

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, MAY 23, 1983, 7:30 P.M.

Mayor Joseph L. Nassif called the meeting to order. Councilmembers present were:

Marilyn Boulton
Winston Broadfoot
R. D. Smith
Joseph Straley
James Wallace

Councilmembers Howes, Kawalec, and Pasquini were absent, excused. Also present were Town Manager, David R. Taylor; Assistant Town Manager, Sonna Loewenthal; and Town Attorney, Grainger Barrett.

Certificates of Appointment

Mayor Nassif presented a Certificate of Appointment to Mr. Johnnie Leon Peace, Sr., member of the Board of Adjustment, and expressed appreciation to Mr. Peace for his willingness to serve the Town in this capacity. Mr. Peace was introduced to the Council.

Finley Forest--Continuation of a Public Hearing for a Request for a Planned Development-Housing Special Use Permit

This public hearing was a continuation of the request presented at the May 16, 1983, public hearing. Mr. David B. Roberts, Town Clerk, issued the oath for those wishing to speak at this public hearing who had not been sworn during the May 16 public hearing.

Mr. D. St. Pierre Du Bose, Jr., represented his parents, Mr. and Mrs. D. St. Pierre Du Bose, Sr., in opposition to the Special Use Request by Urban Associates to build 375 living units on approximately 38 acres on the western margin of Barbee Chapel Road in Durham County and extending to the Finley Golf Course. Mr. Du Bose stated that his parents had not received notification of the public hearing until one week before the meeting, and were, therefore, not able to attend the public information session held by the Planning Board.

Mr. Du Bose asked that the Council to deny the request for a Special Use Permit. He asserted that the applicant had not proven that he had met the four Findings of Fact as set forth in the Development Ordinance. He requested that Council consider a delay in their decision and refer the request back to the Planning Board.

He felt that

1. The development of 375 living units would not provide a more desirable environment. "More people, more cars, more garbage, and more noise all contribute negatively to a more desirable environment."
2. That "efficient use of land did not mean high density." According to the Land Use Plan, efficient use "tries to protect the entranceway to Chapel Hill, in this case."
3. Any of the proposed improvements for this project would "not improve any level of amenities for the neighborhood."
3. Three hundred seventy-five (375) units were "not compatible with the surrounding open areas of the golf course and the carefully landscaped areas abutting N.C. 54."
4. The Council should deny the request. The applicant had failed to prove at least three of the Findings of Fact, required by the Development Ordinance.

Re the Four Findings of Fact required by the Development Ordinance, Mr. Du Bose stated that:

1. The development would not maintain or promote public health, safety, or general welfare due to increased traffic hazards. The cost to the Town would be over the projected tax revenue.
2. The proposed use of the development would not comply with all rules and regulations of the Town. He felt that the density and location of the proposed development did not consider adjacent properties and impact on their future use.
3. The applicant had not proven that the proposed use would maintain or enhance the value of contiguous property. Mr. Tom Heffner would address this issue.
4. The applicant had failed to prove that use of the development would conform to the Comprehensive Land Use Plan.

Mr. Du Bose expressed his concern that if the development were approved, other lands in Durham County along N.C. 54 would become strip commercial; Chapel Hill would then have no control over desecration of this entranceway into Chapel Hill.

Mr. Tom Heffner, a real estate broker in Chapel Hill, addressed the Council re his opinion that the proposed use of this development would not enhance the value of adjacent properties. He stated that one of the major concerns addressed in a real estate appraisal was the actual environment of a piece of property. He stated that this portion of N.C. 54 was a prime entranceway into Chapel Hill, which ran through the Du Bose property. The owners had "...very carefully over the years maintained that property in a very beautiful agricultural setting...." He asserted that "the development of this density of units adjacent to the agricultural setting does not improve or maintain the value of that property as it is currently used."

Mr. Heffner also asserted that "development of the Finley Forest unit would only tend to increase development...it is likely to assume that we could see some strip commercial development taking place in that area that could hurt this very prime entranceway...and...would have a negative and detrimental impact on property values...."

Mr. Larry Goldrich, sponsor for Finley Forest, stated that the property was not located on N.C. 54, but was 700-800 feet south of the highway. The proposed development would in no way affect the view along this entranceway into Chapel Hill; that was not the intent of the developers. In addition, Mr. Goldrich asserted that the property was currently zoned R-4 and he felt that there was very little likelihood that commercial zoning would ever be approved. He did not agree with Mr. Heffner re the "high density" of the proposed development...the proposed density was approximately 8 units per acre which, he asserted was not high density. He concluded that the proposed development would provide affordable, quality housing for a growing community.

Mr. Joe Hakan, engineer and architect for the proposed development, felt that the four Findings had been addressed adequately: the proposed development would meet all standards required in the Development Ordinance and Comprehensive Plan (buffer, traffic control, density, etc.). In addition, it had been determined that provisions of Town services would not be a detriment to the Town.

There were no questions from the Council.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Manager's Recommended Budget, 1983-84;
Capital Improvements Program, 1983-88--Public Hearing

Mr. Taylor gave a brief overview of the Manager's Recommended Budget, as had been presented to the Council on May 9, 1983 (please refer to the Council Minutes of May 9, 1983, and the Manager's Recommended Budget on file in the Clerk's Office).

Mr. Taylor informed the Council that the Manager's Recommended Budget had shown a proposed tax rate of $63\frac{1}{2}\%$, based on the property evaluation of \$786,900,000. This did not include the \$11 million to \$12 million of assessed valuation expected to be added to the books due to the recent court decision on the Carol Woods case. This figure would be included in the final budget to be presented to the Council.

Detailed comments on General Revenue Sharing Funds would be presented later at the public hearing scheduled during this meeting.

During a recent Council work session, the Council had concluded that the Library should resume Sunday evening services.

Information re bus fare and pass prices would be forthcoming during the public hearing on proposed transit services scheduled later during this meeting.

Ms. Chris Carlson, an E-Z Rider Driver for the Town of Chapel Hill, stated that the Manager's recommendation in the budget was to add a part-time Bus Driver II position. She felt that a full-time position was needed to maintain the necessary level of service. When extra personnel were not available, the passengers were left waiting. Ms. Carlson also stated that a full-time driver would allow other full-time personnel to apply.

Mr. Ted Johnson, representing the Chapel Hill/Carrboro Federation for Progress, felt that it was essential to have a full-time Director of Human Services to research alternate funding measures to help meet human service needs in Chapel Hill. He asked that the Council not cut funds to those who would be hurt most by the tight times faced by everyone.

Ms. Eleanor Stanley, a senior citizen in Chapel Hill, presented a petition to the Council (please refer to files in the Clerk's Office) which addressed the disproportionate (proposed) increase in swimming pool charges for senior citizens as compared to other citizens:

She presented the following data:

- Year-Round Pool Prices: 20% (children, teens, families); 11% (adults); 44% (senior citizens).
- Winter Pool Passes: 31% (children); 33% (teens); 34% (adults); 38% (families); 60% (senior citizens).
- Summer Pool Passes: 15% (children); 20% (teens); 18% (adults); 19% (families); 44% (senior citizens).

Councilmember Smith asked if there was any documentation for recent references to "homeless people" in Chapel Hill. Mr. Ted Johnson responded that he had recently read in The Chapel Hill Newspaper that there were approximately 15 homeless persons in Chapel Hill. The Inter-Church Council had recently estimated about 30 or 40 homeless persons.

Councilmember Smith asked the Manager to supply the following information:

- "How many people were not given increases in their salaries as a result of the reclassification."
- "How many people do we have who are at the top of their pay scale and did not get an increase in salary."
- "What would it cost the Town to give them a 5% increase in salary."

Mr. Taylor responded that he would compile this information for the Council.

Councilmember Broadfoot asked Mr. Johnson to supply the names of organizations affiliated with the Federation for Progress. Mr. Johnson responded that there were no formal affiliations or endorsements with any groups, but he would be glad to supply any information.

Councilmember Broadfoot asked Ms. Chris Carlson if she had had "an opportunity, through channels, to present the viewpoint that you presented to us." Ms. Carlson stated that she did not know of channels and that this seemed to be the only way. Councilmember Broadfoot stated that he "would not deny that rostrum to anybody..." but informed Ms. Carlson that he objected to her addressing this concern to the Council without first following channels.

Mayor Nassif asserted to Ms. Carlson that "it does not bother me" if she wished to express concerns to the Council.

Mr. Taylor responded to Councilmember Straley that a full-time E-Z Rider position would not be recommended unless there was a need. Cut-backs could affect either full-time or part-time positions, but part-time positions were less secure. E-Z Rider services, however, were not affected by seasonal changes to the extent that regular transit services were.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Proposed Transit Services and Fare and Pass Prices for 1983-84--Public Hearing

Mr. Bob Godding, Transportation Director, stated that this public hearing would permit citizens to address concerns re funding of transportation projects, proposed transportation service levels, and proposed transportation fare levels.

The Transportation Department would seek funds for (1) operating assistance, (2) planning, and (3) capital assistance.

Operating Assistance. A request for \$684,585 for operating assistance was proposed (50% of the net cost of service projected for FY 1983-84).

No changes in current fare levels for transportation services was proposed. No significant changes were anticipated in service levels for the next year.

Planning and Capital Assistance. Approximately \$130,000 would be requested for planning and capital assistance (\$104,000 would be federal funds).

Plans were to make public transportation projects meet federal requirements for certification and comprehensive planning.

Funds would be requested to replace four vehicles and to provide operating assistance and shop equipment for the garage.

Mr. Don Thompson, member of the Transportation Board, stated that the Transportation Board recommended the following fare increases:

--Adult, peak fare--60¢

--Adult, off-peak fare--50¢

--Youth/senior, peak fare--25¢

--Youth/senior, off-peak fare--25¢

--Pass fares: \$148.50 (12-month)
121.50 (9-month)
87.75 (6-month)
50.75 (3-month)
20.50 (40-ride pass)

The Transportation Board had recommended these increases because the cost/revenue cost ratio of the Chapel Hill transit system was almost the lowest in the state. Chapel Hill's cost/revenue ratio was 34% (i.e., the Town received 34¢ in revenue for every dollar of operating expenses). Mr. Godding felt that the figure should be around 28¢ or 29¢. The state average was 37%. The Transportation Board felt that a fare increase was necessary because the riders were being subsidized too heavily by the Town of Chapel Hill, by Carrboro, by UNC, and by the federal government. Should any of the subsidizing partners reduce their contribution, the burden would fall on the tax payers of Chapel Hill. It would be fiscally irresponsible not to address this matter.

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Mr. Jerry Cohen, a citizen, stated that he was a strong supporter of the transit system. He had supported fare/pass increases in the past as he felt that increases were better alternatives than cutting services. He felt that the Manager's recommendation was adequate and that the increase proposed by the Transportation Board was too much. He felt that another source of revenue would be to increase car sticker fees. This could be used to subsidize public transit, shifting the burden from the tax payer to the automobile user.

Mr. Albert Wurth, a 5-year resident of Chapel Hill and a regular bus rider, was informed by Mr. Taylor that the 14% revenues collected from transit service charges did not include user-provided revenues from the UNC contract.

Mr. Godding explained to Mr. Wurth that the number of trips necessary for a student to "break even," based on a 40% discount, was approximately 6 trips per week for 45 weeks a year. Mr. Godding felt that a more realistic level would be approximately 4 to 5 trips. Mr. Wurth felt that a "per trip basis fare discouraged riders."

Mr. Wurth also expressed concern that after having bought a pass in 1982, the schedule changed, leaving him unable to use the pass he had purchased. Mr. Godding explained that significant changes had been made in August of 1982 that improved efficiency and effectiveness.

Mr. Don Misch, a bus rider in Chapel Hill, felt that an incentive should be offered to encourage citizens to use the bus. One incentive might be in the form of a long-term bus pass. The goal should be to increase public transportation use and decrease individual drivership, reducing environmental impact.

Councilmember Smith was informed by Mr. Taylor that bus drivers were currently laid off until approximately the middle of August (unless some of the current drivers quit, and some laid-off drivers were called back).

Mr. Godding explained to Councilmember Smith that replacement of the following vehicles was planned: a 1975 pick-up truck, which had approximately 90,000 miles on it; a 1975 sedan which had about 120,000 miles on it; the mileage on another sedan was not known (it had been received second-hand from the Police Department); the mileage was also not certain on a fourth sedan that was used as a back-up for E-Z Rider services.

Councilmember Broadfoot asked Mr. Taylor to explain how it could be made clearer to Town employees that there was a process by which concerns could be expressed.

Mr. Taylor responded that he would hope that all Town employees would feel that the Town had open lines of communication that encouraged employees to address concerns to their supervisors. The grievance procedure was another channel that employees could use.

Mr. Misch expressed objection to the way in which Councilmember Broadfoot addressed his concerns re statements made by employees or other citizens at a public hearing.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

General Revenue Sharing Funds--Public Hearing

Mr. Jim Baker, Finance Director, stated that it was assumed that General Revenue Sharing (GRS) Funds would be renewed before September 30, 1983. If renewed, the Town expected to receive (including interest earnings) \$618,901 in GRS Funds for FY 1983-84. Combined with \$70,000 Fund Balance (proposed to be appropriated from the Revenue Sharing Funds), the Town proposed to use \$559,901 for General Fund Operations to pay Debt Service. The remaining \$129,000 was proposed to be transferred to a Capital Reserve Fund for future capital improvement needs (this transfer would serve as the first step toward reducing General Fund dependence on Revenue Sharing Funds for basic operation).

If GRS Funds were not extended beyond September 30, 1983, the Town would receive \$289,901 in GRS Funds. Combined with the \$70,000 available from Fund Balance, the total would be \$359,901 to be used for Debt Service payment. Expenditures of \$200,000 proposed in the Manager's 1983-84 Recommended Budget (and identified as possible eliminations) would be eliminated from the General Fund.

The Town would expect to receive approximately \$75,000 in additional revenue as a result of the recent court decision involving the Carol Woods Retirement Center which placed the Center on the 1983-84 tax roles. This would be divided between the General Fund and the Transportation Fund. In this event, it was recommended that \$129,000 of Revenue Sharing money designated for future Capital Reserve Fund be increased by \$70,000 (totaling \$200,000).

If GRS Funds were not renewed, the \$70,000 would be transferred to the Capital Reserve Fund, to reduce dependency on GRS for basic operation.

No citizens spoke during this public hearing re Revenue Sharing Funds.

Councilmember Smith referenced a letter from the Office of the Treasurer addressed to the Mayor. He asked for an explanation. Mr. Taylor explained that the GRS program was coming to a close under the current authorization and the offices were balancing books on allocations to various cities. The letter was notification from their offices telling us of the effect the final calculations would have on our budget. Mr. Baker explained that in the final analysis, the Town could expect to receive \$10,974 less than the figures he had just relayed for 1983-84 would be. Mr. Taylor stated that this would affect 1982-83 allocations, but informed the Council that the figures could be worked out.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER STRALEY, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Mayor Nassif declared the public hearing closed.

Petitions

There were no petitions from the Manager.

The Council had no objections to Mr. Watts Hill, Jr.'s request to speak on Agenda Item #10 (re Town Center Parking Study).

Mr. Albert Wurth was also granted permission to speak on Agenda Item #10.

Minutes (April 11, 1983; May 9, 1983)

COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER BOULTON, ADOPTION OF THE MINUTES OF APRIL 11, 1983, AS CORRECTED. THE MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER STRALEY MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO APPROVE THE MINUTES OF MAY 9, 1983, AS CORRECTED. THE MOTION CARRIED UNANIMOUSLY.

Legislative Matters

Mayor Nassif informed the Council that he had received a letter from State Representative Anne Barnes which addressed concerns re the recent request for a local bill on recording proposed street lines and related notification to the Town before private improvements could be made. He had talked to Mr. Taylor and it was felt that this matter should be brought before the Council for discussion of a detailed response to concerns expressed by Representatives Barnes and Hackney.

Mayor Nassif further explained that Chapel Hill's proposed Thoroughfare Plan extended beyond the limits of the Chapel Hill extraterritorial jurisdiction (i.e., Carrboro, Durham County, and possibly Chatham County). A concern was that other jurisdictions should be notified of any intent to go beyond these limits so that affected citizens would be afforded the opportunity to express their concerns at a public hearing.

Mayor Nassif explained that if the request for authority involved only our own jurisdiction, the problem would not be as great. However, if a development in an adjacent county were approved and if that development lay in the path of the proposed Chapel Hill Thoroughfare, Chapel Hill could take the land (through this bill) with whatever improvements were on the property; it was this line of thought that did not meet with approval from Ms. Barnes and Mr. Hackney.

Mayor Nassif felt that this proposed bill would not be acceptable until adjacent counties had been notified and the property had been platted. He stated that it was not possible to plat the property until the Thoroughfare Plan had been approved, which added to the problem. It was this concern that the Council needed to address.

Mr. Taylor added that when this proposed bill came under consideration it was thought that the Thoroughfare Plan would have been adopted by this time. He stated that his recommendation to the Council would be to ask the Legislature to hold this request until after the Thoroughfare Plan was adopted. Then it would be clearer how to address these concerns at a later date.

Councilmember Wallace suggested that the Manager communicate this proposed bill to the adjacent county jurisdictions. This might generate approval which could expedite later considerations. Councilmember Smith concurred.

Councilmember Boulton suggested that the bill be tabled until the Thoroughfare Plan was passed.

Mr. Taylor explained that the bill had been introduced in the Local Government Committee of the House and would remain there until action was taken. At the end of the session, if at least one House had not passed the bill, the bill would "die" and the process would begin again. Currently, it would stay in the committee until Representatives Barnes or Hackney gave an OK for further consideration.

COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER BOULTON, THAT THE COUNCIL DIRECT THE MANAGER TO COMMUNICATE WITH ADJACENT COUNTIES AND RETURN A RECOMMENDATION FOR A RESPONSE TO THE COUNCIL. Councilmember Wallace clarified that the Manager should contact the elected officials of Durham, Chatham, and Carrboro, and appointed officials of the Highway Commission in each county.

Resolution Approving a Memorandum of Understanding for Transportation Planning in the Durham Urbanized Area

Mayor Nassif informed the Council that a draft of this resolution had been sent to the Council on April 18, 1983. Orange County and the Town of Carrboro had approved the resolution.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO APPROVE THE FOLLOWING RESOLUTION:

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING FOR TRANSPORTATION PLANNING IN THE DURHAM URBANIZED AREA (83-R-73)

WHEREAS, it is recognized that the proper movement of travel within and through the Durham-Chapel Hill-Carrboro Urban Area is a highly desirable element of a comprehensive plan for the orderly growth and development of the area; and

WHEREAS, there are a number of governmental jurisdictions within the Durham-Chapel Hill-Carrboro Urban Area which have been authorized implementation and regulatory responsibilities for transportation by North Carolina General Statutes; and

WHEREAS, it is desirable that a coordinated, comprehensive, and cooperative transportation planning process be maintained in the Durham-Chapel Hill-Carrboro Urban Area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety, and welfare; and

WHEREAS, a Memorandum of Understanding between the City of Durham, Town of Chapel Hill, Town of Carrboro, the County of Durham, the County of Orange, and North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive, and cooperative transportation planning process;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Memorandum of Understanding between the City of Durham, Town of Chapel Hill, Town of Carrboro, the County of Durham, the County of Orange, and North Carolina Department of Transportation, agreement number 2-22-83, be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

This the 23rd day of May, 1983.

Mayor Nassif informed Councilmember Straley that 4 of the 7 governmental bodies would constitute a quorum.

THE MOTION CARRIED UNANIMOUSLY.

Town Center Parking Study

Mr. Jennings explained that the transportation planning strategy was to encourage walking or ride-sharing or use of buses and bikes. It was felt that parking fees for Town Center parking lots encouraged short-term parking. Mr. Jennings reviewed measures that the Town had taken since 1967 to address the growing concern that loss of retail businesses in the Town Center area could result in a loss of vitality in the downtown area.

It had been four years since a study addressing parking needs in the Town Center had been conducted. Results of the study were similar to past studies, but showed a gradual worsening of the problems.

Excessive parking demands were primarily east of Church Street. The Study recommended a 440-space deck on Parking Lot #1. For short-term parking, a 120-space surface lot on West Rosemary was recommended, as well as use of more peripheral park/ride lots. Recommendations for additional parking in the western part of the Town Center would be made as demand warranted.

In order for parking facilities to be self-supporting, parking rates should be revised to meet bond payment demands. The possibility of joint public/private ventures and the possibility of using federal funds for public improvements had also been considered.

A work session between the Council and the Chapel Hill Downtown Association and the Chamber of Commerce was proposed.

Staff recommended a change in parking fees regardless of the Council's decision re a parking deck.

Mr. Watts Hill, Jr., speaking for the Chamber of Commerce and for the Downtown Association, commended the Study. He felt that the Manager's recommendations were in keeping with the Chamber's and the Downtown Association's views. Specific comments and suggestions would be made at the Council's work session.

Mr. Albert Wurth, a citizen, felt that students took up a lot of the parking spaces and suggested that parking rates vary according to class schedules. He also suggested that since parking overload occurred between 10 A.M. and 2 P.M., a commuter bus might be used to bring persons into the downtown area for lunch. This would be less expensive than a parking deck. Mr. Wurth also felt that a "self-sufficient" lot should include the potential earnings that could be realized if the property were used for commercial development instead of a parking lot, but Councilmember Smith informed him that the property was Town-owned land. The proposed deck would be over the current lot.

Councilmember Smith asked if parking fees would need to be revised if bids went to a private developer, or if the developer would set the parking fees.

Mr. Taylor responded that the management's recommendation was to increase the fees beginning July 1, according to the fee structure outlined in the Parking Study. If proposals were received from private developers, fees would have to be re-analyzed to conform with the developer's proposal. It would probably be around two years before a deck would be completed.

Councilmember Broadfoot felt that private developers should not present proposals for a structure over three stories high without serious consideration by the Council.

Mr. Taylor stated that any proposals would have to comply with the current Development Ordinance. The current maximum height was 90 feet.

Councilmember Wallace stated that a previous proposal that had received serious consideration was for a four-story parking deck of 440 spaces and that any structure exceeding this height should be carefully considered.

The Council scheduled a work session on the Parking Study for June 28, 1983.

Resolution Authorizing the Town Manager to Execute Revised Community Development Contracts for Year II and Year III Small Cities Grants

Mr. Taylor explained to Councilmember Broadfoot that the Town had contracted with the Housing Authority to do certain work. That work had been completed, but the work had cost more to complete than the original estimated contract had called for. HUD had authorized payment to the Housing Authority out of Community Development funds.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE REVISED COMMUNITY DEVELOPMENT CONTRACTS FOR YEAR II AND YEAR III SMALL CITIES GRANTS (83-R-74)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to execute revised contracts with the Chapel Hill Housing Authority for implementation of Year II (1980-81) and Year III (1981-82) Small Cities grant activities for the following amounts:

<u>1980-81</u>			
<u>Activity</u>	<u>Contract Amount</u>	<u>Increase (Decrease)</u>	<u>Total Revised Contract</u>
Acquisition	\$11,165	\$5,185	\$16,350
Relocation	11,165	7,470	3,695
Rehabilitation	63,620	12,165	75,785
Administration	<u>25,850</u>	<u>4,000</u>	<u>29,850</u>
TOTAL	\$111,800	\$13,880	\$125,680

		<u>1981-82</u>	
Acquisition	13,000	2,905	15,905
Relocation	2,300	2,015	4,315
Rehabilitation	56,050	2,550	58,600
Administration	<u>21,750</u>	<u>14,670</u>	<u>36,420</u>
TOTAL	\$93,100	\$22,140	\$115,240

This the 23rd day of May, 1983.

THE MOTION CARRIED 5 TO 1 WITH COUNCILMEMBERS BOULTON, SMITH, STRALEY, WALLACE, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBER BROADFOOT OPPOSING.

Ordinance to Amend the "Community Development Small Cities Program Ordinance"

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER STRALEY, ADOPTION OF THE FOLLOWING ORDINANCE:

AN ORDINANCE TO AMEND THE "COMMUNITY DEVELOPMENT SMALL CITIES PROGRAM ORDINANCE" (83-O-29)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Project Ordinance entitled "Community Development Small Cities Program Project Ordinance" as duly adopted on February 11 and October 13, 1980, and October 12, 1981, be and the same is hereby amended as follows:

Section 4. Reflect the following increases and decreases in appropriations to activities:

<u>Activity</u>	<u>Year 1,2,3 Current Project</u>	<u>Increase</u>	<u>Decrease</u>	<u>Year 1,2,3 Revised Project</u>	<u>Year 3 Revised</u>
Acquisition of Real Property	\$416,064			\$416,064	\$196,480
Disposition of Real Property	5,600			5,600	3,900
Public Facilities and Improvements	512,162			512,162	64,850
Clearance Activities	30,167			30,167	17,270
Relocation Payments and Assistance	163,857			163,857	22,185
Rehabilitation and Preservation	773,227		14,670	758,557	314,500
General Administration	191,728	14,670		206,398	78,165
Non-Departmental	<u>10,695</u>			<u>10,695</u>	<u>2,650</u>
TOTAL	\$2,103,500	\$14,670	\$14,670	\$2,103,500	\$700,000

This the 23rd day of May, 1983.

THE MOTION CARRIED 5 TO 1 WITH COUNCILMEMBERS BOULTON, SMITH, STRALEY, WALLACE, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBER BROADFOOT OPPOSING.

Since the motion carried by only 5 affirmative votes, and an affirmative vote of 6 was necessary to pass the ordinance, a second reading of this ordinance would be required.

Consent Agenda

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

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS (83-R-75)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the following resolutions submitted by the Manager in regard to the following:

- a. A resolution calling a Public Hearing on June 20 on a petition to annex the Maddry property near N.C. 86 and Weaver Dairy Road (83-R-76).
- b. A resolution authorizing an application to the Governor's Highway Safety Program (to continue DUI Enforcement Program)(83-R-77).

This the 23rd day of May, 1983.

THE MOTION CARRIED UNANIMOUSLY.

Resolutions Adopted on the Consent Agenda

The following resolutions were adopted on the Consent Agenda:

A RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED (83-R-76)

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made;

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

SECTION I

That a public hearing on the question of annexation of the area described herein will be held in the Meeting Room of the Chapel Hill Municipal Building, 306 N. Columbia Street, Chapel Hill, N. C., at 7:30 p.m. on the 20th day of June, 1983.

SECTION II

Tract 1

BEGINNING at the northern right-of-way of Butternut Drive adjacent to the Dedicated Open Space for Timberlyne Subdivision, Phase II, Section 2, running in a westerly direction along the southern property line of the Maddry Property (tax map description 24-25B) approximately 860 feet to a point, running thence in a northerly direction approximately 650 feet to a point on the southern boundary line of Timberlyne Village Subdivision, Phase II, running thence with the southern boundary line of Timberlyne Village Subdivision, Phase II in an easterly direction approximately 1150 feet to a point, running thence in a southerly direction fifty feet west and parallel to the common Maddry/Timberlyne Subdivision Phase II, Section 2 boundary line approximately 850 feet to a point, running thence in a westerly direction fifty feet north and parallel to the northern right-of-way of Butternut Drive approximately 460 feet to a point, running thence in a southerly direction fifty feet to the northern right-of-way of Butternut Drive and the POINT OF

BEGINNING encompassing approximately 22 acres.

Tract 2

BEGINNING at the northern right-of-way of Butternut Drive adjacent to the Dedicated Open Space for Timberlyne Village Subdivision, Phase II, Section 2, running in a northerly direction fifty feet to a point, running thence in an easterly direction fifty feet north and parallel to the northern right-of-way of Butternut Drive approximately 460 feet to a point, running thence in a northerly direction approximately 850 feet to a point on the southern boundary of Timberlyne Village Subdivision, Phase II, running thence in an easterly direction fifty feet to a point that is the northeast corner of the Maddry Property, running thence along the eastern boundary line of the Maddry Property approximately 900 feet to a point that is the southeast corner of the Maddry Property and is on the northern right-of-way of Butternut Drive, running thence in a westerly direction along the northern right-of-way of Butternut Drive approximately 510 feet to the point of BEGINNING encompassing approximately 1.7 acres.

SECTION III

Notice of said public hearing shall be published in The Chapel Hill Newspaper, a newspaper having general circulation in the Town of Chapel Hill, at least ten (10) days prior to the date of said public hearing.

This the 23rd day of May, 1983.

LOCAL GOVERNMENTAL RESOLUTION

(To be completed and attached
to form GHSP-D-03, "Application
For Highway Safety Project Grant.")

Resolution 83-R-77

WHEREAS, the Chapel Hill Town Council herein called the "Applicant" has
(GOVERNING BODY OF UNIT OF GOVERNMENT)

thoroughly considered the problem addressed in the application entitled DUI Enforcement Program
and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 89-564 as amended, the United States of America has authorized the Department of Transportation, through the North Carolina Governor's Highway Safety Program to make federal grants to assist local governments in the improvement of highway safety,

NOW THEREFORE BE IT RESOLVED BY THE Chapel Hill Town Council
(GOVERNING BODY OF UNIT OF GOVERNMENT)

IN OPEN MEETING ASSEMBLED IN THE CITY OF Chapel Hill, NORTH
CAROLINA. THIS 23rd DAY OF May, 19 83, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Applicant and the general public.
2. That Chief Herman Stone be authorized to file, in behalf of the Applicant,
(NAME AND TITLE OF REPRESENTATIVE)
an application in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$46,249.00 to be made to the Applicant to assist in defraying
(FEDERAL DOLLAR REQUEST)
the cost of the project described in the application.
3. That the Applicant or will formally appropriate the cash contribution of \$19,821.00
(LOCAL CASH APPROPRIATION)
as required by the project.
4. That the Project Director designated in the application form shall furnish or make arrangements for other appropriate persons to furnish such information, data, documents and reports pertaining to the project, if approved, as may be required by the Governor's Highway Safety Program.
5. That certified copies of this resolution be included as part of the application referenced above.
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting.

by

CHAIRMAN/MAYOR

Commissioner/Councilman _____ offered the foregoing resolution

and moved its adoption, which was seconded by Commissioner/Councilman _____
and was duly adopted.

Date:

ATTEST:

by

CLERK

SEAL

Nominations--Town Boards/Commissions

Board of Adjustment (Alternate Seat)--Councilmember Smith nominated Karen Murphy.

Community Appearance Commission--Councilmember Smith nominated Cassandra Sloop.

OWASA--Councilmember Broadfoot nominated Bob Peck.

Parks and Recreation Commission--Councilmember Straley nominated Caroline Lindsay; Councilmember Smith nominated Gertrude London, Charlene Register, and Olga Morrison.

Transportation Board--Councilmember Smith nominated Albert Wurth and William Haflett.

As there was no further business to come before the Council, the meeting was adjourned at 10:06 P.M.



Joseph L. Nassif, Mayor



David B. Roberts, Clerk