoning ordinance requirement. The type of fence approved on the landscape plan was a wood slat fence. The fence was an integral part of the reduction of noise to adjoining properties which had been an important issue at the public hearing for the special use permit. There was another property owner involved who objected to granting the modification.

Mr. Knoerr had agreed to let the DU's use his existing fence as a part of their requirement if they would keep the fence in repair. The fence had not been kept in repair. The Knoerrs wanted a fence between the properties. Mr. Sweiker asked if an arrangement could be worked out so that the fence could be constructed in the most offensive areas with the shrubbery along his property line serving as a part of the fence.

Mr. Pugh stated if a new fence was built, the DU's wanted to put it on the property line to prevent future problems of adverse possession. The money to construct a fence the whole length of the property would be a burden to the fraternity. He requested the Board to delay action for 90 days. He could then send Mr. Sweiker the money to have the Knoerrs' fence repaired. Alderman Epting was willing to table the matter for 30 days if the fence could be built in that time. Mr. Knoerr pointed out there were other property owners who were not represented. Alderman Kawalec said the Board had an obligation to uphold the contract the former Board made with the DU's and the neighboring property owners. Alderman Howes suggested the special use permit be amended to define the shrubbery as a part of the fence and have the rest of the fence constructed. ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN BOULTON, THAT THE MATTER BE TABLED FOR 30 DAYS TO ALLOW MR. JENNINGS TO NEGOTIATE THE MATTER WITH THE DU'S AND THE NEIGHBORS. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution of Intent to Consider Annexation of Certain Areas Bordering the Town of Chapel Hill, North Carolina

ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING RESOLUTION. Alderman Cohen stated the Board should consider building a fire station in this area. Alderman Boulton pointed out that the emergency services provided by New Hope were being strained. THE MOTION WAS CARRIED UNANIMOUSLY.

RESOLUTION OF INTENT TO CONSIDER ANNEXATION OF CERTAIN AREAS BORDERING THE TOWN OF CHAPEL HILL, NORTH CAROLINA

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town of Chapel Hill, pursuant to the provisions of Part 3, Article 4A of Chapter 160A of the North Carolina General Statutes, intends to consider annexation of the following areas:

Area 1

Includes North Forest Hills, Brookview, Timberlyne, Cedar Hills, Quail Run, Glen Heights, Pine Knob and property along N.C. 86.

Beginning at the southeastern corner of Chapel Hill Township Tax Map 40A-1 and proceeding thence west approximately 2,475 feet with the southern lot lines of lots 40A-1 through 6, lots 28-7D, 28-7C, 28-6, 28-5, 28-3 to a point in the eastern line of lot 29-1; proceeding thence north with said east line approximately 878 feet to the northeastern corner of lot 29-3; proceeding thence west with the northern lines of lots 29-3, 29-2E, 29-2G and 29-2 extended approximately 3,322 feet to a point 1 foot west of the western right-of-way line of N.C. 86; thence south parallel to said right-of-way line approximately 890 feet to its intersection with the southern line of lot 29-13; proceeding thence west with said southern line approximately 410 feet to the southwest corner of lot 29-13; proceeding thence west with the southern lot lines and extended southern lot lines of lots 29A-A-26 through 17A approximately 1,384 feet to the southwest corner of lot 29A-A-17A; proceeding thence north with the west lines of lots 29A-A-17A through 12 approximately 1,069 feet to the northwest corner of lot 29A-A-13; proceeding thence east with the northern lines of

lots 29A-A-12, 29A-A-11 and 29A-A-10 approximately 300 feet to the southwest corner of lot 24-38; thence proceeding east with the south line of lot 24-38 approximately 755 feet to the southwest corner of lot 24-37; thence proceeding north approximately 365 feet to the northwest corner of said lot; proceeding thence east approximately 290 feet to a point 300 feet west of the right-of-way of N.C. 86; thence proceeding north approximately 372 feet parallel to said right-of-way to the southwest corner of lot 24-40; proceeding thence north with the western line of lot 24-40 approximately 300 feet to the northwest corner of said lot; thence east with the north line of lot 24-40 approximately 299 feet to a point one foot west of the western right-of-way line of N.C. 86; proceeding thence north parallel to said right-of-way line approximately 368 feet to its intersection with the southern line of lot 24-41B; proceeding thence west with the southern line of lot 24-41B approximately 201 feet and north with the western line and western line extended of lot 24-41B approximately 325 feet to a point one foot north of the northern right-of-way of SR 1777 (Homestead Road); proceeding thence east parallel to said right-of-way approximately 227 feet to a point one foot west of the western right-of-way of N.C. 86; proceeding thence north parallel to said right-of-way approximately 2,400 feet to its point of intersection with the extended northern line of lot 24A-A-1; proceeding thence east with the northern line and extended northern line of lots 24-A-A1 through 10 to the northeastern corner of lot 24A-A-10; continuing thence east with the northern lot lines of lots 24A-B-7A and 8 and 24-30 approximately 1,090 feet to the southwest corner of lot 24G-A-7; proceeding thence north with the western lines of lots 24G-A-7 through 24G-B-8 through 1 approximately 117 feet, 229 feet, 508 feet, 150 feet, 217 feet, 71 feet, 115 feet, 92 feet, 92 feet, 92 feet, 91 feet, 323 feet to the southwest corner of lot 24G-B-1 proceeding thence north with the western lines of lots 24G-B1 and 24G-C-1 through 11 and the extended western lines of said lots approximately 1,412 feet to a point 1 foot north of the northern right-of-way of Weaver Dairy Road; proceeding thence east parallel to said right-of-way approximately 391 feet to its intersection with the extended eastern line of lot 24G-D-51; proceeding thence south with said extended line and the eastern lines of lots 24G-D-51 through 46 and 43 approximately 934 feet to the north corner of lot 24G-D-42; proceeding thence south 122 feet with the eastern line of 24G-D-42; thence east with the northern line of 24G-D-41 and 40 approximately 260 feet; thence south with the eastern lines of 24G-D-40 through 38, 28, 15, and 14 approximately 735 feet; proceeding thence east with the northern line of 24G-D-13 approximately 153 feet to the southwest corner of lot 25-29; proceeding thence north with the western line and extended western line of said lot approximately 1,080 feet and 1,113 feet to a point 1 foot north of the northern right-of-way line of Weaver Dairy Road (SR 1733); proceeding thence north with the western line of lot 17-16D approximately 578 feet, 129 feet, 911 feet to the northwest corner of said lot; proceeding thence east with the northern lines of lots 17-16D and 16 approximately 2,200 feet to the northwest corner of lot 17-16B; proceeding thence south with the west line of lot 17-16B approximately 145 and 312 feet to the southwest corner of said lot; proceeding thence east with the southern line and extended southern line of lot 17-16B approximately 231 feet to a point 1 foot east of the eastern right-of-way line of SR 1732; proceeding thence south parallel with said right-of-way approximately 2,000 feet to a point 1 foot south of the southern right-of-way of Weaver Dairy Road (SR 1733); proceeding thence west with the southern right-of-way of SR 1733 approximately 1,000 feet at its intersection with the eastern line of lot 25-4; proceeding thence south approximately 1,252 feet with the eastern lines of lots 25-4 and 4B; proceeding thence west with the southern line of lot 25-4 approximately 500 feet to the southwest corner of said lot; proceeding thence south with the western line of lot 25A-C-1 across the right-of-way of Saddle Ridge and with the western line of lot 25A-B-4 approximately 371 feet; proceeding thence east with the southern line of lot 25A-B-4 70 feet; proceeding thence south with the western line of 25A-B-2 and 1 approximately 298 feet to a point in the northern line of lot 25-35; proceeding thence south with the extended eastern line and the eastern line of lots 25-36 and 28-38 and 39 approximately 1,616 feet to the northeast corner of lot 28B-A-16; proceeding thence west and south with the north and west lines of lots 28B-A-16 through 1 approximately 45 feet, 115 feet, 122 feet, 64 feet, 181 feet, 155 feet, 102 feet, 223 feet, 255 feet, 205 feet, 116 feet, 70 feet, 77 feet, 82 feet, 140 feet, 268 feet and 197 feet to the southwest corner of lot 28B-A-1; proceeding thence west with the northern line of lot 28C-A-6 approximately 182 feet; proceeding thence south with the western line of lot 28C-A-6 362 feet; proceeding thence east with the southern lines of lot 28C-A-6 189 feet and 144 feet to the southeast corner of said lot; proceeding thence south approximately 311 feet with the west line and extended western line of lots 28C-A-2 and 1 across the right-of-way of Eastwood Road to a point 1 foot south of the southern right-of-way of said road; proceeding thence parallel to said right-of-way line to the intersection of the extended southern line of lot 28C-B-15; proceeding thence northeast approximately 920 feet with the extended southern line and southern line of lots 28C-B-15 and lots 28C-B-12 through 8 to the southeast corner of lot 28C-B-8; proceeding thence northwest with the northeast lines of lots 28C-B-8 through 6 approximately 315 feet to the southwest corner of lot 28B-C-3; proceeding thence

east with the southern lines of lots 28B-C-3, 4, 6, 7, 10, across the right-of-way of Meares Road and with the southern lines of lots 28B-B-3 through 5 approximately 1,232 feet to the northeast corner of lot 28-16; proceeding thence south with the eastern line of lot 28-16 approximately 563 feet and with the eastern line of lots 28-16, 28-10G, 10F, 10A, 10 and 40A-25 across the right-of-way of Arlington Street and with the eastern line of 40A-1 approximately 1,950 feet to the point of beginning.

Area 2

Includes unincorporated area to east of N.C. 86 between Estes Drive and lots fronting on the south side of Taylor Street

Beginning at a point one foot north of the northern right-of-way line of Estes Drive Extension and one foot west of the western right-of-way line of N.C. 86 and proceeding thence east parallel to the northern right-of-way line of Estes Drive Extension and Estes Drive approximately 2,200 feet to its intersection with the eastern property line of Chapel Hill Township Tax Map 29, Lot 3; proceeding thence north with said lot line approximately 3,593 feet to the northeast corner of lot 29-3; proceeding thence west with the northern lines of lot 29-3, 29-2E, 29-2G, and 29-2 extended approximately 3,322 feet to a point one foot west of the western right-of-way line of N.C. 86; proceeding thence south parallel to said right-of-way line approximately 3,579 feet to the point of beginning.

Area 3

Includes Municipal Operations Facility and Horace Williams Airport

An area encompassing all of the two overlapping areas described as follows:

- a) Beginning at a point one foot north of the northern right-of-way of Estes Drive Extension and one foot west of the right-of-way of N.C. 86, and proceeding thence north parallel to the right-of-way of N.C. 86 approximately 1,355 feet to its intersection with the northern line of Chapel Hill Township Tax Map 29, Lot 1A; proceeding thence west with the irregular north, west, and south lines of said lot approximately 639 feet; 1,556 feet; 1,160 feet, 2,318 feet; 764 feet; 2,771 feet, 998 feet; 1,092 feet; and 1,531 feet to a point one foot north of the northern right-of-way line of Eastes Drive Extension; and proceeding thence east parallel to said right-of-way approximately 3,925 fet to the point of beginning.
- b) Beginning at an iron pipe in the western right-of-way of N.C. Highway No. 86 and the northern edge of a graded access road; thence with the western right-of-way of N.C. Highway No. 86 South $05^{\circ} 11' 10''$ Est 1,240.00 feet to an iron pipe; thence South $84^{\circ} 48' 50''$ West 1,120.00 feet to an iron pipe; thence North $05^{\circ} 11' 09''$ West 490.00 feet to an iron pipe; thence North $43^{\circ} 09' 23''$ East 565.81 feet to an iron pipe; thence North $28^{\circ} 50' 37''$ West 110.00 feet to an iron pipe in the northern edge of the aforementioned graded access road; thence with the northern edge of the graded access road the following bearings and distances to the point and place of Beginning: North $61^{\circ} 09' 23''$ East 60.00 feet; North $58^{\circ} 50' 12''$ East 100.00 feet; North $48^{\circ} 53' 29''$ East 97.20 feet; North $44^{\circ} 31' 09''$ East 154.46 feet; North $58^{\circ} 57' 28''$ East 50.15 feet; North $68^{\circ} 35' 22''$ East 47.21 feet; North $78^{\circ} 38' 39''$ East 46.81 feet; North $79^{\circ} 23' 27''$ East 54.23 feet; North $82^{\circ} 21' 41''$ East 56.43 feet; North $86^{\circ} 59' 39''$ East 46.53 feet; North $86^{\circ} 34' 54''$ East 82.12 feet.

Area 4

Includes Chapel Hill High School and Seawell Elementary School

Located in Chapel Hill Township, Orange County, North Carolina, beginning at an old iron stake, a control corner, located at a southeastern corner of property now or formerly belonging to John Duncan, at a point S. $3^{\circ} 19' 37''$ E. 655.99 feet from a point in the southern line of property now or formerly belonging to Henry Burch, said beginning corner having North Carolina co-ordinates Y-799, 685.29 and X-1, 976, 223.70; running thence from said begining point N. $3^{\circ} 19' 37''$ W. 655.99 feet to a point in the southern line of Henry Burch property; thence south $89^{\circ} 09' 24''$ E. along the southern lines of property now or formerly belonging to Henry Burch and Vernon Burch 1,334.18 feet; thence N. $0^{\circ} 21' 36''$ E. 1,045.15 feet to a point 1 foot north of the northern right of way line of said Homestead Road; thence S. $88^{\circ} 30'$ E. 100.02 feet to a point; thence S. $0^{\circ} 21' 36''$ W. 61 feet to a concrete marker or monument located approximately 200 feet west of the northeastern corner of the Vernon Burch property; running thence from said point, S. $0^{\circ} 21' 36''$ W. 983 feet more or less to a control corner, witnessed by a concrete monument; thence S. $0^{\circ} 21' 36''$ W. along the

western lines of property now or formerly belonging to Mrs. Lacy D. Burch and Mrs. John W. Link 1,509.64 feet; thence S. $4^{\circ}22'39''$ W. 1,827.12 feet to a concrete monument located at a common corner of the property herein described and the property belonging to the University of North Carolina; running thence S. $89^{\circ}20'$ W. 1,329.90 feet with the property of the University of North Carolina to a concrete monument having North Carolina co-ordinates Y-796,972.23 and X-1,976,140.89; thence N. $19^{\circ}09'24''$ W. 1,100 feet to a stake; thence N. $0^{\circ}50'36''$ E. 825 feet to a stake along the line of T.E. Hogan Estate Property; thence N. $0^{\circ}50'36''$ E. along the T.E. Hogan Estate eastern line 747.55 feet; thence S. $89^{\circ}47'$ W. 541.79 feet to a point 1 foot north of the northern right of way line of Homestead Road; running thence along the northern right of way line of said road, N. $16^{\circ}49'$ E. 104.59 feet; running thence from said point N. $89^{\circ}47'$ E. 513 feet to a control corner, witnessed by a concrete monument; thence S. $89^{\circ}09'24''$ E. 419.10 feet to the beginning, containing 130.33 acres, more or less, being the same property described in the deeds conveying this land to the Chapel Hill City Board of Education, the predecessor of petition: Book 198, Page 759; Book 200, Page 438; Book 200, Page 957; Book 202, Page 280; Book 208, Page 15, Orange County Registry.

BE IT FURTHER RESOLVED that a public hearing on the question of annexing the above described areas will be held in the Meeting Room of the Municipal Building, 306 North Columbia Street, at 7:30 p.m., on April 23, 1979, at which time plans for extending services to said areas will be explained and all persons desiring to speak on the matter will be given an opportunity to be heard; and

BE IT FURTHER RESOLVED that a report of plans for extending services to the above-described areas will be on file in the office of the Town Clerk for public inspection at least fourteen (14) days prior to the date of said hearing; and

BE IT FURTHER RESOLVED that notice of said public hearing shall be given by publication as required by statute.

This the 13th day of March, 1979.

Resolution Adopting the Community Facilities Report, Part I of the Comprehensive Plan

ALDERMAN BOULTON MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION OF THE FOLLOWING RESOLUTION. Alderman Boulton asked if the animal shelter would be operated by the County. Mr. Shipman responded that animal control was the responsibility of the County by statute. The county was negotiating with the Animal Protection Society to operate the shelter. THE MOTION WAS CARRIED UNANIMOUSLY.

A RESOLUTION ADOPTING THE COMMUNITY FACILITIES REPORT, PART I OF THE COMPREHENSIVE PLAN

WHEREAS the duties of the Planning Board include:

". . . to prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical development of the area . . . to establish principles and policies for guiding action in the development of the area . . ."; and

WHEREAS the Planning Board, in carrying out these duties, in conjunction with the Recreation Commission, has prepared the Community Facilities Report, Part I of the Comprehensive Plan; and

WHEREAS the Planning Board and the Recreation Commission feel that adoption of this Report by the Board of Aldermen is essential not only for continued progress on the Comprehensive Plan but also for consideration of development requests which are made of the Town;

THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby adopts the Community Facilities Report, Part I of the Comprehensive Plan.

This the 13th day of March, 1979.

Resolution in Support of Legislation for State Aid to Municipal Public Libraries

ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN HOWES, ADOPTION OF THE FOLLOWING RESOLUTION. THE MOTION WAS CARRIED UNANIMOUSLY.

A RESOLUTION IN SUPPORT OF LEGISLATION FOR STATE AID TO MUNICIPAL PUBLIC LIBRARIES

WHEREAS the General Assembly is currently considering legislation which would serve "to improve, stimulate, increase and equalize public library service to the people of the whole state"; and

WHEREAS said revised legislation would serve to aid legally established municipal libraries which heretofore have been ineligible for state funds; and

WHEREAS the revised funding formula would be in the general interest of the citizens of North Carolina and the specific interest of the citizens of the Town of Chapel Hill;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby urges the Senate Appropriations Committee and the House Public Libraries Committee to report favorably on Senate Bill 7 and House Bill 78, "An Act to Amend North Carolina G.S. 125-7(c) to Allow Municipal and Regional Libraries to Share in Library Equalization Funds"; and

BE IT FURTHER RESOLVED that the Town Clerk send copies of this resolution to the chairman of the Senate Appropriations Committee, the House Public Libraries Committee, and to the State Senators and Representatives from this district.

This the 13th day of March, 1979.

Resolution Setting Pass Prices

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION. Mr. Evans stated that the Transportation Board had not wanted to go too far in increasing the pass prices. Since there was a 20% increase in the fare box, they did not want to increase the pass price by more than 20%. In addition, the university was not proposing to increase parking permit prices.

Ms. Weir said the student government agreed with the Transportation Board. The University also supported the Transportation Board. Alderman Cohen stated that since the pass price was below the cost of service, each additional bus would add to the deficit. He believed the pass price should reflect the marginal cost of service. Alderman Boulton suggested change boxes be put in the buses. Alderman Cohen said this would cause a slowdown in service besides the problem of theft from the boxes. Alderman Smith thought the \$54 price recommended by the staff a cheap price for unlimited rides. Alderman Howes favored the Transportation Board recommendation but asked Mr. Godding for the reasons behind the staff recommendation. Mr. Godding explained that when the original bus pass price was set, it was set arbitrarily. In suggesting the \$54 price, they had tried to base the price on the expected use with a discount from the full fare. The Transportation Board recommendation had been based on the existing pass price. ALDERMAN HOWES MOVED, AS A SUBSTITUTE MOTION, ADOPTION OF THE FOLLOWING RESOLUTION. THE MOTION WAS SECONDED BY ALDERMAN EPTING. THE MOTION TO SUBSTITUTE WAS CARRIED BY A VOTE OF FIVE TO THREE WITH ALDERMEN BOULTON, COHEN, EPTING, HOWES, AND VICKERY SUPPORTING AND ALDERMEN KAWALEC, SMITH AND THORPE OPPOSING. THE MOTION TO ADOPT WAS CARRIED BY A VOTE OF FIVE TO THREE WITH ALDERMEN BOULTON, COHEN, EPTING, HOWES AND VICKERY SUPPORTING AND ALDERMEN KAWALEC, SMITH AND THORPE OPPOSING.

A RESOLUTION SETTING PASS PRICES

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby sets the following fares and prices for passes for patrons of the Chapel Hill Transit System:

SECTION I

<u>Type of Pass</u>	<u>Price</u>
Annual, 12-month pass	\$54.00
Academic year, 9-month pass	\$50.50
Six month pass	\$40.50
Three month pass	\$23.50
40-ride ticket	\$ 9.50
Adult fare, one trip	\$.30

SECTION II

Prices for Youth, Senior Citizen, Campus Shuttle Only, Shared-Ride Taxi Only, and Handicapped passes shall be half of the price of comparable Adult passes or fares.

SECTION III

These prices shall be effective from and after July 1, 1979.

This the 13th day of March, 1979.

A RESOLUTION SETTING PASS PRICES

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby sets the following fares and prices for passes for patrons of the Chapel Hill Transit System:

SECTION I

<u>Type of Pass</u>	<u>Price</u>
Annual, 12-month pass	\$48.00
Academic year, 9-month pass	\$40.00
Six month pass	\$30.00
Three month pass	\$23.00
40-ride ticket	\$ 9.50
Adult fare, one trip	\$.30

SECTION II

Prices for Youth, Senior Citizen, Campus Shuttle Only, Shared-Ride Taxi Only, and Handicapped passes shall be half of the price of comparable Adult passes or fares.

SECTION III

These prices shall be effective from and after July 1, 1979.

This the 13th day of March, 1979.

Ordinance Amending Chapter 21 to Authorize the Erection of Stop Signs and the Designation of Through Streets (McMaster, Valley Park Drive and Cleland Road)

ALDERMAN KAWALEC MOVED, SECONDED BY ALDERMAN HOWES, ADOPTION OF THE FOLLOWING ORDINANCE. Alderman Smith objected to McMaster as the through street as most of the traffic was on McMaster Street. With one or two houses on McMaster Street, he thought it would be safer to have this as the stop street. Mr. Shipman stated the recommendation was based on the traffic engineer's advice. Alderman Smith moved to amend the ordinance to make McMaster the through street. The mover and seconder accepted the amendment. THE MOTION WAS CARRIED UNANIMOUSLY.

AN ORDINANCE AMENDING CHAPTER 21 TO AUTHORIZE THE ERECTION OF STOP SIGNS AND THE DESIGNATION OF THROUGH STREETS

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

ADD:

SECTION 21-13

	<u>Through Streets</u>	<u>Stop Streets</u>
A.	Church Street	McMasters Street
B.	Valley Park Drive	Valley Park Drive (South Fork)
C.	Cleland Road	Rogerson Drive

This the 13th day of March, 1979.

Parking Permits

ALDERMAN EPTING MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING RESOLUTION. THE MOTION WAS CARRIED UNANIMOUSLY.

A RESOLUTION GRANTING SPECIAL PARKING PERMIT (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

<u>Address</u>	<u>Applicant</u>	<u># Affixed</u>	<u># Guests</u>
109 Stephens Street	David L. Conover	2	2
201 Purefoy Road	Kerry McNally	2	2
202 E. Rosemary St. Apartment 1	Ann Dwyer and Linda Campbell	2	2
202 E. Rosemary St. Apartment 2	Lewis Hershey	1	2
2 Cobb Terrace	Harry Grant	1	0

This the 13th day of March, 1979.

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN EPTING, ADOPTION OF THE FOLLOWING RESOLUTION. THE MOTION WAS CARRIED UNANIMOUSLY.

A RESOLUTION GRANTING SPECIAL PARKING PERMIT (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 March 1, 1979 through March 1, 1980; 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:

<u>Address</u>	<u>Applicant</u>	<u># Affixed</u>	<u># Guests</u>
216 Vance Street	Hilda Medlin	1	2

This the 13th day of March, 1979.

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN EPTING, ADOPTION OF THE FOLLOWING RESOLUTION. THE MOTION WAS CARRIED UNANIMOUSLY.

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 that the applicants have vehicles which they have no practical way of parking off the public right-of-way:

<u>Address</u>	<u>Applicant</u>	<u># Affixed</u>
800 Woodland Avenue	Earl C. Howell Jr.	1
406 Patterson Place	Jane Walbrun & Ellen Dees	2

This the 13th day of March, 1979.

Motion to Set the Assessment Lien Sale Date

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN SMITH THAT THE DATE FOR THE ASSESSMENT LIEN SALE BE SET FOR JUNE 11, 1979. THE MOTION WAS CARRIED UNANIMOUSLY.

Report and Possible Action Regarding a Proposed Agreement Between the Town and the Orange Water and Sewer Authority

Mr. Denny had distributed a proposed agreement between the town and the Orange Water and Sewer Authority. Carrboro was receiving a copy of a similar agreement. The agreement addressed the problem of information sharing and communication between the parties related to proposed water and sewer line extensions. Mr. Shipman recommended that the Board authorize the Mayor and Clerk to execute the agreement. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN VICKERY, THAT THE MAYOR AND CLERK BE AUTHORIZED TO EXECUTE THE AGREEMENT WITH OWASA. Alderman Smith asked why, if OWASA could refuse to allow subdivisions in the town, the town did not have the same authority to approve or disapprove extensions proposed by OWASA in the town. Alderman Vickery pointed out that Chapel Hill had a majority of members of the OWASA board, and the Board could remove members if they objected to their actions. Mr. Denny explained that no subdivision could go in the planning jurisdiction without the approval of the Board of Aldermen. The agreement recognized that OWASA was the provider for water and sewer for the town. The agreement reserved the right to OWASA to say what would be connected to its system. Alderman Cohen stated OWASA would need the town's approval to assessment for extensions. 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.

Resolution Accepting Bids and Awarding of Contract for Energy Saving Mechanical and Electrical Modifications to the Chapel Hill Municipal Building

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN EPTING, ADOPTION OF THE FOLLOWING RESOLUTION. THE MOTION WAS CARRIED UNANIMOUSLY.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR ENERGY SAVING MECHANICAL AND ELECTRICAL MODIFICATIONS TO THE CHAPEL HILL MUNICIPAL BUILDING

WHEREAS the Town of Chapel Hill has solicited formal bids on Energy Saving Mechanical and Electrical Modifications to the Chapel Hill Municipal Building and the following bids have been received:

<u>Bidder</u>	<u>Bid</u>	
Bolton Corp., Raleigh, N.C.	1. Lump Sum	\$19,800
	2. Separate Entities:	
	a. Energy Saving Modifications	\$14,276
	b. Comfort Modification	\$ 5,900

Carolina Air Conditioning Co., Inc.,
Durham, N.C.

1. Lump Sum	\$25,140
2. Separate Entities:	
a. Energy Saving Modifications	\$17,820
b. Comfort Modifications	\$ 8,000

Lee Air Conditioners, Inc.,
Durham, N.C.

1. Lump Sum	\$23,000
2. Separate Entities:	
a. Energy Saving Modifications	\$16,006
b. Comfort Modification	\$ 7,650

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Bolton, Corp., in the amount of \$19,800.

This the 13th day of March, 1979.

Committees and Commissions

The Board was notified of a vacancy on the Emergency Medical Council created by the resignation of Thomas Gardner, whose term expires June 30, 1979.

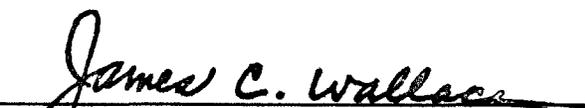
The Chancellor had submitted the names of Gordon Rutherford and Grace Wagoner to fill the vacancy on the Appearance Commission, term ending March 1, 1981. Alderman Boulton pointed that Mr. Rutherford was not eligible and suggested the Board vote tonight on the vacancy. Alderman Cohen moved, seconded by Alderman Kawalec, that the Board suspend its rules and vote on the vacancy at this meeting. The motion was carried by a vote of six to three with Aldermen Boulton, Cohen, Epting, Kawalec, Vickery and Mayor Wallace supporting and Aldermen Howes, Smith and Thorpe opposing. Alderman Thorpe objected to this suspension on principle. Ms. Wagoner was appointed to the Appearance Commission.

Report from the CATV Committee

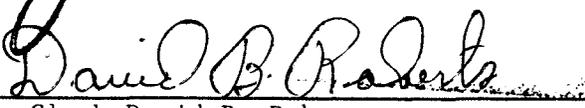
Alderman Vickery stated the committee had not been able to meet again. However, the recommendation was for the Board to hold a work session to discuss the matter. The work session for CATV was scheduled for March 29 at 7:30 p.m.

A work session for Human Services funding was scheduled for April 2, 1979, at 7:30 p.m.

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



Mayor James C. Wallace



Town Clerk David B. Roberts