

MINUTES OF A JOINT MEETING OF THE
MAYOR AND CHAPEL HILL TOWN COUNCIL AND ORANGE COUNTY COMMISSIONERS
MUNICIPAL BUILDING
TUESDAY, JULY 3, 1979
4:00 P.M.

Mayor Wallace called the meeting to order. Present were:

Marilyn Boulton
Gerald Cohen
Jonathan Howes
Beverly Kawalec
R. D. Smith
Bill Thorpe

Ann Barnes
Norman Gustaveson
Richard Whitted (late)
Don Wilhoit

Council members Epting and Vickery were excused. The Chapel Hill Town Council met at 3:30 p.m. for a special meeting. Council member Cohen moved, seconded by Council member Howes, to adjourn to executive session to discuss litigation. The motion was carried unanimously.

At 4:00 p.m., the Council reconvened for the joint meeting. Mayor Wallace stated that at the last meeting of the Council, they had voted against allowing free bus service and covering parking meters on Hot Diggity Day. The merchants had objected, saying their advertising was underway. Mayor Wallace moved, seconded by Council member Howes, to reconsider the motion to deny a resolution allowing free parking and free bus service on July 13. Council member Howes suggested the Council meet with the Chamber before this question surfaced next year. Council member Smith again asked if the merchants at the mall were participating in Hot Diggity Day. Mr. Hearn had indicated the mall merchants were involved. Council member Boulton thought the Council should set a policy on allowing such service. The motion was carried by a vote of five to two with Council members Cohen, Howes, Smith, Thorpe and Mayor Wallace supporting and Council members Boulton and Kawalec opposing. The motion to deny was defeated by a vote of five to two with Council members Boulton and Kawalec supporting and Council members Cohen, Howes, Smith, Thorpe and Mayor Wallace opposing. Council member Boulton moved, seconded by Council member Smith, adoption of the following resolution:

A RESOLUTION DIRECTING COVERING OF PARKING METERS ON JULY 13, 1979

BE IT RESOLVED by the Chapel Hill Town Council that the Council hereby directs the Town Manager to take such steps as may be necessary to cover all Town-owned parking meters on July 13, 1979, and to allow free parking between 10:00 a.m. and 6:00 p.m.

This the 3rd day of July, 1979.

THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS BOULTON, COHEN, HOWES, SMITH, THORPE AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER KAWALEC OPPOSING. COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER COHEN, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION ESTABLISHING FREE BUS SERVICE IN CHAPEL HILL ON JULY 13, 1979

BE IT RESOLVED by the Chapel Hill Town Council that the Council hereby suspends all fares on Chapel Hill Transportation System buses between the hours of 10:00 a.m. and 6:00 p.m. on July 13, 1979, to aid in the observance of Hot Diggity Day.

This the 3rd day of July, 1979.

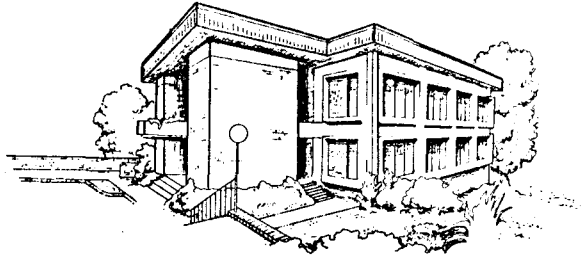
THE MOTION WAS CARRIED BY A VOTE OF FIVE TO TWO WITH COUNCIL MEMBERS COHEN, HOWES, SMITH, THORPE AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS BOULTON AND KAWALEC OPPOSING.

Landfill Fees

Mr. Shipman had proposed the landfill fees be reduced this fiscal year to \$2.50/ton. Council member Smith asked if the county was dissatisfied with this proposal for any reason. Mr. Wilhoit explained that rather than reducing the fees, the county

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 Thorne
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 7:00 P.M. on June 25, 1979, to adjourn to executive session to discuss salaries of appointed officials.

James C. Wallace
MAYOR

ACCEPTANCE OF NOTICE

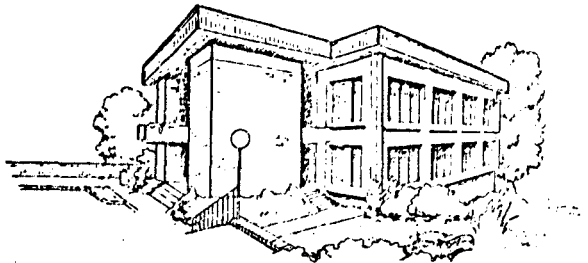
We, the undersigned, members of the Board of Aldermen of the Town of Chapel Hill, hereby accept notice of a Special Meeting of the Board of Aldermen, called by Honorable James C. Wallace, Mayor, to be held in the Meeting Room, on June 25, 1979, at 7:00 p.m.

James C. Wallace
MAYOR

Jonathan B. Howes
Beverly Kawalec
Gerald Cohen
Robert Epting
Bill Thorne
Marilyn M. Boulton
R. D. Smith

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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 3:30 p.m. on July 3, 1979, to hear a report on the UNC property tax case, and to meet jointly with the County Commissioners to discuss joint planning.

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, at 3:30 p.m. on July 3, 1979.

James C. Wallace
MAYOR

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

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proposed to reimburse the two towns for their investment in the landfill, and begin to explore new sites. Mr. Shipman responded that he and Mr. Gattis were to explore this in the current year. He had reservations with selling Chapel Hill's interest in the site. When the land was reclaimed as park land, Chapel Hill might be interested in owning it.

Mr. Wilhoit said if the land was to be used for a park, the county would have an opportunity to provide such a facility. Alderman Cohen pointed out the Town had adopted their budget based on reduced fees. The Council could consider selling the landfill, but this should not affect the fees. Mr. Wilhoit commented that it was presumptuous of the Town to reduce their fees before a discussion with the Commissioners, as the fee must be set jointly. Council member Howes pointed out that Chapel Hill was the operator. Council member Cohen suggested the resolution be amended to set the fee at \$2.50/ton this year and return to \$3.00/ton next July.

Mr. Shipman stated that Carrboro had adopted a resolution to reduce the fees. He had assumed that silence on the part of the county was acquiescence. Council member Smith suggested the Managers meet in the Fall and discuss this matter.

Discussion of Board of Commissioners' Resolution for an Extension of Extraterritorial Planning Jurisdiction Dated October 23, 1978

Mayor Wallace suggested this item irrelevant. However, Mr. Gustaveson wanted clarification as to whether Timberlyne would be under Chapel Hill's or the county's jurisdiction. Mayor Wallace proposed the county cede Timberlyne to the town. Ms. Barnes said this was technically an offer and if the town did not wish to accept it they should vote not to do so. She asked the attorney if there was not a waiting period after the transfer of jurisdiction from the county to the town in which no planning could take place. Mr. Gledhill responded that if Chapel Hill immediately enacted its zoning ordinance, there would be no waiting period. The transfer should be done by mutually acceptable resolutions.

Council member Smith moved, seconded by Council member Howes, that the Town reject the offer of the county for an extension of extraterritorial planning jurisdiction as outlined in a resolution by the Commissioners dated October 23, 1978. The motion was carried unanimously. The attorneys were instructed to prepare mutually acceptable resolutions for the transfer of Timberlyne. The matter was deferred.

Define the Jointly Planned Area

Mr. Jennings reviewed his discussions with Mr. Polatty. They believe the development pressures expected in the county over the next 20 years should be considered in determining the boundaries for joint planning. The land use plans of the two governments would be used. The review process would need to be amended as the county procedures did not allow time for joint review of projects. Mr. Polatty explained the analysis of the area considered for joint planning. Although the land needs in this area were based on 100% infill, Mr. Polatty did not expect to get 100% infill.

Because of OWASA's policy of sewer and water extension affected the amount of infill, the Council suggested a meeting with the OWASA Board to discuss this policy. It was agreed that the Council and the Commissioners would each review their infill policy and work toward a joint policy.

The next meeting was scheduled for September 5, 1979, at 7:30 p.m. in Hillsborough.

On motion by Commissioner Wilhoit, seconded by Commissioner Gustaveson, the following resolution was adopted.

RESOLUTION APPROVING A REQUEST MADE BY THE TOWN OF CHAPEL HILL TO ORANGE COUNTY FOR AN EXTENSION OF EXTRATERRITORIAL PLANNING JURISDICTION

BE IT RESOLVED by the Board of Commissioners for the County of Orange and the Chapel Hill Town Council:

Section I. The Town of Chapel Hill, after due consideration of the present and future planning needs of the Town, has determined that it can now, or in the future, provide urban services to the area described in Section II and that there is now and will be in the future a demand by the inhabitants of the area are thought to be oriented generally towards the Town of Chapel Hill for employment, services, recreation and the like.

Section II. The Town of Chapel Hill, by this Resolution, pursuant to N.C. Gen. Stat. Sec. 160-A-360 (g), and for the reasons set forth in Section I requests an extension of its extraterritorial planning jurisdiction to include an area north of its existing planning jurisdiction and more particularly described as follows: Timberlyne Development, more particularly Chapel Hill Township Tax Map 24, Lot 28.

Section III. Orange County, recognizing the planning needs of the Town of Chapel Hill as set forth above and further recognizing that the extension area has been designated by the County as a developed transition and rural transition area in the County's duly approved and adopted Land Classification system for Chapel Hill Township, pursuant to N.C. Gen. Stat. Sec. 160A-360 (g), hereby approves, the request of the Town of Chapel Hill set forth in Section II and herein, the extension of the planning jurisdiction of the Town of Chapel Hill to include an area north of the Town's existing planning jurisdiction and more particularly described as above and as follows: Timberlyne Development, more particularly Chapel Hill Township Tax Map 24, Lot 28.

Section IV. This resolution shall take effect upon its passage.

This the 3rd day of July, 1979.

On motion by Council member Smith, seconded by Council member Boulton, the same resolution was adopted by the Chapel Hill Town Council by unanimous vote.

COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION:

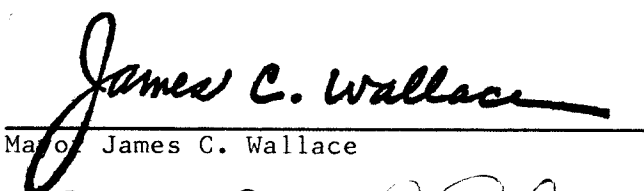
A RESOLUTION TO CONSIDER THE REZONING OF TIMBERLYNE AND AMENDMENTS TO THE EXTRA-TERRITORIAL PLANNING BOUNDARIES

BE IT RESOLVED by the Town Council of Chapel Hill that the Council hereby calls a public hearing on July 23, 1979, at 7:30 p.m., in the Meeting Room of the Chapel Hill Municipal Building, 306 North Columbia Street, to consider an amendment to the "ordinance concerning zoning for the Town of Chapel Hill and surrounding areas" to rezone Timberlyne Development (East of N.C. 86 on Weaver Dairy Road) from Orange County zoning to Chapel Hill zoning (Agricultural to R-20 and R-4); and to consider an amendment to the extraterritorial planning boundary as contained in the Zoning Ordinance of the Town Charter.

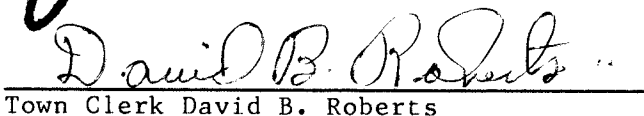
This the 3rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

There being no further business to come before the Council or the Commission, the meeting was adjourned.



 Mayor James C. Wallace



 Town Clerk David B. Roberts