

MINUTES OF A MEETING OF THE MAYOR AND COUNCIL OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, JANUARY 12, 1981, 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
- Jim Wallace (late)

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

Petitions and Requests

Mayor Nassif reminded the Council of the meeting of the Governor's Task Force on Waste Management on January 14, 1981, in Raleigh.

Mr. Jeff Feis presented a petition from residents of Hunter's Ridge, Parker Road, Laurel Hills, Farrington Hills, Edgewood Road, and Morgan Creek neighborhood requesting the Council to instruct the Planning Board and staff to meet with the residents to develop and approve an up-to-date thoroughfare plan. COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER STRALEY, TO RECEIVE THE PETITION. Councilmember Smith asked if this area was part of the plan which was currently being studied. Mr. Jennings said it was a part of the overall thoroughfare plan. THE MOTION WAS CARRIED UNANIMOUSLY.

Councilmember Howes petitioned on behalf of Dr. Stanat, who wished to speak on the bikeways. The Council agreed to hear him when this item was considered. Mr. Featherstone requested to be heard on the standards for drive-in windows.

Mayor Nassif stated that after discussion with the Town Attorney, if the Council wished to appoint a deputy town attorney, they should submit a bill to the General Assembly to change the charter. COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER KAWALEC, THAT THE ATTORNEY BE AUTHORIZED AND DIRECTED TO DRAFT A BILL FOR SUBMISSION TO THE GENERAL ASSEMBLY TO EFFECT A CHARTER CHANGE ALLOWING THE COUNCIL TO APPOINT A DEPUTY ATTORNEY. THE MOTION WAS CARRIED UNANIMOUSLY.

Minutes

Councilmember Straley asked that the minutes reflect that the Airport Task Force had not been discussed because of the illness of Chancellor Fordham. He also noted that although the Council had called a public hearing on the Community Development Redevelopment Plan for January 12, this had been postponed until January 26.

ON MOTION BY COUNCILMEMBER SMITH, SECONDED BY COUNCILMEMBER STRALEY, THE MINUTES OF DECEMBER 8, 1980, WERE APPROVED AS CORRECTED.

Resolution Granting a Modification of the Special Use Permit for the Oaks Apartments

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

A RESOLUTION GRANTING A MODIFICATION OF THE SPECIAL USE PERMIT FOR THE OAKS APARTMENTS TO THE OAKS APARTMENTS, LTD. (80-R-1A)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Special Use Permit granted to E. J. Owens, Inc., for The Oaks Apartments is hereby modified to allow conversion of the development from apartments to condominiums subject to the following:

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1. That any tenant having a lease shall be able to terminate such lease within 30 days written notice to the lessor without penalty or other termination charge to the tenant. By making use of this condition or by moving from the subject development the tenant waives the right to purchase a unit under the provisions of condition #2 below.
 2. That all tenants shall be given the exclusive right to purchase their respective unit upon at least as favorable terms and conditions as said units are offered to the general public. Such offer shall be held open for 60 days following receipt by registered mail of the offer by the tenant. Following passage of the above 60 day period, existing tenants shall have an additional 30 days during which they shall have the exclusive right to purchase any other unit within the subject development that is available for sale by the owner to the general public.
 3. No tenant shall be required to vacate sooner than 120 days from the date of approval of the modification of special use permit by the Council or prior to 90 days following receipt by the tenant of the offer to purchase as described in item #2 above, whichever occurs later. During the above 120 day period all tenants shall have the right to continued tenancy on the same terms and conditions as applied to them at the time the application for modification of special use permit was filed with the Town of Chapel Hill. This condition shall not apply to tenants taking occupancy after approval of the modification Special Use Permit by the Council, however tenants taking occupancy after the approval of the modification of Special Use Permit shall be notified in writing of the proposed conversion.
 4. An occupied unit offered for sale can be shown to a prospective purchaser only during the last thirty (30) days of the above relocation period.
 5. The owner shall not undertake interior remodeling for conversion of a unit while it is occupied by a nonpurchasing tenant unless the tenant's lease states otherwise. No construction shall begin earlier than 7:30 a.m. nor extend later than 5:30 p.m. There shall be no construction on Sunday at any time.
 6. Within two weeks following approval of the modification of special use permit the applicant or owner shall inform by mail all of the current tenants at the Oaks of the special terms and conditions (items 1 through 7) made part of the approval of this modification of special use permit including the rights and responsibilities of the tenants and owner under these conditions. A copy of this notification shall be forwarded to the Town Manager.
 7. Within two years following approval of the modification of Special Use Permit by the Council the offer to sell/purchase shall be mailed to all tenants by registered mail. If the offer to sell/purchase is not mailed within the above two year period the modification of the special use permit authorizing conversion from apartments to condominiums shall become void and of no effect.
 8. That except as modified herein all other special terms/conditions, and stipulations heretofore made applicable to the Special Use Permit be continued in effect, and that the Council finds that with all stipulations and conditions as modified, the use continues to meet the four requisite findings set forth in the initial Special Use Permit.

BE IT FURTHER resolved that the Council finds that the use as modified continues to meet the four findings made by the Council on June 7, 1971 (and subsequently modified).

This the 12th day of January, 1981.

Councilmember Herzenberg was against the resolution. He believed Chapel Hill was committed to a transient population. The conversion would reduce the number of apartments available and would be in violation of the comprehensive plan. Councilmember Straley supported this statement.

Mayor Nassif commented that if the Council approved this project, he would then ask that the Council reconsider the condominium conversion request which had been denied and which was now under litigation.

Councilmember Wallace was in favor of the resolution. He thought the effect on rental properties in Chapel Hill would be minimal. He could find no legal principle to deny the request. He concurred with the Mayor that the Council should reconsider the Graham Court request.

Councilmember Smith was concerned about the availability of apartments in Chapel Hill. He inquired about the outlook for apartment construction in Chapel Hill, particularly low and moderate income rentals.

Councilmember Straley asked the staff to confirm his opinion that the Town would not qualify for federal funds to allow the Town to build apartments. Mr. Hooper stated that up until a few months ago this was true. A change in the regulations meant that Chapel Hill might now qualify. However, the number of unrelated individuals in an apartment affected family income and therefore created a problem for qualifying. Councilmember Howes commented that the program was meant to spur economic development not housing production.

Councilmember Kawalec wanted the staff to draft some guidelines for safeguarding the rights of tenants involved in conversion.

THE MOTION TO ADOPT WAS CARRIED BY A VOTE OF FIVE TO FOUR WITH COUNCILMEMBERS BOULTON, HOWES, KAWALEC, THORPE, AND WALLACE SUPPORTING AND COUNCILMEMBERS HERZENBERG, SMITH, STRALEY, AND MAYOR NASSIF OPPOSING.

Ordinance Amending the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas" - Drive-in Businesses

Mr. Featherstone, property manager for NCNB, reviewed the procedure followed by the bank for construction of a new branch. He thought the standards as written would limit the negotiating power of the banks for new sites. Only a few developers would own the shopping centers. He commented that landscaping was almost impossible in a shopping center. Also, Mr. Featherstone believed the traffic route in a shopping center would create a hazard no matter how it was designed. He asked the Council to allow the drive-in businesses within the entire activity center rather than just the shopping center. This would allow for more negotiation for sites.

Councilmember Smith asked if the staff had considered Mr. Featherstone's points. Mr. Jennings had talked with bank representatives before preparing his recommendation to the Planning Board. Although he considered these valid points, the suggestion offered by Mr. Featherstone would not give optimum planning.

Councilmember Smith agreed with Mr. Featherstone that it would be difficult to design a traffic pattern within a shopping center which would not interfere with pedestrian safety. He wanted to allow the businesses within the whole activity center.

Councilmember Howes asked if the Planning Board had discussed this matter. Mr. Francisco responded they had, but did not consider the free-standing structures on the perimeter of the shopping center as good as those in the shopping center.

Councilmember Kawalec reminded the Council the policy would be for all businesses. Broadening the policy would undermine the goals of the proposed zoning ordinance to confine commercial activity to a narrow area.

Councilmember Wallace agreed that the standards as proposed would tend to be monopolistic. He considered the standards an erosion of the Council's authority under the special use permit. They would preclude the Council from granting a special use permit in cases that had not yet been considered.

Councilmember Thorpe thought the Council would be limiting itself to adopt the standards.

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

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS" (81-O-1A)

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

Amend Section 4-C-8 of the Zoning Ordinance to include the following new section and reletter subsequent sections.

f. Standards:

The following standards shall apply to drive-in business developments, with the exception of those drive-in businesses which service the automobile itself such as service stations and car washes:

1. Drive-in businesses shall only be permitted within activity centers as designated on the Chapel Hill Land Use Plan.
2. Drive-in businesses shall be permitted only if they do not create a safety hazard. This determination shall be based upon an evaluation of the following:
 - a. Vehicular access to drive-in businesses shall not conflict with access and egress points.
 - b. Drive-in businesses shall be permitted within the parking areas only if median dividers exist between parking bays to channelize vehicular traffic.
 - c. Drive-in businesses shall be designed and located so as to minimize vehicular/pedestrian conflicts.
3. The exterior appearance of drive-in facilities shall be reviewed and approved by the Appearance Commission.
4. Drive-in businesses shall be incorporated in a building providing the same service within the building to pedestrians.
5. Drive-in businesses shall have a minimum gross floor area of 2,000 square feet unless attached to a building having a minimum gross floor area of 20,000 square feet.

This the 12th day of January, 1981.

Councilmember Kawalec stated this ordinance would allow drive-in businesses in the CBD.

Mayor Nassif stated in his opinion the only difference between the drive-up windows and other businesses in shopping centers was the stacking lane. The Council could approve or disapprove each design as it was presented.

Councilmember Kawalec repeated that the drive-in businesses would be permitted in all areas zoned commercial. Councilmember Boulton said they would be under a special use permit.

Mr. Denny said he had no difficulty with excluding the drive-in businesses in a defined area.

Councilmember Howes thought this ordinance better than no policy. He wanted to adopt it and see if there were problems.

Councilmember Smith moved to amend the ordinance to add: "6. No drive-in businesses shall be permitted in the CBD." The motion to amend died for lack of a second.

THE MOTION WAS DEFEATED BY A VOTE OF FIVE TO FOUR WITH COUNCILMEMBERS BOULTON, HOWES, SMITH, AND MAYOR NASSIF SUPPORTING AND COUNCILMEMBERS HERZENBERG, KAWALEC, STRALEY, THORPE, AND WALLACE OPPOSING.

Ordinance Amending the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas" - Timberlyne, Phase II, Section 2

Mr. Jennings reviewed the request which had been changed to rezone only 7 lots with direct access to Kingston Drive. The area was designated as high density on the Land Use Plan. Councilmember Herzenberg questioned this as R-15 was not high density. Mr. Jennings explained that the Town could not require high density development, and that R-15 would be more in conformance than the R-20 zoning.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER THORPE, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS" (81-0-2)

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

Section I

That the property identified as part of Chapel Hill Township Map 24, Lot 18A, located on the west side of Kingston Drive and fronting on Silver Cedar Court and containing approximately 4 acres of land be rezoned from R-20 to R-15. The legal description of such property is as follows:

Lots number 135, 136, 137, 138, 139, 140, and 141 of Timberlyne Subdivision Section II, Phase II

Section II

That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 12th day of January, 1981.

Councilmember Smith suggested this might be considered spot zoning. Mr. Jennings pointed out the use was going from high intensity to lower intensity use in the surrounding area.

THE MOTION WAS CARRIED BY A VOTE OF EIGHT TO ONE WITH COUNCILMEMBERS BOULTON, HERZENBERG, HOWES, KAWALEC, STRALEY, THORPE, WALLACE AND MAYOR NASSIF SUPPORTING AND COUNCILMEMBER SMITH OPPOSING.

Resolution Approving the Preliminary Sketch for Fearington Road Estates, Phase II

Mr. Jennings stated the only issue in this subdivision was the open space. The developer had agreed to dedicate the space along the easement.

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

A RESOLUTION APPROVING THE PRELIMINARY SKETCH FOR THE FEARINGTON ROAD ESTATES, PHASE II (81-R-2)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the preliminary sketch dated November 10, 1980, for Fearington Road Estates, Phase II located on property identified as Chapel Hill Township Tax Map 130, Block B, Lot 2A, subject to the following:

That the open space requirement be achieved by dedicating the proposed drainage and sanitary sewer easement also as open space, as indicated on the attached sketch.

This the 12th day of January, 1981.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Scheduling Consideration of the Preliminary Sketch for the Lystra Woods Subdivision, Phase II

Mr. Shipman explained that the recommendation was only to postpone until after consideration of the open space policy. The attorney did not believe this was an unreasonable amount of time.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION RESCHEDULING CONSIDERATION OF THE PRELIMINARY SKETCH FOR PHASE 2 OF THE LYSTRA WOODS SUBDIVISION (81-R-3a)

WHEREAS the Council of the Town of Chapel Hill finds it necessary to review the proposed preliminary sketch in light of a proposed amendment to the subdivision ordinance, which would allow cash payments in lieu of open space dedication; and

WHEREAS said amendment to the subdivision ordinance is scheduled for January 26, 1981;

THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby reschedules action on the preliminary sketch of phase 2 of the Lystra Woods Subdivision for January 26, 1981.

This the 12th day of January, 1981.

THE MOTION WAS CARRIED BY A VOTE OF EIGHT TO ONE WITH COUNCILMEMBERS BOULTON, HERZENBERG, HOWES, KAWALEC, STRALEY, THORPE, WALLACE AND MAYOR NASSIF SUPPORTING AND COUNCILMEMBER SMITH OPPOSING.

Reorganization of Human Services Department

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

A RESOLUTION REGARDING REORGANIZATION FOR THE HUMAN SERVICES DEPARTMENT (81-R-4)

BE IT RESOLVED by the Town Council that the Town Manager is hereby directed to develop a reorganization plan for the Human Services Department that would most effectively provide direct services in support of programs conducted by Town departments and agencies.

This the 12th day of January, 1981.

Councilmember Straley commented that the Town had been without a Director for its Human Services Department for 6 months. They had delayed in hiring a director to focus on services being supplied by other agencies. He added the resolution did not speak to the size of the department which was decided by budget allocation.

Councilmember Howes asked if this reorganization would embrace alternative B as proposed in the memorandum distributed to Council. Mr. Shipman said it did.

Mayor Nassif said he would not support the resolution as he believed the Council should tell the staff exactly what the Human Services Department was to accomplish. The resolution should be more specific.

Councilmember Straley reviewed some of the activities of the Human Service Department. These activities would continue under alternative B.

Councilmember Smith agreed with Mayor Nassif that the Council should give the Manager more direction for the Human Services Department.

THE MOTION WAS DEFEATED BY A VOTE OF FIVE TO FOUR WITH COUNCILMEMBERS HERZENBERG, HOWES, STRALEY AND THORPE SUPPORTING AND COUNCILMEMBERS BOULTON, KAWALEC, SMITH, WALLACE, AND MAYOR NASSIF OPPOSING.

The Council continued to discuss what direction was to be given for Human Services. Mayor Nassif said he thought the Council was interested in the Department continuing its referral services and maintaining the police social workers. The organizer for the housing units would be retained for a time with the tenants to take over this organization. The Council was in favor of the social workers in the Community Development program. This could serve as a guide for the budget. Councilmember Boulton commented that the Manager could reorganize the department as he wished to accomplish these services.

Mr. Shipman asked the Council to comment on the part of the Neighborhood Services which provided services to the Housing Authority. Mayor Nassif said the Council had discussed at its worksessions referral of clients to the County for services at the County level. If the County did not provide services needed, then the Council could decide whether the Town should do so. The Council was not singling out a particular area for emphasis.

Mr. Shipman asked about the concerns addressed by the Housing Authority Board of Directors. Mayor Nassif suggested the Housing Authority find out what they would be allowed under federal assistance. The Town could then consider further needs.

Councilmember Wallace suggested the Manager consider what the Council had said and expand alternative B to include this discussion.

Councilmember Howes suggested what the Council should discuss was whether it wanted a Human Services Department. Councilmember Smith wanted a department, but did not want to spend an exorbitant amount of time on the department at budget time. Directors in the past had been confused about the direction the Council wanted to take.

Councilmember Wallace asked if alternative B was implemented, how many people would be in the department and what would be their functions. COUNCILMEMBER STRALEY MOVED, SECONDED BY COUNCILMEMBER WALLACE, THAT THE MATTER BE REFERRED BACK TO THE MANAGER TO DEVELOP ALTERNATIVE B MORE SPECIFICALLY, TO BE PRESENTED TO THE COUNCIL AT THE MEETING OF JANUARY 26. THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCILMEMBER SMITH MOVED THAT THE MANAGER BE ALLOWED TO ADVERTISE FOR A HUMAN SERVICES DEPARTMENT DIRECTOR. THE MOTION DIED FOR LACK OF A SECOND.

Traffic Regulations on Clayton and Audobon Roads

Councilmember Boulton stated the Streets and Public Safety Committee had met with some of the residents from this area to discuss the traffic situation, but the proposal by the Manager did not reflect the discussion of the Committee. Mr. Shipman said there were alternative ordinances drafted to include the discussion of the Committee. Councilmember Howes suggested the matter be referred back to the Streets and Public Safety Committee and the Transportation Board.

Councilmember Kawalec suggested the matter controversial enough to be discussed by the entire Council.

Mr. Shipman suggested interested Councilmembers should attend the next Streets and Public Safety Committee meeting. He added that after the Committee had considered the matter, the traffic engineer had discovered some problems. The recommendation reflected these difficulties.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER WALLACE, THAT THE MATTER BE REFERRED TO THE TRANSPORTATION BOARD FOR A RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

Bikeways

Dr. Stanat was opposed to mandatory use of the bikeways. He asked for the arguments in favor of mandatory use. Mr. Shipman responded that the Council had embarked on the bikeways program to enhance safety in conflicts between cyclists and automobiles. Since the bikeways were built on the uphill side of the streets for safety, use had been made mandatory. Dr. Stanat argued that mandatory use was dangerous for the commuter cyclist. He wanted the mandatory use dropped not only at the intersection of Estes and Airport and recommended, but also at the intersection of Country Club Road and Raleigh Road and the intersection of Boundary and Franklin. In these cases a parallel bike path approached an intersection where many cars made right turns. He believed pedestrians were endangered by the shared use of bike paths. Dr. Stanat quoted from a national publication on cycling to support his argument. When questioned about the study cited, Dr. Stanat said the data was incomplete, but he was working to obtain more data to submit to the Council. Dr. Stanat believed the additional intersections generated by the bike paths to be the source of danger. He noted that many cities with mandatory bike path laws had repealed them. Councilmember Boulton interjected that there might be other reasons for their repeal, such as enforcement problems.

Councilmember Straley pointed out the grills with parallel bars along the street were dangerous for bikes using the streets.

Councilmember Smith commented that many accidents were caused by cyclists disobeying traffic regulations.

Mr. Cohen suggested that many of Dr. Stanat's points were valid, and that the Council could consider problem situations as they arose.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION, AND THAT THE TRANSPORTATION BOARD BE ASKED TO STUDY THE ISSUE OF MANDATORY USE OF BIKE PATHS IN SOME AREAS.

A RESOLUTION REGARDING MEASURES TO INCREASE THE CONVENIENCE AND SAFETY OF BIKEWAYS (81-R-5)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to undertake the following measures to increase the convenience and safety of bikeways.

1. Increase the maintenance of bikeways to include weekly sweeping, weekly trimming of grass during appropriate months and additional trimming of grass and vegetation along bikeways as personnel levels and other service priorities permit.

The Manager may purchase a small heavy duty tractor with front-mounted broom and an attachable rotary motor for these purposes.

2. Install additional signs and markings to increase citizens' understanding of bikeway regulations.
3. Further investigate feasibility of caulking joints in bikepaths.
4. Investigate the feasibility of relocating bus stops to reduce conflict between cyclists and persons waiting for bus service.
5. Investigate the feasibility of additional improvements and/or signing in narrow sections of the bikepath system.
6. Further investigate the availability of federal funds for bikeways under the Comprehensive Transportation System Management Assistance Plan of the U. S. Department of Transportation.

This the 12th day of January, 1981.

Mr. Shipman suggested the Council might want to create both a bikelane and bikepath in some areas.

Councilmember Boulton asked if the small tractor would be a large purchase. Mr. Shipman said the total cost of maintenance of the bikeways was estimated to be \$10,000.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER WALLACE, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO AMEND SECTION 21-48. (EXCEPTIONS TO REQUIREMENT TO USE BIKEPATHS PARALLEL TO ROADWAYS.) (81-O-7)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Sec. 21-48 of the Code of Ordinances of the Town of Chapel Hill as follows:

ADD a new subsection (d) as follows:

- (d) For bicycle travel in a northward direction on the east side of Airport Road from a point approximately 1,030 feet south of Estes Drive to Estes Drive.

This the 12th day of January, 1981.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Regarding Night Parking Fees for Municipal Parking Lots

Mr. Hooper explained that the actual parking experience had been reviewed for the municipal lots. He reviewed the results of the study. The impact of lowering the night parking fee would be approximately \$5,000 for the fiscal year.

COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING EVENING PARKING FEES (81-R-6)

BE IT RESOLVED by the Town Council that the Manager is hereby directed to implement by February 2, 1981, a new fee schedule for evening parking that would establish a maximum rate of \$1.00 for people entering the parking lots after 8:00 p.m.

This the 12th day of January, 1981.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Regarding a Community Display at the Raleigh-Durham Airport

Councilmember Straley asked Mr. Rashkis why the money had not been used for the display when first authorized by the Council. Mr. Rashkis explained there had been difficulty in finding a design suitable for Chapel Hill.

COUNCILMEMBER STRALEY MOVED, SECONDED BY COUNCILMEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING A COMMUNITY DISPLAY AT THE RALEIGH-DURHAM AIRPORT (81-R-7a)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to enter into a contract with the Greater Chapel Hill - Carrboro Chamber of Commerce to provide a Chapel Hill Community Display at Raleigh-Durham Airport at a cost of \$600 for the period January 1981 through June 1981. Payments shall be made to the Chamber at the rate of \$100 per months.

This the 12th day of January, 1981.

Councilmember Straley added that he would not vote for such an expenditure again.

Councilmember Thorpe commented that Orange County should in the future have a representative on the Airport Authority. Councilmember Wallace noted this was symbolic of the problem of regional planning for the area.

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

Resolution Regarding Release of a Sewer Assessment

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

A RESOLUTION REGARDING RELEASE OF A SEWER ASSESSMENT (PROPERTY OF JAMES A. AND PATRICIA JOHNSON, LOT 69-B-7) (81-R-8)

WHEREAS, the owners of that property identified as lot 7 of block B, Chapel Hill Township Tax Map 69, have requested deletion of this parcel from the assessment roll for sewer improvements in the Sourwood area; and

WHEREAS, the Council finds that the assessment was levied in error and should not be applied because of a previous agreement with the Town dated September 30, 1968,

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby deletes that property identified as Chapel Hill Township Tax Map 69, Block B, Lot 7 from the assessment roll for the Sourwood residential sanitary sewer improvements.

This the 12th day of January, 1981.

THE MOTION WAS CARRIED UNANIMOUSLY.

Reports

The Manager had distributed the monthly financial report and the report on the Capital Improvement Program.

Resolution Declaring Seven Articles of Personal Property Surplus and Approximately 10 Tons of Scrap Metal Surplus and Authorizing and Directing Sale of Said Property by Private Negotiated Sale

COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DECLARING SEVEN ARTICLES OF PERSONAL PROPERTY SURPLUS AND APPROXIMATELY TEN TONS OF SCRAP METAL SURPLUS AND AUTHORIZING AND DIRECTING THE SALE OF SAID PROPERTY BY PRIVATE NEGOTIATED SALE (81-R-9)

WHEREAS, Article 12 of General Statutes 160A and Section 4.144 of the Charter of the Town of Chapel Hill authorize the Town to dispose of surplus personal property; and

WHEREAS, the town desires to dispose of certain articles of personal property no longer needed for Town purposes;

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

Section I

That the following articles of personal property are hereby declared surplus property:

- 2 Bus Chassis (scrap metal value)
- 1 Scraper Pan (scrap metal value)
- 4 Air Conditioners (scrap metal value)
- Approximately 10 tons of assorted scrap metal

Section II

That the Town Purchasing Agent be, and is hereby authorized to dispose of any and all articles according to the applicable procedures by private negotiated sale thereof under the provisions of General Statute 160A-267.

This the 12th day of January, 1981.

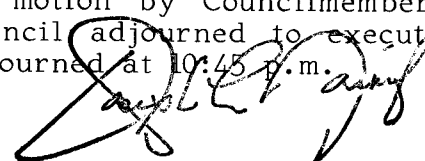
THE MOTION WAS CARRIED UNANIMOUSLY.

Nominations to Commissions

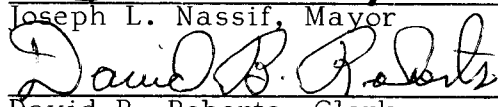
The Historic District Commission had submitted the names of Debbie Herbert, Lamar Cecil, Nancy Preston, Arthur Marks, Knox Tate, and James Webb for consideration for 4 positions. The Appearance Commission had submitted the name of Patricia Wyler for one position. The Recreation Commission had submitted the name of Mary Pendergraft for one position. Councilmember Howes nominated these persons. Councilmember Kawalec nominated Gary Freeze for a position on the Historic District Commission. Councilmember Smith nominated James Belk for the Appearance Commission position. Councilmember Herzenberg nominated Rebecca Clark for the Parks and Recreation Commission position. Councilmember Howes nominated S. Brooks Morton for the Appearance Commission position.

Executive Session

On motion by Councilmember Thorpe, seconded by Councilmember Kawalec, the Council adjourned to executive session to discuss litigation. The meeting was adjourned at 10:45 p.m.



Joseph L. Nassif, Mayor



David B. Roberts, Clerk