

Council member Thorpe commented that he had received a copy of the letter from Mr. Temple regarding a policy of appointing a representative of the University to the OWASA Board. He believed this to be an understanding, never a written policy.

Report on Graham Court

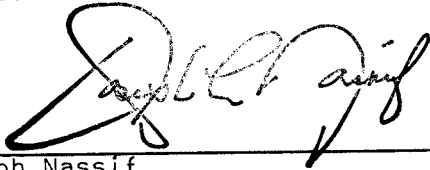
Mr. Denny reported that the matter of Graham Court had been heard in Superior Court in the week on June 16. The Judge had announced what his decision would be. Mr. Denny reviewed the arguments of the case. The Judge had indicated he would enter an order stating that the town of Chapel Hill had no authority under existing state legislation to regulate who owned real estate within the Town. The current owners of the Graham court project would be free to sell units. He inquired whether the Council wished to appeal the decision. Council member Thorpe expressed his desire to pursue the case. Mr. Shipman asked if the decision would mean the owners of Northampton could convert apartments to condominiums without Council review. Mr. Denny was not sure. The case was unique in that Graham Court was a non-conforming and pre-existing use. Northampton was under special use permit, with a condition of the special use that the property remain in undivided ownership. Council member Kawalec informed the Council a committee of the state legislature was considering legislation on conversion of apartments to condominiums. She asked for a report from the staff on possible legislation. Mr. Jennings stated the Attorney General was reviewing the Unit Ownership Act. If the local governments were interested in new legislation, they should so inform the Attorney General and representatives. The Council discussed whether they should appeal the Graham Court decision. The consensus was that Mr. Denny should file a notice of appeal and further action could be discussed after the decision had been written.

Future Agenda Items

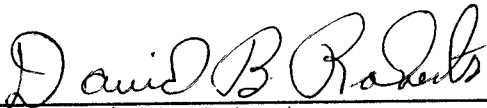
Mayor Nassif reminded the Council of the softball game on July 4 with Carrboro. He also asked all members planning to attend the National League of Cities meeting in Atlanta to make reservations as soon as possible.

Mr. Shipman reminded the Council of the zoning ordinance meeting on Monday, June 30, and the meeting was OWASA on June 26.

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



Mayor Joseph Nassif



Town Clerk David B. Roberts

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, JULY 14, 1980 7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

- Marilyn Boulton
- Joe Herzenberg
- Jonathan Howes
- Beverly Kawalec
- R.D. Smith
- Joe Straley
- Bill Thorpe
- James Wallace

Also present were Town Manager E. Shipman and Assistant Town Attorney T. Hunter.

Letter of Appreciation to Mr. James King

Mayor Nassif read the following letter of appreciation to Mr. King and his family.

LETTER OF APPRECIATION TO MR. JAMES KING

It gives us great pleasure to express to you formally our sincere gratitude for your efforts to aid a crime victim at University mall on December 13, 1979. A citizen is seldom confronted with the opportunity to prevent a crime from occurring. But a citizen's attempting to do so, at risk to his own safety, is an even rarer circumstance.

We regret the physical pain you suffered, the apprehensions your family endured, and the time your family devoted to ensure the successful prosecution of the two assailants. It seem unfortunate and unfair that a kind, selfless and courageous act should exact so great a sacrifice from the doer.

As a very small but sincerely offered recompense, please accept our deep appreciation for your effort to make Chapel Hill a safer place to live and work. With the signing of this letter of appreciation, we will make it a permanent part of the Town records.

Mr. King had endangered his own life to help prevent a crime and the Council wanted to express its gratitude for his efforts.

Petitions and Requests

The Council had received a petition from the Recreation Commission regarding the naming of the Nature Trail at Cedar Falls Park. COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO REFER THE PETITION TO THE FACILITIES NAMING COMMITTEE. THE MOTION WAS CARRIED UNANIMOUSLY.

Ms. Evarts petitioned the Council to be allowed to speak for herself and Mr. Reeve on item no. 5, special use permit applications for drive-in businesses.

Mr. Bob Anderson requested that the permit for Johnson's Garage be considered earlier in the meeting because he would be out of town on Tuesday. The council agreed to this, with Council member Herzenberg objecting.

Mr. Shipman requested that the preliminary sketch for Laurel Hill be delayed until Tuesday.

Ms. Williams requested to speak regarding the North Forest Hills subdivision. The council agreed to hear her statement.

Mr. Jerry Goynias presented a petition signed by several citizens requesting the Town to keep Clearwater Lake out of the hands of developers. He believed if the Town could not afford the property it could sell it at a later date. COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER BOULTON, TO REFER THE PETITION TO THE COMMITTEE ON CLEARWATER. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Shipman had received a petition from residents from 403 Hillsborough Street regarding proposed zoning changes. As the Town had received no formal application for this rezoning, it could not consider the petition at this time.

Minutes

As a sentence was missing from the minutes of June 9, 1980, approval was deferred until the next meeting.

On motion by Council member Wallace, seconded by Council member Kawalec, the minutes of June 16, 1980, were approved as corrected.

Committee and Commission Members

Mayor Nassif introduced the new committee members who had been appointed at the last Council meeting, to the Council and public.

Resolution Granting an Auditorium Special Use permit to the University of North Carolina at Chapel Hill for the Student Athletic Center

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING AN AUDITORIUM SPECIAL USE PERMIT TO THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR THE STUDENT ATHLETIC CENTER

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the auditorium proposed by the University of North Carolina at Chapel Hill if developed in accordance with the plans submitted April 3, 1980, 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 the applicant implement the street, intersection and signing improvements recommended with the traffic study prepared by Harland Bartholomew and Associates, Inc., including:
 - A. proposed improvements to the intersection of Manning Drive and US 15-501, Manning Drive and South Columbia Street, and Mason Farm Road Extended and Pittsboro road.
 - B. Proposed widening to four lanes of Manning Drive from Ridge Road to US 15-501 Bypass. Such widening shall include the provision of curb and gutter along both sides of the street.
 - C. Proposed widening of South Columbia Street/Pittsboro Road from Manning Drive to Mason Farm Road Extended.
 - D. Proposed removal of on-street parking along Manning Drive to achieve four travel lanes.

Detailed plans for the above improvements shall be approved by the Town Manager and North Carolina Department of Transportation prior to start of construction of such improvements.

2. That additional right-of-way be dedicated along Manning Drive between Ridge Road and the US 15-501 Bypass to accomodate the proposed widening to four lanes. Such right-of-way shall have a minimum width of 90 feet.
3. That additional right-of-way, as determined by the North Carolina Department of Transportation, be dedicated along South Columbia Street/Pittsboro Road to accomodate the proposed widening of such road to three lanes between Manning Drive and Mason Farm Road.

4. That a detailed sidewalk plan, showing how existing and proposed sidewalks will accommodate pedestrian traffic between the athletic center and all parking areas which have been identified as serving the off-street parking needs of the facility as well as between the Student Athletic Center and South Campus student residences, be submitted to and approved by the Planning Board prior to issuance of the special use permit.
5. That a detailed drainage plan and grading plan be submitted to and approved by the Town Manager prior to issuance of the special use permit. Improvements included in the drainage plan shall be completed prior to opening the athletic center for use.
6. that the number and location of fire hydrants be approved by the Town Manager prior to issuance of the special use permit.
7. That the applicant acknowledge that there exists a noise control code for the Town of Chapel Hill, as that code may be amended from time to time, and which may be applicable to the proposed use.
- 8a. That a physical barrier be constructed around all air handling equipment located outside of the proposed buildings to screen sound away from adjoining residential properties on Mason Farm Road. The applicant may use the existing hillside as part of the physical barrier if feasible.
9. That garbage collection service for the athletic center be scheduled so as not to disturb adjoining property owners on Mason Farm Road.

WITH REGARD TO APPEARANCE

10. That all existing trees and vegetation contained within the area delineated on the plan labeled "Buffer and Fence Plan" be retained. Such existing trees and vegetation within the delineated area shall be supplemented with additional trees and vegetation to achieve as dense a screening areas as is practical. Such plan shall be approved by the Appearance Commission as part of the review of the required landscape plan and shall include a minimum of two different types of evergreen trees such as the improved Piedmont Loblolly Pine and Red Cedar, which have complementary screen characteristics. Such supplementary screening shall be planted during the winter of 1980 so as to achieve the greatest amount of growth possible prior to the opening of the athletic center.
11. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signs, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.
12. That a detailed landscape/planting plan including detailed sign and lighting plans be submitted to and approved by the Appearance commission and the Town Council prior to issuance of a certificate of occupancy. Such plan show adequate mechanical means for watering landscape areas such as hose bibbs.
13. That all outdoor lighting be designed with the objective of directing illumination only within the property boundaries. Such lighting shall be shown on the detailed landscape plan and shall be approved by the Appearance Commission and the Town Council.
14. That the screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
15. That all utilities be placed underground.
16. 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.

17. 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.
18. That paved areas be set back as far as possible from trees to be retained.

OTHER CONDITIONS

19. That the applicant prepare a management plan for controlling traffic generated by major events at the athletic center. Such plan shall be approved by the Town manager prior to issuance of the special use permit. Modifications to such plan shall be submitted to and approved by the Town Manager. As part of the management plan the following objectives shall be addressed: 1) minimize traffic on Mason Farm Road and Otey's Road, and 2) provide safe means for pedestrians to cross major access roads.
20. That the off-street parking requirement be reduced by 19% as provided for in Section 4-C-5-c-12 of the Zoning Ordinance based upon the proximity of the use to existing parking areas and the location of the use within walking distance of a major population center.
21. That if the proposed revision of the Zoning Ordinance is adopted with provisions allowing the inclusion of compact car spaces as meeting part of the off-street parking requirement, that the applicant is authorized to modify the proposed parking plan to convert standard parking spaces to compact car spaces provided such changes are in compliance with the adopted provisions of the Zoning Ordinance. Such change shall not be considered a modification of the special use permit.
22. That provisions for parking bicycles be provided. The location and design of such facilities shall be shown on the site plan and shall be approved by the Appearance Commission.
23. That a chain link fence no less than 10 feet in height and having no less than three strands of barbed wire above the chain link fence be installed between the athletic center and properties on Mason Farm road. The location and extent of such fence shall be as shown on the plan labeled "Buffer and Fence Plan." Such fence shall be kept in good repair for the duration of the special use permit, and shall be constructed prior to start of construction of the athletic center. No gates of any kind shall be provided in the fence.
24. That prior to issuance of the special use permit the applicant shall delineate the floodway boundaries along the creek located just north of the proposed athletic center. Alterations to such floodway boundaries shall be governed by the Chapel Hill Flood Damage Prevention Ordinance.
25. That water and sewer lines be installed to the Orange Water and Sewer Authority standards.
26. 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.
27. that access be provided to OWASA for the maintenance and operation of OWASA water and sewer lines.
28. that a plat dedicating all easements, and public rights-of-way shown on the sketch plan or required as part of the granting of the special use permit, shall be recorded at the Orange County Register of Deeds Office prior to issuance of the special use permit.
29. That all improvements, as shown on the approved plans or required as part of the granting of the special use permit, shall be completed prior to opening the athletic center for use.

30. That a revised site plan incorporating all the above stipulations be submitted to the Building inspector prior to issuance of the special use permit.
31. That construction begin by July 31, 1984, and be completed by July 31, 1988.

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

This the 14th day of July, 1980.

Council member Straley questioned the method of measuring noise from the coliseum, especially as there would be no point source. COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO AMEND THE RESOLUTION BY ADDING PARAGRAPH 8B. "For the purpose of interpreting the noise ordinance at this time, the Council prescribes the following as an appropriate test for meeting the ordinance: that the sound level at any position on Mason Farm Road closest to the Student Athletic Center will not exceed 50 decibels (without special permit) or 70 decibels (with special permit).

Council member Boulton questioned the need for the amendment if the special use permit required compliance with the noise ordinance. Council member Straley responded that there was no point source, therefore measurement was difficult.

Mr. Shipman believed changes to the noise ordinance would be more effective than the amendment to the stipulations in the resolution. Council member Straley argued that with the amendment the University would know now what they were agreeing to. Mayor Nassif agreed with Mr. Shipman in that by amending the resolution, the Town might be requiring something of the University that it required of no other developer.

Council member Herzenberg suggested a limitation on the number of rock concerts to be held in a year. Council member Straley responded that the number of concerts would not be relevant if there was no excess noise.

Council member Kawalec suggested adding Manning Drive as well as Mason Farm Road. Council member Straley said his amendment would cover 450' from the center. Council member Howes agreed that the proper place for changes would be in the noise ordinance.

Council member Wallace accepted Council member Straley's argument. Mayor Nassif was concerned that the noise ordinance could be in conflict with the permit if the ordinance was later amended.

Mr. Hunter preferred all changes be made to the ordinance, however, he believed the University would have to comply with the ordinance no matter what amendments were made.

Council member Thorpe asked why the University would have to acknowledge the noise ordinance as it was part of the code. Mr. Shipman stated that Mr. Denny had inserted this language to emphasize the necessity of compliance by the University.

THE MOTION WAS TO AMEND WAS CARRIED BY A VOTE OF SIX TO THREE WITH COUNCIL MEMBERS HERZENBER, KAWALEC, SMITH, STRALEY, THORPE, AND WALLACE SUPPORTING AND COUNCIL MEMBERS BOULTON, HOWES, AND MAYOR NASSIF OPPOSING.

Council member Kawalec was concerned with the reduction in parking, there might not be enough parking. Residents would then be hurt. Mr. Rutherford explained that the consultant had analyzed the available parking and the need for parking for the center to try to use all existing parking. The fence around the center would deter people from parking in residential sections. And, the University would provide traffic control assistance during events. Mr. Rutherford pointed out that excess parking would discourage bus ridership.

Council member Kawalec reminded the council they had received a petition last fall from residents on streets near the University concerning parking during football games. She wanted the Town to try to control the illegal parking. Mr. Shipman commented there were several other streets with similar problems. He was working with the University to solve these problems. Athletic ticket holders had been informed they would be towed when parked on these streets. Barriers would be put up, and the University would provide traffic control assistance during the games.

Council member Smith asked why the University considered there would be an excess of parking in the deck. Mr. Rutherford explained that the occupancy of the deck would decrease at night. The center would not be heavily used during weekdays.

Mayor Nassif asked if a sidewalk on Manning Drive was considered. Mr. Berger answered that there were no origination or destination points for a walk on Manning Drive. The staff did not expect a significant number of pedestrians along here.

Mayor Nassif suggested pedestrians from Morgan Creek might walk along Manning. Mr. Berger responded that a sidewalk was always desirable, but the staff had focused on walks from the residences and the parking areas. Mr. Rutherford noted that a sidewalk along Manning might encourage parking on the other side of the by-pass.

Council member Boulton asked if the dome was not sufficient, could something be added to reduce noise. Mr. Rutherford answered that the dome was still being evaluated. The University could use a conventional roof structure if necessary. Accoustical liners could be added inside later.

THE FOLLOWING RESOLUTION WAS ADOPTED BY A VOTE OF EIGHT TO ONE WITH COUNCIL MEMBERS BOULTON, HOWES, KAWALEC, SMITH, STRALEY, THORPE, WALLACE AND MAYOR NASSIF SUPPORTING AND COUNCIL MEMBER HERZENBERG OPPOSING ON THE BASIS OF FINDINGS 1 AND 3.

A RESOLUTION GRANTING AN AUDITORIUM SPECIAL USE PERMIT TO THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR THE STUDENT ATHLETIC CENTER

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the auditorium proposed by the University of North Carolina at Chapel Hill if developed in accordance with the plans submitted April 3, 1980, 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 the applicant implement the street, intersection and signing improvements recommended with the traffic study prepared by Harland Bartholomew and Associates, Inc. including:
 - A. Proposed improvements to the intersection of Manning Drive and US 15-501, Manning Drive and South Columbia Street, and Mason Farm Road Extended and Pittsboro Road.
 - B. Proposed widening to four lanes of Manning Drive from Ridge Road to US 15-501 Bypass. Such widening shall include the provision of curb and gutter along both sides of the street.
 - C. Proposed widening of South Columbia Street/Pittsboro Road from Manning Drive to Mason Farm Road Extended.
 - D. Proposed removal of on-street parking along Manning Drive to achieve four travel lanes.

Detailed plans for the above improvements shall be approved by the Town Manager and North Carolina Department of Transportation prior to start of construction of such improvements.

2. That additional right-of-way be dedicated along Manning Drive between Ridge Road and the US 15-501 Bypass to accommodate the proposed widening to four lanes. Such right-of-way shall have a minimum width of 90 feet.
3. That additional right-of-way, as determined by the North Carolina Department of Transportation, be dedicated along South Columbia Street/Pittsboro Road to accommodate the proposed widening of such road to three lanes between Manning Drive and Mason Farm Road.
4. That a detailed sidewalk plan, showing how existing and proposed sidewalks will accommodate pedestrian traffic between the athletic center and all parking areas which have been identified as serving the off-street parking needs of the facility as well as between the Student Athletic Center and South Campus student residences, be submitted to and approved by the Planning Board prior to issuance of the special use permit.
5. That a detailed drainage plan and grading plan be submitted to and approved by the Town Manager prior to issuance of the special use permit. Improvements included in the drainage plan shall be completed prior to opening the athletic center for use.
6. That the number and location of fire hydrants be approved by the Town Manager prior to issuance of the special use permit.
7. That the applicant acknowledge that there exists a noise control code for the Town of Chapel Hill, as that code may be amended from time to time, and which may be applicable to the proposed use.

- 8a. That a physical barrier be constructed around all air handling equipment located outside of the proposed buildings to screen sound away from adjoining residential properties on Mason Farm Road. The applicant may use the existing hillside as part of the physical barrier if feasible.
- 8b. For the purpose of interpreting the noise ordinance at this time, the Council prescribes the following as an appropriate test for meeting the ordinance: that the sound level at any position on Mason Farm Road closest to the Student Athletic Center will not exceed 50 decibels (without special permit) or 70 decibels (with special permit).
9. That garbage collection service for the athletic center be scheduled so as not to disturb adjoining property owners on Mason Farm Road.

WITH REGARD TO APPEARANCE

10. That all existing trees and vegetation contained within the area delineated on the plan labeled "Buffer and Fence Plan" be retained. Such existing trees and vegetation within the delineated area shall be supplemented with additional trees and vegetation to achieve as dense a screening area as is practical. Such plan shall be approved by the Appearance Commission as part of the review of the required landscape plan and shall include a minimum of two different types of evergreen trees such as the improved Piedmont Loblolly Pine and Red Cedar, which have complementary screen characteristics. Such supplementary screening shall be planted during the winter of 1980 so as to achieve the greatest amount of growth possible prior to the opening of the athletic center.
11. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signs, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.
12. 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 such as hose bibbs.

13. That all outdoor lighting be designed with the objective of directing illumination only within the property boundaries. Such lighting shall be shown on the detailed landscape plan and shall be approved by the Appearance Commission.*
14. That the screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
15. That all utilities be placed underground.
16. 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.
17. 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.
18. That paved areas be set back as far as possible from trees to be retained.

OTHER CONDITIONS

19. That the applicant prepare a management plan for controlling traffic generated by major events at the athletic center. Such plan shall be approved by the Town Manager prior to issuance of the special use permit. Modifications to such plan shall be submitted to and approved by the Town Manager. As part of the management plan the following objectives shall be addressed:
 - 1) minimize traffic on Mason Farm Road and Otey's Road, and
 - 2) provide safe means for pedestrians to cross major access roads.
20. That the off-street parking requirement be reduced by 19% as provided for in Section 4-C-5-c-12 of the Zoning Ordinance based upon the proximity of the use to existing parking areas and the location of the use within walking distance of a major population center.
21. That if the proposed revision of the Zoning Ordinance is adopted with provisions allowing the inclusion of compact car spaces as meeting part of the off-street parking requirement, that the applicant is authorized to modify the proposed parking plan to convert standard parking spaces to compact car spaces provided such changes are in compliance with the adopted provisions of the Zoning Ordinance. Such change shall not be considered a modification of the special use permit.

*and the Town Council

22. That provisions for parking bicycles be provided. The location and design of such facilities shall be shown on the site plan and shall be approved by the Appearance Commission.
23. That a chain link fence no less than 10 feet in height and having no less than three strands of barbed wire above the chain link fence be installed between the athletic center and properties on Mason Farm Road. The location and extent of such fence shall be as shown on the plan labeled "Buffer and Fence Plan." Such fence shall be kept in good repair for the duration of the special use permit, and shall be constructed prior to start of construction of the athletic center. No gates of any kind shall be provided in the fence.
24. That prior to issuance of the special use permit the applicant shall delineate the floodway boundaries along the creek located just north of the proposed athletic center. Alterations to such floodway boundaries shall be governed by the Chapel Hill Flood Damage Prevention Ordinance.
25. That water and sewer lines be installed to the Orange Water and Sewer Authority standards.
26. 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.
27. That access be provided to OWASA for the maintenance and operation of OWASA water and sewer lines.
28. That a plat dedicating all easements, and public rights-of-way shown on the sketch plan or required as part of the granting of the special use permit, shall be recorded at the Orange County Register of Deeds Office prior to issuance of the special use permit.
29. That all improvements, as shown on the approved plans or required as part of the granting of the special use permit, shall be completed prior to opening the athletic center for use.
30. That a revised site plan incorporating all the above stipulations be submitted to the Building Inspector prior to issuance of the special use permit.
31. That construction begin by July 31, 1984, and be completed by July 31, 1988.

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

This the 14th day of July, 1980.

Resolution Granting a Unified Business Development Special Use Permit to
North Carolina National Bank for an Office Development

Mr. Berger explained that there were three recommendations on this project, the staff recommendation, the Planning Board recommendation and the Appearance Commission recommendation. He noted the differences between the three.

Ms. Evarts reported to the Council on some of the discussion of the Planning Board regarding the drive-in window policy. Mr. Reeve had requested if the drive-in window was allowed for the banks, that the Council hold a worksession with the Planning Board to revise the comprehensive plan policy for drive-in windows. Ms. Evarts informed the Council she had voted against a recommendation to allow the window. She believed the policy could be overturned if too many exceptions were allowed.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO NORTH CAROLINA NATIONAL BANK FOR AN OFFICE DEVELOPMENT

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the unified business development proposed by North Carolina National Bank if developed in accordance with the plans submitted April 4, 1980 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:

CONDITIONS RELATED TO PUBLIC HEALTH AND SAFETY

1. That a detailed drainage plan with hydrologic calculations and grading 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.
2. That the two buildings be connected with one another and to their parking areas by a network of paved sidewalks. Such sidewalk network shall be shown on the detailed landscape plan and approved by the Appearance Commission. A paved sidewalk to Town standards shall also be constructed along the frontage of the subject property with Old Durham Road, and such sidewalk shall be connected by a paved sidewalk to the interior sidewalk system.
3. That the driveway connection to Old Durham Road be realigned to intersect at a 90 degree angle. The design of such driveway shall be approved by the Town Manager.
4. That the northern side of Old Durham Road be widened with additional paving and curb and gutter along the subject development's frontage with the road. The width of additional paving and detailed construction plans for such improvements shall be approved by the Town Manager and the North Carolina Department of Transportation.
5. That there be no left turn onto the US 15-501 frontage road from the proposed bank driveway.
6. That the proposed bank building be contemporary in design as opposed to the proposed colonial styled building. The design of such building shall be approved by the Appearance Commission prior to issuance of a building permit.

7. That the off-street parking areas be screened from the public right-of-ways of US 15-501 and Old Durham Road by a solid screen a minimum of three feet in height. Such screening shall be shown on the landscape plan.
8. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signs, 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 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 and shall be in place prior to issuance of a building permit.
12. That paved areas be set back as far as possible from trees to be retained.
13. That the screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
14. That all utilities be placed underground.
15. That no drive-in window facility be included as part of the subject development. Plans for the bank building shall be revised accordingly.
16. That all improvements, as shown on the approved plans or required as part of the granting of the special use permit, shall be completed prior to issuance of the certificate of occupancy.
17. That a revised site plan incorporating all the above stipulations, including the deletion of the drive-in window facilities, be submitted to and approved by the Town Manager prior to issuance of a building permit or grading permit.
18. That construction begin by July 31, 1982 and be completed by July 31, 1984.

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 14th day of July, 1980.

Council Member Smith asked when the request had been filed. Mr. Berger stated it had been filed on April 4, with the policy having been adopted on April 14. The public hearing on the application had been held in May.

Council Member Wallace said he had voted against this policy as he was not against drive-in windows. He believed in a correct location the Council should approve them. He noted that the application had been filed before the policy adoption. COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO NORTH CAROLINA NATIONAL BANK FOR AN OFFICE DEVELOPMENT

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the unified business development proposed by North Carolina National Bank if developed in accordance with the plans submitted April 4, 1980 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:

CONDITIONS RELATED TO PUBLIC HEALTH AND SAFETY

1. That a detailed drainage plan with hydrologic calculations and grading 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.
2. That the two buildings be connected with one another and to their parking areas by a network of paved sidewalks. Such sidewalk network shall be shown on the detailed landscape plan and approved by the Appearance Commission. A paved sidewalk to Town standards shall also be constructed along the frontage of the subject property with Old Durham Road, and such sidewalk shall be connected by a paved sidewalk to the interior sidewalk system.
3. That the driveway connection to Old Durham Road be realigned to intersect at a 90 degree angle. The design of such driveway shall be approved by the Town Manager.
4. That the northern side of Old Durham Road be widened with additional paving and curb and gutter along the subject development's frontage with the road. The width of additional paving and detailed construction plans for such improvements shall be approved by the Town Manager and the North Carolina Department of Transportation.
5. That there be no left turn onto the US 15-501 frontage road from the proposed bank driveway.

CONDITIONS RELATED TO APPEARANCE

6. That the proposed bank building be contemporary in design as opposed to the proposed colonial styled building. The design of such building shall be approved by the Appearance Commission prior to issuance of a building permit.
7. That the off-street parking areas be screened from the public right-of-ways of US 15-501 and Old Durham Road by a solid screen a minimum of three feet in height. Such screening shall be shown on the landscape plan.
8. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signs, 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 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 and shall be in place prior to issuance of a building permit.
12. That paved areas be set back as far as possible from trees to be retained.
13. That the screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
14. That all utilities be placed underground.

OTHER CONDITIONS

15. That all improvements, as shown on the approved plans or required as part of the granting of the special use permit, shall be completed prior to issuance of the certificate of occupancy.
16. That construction begin by July 31, 1982 and be completed by July 31, 1984.

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 14th day of July, 1980.

Council member Thorpe agreed with Council member Wallace. He suggested the Council reconsider this policy on drive-in businesses. The photo booth should also be reconsidered. Council member Thorpe commented that the staff should have informed the Council there were applications on file at the time of the policy adoption.

Council member Howes thought the Council should agree to Mr. Reeve's request for a worksession. He added that any policy would have exceptions, and the Council should discuss this more fully.

Council member Smith was concerned with the denial of permits to drive-in businesses in locations near this one.

Council member Boulton asked if the town had in the past stipulated the type of architecture necessary. Mr. Berger answered that it had. Uniform appearance zones were encouraged in the town.

Mayor Nassif pointed out that the photo shop application had been filed long before the policy was adopted. The policy had been adopted to prevent the photo shop. Without the policy, the Council could make the decision based on each application and the proposed location.

Council member Howes argued that the policy was not an ordinance. He still agreed with the statement of policy. Mayor Nassif responded that any of the proceedings for a special use permit could be used legally. He reiterated the request for reconsideration of the policy. Council member Howes said this would take unanimous consent of the Council to place the reconsideration on the agenda, and he would not agree.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER STRALEY, TO TABLE BOTH THIS ITEM AND THE WACHOVIA BANK DRIVE-IN BUSINESS UNTIL THE COUNCIL HAD RECONSIDERED ITS POLICY OF DRIVE-IN BUSINESS AT THE NEXT REGULAR MEETING. Council member Wallace stated he would vote against this motion as he did not believe the Council should delay the developers because of its own indecision. THE MOTION WAS CARRIED BY A VOTE OF SIX TO THREE WITH COUNCIL MEMBERS HERZENBERG, KAWALEC, SMITH, STRALEY, THORPE AND MAYOR NASSIF SUPPORTING AND COUNCIL MEMBERS BOULTON, HOWES AND WALLACE OPPOSING.

Mr. Shipman suggested the Council meet on August 19, at 6:30 p.m. with the Planning Board for the worksession.

Council member Thorpe added that he had voted to table the matter so that he could later vote for the drive-in businesses.

Resolution Granting a Unified Business Development Special Use Permit to Willie Johnson for the Johnson Garage

Mr. Berger explained the staff recommendation for curb and gutter and for a sidewalk along Longview to which the applicant objected. Ms. Evarts stated the Planning Board had not believed there would ever be a sidewalk or curbing along this road.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING RESOLUTION.

RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO WILLIE JOHNSON FOR THE JOHNSON GARAGE

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the unified business development proposed by Willie Johnson if developed in accordance with the plans submitted April 4, 1980 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 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.
2. That a five-foot wide sidewalk easement be dedicated along the subject property's frontage with Longview Street. Such easement shall be recorded at the Orange County Register of Deeds Office prior to issuance of a certificate of occupancy.
3. A driveway, to Town standards, shall be installed at the access point onto Longview Street. Plans for the above improvement shall be approved by the Town Manager and shall be completed by July 31, 1986.

WITH REGARD TO APPEARANCE

4. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signs, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.
5. 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.
6. 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.
7. That the off-street parking areas be screened from the abutting properties and public rights-of-way by a solid six foot high screen consisting of vegetation, trees and/or fencing. The detailed design of such screen shall be shown on the landscape plan and shall be approved by the Appearance Commission.
8. 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.

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

OTHER CONDITIONS

10. That a minimum of three additional parking spaces be provided in order to meet the minimum off-street parking requirement of fifteen spaces. Such additional parking area and parking spaces shall be graveled and shown on the landscape plan.
11. That all improvements, as shown on the approved plans or required as part of the granting of the special use permit, shall be completed prior to issuance of the certificate of occupancy unless otherwise noted above.
12. That two copies of a revised site plan incorporating all the above stipulations be submitted to the Building Inspector prior to issuance of a building permit or grading permit.
13. That construction begin by July 31, 1982 and be completed by July 31, 1984.

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 14th day of July, 1980.

Mr. Anderson asked for clarification on the requirement for a standard drive.

The mover and seconder agreed to delete stipulation #3. Mr. Anderson then showed the Council the elevations for the property. The change in grade accounted for their objection to the sidewalk. He stated that when the town widened Longview and built a sidewalk, Mr. Johnson would grant an easement. Mr. Johnson had also requested a reduction of the parking to retain the landscaping. The Council agreed to delete #10 and #2. Council member Smith commented that congestion on the street would be lessened when the rescue squads were in the garage bays.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving a Preliminary Sketch for Laurel Hill, Section III, Phase 2, Part 2 Subdivision Located on Parker Road

Mr. Shipman had requested this item be delayed until Tuesday. COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO DELAY THE ITEM UNTIL THE NEXT DAY. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving the Preliminary Sketch for North Forest Hills, Phase 4.

Mr. Shipman stated the Council had been given both the staff recommendations and a recommendation from the Recreation Commission. Ms. Williams spoke in opposition to the subdivision as proposed because the access road would enter Piney Mountain Road directly across from her home. She also objected to the increase in traffic on Piney Mountain Road. She requested the Council direct the staff to meet with the residents of Piney Mountain Road to discuss problems regarding this subdivision.

Council member Boulton asked if the residents had been notified for the public hearing. Mr. Shipman said they had been notified about the public discussion and meeting before the Planning Board. There had been no Council public hearing on this project.

Mr. Berger explained that with the extension of town services to this project, several other properties in the area would be able to connect to water and sewer. The staff recommendation for a loop connection to Apple Street considered the dual access called for in the Land Use Plan. He informed the Council residents from North Forest Hills had attended the Planning Board discussion and objected to a cross-connector to NC 86. The staff had attempted to answer the questions of all residents in the area. Mr. Berger also pointed out that although the residents believed the volume of traffic on Pine Mountain Road to be heavy, it was a low volume for a collector road. The maximum for a collector road would be 4000 cars per day or higher.

The applicant had agreed to deed the recreation space to the town for the whole area to use. Ms. White explained the reasons behind the recreation Commission recommendation. They wanted three additional lots as an entrance to the open space. As a trade, they would allow the developer not to connect to Apple Street and to reduce the street width to 27'. There would be a pedestrian easement from Apple Street to the proposed subdivision. There was a suggestion that the Town should approach OWASA to use or purchase land to the north of Apple Street as a park.

Council member Smith asked why the access to the subdivision was not aligned with Eastwood Road. Mr. Berger said that Eastwood Road was too far away. Council member Smith then asked why Seminole had not been extended. Mr. Berger responded that the residents at the public discussion had objected to additional traffic in the North Forest Hills Subdivision, and had pointed out the roads were not constructed to high standards.

He added that the applicant had only a small amount of frontage on Piney Mountain within which to construct the intersection.

Council member Boulton asked why the staff did not accept the Recreation Commission's recommendation not to connect Apple Street.

Ms. Williams believed there were other options available to the developers.

Mr. Berger responded that while some of the residents on Apple Street were against the additional traffic, others welcomed the opportunity to connect to sewer and water lines.

Ms. Harrison stated that Ms. Williams had been out-of-town when the Planning Board meeting was held. Ms. Harrison asked why the property proposed for the subdivision was rezoned from R-20 to R-10 without the residents' knowledge. She was concerned that the community of Apple Street and Piney Mountain Road was being absorbed into that of North Forest Hills. She complained that the additional traffic on Piney Mountain Road would create a hazard for residents. The residents wanted a traffic survey done on the road. They wanted the traffic from the subdivision directed to NC 86.

Council member Howes asked about the zoning. Mr. Berger stated the property had been zoned R-10 for fifteen or twenty years. Under the new zoning ordinance, it would be zoned R-2, or the equivalent of R-20, because North Forest Hills had been developed at R-20. The staff was, however, considering changing the zoning because of the cost of housing. Average income families could not afford large lots.

Council member Straley suggested the intersection with Piney Mountain Road be a Y intersection. Mayor Nassif commented that a Y intersection was dangerous and avoided by the State engineers.

COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO TABLE THE MATTER AND ASK THE DEVELOPER TO RECONSIDER SOME OF THE DIFFICULTIES OF THE SUBDIVISION. THE MOTION WAS CARRIED BY A VOTE OF SIX TO THREE WITH COUNCIL MEMBERS BOULTON, HOWES, SMITH, STRALEY, THORPE, AND WALLACE SUPPORTING AND COUNCIL MEMBERS HERZENBERG, KAWALEC AND MAYOR NASSIF OPPOSING.

Resolution Authorizing the Filing of an Application with the Department of Transportation, for a Grant Under the Mass Transportation Act of 1964, as Amended

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED, AND WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, the United States and North Carolina Secretaries of Transportation are authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as Amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964, and the U.S. Department of Transportation requirements thereunder;

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services:

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

1. That the Town Manager is authorized to execute and file an application on behalf of the Town of Chapel Hill, North Carolina with the U.S. Department of Transportation and with the North Carolina Department of Transportation, to aid in the financing of the purchase of four transit vehicles, to aid in the financing of a public transportation system for fiscal year 1980-81, and to provide planning assistance.
2. That the Town Manager is authorized to execute and file with such application an assurance or any other document required by the North Carolina Department of Transportation or the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, or any other applicable legislation;
3. That the Town Manager is authorized to furnish such additional information as the North Carolina Department of Transportation or the U.S. Department of Transportation may require in connection with the application or the project;
4. That the Town Manager is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs;
5. That the Town Manager is authorized to accept any grant made in response to this application.

This the 14th day of July, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Re Drinking of Alcoholic Beverages in Public Parks

COUNCIL MEMBER SMITH MOVED ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO AMEND SECTION 3-3, CODE OF ORDINANCES, TOWN OF CHAPEL HILL WITH RESPECT TO THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON TOWN OWNED PROPERTY

BE IT ORDAINED by the Town Council of the Town of Chapel Hill that Section 3-3, Code of Ordinances, Town of Chapel Hill, be amended and rewritten to read as follows:

SECTION I

It shall be unlawful for any person to consume alcoholic beverages, beer, or unfortified wine on any street, sidewalk, or alley; or in any municipal parking lot; or on the grounds of any public building of the Town; or any real estate owned or controlled by the Town including but not limited to public parks, playgrounds, tot lots, recreational fields, tennis courts, or other athletic fields; or in any of the buildings owned by the Town.

SECTION II

Any person who violates this section shall be guilty of a misdemeanor, and be fined not more than ten dollars (\$10.00).

SECTION III

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

This the 15th day of July, 1980.

The motion died for a lack of a second. Council member Thorpe asked that the matter be delayed until the next day as the Council had only received information on it at this meeting. The matter was delayed.

Discussion of Scheduling Budget "Post-Mortem"

Council member Howes reminded the Council they had agreed to schedule a meeting on the budget. The Mayor had included this with a number of scheduled worksessions. He asked the Council to contact him about any conflicts with that schedule.

Housing and Community Development

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION AMENDING THE RESOLUTION AUTHORIZING A LOAN TO THE CHAPEL HILL HOUSING AUTHORITY FOR THE PURPOSE OF ENABLING THE ESTABLISHMENT, IMPLEMENTATION, AND ADMINISTRATION OF A HOUSING LOAN TRUST FUND AS ORIGINALLY ADOPTED the 9th day of NOVEMBER, 1973, AND AS SUBSEQUENTLY AMENDED

THAT WHEREAS, there is a shortage of decent, safe, and sanitary single family housing units within the Town of Chapel Hill for owner/occupancy by families with low or moderate income, and

WHEREAS, it is the desire of the Council that a procedure be established whereby single family home acquisition may be implemented through the pur-

chase by the Authority for resale to qualified families through the use of the Housing Loan Trust Fund, and

WHEREAS, there exists a procedure for interest subsidy guaranty of permanent financing and construction financing, but no procedure is provided for the acquisition and resale of structures, and

WHEREAS, it is desirable that such procedure be established through the use of a portion of the assets of the Housing Loan Trust Fund heretofore established.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CHAPEL HILL, that the Resolution authorizing a loan to the Chapel Hill Housing Authority for the purpose of enabling the establishment, implementation and the administration of a Housing Loan Trust Fund heretofore adopted and as subsequently amended, be further amended as follows:

A new Paragraph 11A is hereby added to said Resolution, reading as follows:

"In addition to the loan, guaranty, and interest subsidy provisions setforth herein, the Trustees of the Housing Loan Trust Fund are further authorized to use a portion of said fund for the acquisition of properties situated within the Town of Chapel Hill suitable for resale to low income families qualifying under the provisions of this Resolution, provided however, that all such acquisitions shall be approved in advance by the Commissioners of the Housing Loan Trust Fund, and the Town Council prior to the expenditure of funds for such purposes".

Except as herein amended and as previously amended, the Resolution heretofore referred to and all provisions thereof, and all action taken by the Chapel Hill Housing Authority pursuant thereto shall continue in effect.

This the 14th day of July, 1980.

Council member Straley questioned the Council's approving all acquisitions. Mr. Shipman recommended this procedure because the Town was responsible for the community development program. Mayor Nassif agreed in that the funds used were a part of Chapel Hill's budget. THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION PROVIDING OPTIONAL RELOCATION COVERAGE

WHEREAS, certain persons residing within the Town of Chapel Hill will be displaced as the result of action by the Town of Chapel Hill or the Chapel Hill Housing Authority; and

WHEREAS, said persons are both tenants and property owners; and

WHEREAS, the projects by which said persons be displaced have been under discussion, development, and preliminary procedures for some time; and

WHEREAS, most persons affected by said projects have been heretofore notified; and

WHEREAS, it is desirable that the Town Council authorize the establishment of optional relocation coverage in order to assure that all such persons effected by said projects will be entitled to appropriate relocation payments, including specifically tenants now residing in rental units; and

WHEREAS, it is permitted to establish an eligibility date for relocation as a date other than that set by the actual initiation of negotiations for acquisition of the property by a public body; and

WHEREAS, it is in the interest of Town, Chapel Hill Housing Authority and the persons to be displaced by said action, that said optional date be established.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CHAPEL HILL that the date the preliminary acquisition notice was submitted by the Authority to the owner shall be the determining date for eligibility for full relocation coverage and that this Resolution shall be effective retroactively to September 26, 1979.

This the 14th day of July, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER THORPE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING CONVERSION OF 18 LOW RENT HOUSING UNITS TO ELDERLY/HANDICAPPED

WHEREAS, the Department of Housing and Urban Development, on July 23, 1979, allocated seventy-two units of Low Rent Housing to the Chapel Hill Housing Authority in the form of 10 one-bedroom units, 46 two-bedroom units and 16 three-bedroom units for family occupancy; and

WHEREAS, forty-three percent (102 elderly heads of households) of all eligible applicants on the Low Rent Housing Waiting List for one- and two-bedroom apartments are elderly, handicapped or disabled; and

WHEREAS, only seven percent (14) of the Authority's two hundred Low Rent Housing units are designed for the elderly, handicapped or disabled; and

WHEREAS, no units for low or moderate income elderly, handicapped or disabled residents except those constructed by the Housing Authority in 1974, have been developed within the Town of Chapel Hill since that time; and

WHEREAS, the Chapel Hill Housing Authority has identified a suitable site for the construction of elderly housing;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Chapel Hill supports the request of the Commissioners of the Chapel Hill Housing Authority, that ten one-bedroom units and eight two-bedroom units of the seventy-two unit allocation be converted to housing units for the elderly, handicapped or disabled.

This the 14th day of July 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending Section 4-32 (Rabies Control)

Mr. Hunter explained that the proposed ordinance to amend Section 4-32 would give the animal control officer more leverage in enforcing the requirement for rabies vaccine. The disease was becoming more of a problem in the area. This would be similar to other programs in the state to control rabies. COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING SECTION 4-32 (RABIES CONTROL)

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 as follows:

4-32 PROHIBITED ACTS

add: (h) Rabies Vaccination. To have custody of any dog or cat over the age of four months which is not currently vaccinated against rabies.

This the 14th day of July, 1980.

Council member Herzenberg questioned the fine for noncomplaine. Mr. Hunter explained, that although there had been provisions for confining the animal, this would give the officer power to fine the owner of the animal for noncomplaine. This was the same fine as for violation of any ordinance.

The animal control officer noted there would be rabies vaccination clinics on July 18 and July 25. The cost would be \$4.50. THE MOTION WAS CARRIED UNANIMOUSLY.

* Mayor Nassif recessed the meeting until July 15, 1980, at 4:00 p.m.

The meeting was reconvened on July 15, 1980, at 4:00 p.m., with all members but Council member Wallace present.

Ordinance Re Drinking of Alcoholic Beverages in Public Parks

Council member Howes had inquired about the reason for an ordinance on alcoholic beverages in the parks. Mayor Nassif explained that although the Recreation Commission had a policy against the drinking of alcoholic beverages in the parks, police could not enforce the policy. This ordinance would prohibit the drinking. The Council discussed which town buildings should be included in the prohibition. Mr. Shipman stated the ordinance as proposed by Mr. Denny would include all town owned property.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO AMEND SECTION 3-3, CODE OF ORDINANCES, TOWN OF CHAPEL HILL WITH RESPECT TO THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON TOWN OWNED PROPERTY

BE IT ORDAINED by the Town Council of the Town of Chapel Hill that Section 3-3, Code of Ordinances, Town of Chapel Hill, be amended and rewritten to read as follows:

SECTION I

It shall be unlawful for any person to consume alcoholic beverages, beer, or unfortified wine on any street, sidewalk, or alley; or in any municipal parking lot; or on the grounds of any public building of the Town; or any real estate owned or controlled by the Town including but not limited to public parks, playgrounds, tot lots, recreational fields, tennis courts, or other athletic fields; or in any of the buildings owned by the Town.

SECTION II

Any person who violates this section shall be guilty of a misdemeanor, and be fined not more than ten dollars (\$10.00).

SECTION III

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

This the 15th day of July, 1980.

THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH COUNCIL MEMBERS BOULTON, HOWES, KAWALEC, SMITH, STRALEY, THORPE, AND MAYOR NASSIF SUPPORTING AND COUNCIL MEMBER HERZENBERG OPPOSING.

Resolution Granting a Unified Housing Development Special Use Permit to
Lillyan H. Page for Dumbarton Walk

Mr. Berger presented the proposed project. The staff recommended approval of the project with a redesign of the parking area. The applicant was requesting a substandard drive and parking area to save some of the trees. The Appearance Commission recommended the drive be widened to save the trees. Mr. Berger pointed out the applicant could apply to the Board of Adjustment for a variance to save the trees.

Council member Smith asked why there were two zonings on such a small parcel. Mr. Berger stated that zoning maps were drawn on a small scale without lots being taken into consideration.

The staff had tried to eliminate this problem with the new zoning maps.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER BOULTON,
ADOPTION OF THE FOLLOWING RESOLUTION.

**A RESOLUTION GRANTING A UNIFIED HOUSING DEVELOPMENT SPECIAL USE PERMIT
TO LILLYAN H. PAGE FOR DUMBARTON WALK**

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the unified housing development proposed by Lillyan H. Page if developed in accordance with the plans submitted April 4, 1980 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:

1. That the parking area be revised to provide one-way circulation looping back to Hillsborough Street, with angled parking spaces. Plans for such parking area shall be approved by the Town Manager prior to construction. A minimum six-foot wide planting strip shall be provided between the eastern right-of-way line of Hillsborough Street (as required to be widened in stipulation #2 below) and the paved off-street parking area.
2. That additional right-of-way be dedicated along the frontage of the property with Hillsborough Street to achieve a right-of-way width of 30 feet measured from the centerline of the street. Such dedication shall be recorded prior to issuance of a building permit.
3. That a drainage plan and final working drawings for storm drainage with hydrologic calculations be submitted to and approved by the Town Manager prior to issuance of any grading permit and start of construction of improvements. Improvements included in the drainage plan shall be completed prior to issuance of a certificate of occupancy.
4. That the applicant prepare and implement an erosion control plan and that such plan be approved by the Orange County Erosion Control Officer prior to issuance of a building permit or grading permit.
5. That sewer, drainage, and utility easements be dedicated as required by the Town Manager. Such easements shall be recorded prior to issuance of a building permit.
6. That water and sewer lines be installed to the Orange Water and Sewer Authority standards.

7. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signs, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.
8. 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 site plan submitted to the Appearance Commission.
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 the screening of all exterior mechanical equipment.
10. 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 approved as part of the landscape plan.
11. 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.
12. That all utility lines be underground.
13. That a revised site plan incorporating all the above stipulations be submitted to the Building Inspector prior to issuance of a building permit or grading permit.
14. That all improvements, as shown on the approved plans or required as part of the granting of the special use permit, shall be completed prior to issuance of the certificate of occupancy.
15. That if the Zoning Ordinance is modified with provisions allowing the inclusion of compact car spaces as meeting part of the off-street parking requirements, the applicant is authorized to modify the proposed parking plan to convert standard parking spaces to compact car spaces provided such changes comply with the adopted provisions of the Zoning Ordinance. Such change shall not be considered a modification of the special use permit.
16. That construction begin by July 31, 1982 and be completed by July 31, 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 15th day of July, 1980.

Mr. Berger commented that the staff would work with the applicant in applying to the Board of Adjustment for a variance if she wished. Ms. Vaupel stated the applicant had no plans to apply to the Board of Adjustment for a variance. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving a Preliminary Sketch for Laurel Hill, Section III,
Phase 2, Part 2 Subdivision Located on Parker Road

Mr. Shipman had been on vacation when the staff recommendation was distributed to the Council. He now disagreed with that recommendation in that he recommended against relieving the applicant of the obligation for paving Parker Road. The stipulation to pave Parker Road had been put on the

original approval for the subdivision given to another owner. Then the owner and staff had been notified there was not sufficient right-of-way along a portion of Parker Road. The staff had recommended the applicant be allowed to post bond for the paving. Mr. Shipman would recommend that Mr. Block show evidence of having obtained the necessary right-of-way for Parker Road before he could sell lots. Mayor Nassif asked if the road was adequate to serve Hunter's Ridge. Mr. shipman assumed it was adequate. Council member Howes pointed out that if the Council did not require the developers to obtain the right-of-way, when the area was annexed residents would petition for paving and the town would have to pay for acquiring the right-of-way. Mayor Nassif asked if the town could assist in acquiring the right-of-way now so that the area could develop.

Mr. Block reviewed the history of the property which he had acquired from Mr. Hunt, on the assumption that the final plat could be obtained with no difficulties. Mr. Block had improved the property with utilities. The Planning Board had approved the final plat but had rescinded that approval when they were informed it was illegal. Mr. Block did not believe he should be forced to pave Parker Road for 8 lots. The residents on these lots would have paved access from Lanier Drive.

Mayor Nassif inquired about the paving of the portion of the road along Section I. Mr. Shipman explained that a bond for this paving had been submitted, but it was in the amount of \$15,000 which would not cover the cost of paving.

Council member Smith commented that the permits for condominiums and subdivisions issued to Mr. Messer contained stipulations for the paving of Parker Road. The Council continued to discuss whether or not Mr. Block should be required to pave Parker Road, with Council member Kawalec commenting that the burden should be on the entire community. Mr. Shipman noted that he had offered to go with Mr. Block to the State to seek permission for condemnation of the land if Mr. Block would furnish funds for the condemnation. Mr. block did not believe he should be forced to buy this property. Mr. Shipman responded that the town was being requested to settle what was essentially a private matter between Mr. Block and Mr. Hunt. Mr. Berger noted that Mr. Messer had been the representative listed on the application for the preliminary and final plats and the person attending all meetings until the last. Mr. Messer had been notified several months before the paving was required.

Council member Kawalec thought the town should place the stipulation requiring the right-of-way in both Mr. Block's permit and Mr. Hunt's permit, and should work with these developers to acquire the right-of-way.
COUNCIL MEMBER KAWALEC MOVED ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION APPROVING A PRELIMINARY SKETCH FOR LAUREL HILL SECTION III, PHASE 2, PART 2 SUBDIVISION LOCATED ON PARKER ROAD

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the preliminary sketch last revised on February 14, 1980 for Laurel Hill Section III, Phase 2 Part 2 Subdivision located on Parker Road subject to the following requirements:

1. That all streets be named, as approved by the Town Manager.
2. That an 8" water line be extended along Tradescant Drive to the limits of the subdivision and that an 8" water line be extended along Lanier Street.
3. That public right-of-way to meet the 90' minimum width requirements for thoroughfare streets for Parker Road be acquired prior to approval by the Planning Board and Town Manager of the final plat for Laurel Hill, Phase III, section II, Part II.
4. That a 30-foot-wide utility easement be provided from the end of the cul-de-sac to and along the eastern property line of Lot 10.
5. That prior to the release of any bonds or letters of credit for street improvements, the applicant shall supply the Town with a letter from the N. C. Department of Transportation stating that all road improvements comply with state standards applicable for determining if a street is acceptable for maintenance.
6. That Parker Road be paved from the existing limit of the paved section to the easternmost point of the subdivision's frontage with Parker Road.

7. That a surety bond or letter of credit, in type and amount to be determined by the Town Manager to be sufficient to cover the total estimated cost of all uncompleted improvements shown on the approved preliminary sketch and described within the above conditions shall be submitted to the Town Manager prior to recordation of the final plat. Such bond or letter of credit shall be in at least two parts. One bond or letter of credit shall cover the construction of Parker Road from the present end of pavement to a point in line with the rear lot line of lots 12, 13 and 14. The second part of the bond or letter of credit shall cover the remainder of the road (from a point in line with the rear lot lines of lots 12, 13 and 14 to the easternmost point of the subdivision's frontage with Parker Road) and such bond shall be valid until at least December 31, 1985. Other improvements requiring bonding may be in a separate bond or included with one of the two parts described above.

This the 15th day of July, 1980.

There was no second.

Mayor Nassif questioned the reasonableness of requiring Mr. Block to pave the portion of Parker road adjoining Part I of Laurel Hills when he owned Part II. Mr. Shipman responded that it had been incumbent upon the original owner of both part I and II to pave Parker Road. As the original owner had sold a portion of the land and was responsible to Mr. Block for improvements to the property, Mr. Shipman believed the requirement should remain.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION APPROVING A PRELIMINARY SKETCH FOR LAUREL HILL SECTION III, PHASE 2, PART 2 SUBDIVISION LOCATED ON PARKER ROAD

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the preliminary sketch last revised on February 14, 1980 for Laurel Hill Section III, Phase 2 Part 2 Subdivision located on Parker Road subject to the following requirements:

1. That all streets be named, as approved by the Town Manager.
2. That an 8" water line be extended along Tradescant Drive to the limits of the subdivision and that an 8" water line be extended along Lanier Street.
3. That additional public right-of-way be dedicated along the subdivision's frontage with the north side of Parker Rd. to meet the 90 ft. minimum width requirements for thoroughfare streets. Such right-of-way shall measure 45 ft. from the centerline of Parker Rd.
4. That a 30-foot-wide utility easement be provided from the end of the cul-de-sac to and along the eastern property line of Lot 10.
5. That prior to the release of any bonds or letters of credit for street improvements, the applicant shall supply the Town with a letter from the N. C. Department of Transportation stating that all road improvements comply with state standards applicable for determining if a street is acceptable for maintenance.
6. That Parker Road be paved from a point in line with the rear lot lines of lots 12, 13 and 14 to the easternmost point of the subdivision's frontage with Parker Road.
7. That a surety bond or letter of credit, in type and amount to be determined by the Town Manager to be sufficient to cover the total estimated cost of all uncompleted improvements shown on the approved preliminary sketch and described within the above conditions shall be submitted to the Town Manager prior to recordation of the final plat. Such bond or letter of credit shall be in at least two parts. One bond or letter of credit shall cover the construction of Parker Road from the present end of pavement to a point in line with the rear lot line of lots 12, 13 and 14. The second part of the bond or letter of credit shall cover the remainder of the road (from a point in line with the rear lot lines of lots 12, 13 and 14 to the easternmost point of the subdivision's frontage with Parker Road) and such bond shall be valid until at least December 31, 1985. Other improvements requiring bonding may be in a separate bond or included with one of the two parts described above.

This the 15th day of July, 1980.

Council member Boulton thought the original preliminary plat should stand. Council member Smith agreed that unless the town insisted on the right-of-way and paving, the road would remain unpaved. Council member Howes said the small development could not bear the costs. Mr. Hunt should bear those costs as the owner of the larger developments.

Council member Kawalec argued that the stipulation should be on all of the developers.

Mr. Berger suggested some changes in the wording of the stipulations in order to retain the requirement for the bonding for the improvements. The Council accepted these changes. THE FOLLOWING RESOLUTION WAS ADOPTED BY A VOTE OF SEVEN TO ONE WITH COUNCIL MEMBERS BOULTON, HERZENBERG, HOWES, KAWALEC, STRALEY, THORPE AND MAYOR NASSIF SUPPORTING AND COUNCIL MEMBER SMITH OPPOSING.

A RESOLUTION APPROVING A PRELIMINARY SKETCH FOR LAUREL HILL SECTION III, PHASE 2, PART 2 SUBDIVISION LOCATED ON PARKER ROAD

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the preliminary sketch last revised on February 14, 1980, for Laurel Hill Section III, Phase 2, Part 2 Subdivision located on Parker Road subject to the following requirements:

1. That all streets be named, as approved by the Town Manager.
2. That an 8" water line be extended along Tradescant Drive to the limits of the subdivision and that an 8" water line be extended along Lanier Street.
3. That additional public right-of-way be dedicated along the subdivision's frontage with the north side of Parker Road to meet the 90 ft. minimum width requirements for thoroughfare streets. Such right-of-way shall measure 45 ft. from the centerline of Parker Road.
4. That a 30-foot-wide utility easement be provided from the end of the cul-de-sac to and along the eastern property line of Lot 10.
5. That prior to the release of any bonds or letters of credit for street improvements, the applicant shall supply the Town with a letter from the N.C. Department of Transportation stating that all road improvements comply with state standards applicable for determining if a street is acceptable for maintenance.
6. That Parker Road be paved from the existing limit of the paved section to the easternmost point of the subdivision's frontage with Parker Road.
7. That a surety bond or letter of credit, in type and amount to be determined by the Town Manager to be sufficient to cover the total estimated cost of all uncompleted improvements shown on the approved preliminary sketch and described within the above conditions shall be submitted to the Town Manager prior to recordation of the final plat. One bond or letter of credit shall cover the construction of Parker Road from a point in line with the rear lot lines of lots 12, 13, and 14 to the easternmost point of the subdivision's frontage with Parker Road and such bond shall be valid until at least December 31, 1985. One bond or letter of credit shall cover the purchase of necessary right-of-way along the portion of Parker Road to be paved by applicant, and such bond shall be valid until at least December 31, 1985. Other improvements requiring bonding may be in a separate bond or included with one of the bonds described above.

This the 15th day of July, 1980.

Resolution Granting a Unified Business Development Special Use Permit to Douglas M. Lay and David P. Linquist for the Country Squire Antiques Center

Mr. Berger presented the request for a special use permit in which the main issue was that of parking. Parking in front of the building did not meet DOT standards because cars backed onto the road. The staff recommended deletion of this parking. The Planning Board recommended allowing the applicant to keep the parking until the side of the building could be used. The Appearance Commission also recommended deletion of the parking.

The applicant maintained there was no danger in having the parking in the front of the building as traffic on the access road was either to his business or the restaurant which would be removed from I-40 was built. He asked the Council to accept the recommendation of the Planning Board and Appearance Commission.

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

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO DOUGLAS M. LAY AND DAVID P. LINDQUIST FOR THE COUNTRY SQUIRE ANTIQUES 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 Douglas M. Lay and David P. Lindquist if developed in accordance with the plans submitted April 4, 1980, 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 the paved area located between the existing building and the frontage road not be used for vehicular parking. The manner in which such paved area is closed off to preclude use shall be approved by the Town Manager and the N. C. Department of Transportation.
2. That the applicant connect the subject development onto a municipal water system and onto a municipal sewer system. Such connection shall be done as soon as the service is available within 200 feet of the subject property and shall be installed to the standards of the utility. At such time as municipal water and sewer is installed utility easements shall be dedicated as required by the Town Manager.
3. That a detailed drainage plan and grading 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.
4. That all off-street parking spaces be clearly marked.

WITH REGARD TO APPEARANCE

5. That the proposed addition and second building have an exterior appearance which is in harmony with the existing building. This requirement shall be reflected on the detailed elevations to be approved by the Appearance Commission.

A RESOLUTION REAPPROVING A PRELIMINARY SKETCH FOR COKER HILLS WEST, PHASE 8 SUBDIVISION LOCATED ON PINEY MOUNTAIN ROAD

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby reapproves the preliminary sketch dated May 8, 1979 for Coker Hills West, Phase 8 Subdivision subject to the following conditions:

1. That the entire access road be constructed to Town standards and designated as a public street. That the design of the access road be approved by the Town Manager prior to construction and shall include the following:
 - a. A paved cross-section 21 feet back-to-back, with curb and gutter on both sides of the street.
 - b. A paved turn-a-round meeting the design standards of the Public Works Department.
2. That a storm water drainage plan be approved by the Town Manager prior to start of construction of improvements.
3. That utility easements and water and sewer line improvements shall be to the standards of OWASA.
4. That the location and installation of the fire hydrant be approved by the Town Manager.
5. That the sewer system serving the three lots be designed to meet OWASA standards or the standards of the State of North Carolina, whichever are more stringent.
 - a. If the subdivision is to be served by a single sewer system, said system shall be designed by a registered engineer and approved by OWASA. The system design shall include but not be limited to a pump station, wet well, overflow storage basin and alarm system.
 - b. If the lots of the subdivision are to be served individually, such service shall be designed to the standards of OWASA and approved by OWASA.
6. That an exemption be granted from Section 18-43 of the Subdivision Ordinance to permit the proposed access road to exceed the 400 foot maximum length for cul-de-sac streets.
7. That a surety bond or letter of credit in type and amount to be determined by the Town Manager to be sufficient to cover the total estimated cost of all improvements shown on the approved preliminary sketch and described within the conditions placed upon such preliminary sketch at the time of approval, shall be submitted to the Town Manager prior to recordation of the final plat.
8. 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.

This the 14th day of July, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Reapproving the Preliminary Sketch for Colony Woods North

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

A RESOLUTION APPROVING THE PRELIMINARY SKETCH FOR COLONY WOODS NORTH

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the preliminary sketch dated March 7, 1978 for Colony Woods North located on property identified as Chapel Hill Township Tax Map 27, Block D, Lot 9, subject to the following:

1. That the proposed paved connection between Standish Drive and Fountain Ridge Road via the Burlington Boulevard right-of-way be deleted from the plan. That the dedicated right-of-way for Burlington Boulevard be retained.
2. That the applicant revise the preliminary sketch to bring the plan into compliance with the open space requirements.

3. 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.
4. That the storm drainage easements and flood storage easements be recorded on the final plat. Boundaries of such flood storage easements shall be verified by a registered land surveyor's field survey.
5. That the roadway design be to Town standards and be approved by the Town Manager prior to start of construction. A minimum of 8 inches CABC and 2 inches I-2 shall be required for this geologic area unless a lesser design is verified by an approved soils engineering testing laboratory as determined by the Town Manager.
6. That prior to: 1) obtaining a grading permit; 2) the construction of improvements; and 3) issuance of any building permit for any work within phases 2 and 3, as delineated on the preliminary sketch, the applicant shall provide a second means of access either by extension of a road to connect with Old Durham Road or by extension of a road to connect with the eastern side of Williams Street in University Heights. Plans for such street extension shall be approved by the Town Manager. Such road extension shall be paved to town standards. That if connection to Williams Street is used for the second means of access, such connection shall be barricaded to traffic until such time as Williams and Cooper Streets are paved. That the applicant investigate with the Town Manager alternative arrangements for permitting emergency vehicles access to the property by Williams Street until such time as it is paved. If an alternative acceptable to the Town Manager is found, that the applicant incorporate such arrangements into the design and construction of the barricade.
7. That a variance from the standard maximum length for cul-de-sacs be granted for Baywood Court.
8. That utility easements be extended to serve the 3 lots fronting on Vance Street (lots 125, 126, and 127).
9. That an additional 5 feet of public right-of-way be dedicated along the frontage of the property with Legion Road.
10. That Legion Road be paved, curbed and guttered along the property's frontage to a width of 16 1/2 feet as measured from the centerline of the road (to provide for an eventual 33 foot street). Plans for such improvement shall be approved by the Town Manager prior to construction.
11. That the street connection between Standish Drive and Vance Street (in University Heights) be deleted. That a 30 foot wide utility easement shall be retained.
12. That the location and installation of fire hydrants be approved by the Town Manager.
13. That all lots connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each unit shall not be permitted.
14. 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.
15. That all cul-de-sacs be permitted to be paved to a width of 26 feet, face to face of curb in accordance with the provisions of Section 18-68 of the Subdivision Ordinance.
16. That all streets stubbed out to serve abutting properties, except for Mission Drive, be constructed with a turn-out. The design of such turn-outs shall be approved by the Town Manager prior to construction. Mission Drive shall be terminated with a continuous curb and gutter as approved by the Town Manager.
17. That the portion of the Burlington Boulevard right-of-way between Standish Drive and Fountain Ridge Road be dedicated as a pedestrian easement in addition to a public right-of-way.
18. That utility easements be dedicated as required by the Town Manager. Such easements shall include: 1) easements necessary for extending utility lines to the properties within University Heights; and 2) easements necessary to provide sewer service by gravity flow to properties within University Heights.
19. That a revised preliminary sketch incorporating the above recommendations and showing the area in sq. ft. for individual lots and open space parcels and the total area in sq. ft. of all lots, open space, and streets be submitted to the Planning Department prior to issuance of a grading permit and start of construction of improvements.
20. That the applicant implement detention basin alternative one.

This the 14th day of July, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Reapproving a Preliminary Sketch for Colony woods West Subdi-
vision Located on Legion Road

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING RESOLUTION.

3. That sewer, drainage, and utility easements be dedicated as required by the Town Manager.
4. 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, building permit, start of construction of improvements, and submission of an application for final plat approval.
5. That a detailed drainage plan and grading plan be submitted to and be approved by the Town Engineer prior to issuance of a grading permit, building permit, start of construction of improvements, and prior to submission of an application for final plat approval.
6. That all lots connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
7. That prior to paving streets, utility service lines and 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.
8. That water and sewer improvements shall be to the standards of OWASA and that all utilities be placed underground.
9. That prior to the sale of any lots within the development, a sign indicating that Bayberry Drive is subject to future extension shall be placed at its eastern terminus.

This the 15th day of July, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Authorizing Certification of Firefighters

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING RESOLUTION.

Resolution Authorizing Certification of Firefighters

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, 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 Joseph L. Nassif is hereby authorized to certify to the North Carolina Firefighters' Pension Fund the attached roster of Firefighters and Public Safety Officers employed by the Town of Chapel Hill on June 30, 1980.

This the 15th day of July, 1980.

◆ ROSTER ◆

FIRE DEPARTMENT		COUNTY						
Chapel Hill Fire Department		Orange						
CHIEF	DAY PHONE NO. (919)	DATE						
Everette L. Lloyd	942-3360	6-13-80						
NAME	ADDRESS	SOCIAL SECURITY NO.						
1 Austin, Chesley T.	Rt. 8, Morris Grove Hgts. Chapel Hill, NC	2	4	6	7	8	14	94
2 Water, Lewis Jr.	107 Barington Hill Rd. Chapel Hill, NC 27514	2	4	2	7	2	05	10
3 Cook, Randy M.	Rt. 1, Box 272-A, Hillsborough, NC	2	4	1	06	1	6	6
4 Blackwood, Geary	508 Pritchard Ave., Chapel Hill, NC	2	4	3	8	6	7	2
5 Breeden, Billy	107 Dublin Dr., Rt. 8, Chapel Hill, NC	2	3	2	8	2	31	4
6 Brinkley, Albert	Eastgate Gulf Service, Chapel Hill	2	3	0	4	6	4	3
7 Brinkley, Grover	Rt. 4, Box 123, Chapel Hill, NC	2	3	7	5	4	92	5
8 Brown, Douglas	4216 Garrett Rd., Apt. 28, Durham, NC	2	4	4	0	2	33	4
9 Butler, Richard C.	87 Maxwell Rd., Chapel Hill, NC	4	2	7	7	0	76	2
0 Bynum, Deleon	805 Prince St, Carrboro, NC 27510	2	2	1	5	6	9	4
1 Cannady, Landis A., Jr.	1400 Biscayne Rd., Durham, NC	2	4	0	1	13	3	3
2 Carver, Jimmy	Rt. 2, Box 201 Hideaway Dr. Chapel Hill	2	4	1	8	4	13	7
3 Clark, Marvin F.	606 N. Greensboro St. Carrboro, NC	2	8	9	9	0	99	1
4 Coffee, Timothy L.	Elkins Hills Apt. 11, Chapel Hill	2	4	4	9	0	69	2
5 Crabtree, Eric R.	Rt. 5, Mountainside Trailer Park, Chapel Hill	2	4	0	6	86	07	10

Creef, Archie	Rt.8, Box 442, Chapel Hill, NC	2 4 63 8 62 2 7
Crutchfield, Paul T.	4216 Garrett, R d, Apt. J8, Durham	2 4 60 8 1 68 10
Dail, Jennings	112 Estes Dr., Chapel Hill, NC	2 4 1 5 69 7 8
Dawson, Grayling	Rt.7, Durham, NC	2 29 04 6 1 3
Downey, Ronald R.	1604 Euclid Ave., Durham, NC	2 4 6 9 00 1 8 6
Durham, Charles	Rt.1, Box 1A, Chapel Hill, NC	2 4 6 3 8 59 0 3
Durham, Lamont	Rt.1, Box 83-A, Hwy.54W, Chapel H.	2 4 4 8 47 2 7
Elliott, Michael	P.O.Box 243, Carrboro, NC 27510	3 7 5 4 44 75 1
Farrington, Bernard	105 Glosson Circle, Carrboro 27510	2 13 7 7 40 71 3
Farrington, Charles R.	602 Hunn St., Chapel Hill, NC	2 4 1 7 8 48 5 8
Farrow, Reginald	G-5 Carolina Apts. Chapel Hill, NC	2 4 13 8 6 69 3 0
Fletcher, Arnold	3207 Holloway Drive, Durha, NC	2 45 7 8 3 39
Frick, Robert H.	Rt.5, Lot 20, Hillsborough, NC	2 4 2 7 0 97 1
Glenn, Lorenzo J.	C-9 University Gardens, Chapel HI	2 4 2 7 6 82 1
Guy, Russell B.	2009 Fletchers Chapel Rd. Durham	1 80 5 0 10 1 8
Hayes, Rudolph	5705 Old Well St. Durham, NC	1 22 5 28 18 1 7
Henderson, Lemuel	401 Hillsboro Rd., Carrboro, NC	2 4 1 8 4 05 0 5
Hester, James C.	P.O. Box 942, Hillsborough, NC	2 4 2 4 6 13 8 9
Hewett, Odell	Box 354, Carrboro, NC	2 4 1 5 4 2 73 5
Hobbs, David F.	3 Fearrington Post, Pittsboro, NC	2 3 7 8 0 65 4 4
Hoffman, Wayne P.	#2 Town Terrace, Chapel Hill	0 79 4 4 17 2 1
Hollowell, James	1421 N. Greensboro St., Carrboro	2 4 2 5 8 42 08
Honeycutt, Larry D.	Rt.7, Box 227, Chapel Hill, NC	2 4 2 9 4 23 96
Horne, Charles H.	Rt. 7, Box 152, Durham, NC 27707	2 3 8 8 22 19 2 9
Jarvies, Gregg E.	Rt.2, Lot 4, JJ Mobile Ct. Chapel Hill	2 2 3 7 8 4 29 5
Jackson, Norman	811 Kings Mill Rd., Chapel Hill, NC	2 3 9 10 1 4 7 7
Johnson, Larry	B-8 Berkshire Apts, Chapel Hill, NC	2 3 7 7 69 9 9 8
Jordan, Timothy	Rt.4, Chapel Hill, NC 27514	2 4 2 9 4 15 9 0
Keller, John	13 Oakwood Dr., Chapel Hill, NC	2 4 5 1 4 9 7 7 4
Kennedy, Kenneth O.	501 Caswell Rd., Chapel Hill, NC	2 4 4 0 46 6 6
Kirby, Sharon L.	34 Puma Lane, Wildcat Creek, Chapel Hill	2 4 6 0 4 6 99
Knight, Donald	Rt.1, Box 42, Chapel Hill, NC	2 4 2 90 7 7 6 7
Lewis, David	Rt.4, Box 418-B Chapel Hill, NC	2 4 3 80 1 4 2 4
Lloyd, Everette L.	66 Hayes Rd., Chapel Hill, NC	2 4 2 42 9 3 4 4
Lloyd, H. Lucas	P.O. Box 2273, Chapel Hill, NC	2 30 5 0 8 88 0
McClain, Gail L.	12B University Lake Apts. C.H.	5 59 1 7 3 28 4
Maynor, Currie M.	Rt.1, Box 253-B, Chapel Hill, NC	2 4 2 58 4 5 6 7
Merricks, Frederick W.	Rt.4, Box 426-C, Chapel Hill	2 4 2 66 8 0 2 2
Minton, William L.	2 Fidelity Apts. Carrboro, NC	2 4 0 96 8 57 8
Morris, Jerry	Rt.1, Box 190-B, Chapel Hill, NC	2 4 4 80 5 4 4 2
Morris, Marvin	108 Cathy Rd., Carrboro, NC 27510	2 3 7 4 49 0 6 2
Murray, Rodney	200 Quail Roost Drive, Chapel Hill	2 4 1 78 4 6 2 7
Neville, Early C.	Rt.4, Box 508, Chapel Hill, NC	2 3 8 8 22 5 0 6
Pannell, Ronald D.	N-11 Royal Parks, Carrboro, NC	2 4 0 0 68 4 2 7
Parks, Gary M.	Rt.2, Lot 6, J&J Trailer Prk, C.H.	2 4 5 9 14 2 9 4
Pendergraph, Bobby	509 Lindsay Street, Carrboro, NC	2 4 5 6 2 02 1 4
Plumley, Gary M.	Rt.6, Box 361A, Chapel Hill, NC	2 7 0 5 06 0 6
Pressley, Timothy A.	#2 Fidelity Ct. Apts. Carrboro	2 3 7 94 2 1 4
Price, Sam	P.O. Box 481, Chapel Hill, NC	2 4 0 0 28 5 4
Reynolds, Kevin L.	Rt.3, Box 546, Chapel Hill, NC	0 4 0 5 49 5 7 1
Riddle, Stephen K.	509 N. Churton St. Hillsborough	2 4 39 0 0 8 19
Robertson, Joseph	112 Lynn Drive, Carrboro, NC 27510	2 4 0 6 87 2 1 0
Rogers, Kenneth W.	Rt.8, Box 518, Chapel Hill, NC	2 3 8 8 0 1 8 2 9
Rounds, William E.	Rt.3, Box 497, Chapel Hill, NC	2 3 9 70 4 5 1 4
Roberson, Charles	Rt.Box 418, Chapel Hill, NC 27514	2 4 6 5 63 7 9 4
Smith, Bobby L.	84 Laurel Ridge Apts. Chapel Hill	5 7 9 7 08 45 7
Smith, Merle	Rt.8, Box 432-A, Chapel Hill, NC	2 3 8 8 88 50 15
Swiggett, Rory D.	Rt.1, Box 99-A, Chapel Hill, NC	2 4 3 0 28 5 43

Tapp, James	Rt. 2, Chapel Hill, NC	2	4	3	8	66	5	60	
Tapp, Michael	Rt.2, Box 376, Chapel Hill, NC	2	4	3	8	66	5	60	
Terry, Billy	Rt.5, Box 374 Chapel Hill, NC	2	4	6	58	9	57	3	
Thompson, Philip	Route 7, Box 226, Chapel Hill, NC	2	3	7	6	69	6	15	
Thompson, Barry	Rt.3, Box 77, Hillsborough, NC	2	3	7	8	16	68	5	6
Thompson, Billy F.	508 Edwards St., Chapel Hill, NC	2	3	8	7	16	1	17	3
Thompson, Randall W.	D-1 Camelot Apts. Chapel Hill, NC	2	4	1	0	1	74	16	4
Whitfield, James R.	Rt.3, Box 135A Hillsborough, NC	2	3	7	8	88	7	9	7
Williams, Albert	Rt.1, Box 254-A, Chapel Hill, NC	2	4	0	6	12	9	3	3
Williams, Carney E.	Rt.7, Box 308, Chapel Hill, NC	2	4	3	3	2	8	8	9
Williams, Robert B.	112 Lindsey Street, Carrboro, NC	2	4	1	5	4	4	0	0
Williamson, Wayne	Rt.5, Box 92C, Chapel Hill, NC	2	4	1	8	8	7	8	5
Woods, David	202 Bobcat Rd., Chapel Hill, NC	2	4	6	9	6	8	4	5
Wester, Randall	1611 Old Oxford Rd., Apt. 2, C.H.	2	4	3	7	6	1	7	3

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Closing Raleigh Street on August 20, 1980.

COUNCIL MEMBER KAWALEC MOVED ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CLOSING RALEIGH STREET ON AUGUST 20, 1980

BE IT RESOLVED by the Council of the Town of Chapel Hill that upon the petition of the University of North Carolina, at Chapel Hill, the Council hereby closes the portion of Raleigh Street from Cameron Avenue to a point approximately 400 feet to the south on August 20, 1980 from 9:00 p.m. to midnight; upon the following conditions:

1. That the University erect barricades at each end of the portion of Raleigh Street to be closed, and have these barricades attended to allow immediate access by emergency vehicles;
2. That the University will be responsible for the clearing of all debris from the street by midnight.

This the 15th day of July, 1980.

There was no second. Mr. Shipman explained that the Town did not normally grant permission for excessive noise beyond 11:00 p.m. COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CLOSING RALEIGH STREET ON AUGUST 20, 1980

BE IT RESOLVED by the Council of the Town of Chapel Hill that upon the petition of the University of North Carolina, at Chapel Hill, the Council hereby closes the portion of Raleigh Street from Cameron Avenue to a point approximately 400 feet to the south on August 20, 1980 from 9:00 p.m. to 11:00 p.m.; upon the following conditions:

1. That the University erect barricades at each end of the portion of Raleigh Street to be closed, and have these barricades attended to allow immediate access by emergency vehicles;
2. That the University will be responsible for the clearing of all debris from the street by 11:00 p.m.

This the 15th day of July, 1980.

THE MOTION WAS CARRIED BY A VOTE OF SIX TO TWO WITH COUNCIL MEMBERS BOULTON, HOWES, SMITH, STRALEY, THORPE AND MAYOR NASSIF SUPPORTING AND COUNCIL MEMBERS HERZENBERG AND KAWALEC OPPOSING.

Resolution Directing the Town Manager to Construct a Sidewalk on the South Side of Estes Drive

Ms. Rooks stated the CIP called for a project to construct an interim sidewalk along Estes Drive. The town in doing preliminary work for the sidewalk had found some citizen opposition to having the sidewalk on the south side of the road. She objected to removing the undergrowth, possibly increasing the drainage. Although the walk could be put on the north side, the town would then have to request walk cycle on the traffic light for children to cross. Council member Howes commented that when the property to the north was developed, the Town could require the developer to construct a sidewalk. Council member Straley did not think a gravel walk would withstand the ground settling under usage. Mr. Shipman responded the walk would be temporary. The Town had requested a sidewalk in the State's 7 year plan.

Ms. Barbara Jones objected to having the vegetation cut. She stated the developer across the street was drainage on her property as well. She thought the walk would be better on the north side. Council member Boulton said the crossing guards were only at the schools for a half hour a day. She thought the Airport road intersection should be improved. Otherwise, a crosswalk was needed at Phillips. Council member Howes responded that the children used the south side of the street to get to the Y.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DIRECTING THE TOWN MANAGER TO CONSTRUCT A SIDEWALK ON THE SOUTH SIDE OF ESTES DRIVE

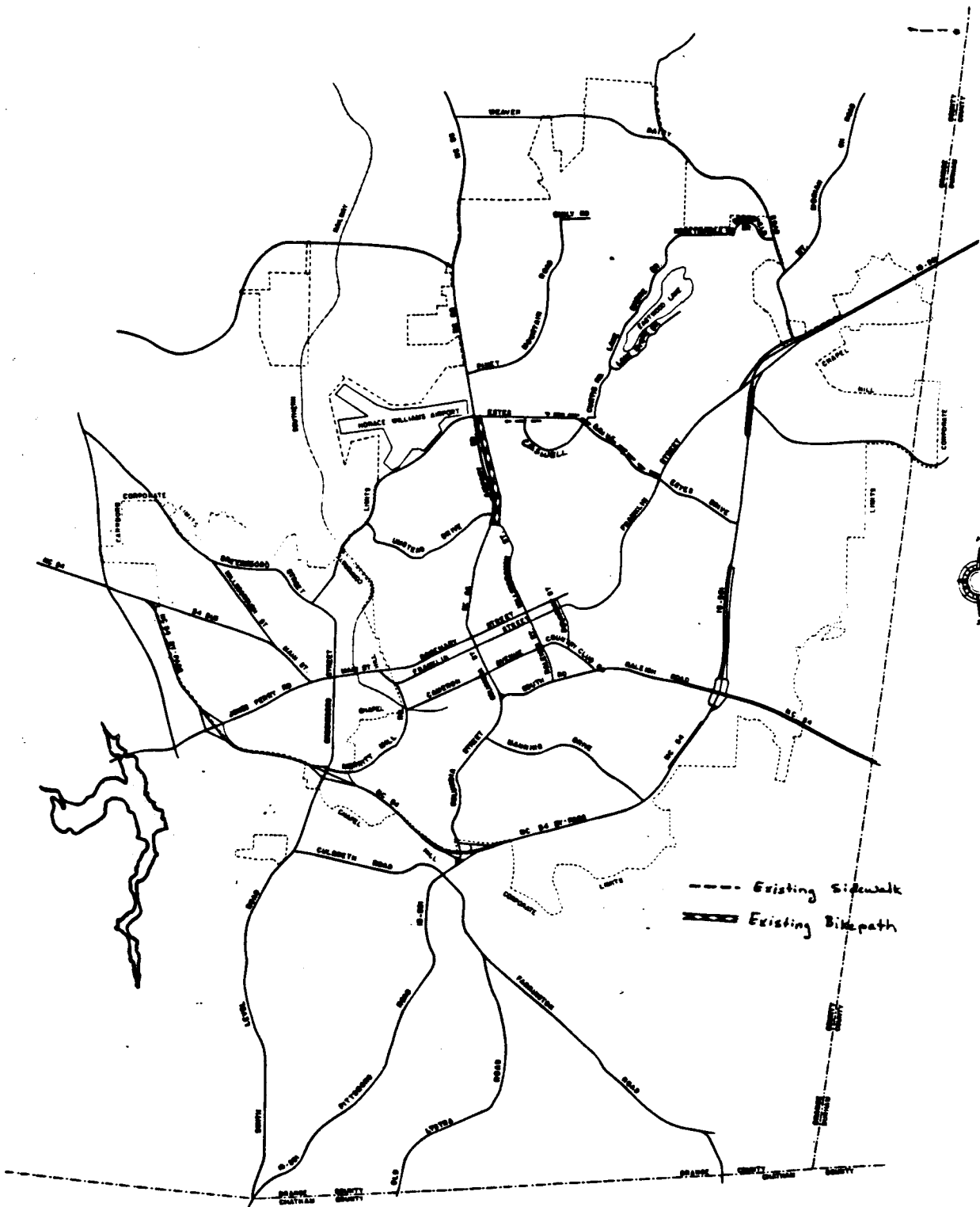
WHEREAS, the Council of the Town of Chapel Hill concludes that sidewalk improvements along the south side of Estes Drive from Caswell Road to Airport Road are in the best interested of the Town and will provide for safer and more convenient pedestrian travel along Estes Drive;

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to continue preparations for construction of a sidewalk along the south side of Estes Drive from Caswell Road to Airport Road;

BE IT FURTHER RESOLVED by the Council that the Town staff negotiate with the property owners along the south side of Estes Drive from Caswell Road to Airport Road for easements for the sidewalks, and if necessary, to condemn the necessary easements for the sidewalks.

This the 15th day of July, 1980.

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THE MOTION WAS CARRIED UNANIMOUSLY.

Petition for Annexation of Timberlyne, Subdivision Phase II, Section II

The Clerk certified that the petition was sufficient in that the property was owned by Timberlyne Associates. COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER A PETITION FOR ANNEXATION BY TIMBERLYNE, PHASE 2, SECTION 2

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 PM on August 25, 1980, in the Meeting Room of the Municipal Building, 306 North Columbia Street, to consider a petition by the owner of Timberlyne, Phase 2, Section 2, to be annexed by the Town.

This the 15th day of July, 1980.

Mayor Nassif commented that although he would vote for the resolution calling the public hearing, the Council should carefully consider whether they wanted to call a hearing on each petition. If there was no interest in the annexation, they should not hold the hearings.

THE MOTION WAS CARRIED UNANIMOUSLY.

Nominations and Appointments

Mr. Langenderfer, Mr. Degraffenreidt, Mr. Silver and Mr. Bryant had been nominated for appointment to OWASA. Council members voted as follows: Boulton - Degraffenreidt, Langerderfer, Silver; Herzenberg - Degraffenreidt, Silver, Langerderfer; Howes - Degraffenreidt, Silver, Langerderfer; Kawalec - Degraffenreidt, Silver, Langerderfer; Smith - Degraffenreidt, Silver, Longenderfer; Thorpe - DeGraffenreidt, Silver, Langerderfer; Nassif - DeGraffenreidt, Silver, Langenderfer; Straley - DeGraffenreidt, Silver, Langenderfer.

Mr. Langenderfer, Mr. DeGraffenreidt, and Mr. Silver were appointed for three year terms.

Council member Kawalec nominated Ms. Hargraves for appointment to the Orange County Council on Aging. She pointed out the structure of the committee might be changing in the next few months.

The Council was notified of five vacancies on the Personnel Appeals Committee.

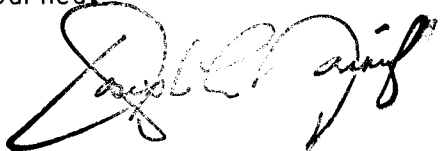
Future Agenda Items

Council member Boulton asked for a report on the amendment to the subdivision ordinance allowing payments in lieu of open space.

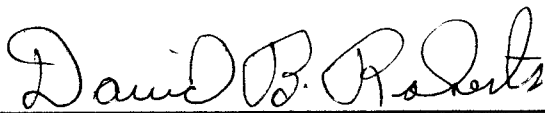
Council member Howes stated that Mr. Menache was restructuring the Art School Board. He had asked that a member of the Town Council serve on this Board. Council member Howes suggested the Board consider whether they wanted to appoint a member of the Council.

Council member Smith asked if the Town should consider sending notices for projects to the residents with a return receipt requested. Ms. Williams as well as others had complained that they had not been notified.

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



Mayor Joseph Nassif



Town Clerk David B. Roberts