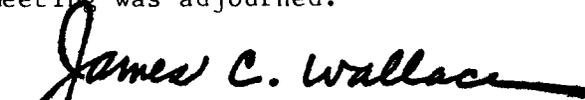


Council member Boulton moved, seconded by Council member Howes, that a subcommittee be composed of the original members of the ad hoc planning committee--Mr. Howes, Ms. Kawalec--and two members of the Planning Board (chosen by the Mayor with the advice of the chairman of the Planning Board), to meet prior to the tentative meeting of the Council and Commission approximately 60 days from this meeting. The motion was carried by unanimous vote.

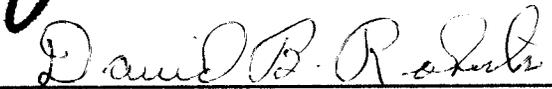
Mr. Wilhoit moved, seconded by Mr. Gustaveson, that Mr. Gustaveson and Ms. Barnes and two members of the County Planning Board (appointed by Mr. Whitted) also serve on this subcommittee. The motion was carried by unanimous vote.

The next joint meeting was tentatively scheduled for November 13, 1979, at 7:30 p.m., at the Municipal Building.

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



Mayor James C. Wallace



Town Clerk David B. Roberts

MINUTES OF A REGULAR MEETING OF THE
MAYOR AND CHAPEL HILL TOWN COUNCIL
MUNICIPAL BUILDING
MONDAY, SEPTEMBER 10, 1979
7:30 P.M.

Mayor Wallace called the meeting to order. Present were:

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

Also present were Town Manager E. Shipman and Town Attorney E. Denny.

Oteys Road Closing--Public Hearing

Mr. Shipman stated that one of the stipulations on the University parking deck was that no parking on the deck would be permitted until Mason Farm Road was closed at its intersection with Purefoy Road, Oteys Road was closed to automobile traffic, or a satisfactory alternative involving this area was adopted by the Council.

Mr. Jennings reviewed the results of a traffic study done by the staff. The staff believed the solution of severing Mason Farm Road just beyond Purefoy Road to be a drastic step. They preferred incremental steps. They proposed the alternative of severing Oteys Road at the by-pass and erecting no left turn signs on Mason Farm. They would then wait and see if the Purefoy Road traffic decreased with the use of lights on Pittsboro Road.

Council member Smith suggested that as much of the traffic on Oteys Road was traffic from the by-pass avoiding the congested area on Manning and Pittsboro, the town wait and monitor traffic in the area after the lights are operating. There might be no need to sever the streets.

Mayor Wallace had received several letters from citizens with complaints about traffic in the area.

Mr. Pleasants presented a petition from residents of Purefoy Road. They contended the closing of Oteys Road would work a hardship on the residents of Purefoy Road by increasing the traffic here. This road had many pedestrians and bicyclists along it. They proposed a more effective road sign system, prohibiting left turns from the by-pass onto Oteys Road; no through traffic signs on Purefoy Road; stricter enforcement of the speed limit along Purefoy Road; speed bumps on Purefoy Road.

Mr. Shankle asked that Mason Farm Road be closed just beyond Purefoy Road. This would solve the traffic problem for Mason Farm, Oteys and Purefoy Road.

Ms. Peg Rees agreed that the intersections with the by-pass were dangerous. She wanted Oteys Road and Mason Farm Road closed at the by-pass.

Ms. Wolfenden had taken a traffic count on Mason Farm Road. The signs prohibiting left turns onto the by-pass and from the by-pass onto Mason Farm Road were ignored. One of the signs had been knocked down.

Mr. Gardner requested that Mason Farm Road be closed near the parking deck. This would leave adequate access to the parking deck without increasing the traffic on Purefoy Road.

Mr. Radford agreed with Council member Smith that the traffic counts were premature. He wanted no action taken until the traffic lights were in and accurate counts be obtained.

Council member Smith pointed out that if both Mason Farm and Oteys Road were closed, the school bus would have to turn around to get to the by-pass.

Ms. Patricia Killian was concerned there would be accidents involving children on Mason Farm Road. She could not get out of her driveway during peak hour traffic. She thought speed bumps would slow some of the traffic.

Mr. Bear complained that one could not drive anywhere in Chapel Hill without going a circuitous route. The Council should wait until the parking deck was completed to consider solutions to the traffic problems.

Ms. Bernard said closing Mason Farm would be a great inconvenience to the residents in this area. She suggested Mason Farm be closed past Hibbard.

Ms. Lewis was in favor of speed bumps to slow the traffic. She sympathized with Purefoy Road residents who believed traffic would be increased on their street if Oteys Road was closed.

Ms. Edmiston stated the people in the neighborhood would be penalized by closing Oteys Road. She asked that the Council consider more traffic lights along the by-pass, especially at Oteys Road.

Ms. Cottrell pointed out the lights would not help the smell from the traffic. The residents on Mason Farm Road would still have to contend with the Coliseum traffic.

Mr. Fred Simmons stated the Council had expressed concern for the Mason Farm Road residents about a year ago. He hoped they still were concerned.

Mr. Hugh Huff pointed out that as Mason Farm Road still belonged to the State, the town could not close it.

Mr. Wes Egan did not think speed bumps would slow the traffic. The bumps already in the road did not slow it. He requested the Council to accept Mason Farm Road as it is; the residents would live with the inconvenience of not having it paved. Two of the exits of the parking deck turned onto Mason Farm Road. The only way to prevent Mason Farm Road from becoming a feeder road was to close both Mason Farm and Oteys Road at the by-pass.

Mr. Straley said the Community Church members did not want access from downtown Chapel Hill closed by closing Mason Farm Road at the parking deck.

Mr. Denny advised that no public streets in Chapel Hill had speed bumps. Speed bumps were an obstruction in the street, and construction of such bumps would subject the town to absolute liability in case of an accident. He did not consider them a viable alternative.

In response to Council member Kawalec, Mr. Straley said the Church would have no objection to closing Mason Farm Road between Hibbard and Columbia Streets. Mr. Denny pointed out that Hibbard was not a public street and could be closed by the University at any time.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER COHEN, TO REFER THE MATTER TO THE STREETS AND PUBLIC SAFETY COMMITTEE AND THE MANAGER. THE MOTION WAS CARRIED UNANIMOUSLY.

Minutes

Council member Kawalec moved, seconded by Council member Smith, to approve the minutes of July 23, 1979, as corrected. The motion was carried unanimously.

On motion by Council member Smith, seconded by Council member Vickery, the minutes of August 20, 1979, were approved.

Petitions and Requests

Mr. Aldridge, Ms. Price, and Ms. Reid asked to speak on item 9, Special Parking Permits. Mr. Bryan petitioned to speak on the bond issue. Mr. Feiss petitioned to speak re Laurel Hill. Council member Cohen moved, seconded by Council member Epting, to consider items 22 and 25, regarding the bond issue, after consideration of the Laurel Hill Unified Housing Development Special Use Permit. The motion was carried unanimously.

Resolution Granting a Unified Housing Development Special Use Permit to Roger D. Messer for Laurel Hill, Section V

Mr. Jennings stated the two major concerns were the fire protection and the road plan for the project. He explained his concept of special use, a use which might not fit into the zoning district because of inherent dangers. The town therefore imposed higher standards on these uses. Mr. Jennings did not believe there was a greater risk of fire spreading in this project than there would be in a duplex which would be allowed without a special use permit. The staff made no judgment on fire protection in the area. The road plan had become an issue because the property did not contain sufficient property for dual access without cross connector objectives. The town could not require the owner to go beyond his individual parcel. However, the road would be stubbed out to the property line so as not to obviate the ability to conform to the comprehensive plan. The road was not to become a cul-de-sac. The staff recommended the Council make the four findings with stipulations. There had been changes since the Planning Board had considered the project; however, discussions with the chairman had determined that these changes were not against the Planning Board recommendation.

Although the Council was willing to hear Mr. Feiss, Mr. Denny warned the Council could not hear any new evidence. Mr. Feiss considered the lack of sufficient right-of-way an instance of the applicant's failing to meet the four requirements. Council member Smith was concerned with the safety and health of the residents in the project. He did not believe the fire protection here adequate for safety. COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER VICKERY, ADOPTION OF A RESOLUTION DENYING THE SPECIAL USE PERMIT BECAUSE OF A FAILURE TO MAKE A FINDING THAT THE PROJECT WOULD NOT ENDANGER THE PUBLIC HEALTH AND SAFETY.

A RESOLUTION DENYING A UNIFIED HOUSING DEVELOPMENT SPECIAL USE PERMIT TO ROGER D. MESSER FOR LAUREL HILLS, SECTION V

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council finds that the Unified Housing Development proposed by Roger D. Messer, if developed in accordance with the plans dated March 30, 1979, would materially endanger the public health and safety if located where proposed and developed according to the plan submitted.

The facts upon which the above finding is based are as follows:

1. Access to the proposed development is via Parker Road, a state-maintained gravel road which does not meet applicable state standards for paving, due to insufficient right-of-way. The applicant has not demonstrated capability of acquiring sufficient right-of-way to meet state standards. The owners of the required property have indicated an unwillingness to donate or sell the required right-of-way property either to Mr. Messer or the state.
2. Parker Road, in its present state, does not provide adequate access to the proposed Unified Housing Development for emergency vehicles, such as fire engines, sheriff's vehicles, and ambulances, especially in times of inclement weather. To erect a Unified Housing Development under these circumstances would create a danger to the health and safety of the occupants of the Development.

3. Mr. Messer has not demonstrated that the proposed development would have adequate fire protection. (a) The area is served by the North Chatham Volunteer Fire Department, on a voluntary basis, as this fire department is now funded by taxes from a fire district in North Chatham County. This fire department has no legal obligation to respond to fire calls in Orange County. (b) The proposed development is an excessive distance from the North Chatham Volunteer Fire Department facilities. The Department's chief estimates that under ideal circumstances the response time to a fire in the proposed development would be approximately fifteen (15) minutes. This time would be substantially longer in case of inclement weather or poor traffic conditions. To erect a Unified Housing Development under these circumstances would create a danger to the health and safety of the occupants of the Development.
4. The additional traffic on Park Road in its present state would create traffic problems which would endanger the public health and safety of residents of the area.

WHEREAS the Special Use Permit Ordinances of the Town of Chapel Hill require that the Council make four affirmative findings of fact before granting a special use permit, and whereas the Council has made a negative finding of fact in at least one of these areas, viz., that the development would endanger the public health and safety, the Council concludes that findings of facts are not required in the other three areas.

BE IT FURTHER RESOLVED that the Council hereby denies a Unified Housing Development Special Use Permit as requested by Roger D. Messer for Laurel Hills Section V.

This the 10th day of September, 1979.

Council member Thorpe requested an explanation of the stipulation requiring a right-of-way. Mr. Shipman explained that prior to the issuance of a special use permit, the town did not require the developer to show that he owned the right-of-way. In its review, the state had brought to the Manager's attention the fact that the developer did not own the right-of-way. In order to be sure of the right-of-way, the stipulation required the developer to have the right-of-way before the permit was issued.

Council member Epting reminded the Council he had asked to be excused from voting on this issue before because of a conflict of interest. Council member Cohen moved, seconded by Council member Kawalec, that Council member Epting be excused from voting. The motion was carried unanimously. THE MOTION TO ADOPT THE RESOLUTION FAILED BY A VOTE OF FOUR TO FOUR WITH COUNCIL MEMBERS SMITH, THORPE, VICKERY AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS BOULTON, COHEN, HOWES, AND KAWALEC OPPOSING.

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

A RESOLUTION GRANTING A UNIFIED HOUSING DEVELOPMENT SPECIAL USE PERMIT TO ROGER D. MESSER FOR LAUREL HILL, SECTION V

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Development proposed by Roger D. Messer if developed in accordance with the plans dated March 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

1. That a paved sidewalk be constructed along one side of Rhododendron Drive. The design of such sidewalk shall be approved by the Town Manager.
2. That the design and construction of the private drives serving the individual clusters of units be reviewed and approved by the Town Manager prior to construction.
3. That public right-of-way meeting NCDOT standards be acquired prior to issuance of a Special Use Permit, grading permit or building permit. That the applicant document the existence of such right-of-way to the satisfaction of the Town Manager. That Parker Road be paved to State standards prior to issuance of any certificate of occupancy. The plans for such paving shall be approved by the Town Manager prior to start of construction. Such paving shall be from the current end of paving to the easternmost property corner adjoining Parker Road.
4. That the right-of-way of Rhododendron Drive be realigned so that it is adjacent to the eastern property line for a minimum distance of 1,300 feet from its intersection with Parker Road and that it be paved to Town standards with a minimum paved cross-section of 33 feet back-to-back of curb with curb and gutter. The plans for such paving shall be approved by the Town Manager prior to construction. Street grades on Rhododendron Drive shall not exceed 12%.
5. That prior to issuance of a building permit a plat shall be recorded dedicating public right-of-way to provide access from Rhododendron Drive to the Pardue property. Such access shall be at two points; one near the location of the proposed tennis courts and a second approximately 1,110 feet back from Parker Road. The precise location of such rights-of-way shall be approved by the Town Manager. If it is necessary to relocate the tennis courts to accommodate this requirement the relocation of the courts shall be approved by the Town Manager and shall not be considered a modification of the approved permit.
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.

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.
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.
9. 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.
10. 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 STIPULATIONS

11. That sewer and utility easements be dedicated as required by the Town Manager.
12. 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.
13. That additional right-of-way be dedicated along the applicant's frontage with Parker Road. Such dedication shall be recorded prior to issuance of a certificate of occupancy and shall measure 45 feet from the centerline of the road.

14. 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.
15. 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. The maintenance of the detention basin shall be the responsibility of the homeowners association.
16. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
17. 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.
18. 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.
19. That prior to issuance of any certificates of occupancy a sign indicating that Rhododendron Drive is subject to future extension be placed at its northern terminus and that signs indicating that the rights-of-way providing access to the Pardue property are subject to future extension be placed at their respective intersections with Rhododendron Drive.
20. That construction begin by July 1, 1982 and be completed by July 1, 1984.

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

This the 10th day of September, 1979.

THE MOTION FAILED BY A VOTE OF FOUR TO FOUR WITH COUNCIL MEMBERS BOULTON, COHEN, HOWES, AND KAWALEC SUPPORTING AND COUNCIL MEMBERS SMITH, THORPE, VICKERY, AND MAYOR WALLACE OPPOSING.

Mr. Denny stated that under the rules of the Council, after receiving a tie vote, the issue would go over to the next agenda. This would be pointless because the tie could not be broken with Council member Epting abstaining. The rules could be amended at this meeting or on the next agenda. The Council agreed to address the question at the next meeting.

Resolution Directing Manager and Appropriate Boards to Develop Plan for Open Space

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

A RESOLUTION REGARDING OPEN SPACE PRIORITIES

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to develop, in conjunction with the Parks and Recreation Commission, the Planning Board, and such other advisory boards as he sees fit, recommendations on the acquisition of open space by the Town to the end that an open space bond referendum may be held at the time of the 1980 Presidential Primary Elections.

This the 10th day of September, 1979.

Council member Cohen asked that priorities be developed for acquisition of open space, with the Ridgefield property to be placed on the ballot in November to allow residents to decide whether this should be first priority. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO TWO WITH COUNCIL MEMBERS BOULTON, COHEN, EPTING, HOWES, KAWALEC, VICKERY AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS SMITH AND THORPE OPPOSING.

Motion to Reconsider 79-R-177 "A Resolution Regarding Use of Bond Proceeds"

Council member Cohen stated that he had moved to reconsider the resolution Regarding Use of Bond Proceeds at the meeting of August 20, 1979, because there was no comprehensive program for acquiring open space. Now that a program was to be

developed, he was willing to consider the acquisition of the UNC and Rominger properties. COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER VICKERY, TO RECONSIDER THE RESOLUTION REGARDING USE OF BOND PROCEEDS.

A RESOLUTION REGARDING USE OF BOND PROCEEDS

BE IT RESOLVED by the Town's Council that the Council hereby states its intention that if the voters of the Town of Chapel Hill approve the issuance of \$300,000 in General Obligation Bonds for open space and street purposes in the November 6, 1979, bond referendum, the funds therefrom will be used only for the acquisition of part or all of the following five tracts of land in the Ridgefield area for open space and street purposes:

Chapel Hill Township Tax Map Lots 27-F-3 (Lyman/Bryan); 27-F-9 (Law Alumni); 52-3 (Whitfield); 52-8 (Rominger); and 52-10 (Law Alumni).

This the 10th day of September, 1979.

Council member believed further ambivalence would confuse the community. Mayor Wallace wanted a revolving fund set up for the purchase of open space. Council member Boulton suggested that Ridgefield property might be a part of the priorities to be put before the voters in May. It should be considered with the rest of the town.

Mr. Page thought this a bad precedent. Work was proceeding on the Bryan-Lyman subdivision. The bond referendum had started as opposition from the neighbors. He opposed the referendum.

Council member Epting agreed that the bond referendum was aimed at the Bryan-Lyman subdivision. He thought the Council would be acting hastily to consider this acquisition before the larger plan. The UNC and Rominger properties were not being developed. The zoning for these properties would be changed before May, thereby changing the value of the property. Council member Vickery commented that the neighbors had tried for several years to protect the area. This plan would solve short and long-range problems. THE MOTION TO RECONSIDER WAS CARRIED BY A VOTE OF FIVE TO FOUR WITH COUNCIL MEMBERS COHEN, SMITH, THORPE, VICKERY AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS BOULTON, EPTING, HOWES AND KAWALEC OPPOSING.

COUNCIL MEMBER COHEN MOVED, SECONDED BY COUNCIL MEMBER VICKERY, ADOPTION OF THE RESOLUTION REGARDING USE OF BOND PROCEEDS. THE MOTION WAS CARRIED BY A VOTE OF SIX TO THREE WITH COUNCIL MEMBERS COHEN, KAWALEC, SMITH, THORPE, VICKERY AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBERS BOULTON, EPTING AND HOWES OPPOSING.

Council member Smith introduced the following bond order which was read at length:

"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 ORDERED 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 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 SMITH MOVED, SECONDED BY COUNCIL MEMBER VICKERY, THAT ACTION ON THE BOND ORDERS BE DEFERRED UNTIL A LATER MEETING. THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER SMITH MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION SETTING PUBLIC HEARING ON BOND ORDERS FOR THE SEPTEMBER 20, 1979, SPECIAL COUNCIL MEETING

WHEREAS, the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$300,000 LAND ACQUISITION BONDS OF THE TOWN OF CHAPEL HILL" has been introduced at the meeting of the Council held on September 10, 1979, and the Council desires to provide for the holding of a public hearing 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 hearing upon said bond order shall be held on the 20th 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 the 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 the 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 10th day of September, 1979.

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

Resolution Denying a Special Use Permit for Burger King Drive-in Business

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

A RESOLUTION DENYING A SPECIAL USE PERMIT FOR BURGER KING DRIVE-IN BUSINESS

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby fails to find 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, and

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

This the 10th day of September, 1979.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Ordinance Creating Parking Meter Zones

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

AN ORDINANCE CREATING PARKING METER ZONES

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Sec. 21-29 of the Code of Ordinances, Town of Chapel Hill, to ADD the following new subsections:

Section I

k) Pritchard Avenue, west side:

Two-hour parking from Rosemary Street to a point 200 feet north of Rosemary Street.

Section II

l) South Graham Street, west side:

Two-hour parking from Franklin Street to a point 340 feet south of Franklin Street.

Section III

m) North Graham Street, both sides:

Two-hour parking from Rosemary Street to Franklin Street.

Section IV

n) West Rosemary Street, south side:

Two-hour parking from Graham Street to Merritt Mill Road.

Section V

o) West Rosemary Street, north side:

Two-hour parking from Roberson Street to Church Street.

West Rosemary Street, south side:

Two-hour parking from a point one hundred and fifty (150) feet east of Church Street to a point two hundred and fifty (250) feet east of Church Street.

Section VI

p) North Roberson Street, west side:

Two-hour parking from Franklin Street to Rosemary Street.

This the 10th day of September, 1979.

Mr. Shipman explained that some of the parking meters had first been put in residential zones; now they were only in the CBD. THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance to Amend Section 1-2, Code of Ordinances, Town of Chapel Hill

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

AN ORDINANCE TO AMEND SECTION 1-2, CODE OF ORDINANCES, TOWN OF CHAPEL HILL

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CHAPEL HILL:

SECTION I

That the definition of "Board" contained in Section 1-2 be rewritten to read as follows:

"The word Board of Aldermen shall mean the Mayor and Council of the Town of Chapel Hill, constituting the governing body of the Town, and whenever such phrase is used throughout the Code, it shall be deemed to mean and to refer to the Mayor and Council."

SECTION II

That said Section 1-2 is further amended by adding between the definition of "computation of time" and "county", the following: Council. The word "Council" of "Town Council", shall mean the legislative body of the Town formerly designated Board of Aldermen, which together with the Mayor shall constitute the governing body of the Town.

SECTION III

All Ordinances or portions of Ordinances in conflict herewith are repealed.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Regarding Turn Regulations (Mason Farm Road and US 15-501)

Mr. Shipman stated that in calling the public hearing on Oteys Road, the Council had directed the staff to ask the state to prohibit left turns at Mason Farm Road and the By-pass. The State had advised that the Council would need to adopt an ordinance prohibiting the turns. Council member Howes suggested this be delayed and all changes effected at one time. COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER HOWES, THAT THE MATTER BE TABLED AND CONSIDERED WITH OTHER TRAFFIC CHANGES IN THIS AREA. THE MOTION WAS CARRIED BY A VOTE OF EIGHT TO ONE WITH COUNCIL MEMBERS BOULTON, EPTING, HOWES, KAWALEC, SMITH, THORPE, VICKERY AND MAYOR WALLACE SUPPORTING AND COUNCIL MEMBER COHEN OPPOSING.

Ordinance Regarding Special Parking Permits

Council member Epting stated that since the last time the Council had considered these permits for the Interchurch Council, he had talked with citizens and changed his vote. Council member Boulton had also changed her vote. COUNCIL MEMBER EPTING MOVED, SECONDED BY COUNCIL MEMBER BOULTON, 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 applicants 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 issued 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 10th day of September, 1979.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO AMEND THE ORDINANCE FROM TWO PERMITS TO "UP TO FIVE" PERMITS. The Manager would have the discretion of issuing all permits. THE MOTION TO AMEND WAS CARRIED UNANIMOUSLY. THE FOLLOWING RESOLUTION WAS ADOPTED BY UNANIMOUS VOTE:

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 applicants 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 five 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 10th day of September, 1979.

Ordinance Amending Section 21-42 (Cameron Avenue Bike Lane)

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

AN ORDINANCE AMENDING SECTION 21-42 (CAMERON AVENUE BIKE LANE)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Section 21-42 of the Code of Ordinances, Town of Chapel Hill, as follows:

In Section 21-42(c), DELETE:

Cameron Avenue (southside)-Pittsboro Street to Graham Street

and ADD:

Cameron Avenue (southside)-S. Columbia Street to Graham Street.

This the 10th day of September, 1979.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Resolution Temporarily Closing Portions of Franklin Street and Henderson Street

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

A RESOLUTION TEMPORARILY CLOSING PORTIONS OF FRANKLIN STREET AND HENDERSON STREET (FESTIFALL '79)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the closing of Franklin Street between Columbia Street and mid-point of the Morehead Planetarium parking lot, and Henderson Street between Rosemary and Franklin Streets on Sunday, October 7, 1979, from 10:45 A.M. to 8:00 P.M., to allow the holding of Festifall Street Fair and cleanup of the streets following said fair.

This the 10th day of September, 1979.

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

Ordinance Temporarily Removing Parking from Portions of Franklin Street and Henderson Street

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

AN ORDINANCE TEMPORARILY REMOVING PARKING FROM PORTIONS OF FRANKLIN AND HENDERSON STREETS (FESTIFALL '79)

BE IT ORDAINED by the Council of the Town of Chapel Hill:

That on the 7th day of October, 1979, between the hours of 12:45 P.M. and 8:00 P.M., there shall be no parking on either side of Franklin Street between Columbia Street and the midpoint of the Morehead Planetarium parking lot, nor on either side of Henderson Street between Franklin and Rosemary Streets.

The Police Department of the Town of Chapel Hill is hereby authorized to cover the parking meters situated on said streets during such hours on said date, and to post signs during said time that said area is a tow zone. The Police Department is further authorized to remove, tow in, and impound automobiles and vehicles of any kind which are parked on said streets during such hours in contravention of this Ordinance. The owner shall be responsible for and pay storage and moving cost of any vehicle removed pursuant to the provision of this Ordinance, and the Police Department shall use reasonable diligence to notify the owner of the removal and storage of such vehicle.

This the 10th day of September, 1979.

THE MOTION WAS CARRIED BY UNANIMOUS VOTE.

Resolution Setting a Public Hearing on Cable TV

Mr. Shipman stated that two nights would be needed to hear all the proposals. COUNCIL MEMBER VICKERY MOVED, SECONDED BY COUNCIL MEMBER EPTING, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION SETTING A PUBLIC HEARING ON CABLE TV

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 P.M. on October 15, 1979, and 16th at a place to be chosen by the Mayor with the advice of the Manager, to consider proposals for providing cable television service to the Chapel Hill community.

This the 10th day of September, 1979.

It was suggested the companies draw lots for order of presentation. Mayor Wallace asked that the staff set ground rules for presentations as well. Mr. Shipman suggested each be limited to 30 minutes plus time for questions. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Authorizing Certification of Firefighters

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

A RESOLUTION AUTHORIZING CERTIFICATION OF FIREFIGHTERS

BE IT RESOLVED by the Council of the Town of Chapel Hill that Mayor James C. Wallace is hereby authorized to certify to the N.C. Firefighter's Pension Fund the attached roster of Firefighters and Public Safety Officers employed by the Town of Chapel Hill on June 30, 1979.

This the 10th day of September, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Amending Resolution 79-R-94A

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

A RESOLUTION AMENDING RESOLUTION 79-R-94A

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby amends Resolution 79-R-94A as follows:

- a) In subsections 2, 5 and 10, SUBSTITUTE the words "Huntington Drive" for the words "Wellington Drive," "extension of Wellington Drive" and "Wellington Drive Extension."
- b) ADD a new stipulation 2A to read 2A: That there be no connection between presently developed portions of Coker Hills West and Coker Hills West, Phase 9, by means of public streets."

This the 10th day of September, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR THE HARGRAVES CENTER RENOVATION-ADDITION AT HARGRAVES PARK
 WHEREAS the Town of Chapel Hill has solicited formal bids on July 2, 1979 and the following bids have been received:

Bidder	Bid						
	Base Bid	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6
<u>GENERAL CONSTRUCTION</u>							
Trout & Riggs Construction Co. Durham, N.C.	\$245,900	\$3,900	\$40,000	\$3,300	\$19,900	\$3,800	-\$1,200
Security Building Co., Inc. Chapel Hill, N.C.	\$239,500	\$3,900	\$30,000	\$3,400	\$20,200	\$4,000	-\$1,500
Bordeaux Construction Co., Inc. Durham, N.C.	\$249,900	\$3,900	\$35,000	\$3,600	\$20,200	\$4,000	-\$1,500
<u>ELECTRICAL CONSTRUCTION</u>							
Watson Electrical Construction Co. Wilson, N.c.	\$ 42,446	\$ -	\$ 2,950	\$ -	\$ -	\$ -	\$ -
Pendergraph & Thomerson Electric Co. Durham, N.C.	\$ 32,670	\$ -	\$ 1,800	\$ -	\$ -	\$ -	\$ -
King Electric Co., Inc. Burlington, N.C.	\$ 47,651	\$ -	\$ 3,200	\$ -	\$ -	\$ -	\$ -
<u>PLUMBING CONSTRUCTION</u>							
Copelan Plumbing Co. Durham, N.C.	\$ 17,625	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Acme Plumbing & Heating Co. Durham, N.C.	\$ 17,888	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Brown Brothers Plumbing & Heating Company Durham, N.C.	\$ 18,978	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Triangle Mechanical Contractors, Inc. Raleigh, N.C.	\$ 17,420	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Condor Mechanical Contractors, Inc. Burlington, N.C.	\$ 23,800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<u>HVAC CONSTRUCTION</u>							
Comfort Engineers, Inc. Durham, N.C.	\$ 37,860	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lee Air Conditioners, Inc. Durham, Inc.	\$ 22,843	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Rural Plumbing & Heating, Inc. Raleigh, N.C.	\$ 30,300	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the base bid plus Alternate 1 minus Alternate 6 plus the negotiated Alternate 5 by Security Building Co., Inc. for the General Construction in the amount of \$243,900, the base bid by Pendergraph and Thomerson Electric Co. for the electrical Construction in the amount of \$32,670, the bid by Triangle Mechanical Constructors, Inc. for the Plumbing Construction in the amount of \$17,420, and the bid by Lee Air Conditioners, Inc. for the HVAC Construction in the amount of \$22,843.

This the 10th day of September, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR THE CONSTRUCTION OF A TRANSIT OPERATIONS AND MAINTENANCE FACILITY

WHEREAS the Town of Chapel Hill has solicited formal bids on July 2, 1979 and August 9, 1979 and the following bids have been received:

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR THE CONSTRUCTION OF A TRANSIT OPERATIONS AND MAINTENANCE FACILITY

WHEREAS the Town of Chapel Hill has solicited formal bids on July 2, 1979 and August 9, 1979 and the following bids have been received:

Bidder	Bid										MBE Participation	
	Base Bid	Alt. #1	Alt. #2	Alt. #3	Alt. #4	Alt. #5	Alt. #6	Alt. #7	Alt. #8	Alt. #9		Alt. #10
General Construction												
George W. Kane, Inc. Durham, N.C.	\$736,794	\$ 9,400	\$12,700	\$90,200	\$7,300	\$ 99,100	\$1,000	\$ 15,100	\$ 3,300	\$44,300	\$ 0	\$96,000
Pritchard Construction Co., Inc. Asheboro, N.C.	\$660,000	No Bid	No Change	\$80,000	\$6,000	\$ 98,000	No Bid	\$ 21,000	\$11,000	No Bid	\$ 0	None
Security Building Co., Inc. Chapel Hill, N.C.	\$659,500	\$ 6,700	No Change	\$86,000	\$5,500	\$ 98,800	\$1,100	\$ 17,500	\$ 5,500	\$50,000	\$ 0	\$95,278
Vinco Construction Co. Liberty, N.C.	\$612,500	No Bid	No Change	\$79,000	\$4,000	\$100,000	No Bid	\$ 15,000	\$ 7,500	No Bid	No Bid	\$ 5,000
Electrical Construction												
Wells Electric Service, Inc. Raleigh, N.C.	\$ 50,975	\$ 200	\$ -	\$ -	\$ -	\$ -	\$ 495	\$ -	\$ -	\$ -	\$ 7,239	None
J.A.C. Electric Co. & Son Rocky Mount, N.C.	\$ 64,300	\$ 200	\$ -	\$ -	\$ -	\$ -	\$ 160	\$ -	\$ -	\$ -	\$ 5,900	None
Bitting Electric, Inc. Cary, N.C.	\$ 52,297	\$ 167	\$ -	\$ -	\$ -	\$ -	\$ 75	\$ -	\$ -	\$ -	\$ 4,200	\$18,725
Pendergraph & Thompson Electric Co. Durham, N.C.	\$ 71,075	\$ 625	\$ -	\$ -	\$ -	\$ -	\$ 200	\$ -	\$ -	\$ -	No Bid	\$25,000
Watson Electric Construction Co. Wilson, N.C.	\$ 60,716	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 250	\$ -	\$ -	\$ -	\$ 9,000	None
King Electric Co., Inc. Burlington, N.C.	\$ 68,452	\$ 220	\$ -	\$ -	\$ -	\$ -	\$ 390	\$ -	\$ -	\$ -	\$11,565	None
Plumbing Construction												
Condor Mechanical Contractors, Inc. Burlington, N.C.	\$114,900	No Bid	\$ -	\$ -	\$ -	\$ -	No Bid	\$ -	\$ -	\$ -	\$ -	\$13,788
H.V. Allen Co., Inc. Greensboro, N.C.	\$119,400	No Bid	\$ -	\$ -	\$ -	\$ -	No Bid	\$ -	\$ -	\$ -	\$ -	None
Bolton Corp. Raleigh, N.C.	\$141,324	No Bid	\$ -	\$ -	\$ -	\$ -	\$4,525	\$ -	\$ -	\$ -	\$ -	None
Acme Plumbing & Heating Co, Inc. Durham, N.C.	\$129,940	No Bid	\$ -	\$ -	\$ -	\$ -	\$3,278	\$ -	\$ -	\$ -	\$ -	None
Triangle Mechanical Contractor, Inc. Raleigh, N.C.	\$128,095	\$ 150	\$ -	\$ -	\$ -	\$ -	\$5,466	\$ -	\$ -	\$ -	\$ -	None
Brown Brothers Plumbing & Heating Co., Inc. Durham, N.C.	\$137,233	\$ 300	\$ -	\$ -	\$ -	\$ -	\$4,000	\$ -	\$ -	\$ -	\$ -	\$ 9,000
HVAC Construction												
Mechanical Associates, Inc. Cary, N.C.	\$105,000	\$25,900	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	None
Comfort Engineers, Inc. Durham, N.C.	\$ 81,450	\$25,300	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	None
Carolina Air Conditioning Co., Inc. Durham, N.C.	\$ 79,760	\$32,100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	None
Lee Air Conditioners, Inc. Durham, N.C.	\$110,219	\$28,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	None

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the base bid plus alternates 1 through 8 of Security Building Co., Inc. for the General Construction in the amount of \$880,600, the base bid plus alternates 1 and 6 of Bitting Electric, Inc. for the Electrical Construction in the amount of \$52,539, the base bid of Condor Mechanical Contractors, Inc. for the Plumbing Construction in the amount of \$114,900 and the base bid plus alternate 1 of Comfort Engineers for the HVAC Construction in the amount of \$106,750.

This the 10th day of September, 1979.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the base bid plus alternates 1 through 8 of Security Building Co., Inc. for the General Construction in the amount of \$880,600, the base bid plus alternates 1 and 6 of Bitting Electric, Inc. for the Electrical Construction in the amount of \$52,539, the base bid of Condor Mechanical Contractors, Inc. for the Plumbing Construction in the amount of \$114,900 and the base bid plus alternate 1 of Comfort Engineers for the HVAC Construction in the amount of \$106,750.

This the 10th day of September, 1979.

One of the bidders, Vinco, had raised questions on the guidelines on minorities in the specifications. The staff had referred the matter to the attorney general. In his opinion, the UMTA requirements were allowable, and the staff held to their original recommendation. THE MOTION WAS CARRIED UNANIMOUSLY.

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

<u>Item</u>	<u>Bidder & Bid</u>				
	<u>Barnes Motor & Parts Co.</u>	<u>Sloan Auto Parts</u>	<u>Smith Courtney</u>	<u>Southern Parts & Electric</u>	<u>Victor F. Dry</u>
Drill Press & Accessories	No Bid	405.60	<u>988.22</u>	No Bid	No Bid
Brake Rivet Machine & Accessories	No Bid	No Bid	1,000.00	<u>871.40</u>	1,062.00
Bench Grinder	No Bid	331.20	313.27	No Bid	<u>287.00</u>
Valve Grinding Machine & Accessories	2,240.00	2,244.00	No Bid	2,455.20	<u>2,177.00</u>
Arbor Press	No Bid	No Bid	<u>426.00</u>	No Bid	No Bid
Hydraulic Press	No Bid	No Bid	<u>3,089.75</u>	No Bid	No Bid
Brake Drum Lathe	<u>3,789.00</u>	3,988.00	4,566.18	5,012.80	4,386.00

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 by Barnes Motor and Parts Co. for the brake drum lathe in the amount of \$3,789, the bid by Smith courtney Co. for the drill press and accessories, the arbor press and the hydraulic press in the amount of \$4,503.97, the bid by Southern Parts in the amount of \$871.40 and the bid by Victor F. Dry Co. for the bench grinder and the valve grinding machine and accessories in the amount of \$2,464.

This the 10th day of September, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

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

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR THE REFURBISHMENT OF AN AERIAL FIRE TRUCK

WHEREAS the Town of Chapel Hill has solicited formal bids on August 9, 1979, and the following bids has been received:

<u>Bidder</u>	<u>Bid</u>
American La France, Elmira, N.Y.	\$68,754.77

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of American La France in the amount of \$68,754.77.

This the 10th day of September, 1979.

THE MOTION WAS CARRIED UNANIMOUSLY.

Appointment to OWASA Board

Council member Cohen nominated Mr. Moreau. Council member Smith moved, seconded by Council member Epting, to close the nominations. The motion was carried unanimously and mr. Moreau was appointed.

Board of Adjustment--Appointments

Monica Kalo, Linda Brown, and Julie Tenney had been nominated for two positions. As Ms. Tenney had been appointed to the Housing Authority Board, Council member Cohen withdrew her nomination. Council member Epting moved, seconded by Council member Smith, that the nominations be closed. The motion was carried unanimously and Ms. Kalo and Ms. Brown were appointed.

Planning Board--Appointment

Mr. Reeve had been nominated for the position. Council member Epting moved, seconded by Council member Howes, that the nominations be closed. The motion was carried unanimously, and Mr. Reeve was appointed.

Historic District Commission--Nominations

The Commission had forwarded the names of Shelley L. Hausler, Doug Johnston, Eleanor Kinnaird, Knox Tate, Edwin W. Tenney, Jr. for nomination.

Orange County Energy Conservation Commission--Nominations

Council member Kawalec nominated Ronald P. Strauss. Council member Howes nominated Bill Hill.

Parks & Recreation Commission--Nominations

The Commission had forwarded the names of Karen Davidson and H. Garland Hershey for nomination.

Report of Triangle Commission--Nominations

The Commission had forwarded the names of Karen Davidson and H. Garland Hershey for nomination.

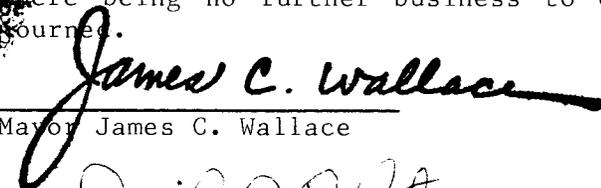
Report on Triangle COG's Policy Review Process

Council member Howes reported that Chapel Hill's vote had been cast against the new procedure which had been a controversial matter.

Report on Holiday Decorations

Mr. Shipman stated the Chamber of Commerce had given \$2400 for decorations in the CBD. They would allow the town to appoint a citizen committee to design and make decorations. The committee would be responsible for putting up and removing the decorations. Council member Cohen moved that the Mayor appoint the members to this committee. The Council agreed.

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 PUBLIC HEARING OF THE
MAYOR AND CHAPEL HILL TOWN COUNCIL
MUNICIPAL BUILDING
MONDAY, SEPTEMBER 17, 1979
7:30 P.M.

Mayor Pro Tem 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 Assistant Town Attorney D. Drake. Mayor Wallace and Council member Howes were excused. A quorum of the Planning Board was present.