

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING
OF THE MAYOR AND CHAPEL HILL TOWN COUNCIL
MUNICIPAL BUILDING
MONDAY, JULY 23, 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

Also present was Town Manager E. Shipman. Council members Thorpe and Vickery were excused.

Appointment to Fill a Vacancy on the Planning Board

Mr. Wilson had been nominated to fill the vacancy created by the resignation of Peg Parker. Mr. Wilson was not present to make a quorum of the Planning Board. As Ms. Parker continued to serve until Mr. Wilson could be appointed, the Council deferred this appointment until the next meeting. Ms. Parker continued to serve on the Planning Board, making a quorum.

Resolution of Appreciation

Mayor Wallace introduced and read the following resolution:

RESOLUTION OF APPRECIATION

WHEREAS, Peg Parker did serve on the Chapel Hill Planning Board from June 28, 1971, until her resignation which became effective June 30, 1979, and

WHEREAS, Peg Parker did play a commendable role of guidance in providing the necessary continuity throughout the many stages of putting together the Town's Comprehensive Plan as she displayed a leadership role which shall remain unchallenged for many years to come, and

WHEREAS, Peg Parker gave of herself with sensitivity, dedication and willingness while bringing to the Board an indepth knowledge and awareness of the community's needs, and

WHEREAS, Peg Parker exhibited genuine concern for all segments of the Town's planning area, performed optimistically while expressing her personal convictions with unwavering strength and a firmness of support for her beliefs;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and members of the Council of the Town of Chapel Hill, on behalf of all citizens, regretfully accept her resignation, express grateful appreciation to her for all she has done and acknowledge with sincerity the outstanding performances and contributions she has made in her many years of service to the Town, and

BE IT FURTHER RESOLVED that this resolution be made a permanent part of the records of the Town of Chapel Hill.

This the 23rd day of July, 1979.

The resolution was tabled until the next meeting.

Special Use Request for Laurel Hills V--Public Hearing

Mr. Shipman stated that this was the third hearing on this particular request. The attorney had indicated that all evidence previously submitted was a part of the public hearing record.

Mr. Jennings stated the developer had modified his request to show 30 units instead of 24.

Mr. Lyman, representing Mr. Messer, announced that title to the subject property had been conveyed by Mr. James Parker to Mr. Hunt. Mr. Messer had entered into an agreement of sale with Mr. Hunt, conditioned upon the grant of the special use permit. Mr. Lyman then explained the developer's position that any denial of the special use permit for a planned housing development must be premised on factors and requirements and burdens which would be special to a planned development. The ordinance could not constitutionally be a tax on planning. Mr. Lyman first addressed the question of fire protection, and called members of the North Chatham Volunteer Fire Department as witnesses.

On questioning Mr. Diggs explained that North Chatham had just established a fire district tax. They had a station located in the Farrington development on the Pittsboro Highway. They had plans for two new substations, one to be in the Old Farrington community. Two pumper trucks were on order. The department had in the past given protection to Southern Orange County. Council member Smith asked for the distance between the proposed new substation and the project. Mr. Diggs thought it to be 5 or 6 miles. Ms. Gordon asked more detailed questions on the department's plans for a substation. They had not yet acquired land, nor did they have an option on land. A loan application had been filed.

In response to Mr. Ware, Mr. Diggs stated the response time would be approximately 10 to 12 minutes. Mr. Lyman then began questioning. Mr. Diggs responded that the North Chatham Department answered calls in this area, and to his knowledge had never failed to respond to any call received. They would not curtail service in the future except under unforeseen circumstances. Council member Smith asked if there had been a fire in the area in the last five years. Mr. Strowd, chief for the department, answered there had been approximately 6 calls in the area in the last five years. The response time on the last was about 10 to 12 minutes. Ms. Gordon pointed out there had been two fires in which the homes had been completely destroyed.

Mr. Rupkalvis asked if the construction of the new station was a commitment that the department would serve the new area. Mr. Diggs said the department was there to serve the community. They lived in Chatham County, but would do the best they could to protect the community.

Ms. Gordon stated it was approximately 9 to 10 miles from the present station to the project. She asked what equipment the volunteer department had at present. Mr. Diggs answered they had a pumper truck, two tank trucks, a brush truck, and another truck of the brush type which would soon be in service. Ms. Gordon then asked about the communications system. The department operated under a split system. Orange County residents would call the "911" number and be transferred to the Chatham station where an alarm owned by each fireman would be set off.

Mr. Lyman asked how long it would take to complete the new station. Mr. Strowd estimated twelve months, depending on how long it took to obtain the loan. Mr. Lyman questioned Mr. Strowd on whether he had seen the plan of development for the new project, and on the ability to suppress a fire in any of the units. Mr. Strowd had reviewed the plan, and he did not believe the attachment of units would create any special difficulties. There would be fire walls between the units. Ms. Gordon stated it took 4 minutes to die of smoke inhalation, and a fire doubled in intensity every minute. Mr. Strowd agreed.

On questioning from Mr. Brown, Mr. Strowd explained that the department had 30 volunteers. This number would be expanded for the new station. However, they did not have individuals now to expand.

Council member Cohen asked if the developer had discussed with Mr. Strowd contacting the Orange County Commissioners to establish the area as a special tax district. He had not. Some of the residents in the neighboring area had discussed this. Mr. Freeland asked if the project was not approved, would the department continue with its plans for a new station. Mr. Diggs stated the new station was not predicated upon the project. Mr. Ripley asked if a call from this area came in at the same time as a call from Chatham County, which would be answered. Mr. Diggs responded that this was a decision which would be made at the time of the calls. He hoped there would be enough equipment to cover such emergencies. Mr. Lyman asked if there were mutual aid agreements with other companies. Mr. Diggs believed there were agreements with most companies in the area. When asked, Chief Lloyd said the Chapel Hill Fire Department did not have a written mutual aid agreement with Chatham, but had had an informal agreement for several years in which they had answered calls.

Mr. Lyman then questioned Mr. Messer. Mr. Messer stated the distance from the proposed station to the project was 5.3 miles. Mr. Lyman presented a letter to the Council requesting fire protection for the project from Chapel Hill. Mr. Messer had agreed to pay the fee necessary for such service. He had discussed this with Chief Lloyd, who said it had been done before. In his discussions with Chief Lloyd, Chief Lloyd had indicated Chapel Hill had the capability for such service. It was 3.9 miles from the project to the main station, which would be the appropriate station for serving the area. He had also indicated Chapel Hill had plans for construction of another station, on the south side of town, close to the intersection of Farrington and 15-501. Council member Smith pointed out that until the Council responded to the petition for fire service, the fire department could not provide such service.

Mr. Lyman asked Mr. Freeman if sedimentation control could be achieved on the property. Mr. Freeman responded that he had reviewed the preliminary plans submitted by the developer and could foresee no particular problems on the site. A proposed pond would pick up the drainage from the major stream or drainage-way through the property. There were other points of cross-drainage on the streets. A number of sedimentation controls could be installed, depending on the amount of drainage area, and the area disturbed. A finished sedimentation control plan would not be filed until the project had been approved. For erosion control, the engineer would keep all slopes to a 2 to 1 angle.

Mr. Horn then testified with regard to the traffic in the area. He presented diagrams with current traffic volumes and volumes with full development of the area along Farrington Road. He had considered the possibility of a southern loop corridor. Laurel Hill would generate approximately 240 trips per day. He reviewed the traffic study. Mr. Horn did not believe Rhododendron should be a cul-de-sac but should be looped back to Parker Road. Research had shown there to be three minor accidents at the Parker Road/Farrington Road intersection over the last five years.

Mr. Feiss asked why the developer had waited until this meeting to present a request for fire protection from Chapel Hill. Mr. Lyman did not think this relevant. Mr. Feiss asked if the town had ever provided such service to private developers of residential units. It had. He then asked about the plans for the new fire station. Mr. Shipman responded that the town would try to acquire the land this year, and construction would be in year 5 of the CIP.

Mr. Rupkalvis asked if the traffic for Jordan Dam had been taken into account. Mr. Horn had not considered this, only the traffic generated by the planning area.

Mr. Helms asked if Mr. Horn knew there was a school bus stop near Edgewood and Parker. The bus could not have been seen for a dip in the road when traveling on Parker. He believed any more traffic on Parker Road would be a hazard. Mr. Horn responded that he had recommended the Parker Road intersection be redesigned for full use. The 240 trips would have little effect on this road. Mr. Lyman submitted the traffic study for the record.

Mr. Ripley asked when Mr. Parker had sold the rights to the property. The sale had taken place about three weeks before.

Mr. Trout stated the residents in the area were not opposed to development per se. They were concerned with what appeared to be piecemeal development. If Rhododendron were extended to Bayberry, heavy traffic would go onto Bayberry which the street could not adequately handle. It was a residential street, a portion of which was dirt.

Mr. Sugioka said the undeveloped portion of Bayberry would not be developed. Any traffic routed this way would have access to Farrington only by Azalea Drive. He submitted a letter to this effect. Mr. Trout pointed out that any improvements to Bayberry which was only 20' wide would be at state expense. Azalea had 4 curves and a steep slope which made it dangerous.

Council member Howes asked if the right-of-way had been obtained for the portion of Bayberry which was not developed. Mr. Jennings answered that the right-of-way had been obtained in the platting of the subdivision. The road was also on the thoroughfare plan as a collector street.

Mr. Lentz stated one of the alternative plans considered made the assumption of a right-of-way over Parker property deeded to UNC. Mr. Temple had informed him that the University had not considered a right-of-way across university property. The residents asked that no decision be made on development in this area until plans were made for transportation.

Mr. Feiss stated the developer had not shown he could provide fire protection. The residents opposed development without a comprehensive transportation plan.

Ms. Gordon did not believe findings 1, 2, and 4 could be made. She submitted a memorandum to the Council in support of this. The neighborhood was committed to work on long-term planning for the area.

Mr. Lyman pointed out that a subdivision could be done as a right. The special procedure was required for those who wished to plan their development. He believed the development to be a good one. Detached houses would create just as many problems for fire protection. They would probably generate more traffic than condominiums. Mr. Lyman thought the opponents statements to be anti-development.

Mr. Messer added that the procedure had been drawn out since January. The cost figures had to be revised, and he might have to come in for a subdivision.

COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO REFER THE MATTER TO THE PLANNING BOARD FOR CONSIDERATION AND RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

The joint public hearing was continued until July 25, 1979, at 7:30 p.m.

Minutes

On motion by Council member Smith, seconded by Council member Boulton, the minutes of June 25, 1979, were adopted.

On motion by Council member Cohen, seconded by Council member Smith, the minutes of July 3, 1979, were adopted as amended.

On motion by Council member Smith, seconded by Council member Epting, the minutes of July 9, 1979, were adopted as amended.

Petitions and Requests

Mr. Shipman reported that Mr. Link would not be present, and had asked that his petition be deferred until a subsequent meeting. The petition was received and referred to the Clerk.

A petition for a loading zone for 411 W. Franklin Street was referred to the Transportation Board and the Streets and Safety Committee.

Council member Cohen asked to be excused from voting on the item concerning Village West special use because of a conflict of interest. There were no objections.

Mr. Antle requested to be allowed to speak on item 20. There were no objections, but Mayor Wallace pointed out this would not be heard until July 25.

Mr. Snider asked to speak on items 12 d and e.

Resolution Granting a Unified Housing Special Use Permit to Roger Baker and Ron Wells for Franklin Hills Condominium

Mr. Jennings stated the number of units had been reduced from 77 to 66, with no units to have access to Carolina Street. This had answered the objections of the residents on Carolina Street. The primary issue was now dual access to the property balanced against environmental damage to the property. Village Green and A Place in the Woods would have access from Elizabeth Street. This proposal would add another 56 units, and there were undeveloped properties in the area. The staff thought there should be another access to the area. They recommended approval of the project with stipulations. The Planning Board felt the cut and fill necessary for the extension of Deepwood Road to provide dual access was unwarranted. They also could not make the finding of safety without dual access, and recommended against the project. Council member Epting asked if public safety vehicles would be allowed to make left turns from Franklin onto Deepwood. Emergency vehicles could do so.

Council member Howes asked if a plan had been submitted showing the design of a loop road. Mr. Jennings responded that the developer had objected to a loop road at the Planning Board meeting; however, he did have a design for the road. Mr. Baker stated they preferred the cul-de-sac. However, if the grades on the loop were relaxed, the impact of the loop road would be at a minimum. Mr. Kaiser explained that the Planning Board had thought the environmental damage of the loop road which would go across the flood plain would be too great. The road would have awkward turns and grades. Mr. Reeve gave the minority opinion of the Planning Board, which was opposed to the loop road, but accepted the cul-de-sac.

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

A RESOLUTION GRANTING A UNIFIED HOUSING SPECIAL USE PERMIT TO ROGER BAKER AND RON WELLS FOR FRANKLIN HILLS CONDOMINIUMS

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Special Use proposed by Roger Baker and Ron Wells if developed in accordance with the plans submitted June 5, 1979, 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:

WITH REGARD TO PUBLIC HEALTH AND SAFETY

1. That Deepwood Road be extended to Franklin Street. Such street shall be constructed to Town standards with a minimum paved cross section of 27 feet back-to-back of curb with curb and gutter and a paved sidewalk on one side of the street. The detailed plans for such road shall be approved by the Town Manager prior to construction. Deepwood Road and the required sidewalk shall be completed to Franklin Street prior to the issuance of any building permits within phase 2 and prior to any certificates of occupancy within phase 4 as shown on the applicant's phasing plan dated April 8, 1979. That the paved cross section of Deepwood Road be widened to a 38 foot cross section at its intersection with Franklin Street for a distance of 100 feet back of the Franklin Street right-of-way.
2. That access and egress at the intersection of Deepwood Road with East Franklin Street be limited to right turns only and that a traffic control island be installed to implement this restricted traffic pattern. The design of such intersection shall be approved by the Town Manager prior to construction.
3. That within phase 3 a paved sidewalk shall be extended from the dwelling units to connect with Elizabeth Street. The paved sidewalk required along Deepwood Road shall connect with both East Franklin Street and Elizabeth Street. Plans for such sidewalk shall be approved by the Town Manager prior to construction.
4. That the proposed turning lane on Elizabeth Street and the proposed improvements to the sight distance along the street be completed prior to issuance of any certificate of occupancy within phases 1, 2, and 3. Plans for such improvements shall be approved by the Town Manager prior to construction.
5. That the number, location and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permits.
6. That a paved sidewalk be constructed along the frontage of the property with East Franklin Street. The design of such sidewalk shall be approved by the Town Manager.

7. That the design and construction of the public and private drives and streets serving the individual clusters of units be reviewed and approved by the Town Manager prior to construction.
8. That a 60 foot wide public right-of-way be dedicated from Deepwood Road to the western property boundary to provide access to the Hanft property. Such right-of-way shall be approximately mid-way between points created by the intersection of the northern and southern property boundaries of the Hanft property with the western property boundary of the subject development.
9. That Deepwood Road be designed in such a manner that its extension across the designated flood plain will not increase the base flood elevation by more than one foot. An Engineering Study delineating the floodway, floodway fringe and calculations supporting the above objective shall be submitted to and approved by the Town Manager prior to start of construction of Deepwood Road. No structural supports, fill, or other artificial obstructions shall be located within the delineated floodway area. If the above objective cannot be achieved in the manner specified, the applicant shall apply to the Board of Adjustment for a variance from the floodway regulations prior to start of construction of Deepwood Road.

WITH REGARD TO APPEARANCE

10. 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. Such material may be provided in phases corresponding to the applicant's phasing plan.
11. That a detailed landscape/planting plan including detailed sign and lighting plans and the proposed refuse collection facilities be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy. Such plan may be provided in phases corresponding to the applicant's phasing plan. Such plan shall show adequate mechanical means for watering landscaped areas.
12. 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.
13. 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. Provisions for such protection shall be shown on the landscape plan.
14. That paved areas be set back as far as possible from trees to be retained.

OTHER STIPULATIONS

15. That an extension of the proposed pedestrian path with the "A Place in the Woods" development be dedicated across the subject property to connect with Deepwood Road. The alignment of such easement shall be approved by the Town Manager and shall have a minimum width of 20 feet.
16. If it is necessary to relocate the proposed paddle tennis courts to accommodate the extension of Deepwood Road the relocation of the courts shall not be considered a modification of the approved permit.
17. That sewer and utility easements be dedicated as required by the Town Manager.
18. That provisions for refuse collection be approved by the Town Manager. Pads for bulk trash containers shall be constructed to Town standards.
19. That additional right-of-way be dedicated along the applicant's frontage with East Franklin Street. Such dedication shall be recorded prior to issuance of a certificate of occupancy and shall measure 45 feet from the centerline of the road.
20. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Manager prior to issuance of any grading permit and start of construction of improvements.

21. 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 within each of the 4 designated phases prior to issuance of any certificate of occupancy within that phase. The maintenance of the detention basin shall be the responsibility of the homeowners association.
22. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
23. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each cluster of units. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
24. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
25. That prior to issuance of a building permit or grading permit a revised site plan incorporating the required stipulations shall be approved by the Planning Board. Adjustments to the original plan required to comply with the required stipulations shall not be considered a modification of the special use permit.
26. That a recordable plat showing all dedicated rights-of-way and easements be submitted to the Town Manager prior to issuance of a building permit.
27. That construction begin by August 1, 1982, and be completed by August 1, 1984.

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

This the 23rd day of July, 1979.

He pointed out this was not the first project to be approved at this location. The first, in 1974, had much the same traffic solution as this one. He did not think the Council could make the safety finding with only one access to what would eventually be 200 units on Elizabeth Street. Council member Boulton asked if the staff had considered having the through road one-way across the ravine. They had considered this, but Mr. Jennings thought it would cause problems with traffic. Making the road narrower would not make as much difference as deviating on the grade standards. Council member Howes did not think a one-way road good in these circumstances. He moved, SECONDED BY COUNCIL MEMBER KAWALEC, TO AMEND THE MOTION BY DELETING THE THROUGH ROAD. Council member Cohen asked if the Council would grant the grade deviation. Mr. Jennings said it would be in the design construction drawings. He pointed out limiting the turning movements to right-turns would not be feasible with a cul-de-sac. Nor did the staff believe the public safety finding could be made without restricting the turning movements. Council member Epting commented that the Council should have required dual access from Mr. Tenney rather than destroy the assets of this property. Council member Cohen responded that a cross-connector would have been created, which would have been unacceptable. THE MOTION TO AMEND WAS CARRIED BY A VOTE OF FIVE TO TWO WITH COUNCIL MEMBERS BOULTON, EPTING, HOWES, KAWALEC AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS COHEN AND SMITH OPPOSING. THE FOLLOWING RESOLUTION WAS ADOPTED BY BY A VOTE OF FIVE TO TWO WITH COUNCIL MEMBERS BOULTON, EPTING, HOWES, KAWALEC AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS COHEN AND SMITH OPPOSING.

A RESOLUTION GRANTING A UNIFIED HOUSING SPECIAL USE PERMIT TO ROGER BAKER AND RON WELLS FOR FRANKLIN HILLS CONDOMINIUMS

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Special Use proposed by Roger Baker and Ron Wells if developed in accordance with the plans submitted June 5, 1979, 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:

WITH REGARD TO PUBLIC HEALTH AND SAFETY

1. That Deepwood Road be constructed to Town standards with a minimum paved cross-section of 27 feet back-to-back of curb with curb and gutter and a paved sidewalk on one side of the street. The detailed plans for such road shall be approved by the Town Manager prior to construction.
2. That within Phase 3 a paved sidewalk shall be extended from the dwelling units to connect with Elizabeth Street. Plans for such sidewalk shall be approved by the Town Manager prior to construction.
3. That the proposed turning lane on Elizabeth Street and the proposed improvements to the sight distance along the street be completed prior to issuance of any certificate of occupancy within phases 1, 2, and 3. Plans for such improvements shall be approved by the Town Manager prior to construction.
4. That the number, location, and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permits.
5. That a paved sidewalk be constructed along the frontage of the property with East Franklin Street. The design of such sidewalk shall be approved by the Town Manager.
6. That the design and construction of the public and private drives and streets serving the individual clusters of units be reviewed and approved by the Town Manager prior to construction.
7. That a 60 foot wide public right-of-way be dedicated from Deepwood Road to the western property boundary to provide access to the Hanft property. Such right-of-way shall be approximately mid-way between points created by the intersection of the northern and southern property boundaries of the Hanft property with the western property boundary of the subject development.

WITH REGARD TO APPEARANCE

8. 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. Such material may be provided in phases corresponding to the applicant's phasing plan.
9. That a detailed landscape/planting plan including detailed sign and lighting plans and the proposed refuse collection facilities be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy. Such plan may be provided in phases corresponding to the applicant's phasing plan. Such plan shall show adequate mechanical means for watering landscaped areas.
10. 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.
11. 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. Provisions for such protection shall be shown on the landscape plan.
12. That paved areas be set back as far as possible from trees to be retained.

OTHER STIPULATIONS

13. That an extension of the proposed pedestrian path with the "A Place in the Woods" development be dedicated across the subject property to connect with Deepwood Road. The alignment of such easement shall be approved by the Town Manager and shall have a minimum width of 20 feet.

14. That sewer and utility easements be dedicated as required by the Town Manager.
15. That provisions for refuse collection be approved by the Town Manager. Pads for bulk trash containers shall be constructed to Town standards.
16. That additional right-of-way be dedicated along the applicant's frontage with East Franklin Street. Such dedication shall be recorded prior to issuance of a certificate of occupancy and shall measure 45 feet from the centerline of the road.
17. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Manager prior to issuance of any grading permit and start of construction of improvements.
18. 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 within each of the four designated phases prior to issuance of any certificate of occupancy within that phase. The maintenance of the detention basin shall be the responsibility of the homeowners association.
19. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
20. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each cluster of units. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
21. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
22. That prior to issuance of a building permit or grading permit a revised site plan incorporating the required stipulations shall be approved by the Planning Board. Adjustments to the original plan required to comply with the required stipulations shall not be considered a modification of the special use permit.
23. That a recordable plat showing all dedicated rights-of-way and easements be submitted to the Town Manager prior to issuance of a building permit.
24. That construction begin by August 1, 1982, and be completed by August 1, 1984.

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

This the 23rd day of July, 1979.

Council member Howes asked if the Council could now request the State to signalize the intersection of Carolina and Franklin and Roosevelt Streets. Council member Smith wanted the Planning Board to review this area of town for possible rezoning and make a recommendation to the Council.

Resolution Granting a Modification of a Special Use Permit for Village West to Goforth Properties, Inc. and the Homeowners Association of Village West Condominiums

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION GRANTING A MODIFICATION OF THE SPECIAL USE PERMIT FOR VILLAGE WEST TO GOFORTH PROPERTIES, INC. AND THE HOMEOWNERS ASSOCIATION OF VILLAGE WEST CONDOMINIUMS

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Special Use Permit granted to Bolinwood Associates, April 9, 1973, for Village West Condominiums on Village Drive is hereby modified to allow (1) extension of Fernwood Drive to Jay Street, (2) bulk trash containers at the end of Bluff Trail and adjacent to the tennis courts, and (3) construction of second-story balconies with sliding glass doors in the three-bedroom units subject to the following:

1. That the curbing at the intersection of Jay Street and Village Drive be extended up Jay Street to its intersection with Fernwood Lane. Plans for such curbing shall be approved by the Town Manager.
2. That storm drainage improvements be constructed at the intersection of Jay Street and Village Drive. A plan for such improvements shall be approved by the Town Manager.
3. That pads and screening for bulk trash containers be constructed to Town standards.
4. That detailed plans for the screening of bulk trash containers be submitted to and approved by the Appearance Commission.
5. That the site plan be revised to delete the inner loop drive in Phase IV, with all off-street parking for those units to have been located on said inner loop drive to be located off Fair Oaks Circle.
6. That the land "freed-up" by the deletion of the inner loop drive be used to provide additional landscaping or recreational open space.
7. That a detailed landscape/planting plan for Phase IV including detailed sign and lighting plans be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy, such plan to indicate the design of the land "freed-up" by the deletion of the inner loop drive.
8. That a revised site plan for Village West development showing the existing conditions and all approved modifications be filed with the Town Manager.
9. That except as modified herein, all other special terms, conditions, and stipulations heretofore made applicable to the Special Use Permit be continued in effect, and that the board finds that with all stipulations and conditions as modified, the use continues to meet the four requisite findings set forth in the initial Special Use Permit.
10. That other bulk trash containers may be located within the development, subject to approval of their location by the Town Manager and their screening by the Appearance Commission.

BE IT FURTHER RESOLVED that the Council finds that the use as modified continues to meet the four findings made by the Council on April 9, 1973 (and subsequently modified).

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY WITH COUNCIL MEMBER COHEN ABSTAINING.

Resolution Granting a Modification of the Special Use Permit for the Pine Ridge Nursing Center to Chapel Hill Health Care Center, Inc.

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

A RESOLUTION GRANTING A MODIFICATION OF THE SPECIAL USE PERMIT FOR PINE RIDGE NURSING CENTER TO CHAPEL HILL HEALTH CARE CENTER, INC.

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Special Use Permit granted to Mr. J. E. Ammons on October 2, 1963 for Pine Ridge Nursing Center at 1716 Legion Road is hereby modified to add 14,280 square feet of floor area and 36 additional beds as shown on plans submitted with the application subject to the following:

WITH REGARD TO TRAFFIC AND SAFETY

1. That an additional five feet of public right-of-way be dedicated along the property's frontage with Legion Road, such dedication shall be recorded with the Register of Deeds Office prior to issuance of a building permit for the proposed addition.

2. That the paved cross-section of Legion Road be widened along the property's frontage to a width of $16\frac{1}{2}$ feet as measured from the centerline of the road (to provide for an eventual 33 foot wide street), such improvements to include curb and gutter and a paved sidewalk constructed to Town standards. Such improvements shall be completed prior to issuance of a certificate of occupancy for the proposed addition.
3. That all driveways and off-street parking areas be paved.
4. That all existing and proposed sidewalks be paved and be constructed in compliance with the North Carolina Handicapped Code for Wheelchair access, such improvements to include the provision of a ramp at each of the principal entrances to the existing building and addition.
5. That an automatic sprinkler system be installed in both the existing building and the proposed addition. That the alarm signal of the automatic sprinkler system be connected with the supervisory panel at Orange County Central Communications.
6. That manual fire alarm pull boxes be installed at each main entrance/exit location within the proposed addition.
7. That detailed plans of the kitchen hood exhaust systems and the fire extinguishing systems be submitted to and approved by the Chapel Hill Fire Department prior to issuance of a building permit.
8. That portable fire extinguishers be located as approved by the Chapel Hill Fire Department.

WITH REGARD TO APPEARANCE

9. That the off-street parking areas be screened from abutting properties as required by Section 4-C-4-d-2 of the Zoning Ordinance. The detailed design of such screening shall be shown on the landscape plan.
10. 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 for the proposed addition.
11. 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 for the proposed addition. Such plans shall show adequate mechanical means for watering landscaped areas.
12. 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.
13. 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. Provisions for such protection shall be shown on the landscape plan.

OTHER CONDITIONS

14. That the location of bulk trash containers be approved by the Town Manager. Pads for bulk trash containers shall be constructed to Town standards.
15. That all existing and proposed electrical and telephone lines be placed underground.
16. That a drainage plan be submitted to and approved by the Town Manager prior to issuance of a building permit. Improvements included in the drainage plan shall be completed prior to issuance of a certificate of occupancy for the proposed addition.
17. That construction begin by July 31, 1981 and be completed by July 31, 1983.
18. That a plat showing as a single lot the five acres of land included under the special use permit be recorded with the Register of Deeds Office prior to issuance of a certificate of occupancy for the proposed addition.

BE IT FURTHER RESOLVED that the Council finds that the use as modified in accordance with the plans submitted with the application continues to meet the four findings made by the Council October 2, 1963.

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Modification of the Special Use Permit for Cedar Ridge Office Park to Goforth Properties, Inc.

Mr. Jennings explained the request was to extend the deadline for construction to 1982, and to alter the plans and elevations for the office building. The staff believed the extension to be warranted. There was, however, objection to the application for modification after the building was under construction. COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION GRANTING A MODIFICATION OF THE SPECIAL USE PERMIT FOR CEDAR RIDGE OFFICE PARK TO GOFORTH PROPERTIES, INC.

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Special Use Permit granted to Thomas C. Worth, Jr., Trustee on December 16, 1974 for Cedar Ridge Office Park, 900 Airport Road is hereby modified to allow an extension of the completion deadline and to alter plans and elevations for two buildings subject to the following:

1. That prior to issuance of a building permit, detailed architectural plans shall be submitted to and approved by the Appearance commission. Such elevations may be submitted in phases corresponding to the development phasing plan. Architectural plans shall specify materials, color, and exterior elevations.
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 for any of the remaining buildings.
3. That an erosion and sedimentation control plan be approved by the Orange County Erosion Control Officer prior to issuance of a building permit for the Loggia South building.
4. That the name of the office development be "Cedar Ridge" as shown on the approved plan and that any change to this name shall be approved by the Town Manager as not being similar to another existing development within Chapel Hill Township.
5. That except as modified herein, all other special terms, conditions, and stipulations heretofore made applicable to the Special Use Permit be continued in effect, and that the Board finds that with all stipulations and conditions as modified, the use continues to meet the four requisite findings set forth in the initial Special Use Permit.
6. That construction be completed by December 31, 1982.

BE IT FURTHER RESOLVED that the Council finds that the use as modified continues to meet the four findings made by the Council on December 16, 1974 (and subsequently modified).

This the 23rd day of July, 1979.

Council member Epting believed the changes made to be more decorative. He did not think the Council should deny the permit as the building was constructed. Council member Howes was concerned that the developer was given a building permit for a building which did not conform with the special use permit. Mr. Goforth said the building location had been moved and windows had been added to the building. The original plan, presented by another developer, did not comply with the building code. The Building Inspector had given him a permit. Mr. Shipman stated the process for issuing building permits had been examined and changes made to prevent this happening again. Council member Kawalec believed the ordinance to be at fault. The Council needed to define more clearly what constituted a major modification and minor modification to a project. Council member Smith agreed with Council member Howes. The building should not have been constructed until the Council had approved the modified plans. Approval of this modification would open the door for a large number of changes. Council member Cohen pointed out other people relied on plans of the developer. THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS

BOULTON, COHEN, EPTING, HOWES, KAWALEC AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER SMITH OPPOSING.

Resolution Approving a Preliminary Sketch for the Deerwood Subdivision Located at Grove Street, Lot 2, Tax Map 52

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

A RESOLUTION APPROVING A PRELIMINARY SKETCH FOR THE DEERWOOD SUBDIVISION LOCATED AT GROVE STREET, LOT 2, TAX MAP 52

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the preliminary sketch submitted with the application for the Deerwood Subdivision located at Tax Map 52, Lot 2 subject to the following requirements:

1. That Grove Street be paved with curb and gutter to Town standards to a minimum paved cross-section of 33 feet back-to-back of curb. The paving and curb and gutter shall be extended to the existing curb and gutter and paving on Grove Street. The detailed design of such street shall be approved by the Town Manager prior to construction.
2. That Deerwood Court be paved with curb and gutter to Town standards to a minimum paved cross-section of 27 feet back to back of curb in accordance with the provisions of Section 18-68 of the Subdivision Ordinance. Such street shall be exempted from the maximum cul-de-sac length standard of the Subdivision Ordinance as provided for in Section 18-55. The detailed design of such street shall be approved by the Town Manager prior to construction. The minimum right-of-way width for the street may be reduced to 50 feet.
3. That the open space be increased to comply with the minimum required area of 27,600 square feet by increasing the width of the southern portion of the parcel so as to allow access to the Whitfield property to the south. That such open space be labeled on the final plat "dedicated permanent open space, pedestrian and non-motorized vehicle easement."
4. That a detailed drainage plan and the detailed street construction plans be submitted to and approved by the Town Manager prior to issuance of a grading permit, building permit, or submission of an application for final plat approval. Improvements included in the drainage plan shall be completed prior to issuance of any certificates of occupancy. That the detention basin shall be privately maintained by the owner, a homeowners association, or other appropriate entity. The required open space shall not be used to accommodate a detention basin if required by the Erosion Control Officer.
5. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Engineer prior to issuance of any grading permit, start of construction of improvements, and submission of an application for final plat approval.
6. That the number, location and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permits.
7. That sanitary sewer, drainage and utility easements be dedicated as required by the Town Manager.
8. That all lots connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
9. That prior to paving streets, utility service laterals shall be stubbed-out to the front property line of each lot. Sanitary sewer laterals shall be capped-off above ground. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
10. That no proposed street names duplicate or be similar to existing street names. Such proposed street names shall be approved by the Town Manager and shall be shown on the final plat.

11. That a 40 foot wide combination storm water/sanitary sewer easement be dedicated from Deerwood Court to the western property boundary. That a 30 foot wide pedestrian and non-motorized vehicle easement be dedicated from Deerwood Court to the open space parcel. Such pedestrian easement may coincide with the drainage and sanitary sewer easement.
12. That lots 13, 14, and 15 be labeled on the final plat "Portions of this lot subject to flooding."
13. That during construction access to the subdivision be from Wildwood Road only, so as to permit a temporary sedimentation control device to be installed across Grove Street near the point where the southern property line of the subject subdivision crosses the street.

This the 23rd day of July, 1979.

Mr. Jennings explained the main issue was the cul-de-sac of 560'. The staff recommended an exemption to the ordinance. The Public Works Department believed it could address drainage problems. Another issue was the storm water and sewer easement needed. The Public Works Director had agreed to a reduction to 40'. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution from the Planning Board Concerning the Comprehensive Plan

Council member Kawalec thought the Council needed a process for reviewing the comprehensive plan. SHE MOVED, SECONDED BY COUNCIL MEMBER EPTING, THAT THE COUNCIL REQUEST THE MANAGER TO DETERMINE A PROCEDURE WHEREBY THE COMPREHENSIVE PLAN COULD BE REVIEWED ANNUALLY OR BIANNUALLY. This procedure would include public hearings. Council member Smith did not believe this would fulfill the intent of the Planning Board. Council member Howes stated the comprehensive plan was not precise enough for guidance. The entranceways needed to be addressed as a specific problem. Council member Smith said the Planning Board should have been requested to set up a review procedure before final adoption of the comprehensive plan. Mr. Kaiser stated the Council and Planning Board needed a common understanding of what the comprehensive plan was. There had been a consistent divergence on treatment of major arterials. Council member Kawalec suggested the Council discuss their expectations of the Planning Board and the Board of Adjustment. Council member Boulton felt other commissions should be included in this. THE MOTION WAS CARRIED UNANIMOUSLY.

Franklin Hills Condominium

Residents and the developer had agreed on amendments to the special use permit. They wanted the Council to consider these now. COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO RECONSIDER THE MOTION TO ADOPT THE RESOLUTION GRANTING A UNIFIED HOUSING SPECIAL USE PERMIT TO ROGER BAKER AND RON WELLS FOR FRANKLIN HILLS CONDOMINIUM. THE MOTION WAS CARRIED UNANIMOUSLY. COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO AMEND THE MOTION TO ADOPT BY ADDING TWO MORE STIPULATIONS TO THE RESOLUTION. Council member Smith wanted it recorded that the property on Carolina Avenue would not be developed without a new special use permit. THE MOTION TO AMEND WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS BOULTON, EPTING, HOWES, KAWALEC AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS COHEN AND SMITH OPPOSING.

A RESOLUTION GRANTING A UNIFIED HOUSING SPECIAL USE PERMIT TO ROGER BAKER AND RON WELLS FOR FRANKLIN HILLS CONDOMINIUMS

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Special Use proposed by Roger Baker and Ron Wells if developed in accordance with the plans submitted June 5, 1979, 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:

WITH REGARD TO PUBLIC HEALTH AND SAFETY

1. That Deepwood Road be constructed to Town standards with a minimum paved cross-section of 27 feet back-to-back of curb with curb and gutter and a paved sidewalk on one side of the street. The detailed plans for such road shall be approved by the Town Manager prior to construction.
2. That within Phase 3 a paved sidewalk shall be extended from the dwelling units to connect with Elizabeth Street. Plans for such sidewalks shall be approved by the Town Manager prior to construction.
3. That the proposed turning lane on Elizabeth Street and the proposed improvements to the sight distance along the street be completed prior to issuance of any certificate of occupancy within phases 1, 2, and 3. Plans for such improvements shall be approved by the Town Manager prior to construction.
4. That the number, location, and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permits.
5. That a paved sidewalk be constructed along the frontage of the property with East Franklin Street. The design of such sidewalk shall be approved by the Town Manager.
6. That the design and construction of the public and private drives and streets serving the individual clusters of units be reviewed and approved by the Town Manager prior to construction.
7. That a 60 foot wide public right-of-way be dedicated from Deepwood Road to the western property boundary to provide access to the Hanft property. Such right-of-way shall be approximately mid-way between points created by the intersection of the northern and southern property boundaries of the Hanft property with the western property boundary of the subject development.

WITH REGARD TO APPEARANCE

8. 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. Such material may be provided in phases corresponding to the applicant's phasing plan.
9. That a detailed landscape/planting plan including detailed sign and lighting plans and the proposed refuse collection facilities be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy. Such plan may be provided in phases corresponding to the applicant's phasing plan. Such plan shall show adequate mechanical means for watering landscaped areas.
10. 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.
11. 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. Provisions for such protection shall be shown on the landscape plan.
12. That paved areas be set back as far as possible from trees to be retained.

OTHER STIPULATIONS

13. That an extension of the proposed pedestrian path with the "A Place in the Woods" development be dedicated across the subject property to connect with Deepwood Road. The alignment of such easement shall be approved by the Town Manager and shall have a minimum width of 20 feet.
14. That sewer and utility easements be dedicated as required by the Town Manager.

15. That provisions for refuse collection be approved by the Town Manager. Pads for bulk trash containers shall be constructed to Town standards.
16. That additional right-of-way be dedicated along the applicant's frontage with East Franklin Street. Such dedication shall be recorded prior to issuance of a certificate of occupancy and shall measure 45 feet from the centerline of the road.
17. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Manager prior to issuance of any grading permit and start of construction of improvements.
18. 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 within each of the four designated phases prior to issuance of any certificate of occupancy within that phase. The maintenance of the detention basin shall be the responsibility of the homeowners association.
19. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
20. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each cluster of units. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
21. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
22. That prior to issuance of a building permit or grading permit a revised site plan incorporating the required stipulations shall be approved by the Planning Board. Adjustments to the original plan required to comply with the required stipulations shall not be considered a modification of the special use permit.
23. That a recordable plat showing all dedicated rights-of-way and easements be submitted to the Town Manager prior to issuance of a building permit.
24. That construction begin by August 1, 1982, and be completed by August 1, 1984.
25. That access to Franklin Street be provided to the Hotelling residence through the proposed new Franklin Street curb cut.
26. That evening use of the recreational facilities be limited to 10 P.M. and that the source of lighting not be visible from adjacent residential properties.

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

This the 23rd day of July, 1979.

Streets and Public Safety

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

A RESOLUTION CHANGING TRAFFIC DIRECTIONS ON RALEIGH STREET, PORTIONS OF CAMERON AVENUE, AND COUNTRY CLUB LANE ON AUGUST 19, 1979, BETWEEN 8 A.M. AND 5 P.M.

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs that on Sunday, August 19, 1979, from 8 a.m. to 5 p.m. Raleigh Street will be one way northbound, and Cameron Avenue and Country Club Lane from Columbia Street to Gimghoul Road will be one way eastbound to facilitate traffic movement on Freshman Orientation Day at the University of North Carolina.

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE AMENDING SECTION 21-13 (Stop Sign on Village Drive)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Section 21-13 of the Code of Ordinances, Town of Chapel Hill, to add the following line:

Through Streets

Stop Streets

Estes Drive

Village Drive

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER COHEN, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE TO CONTROL USE OF FIRE LANES

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the Code of Ordinances, Town of Chapel Hill, to add a new Section 21-20.3 to read as follows:

Section 21-20.3. Use of certain fire lanes

It shall be unlawful for any person to drive a motor vehicle, except for a motor vehicle being used for emergency purposes such as fire, police, and emergency medical use, on any fire lane specifically identified in this section. The fire lanes to which this prohibition applies are as follows:

<u>Name & Description</u>	<u>Length</u>	<u>Width</u>
An unnamed lane connecting Wellington Dr. and Huntington Dr. in Coker Hills West	102 feet	30 feet

This the 23rd day of July, 1979.

Council member Smith did not think this situation would be enforceable by the police. Mr. Shipman explained that he had reached an agreement with the Coker Hills Neighborhood Association as to the configuration of the fire lane. It would be 12' wide with two feet on either side; the surface would consist of turfstone material; if the police could not control use of the fire lane, barricades might be erected by the town; and that the Neighborhood Association could examine and comment on the construction drawings. Council member Howes pointed out this was an agreement between the manager and the Neighborhood Association to which the town was not a party. Council member Smith moved to delete the fire lane from approval of the project. The motion died for lack of a second. THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS BOULTON, COHEN, EPTING, HOWES, KAWALEC, AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER SMITH OPPOSING.

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

A RESOLUTION OF INTENT TO CLOSE A PORTION OF OTEY'S ROAD

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby declares its intent to permanently close a ten-foot section of Otey's Road immediately north of the northern right-of-way line of US 15-501 Bypass;

BE IT FURTHER RESOLVED that the Council hereby calls a public hearing on the question of closing said street at 7:30 p.m. on September 10, 1979 in the Meeting Room of the Chapel Hill Municipal Building, 306 N. Columbia Street.

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

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

A RESOLUTION REQUESTING PROHIBITION OF LEFT TURNS--MASON FARM ROAD AT US 15-501

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby requests the North Carolina Department of Transportation to prohibit left turns at all hours from US 15-501 Bypass onto Mason Farm Road, and from Mason Farm Road onto US 15-501 Bypass.

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Snider petitioned the Council to have traffic directed away from the parking deck toward NC 86. Mayor Wallace suggested the public hearing be held on the general area. Mr. Shipman wanted these improvements before the fall term.

COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE REGARDING SPECIAL PARKING PERMITS (Maximum Number and Corner Lots)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Section 21-27.2 of the Code of Ordinances, Town of Chapel Hill, as follows:

Section I: ADD a second sentence to the initial paragraph to read:

No more than five special parking permits shall be in effect simultaneously for any lot, as defined by the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas," regardless of the number of housing units thereon.

Section II: REWRITE Subsections a)1); b)1); c)1); and d)1) to read:

- 1) The applicant is domiciled on a street or streets on both sides of which, adjacent to applicant's domicile, parking is simultaneously prohibited; and

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE REGARDING SPECIAL PARKING PERMITS (Issuance by Town Manager)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Section 21-27.2 of the Code of Ordinances, Town of Chapel Hill, as follows:

Section I:

In the opening paragraph, REPLACE the words, "The Board of Aldermen may by resolution authorize the issuance" with the words, "The Town Manager may issue."

In Subsections (a)-(d), REPLACE the word "board" with the words "Town Manager" at each occurrence.

ADD a new subsection (f) to read as follows:

- (f) Any decision of the Town Manager regarding special parking permits may be appealed by petition to the Town Council.

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER COHEN, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE REGARDING SPECIAL PARKING PERMITS (Private Non-Profit Agencies)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Section 21-27.2 of the Code of Ordinances, Town of Chapel Hill, as follows:

Section I:

RENUMBER present subsection (e) as subsection (g)

ADD a new subsection (e) to read as follows:

- (e) If the Town Manager shall find that: 1) the applicant is a private, non-profit agency with an office on a street or streets on both sides of which, adjacent to applicant's office, parking is simultaneously prohibited; and 2) there is no practical way in which two client vehicles in addition to the vehicles (if any) of the applicant's staff may be parked off the public right-of-way; then the Town Manager may issue up to two one-year movable special parking permits for use by clients of the applicant. It is the intent of this section that the applicant make adequate arrangements for office staff either by procuring parking off the public right-of-way or using transportation alternatives to the private car, and that said movable permits be used only by clients of the applicant.

This the 23rd day of July, 1979.

Council member Epting said he would vote against this because it was an exception in conflict with the reasons for setting up special parking permits. Council member Kawalec thought the exception justified and wanted the number of permits for the Interchurch Council increased to three or five. As five is the number of cars to be allowed to park in a yard, she moved to increase the number to five. There was no second to the motion. THE MOTION WAS CARRIED BY A VOTE OF FOUR TO THREE WITH COUNCIL MEMBERS BOULTON, EPTING, AND HOWES OPPOSING. WITHOUT SIX VOTES, THE ORDINANCE COULD NOT BE ADOPTED AND WAS CARRIED TO THE NEXT MEETING.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE REGARDING PARKING (Wilson Street)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Chapter 21 of the Code of Ordinances, Town of Chapel Hill, as follows:

In Section 21-35, DELETE Subsection (b).

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Council member Cohen reported that as Council member Smith had not been at the Streets and Public Safety Committee meeting, the item on bike regulations had been deferred. Complaints had been made about people attending church services parking on sidewalks and in the street where no parking was allowed. The manager would investigate and contact the churches to try to alleviate this problem. As the Franklin Street crosswalk had been discussed only a few months ago, the committee would not consider this item again without direction from the Council.

Resolution Authorizing Execution of an NDP Closeout Agreement

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

A RESOLUTION AUTHORIZING EXECUTION OF AN NDP CLOSEOUT AGREEMENT

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Mayor and Town Clerk to execute on behalf of the Town a Closeout Agreement for the Neighborhood Development Program (NC A-5) as approved by the Chapel Hill Housing Authority on June 27, 1979.

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Authorizing the Execution of a Cooperation Agreement for 751 Pritchard Extension

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

A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT FOR 751 PRITCHARD EXTENSION

WHEREAS, CHAPEL HILL HOUSING AUTHORITY (herein called the "Local Authority") and TOWN OF CHAPEL HILL, NORTH CAROLINA (herein called the "Municipality") desire to enter into a Cooperation Agreement in connection with the development of low-rent housing units pursuant to the United States Housing Act of 1937 as amended:

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Local Authority and the Municipality enter into a Cooperation Agreement and the Mayor is hereby authorized to execute the same on behalf of the Municipality and the Town Clerk to attest the same and affix thereto the seal of the Municipality, said cooperation Agreement being in substantially the form attached hereto: (see attached Cooperation Agreement).

This the 23rd day of July, 1979.

COOPERATION AGREEMENT

This Agreement entered into this _____ day of _____, 19__, by and between CHAPEL HILL HOUSING AUTHORITY (herein called the "Local Authority") and TOWN OF CHAPEL HILL (herein called the "Municipality"), Witnesseth:

In consideration of the mutual covenants hereinafter set forth, the parties hereto do agree as follows:

1. Whenever used in this Agreement:

- (a) The term "Project" shall mean any low-rent housing hereafter developed as an entity by the Local Authority with financial assistance of the United States of America acting through the Secretary of Housing and Urban Development (herein called the "Government"); excluding, however, any low-rent housing project covered by any contract for loans and annual contributions entered into between the Local Authority and the Government, or its predecessor agencies, prior to the date of this Agreement.
- (b) The term "Taxing Body" shall mean the State or any political subdivision or taxing unit thereof in which a Project is situated and which would have authority to assess or levy real or personal property taxes or to certify such taxes to a taxing body or public officer to be levied for its use and benefit with respect to a Project if it were not exempt from taxation.
- (c) The term "Shelter Rent" shall mean the total of all charges to all tenants of a Project for dwelling rents and nondwelling rents (excluding all other income of such Project), less the cost to the Local Authority of all dwelling and nondwelling utilities.
- (d) The term "Slum" shall mean any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health or morals.

- 2. The Local Authority shall endeavor (a) to secure a contract or contracts with the Government for loans and annual contributions covering one or more Projects comprising approximately 40 units of low-rent housing and (b) to develop and administer such Project or Projects, each of which shall be located within the corporate limits of the Municipality. The obligations of the parties hereto shall apply to each such Project.

(* Which have heretofore been operated by the Local Authority under the provisions of Section 23 of the United States Housing Act, as amended.)

3. (a) Under the constitution and statutes of the State of North Carolina, all Projects are exempt from all real and personal property taxes levied or imposed by any Taxing Body. With respect to any Project, so long as either (i) such project is owned by a public body or governmental agency and is used for low-rent housing purposes; or (ii) any contract between the Local Authority and the Government for loans or annual contributions, or both, in connection with such Project remains in force and effect; or (iii) any bonds issued in connection with such Project or any monies due to the Government in connection with such Project remain unpaid, whichever period is the longest, the Municipality agrees that it will not levy or impose any real or personal property taxes upon such Project or upon the Local Authority with respect thereto. During such period, the Local Authority shall make annual payments (herein called "Payments in Lieu of Taxes") in lieu of such taxes and in payment for the public services and facilities furnished from time to time without other cost or charge for or with respect to such Project.
- (b) Each such annual Payment in lieu of Taxes shall be made after the end of the fiscal year established for such Project, and shall be in an amount equal to either (i) ten percent (10%) of the Shelter Rent actually collected but in no event to exceed ten percent (10%) of the Shelter Rent charged by the Local Authority in respect to such Project during such fiscal year or (ii) the amount permitted to be paid by applicable state law in effect on the date such payment is made, whichever amount is lower.
- (c) The Municipality shall distribute the Payments in Lieu of Taxes among the Taxing Bodies in the proportion which the real property taxes, which would have been paid to each Taxing Body for such year if the Project were not exempt from taxation, bears to the total real property taxes, which would have been paid to all of the Taxing bodies for such year if the Project were not exempt from taxation; Provided, however, That no payment for any year shall be made to any taxing body in excess of the amount of the real property taxes which would have been paid to such Taxing Body for such year if the Project were not exempt from taxation.
- (d) Upon failure of the Local Authority to make any Payment in Lieu of Taxes, no lien against any Project or assets of the Local Authority shall attach, nor shall any interest or penalties accrue or attach on account thereof.
4. During the period commencing with the date of the acquisition of any part of the site or sites of any Project and continuing so long as either (i) such Project is owned by a public body or governmental agency and is used for low-rent housing purposes, or (ii) any contract between the Local Authority and the Government for loans or annual contributions, or both, in connection with such Project remains in force and effect, or (iii) any bonds issued in connection with such Project or any monies due to the Government in connection with such Project remain unpaid, whichever period is the longest, the municipality without cost or charge to the Local Authority or the tenants of such Project (other than the Payments in Lieu of Taxes) shall:
 - (a) Furnish or cause to be furnished to the Local Authority and the tenants of such Project public services and facilities of the same character and to the same extent as are furnished from time to time without cost or charge to other dwellings and inhabitants in the Municipality;
 - (b) Vacate such streets, roads, and alleys within the area of such Project as may be necessary in the development thereof, and convey without charge to the Local Authority such interest as the Municipality may have in such vacated areas; and, insofar as it is lawfully able to do so without cost or expense to the Local Authority or to the Municipality, cause to be removed from such vacated areas, insofar as it may be necessary, all public or private utility lines and equipment;
 - (c) Insofar as the Municipality may lawfully do so, (i) grant such deviations from the building code of the Municipality as are reasonable and necessary to promote economy and efficiency in the development and administration of such Project, and at the same time safeguard health and safety, and (ii) make such changes in any zoning of the site and surrounding territory of such Project as are reasonable and necessary for the development and protection of such Project and surrounding territory;

- (d) Accept grants of easements necessary for the development of such Project; and
 - (e) Cooperate with the Local Authority by such other lawful action or ways as the Municipality and the Local Authority may find necessary in connection with the development and administration of such Project.
5. In respect to any Project the Municipality further agrees that within a reasonable time after receipt of a written request therefor from the Local Authority:
- (a) It will accept the dedication of all interior streets, roads, alleys, and adjacent sidewalks within the area of such Project, together with all storm and sanitary sewer mains in such dedicated areas, after the Local Authority, at its own expense, has completed the grading, improvement, pavings, and installation thereof in accordance with specifications acceptable to the Municipality;
 - (b) It will accept necessary dedications of land for, and will grade, improve, pave, and provide sidewalks for, all streets bounding such Project or necessary to provide adequate access thereto (in consideration whereof the Local Authority shall pay to the Municipality such amount as would be assessed against the Project site for such work if such site were privately owned); and
 - (c) It will provide, or cause to be provided, water mains, and storm and sanitary sewer mains, leading to such Project and serving the bounding streets thereof (in consideration whereof the Local Authority shall pay to the Municipality such amount as would be assessed against the Project site for such work if such site were privately owned).
6. If by reason of the Municipality's failure or refusal to furnish or cause to be furnished any public services or facilities which it has agreed hereunder to furnish or to cause to be furnished to the Local Authority or to the tenants of any Project, the Local Authority incurs any expense to obtain such services or facilities then the Local Authority may deduct the amount of such expense from any Payments in Lieu of Taxes or to become due to the Municipality in respect to any Project or any other low-rent housing projects owned or operated by the Local Authority.
7. No Cooperation Agreement heretofore entered into between the Municipality and the Local Authority shall be construed to apply to any Project covered by this Agreement.
8. No member of the governing body of the Municipality or any other public official of the Municipality who exercises any responsibilities or functions with respect to any Project during his tenure or for one year thereafter shall have any interest, direct or indirect, in any Project or any property included or planned to be included in any project, or any contracts in connection with such Projects or property. If any such governing body member or such other public official of the Municipality involuntarily acquires or had acquired prior to the beginning of his tenure any such interest, he shall immediately disclose such interest to the Local Authority.
9. So long as any contract between the Local Authority and the Government for loans (including preliminary loans) or annual contributions, or both, in connection with any Project remains in force and effect, or so long as any bonds issued in connection with any Project or any monies due to the Government in connection with any Project remain unpaid, this Agreement shall not be obrogated, changed, or modified without the consent of the Government. The privileges and obligations of the Municipality hereunder shall remain in full force and effect with respect to each Project so long as the beneficial title to such Project is held by the Local Authority or by any other public body or governmental agency, including the Government, authorized by law to engage in the development or administration of low-rent housing projects. If at any time the beneficial title to, or possession of, any Project is held by such other public body or governmental agency, including the Government, the provisions hereof shall inure to the benefit of any may be enforced by, such other public body or governmental agency, including the Government.

IN WITNESS WHEREOF the Municipality and the Local Authority have respectively signed this Agreement and caused their seals to be affixed and attest as of the day and year first above written.

TOWN OF CHAPEL HILL
(Corporate Name of Municipality)

(SEAL)

By _____
(Title)

Attest:

Title

CHAPEL HILL HOUSING AUTHORITY
(Corporate Name of Authority)

(SEAL)

By _____
Chairman

ATTEST:

(Secretary)

Council member Smith asked if the Housing Authority would be in a position financially to make improvements to this project if acquired. Mr. Stevenson was confident they would.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Endorsing the Orange County Section 8 Moderate Rehabilitation Program Application

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION ENDORSING THE ORANGE COUNTY SECTION 8 MODERATE REHABILITATION PROGRAM APPLICATION

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council endorses and approves the submission of the application for the Section 8 Moderate Rehabilitation Program by the Orange County Housing Authority; that the application is consistent with the Town's 1978-79 Housing Assistance Plan; and that the Mayor, James C. Wallace, is hereby authorized to submit such a statement in support of the application to the Department of Housing and Urban Development, and to provide such additional information as may be required.

This the 23rd day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Report on Community Organization for the Chapel Hill Housing Authority

Mr. Shipman reported that a conversion of the leisure outreach specialist in Recreation to the Community Organizer could be accomplished. This position would be transferred to Human Services, and Recreation could at times contract for outreach responsibilities. Council member Epting moved, seconded by Council member Howes, to receive the report. The motion was carried unanimously.

OWASA Board--Nomination

The OWASA Board had requested that Mr. Moreau be reappointed. Council member Epting moved, seconded by Council member Howes, that Dr. Moreau be nominated and appointed. Council member Boulton objected to making the appointment on the same night as the nomination. The motion was carried unanimously.

The meeting was recessed until July 25, 1979, at 7:00 p.m. Mayor Wallace reconvened the meeting on July 25, 1979, at 7:00 p.m. Present were: Marilyn Boulton, Gerald Cohen, Robert Epting, Jonathan Howes, Beverly Kawalec and R. D. Smith.

}*

Mayor Wallace had been notified by Mr. Messer that a petition would be presented regarding the Laurel Hills Project.

Bids

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR ATHLETIC UNIFORMS, EQUIPMENT AND SUPPLIES

WHEREAS the Town of Chapel Hill has solicited formal bids on Athletic Uniforms, Equipment and Supplies and the following bids have been received:

ITEMS	BIDDERS AND BIDS			
	<u>BOCOCK-STROUD CO.</u>	<u>DURHAM SPORTING GOODS</u>	<u>JOHNSON-LAMBE CO.</u>	<u>OXFORD SPORTING GOODS</u>
I. <u>Football Uniforms, Equipment and Supplies</u>				
A. <u>Football Uniforms</u>				
1. 69 jerseys	N.B.	N.B.	\$ 448.50	N.B.
2. 50 pair pants	N.B.	\$ 555.00	\$ 480.00	\$ 453.00
3. 50 helmets	\$897.50	\$ 830.00	\$ 695.00	\$ 730.00
4. 50 shoulder pads	\$619.75	\$ 733.00	\$ 571.00	\$ 540.00
5. 75 pad sets	\$337.50	\$ 337.50	\$ 318.75	\$ 221.25
B. <u>Football Equipment</u>				
1. 12 footballs	\$138.00	\$ 147.60	\$ 147.00	\$ 179.40
2. 2 footballs	\$ 41.50	\$ 48.00	\$ 44.60	\$ 43.90
C. <u>Football Supplies</u>				
1. 3 doz. chin straps	N.B.	\$ 35.28	\$ 31.50	\$ 44.85
2. 3 doz. shoulder pad buckles	N.B.	\$ 10.50	\$ 10.95	\$ 10.20
3. 27 doz. mouthpieces	\$108.00	\$ 113.40	\$ 108.00	\$ 125.55
4. 2 sets--down box and chain	\$108.00	\$ 148.00	\$ 130.00	\$ 135.90
5. 1 set side line markers	\$ 60.00	\$ 350.00	\$ 105.00	\$ 89.95
6. 6 kicking tees	\$ 15.00	\$ 19.50	\$ 16.80	\$ 14.88
II. <u>Basketball Uniforms, Equipment & Supplies</u>				
A. <u>Basketball Uniforms</u>				
1. 10 sets (10) shirts	N.B.	N.B.	\$ 440.00	N.B.
2. 64 sets (12) shirts	N.B.	N.B.	\$3,520.00	N.B.
3. 6 doz. vests	N.B.	N.B.	\$ 173.70	\$ 179.40
B. <u>Basketball Equipment</u>				
1. 24 basketballs	\$189.60	\$ 228.00	\$ 192.00	\$ 195.60
2. 12 basketballs	\$333.00	N.B.	\$ 322.80	\$ 247.20
C. <u>Basketball Supplies</u>				
1. 30 scorebooks	\$ 63.00	\$ 75.00	\$ 67.50	\$ 63.00
2. 2 doz. whistles & covers	N.B.	\$ 39.60	\$ 34.80	\$ 33.00
3. 1 game timer	\$ 21.50	\$ 16.95	\$ 21.50	\$ 21.95
III. <u>Volleyball Equipment</u>				
1. 8 volleyballs	N.B.	\$ 183.20	\$ 210.00	\$ 182.00
2. 4 volleyball nets	\$ 77.00	\$ 67.80	\$ 92.00	\$ 41.60
IV. <u>Softball Equipment</u>				
1. 48 doz. softballs	N.B.	\$1,776.00	\$2,390.40	\$1,725.60

Underlined items are recommended for acceptance.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Bocock Stroud Co. in the amount of \$477.10, the bid of Johnson-Lambe Co. in the amount of \$6,424.00, and the bid of Oxford Sporting Goods in the amount of \$2,792.88.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR A PARKING LOT BOOTH AND RELATED EQUIPMENT

WHEREAS the Town of Chapel Hill has solicited formal bids on a Parking Lot Booth and Related Equipment and the following bids have been received:

<u>Bidder</u>	<u>Booth</u>	<u>Bid</u>	
		<u>Out Clock</u>	<u>Entrance System</u>
Associated Engineering Sales Raleigh, N.C.	\$5,800	\$340	\$3,855
Cincinnati Time Recorder Greensboro, N.C.	\$7,029	\$374	\$4,696

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Associated engineering Sales in the amount of \$9,995.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER 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>Cab & Chassis</u>	<u>Bid</u>	
		<u>Packer Body Installation</u>	<u>Delivery</u>
Miller Truck Sales & Service Durham, N.C.	\$24,330.57	N.B.	120 days
Oxford Equipment Co. Burlington, N.C.	\$23,795.00	N.B.	120 days
Quality Equipment and Supply Co. Charlotte, N.C.	\$25,912.87	\$12,214.80	Chassis 90-120 days, Body 45-60 days
Sanco Corporation Winston-Salem, N.C.	\$26,412.00	\$12,144.00	150-180 days
Suburban Sanitation Service Madison, N.C.	\$23,536.92	\$13,426.00	150-180 days
Worth Keeter, Inc. Charlotte, N.C.	\$24,803.43	\$11,837.00	90-120 days for complete unit, 30 days for body only

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Miller Truck Sales & Service for a cab and chassis in the amount of \$24,330.57 and the bid of Worth Keeter, Inc. for the rear-loading packer body and installation in the amount of \$11,837.00.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR THE CONSTRUCTION OF A COMMUNITY CENTER

WHEREAS the Town of Chapel Hill has solicited formal bids on the Construction of a Community Center and the following bids have been received:

General Construction											
Bidder	Base Bid	Alt. 1	Alt. 2	BID		Alt. 4	Alt. 5	Alt. 7	Alt. 8	Alt. 9	Alt. 10
				Alt. 3							
Barnhill Contracting Co. Tarboro, N.C.	\$1,216,998	+\$5,000	+\$29,290	+\$3,430		+\$4,142	+\$ 770	-\$ 4,300	-\$14,000	+\$ 800	No Bid
L.A. Downey & Son, Inc. Durham, N.C.	\$1,225,000	+\$5,060	+\$23,952	+\$4,315		+\$4,417	+\$5,452	-\$10,000	-\$27,000	-\$ 9,000	No Bid
William Muirhead Construction Co., Inc. Durham, N.C.	\$1,192,000	+\$4,000	+\$24,700	+\$4,700		+\$4,400	+\$5,400	-\$10,000	-\$27,000	-\$ 9,000	No Bid
Security Building Co., Inc. Chapel Hill, N.C.	\$1,119,800	+\$5,400	+\$25,000	+\$2,600		+\$4,400	+\$5,350	-\$12,500	-\$24,000	-\$ 6,000	No Bid
J.N. Thompson Co. Raleigh, N.C.	\$1,099,975	+\$5,000	+\$24,800	+\$3,700		+\$4,500	+\$5,400	-\$16,500	-\$26,700	-\$10,900	No Bid
Trout & Riggs Construction Co., Inc. Durham, N.C.	\$1,412,000	+\$5,500	+\$25,000	+\$3,500		+\$4,500	+\$5,000	-\$10,000	-\$23,000	-\$10,000	No Bid
C.T. Wilson Construction Co., Inc. Durham, N.C.	\$1,131,424	+\$4,873	+\$24,647	+\$5,947		+\$4,417	+\$5,497	-\$10,500	-\$25,000	-\$10,500	No Bid

HVAC Construction

<u>Bidder</u>	<u>Bid</u>
Bolton Corp. Raleigh, N.C.	\$105,377
Carolina Air Conditioning Co., Inc. Durham, N.C.	\$ 88,700
Comfort Engineers, Inc. Durham, N.C.	\$100,800
Hockaday Heating & Air Conditioning Raleigh, N.C.	\$ 83,430
Lee Air Conditioners, Inc. Durham, N.C.	\$ 82,900
Mechanical Associates, Inc. Cary, N.C.	\$ 89,600
Southern Piping Co., Inc. Raleigh, N.C.	\$ 88,426

Electrical Construction

<u>Bidder</u>	<u>Base Bid</u>	<u>Bid</u>	<u>Alt. 1</u>
Bitting Electric, Inc. Cary, N.C.	\$69,650		+\$380
Campbell Electric Co., Inc. Wilson, N.C.	\$61,250		+\$250
Cantor Electric Co. Greensboro, N.C.	\$71,901		+\$119
JAC Electric Co. & Son Rocky Mount, N.C.	\$72,400		+\$450
Modern Electric Co., Inc. Durham, N.C.	\$65,650		+\$ 95
Odell Electric Co. Durham, N.C.	\$63,663		+\$120
Pendergraph & Thomerson Electric Co., Inc. Durham, N.C.	\$64,184		+\$150
Watson Electrical Construction Co. Wilson, N.C.	\$60,918		+\$270
Wells Electric Service Raleigh, N.C.	\$53,215		+\$133

Plumbing Construction

<u>Bidder</u>	<u>Base Bid</u>	<u>Bid</u>	<u>Alt. 1</u>
Acme Plumbing & Heating Co., Inc. Durham, N.C.	\$67,818		+\$54,356
Boykin & Long Plumbing Co. Raleigh, N.C.	\$82,000		+\$53,700
Brown Brothers Plumbing Co. Durham, N.C.	\$88,888		+\$44,444
Condor Mechanical Contractors, Inc. Burlington, N.C.	\$79,000		+\$51,000
Copelan Plumbing Co. Durham, N.C.	\$73,675		+\$59,000
Triangle Mechanical Contractors, Inc. Raleigh, N.C.	\$73,943		+\$52,552

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill, that the Town accepts the base bid by Acme Plumbing and Heating Co. for the plumbing contract in the amount of \$67,818, the negotiated base bid by Watson Electrical Construction Co. for the electrical contract in the amount of \$50,082, and the negotiated base bid by Lee Air Conditioners, Inc. for the HVAC contract in the amount of \$73,715.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR THE CONSTRUCTION OF SIDE-WALKS

WHEREAS the Town of Chapel Hill has solicited formal bids on the Construction of Sidewalks and the following bids have been received:

<u>Bidder</u>	<u>Total Base Bid</u>	<u>Bid</u>	
		<u>Base Bid on #13</u>	<u>Alternate #13</u>
R.G.K. Inc. Burlington, N.C.	\$153,618.00	\$73,400.00	\$110,260.00
R.B. Stokes Raleigh, N.C.	\$ 81,845.00	\$39,636.00	\$ 37,124.00
Nello L. Teer Co. Durham, N.C.	\$119,000.00	\$74,045.92	\$119,438.68

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the modified base bid of R.B. Stokes in the amount of \$76,245.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Authorizing a Cooperative Inspection Agreement

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

A RESOLUTION AUTHORIZING A COOPERATIVE INSPECTION AGREEMENT

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to enter into an agreement with Orange County for cooperative inspection of developments north of the present Chapel Hill Planning Area and south of Mt. Sinai Road.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Regarding LEO Retirement

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

A RESOLUTION REGARDING LEO RETIREMENT

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs that the 8.1% employer contribution of the Town to the Law Enforcement Officers' Benefit and Retirement Fund for Fiscal Year 1979-80 be divided as follows:

- 3.8% to the Basic Benefit Fund
- 4.3% to the Special Contribution Account

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Report from the Holiday Decorations Task Force

Mr. Shipman reported that the task force had met and reviewed work accomplished to date. A number of alternatives had been identified to be implemented in the CBD during the holiday season. They would make a more detailed report in September.

Board of Adjustment--Nominations

Monica Kalo and Linda Brown had been nominated by the Board of Adjustment for two vacancies. Council member Cohen also nominated Julie Tenney.

Planning Board--Nominations

The Planning Board had forwarded the name of Roscoe Reeve for reappointment. Council member Howes nominated Mr. Reeve.

Ordinance to Amend the "Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1978"

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION:

AN ORDINANCE TO AMEND THE "ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1978"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the "Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year beginning July 1, 1978" as duly adopted on June 12, 1978, be and the same is hereby amended as follows:

ARTICLE I

	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
GENERAL FUND				
Town Clerk	\$ 40,725	\$ 500	\$ --	\$ 41,225
Human Services				
Police Social Work	\$ 40,565	\$ 1,500	\$ --	\$ 42,065
SIFT	\$ 16,005	\$ 5,000	\$ --	\$ 21,005
Housing & Community Development	\$ 117,450	\$ --	\$ 6,500	\$ 110,950
Planning	\$ 146,995	\$ 10,000	\$ --	\$ 156,995
Public Works				
Equipment Services	\$ 312,955	\$ 3,000	\$ --	\$ 315,955
Police				
Records	\$ 54,100	\$ 6,000	\$ --	\$ 60,100
Animal Control	\$ 32,435	\$ --	\$ 6,000	\$ 26,435
Fire				
Prevention	\$ 57,385	\$ 2,000	\$ --	\$ 59,385
Sundry	\$1,366,610	\$ --	\$ 15,500	\$1,351,110
OTHER FUNDS				
Library				
Sundry	\$ 43,035	\$ --	\$ 1,600	\$ 41,435
Operations	\$ 242,405	\$ 1,600	\$ --	\$ 244,005
Capital Improvement Fund				
Transportation	\$ 498,000	\$650,000	\$ --	\$1,148,000
Public Safety	\$1,605,590	\$ --	\$715,000	\$ 890,590
Municipal Facilities	\$ 15,000	\$ 55,000	\$ --	\$ 70,000
Sewer Utility	\$ 334,500	\$ 10,000	\$ --	\$ 344,500

ARTICLE II

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

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance to Amend the "Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979"

Council member Epting had spoken with several persons concerned with problems with ACCESS. He did not want to vote for appropriation of more money for them until the Council received a report on the administration of the program for the last year, particularly the emergency housing program. He wanted a description of the population served. Council member Kawalec said ACCESS was the only emergency housing available. And, until something else was available, she did not want to cut their appropriation. COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING ORDINANCE WITH THE PROVISION THAT \$10,000 FOR ACCESS BE WITHHELD.

AN ORDINANCE TO AMEND THE "ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1979"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979" as duly adopted on June 25, 1979, be and the same is hereby amended as follows:

ARTICLE I

	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
GENERAL FUND				
Human Services				
Administration and Impact Analysis	\$ 112,240	\$ 750	\$ -	\$ 112,990
Sundry				
Contingency	\$ 13,030	\$ 6,535	\$ 750	\$ 18,815
Contribution to Library	\$ 214,030	\$ -	\$ 6,535	\$ 207,495
OTHER FUNDS				
Library	\$ 338,910	\$ 6,615	\$ -	\$ 345,525

ARTICLE II

	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
REVENUE				
Library Fund	\$ 338,910	\$ 6,615	\$ -	\$345,525

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

This the ~~25th~~^{5th} day of July, 1979.

The money for ACCESS could be appropriated after the report. COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER COHEN, TO SUBSTITUTE THE FOLLOWING RESOLUTION:

AN ORDINANCE TO AMEND THE "ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1979"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979" as duly adopted on June 25, 1979, be and the same is hereby amended as follows:

ARTICLE I

	<u>CURRENT</u> <u>BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED</u> <u>BUDGET</u>
GENERAL FUND				
Human Services Administration and Impact Analysis	\$ 112,240	\$ 1,600	\$ -	\$ 113,840
Sundry Contingency	\$ 13,030	\$ 6,535	\$ 1,600	\$ 17,965
Contribution to Library	\$ 214,030	\$ -	\$ 6,535	\$ 207,495
OTHER FUNDS				
Library	\$ 338,910	\$ 6,615	\$ -	\$ 345,525

ARTICLE II

	<u>CURRENT</u> <u>BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED</u> <u>BUDGET</u>
REVENUE				
Library Fund	\$ 338,910	\$ 6,615	\$ -	\$ 345,525

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

This the ~~25th~~ day of July, 1979.

Council member Boulton asked what the impact would be on the contingency fund. Mr. Hooper answered it would be decreased by \$750. The \$4,000 allocated to JOCCA was directly related to community development and the small cities program, and could come from those budgets. If the Council wanted to increase funding to JOCCA beyond the \$4,000, the money would have to come from the contingency. Council member Kawalec asked that the motions be withdrawn and the matter deferred until later in the meeting when citizens who wanted to hear the discussion would be present. The motion and substitute were withdrawn, and the matter deferred.

Resolution of Appreciation

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

RESOLUTION OF APPRECIATION

WHEREAS, Peg Parker did serve on the Chapel Hill Planning Board from June 28, 1971, until her resignation which became effective June 30, 1979, and

WHEREAS, Peg Parker did play a commendable role of guidance in providing the necessary continuity throughout the many stages of putting together the Town's Comprehensive Plan as she displayed a leadership role which shall remain unchallenged for many years to come, and

WHEREAS, Peg Parker gave of herself with sensitivity, dedication and willingness while bringing to the Board an indepth knowledge and awareness of the community's needs, and

WHEREAS, Peg Parker exhibited genuine concern for all segments of the Town's planning area, performed optimistically while expressing her personal convictions with unwavering strength and a firmness of support for her beliefs;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and members of the Council of the Town of Chapel Hill, on behalf of all citizens, regretfully accept her resignation, express grateful appreciation to her for all she has done and acknowledge with sincerity the outstanding performances and contributions she has made in her many years of service to the Town, and

BE IT FURTHER RESOLVED that this resolution be made a permanent part of the records of the Town of Chapel Hill.

This the ~~25th~~ day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Planning Board--Appointment

Mr. Wilson had been nominated for the vacancy created on the Planning Board by the resignation of Peg Parker. Council member Smith moved, seconded by Council member Howes, that the nominations be closed. The motion was carried and Mr. Wilson was appointed.

Rezoning the Timberlyne Development from Orange County Zoning to Chapel Hill Zoning--Public Hearing

With a quorum of the Planning Board present, Mayor Wallace called the public hearing to order. Mr. Jennings stated that by resolution of both the Town and the County on July 3, Timberlyne had come into the town's planning jurisdiction. The town must not apply its zoning. The proposal was to rezone that portion of the property under special use to R-20. The area planned for condominium development would be R-4. Phase II of Timberlyne had not been platted and had not been offered by the County. Mr. Allen stated the developer was in favor of coming under Chapel Hill zoning. They had followed all standards of Chapel Hill zoning except curbing and guttering and would do so in developing Phase II. Council member Smith expressed the hope that the developer would make cut trees available for firewood. COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO REFER THE MATTER TO THE PLANNING BOARD FOR CONSIDERATION AND RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Modification of the Special Use Permit for Eastowne Office Park to Edward P. Pizer

COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION GRANTING A MODIFICATION OF THE SPECIAL USE PERMIT FOR EASTOWNE OFFICE PARK TO EDWARD P. PIZER, et. al.

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Special Use Permit granted to Edward P. Pizer, et. al. for Eastowne Office Park on Eastowne Drive is hereby modified to allow a revision of the site plan and elevations for Phase 3 of said development as shown on plans dated June 25, 1979; July 5, 1979 and July 7, 1979, subject to the following:

1. That the parking requirement for Phase 3 shall be reduced to 322 parking spaces as provided for in Section 4-C-21-d of the Zoning Ordinance.
2. That except as modified herein, all other special terms, conditions, and stipulations heretofore made applicable to the Special Use Permit be continued in effect, and that the Council finds that with all stipulations and conditions as modified, the use continues to meet the four requisite findings set forth in the initial Special Use Permit.
3. That prior to issuance of a building permit for building #7 of Eastowne Office Park, a revised master plan incorporating the neighborhood commercial center shall be reviewed by the Planning Board and approved by the Council. Such plan shall show phasing of future development including commercial, office, and residential areas.

BE IT FURTHER RESOLVED that the Council finds that the use as modified in accordance with the plans dated June 25, 1979; July 5, 1979 and July 7, 1979 continues to meet the four findings made by the Council on October 9, 1972 (and subsequently modified).

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Unified Business Development Special Use Permit to Julius Verwoerd for Hotel L'Europe

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

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO JULIUS VERWOERDT FOR HOTEL L'EUROPE

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Business Development proposed by Julius Verwoerd if developed in accordance with the plans dated April 6, 1979 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 genral conformity with the plan of development of Chapel Hill and its environs.

The stipulations upon which the above findings are based are as follows:

WITH REGARD TO PUBLIC HEALTH AND SAFETY

1. That prior to issuance of a certificate of occupancy the proposed extension of the connector street shall be widened to four lanes between US 15-501 and the frontage road and be paved with curb and gutter to the N.C. Department of Transportation standards. Paving plans shall be approved by the Town Manager and N.C. Department of Transportation prior to construction.
2. That the proposed extension of the frontage road along the south side of US 15-501 be paved to N.C. Department of Transportation standards. Paving plans to be approved by the Town Manager and N.C. Department of Transportation prior to construction. Such improvement shall be completed prior to issuance of a certificate of occupancy.
3. That the extension of Mt. Moriah Church Road be completed from US 15-501 to Legion Road prior to issuance of a certificate of occupancy. Detailed construction plans shall be approved by the Town Manager prior to construction.
4. That a paved sidewalk be constructed along one side of Mt. Moriah Church Road extension for the length of the frontage of the subject property with such road.
5. That the building entrance-exit points be connected to the parking areas and to the paved sidewalk along Mt. Moriah Church Road extension with a network of paved sidewalks. Such network of paved sidewalks shall be shown on the detailed landscape plan.
6. That prior to issuance of a certificate of occupancy a deceleration lane (serving traffic making right turns from US 15-501) and a turning lane (serving traffic making left turns from US 15-501) shall be constructed. Such improvements shall be approved by the Town Manager and the N.C. Department of Transportation prior to construction.
7. That the number, location, and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of a building permit.

WITH REGARD TO APPEARANCE

8. 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.

9. 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. Such plan shall include a mechanical means for watering landscaped areas.
10. 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.
11. 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. Provisions for such protection shall be shown on the landscape plan.
12. That the off-street parking areas be screened from public view along the connector street, US 15-501 and from the abutting property to the south by a screen a minimum of three feet in height consisting of evergreen vegetation and/or fencing. The detailed design of such screen shall be shown on the detailed landscape plan.
13. That screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.

OTHER REQUIREMENTS

14. That sewer and utility easements be dedicated as required by the Town Manager. Such easements shall be recorded prior to issuance of a building permit.
15. That the location of bulk trash containers be approved by the Town Manager. Pads for bulk trash containers shall be constructed to town standards.
16. That the applicant be permitted to reduce the number of required parking spaces to 313 as provided for in Section 4-C-21-d of the Zoning Ordinance on the findings that such a reduction is justified on the basis of the type of use, that no adverse increase in traffic congestion is expected because of the reduction, and the area to be freed from parking will be used for additional landscaping.
17. That water and sewer lines be located, designed and installed to Orange Water and Sewer Authority standards.
18. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Engineer prior to issuance of any grading permit and start of construction of improvements.
19. That a drainage plan be submitted to and approved by the Town Manager prior to issuance of a building permit. Improvements included in the drainage plan shall be completed prior to issuance of a certificate of occupancy.
20. That the name of the development be approved by the Town Manager as not being similar to another existing development within Chapel Hill Township.
21. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each structure to be served by the utility. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
22. That all off-street parking areas be paved with curb and gutter.
23. That all detention basins shall be privately maintained by the owner or other appropriate entity.
24. That a bus shelter be provided to serve users of the Chapel Hill Transit system. The location of such shelter shall be approved by the Town Manager and the design and location of the shelter shall be shown on the detailed landscape plan. Such shelter shall be installed prior to issuance of a certificate of occupancy.
25. That construction begin by July 31, 1981 and be completed by July 31, 1983.

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

This the 25th day of July, 1979.

Council member Boulton asked that the town request a light at this intersection when discussing paving with the state. THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION REQUESTING A TRAFFIC SIGNAL (Mt. Moriah Church Road and US 15-501)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the council respectfully requests the North Carolina Department of Transportation to signalize the intersection of Mt. Moriah Church Road and US 15-501 as soon as possible, due to the heavy increase in traffic to be expected at the intersection in the near future as the result of nearby development.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

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

The Planning Board had met and recommended approval of the rezoning of the Timberlyne property to R-20 and R-4. COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING ORDINANCE:

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

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

That the Timberlyne Development, more particularly Chapel Hill Township Tax Map 24, Lot 28 be rezoned from Orange County Residential zoning to Chapel Hill Residential (R-20) zoning for the portions of the development proposed to be developed under Unified Business Special Use Permits, in particular the Timberlyne Office Park North, Timberlyne Office Park South and Timberlyne Village Shopping Center as shown on plans submitted with such applications. That the portion proposed to be developed under a Unified Housing Special Use Permit for the Timberlyne Condominiums be rezoned from Orange County Residential zoning to Chapel Hill Residential (R-4) zoning as shown on plans submitted with such application.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Unified Business Development Special Use Permit to Timberlyne Associates for Timberlyne Village Shopping Center

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

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO TIMBERLYNE ASSOCIATES FOR TIMBERLYNE VILLAGE SHOPPING CENTER

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Business Development proposed by Timberlyne Associates if developed in accordance with the plans dated April 6, 1979 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:

WITH REGARD TO PUBLIC HEALTH AND SAFETY

1. That detailed construction plans for Kingston Drive and Cardinal Street be approved by the Town Manager prior to construction. Such streets shall be constructed to town standards to a minimum paved cross section of 40 feet back to back of curb with curb and gutter. A paved sidewalk shall be constructed along the frontage of the shopping center with such streets. Such street and sidewalk improvements shall be completed prior to issuance of any certificate of occupancy.
2. That additional public right-of-way be dedicated along the frontage of the subject property with Weaver Dairy Road. Such dedication shall measure 45 feet back of the centerline of the road and shall be recorded prior to issuance of any building permit.
3. That prior to issuance of any certificate of occupancy Weaver Dairy Road shall be widened along the entire frontage of the subject development with the road to a minimum paved cross section of 53 feet back to back of curb with curb and gutter. Such improvements shall also be extended to NC 86. Detailed construction plans for such road improvements shall be approved by the Town Manager and the N.C. Department of Transportation prior to construction. Such improvements to Weaver Dairy Road shall correct the sight distance problem (to the west) existing at the Kingston Drive/Weaver Dairy Road intersection.
4. That Kingston Drive and Cardinal Street be dedicated as public streets. Kingston Drive and Cardinal Street shall have minimum 80 foot wide right-of-way widths.
5. That the proposed bank located near the Kingston Drive ingress-egress point be located elsewhere on the site so as not to interfere with sight lines at this entrance to the shopping center. The location of such bank on the site shall be approved by the Town Manager.
6. That all buildings be connected to the parking area and to the paved sidewalks along Kingston Drive, Weaver Dairy Road, and Cardinal Street via a network of paved sidewalks. Such sidewalk network shall be shown on the detailed landscape plan and approved by the Appearance Commission.
7. That the number, location, and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permit.
8. That all ingress-egress points serving the shopping center be constructed with a left turn lane. The design of such ingress-egress points shall be approved by the Town Manager.
9. That prior to issuance of any certificate of occupancy a left turn lane serving traffic turning left onto Weaver Dairy Road and a deceleration lane serving traffic turning right onto Weaver Dairy Road shall be provided at the Weaver Dairy/NC 86 intersection. Such improvements shall be approved by the Town Manager and the N.C. Department of Transportation prior to construction.
10. That prior to opening Cardinal Street to NC 86, and prior to issuance of any certificate of occupancy a deceleration lane serving traffic turning right into Cardinal Street and left turn serving traffic turning left into Cardinal Street shall be provided at the Cardinal Street/NC 86 intersection. Such improvements shall be approved by the Town Manager and the N.C. Department of Transportation prior to construction.
11. That the seven access points to the shopping center parking lot from Weaver Street be reduced by at least two.
12. That a paved sidewalk to town standards be constructed along the frontage of the subject property with Weaver Dairy Road. Plans for such sidewalk shall be approved by the Town Manager prior to construction.

STIPULATIONS RELATED TO APPEARANCE

13. 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. Such elevations may be submitted in phases corresponding to the development phasing plan, in which case detailed architectural plans shall be submitted prior to issuance of a building permit for any building within the phase. Architectural plans shall specify materials, color, and exterior elevations.
14. 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. Such plans shall show adequate mechanical means for watering landscaped areas. Such landscape plan may be submitted in phases corresponding to the development phasing plan in which case a detailed landscape plan shall be submitted prior to obtaining a certificate of occupancy for any building within the phase.
15. That the screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
16. 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. Provisions for such protection shall be shown on the landscape plan.
17. 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.
18. That the parking areas be screened from public view along Cardinal Drive, Weaver Dairy Road and Kingston Drive. The proposed method of screening shall be shown on the detailed landscape plan and approved by the Appearance Commission.
19. The parking areas be screened from the view of adjoining residential properties to the west by a solid wall, fence, or evergreen screen. The proposed method of screening shall be shown on the detailed landscape plan and approved by the Appearance Commission.
20. That a minimum 60 foot wide permanent buffer strip be dedicated along the projects frontage with Weaver Dairy Road. All existing planting within such permanent buffer shall be retained except that required for the provision of the standard sight triangles at the intersections of Kensington Drive with Weaver Dairy Road and Weaver Street with Weaver Dairy Road. Such buffer strip shall be measured from the proposed 90 foot wide Weaver Dairy Road right-of-way line.

OTHER REQUIREMENTS

21. That the name of the development be approved by the Town Manager as not being similar to another existing development within Chapel Hill Township.
22. That sewer and utility easements be dedicated as required by the Town Manager.
23. That provisions for trash collection be approved by the Town Manager. That at such time as municipal garbage collection is available to the development, the provisions for garbage collection shall be approved by the Town Manager. If bulk trash containers are used the location and screening of such containers shall be approved by the Town Manager in consultation with the Appearance commission. The provision of such facilities shall not be a modification to the approved permit. Pads for bulk trash containers shall be constructed to town standards.
24. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Engineer prior to issuance of any grading permit and start of construction of improvements.
25. 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 any certificate of occupancy. All drainage shall be directed toward the proposed impoundment pond located in the southeast corner of the site and no drainage shall be directed onto properties located on the north side of Weaver Dairy Road directly opposite the subject shopping center development.

26. That all structures connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each structure shall not be permitted.
27. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each structure to be served by the utility. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
28. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
29. That all off-street parking areas be paved with curb and gutter.
30. That the proposed bus route within the shopping center be paved to applicable standards of the Town of Chapel Hill.
31. That water and sewer lines be installed to Orange Water and Sewer Authority standards.
32. That 100 off-street parking spaces be set aside for use as a park-ride lot serving users of the Chapel Hill Transit system. A bus shelter shall be provided for such lot. The location of such facilities shall be approved by the Town Manager. The design of the structure shall be submitted as part of the detailed landscape plan and shall be approved by the Appearance Commission.
33. That all detention basins shall be privately maintained by the owner or other appropriate entity.
34. That construction begin by July 31, 1983 and be completed by July 31, 1987.

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

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Unified Business Development Special Use Permit to Timberlyne Associates for Timberlyne Office Park North

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

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO TIMBERLYNE ASSOCIATES FOR TIMBERLYNE OFFICE PARK NORTH

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Business Development proposed by Timberlyne Associates if developed in accordance with the plans dated April 6, 1979 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:

WITH REGARD TO HEALTH AND SAFETY

1. That detailed construction plans for Kingston Drive be approved by the Town Manager prior to construction. Such street shall be constructed to town standards to a minimum width of 40 feet back to back of curb with curb and gutter.

A paved sidewalk shall be constructed along one side of the road for its entire length. Such improvements shall be completed prior to issuance of a certificate of occupancy for the fourth building. Prior to this, construction shall be completed to a point 50 feet beyond the driveway serving any building for which a certificate of occupancy is sought. Kingston Drive shall be dedicated as a public street with a minimum 70 foot wide right-of-way width.

3. That prior to issuance of a certificate of occupancy for the second building, Weaver Dairy Road shall be widened along the entire frontage of the subject development with the road to a minimum paved cross section of 53 feet back to back of curb with curb and gutter. Such improvements shall also be extended to a point 250 feet west of the western intersection of Kingston Drive with Weaver Dairy Road. Detailed construction plans for such road improvements shall be approved by the Town Manager and the North Carolina Department of Transportation (NCDOT) prior to construction. A paved sidewalk to Town standards shall be constructed along the frontage of the subject property with Weaver Dairy Road.
4. That all buildings be connected to parking lots and to the paved sidewalk along Kingston Drive via a network of paved sidewalks. Such sidewalk network shall be shown on the detailed landscape plan and approved by the Appearance Commission.
5. That the number, location, and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permit.
6. That a paved sidewalk to town standards be constructed along the frontage of the subject property with Weaver Dairy Road. Plans for such sidewalk shall be approved by the Town Manager prior to construction.

WITH REGARD TO APPEARANCE

7. 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. Such elevations may be submitted in phases corresponding to the development phasing plan, in which case detailed architectural plans shall be submitted prior to issuance of a building permit for any building within the phase. Architectural plans shall specify materials, color, and exterior elevations.
8. 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. Such plans shall show adequate mechanical means for watering landscaped areas. Such landscape plan may be submitted in phases corresponding to the development phasing plan in which case a detailed landscape plan shall be submitted prior to obtaining a certificate of occupancy for any building within the phase.
9. 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. Provisions for such protection shall be shown on the landscape plan.
10. 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.
11. That the parking areas be screened from the view of Kingston Drive. The proposed method of screening shall be shown on the detailed landscape plan and approved by the Appearance Commission.
12. That the parking areas be screened from the view of adjoining residentially zoned properties by a solid wall, fence, or evergreen screen. The proposed method of screening shall be shown on the detailed landscape plan and approved by the Appearance Commission.
13. That a minimum 50 foot wide permanent buffer strip be dedicated along the project's frontage with Weaver Dairy Road. All existing planting within such permanent buffer shall be retained except that required for the provision of: 1) the standard sight triangles at the intersections of Kensington Drive with Weaver Dairy Road; and 2) the Duke Power easement along the eastern property boundary. Such buffer strip shall be measured from the proposed 90 foot wide Weaver Dairy Road right-of-way line.

14. That screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.

OTHER REQUIREMENTS

15. That the name of the development be approved by the Town Manager as not duplicating or being similar to another existing development within Chapel Hill Township.
16. That sewer and utility easements be dedicated as required by the Town Manager.
17. That provisions for trash collection be approved by the Town Manager. That at such time as municipal garbage collection is available to the development, the provisions for garbage collection shall be approved by the Town Manager. If bulk trash containers are used the location and screening of such containers shall be approved by the Town Manager in consultation with the Appearance Commission. The provision of such facilities shall not be a modification to the approved permit. Pads for bulk trash containers shall be constructed to town standards.
18. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Engineer prior to issuance of any grading permit and start of construction of improvements.
19. 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 any certificate of occupancy.
20. That all structures connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each structure shall not be permitted.
21. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each structure to be served by the utility. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
21. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each structure to be served by the utility. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
22. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
23. That all off-street parking areas be paved with curb and gutter.
24. That the applicant be permitted to reduce the number of required parking spaces by up to 33% as provided for in Section 4-C-21-d of the Zoning Ordinance on the findings that such a reduction is justified on the basis of the type of use, that the office use is not expected to need parking in the generally required ration, no adverse increase in traffic congestion is expected because of the reduction, and the area to be freed from parking will be used for additional landscaping.
25. That all stormwater detention basins shall be privately maintained by the owner or other appropriate entity.
26. That water and sewer lines be installed to Orange Water and Sewer Authority standards.
27. That a bus shelter be provided to serve users of the Chapel Hill Transit System. The location of such shelter shall be approved by the Town Manager and the design and location of the shelter shall be shown on the detailed landscape plan. Such shelter shall be installed prior to issuance of any certificate of occupancy.
28. That construction begin by July 31, 1983 and be completed by July 31, 1987.

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

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Unified Business Development Special Use Permit to Timberlyne Associates for Timberlyne Office Park South

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO TIMBERLYNE ASSOCIATES FOR TIMBERLYNE OFFICE PARK SOUTH

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Business Development proposed by Timberlyne Associates if developed in accordance with the plans dated April 6, 1979 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:

WITH REGARD TO HEALTH AND SAFETY

1. That the detailed construction plans for Kingston Drive be approved by the Town Manager prior to construction. Such street shall be constructed to town standards to a minimum width of 40 feet back to back of curb with curb and gutter. A paved sidewalk shall be constructed along with the length of the frontage of the office park with Kingston Drive. Such paving shall be completed prior to issuance of any certificate of occupancy. Kingston Drive shall be dedicated as a public street with a minimum 80 foot wide right-of-way width from the northern corner of Lot 141 within Phase 2, Section 2 of Timberlyne Subdivision of Weaver Dairy road.
2. That additional public right-of-way be dedicated along the frontage of the subject property with Weaver Dairy Road. Such dedication shall measure 45 feet back of the centerline of the road and shall be recorded prior to issuance of any building permit.
3. That prior to issuance of a certificate of occupancy for the second building, Weaver Dairy Road shall be widened along the entire frontage of the subject development with the road to a minimum paved cross section of 53 feet back to back of curb with curb and gutter. Detailed construction plans for such road improvements shall be approved by the Town Manager and the N.C. Department of Transportation prior to construction. A paved sidewalk to Town standards shall be constructed along the frontage of the subject property with Weaver Dairy Road.
4. That all buildings be connected to the parking lots and to the paved sidewalk along Kingston Drive and Weaver Dairy Road via a network of paved sidewalks. Such sidewalk network shall be shown on the detail-landscape plan and approved by the Appearance Commission.
5. That the number, location and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permit.
6. That a paved sidewalk to town standards be constructed along the frontage of the subject property with Weaver Dairy Road. Plans for such sidewalk shall be approved by the Town Manager prior to construction.

WITH REGARD TO APPEARANCE

7. That the parking areas be screened from the view of Kingston Drive. The proposed method of screening shall be shown on the detailed landscape plan and approved by the Appearance Commission.
8. That the parking areas be screened from the view of residential properties to the east by a solid wall, fence or evergreen screen. The proposed method of screening shall be shown on the detailed landscape plan and approved by the Appearance Commission.
9. That a minimum 50 foot wide permanent buffer strip be dedicated along the projects frontage with Weaver Dairy Road. All existing planting within such permanent buffer shall be retained except that required for the provision of: 1) the standard sight triangle at the intersection of Kingston Drive with Weaver Dairy Road; and 2) the Duke Power right-of-way along the eastern property boundary. Such buffer strip shall be measured from the proposed 90 foot wide Weaver Dairy Road right-of-way line.
10. 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. Such elevations may be submitted in phases corresponding to the development phasing plan, in which case detailed architectural plans shall be submitted prior to issuance of a building permit for any building within the phase. Architectural plans shall specify materials, color, and exterior elevations.
11. 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. Such plans shall show adequate mechanical means for watering landscaped areas. Such landscape plan may be submitted in phases corresponding to the development phasing plan in which case a detailed landscape plan shall be submitted prior to obtaining a certificate of occupancy for any building within the phase.
12. That screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
13. 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. Provisions for such protection shall be shown on the landscape plan.
14. 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.

OTHER STIPULATIONS

15. That all trash facilities and bulk trash containers be located at least 150 feet from the residential properties to the east.
16. That the name of the development be approved by the Town Manager as not duplicating or being similar to another existing development within Chapel Hill Township.
17. That sewer and utility easements be dedicated as required by the Town Manager.
18. That provisions for trash collection be approved by the Town Manager. That at such time as municipal garbage collection is available to the development, the provisions for garbage collection shall be approved by the Town Manager. If bulk trash containers are used the location and screening of such containers shall be approved by the Town Manager in consultation with the Appearance Commission. The provision of such facilities shall not be a modification to the approved permit. Pads for bulk trash containers shall be constructed to town standards.
19. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Engineer prior to issuance of any grading permit and start of construction of improvements.
20. That 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 any certificate of occupancy.

21. That all structures connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each structure shall not be permitted.
22. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each structure to be served by the utility. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
23. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
24. That all off-street parking areas be paved with curb and gutter.
25. That the applicant be permitted to reduce the number of required parking spaces by up to 33% as provided for in Section 4-C-21-d of the Zoning Ordinance on the findings that such a reduction is justified on the basis of the type of use, that the office is not expected to need parking in the generally required ratio, no adverse increase in traffic congestion is expected because of the reduction, and the area to be freed from parking will be used for additional landscaping.
26. That all storm water detention basins shall be privately maintained by the owner or other appropriate entity.
27. That water and sewer lines be installed to Orange Water and Sewer Authority standards.
28. That construction begin by July 31, 1983 and be completed by July 31, 1987.

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

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Unified Housing Development Special Use Permit to Timberlyne Associates for Timberlyne Condominiums

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

A RESOLUTION GRANTING A UNIFIED HOUSING DEVELOPMENT SPECIAL USE PERMIT TO TIMBERLYNE ASSOCIATES FOR TIMBERLYNE CONDOMINIUMS

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Development proposed by Timberlyne Associates if developed in accordance with the plans dated April 6, 1979 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:

WITH REGARD TO HEALTH AND SAFETY

1. That Cardinal Street be a public street constructed to town standards with a minimum paved cross section of 40 feet back to back of curb with curb and gutter. A paved sidewalk shall be constructed along the frontage of the subject property with Cardinal Street. The above street and sidewalk improvements shall be approved by the Town Manager prior to construction and shall be completed prior to issuance of a building permit for any building or unit within the

second half of the proposed 160 unit development. The dedicated right-of-way width of Cardinal Street shall be 80 feet as recommended in the applicant's traffic report.

2. That prior to opening Cardinal Street to NC 86 and prior to issuance of a building permit for any building or unit within the second half of the proposed 160 unit development, a deceleration lane serving right turns into Cardinal Street and a left turn lane serving left turns into Cardinal Street shall be provided on NC 86. Detailed construction plans for such improvements shall be approved by the Town Manager and the N.C. Department of Transportation prior to construction.
3. That a paved sidewalk be constructed along the frontage of the subject property with Kingston Drive.
4. That prior to issuance of any building permit within the proposed development, Kingston Drive shall be paved from its intersection with Weaver Dairy Road to a point at least 50 feet south of the intersection of Cardinal Street with Kingston Drive. Kingston Drive shall be dedicated as a public street with a minimum right-of-way width of 80 feet. Detailed construction plans shall be approved by the Town Manager prior to construction.
5. That detailed construction plans for Kingston Drive be approved by the Town Manager prior to construction. Such street shall be constructed to town standards to a minimum paved cross section of 40 feet back to back of curb and gutter.
6. That the western access drive connecting with Cardinal Street and serving the condominium development be dedicated as a public street with a 60 foot wide right-of-way width and that this right-of-way be stubbed out to the southern property line to serve the adjacent undeveloped property to the south.
7. That all buildings be connected to their parking areas and to the paved sidewalk along Cardinal Street via a network of paved sidewalks. Such sidewalk networks shall be shown on the detailed landscape plan and approved by the Appearance Commission.
8. That the number, location and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permit.

WITH REGARD TO APPEARANCE

9. 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. Such elevations may be submitted in phases corresponding to the development phasing plan, in which case detailed architectural plans shall be submitted prior to issuance of a building permit for any building within the phase. Architectural plans shall specify materials, color, and exterior elevations.
10. 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. Such plans shall show adequate mechanical means for watering landscaped areas. Such landscape plan may be submitted in phases corresponding to the development phasing plan in which case a detailed landscape plan shall be submitted prior to obtaining a certificate of occupancy for any building within the phase.
11. 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. Provisions for such protection shall be shown on the landscape plan.
12. 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.
13. That screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.

OTHER STIPULATIONS

14. That the name of the development be approved by the Town Manager as not being similar to another existing development within Chapel Hill Township.
15. That sewer and utility easements be dedicated as required by the Town Manager.
16. That provisions for trash collection be approved by the Town Manager. That at such time as municipal garbage collection is available to the development, the provisions for garbage collection shall be approved by the Town Manager. If bulk trash containers are used the location and screening of such containers shall be approved by the Town Manager in consultation with the Appearance Commission. The provision of such facilities shall not be a modification to the approved permit. Pads for bulk trash containers shall be constructed to town standards.
17. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Engineer prior to issuance of any grading permit and start of construction of improvements.
18. That the proposed pool provide at least 15½ square feet of water surface area per dwelling unit.
19. 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 any certificate of occupancy.
20. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
21. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each structure to be served by the utility. A letter from the owner or owners' representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
22. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
23. That water and sewer lines be installed to the Orange Water and Sewer Authority standards.
24. That all detention basins shall be privately maintained by the owner or other appropriate entity.
25. That construction begin by July 31, 1983 and be completed by July 31, 1987.

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

This the 25th day of July, 1979.

Recreational facilities included a swimming pool and tennis courts. THE MOTION WAS CARRIED UNANIMOUSLY.

Laurel Hills--Petition

Mr. Messer had requested that the Council deny the Planning Board's request to extend the review period for Laurel Hills. He wanted the Planning Board to consider the project in August. The Planning Board felt the zoning ordinance should take priority. As the project had been delayed for three public hearings, the Council agreed that it should not be delayed any longer. COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER BOULTON, TO DENY THE REQUEST FOR EXTENSION OF THE REVIEW PERIOD. THE MOTION WAS CARRIED BY A VOTE OF FIVE TO TWO WITH COUNCIL MEMBERS BOULTON, COHEN, EPTING, HOWES AND KAWALEC SUPPORTING AND COUNCIL MEMBER SMITH AND MAYOR WALLACE OPPOSING.

Resolution Accepting the Offer of a Clean Water Grant

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

A RESOLUTION ACCEPTING THE OFFER OF A CLEAN WATER GRANT (Smith-Coolidge and Sourwood Sewers)

WHEREAS, the North Carolina Department of Natural Resources and Community Development, with approval of the North Carolina Environmental Management Commission, has offered the Town a Clean Water grant of \$95,544 to assist in construction of the Sourwood and Smith-Coolidge Wastewater collection project; and

WHEREAS, the grant will assist in financing of a project which will benefit the public health and welfare of the community;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill:

That the Town of Chapel Hill accepts the grant offer; and

That Raymond E. Shipman, Town Manager, is hereby authorized to accept the grant offer and to give the assurances contained in the Offer and Acceptance document.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Unified Business Development Special Use Permit to Courtyard Associates for the Courtyard

COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO COURTYARD ASSOCIATES FOR THE COURTYARD

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Business Development proposed by Courtyard Associates if developed in accordance with the plans dated April 6, 1979 and April 30, 1979 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:

WITH REGARD TO SAFETY AND HEALTH

1. That Lot 17 of Block G, Tax Map 92 be removed from the application. That a revised parking layout reflecting the above change shall be shown on the required landscape plan and shall be approved by the Appearance Commission prior to issuance of a grading permit for activity outside the CBD and/or a certificate of occupancy for any building.
2. 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.
3. That the southernmost exit/entrance to the parking lot from Roberson Street be deleted. That all abandoned curb cuts be replaced by curb and gutter to Town standards. The design of all new sidewalks along public streets shall be approved by the Town Manager prior to construction.
4. That the off-street parking area be paved.
5. That lighting be provided within the parking lot using the locational recommendations of the Chapel Hill Police Department. The design, location, and specifications for such lighting shall be shown on the required landscape plan.
6. That pedestrian access to the parking lot from Roberson Street and McDade Street be limited only to the principal vehicular access-egress points.

7. That provided the applicant obtains a variance from the Board of Adjustment the required height of the screening along Roberson Street may be reduced to a minimum of three (3) feet in order to permit surveillance of the lot from Roberson Street.

WITH REGARD TO APPEARANCE

8. 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.
9. 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. Such plan shall show adequate mechanical means for watering landscape areas.
10. 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.
11. That the off-street parking area be screened from the abutting residentially zoned property to the south and east by a solid six-foot high screen consisting of vegetation and/or a fence. The detailed design of such screen shall be shown on the landscape plan.
12. 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. Provisions for such protection shall be shown on the landscape plan.
13. That paved areas be set back as far as possible from trees to be retained.
14. That the applicant identify on the landscape plan those trees which require a tree feeder system to ensure the continued provision of proper tree nourishment, including adequate water, air, and nutrients to the root system of said trees. The design specifications for such a tree feeder system and the proposed specifications for its installation shall be shown on the landscape plan, and shall be reviewed and approved as part of the landscape plan.
15. That the applicant enlarge the proposed planting strip along Roberson Street to comply with the minimum required width of ten (10) feet.

OTHER STIPULATIONS

16. That provisions for garbage collection be approved by the Town Manager. Pads for bulk trash containers shall be constructed to Town standards.
17. That at such time as any part of the residentially zoned portion of the parking lot no longer serves the subject development, as identified in this application, all rights to use such land for parking shall immediately terminate and the applicant shall apply to the Town of Chapel Hill for a modification of the Special Use Permit to recognize such change and to incorporate any additional requirements necessary to continue to meet the required positive findings. That no parking on the residentially zoned portions of the parking lot shall be used for any commercial or office use apart from those covered by the present special use permit.
18. That the applicant develop a management plan for the parking lot and make compliance with such plan a requirement of the lease of all tenants. Such plan shall specify the location of tenant parking on the McDade Street lot and on the portion of the Roberson Street lot furthest from Franklin Street. The objective of the management plan shall be to minimize any adverse effects of the lot on adjoining residential properties and the plan shall discourage parking by users of off-site establishments. A copy of such plan shall be submitted to and approved by the Town Manager prior to issuance of a certificate of occupancy.
19. That the restricted use of the parking lot be posted at each entrance to the lot as recommended by the Chapel Hill Police Department in the pre-construction security survey dated May 15, 1979.
20. That construction begin by July 31, 1981 and be completed by July 31, 1983.

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

This the 25th day of July, 1979.

Mr. Jennings stated the primary issue of the proposal was the parking lot on residentially zoned property. The difference between the staff recommendation and the Planning Board recommendation was the construction of a masonry wall along the residential property line. The applicant agreed with the staff in not constructing a wall. She also requested that the 40' lot at the end and the curfew be deleted. The staff concurred with this. The applicant would have to redesign the lot and might lose some spaces. Mr. Kaiser stated the Planning Board had felt strongly about the curfew. They believed the lot an intrusion to the neighborhood. The noise from the lot would be a disturbance. Council member Howes asked if the attorney believed the curfew enforceable. Mr. Reeve responded the attorney was not sure that it could be enforced. Council member Cohen pointed out that the town had received many complaints when it had used a chain to block off town lots. Council member Smith asked if the new proposal had been discussed with the neighbors. Mr. Jennings had not approached the neighbors. Council member Smith did not believe the Council could make finding 4. The policy of the town was not to expand the CBD. This project would open the gate into other residential areas. Council member Epting thought this a good project. He said most of the problems neighbors complained about arose from Elliot's Nest, not from the project. The owner would police the lot to prevent problems. Council member Smith again argued the lot was not in harmony with the surrounding area. Council member Epting counted that there was a parking lot to the north of the subject property. THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS BOULTON, COHEN, EPTING, HOWES, KAWALEC AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER SMITH OPPOSING.

Resolution Approving a Preliminary Sketch for the Colony Woods West Subdivision
Located on Legion Road

COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION APPROVING A PRELIMINARY SKETCH FOR THE COLONY WOODS WEST SUBDIVISION LOCATED ON LEGION ROAD (CHAPEL HILL TOWNSHIP TAX MAP 27, BLOCK D, LOT 21)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the preliminary sketch dated June, 1979 for the Colony Woods West Subdivision located on Legion Road subject to the following requirements:

1. That an additional five feet of public right-of-way be dedicated along the applicant's frontage with Legion Road. Such dedication shall be shown on the final plat.
2. That Legion Road be paved, curbed and guttered along the property's frontage to a width of 16½ feet as measured from the centerline of the road (to provide for an eventual 33 foot wide street).
3. That all streets be paved to Town standards or comparable State standards (whichever are greater) with curb and gutter, and that the plans and profiles of such streets be approved by the Town Manager prior to construction. That Street "A" and Street "B" be paved to a minimum paved cross-section of 27 feet back-to-back of curb as provided for in Section 18-68 of the Subdivision Ordinance. Turn-a-rounds shall be constructed with a minimum 40 foot radius.
4. That no proposed street names duplicate or be similar to existing street names. Such proposed street names shall be approved by the Town Manager and shall be shown on the final plat.
5. That sanitary sewer, drainage and utility easements be dedicated as required by the Town Manager. Such easements shall be shown on the final plat.
6. That prior to paving streets, utility service laterals shall be stubbed-out to the front property line of each lot. Sanitary sewer laterals shall be capped-off above ground. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
7. That the number, location and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permits.
8. That a detailed drainage plan and the detailed street construction plans be submitted to and approved by the Town Manager prior to issuance of a grading permit, building permit or submission of an application for final plat approval.

9. That the final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Manager prior to issuance of any grading permit, start of construction of improvements or submission of an application for final plat approval.
10. That a 50 foot wide combination storm water, sanitary sewer drainage, pedestrian and non-motorized vehicle easement be dedicated through Lots #9 and #10 from Street "B" to the southern parcel of open space. That a 30-foot-wide storm water, drainage/pedestrian and non-motorized vehicle easement be dedicated from the end of Street "A" between Lots #7 and #8 and between Lots #9 and #10 and the southern parcel of open space.
11. That a 30 foot wide pedestrian and non-motorized vehicle easement be dedicated from Street "A" to the northern parcel of open space. Such easement shall be shown on the final plat.
12. That the open space be increased to comply with the minimum required area of 36,000 square feet by increasing the size of the southern parcel of open space.
13. That the open space be labelled on the final plat "dedicated permanent open space."
14. That water and sewer lines be constructed to OWASA standards.
15. That all detention basins be privately maintained by the owner or other appropriate entity.
16. That at such time as Elderberry Drive is constructed within the Forsyth Subdivision, the Town of Chapel Hill shall extend Street "B" to connect with the portion of Elderberry Drive located within Forsyth Subdivision thus providing dual access to the subject development.
17. That right-of-way be dedicated on the final plat to provide for the extension of Street "B" to the portion of Elderberry Drive located within Forsyth Subdivision.
18. That a minimum 100 foot wide "pedestrian and non-motorized vehicle easement" be dedicated along the southern boundary of the subject property where such boundary abuts the Colony Wood Subdivision. Such easement shall be shown on the final plat.

This the 25th day of July, 1979.

Mr. Jennings presented the project. Council member Smith asked if there was a path from this project to the school. Mr. Jennings answered there would be an easement to the back edge of the school property. Council member Cohen suggested the town proceed with acquiring an easement across the American Legion property as well as those projects approved in recent months. Council member Kawalec asked about the potential use of the unplanned 5 acres. Council member Cohen suggested the town consider trading this property for some owned by the American Legion next to the school. Mr. Hooper pointed out it could be used for additional open space for the public housing or for additional housing. Council member Kawalec preferred more open space so that the housing could be spread out. Mr. Jennings explained that spreading the housing out would necessitate spending more money for roads. The budget was tight. THE MOTION WAS CARRIED UNANIMOUSLY.

November Bond Referendum

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

A RESOLUTION CALLING A SPECIAL MEETING OF THE COUNCIL OF THE TOWN OF CHAPEL HILL

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a Special Meeting on September 4, 1979 at 7:30 p.m. in the Meeting Room, at 306 N. Columbia Street for the purpose of holding a public hearing to consider the final passage of the bond order pertaining to the November 6, 1979, bond referendum.

This the ~~25th~~ 5th day of July, 1979.

Council member Boulton questioned whether the Council could later withdraw from the bond referendum for land acquisition if it so desired. Mayor Wallace suggested they wait until the public hearing.

In order to follow correct procedure, Council member Cohen withdrew his motion.

Council member Cohen introduced the following bond orders which were read at length:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,600,000 PARKING FACILITIES BONDS OF THE TOWN OF CHAPEL HILL"

WHEREAS, the Council of the Town of Chapel Hill deems it advisable to make the improvements hereinafter described; and

WHEREAS, the Council has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Council that the application has been filed and accepted for submission to the Local Government Commission; NOW, THEREFORE,

BE IT ORDAINED by the Council of the Town of Chapel Hill, as follows:

Section 1. The Council of the Town of Chapel Hill has ascertained and hereby determines that it is necessary to provide parking facilities, including the construction and equipping of buildings and garages and the acquisition of necessary land or rights-in-land, and to pay capital costs of such improvements.

Section 2. In order to raise the money required to pay capital costs of providing the improvements as set forth above, in addition to any funds which may be made available for such purpose from any other source, bonds of the Town of Chapel Hill are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$2,600,000.

Section 3. A tax sufficient to pay the principal of and interest on said bonds when due shall be annually levied and collected. The revenues of the facilities hereinbefore described may be pledged to the payment of the interest on and principal of said bonds if and to the extent that the Council shall hereafter determine by resolution prior to the issuance of said bonds. In such event, the tax to pay the principal of and interest on said bonds may be reduced by the amount of such revenues available for the payment of such principal and interest.

Section 4. A sworn statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the Town of Chapel Hill at a referendum.

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$300,000 LAND ACQUISITION BONDS OF THE TOWN OF CHAPEL HILL"

WHEREAS, the Council of the Town of Chapel Hill deems it advisable to make the improvements hereinafter described; and

WHEREAS, the Council has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Council that the application has been filed and accepted for submission to the Local Government Commission; NOW, THEREFORE,

BE IT ORDAINED by the Council of the Town of Chapel Hill, as follows:

Section 1. The Council of the Town of Chapel Hill has ascertained and hereby determines that it is necessary to acquire land for open space and street purposes, and to pay capital costs of such improvements.

Section 2. In order to raise the money required to pay capital costs of providing the improvements as set forth above, in addition to any funds which may be made available for such purpose from any other source, bonds of the Town of Chapel Hill are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$300,000.

Section 3. A tax sufficient to pay the principal of and interest on said bond when due shall be annually levied and collected.

Section 4. A statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the Town of Chapel Hill at a referendum.

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$450,000 FIRE FIGHTING FACILITIES BONDS OF THE TOWN OF CHAPEL HILL"

WHEREAS, the Council of the Town of Chapel Hill deems it advisable to make the improvements hereinafter described; and

WHEREAS, the Council has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Council that the application has been filed and accepted for submission to the Local Government Commission; NOW, THEREFORE,

BE IT ORDAINED by the Council of the Town of Chapel Hill, as follows:

Section 1. The Council of the Town of Chapel Hill has ascertained and hereby determines that it is necessary to provide facilities and public vehicles for fire fighting and prevention, including the construction of buildings, the acquisition of public vehicles and equipment and the extension of sewer lines as required in connection with said facilities, and to pay capital costs of such improvements.

Section 2. In order to raise the money required to pay capital costs of providing the improvements as set forth above, in addition to any funds which may be made available for such purpose from any other source, bonds of the Town of Chapel Hill are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$450,000.

Section 3. A tax sufficient to pay the principal of and interest on said bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the Town of Chapel Hill at a referendum.

COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER HOWES, THAT ACTION ON THE BOND ORDERS BE DEFERRED UNTIL A LATER MEETING. THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER COHEN MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION CALLING A SPECIAL MEETING OF THE COUNCIL OF THE TOWN OF CHAPEL HILL

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a Special Meeting on September 4, 1979, at 7:30 p.m., in the Meeting Room at 306 N. Columbia Street for the purpose of holding a public hearing to consider the final passage of the bond order pertaining to the November 6, 1979, bond referendum.

This the ~~25th~~ day of July, 1979.

THE MOTION WAS SECONDED BY COUNCIL MEMBER HOWES.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

COUNCIL MEMBER COHEN MOVED, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION SETTING PUBLIC HEARING ON BOND ORDERS FOR THE SEPTEMBER 4, 1979 SPECIAL COUNCIL MEETING

WHEREAS, the bond orders entitled, "BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,600,000 PARKING FACILITIES BONDS OF THE TOWN OF CHAPEL HILL", "BOND ORDER AUTHORIZING THE ISSUANCE OF \$450,000 FIRE FIGHTING FACILITIES BONDS OF THE TOWN OF CHAPEL HILL" and "BOND ORDER AUTHORIZING THE ISSUANCE OF \$300,000 LAND ACQUISITION BONDS OF THE TOWN OF CHAPEL HILL" have been introduced at the meeting of the Council held on July 23, 1979 and the Council desires to provide for the holding of public hearings thereon and the submission of a statement of debt in connection therewith as required by The Local Government Bond Act; NOW, THEREFORE,

BE IT RESOLVED by the Council of the Town of Chapel Hill, as follows:

- (1) The public hearings upon said bond orders shall be held on the 4th day of September, 1979, at 7:30 o'clock, p.m., at the Meeting Room at 306 N. Columbia Street, in Chapel Hill, North Carolina.
- (2) The Town Clerk is hereby directed to cause a copy of each bond order to be published with a notice of such hearing in the form prescribed by law in a qualified newspaper no fewer than six days prior to such public hearing.
- (3) The Town's Finance Officer is hereby directed to file with the Town Clerk, prior to publication of each bond order with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the Town and the net debt of the Town.

This the 26th day of July, 1979.

COUNCIL MEMBER SMITH SECONDED THE MOTION.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance to Amend the "Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979"

COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE ORDINANCE, WITH THE PROVISION THAT NONE OF THE FUNDS ALLOCATED FOR ACCESS BE DISBURSED UNTIL THE COUNCIL HAD RECEIVED A REPORT FROM THE MANAGER ON THE OPERATION OF ACCESS, PARTICULARLY THE POPULATION SERVED.

AN ORDINANCE TO AMEND THE "ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1979"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979" as duly adopted on June 25, 1979, be and the same is hereby amended as follows:

ARTICLE I

	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
GENERAL FUND				
Human Services Administration and Impact analysis	\$112,240	\$ 750	\$ -	\$112,990
Sundry Contingency	\$ 13,030	\$6,535	\$ 750	\$ 18,815
Contribution to Library	\$214,030	\$ -	\$6,535	\$207,495
OTHER FUNDS				
Library	\$338,910	\$6,615	\$ -	\$345,525

ARTICLE II

	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
REVENUE				
Library Fund	\$338,910	\$6,615	\$ -	\$345,525

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

This the 26th day of July, 1979.

Mr. McKerrow said the Council on Aging had made a supplemental request to the County for funding as the town had indicated it would no longer support certain social services. They had requested \$6,516.00 being informed that Chapel Hill's task force would recommend they be given \$9,334.00 of the \$14,000 requested. The County Commissioners had honored their request. Carrboro and Hillsborough had both appropriated funds for the Council on Aging. Chapel Hill's manager was now proposing to reduce the appropriation by \$850.00. The Council on Aging had, for this fiscal year, assumed responsibility for transportation of all senior citizens in the county, where the individual was unable to provide his own. In order not to interfere with the bus system, the COA would not use vans anywhere in Chapel Hill, but would purchase bus passes for the senior citizens. They would also pay for E-Z Rider service for those citizens unable to use the regular system. Mr. McKerrow did not believe it equitable for Chapel Hill to now decrease the amount of funds they were given to expect.

Ms. Ledbetter stated that ACCESS welcomed the opportunity to submit a report to the Council. However, they would have problems with cash flow in August. They also needed to document Chapel Hill's appropriation to get federal funds. COUNCIL MEMBER COHEN MOVED TO AMEND THE MOTION TO ALLOW RELEASE OF FIRST QUARTER FUNDS TO ACCESS BEFORE RECEIPT OF A REPORT. The amendment was accepted. COUNCIL MEMBER KAWALEC MOVED TO AMEND THE MOTION TO INCREASE THE AMOUNT TO COA BY \$850. The amendment was accepted. Council member Kawalec suggested the Council was mixing its policy and management functions with access. It was up to the manager and Human Service director to withhold funds if the contract was not being fulfilled.

Council member Smith questioned whether the town should provide emergency housing, as this, in his opinion, contributed to children leaving home. Council member Kawalec asked that each issue be voted on separately. Council member Cohen withdrew his amendment. Council member Epting withdrew his motion.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE TO AMEND THE "ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1979"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979" as duly adopted on June 25, 1979, be and the same is hereby amended as follows:

ARTICLE I

	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
GENERAL FUND				
Human Services Administration and Impact Analysis	\$112,240	\$ 750	\$ -	\$112,990
Sundry Contingency	\$ 13,030	\$6,535	\$ 750	\$ 18,815
Contribution to Library	\$214,030	\$ -	\$6,535	\$207,495
OTHER FUNDS				
Library	\$338,910	\$6,615	\$ -	\$345,525

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

This the ~~25th~~ 5th day of July, 1979.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO AMEND THE MOTION TO INCLUDE \$850 FOR THE COUNCIL ON AGING. THE MOTION WAS CARRIED BY A VOTE OF FIVE TO TWO WITH COUNCIL MEMBERS COHEN, HOWES, KAWALEC, SMITH AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS BOULTON AND EPTING OPPOSING. THE MOTION AS AMENDED WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS COHEN, EPTING, HOWES, KAWALEC, SMITH AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER BOULTON OPPOSING.

AN ORDINANCE TO AMEND THE "ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1979"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979" as duly adopted on June 25, 1979, be and the same is hereby amended as follows:

ARTICLE I

	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
GENERAL FUND				
Human Services Administration and Impact Analysis	\$112,240	\$1,600	\$ -	\$113,840
Sundry Contingency	\$ 13,030	\$6,535	\$1,600	\$17,965
Contribution to Library	\$214,030	\$ -	\$6,535	\$207,495
OTHER FUNDS				
Library	\$338,910	\$6,615	\$ -	\$345,525

ARTICLE II

	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
REVENUE				
Library Fund	\$338,910	\$6,615	\$ -	\$345,525

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

This the ~~25th~~ day of July, 1979.

COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION REGARDING ACCESS FUNDING

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to expend no more than \$2,500 of the funds appropriated for ACCESS until the Town Manager has reported to the Council on the objectives of ACCESS and its success in meeting said objectives including the emergency housing program.

BE IT FURTHER RESOLVED that the Town Manager deliver said report on or before September 30, 1979.

This the 25th day of July, 1979.

Council member Kawalec objected to singling out ACCESS for a report of this type. THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS BOULTON, COHEN, EPTING, HOWES, SMITH AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER KAWALEC OPPOSING.

Ordinance Amending Section 12-17

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE AMENDING SECTION 12-17 (Parks and Recreation Commission membership)

BE IT ORDAINED by the Chapel Hill Town Council that the Council hereby amends Section 12-17 of the Code of Ordinances, Town of Chapel Hill, as follows:

Section I

ADD the phrase "or of the Chapel Hill Planning Area" to follow the word "town" in the second sentence.

Section II

REWRITE the first sentence to read "The commission shall consist of ten (10) commissioners, all of whom shall be appointed at large.:

This the 25th day of July, 1979.

Mr. Shipman indicated the attorney had reservations about non-town residents serving on the Recreation Commission as presently empowered. If the Council wanted to change the Commission so that it was only advisory, then he would not object to residents outside the town serving. Council member Epting moved, seconded by Council member Howes, to refer the matter back to the Recreation Commission. THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE AMENDING SECTION 12-19

BE IT ORDAINED by the Council of the Town of Chapel Hill that Section 12-19, Code of Ordinances, Town of Chapel Hill be re-written to read as follows:

"The Commission shall consist of ten (10) commissioners, all of whom shall be appointed at large."

This the 25th day of July, 1979.

THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS BOULTON, COHEN, EPTING, HOWES, KAWALEC AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER SMITH OPPOSING.

Resolution Concerning Community Celebrations in Chapel Hill

Council member Smith moved to stop all community celebrations in the year 1979-80 until the process for holding them could be studied. There was no second. COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION CONCERNING COMMUNITY CELEBRATIONS IN CHAPEL HILL

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to conduct the Fall, 1979 and Spring, 1980 Community Celebrations subject to the following requirements:

1. The Celebrations be held on East Franklin Street from Columbia to the Morehead Planetarium.
2. Increased attention be given to additional public safety staff assigned to direct traffic, assist in parking and patrolling the street during the Fairs. Booths would be located so fire lanes could be provided and hydrants would be accessible.
3. Henderson Street be free of booths and activities and available for emergency vehicles.
4. Develop Ad hoc Ordinances to deal with the display, consumption, sale or distribution of alcoholic beverages.
5. Redirect the focus of the Fair by requiring all exhibitors (individuals and organizations) be residents of Orange County or Chapel Hill. The Celebrations not be advertised in state tourist publications.
6. Elimination of all commercial vendors.

This the 25th day of July, 1979.

Council member Boulton asked if limiting vendors to Chapel Hill and Orange County residents would also limit the number of vendors. Ms. White responded that only 12 of the vendors at the last fair were from Chapel Hill and Orange County. There were also a few commercial vendors who would not now be allowed. Council member Smith did not believe the problems were caused by the number of vendors, but by the large crowds and traffic. He suggested the Recreation Department plan a day of athletic activities with each activity at a different athletic site. The crowds would then be disbursed. Council member Howes agreed that another site should be found for the spring fair. Council member Epting said that he enjoyed the crowds, and the indecency. He suggested that as this was an adult oriented fair, Chapel Hill set up a child-oriented fair as well. Council member Boulton hoped that less advertising would reduce the crowds. THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS BOULTON, COHEN, EPTING, HOWES, KAWALEC, AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER SMITH OPPOSING.

Planning Board Composition

Council member Cohen stated that one of the charter amendments was to allow the town to change the composition of the Planning Board to have seven town residents. To do this in December before the annexation, the Council would need to hold a public hearing in September. HE MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION CALLING A PUBLIC HEARING (Planning Board and Board of Adjustment Composition)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing on September 17, 1979, at 7:30 P.M., in the Meeting Room of the Chapel Hill Municipal Building, 306 North Columbia Street, to consider changing the composition of the Chapel Hill Planning Board from its present composition of five Chapel Hill residents and five residents of the Chapel Hill extraterritorial planning area, to seven Chapel Hill residents and three residents of the Chapel Hill extraterritorial planning area; and to consider changing the composition of the Chapel Hill Board of Adjustment from its present composition of five Chapel Hill residents and five Orange County residents, to seven Chapel Hill residents and three Orange County residents.

This the 25th day of July, 1979.

Frazier Property

Mr. Denny had indicated to Mr. Shipman that he would like authorization for purchase of the Frazier property. This had been discussed by the Council. The house would remain on the property until 1980, at which time, if it had not been removed, it would revert to town ownership. COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION AUTHORIZING PURCHASE OF LAND (Frazier Property)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to purchase the Frazier property (105 North Boundary Street) for \$65,000.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

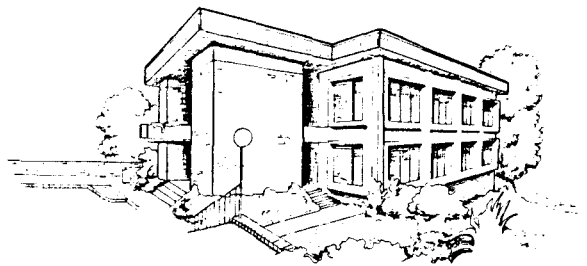
Executive Session

Mr. Shipman requested the Council adjourn to executive session to discuss personnel matters. COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER EPTING, TO ADJOURN TO EXECUTIVE SESSION. THE MOTION WAS CARRIED UNANIMOUSLY.

After the executive session, Mayor Wallace announced that the Council had discussed personnel matters. COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING ORDINANCE:

TOWN OF CHAPEL HILL

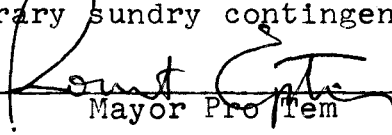
306 NORTH COLUMBIA ST.
CHAPEL HILL, N.C., 27514
(919) 929-1111



NOTICE OF SPECIAL MEETING OF THE CHAPEL HILL TOWN COUNCIL

TO: Marilyn Boulton
Gerald Cohen 5:35 P.M. - 8-17-79
Robert Epting
Jonathan Howes 5:25 P.M. - 8-17-79
Beverly Kawalec 6:42 P.M. - 8-17-79
R. D. Smith
Bill Thorpe 6:25 P.M. - 8-17-79
Edward Vickery 6:55 P.M. - 8-17-79
James C. Wallace 6:50 P.M. - 8-17-79

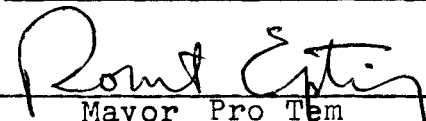
You, and each of you, are hereby notified that the Town Council has called a Special Meeting, to be held in the meeting room _____, at 7:00 p.m. _____ on August 20 _____, 1979, to consider an Ordinance to amend the 1979-80 budget by reducing the non-departmental sundry retirement account, reducing the non-departmental sundry capital improvement contribution, reducing the library salary and improvement account, and reducing the library sundry contingency.



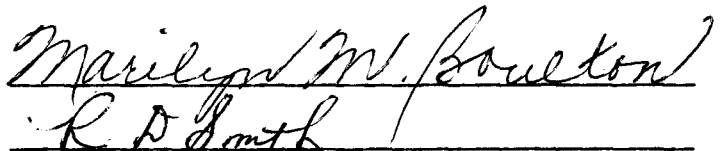
Mayor Pro Tem

ACCEPTANCE OF NOTICE

We, the undersigned, members of the Chapel Hill Town Council, hereby accept notice of a Special Meeting of the Council, called by Honorable Robert Epting _____, Mayor, to be held in the meeting room, on August 20, 1979, at 7:00 p.m. _____.



Mayor Pro Tem



R. D. Smith

22



AN ORDINANCE AMENDING THE 1979-80 POSITION CLASSIFICATION PLAN

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the "Ordinance Establishing a Position Classification and Pay Plan, etc., for the period July 1, 1979 through June 30, 1980," as follows:

SECTION I

In Section III Classifications Grouped by Salary Grade, ADD:

<u>Grade</u>	<u>Classification</u>
27	Special Assistant to the Town Manager

SECTION II

In Section IV C Positions, ADD:

<u>Position</u>	<u># Full-Time</u>	<u>Hours</u>	<u>Salary Grade</u>
Special Assistant to the Town Manager	1	-	27

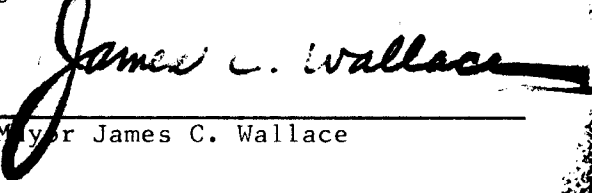
SECTION III

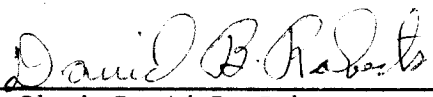
All Ordinances and portions of Ordinances in conflict herewith are hereby repealed.

This the 25th day of July, 1979.

THE MOTION WAS CARRIED BY A VOTE OF SIX TO ONE WITH COUNCIL MEMBERS BOULTON, COHEN, EPTING, HOWES, SMITH, AND WALLACE SUPPORTING AND COUNCIL MEMBER KAWALEC OPPOSING.

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


Mayor James C. Wallace


Town Clerk David B. Roberts

MINUTES OF A SPECIAL MEETING
TOWN COUNCIL
TOWN OF CHAPEL HILL
MONDAY, AUGUST 20, 1979
7:30 P.M.

Mayor Pro Tempore Epting called the meeting to order. Present were:

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

Also present were Town Manager E. Shipman and Town Finance Director Mary Parker. Mayor Wallace and Council member Howes were excused.

Mayor Pro Tempore Epting requested Town Manager Shipman state the reason for the special meeting. Mr. Shipman stated that the meeting had been called to enable the Town to submit a balanced budget to the North Carolina Local Government Commission. He stated that revenues had not been received as anticipated and it was therefore necessary to amend the General Fund as well as the Library Fund in order to balance