

MINUTES OF A MEETING OF THE MAYOR AND COUNCIL OF THE TOWN OF CHAPEL HILL,
MUNICIPAL BUILDING, MONDAY, MARCH 8, 1982, 7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

Marilyn Boulton
Winston Broadfoot
Jonathan Howes
Beverly Kawalec
David Pasquini
Joe Straley
Jim Wallace

Councilmember Smith was absent due to illness. Also present were Town Manager, David R. Taylor; Assistant Town Manager, Sonna Loewenthal; and Town Attorney, Emery Denny.

Mayor Nassif presented Certificates of Appointment to newly-appointed Board of Adjustment members, Mr. Johnnie Leon Peace and Mr. Robert Joesting, expressing appreciation for their willingness to serve the Town in this capacity.

Petitions

No petitions were presented to Council from either citizens, administration, or Councilmembers.

Minutes

COUNCILMEMBER BROADFOOT MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO ADOPT THE MINUTES OF FEBRUARY 22, 1982, AS CORRECTED. THE MOTION CARRIED UNANIMOUSLY.

Resolution Renewing a Preliminary Sketch for Laurel IV, Phase 1 Subdivision

Planning Director, Mike Jennings, presented the request for a reapproval of the previously approved subdivision. Staff recommended changes in the formerly approved stipulations:

- Stipulation #3 now clarified the location of the cul-de-sac exemption.
- Stipulation #8 required the drainage plan to have hydrologic calculations.
- Previously approved condition #13 (regarding alternate access by means of Rhododendron Drive) was deleted.
- Condition #12 changed the number of accesses from one to two.

Mayor Nassif expressed concern with the wording of Stipulation #11 ("...open space be...deeded to the Town..."), feeling it might be dedicated for open space instead. Mr. Denny explained that the wording included "...subject to the developer's consent..." Mr. Jennings explained that the Parks and Recreation Commission had only intended to convey their interest in the property, not to require that it be deeded.

Councilmember Straley felt that the wording on the map was more specific than the wording used in Stipulation #12 (regarding future use of a portion of Bayberry Drive). Mr. Jennings explained that the wording on the map had been provided for Council information by the applicant. Staff recommended the current wording of Stipulation #12.

Mr. Jennings explained to Councilmember Wallace that the temporary access would be used as a bikepath or pedestrian way, and would not be open to vehicular traffic. Consent had been given by owners of both sides of the property.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION RENEWING A PRELIMINARY SKETCH FOR LAUREL HILL IV, PHASE 1 SUBDIVISION LOCATED ON PROPERTY IDENTIFIED AS CHAPEL HILL TOWNSHIP TAX MAP 66, LOT 8 (82-R-38)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby renews the approval of the preliminary sketch dated November 18, 1981 for Laurel Hill IV Subdivision subject to the following conditions:

1. That Bayberry Drive be paved to a minimum paved cross-section of 33 feet back-to-back of curb with curb and gutter except for the temporary portion of the Bayberry Drive connection to Arboretum Drive which shall be paved to standards as set forth by the Town Manager. Plans for such improvements shall be approved by the Town Manager and the N.C. Department of Transportation, if applicable, prior to start of construction.
2. That Bayberry Drive and Rhododendron Drive be exempted from the maximum grade standards due to the steep topography in the area.
3. That Rhododendron Drive north of its intersection with Bayberry be exempted from the cul-de-sac maximum length standard, allowing the drive to be 470 feet.
5. That prior to the sale of any lots within the development signs indicating that the "stubbed-out" streets are subject to future extension shall be erected.
6. That the number, location and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to the approval of the final plat.
7. That sewer, drainage, and utility easements be dedicated as required by the Town Manager.
8. That a detailed drainage plan with hydrologic calculations 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.
9. That all lots connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
10. That a utility easement be dedicated between lots 4 and 5 and between lots 11 and 12.
11. That the required open space be relocated to the area identified as lots 17, 18, 19, and part of 20. That the open space be dedicated to the public use and be deeded to the Town subject to the developer's consent and approval by the Council. The applicant may revise the lot layout and alignment of Rhododendron Drive prior to the final plat if necessary to adjust for this change in open space location.
12. That the connection of Bayberry Drive across the Hunt Arboretum to Arboretum Drive shall be a temporary connection which shall be closed to motorized vehicles when there are two means of access to the subject subdivision other than the temporary connection to Arboretum Drive via Bayberry Drive. The final plat shall reflect the temporary status of the connection of Bayberry Drive to Arboretum Drive and shall state bases upon which the temporary connection shall be closed to motorized vehicles as described above. At such time as the temporary connection is closed a permanent turnaround meeting Town standards shall be provided and the portion of Bayberry Drive east of Arboretum Drive shall be renamed.
13. That a revised site plan incorporating the conditions of the approved preliminary sketch be submitted to the Town Manager within 60 days of renewed approval of the preliminary sketch.

This the 8th day of March, 1982.

THE MOTION CARRIED UNANIMOUSLY (8 TO 0).

Ordinance to Revise the Towing Procedures of the Town of Chapel Hill

Deputy Town Attorney, Grainger Barrett, presented background information that necessitated revision of the Town's towing ordinance to bring current towing procedures into conformance with due process requirements imposed by Federal courts. He explained that the courts characterized one's car as property and one's right to use it was an indispensable element of participation in our society; therefore, one could not be deprived of its use without due process.

Due process would involve (1) notice to the owner, and (2) opportunity for a hearing before towing the vehicle. Towing would be permitted, however, in emergency or public safety situations if notice and opportunity for a hearing were given promptly. Mr. Barrett explained that the hearing process, as outlined in the proposed ordinance, was an administrative process and not a criminal process.

Mayor Nassif felt that the ultimate cost to the Town, in terms of time and money, could become extensive. He felt that an increase in ticket fees might be a way to remove the incentive to park illegally.

Mr. Barrett, however, asserted that counsel and the Police Chief would need to discuss both legal issues and procedural questions involved in raising the price of parking tickets before making a recommendation to Council. Mr. Barrett stated that, basically, the ordinance maintained its current procedures for emergency towing situations, but more procedures and expenses were outlined for non-emergency situations.

Councilmember Kawalec expressed concern as to how to address the problem of people leaving a car parked for longer than 48 hours. The owner would receive a letter, according to procedures, and would move the car, causing this ordinance requirement to have little or no effect. She proposed that the Manager and Attorney consider lessening the time element. Mr. Denny explained that in the past, such problems involved town residents who were out of town, leaving their car parked for an extended period. He added that any time limits set by Council would be arbitrary to a certain degree. Councilmember Kawalec suggested that an 8:00 A.M. to 4:00 P.M. parking restriction be imposed on certain area streets. This restriction would prohibit parking outside of these hours without a permit.

Councilmember Kawalec also questioned miscellaneous areas in Town where she felt parking was allowed within the 25' parking restricted area near intersections. Other areas where site distances were hindered due to parked cars were parking lots in shopping centers.

Mr. Barrett responded that the staff was currently working on a site triangle ordinance. Mr. Taylor affirmed that this would be part of the Town's Standards Manual.

Councilmember Broadfoot suggested the use of a "boot"--a vehicle immobilization device. He felt that such a device would more adequately assure collection of account receivables.

Mr. Barrett, however, felt that "boots" could produce problems of liability and responsibility for the vehicle.

Police Chief, Herman Stone, responded to a question from Councilmember Pasquini that enforcing the ticketing process would require an additional one-half person over the present staff.

Mr. Barrett informed Councilmember Kawalec that towing would not take place in loading zones. Vehicles, however, would be ticketed if it could be determined that the intended use of the zone was for parking and not for loading.

Mayor Nassif proposed that Council proceed with a motion to approve the ordinance and requested that Councilmember Kawalec and Councilmember Boulton serve as a committee of two to meet with the Manager and the Deputy Town Attorney to discuss issues pertinent to this ordinance. He requested that Councilmember Kawalec chair the committee and that they report to Council with recommendations from the discussions.

COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER STRALEY, TO ADOPT THE FOLLOWING ORDINANCE:

AN ORDINANCE TO REVISE THE TOWING PROCEDURES OF THE TOWN OF CHAPEL HILL
(82-O-17)

The Council of the Town of Chapel Hill ordains:

Section 1. Section 21-21 of the Town Code of Ordinances is repealed and a new Article III-A, Towing Procedures, is added to Chapter 21 of said Code, as follows:

ARTICLE III-A. TOWING PROCEDURES

Sec. 21-18A. Impounding Improperly Parked Vehicles.

The Police Department of the Town of Chapel Hill is hereby authorized to remove, tow in, and impound any motor vehicle which is parked or left standing or allowed to be parked or left standing in the public streets, sidewalks or alleys of the Town in violation of any ordinance of the Town or state law relating to the parking or nonparking of such vehicles. The owner shall be responsible for and pay storage and moving fees and related notification costs for any vehicle removed pursuant to this authority.

Sec. 21-18A.1. Emergency Towing.

Section 21-18A.2 and the applicable procedures of Section 21-18A.4 shall be followed when the Town removes, tows in and impounds any motor vehicle in the instances listed below. In all other instances, Section 21-18A.3 and the applicable procedures of Section 21-18A.4 shall be followed before any motor vehicle is removed, towed in and impounded by the Town. A motor vehicle may be removed, towed in and impounded without prior notice and opportunity for a hearing, prior to towing, but subject to Section 21-18A and Section 21-18A.2 when:

- (i) It creates a hazard or significant obstruction to the normal movement of traffic; or
- (ii) It blocks a private driveway; or
- (iii) It is within 15 feet in either direction of a fire hydrant; or
- (iv) It hinders egress from the entrance to a fire station or otherwise significantly impedes provision of an essential Town service; or
- (v) It obstructs a fire lane, a bicycle lane, or sidewalk; or
- (vi) It is within an area or zone designated a bus zone or bus stop during a time when buses are in operation; or
- (vii) It is parked in violation of some other traffic ordinance, statute or regulation and circumstances create a special hazard requiring very prompt removal.

The vehicle may not be removed until the procedures of Section 21-18A.3 have been followed if the vehicle is abandoned but its location does not necessitate prompt removal.

Sec. 21-18A.2. Notice of Emergency Tow.

- (a) When a vehicle has been removed, towed in and impounded under Section 21-18A.1 without prior notice, the Chief of Police or his designee shall use reasonable efforts, including through license plate or vehicle identification numbers, to identify the owner or his agent and notify him that the vehicle has been towed by delivering to him a "Notice of Emergency Tow." The owner or his agent shall be given notice within 48 hours of the tow, excluding weekends and holidays, by:
 - (1) Actual notice, in which case a record of the form and manner of notice shall be kept; or
 - (2) Registered or certified mail to the owner's or his agent's last known address, or if reasonable means fail to locate the owner or his agent; then
 - (3) By publication in a newspaper of general circulation in Orange County.

(b) The Notice of Emergency Tow shall include:

- (1) A description of the vehicle, including any license plate number, the location from which it was towed and the location where it is being stored;
- (2) A summary of this ordinance;
- (3) A statement that the vehicle is alleged to have violated a traffic or parking ordinance of the Town and the specific violation alleged,
- (4) A statement describing how the owner may recover his vehicle, stating that he may post a bond and recover the vehicle pending an administrative hearing, and stating that within 7 days he may request a hearing before the Town Manager's designee to determine if there was probable cause to tow the vehicle.

Sec. 21-18A.3. Notice of Intention to Tow.

- (a) The owner of a vehicle subject to removal, towing and impoundment other than pursuant to Section 21-18A.1 (i) through (vii) shall be given notice of and an opportunity for a hearing prior to such impoundment.
- (b) The Chief of Police shall use reasonable efforts, including through license plate and vehicle identification numbers, to locate and notify the owner of the vehicle or his agent that it is subject to removal, towing and impoundment, and to deliver to him a "Notice of Violation." The notice shall be given to the owner or other person entitled to possession of the vehicle, within 48 hours of the tow, excluding weekends and holidays, by:
 - (1) Actual notice, in which case a record of the form and manner of notice shall be kept; or
 - (2) Registered or certified mail to the owner's or his agent's last known address, or if reasonable means fail to locate the owner or his agent; then
 - (3) By publication in a newspaper of general circulation in Orange County; or
 - (4) By affixing a Notice of Violation securely and prominently to the vehicle.
- (c) The "Notice of Violation" shall include:
 - (1) The location and description of the vehicle, including license plate number;
 - (2) A summary of this ordinance;
 - (3) A statement that the vehicle is alleged to be in violation of this ordinance and the specific violation alleged;
 - (4) A statement that the owner may dispute the alleged violation by requesting within 7 days a hearing before the Town Manager's designee to determine if there is probable cause to impound the vehicle.
- (d) If no hearing is requested or if it is waived then the officer who made the initial determination that the vehicle is subject to impoundment shall determine if the vehicle is still subject to impoundment 7 days after notice has been given. If the vehicle remains subject to impoundment, such officer shall arrange to have the vehicle removed, towed in and impounded.
- (e) The Chief of Police shall send a "Notice of Impoundment" promptly to the vehicle's owner or his agent when it is impounded after the procedures of this section have been followed. The notice shall be given to the owner by:
 - (1) Actual notice, in which case a record of the form and manner of notice shall be kept; or

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- (2) Registered mail to the owner's or his agent's last known address, or, if reasonable means fail to locate the owner or his agent; then
 - (3) By publication in a newspaper of general circulation in Orange County.

(f) The Notice of Impoundment shall include:

- (1) A description of the vehicle, including license plate number, and the location from which it was towed;
- (2) A statement that it was impounded after notice duly given and an opportunity for a hearing under this section;
- (3) A citation of the alleged violation for which the vehicle was towed;
- (4) A description of the procedure by which the owner or his agent may pay the Town's towing and storage fees and related notification costs and reclaim the vehicle; and
- (5) A warning that it may be disposed of as authorized by law if not reclaimed within 30 days after its impoundment.

Sec. 21-18A.4. Hearing Procedures.

- (a) The owner of a vehicle impounded under Section 21-18A.1 or subject to impoundment under Section 21-18A, or his agent, may request an administrative hearing within 7 days after the delivery of the Notice of Emergency Tow or Notice of Violation, or the equivalent publication thereof, or 7 days after he learns such vehicle has been impounded, whichever occurs first, to determine if there was or is probable cause to impound the vehicle under Section 21-18A.1, or under Section 21-18A after following the procedures of Section 21-18A.3. The hearing shall be conducted before an official designated by the Town Manager, who shall not be any person who is in the chain of command of the officer effecting the impoundment but who may otherwise be a Police Department employee. The hearing shall be conducted as soon as possible, but in any event within 48 hours after a request for it unless a later time is agreed to in writing by the person requesting the hearing.

Failure of the owner or his agent to request or attend a scheduled hearing shall waive his right to such hearing.

- (b) The hearing officer shall determine only if there is or was probable cause to impound the vehicle under Section 21-18A.1 or Section 21-18A. "Probable cause to impound" shall mean such a state of facts as would lead a person of ordinary care and prudence to believe that there was or is a sufficient breach of local, state or federal law to grant legal authority for the removal of the vehicle under any of the circumstances in Section 21-18A.1 (i) through (vii), or under Section 21-18A after following the procedures of Section 21-18A.3. The person requesting the hearing shall have the burden of establishing his right to possession of the vehicle. The officer effecting the tow shall have the burden of establishing that there was probable cause to impound the vehicle.

The decision of the hearing official is final. He shall render his decision in writing and provide a copy to the person requesting the hearing.

- (c)
 - (i) If no probable cause is found, the hearing official shall refund or cause to be refunded any bond previously posted and shall direct in writing that the vehicle be released from impoundment to its owner or his agent. If no probable cause is found, towing and storage fees shall be paid by the Town in accordance with its contractual arrangements for such services. If the vehicle's owner or his agent fails to claim it from impoundment by 5:00 p.m. on the first working day after the date of the decision, he shall assume liability for all subsequent storage charges.
 - (ii) If probable cause is found to have impounded the vehicle under Section 21-18A.1, the hearing officer shall so notify the Police Department in writing and shall direct that the vehicle be released only upon payment to the Town of its towing and storage fees and related notification costs.

- (iii) If probable cause is found to impound the vehicle under Section 21-18A, the hearing officer shall so notify the Police Department in writing and direct them to impound it as authorized by law.
- (d) If no hearing is requested or if it is waived, the owner of an impounded vehicle or his agent may regain possession of the vehicle by paying to the Town its towing and storage fees and related notification costs.

The owner of a vehicle impounded under Section 21-18A.1 or his agent may regain possession of it prior to the hearing by posting a cash bond in the amount of the Town's towing and storage fees and related notification costs. The cash bond shall be forfeited to the Town if such person does not request a hearing hereunder or if he fails to attend a scheduled hearing.

- (e) All witnesses at the hearing shall be sworn before a notary public or other official authorized to administer oaths. The hearing officer's decision shall be based on material, substantial and competent evidence presented at the hearing. The owner or his agent shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. A record of the hearing officer's decision shall be made that contains his decision and a brief, concise statement of the reason for it.

Sec. 21-18A.5. Storage and Towing Fees and Related Notification Costs.

All storage and towing fees and related notification costs incurred by the Town or imposed upon the owner of the vehicle or his agent as a result of its towing-in and impoundment shall constitute a lien upon such vehicle. No costs shall be assessed or accrued before the notice required by Section 21-18A.2 or -18A.3, as the case may be, is made. The vehicle may not be released until these costs have been paid or until the owner or his agent has posted an appropriate bond under this article, unless the hearing official conducting a hearing under Section 21-18A.4 determines that no probable cause to tow and impound the vehicle exists.

Section 2. Section 21-28.2 of the Town Code of Ordinances is amended by adding after the phrase "N. C. General Statute 160A-303(c)" the words "and the appropriate procedures of Article III-A of this Chapter."

Section 3. This ordinance shall become effective on April 5, 1982.

This the 8th day of March, 1982.

THE MOTION CARRIED UNANIMOUSLY.

Resolution Regarding El Salvador

Councilmember Straley made two points regarding the purpose of the proposed resolution:

1. The question had been raised as to whether a Town Council had a right to become involved in this kind of resolution. He asserted that history contained many instances where local governments involved themselves in matters other than local government and that there was no other channel by which Council could express their position regarding this issue.
2. Councilmember Straley referenced Public Law 94-329, an amendment (to the Foreign Assistance Act of 1961) which was passed in Congress on June 30, 1976. He stated that this bill clarified that:
 - No security assistance be provided to any country, the government of which was engaged in a consistent pattern of gross violation of internationally recognized human rights; and
 - The President was directed to formulate and conduct international security assistance programs in the U.S. in a manner which would promote and advance human rights and avoid identification of the U.S. through such programs with governments which denied their people internationally recognized human rights and fundamental freedoms. The bill also identified how the Department of State would certify that a country was qualified to receive arms and military assistance and that violations of human rights were not taking place.

He felt that reports from El Salvador confirmed the abuse of human rights in that country.

COUNCILMEMBER STRALEY MOVED, SECONDED BY COUNCILMEMBER HOWES, ADOPTION OF RESOLUTION 82-R-39.

COUNCILMEMBER PASQUINI MOVED, SECONDED BY COUNCILMEMBER BROADFOOT, TO TABLE RESOLUTION 82-R-39.

THE MOTION TO TABLE FAILED 3 TO 5 WITH COUNCILMEMBERS KAWALEC, PASQUINI, AND BROADFOOT SUPPORTING, AND COUNCILMEMBERS WALLACE, STRALEY, HOWES, BOULTON, AND MAYOR NASSIF OPPOSING.

Councilmember Broadfoot concurred with statements made by Councilmember Straley regarding the violation of human rights by the government of El Salvador. He asserted, however, that similar situations (referencing Iran and Cuba) that had involved U.S. intervention had become infinitely worse. He proposed that the same situation could occur in El Salvador.

Councilmember Broadfoot also asserted that approval of this resolution would encourage individuals to occupy the attention of the Council for any purpose they chose, as there was no pre-established criteria whereby Council could determine the appropriateness of a petition presented for their consideration.

Councilmember Wallace concurred with statements by Councilmember Broadfoot, that a Town Council was not an appropriate forum to determine American foreign policy and that our country had, on occasion, made bad situations worse. He also stated that he did not believe it was possible for the U.S. to engage in settlement negotiations while supplying arms to either side. Regarding the proposed resolution, he stated that he felt that Council was being "extraordinarily exclusive" in its criticism and stated that he "would like very much to substitute the name of Russia wherever the words 'El Salvador Government' appears."

He further stated that he felt that the question here was not whether the Council had the right to express their feelings, but rather what statement Council would make. It was for this reason that he would cast his vote with Councilmember Straley, although he concurred with the statements of Councilmember Broadfoot.

Mayor Nassif stated that he felt it was difficult, from his own vantage point, to know "...who...is right and who is wrong." He stated that the only problem he had with Councilmember Straley's proposed resolution was that it seemingly took a side, stating that one side was wrong. Mayor Nassif further stated that he, himself, did not know this to be the case and therefore did not want to say that.

Mayor Nassif offered the following resolution for Council's consideration:

Resolution---El Salvador

WHEREAS, the Mayor and members of the Chapel Hill Town Council are gravely concerned by the civil war in El Salvador; and

WHEREAS, there remain important unanswered questions on human rights policies, the welfare of the Salvadoran people, and the best interests of the American people; and

WHEREAS, our national debate on the U.S. policy on El Salvador should be free, open, honest, and mindful of the well-being of both Americans and Salvadorans; and

WHEREAS, the Mayor and Council encourage full, free, and open debate on this foreign policy issue;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of Chapel Hill endorse and commend efforts to educate the public on El Salvador's civil war and the United States' involvement in that war, as long as those educational efforts adhere to the values of truth, accuracy, freedom, human life, and human dignity; and

BE IT FURTHER RESOLVED that this resolution be sent to the Congressman and Senators who represent the people of Chapel Hill in the United States Congress.

This the 8th day of March, 1982.

He added that he felt that education of the public on U.S. involvement in this war was important at this time. He felt that it might become necessary, later on, to adopt a resolution with stronger words.

Councilmember Straley felt that his resolution did not say that we knew all that was happening in El Salvador; it simply stated that we are appalled by reports and are expressing our concern.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO CEASE DEBATE ON THE PRIMARY MOTION. THE MOTION CARRIED UNANIMOUSLY.

THE VOTE TO APPROVE THE FOLLOWING RESOLUTION CARRIED 5 TO 3 WITH COUNCILMEMBERS STRALEY, HOWES, BOULTON, KAWALEC, AND WALLACE SUPPORTING, AND COUNCILMEMBERS BROADFOOT, PASQUINI, AND MAYOR NASSIF OPPOSING:

A RESOLUTION REGARDING EL SAVADOR (82-R-39)

WHEREAS, many citizens of Chapel Hill are gravely concerned by the civil war in El Salvador; and

WHEREAS, we believe that it is inappropriate for the United States to intervene in this war through the sale of arms or the training of counter-insurgent forces in the absence of meaningful assurances that the civil rights of its citizens are not being violated; and

WHEREAS, many reports have reached us that indicate that the present El Salvadoran government has not maintained minimum standards of regard for the human rights of its citizens; and

WHEREAS, the continuation of that war threatens the peace and stability of the entire region;

THEREFORE, BE IT RESOLVED by the Town Council of Chapel Hill that the United States should not provide arms or instruction to military personnel of the government of El Salvador; and

BE IT FURTHER RESOLVED that the United States should use its good offices to secure a negotiated settlement of the war in El Salvador.

This the 8th day of March, 1982.

Councilmember Wallace stated that if the motion had not carried, he would have been willing to vote for the resolution proposed by Mayor Nassif.

Resolution Authorizing the Manager to Enter into Certain Contracts for Which Funds are Budgeted

Mr. Taylor stated that the intent of this resolution was to clarify the kinds of contracts the Manager was authorized to sign and to expedite handling of contracts which did not involve policy considerations and for which funds had been budgeted.

Councilmember Howes inquired of Mr. Taylor as to how he would determine which contracts "did not involve policy considerations." Mr. Taylor explained that there were no established criteria that would fit every situation, but his intent was to be sure that he had the authority to sign the contract.

COUNCILMEMBER HOWES MOVED ADOPTION OF RESOLUTION 82-R-40. He qualified his motion on the basis that it gave the Manager the ability to manage. COUNCILMEMBER BOULTON SECONDED THE MOTION.

Councilmember Wallace felt that the wording in the title "...contracts for which funds are budgeted...." offered protection--if the Manager did detect that there might be some policy question involved, he would approach Council for guidance before entering into a contract.

Mayor Nassif expressed concern over the wording of paragraph #2 regarding change orders: "...which do not cumulatively exceed the bid originally approved by Council by more than 10% of the original contract amount or \$10,000, whichever is greater,...." He asserted that the term "greater" should be changed to "less." Mr. Taylor concurred that this was the intended wording. He assured Council that if there were ever any question, he would seek Council's instruction.

The maker and the seconder of the motion concurred with this correction.

THE FOLLOWING RESOLUTION CARRIED UNANIMOUSLY (8 TO 0), AS AMENDED.

A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO CERTAIN CONTRACTS FOR WHICH FUNDS ARE BUDGETED (82-R-40)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Manager to prepare, approve, and enter into the following contracts:

Contracts for construction, alteration, renovation or other physical improvements for which Council has accepted formal bids and awarded the contract to a particular company.

Change orders and amendments to construction contracts which do not cumulatively exceed the bid originally approved by Council by more than 10% of the original contract amount or \$10,000, whichever is less, provided that there is a sufficient appropriation.

Construction contracts for which formal bids are not required under state law.

Contracts for purchase of equipment or supplies for which the Council has accepted bids and awarded the contract to a particular company.

Purchase agreements for which state law does not require formal bids.

Service contracts for which funds are included in the budget.

Performance contracts with non-profit agencies and other governmental units in accord with the budgetary authorization of Council and any specific directives and requirements expressed by Council.

Agreements that the Town will provide a service in return for a reimbursement, grant, or other consideration, provided that the service is consistent with any relevant policy direction by Council and with approved program objectives and the cost can be accommodated within appropriations.

Rental by the Town of building space, land or equipment, provided that sufficient funds are appropriated.

This the 8th day of March, 1982.

Report on Naming New Town Facilities

Councilmember Kawalec reported that Council had asked Councilmembers Smith, Pasquini, and herself to form a committee to consider naming new Town facilities.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER WALLACE, THAT COUNCIL REQUEST THE MAYOR'S OFFICE AND THE MANAGER'S OFFICE TO DRAW UP A RESOLUTION WHICH WOULD HAVE THE EFFECT OF NAMING THE NEW POLICE BUILDING AFTER WILLIAM BLAKE AND THAT THEY PRESENT A RESOLUTION TO THE COUNCIL AT THEIR CONVENIENCE FOR COUNCIL CONSIDERATION.

Councilmember Boulton inquired if the building had been available for naming for one year, as set forth by Council resolution. Councilmember Kawalec informed Council that the new Police Department had been occupied since March of 1981.

Councilmember Straley concurred with the recommended naming of the new Police Building after former Police Chief, William Blake, as he felt that Chief Blake had added credibility and honor to the Town.

Resolution Authorizing Acquisition of a Backhoe

Mr. Taylor explained that the current backhoe was in disrepair and its repair would cost \$30,000. Staff felt that the money would be better spent on replacing the backhoe. The Public Works Department had funds available that could be transferred from other line items for this purchase.

COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER HOWES, TO ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION AUTHORIZING ACQUISITION OF A BACKHOE (82-R-41)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to request bids for and to acquire a rubber-tired backhoe with funds available in the 1981-82 budget, subject to Council's acceptance of a bid and award of a contract in accord with State law.

This the 8th day of March, 1982.

THE MOTION CARRIED UNANIMOUSLY.

Consent Agenda

Councilmember Straley requested that Consent Agenda item #9e (outdoor event at University Mall--hobby rocket exhibition) be removed; Councilmember Howes requested that Consent Agenda item #9f (Certificates of Just Compensation--offers for property to be acquired in Community Development Program) be removed from the Consent Agenda.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO ADOPT THE FOLLOWING RESOLUTION AS AMENDED:

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ORDINANCES (82-R-42)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the attached ordinances and resolutions in regard to the following:

- a. Calling of Public Hearings on Use of Revenue Sharing Funds (April 26, May 24) and 1982-83 Budget and 1982-87 Capital Improvement Program (May 24).
- b. Ordinance and Resolution Regarding Apple Chill (April 18).
- c. Amendment to Noise Ordinance (exemption for musical accompaniment to military ceremonies).
- d. Leave of Absence for Planning Board Member Diane Day.
- g. Bids for Trees and Shrubs.
- h. Authorization for Finance Director and Manager to Handle Transactions for Bonds and Letters of Credit.

This the 8th day of March, 1982.

THE MOTION CARRIED UNANIMOUSLY.

Resolutions/Ordinances Adopted by the Consent Agenda

The following resolutions/ordinances were adopted by the Consent Agenda:

A RESOLUTION SETTING PUBLIC HEARINGS ON USE OF GENERAL REVENUE SHARING FUNDS IN 1982-83 AND ON THE MANAGER'S RECOMMENDED BUDGET AND CAPITAL IMPROVEMENT PROGRAM (82-R-43)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls the following public hearings relative to the 1982-83 budget and the use of General Revenue Sharing Funds in 1982-83.

1. On possible uses of General Revenue Sharing funds in 1982-83 at 7:30 p.m. on Monday, April 26, 1982.
2. On the 1982-83 Manager's Recommended Budget, and the 1982-87 Capital Improvement Program at 7:30 p.m. on Monday, May 24, 1982.
3. On the use of General Revenue Sharing Funds in 1982-83 as proposed in the Manager's Recommended Budget at 7:30 p.m. on Monday, May 24, 1982.

These hearings shall be held in the Meeting Room of the Municipal Building, 306 N. Columbia Street.

This the 8th day of March, 1982.

AN ORDINANCE TEMPORARILY REMOVING PARKING FROM PORTIONS OF FRANKLIN AND HENDERSON STREETS (APPLE CHILL '82) (82-O-18)

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

That on the 18th day of April, 1982, between the hours of 12:45 p.m. and 8:00 p.m., there shall be no parking on either side of Franklin Street between Columbia Street and the western entrance of the Morehead Planetarium parking lot, nor on either side of Henderson Street between Franklin and Rosemary Streets.

The Police Department of the Town of Chapel Hill is hereby authorized to cover the parking meters on said streets during such hours on said date. The Police Department is further authorized to remove, tow, and impound automobiles and vehicles of any kind which are parked on said streets during such hours in contravention of this Ordinance. In light of the large number of pedestrians expected in the street fair area, the Council hereby determines that vehicles in the restricted area would constitute a special hazard requiring prompt removal. The owner shall be responsible for and pay storage and moving costs of any vehicle removed pursuant to the provisions of this Ordinance, and the Police Department shall use reasonable diligence to notify the owner of the removal and storage of such vehicle.

This the 8th day of March, 1982.

A RESOLUTION TEMPORARILY CLOSING PORTIONS OF FRANKLIN STREET AND HENDERSON STREET (APPLE CHILL '82) (82-R-44)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the closing of Franklin Street between Columbia Street and the western entrance of the Morehead Planetarium parking lot, and Henderson Street between Rosemary and Franklin Streets on Sunday, April 18, 1982 from 11:00 a.m. to 8:00 p.m., to allow the holding of the Apple Chill Street Fair and cleanup of the streets following said fair.

This the 8th day of March, 1982.

AN ORDINANCE EXEMPTING BRIEF MILITARY CEREMONIES FROM PROVISIONS OF THE NOISE ORDINANCE (82-O-19)

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

SECTION I

That Section 11-40, Exemptions, be amended by adding the following:

12. Musical accompaniment to military ceremonies that is taped outdoor music, or music played with instruments not electrically amplified, provided such musical accompaniment lasts ten minutes or less.

SECTION II

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

This the 8th day of March, 1982.

A RESOLUTION GRANTING A THREE MONTH LEAVE OF ABSENCE FROM THE PLANNING BOARD FOR DIANE DAY (82-R-45)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby grants Diane Day a leave of absence commencing March 8, 1982 and ending June 8, 1982.

This the 8th day of March, 1982.

A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR TREES AND SHRUBS FOR LANDSCAPING OF PARKS AND RECREATION AREAS (82-R-48)

WHEREAS, the Town of Chapel Hill has solicited formal bids on February 7, 1982, and the following bids have been received:

<u>Item</u>	<u>Quantity</u>	<u>Taylor's Nursery</u>	<u>Gilmore Plant & Bulb Co., Inc.</u>	<u>Apex Nurseries, Inc.</u>	<u>Dickinson Garden Center</u>
<u>Trees</u>					
Scarlet Oak	60	No Bid	<u>1320.00</u>	No Bid	No Bid
Water Oak	40	No Bid	<u>880.00</u>	No Bid	No Bid
Sweet Gum	31	<u>465.00</u>	620.00	No Bid	No Bid
Red Bud	31	<u>465.00</u>	744.00	No Bid	No Bid
Red Maple	58	<u>870.00</u>	<u>841.00</u>	No Bid	No Bid
White Ash	60	No Bid	<u>1320.00</u>	No Bid	No Bid
Southern Magnolia	21	577.50	No Bid	No Bid	<u>336.00</u>
Willow Oak	123	<u>2205.00</u>	2706.00	No Bid	No Bid
Flowering Crabapple	20	600.00	600.00	<u>350.00</u>	500.00
Crape Myrtle	60	900.00	No Bid	No Bid	<u>837.00</u>
Callery Pear	20	<u>750.00</u>	No Bid	No Bid	No Bid
Flowering Dogwood	70	1050.00	<u>770.00</u>	No Bid	1000.00
Live Oak	12	<u>240.00</u>	540.00	No Bid	No Bid
<u>Shrubs</u>					
Cora Bell Azalea	31	<u>139.50</u>	201.50	No Bid	217.00
Pres. Clay Azalea	31	<u>139.50</u>	No Bid	No Bid	217.00
Del. Valley Azalea	31	<u>139.50</u>	201.50	No Bid	217.00
Hino-Crim. Azalea	31	139.50	201.50	<u>100.75</u>	217.00
Abelia	96	No Bid	624.00	<u>408.00</u>	No Bid
*Dwarf Gardenia	263	526.00	No Bid	No Bid	<u>1038.85</u>
Shore Juniper	81	<u>344.25</u>	No Bid	263.25	No Bid
Nandina (Dom)	162	<u>648.00</u>	No Bid	No Bid	No Bid
Holly (Rotun)	125	<u>1062.50</u>	1625.00	No Bid	No Bid
Photina	15	<u>112.50</u>	No Bid	No Bid	No Bid
Barberry	70	<u>420.00</u>	455.00	No Bid	No Bid
Holly (Stokes)	96	<u>960.00</u>	No Bid	No Bid	No Bid
Nandina (Nana)	183	<u>1464.00</u>	No Bid	No Bid	2003.85

Holly (Hetzi)	18	<u>153.00</u>	252.00	No Bid	No Bid
Holly (B-N)	11	<u>66.00</u>	121.00	No Bid	109.45
Holly (I-C)	12	<u>90.00</u>	117.00	No Bid	No Bid
Chin. Holly	4	No Bid	<u>80.00</u>	No Bid	No Bid
*Pink Camellia	12	90.00	No Bid	No Bid	<u>203.40</u>
Red Camellia	12	No Bid	No Bid	No Bid	<u>203.40</u>
Wax Myrtle	112	<u>840.00</u>	784.00	<u>476.00</u>	No Bid
Pyracantha	132	<u>594.00</u>	No Bid	No Bid	1973.40
Red Quince	25	No Bid	No Bid	No Bid	<u>98.75</u>
White Quince	25	No Bid	No Bid	No Bid	<u>98.75</u>
*Forsythia	50	<u>225.00</u>	239.50	87.50	675.00
*Andromeda	38	<u>285.00</u>	532.00	133.00	513.00
*Dwarf Chin Holly	42	<u>252.00</u>	430.50	178.50	417.95
*Holly (BURF)	7	45.50	98.00	No Bid	<u>94.50</u>
Peat Moss 6 C.F.	400	<u>4000.00</u>	5300.00	No Bid	4760.00

Underlined Bids are recommended for award of contract

* Indicates items for which low bid did not meet specifications.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bids underlined above, as follows: Taylors' Nursery Inc., in the amount of \$15,304.75; Gilmore Plant and Bulb Co., Inc., in the amount of \$5211.00; Apex Nurseries, Inc., in the amount of \$1334.75 and Dickinson Garden Center in the amount of \$2910.65.

This the 8th day of March, 1982.

A RESOLUTION AUTHORIZING THE MANAGER AND FINANCE OFFICER TO HANDLE TRANSACTIONS RELATING TO BONDS AND LETTERS OF CREDIT (82-R-49)

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

That the Town Manager and the Town Finance Officer, and their successors from time to time, are authorized to draw upon, draw down, call, or release, in whole or in part, on behalf of the Town of Chapel Hill any performance, fidelity or other surety bond or letter of credit running to the benefit of the Town and required by State laws or Town ordinances or regulations. Any surety or other bonding company, or bank or other financial institution, shall honor any such instructions regarding such bonds or letters of credit when in writing and signed by the Town Manager and the Town Finance Officer.

This the 8th day of March, 1982.

Resolution Granting a Permit for a Model Rocket Exhibition at the University Mall Parking Lot

Councilmember Straley expressed his concern that rockets were available in Chapel Hill stores and questioned if there were any restrictions for use of such rockets in Chapel Hill.

Mr. Denny responded that he could not recall any ordinance that prohibited the discharge of this type of rocket.

Councilmember Wallace concurred with concerns expressed by Councilmember Straley.

Councilmember Boulton suggested that this issue be delayed until more consideration could be given to its inherent dangers, being concerned that the rockets could come beyond the roped off area. Councilmember Straley stated that he also had concerns related to a previous Town incident that involved vehicular and pedestrian conflict.

Councilmember Howes asserted to Council that the request under consideration did not involve the sale of these rockets. Mayor Nassif stated that Council's concern was only for the actual roping off of the property for separation of pedestrians and vehicles.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION GRANTING A PERMIT FOR A MODEL ROCKET EXHIBITION AT THE UNIVERSITY MALL PARKING LOT (82-R-46)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby grants a permit for an outdoor exhibition of hobby rockets from 2 p.m. to 4 p.m. on April 4 as described in an application and attached information submitted by Billy Arthur, Inc. Said applicant shall comply with reasonable directives of the Town Police and/or Fire Departments as necessary to assure the protection of persons and property in the vicinity of the exhibition.

This the 8th day of March, 1982.



3-8-82 7/10
Rec'd 2/2/82

Town of Chapel Hill
Application for Permit for an Event in a Parking Lot
or Near a Public Street(s)

Proper safety measures and a permit from the Town of Chapel Hill are required for events including exhibitions, fairs, carnivals and other activities involving congregations of people in parking areas or near public streets. A copy of the Town ordinance concerning these events and additional information can be obtained by calling the Town at 929-1111 or writing to the Town Manager's Office at 306 N. Columbia Street, Chapel Hill, N.C. 27514. (A permit is also required for closing a public street.) The Town Council meets twice monthly.

Please help us by providing the information requested below. If you have any questions, please call the Town Manager's office at 929-1111.

Name of business or organization sponsoring event: _____

BILLY ARTHUR UNIVERSITY MALL CHAPEL HILL, N.C.

Address: _____ Phone: 942-5562

Person to contact: PHIL BARBER STORE MANAGER
Name and Title

General Description of Event: ESTES HOBBY ROCKET DEMONSTRATION

Duration of event (please list dates): APRIL 4TH

Daily Hours of Event: 2 PM TO 4 PM

Set Up and Clean Up Dates and Hours: APRIL 4TH SET UP 12 TO 2 PM CLEAN UP 4 PM TO 6 PM.

Please describe safety and other measures. Attach a sketch.

- Means to separate vehicular and pedestrian traffic.
AREA WILL BE ROPED OFF 100 FT SQUARE, UNIVERSITY MALL PARKING LOT NEXT TO BINKLEY BAPTIST CHURCH
- Measures to control and direct vehicular traffic on public or near private streets with qualified personnel.
MALL SECURITY WILL PROVIDE PERSONNEL
- Other Information.
ESTES ROCKETS ARE SAFE HOBBY MERCHANDISE, THIS PROMOTION HAS BEEN PRESENTED BY BILLY ARTHUR IN THE PAST ON AN ANNUAL SCHEDULE.

Billy Arthur, Inc.
University Mall
Chapel Hill, N.C. 27514

MODEL ROCKET DEMONSTRATION

General Information concerning the event.

Billy Arthur's Model Rocket Demonstration is an annual event held during the spring in the parking lot of University Mall. A drawing of the area is attached to this letter. A roped area is set up for the demonstration of ESTES brand rockets. A larger area surrounding the demonstration area is reserved for observers. This area will be separated from parking lot traffic by employee cars and Mall security.

Estes model rockets are made of plastic and cardboard. The hobby of rocketry consists of construction of the rocket from a kit, the decoration of the rocket, and the controlled flight of the rocket. The height that the rocket flies is dependent on the size engine used. The engines are designed for ages 10 and up. All propellant is used in the upward motion of the rocket during a period of a few seconds or less. The rocket which usually weighs only a few ounces returns to earth via a parachute. The length of the flight is usually 1,000 feet or less.

The total number of observers for this demonstration is expected to be less than 250. Model rocketry is a hobby for physicists, mathematicians, and space buffs. Hobby rocket contests are held in the United States with judging based on accuracy of flight and design criteria. Again this will be a demonstration and showing of model rockets, not a contest.

Two hours before the event and two hours after the event have been set aside for setup and clean up. The demonstration will last two hours or less as specified in the application.

Sincerely,



Phil Barber
store manager

TO: TOWN COUNCIL
TOWN OF CHAPEL HILL
NORTH CAROLINA 27514

RE: ROCKET DEMONSTRATION
APRIL 4

DEAR SIRs,

THE ATTACHED MAP SHOWS A LARGER REVISED LAUNCHING AREA AS WELL AS THE RECOVERY AREA.

THE ROCKETS THAT WILL BE USED WILL BE TESTED BY MYSELF AT LEAST ONE WEEK BEFORE THE SCHEDULED EVENT TO ASSURE THEIR STABILITY.

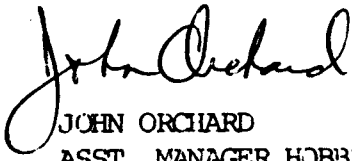
THE MOST POWERFUL ENGINE WE WILL BE USING IS THE D-12-7 WHICH IS WELL BELOW THE NFPA REQUIREMENT 3-1.5 .

ALSO ATTACHED IS A COMPLETE LIST OF ESTES ROCKET ENGINES WITH ALL DATA GIVEN ON EACH ONE THEY NOW MANUFACTURE.

WE WILL ONLY BE USING ROCKETS AND ENGINES MANUFACTURED BY ESTES FOR THE PURPOSE FOR WHICH THEY WERE DESIGNED SOLEY.

IF THE WEATHER IE. IS WINDY WE WILL USE ONLY LARGE ROCKETS WITH THE SMALLEST RECOMENDED ENGINE TO ASSURE EVERYONE'S SAFETY.

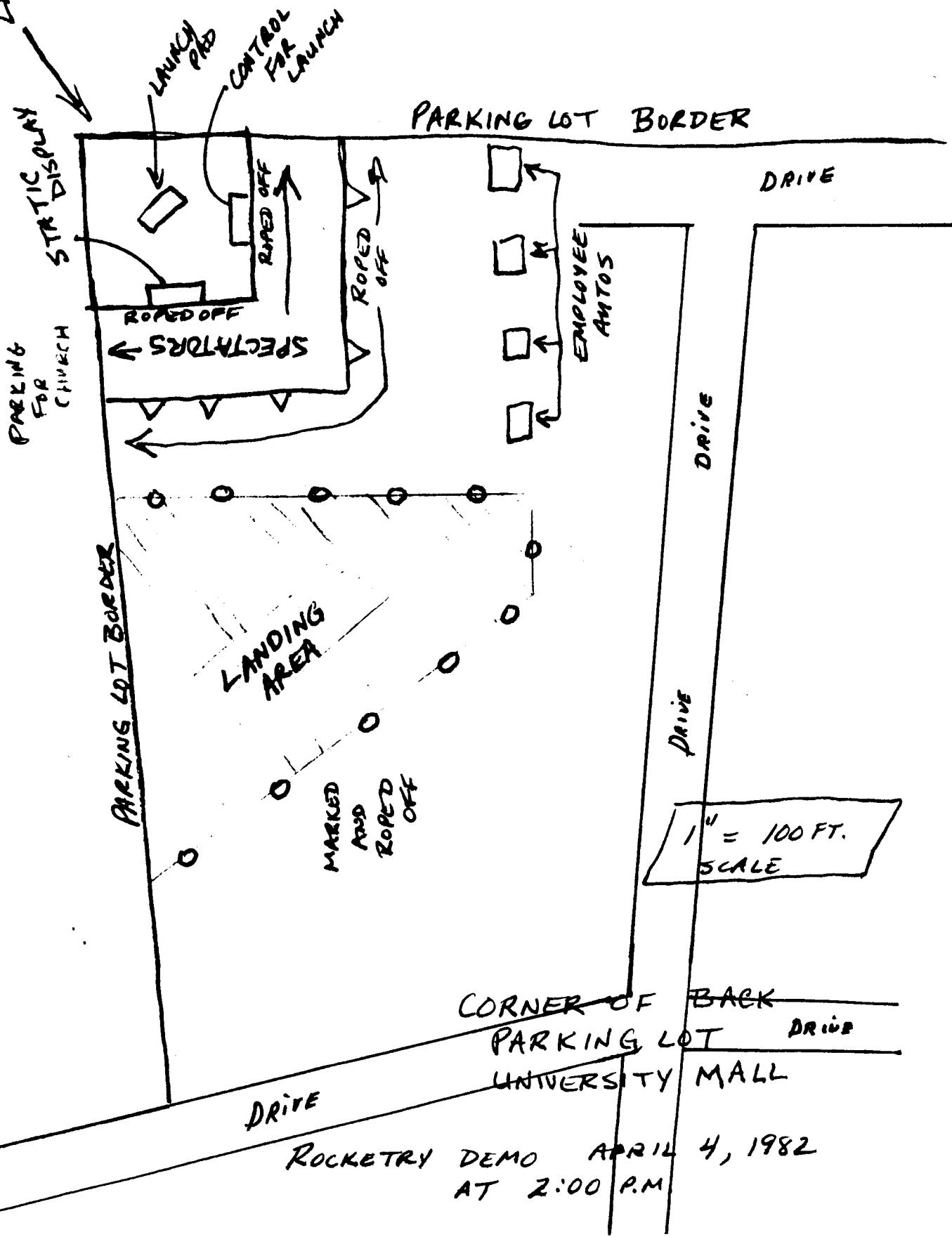
IF THE WEATHER IS RAIN WE WOULD LIKE APRIL 18 AS A SCHEDULED RAIN DATE. MANY THANKS FOR YOUR COOPERATION .



JOHN ORCHARD
ASST. MANAGER, HOBBY DEPT.
BILLY ARTHUR, INC.

LAUNCH AREA 125' SQ.

CHURCH



STATIC DISPLAY

LAUNCH PAD

CONTROL FOR LAUNCH

PARKING LOT BORDER

DRIVE

PARKING FOR CHURCH

PARKING LOT BORDER

ROPE OFF

ROPE OFF

ROPE OFF

SPECTATORS

EMPLOYEE AUTOS

DRIVE

LANDING AREA

MARKED AND ROPED OFF

1" = 100 FT. SCALE

CORNER OF BACK

PARKING LOT

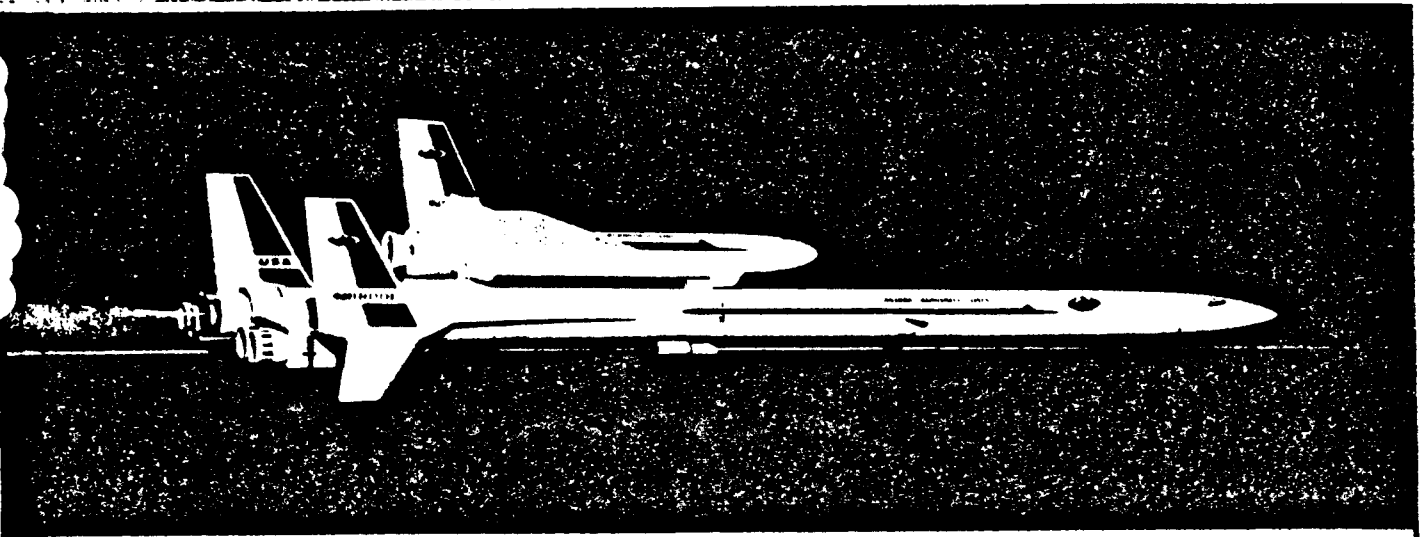
UNIVERSITY MALL

DRIVE

DRIVE

ROCKETRY DEMO APRIL 4, 1982 AT 2:00 P.M.

DRIVE



- Construction**—My model rockets will be made of lightweight materials such as paper, wood, plastic and rubber, without any metal as structural parts.
2. **Engines**—I will use only pre-loaded factory made model rocket engines in the manner recommended by the manufacturer. I will not change in any way nor attempt to reload these engines.
 3. **Recovery**—I will always use a recovery system in my model rockets that will return them safely to the ground so that they may be flown again.
 4. **Weight Limits**—My model rocket will weigh no more than 453 grams (16 ozs.) at liftoff, and the engines will contain no more than 113 grams (4 ozs.) of propellant.
 5. **Stability**—I will check the stability of my model rockets before their first flight, except when launching models of already proven stability.
 6. **Launching System**—The system I use to launch my model rockets must be remotely controlled and electrically operated, and will contain a switch that will return to "off" when released. I will remain at least 10 feet away from any rocket that is being launched.
 7. **Launch Safety**—I will not let anyone approach a model rocket on a launcher until I have made sure that either the safety interlock key has been removed or the battery has been disconnected from my launcher.
 4. **Flying Conditions**—I will not launch my model rocket in high winds, near buildings, power lines, tall trees, low flying aircraft, or under any conditions which might be dangerous to people or property.
 11. **Launch Area**—My model rockets will always be launched from a cleared area, free of any easy to burn materials, and I will only use non-flammable recovery wadding in my rockets.
 12. **Jet Deflector**—My launcher will have a jet deflector device to prevent the engine exhaust from hitting the ground directly.
 13. **Launch Rod**—To prevent accidental eye injury I will always place the launcher so the end of the rod is above eye level or cap the end of the rod with my hand when approaching it. I will never place my head or body over the launching rod. When my launcher is not in use I will always store it so that the launch rod is not in an upright position.
 12. **Power Lines**—I will never attempt to recover my rocket from a power line or other dangerous places.
 13. **Launch Targets & Angle**—I will not launch rockets so their flight path will carry them against targets on the ground, and will never use an explosive warhead nor a payload that is intended to be flammable. My launching device will always be pointed within 30 degrees of vertical.
 11. **Pre-Launch Test**—When conducting research activities with unproven designs or methods, I will, when possible, determine their reliability through pre-launch tests. I will conduct launchings of unproven designs in complete isolation from persons not participating in the actual launching.

Revised 2/4/70

This Solid Propellant Model Rocketry Safety Code is Approved by The National Association of Rocketry and the Hobby Industry Association of America.

3-22-73

John Oueland Hobby Dept.
for Billy Oueland Hobby Dept.
Hobby Dept.
for Billy Oueland

Technical Note

TN-1



A SUBSIDIARY OF DAMON

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MODEL ROCKET ENGINES

ENGINE TYPES AND CLASSIFICATION

All engines sold by Estes Industries are stamped with a code designation which, when understood, will give the rocketeer important and useful data on the engine's performance capabilities. Here's how to read this coding: (refer to engine illustration).

ENGINE CODING FOR QUICK-N-EASY IDENTIFICATION

1. Label color indicates recommended use of the engine.
 - a. GREEN Single Stage Rockets
 - b. PURPLE & BLUE-Top stage and multi-stage rockets
 - c. RED-Booster and intermediate stages of multi-stage models
2. Code designation stamped on the engine gives useful and important information on its performance capabilities.
 - a. This portion indicates total impulse or total power produced by the engine.
 - b. This portion shows the engine's average thrust in newtons and helps you choose the right engine for your rocket's flight.
 - c. This number gives you the delay in seconds between burnout and ejection charge. Lets you choose the engine with the delay time you want for any flight.

Igniters and complete instructions are included with Estes engines.

TOTAL IMPULSE CLASSIFICATION

Code	Pound-Seconds	Newton-Seconds
¼A	0.00-0.14	0.00-0.625
½A	0.14-0.28	0.625-1.25
A	0.28-0.56	1.25-2.50
B	0.56-1.12	2.50-5.00
C	1.12-2.24	5.00-10.00
D	2.24-5.00	10.00-20.00

HOW HIGH WILL YOUR MODEL GO? The chart below shows the approximate altitudes that can be achieved with single stage rockets.

Engine Size	Altitude Range (depending on rocket size and weight)	Approximate Altitude in a typical 1 oz. model
1/4A3-2	50' to 250'	100'
1/2A6-2	100' to 400'	190'
A8-3	200' to 650'	450'
B6-4	300' to 1000'	750'
C6-5	350' to 1500'	1000'

(Some high performance models will reach higher altitudes than shown above.)

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

SECTION I

That a new Article be added to Chapter 11 of the Code of Ordinances as follows:

Article IX. Temporary Outdoor Activities in or near parking lots or public streets.

Sec. 11.91. Intent

The intent of this Article is to protect the health, safety, welfare of drivers, pedestrians and other persons participating in or in the vicinity of outdoor activities in or near parking lots or public streets.

Sec. 11-92. Definition

"Temporary Outdoor Activities", shall be construed as including outdoor displays, exhibitions, carnivals, fairs, sales and similar activities which are likely to cause congregations of persons walking or standing near areas of vehicular traffic and parking; but excluding street fairs and similar events for which the closing of a street(s) to vehicular traffic is approved by the Council pursuant to Sec. 21-7.1 of the Code of Ordinances and certain displays of merchandise which may be permitted by the Chapel Hill Zoning Ordinance.

Sec. 11-93. Approval by Town Required.

A temporary outdoor activity as defined in this Article shall be prohibited unless a permit for said activity is approved by resolution of the Council.

Sec. 11-94. Conditions and Criteria for Approval of Permit.

A temporary outdoor activity as defined by this Article may be approved upon a determination of compliance including but not limited to the following standards and conditions:

- (a) The sponsor of the activity shall undertake such measures as the Council deems necessary to protect the safety of persons attending or otherwise in proximity to the activity. As a condition of approval, the Council may require the applicant to submit a plan acceptable to the Town Manager or his designee which provides for traffic control and pedestrian safety, including means for the separation of vehicular and pedestrian traffic as deemed necessary by the Manager. The Manager may further require the applicant to employ qualified personnel to direct traffic on public or near private streets or parking areas used for such activity.
- (b) The activity shall not substantially impair the efficient flow of traffic on public streets or otherwise significantly affect the public health, safety or welfare.
- (c) The activity shall be compatible with surrounding uses and property in regard to noise, the general intensity of activity, appearance and the hours of operation. The Council may restrict the duration of the activity, and its hours of operation as a condition of a permit.

SECTION II

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

This the 8th day of June, 1981.

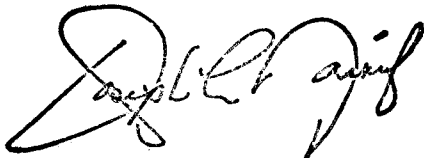
THE MOTION CARRIED UNANIMOUSLY.

Resolution Certifying Valuation as Required by HUD Handbook 1376.1 (24 CFR 42.111)

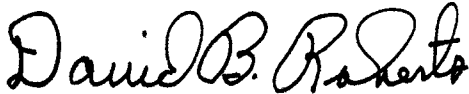
Councilmember Howes expressed concern that the documentation for this item had not reached Council in sufficient time for their consideration. Therefore, COUNCILMEMBER HOWES MOVED THAT THIS ITEM BE DEFERRED FOR CONSIDERATION BY COUNCIL AT ITS NEXT REGULAR MEETING. Mayor Nassif stated that, as there were no objections, this would be granted.

As there was no other business to come before the Council, COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO ADJOURN TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING LITIGATION.

The regular meeting of the Council adjourned at 9:00 P.M.



Joseph L. Nassif, Mayor



David B. Roberts, Clerk