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MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, MAY 14, 1984, 7:30 P.M.

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

Marilyn Boulton
Winston Broadfoot
Jonathan Howes
Beverly Kawalec
David Pasquini
Nancy Preston
R. D. Smith
Bill Thorpe

Also present were Town Manager, David R. Taylor; Assistant Town Managers, Sonna Loewenthal and Ron Secrist; and Town Attorney, Grainger Barrett.

Public Hearing--Manager's Recommended Budget for FY 1984-85

Mr. Taylor gave a brief overview of the Manager's Recommended Budget for FY 1984-85: \$14.8 million; balanced with no tax increase; General Fund rate of 63½¢ and a Transportation Fund rate of 5¢ for a 68.5¢ total; included the ½¢ local option sales tax; included a significant increase in State Shared Revenues; allowed accomplishment of the long-term financial goal of establishing a Capital Improvements Reserve Fund; anticipated use of \$685,000 for Capital Improvements Program; anticipated that funds from ½¢ local option sales tax would be earmarked for capital improvements; maintained the current level of services; responded to the Management Assessment recommendations; provided for implementation of Performance Based Pay Plan and Longevity Plan; provided for implementation of Wellness Program for Police and Fire personnel; no increase in bus pass prices, but an increase of 10¢ in the off-peak fare (from 40¢ to 50¢); and provided user fee policy for the transit system.

The following citizens spoke:

--Mr. Don Thomson, speaking as a member of the Transportation Board, stated that the Board opposed the proposed 10¢ off-peak fare increase, as it would generate only \$18,000 in additional revenue, an amount not large enough to risk deterioration in ridership. Since there had been an increase in FY 1983-84, the Board felt that another increase was psychologically too soon.

Councilmember Broadfoot asserted that to not increase fares would mean that no progress would be made toward the goal of achieving the State average for cost/recovery ratio of approximately 36 percent. Mr. Thomson concurred, but stated that the Board felt that a one-time substantial increase next year was preferable over a smaller, less significant increase this year. Councilmember Smith felt it would be better to phase increases over a 2-year period.

--Ms. Kathy Speas, Director of the Community Service Restitution Program, stated that the Human Services Advisory Board (HSAB) had not recommended funding for this program this year. She explained that this program had provided approximately \$3,400 worth of community services to Chapel Hill since its beginning (September 1, 1983) through court orders for defendants to perform community service work, an alternative sentence to jail or fines. She felt that this program helped youths become more positively involved in their community. Her position was to coordinate the placement of defendants with community service needs.

In order to secure matching State funds, Ms. Speas explained that the agency needed to raise \$8,000 by July 1, 1984; she requested \$2,000 from the Town of Chapel Hill.

Mayor Nassif stated that he felt this request had not been recommended by the HSAB because this was a County function that could be funded by

the County. Chapel Hill had already contributed one-half million dollars to the Orange County Court system. Councilmember Boulton felt that even though the courts were a County function, this agency provided services to Chapel Hill.

Ms. Speas responded to Councilmember Broadfoot that Chapel Hill had arranged through the County to provide office space to this agency. The State stipulated, however, that matching funds raised had to be in cash, not "in kind." In addition, funding could not be received from the University, as State money could not be matched with State funds. She stated that she felt that the office space provided was probably worth more than \$2,000 in kind.

Mr. Taylor responded affirmatively to Councilmember Pasquini's suggestion that the Town could award \$2,000 to the agency, then recover the funds through a charge of \$2,000 for rent to the agency but Ms. Speas responded that there was no line item in the budget for rent.

Mayor Nassif stated that the HSAB was charged with review of funding requests; the petition could be made to the Council, but the recommendation for funding would come from the Board for the Council's final decision.

--Mr. Jeff Gram, speaking as a citizen, stated that the HSAB had given top priority to services for youth which included youth employment. He, therefore, requested support from the Council for the Youth Employment Program, formerly under the auspices of the Chamber of Commerce, but now under the Teen Center, Inc. Mr. Gram also requested support for the Teen Center.

Councilmember Broadfoot stated that funding to the Chamber of Commerce for this program had been a one-time allocation (in FY 1983-84). He did not feel that because the program was no longer under the direction of the Chamber of Commerce made any difference re a request for funds. Mr. Gram stated that he was a member of the Board of Directors of the Teen Center, Inc., but had not had time to take this matter up with his Board. He stated that his Board had considered submitting a request to the HSAB, but had unofficially been told that because of the one-time allocation, there would not be any allocation. He felt that since one of the priorities of the Board was youth employment, a request to aid youth employment should be considered.

Mayor Nassif advised Mr. Gram that there were channels that his Board could follow to address this concern. Councilmember Howes advised Mr. Gram that the FY 1984-85 Chapel Hill Town Budget was nearing adoption, should his Board wish to submit a formal request.

--Ms. Glenda Edwards, affiliated with the Women's Health Counseling Service, stated that the HSAB had not recommended funding for this non-profit agency, even though funding had been received in the past. She explained that the agency offered information, programs, and services that filled a definite need of women of childbearing age in Chapel Hill. She requested funding for the full amount requested--\$2,700.

--Ms. Adele Thomas, a citizen, petitioned the Council to appropriate 40 percent of the proceeds of the $\frac{1}{2}\%$ local option sales tax for sewer construction rather than earmark the 40 percent for capital improvements and have citizens pay for sewer construction through increased rates.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER KAWALEC, TO REFER THE PETITION TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Petitions

Mayor Nassif presented the following proclamation to Mrs. Elizabeth Hutton:

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TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET

CHAPEL HILL, NORTH CAROLINA 27514

OFFICE OF THE MAYOR

Telephone (919) 968-2714

P R O C L A M A T I O N

WHEREAS, mental health is basic to a happy, secure and productive society and enables the individual to effectively cope with the challenges, stresses and problems of life; and

WHEREAS, mental illness represents tremendous economic and social costs for the individual, family, community and nation; the impact necessitates balancing of the rights and needs of the individual who is mentally ill with the rights, needs and resources of those directly and indirectly affected by the illness; and

WHEREAS, 32 million Americans are in need of mental health services and 162,000 North Carolinians receive mental health services from area mental health centers and/or a state mental hospital in any one year; and

WHEREAS, mental health services must compete with other societal needs and priorities for scarce funds and resources, and both the President's Commission on Mental Health and the Governor's Conference on Mental Health in North Carolina have recommended improvements in the current mental health delivery system; and

WHEREAS, the Orange County Mental Health Association advocates improved services and treatment of the mentally ill, research into the cause and prevention of mental illness, and promotion of mental health; and is also concerned about the stress and impact of mental illness on family members and the community;

NOW, THEREFORE, I, Joseph L. Nassif, Mayor of the Town of Chapel Hill, do hereby proclaim May, 1984 as

MENTAL HEALTH MONTH

in Chapel Hill, and commend this observance to our citizens.

GIVEN UNDER MY HAND AND THE SEAL
OF THE TOWN OF CHAPEL HILL ON
THIS THE EIGHTH DAY OF MAY IN THE
YEAR OF OUR LORD NINETEEN
HUNDRED AND EIGHTY-TWO.

Joseph L. Nassif, Mayor

--Mr. Bob Page, representing the Glen Oaks applicant, petitioned the Council to remove the consideration of the Glen Oaks proposal from the Council's May 23 public hearing, and that it be rescheduled for September.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER KAWALEC, THAT THE REQUEST BE GRANTED. THE MOTION CARRIED UNANIMOUSLY.

--Mr. Watts Hill, Jr., requested permission to speak on agenda items #7, 8, and 9 (re proposed changes in the Development Ordinance), if necessary.

--Mr. Len Van Ness, of the Chamber of Commerce, clarified for the Council that Mr. Jeff Gram was a member of the Board of Directors for the Teen Center, Inc., and part of his responsibilities was to seek funding from available public and private sources. Since the Board was newly formed, Mr. Graham was at a disadvantage. Mr. Van Ness stated that he felt that the Teen Center Board would be coming to the Council with a request.

Minutes (March 29, April 16, and April 24, 1984)

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER BOULTON, ADOPTION OF THE COUNCIL MINUTES OF MARCH 29, 1984, AS CORRECTED. THE MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER PRESTON, THAT THE MINUTES OF APRIL 16, 1984, BE ADOPTED AS CIRCULATED. THE MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER PRESTON, THAT THE APRIL 24, 1984, COUNCIL MINUTES BE ADOPTED AS CORRECTED. THE MOTION CARRIED UNANIMOUSLY.

Report on Recommended Performance Contracts for FY 1984-85

Ms. Pat Sullivan, Chair of the Human Services Advisory Board, stated that 15 Requests for Proposals had been submitted and reviewed by the Board. The request from the South Orange Rescue Squad for \$2,500 towards an ambulance had been directed to the Manager with recommendation for funding through capital outlay monies. A request to fund a study on low-income housing needs in Chapel Hill was denied, as the Board felt that Town staff could provide this information. The Board recommended "in kind" payment (i.e., space, technical assistance, etc.) for three proposals, instead of funding from the Town.

Because of the complexity of the proposal submitted for emergency housing from the Inter-Faith Council, the Board felt more time was necessary to assess priorities of needs and to determine a workable solution. The Board felt that Town staff assistance would be necessary in order to address this need before the onset of winter. Because of the delay in recommendation for this request, the Board would approach the Council with an additional funding request at a later date.

Ms. Sullivan stated that no proposals had been received to address low to moderate income housing needs, but that the Board was pleased with the Council's recent adoption of the Community Development plan, etc., that would address this need.

Ms. Sullivan stated that a goal of the Board was prevention (through support groups, role models, educational programs, etc.) by attempting to "interrupt cycles."

Re the "Meals on Wheels" program, Councilmember Smith suggested that meals be served for 7 days instead of the current 5 days. Ms. Sullivan responded that recipients of "Meals on Wheels" were taken care of during the 2 days that meals were not served. The Board had recommended that this service be expanded to reach more needy people, not to expand to more days per week.

Ms. Sullivan explained to Councilmember Smith that Child Care Networks, Inc., proposed to, among other things, assist in providing day care tuition subsidies. The HSAB recommended that funding be earmarked specifically for day care subsidy to low income single parents in Chapel Hill.

Councilmember Smith stressed the need for consolidation of services to citizens. Ms. Sullivan felt the problem of inadequate funding of agencies and unknown funding allocations made budget preparations extremely difficult and greatly limited consolidation efforts.

Councilmember Broadfoot complimented the Board on its work. He concurred with Councilmember Smith re consolidation needs. He felt the Council should not override the work of the Board, as to do so would set a precedent. Ms. Sullivan stated to Councilmember Broadfoot that there were services and information available on contraceptive aid and abortions for persons in Chapel Hill who might not be able to afford such services. The Board had recommended funding for an agency that addressed this need. Councilmember Broadfoot felt that more public information was needed to raise public awareness and community hostility to rape in order to create a more favorable environment for victims to press for prosecution with confidence. He stated that he would like for the Board to adopt a goal of providing information on contraceptives and abortions to all citizens.

Mr. Taylor responded to Councilmember Pasquini that a report on the request from the South Orange Rescue Squad for funds toward an ambulance would come before the Council on May 29. This would be a capital item, not a performance contract.

Councilmember Boulton felt that the goal of "prevention" was too broad a focus for the Board. Ms. Sullivan stated that it was felt that prevention would eventually lead to elimination of many problems.

Councilmember Thorpe expressed his appreciation for the work of the Human Service Advisory Boards.

Mr. Taylor responded to Councilmember Smith that agencies which had received funding in FY 1983-84 had satisfactorily fulfilled their contracts.

Mayor Nassif clarified to the HSAB that comments by individual Councilmembers were not a consensus of the Board.

Ordinance Amending the Chapel Hill Zoning Atlas
(first reading) (Obey's Creek)

The public hearing on this request was held on April 16, 1984.

COUNCILMEMBER PASQUINI MOVED, SECONDED BY COUNCILMEMBER BROADFOOT, ADOPTION OF RESOLUTION 84-R-84 (to deny the request).

Councilmember Smith supported the motion, as he did not feel that proposed Parker Road Extension was a valid basis of changed conditions to rezone.

Mayor Nassif felt that (1) the terrain in this area was not suitable for higher density; (2) an R-1 zone designation across the street was not a valid reason to rezone to R-2, and a change to R-2 here might encourage additional rezoning on nearby properties; and (3) a Community Commercial zone should not be granted until after the development of the residential area, to be certain of the need. He supported the motion to deny the request.

Councilmember Preston felt that since the developer would incur additional expenses of extending water and sewer services, R-2 (which allowed more units) would make the project more economically feasible. Mayor Nassif asserted that there was no documentation that the cost of service extension would prohibit development of the project under an R-1 zone.

THE MOTION TO ADOPT RESOLUTION 84-R-84 (to deny the request) FAILED 4 TO 5 WITH COUNCILMEMBERS PASQUINI, BROADFOOT, SMITH, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBERS THORPE, BOULTON, KAWALEC, HOWES, AND PRESTON OPPOSING.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER KAWALEC, ADOPTION OF ORDINANCE 84-0-33 (to approve rezoning). THE MOTION TO ADOPT THE FOLLOWING ORDINANCE CARRIED 5 TO 4 WITH COUNCILMEMBERS THORPE, BOULTON, KAWALEC, HOWES, AND PRESTON SUPPORTING, AND COUNCILMEMBERS PASQUINI, BROADFOOT, SMITH, AND MAYOR NASSIF OPPOSING (the second reading would be heard on May 29, 1984):

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS (84-0-33) (first reading)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

SECTION I

That the portion of the property identified as part of Chapel Hill Township Tax Map 128, Block B, Lot 1 located on the east side of US 15-501 and containing approximately 16.4 acres of land, described below, be reclassified from Residential-1 to Community Commercial. Said portion of said Tax Map Lot is described as follows:

BEGINNING at a point in the northwest corner of Chapel Hill Township Tax Map 128, Block B, Lot 1; proceeding thence S 78°15'22" E approximately 825' to the centerline of Obey's Creek; proceeding thence generally south with the centerline of Obey's Creek approximately 960 feet; proceeding thence westward approximately 825' to a point in the western line of Chapel Hill Township Tax Map 128-B-1; proceeding thence N 26°06'05" E 690' to the POINT OF BEGINNING and including half the width of the adjoining right-of-way of US 15-501.

SECTION II

That the balance of the property identified as part of Chapel Hill Township Tax Map 128, Block B, Lot 1 located on the east side of US 15-501 and containing approximately 74.6 acres of land, described below, be reclassified from Residential-1 to Residential-2. Said portion of said Tax Map Lot is described as follows:

BEGINNING at the southwest corner of Chapel Hill Township Tax Map 128, Block B, Lot 1; proceeding thence N 16°06'05" E 989.47'; proceeding thence generally eastward approximately 825' to the centerline of Obey's Creek; proceeding thence generally northward along the centerline of Obey's Creek approximately 960' to a point in the northern line of Chapel Hill Township Tax Map 128-B-1; proceeding thence S 78°15'22" E 1,967.21' to a point; thence S 05°56'33" W 225'; thence S 58°13'00" W 289.17'; thence S 58°28'56" W 246.85'; thence S 55°07'05" W 396.92'; thence N 76°24'51" W 883.52'; thence S 06°40'26" W 486.07'; thence S 06°02'57" W 579.85'; thence N 86°43'24" W 470.75'; thence N 84°04'34" W 191.22'; thence N 83°46'38" W 133.80'; thence N 18°25'31" W 400.48'; thence N 75°42'35" W 798.93' to the POINT OF BEGINNING and including half the adjoining right-of-way of US 15-501.

SECTION III

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

This the 14th day of May, 1984.

Resolution Approving a Planned Development-Housing Special Use Permit to Gerry Barrett for Hillsborough Street Townhouses

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER KAWALEC, ADOPTION OF RESOLUTION 84-R-85a.

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Mr. Mike Jennings, Planning Director, explained to Councilmember Pasquini that there was the slight possibility that the dumpsters might be visible from Hillsborough Street and that three years of growth of the proposed buffer should be adequate to conceal the development. Mayor Nassif stated that the Council could stipulate additional plantings to grow a certain height and within a specified amount of time to assure adequate screening for pedestrians.

Councilmember Smith questioned the adequacy of turn-around space for Town service vehicles. If space was not adequate, then these vehicles would be forced to back a distance of 85 feet, and then continue backing out onto Hillsborough Road, creating a risk. Mr. Taylor stated that the staff was satisfied that the area could be adequately serviced.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BOULTON, THAT THE PROPOSED RESOLUTION BE AMENDED TO STIPULATE ADEQUATE TURN-AROUND SPACE FOR FIRE TRUCKS AND GARBAGE TRUCKS.

Councilmember Howes stated that Town policy was to be able to service an area. To formulate a policy by way of a stipulation was not an appropriate method, even though a policy was appropriate. The concerns for buffer and adequate turn-around space had not been brought forward at the public hearing. Such stipulations might require a new site plan. He expressed opposition to the proposed amendment. Mayor Nassif stated that he did not feel that the site plan would need to be redesigned.

Councilmember Smith felt to deny this amendment would increase risks for both drivers and citizens. He requested a change in policy. Councilmembers Howes and Boulton felt the concern was valid, but should have been raised at the public hearing. Mr. Jennings felt that the terrain of this site did not lend itself to redesign; in addition, garbage collection would be done during early morning hours, when traffic was almost non-existent.

THE AMENDMENT TO THE MAIN MOTION WAS DEFEATED 1 TO 8 WITH COUNCILMEMBER SMITH SUPPORTING, AND COUNCILMEMBERS BOULTON, BROADFOOT, HOWES, KAWALEC, PASQUINI, PRESTON, THORPE, AND MAYOR NASSIF OPPOSING.

Councilmember Smith stated that for trucks to back 85 feet in the dark would pose a serious problem and he would oppose any further developments that did not provide adequate turn-around space for large Town vehicles.

THE FOLLOWING RESOLUTION CARRIED 8 TO 1 WITH COUNCILMEMBERS BOULTON, BROADFOOT, HOWES, KAWALEC, PASQUINI, PRESTON, THORPE, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBER SMITH OPPOSING:

A RESOLUTION APPROVING A PLANNED DEVELOPMENT-HOUSING SPECIAL USE PERMIT TO GERRY BARRETT FOR HILLSBOROUGH STREET TOWNHOUSES (84-R-85a)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Planned Development-Housing Special Use Permit proposed by Gerry Barrett if developed in accordance with the plans submitted March 9, 1984, and the stipulations and conditions set forth below:

1. Would be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. Would comply with all required regulations and standards of the Development Ordinance, including all applicable provisions of Articles 4, 5 and 6, and the applicable specific standards contained in Sections 8.7 and 8.8, and with all other applicable regulations;
3. Would be located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property; and

4. Would conform with the general plans for the physical development of the Town as embodied in the Development Ordinance and in the Comprehensive Plan.

These findings are conditioned on the following stipulations:

1. That one-half of a 60-foot right-of-way be dedicated along the property's frontage with Hillsborough Street.
2. That the driveway and parking areas have curbing as necessary to control storm water run-off. Plans shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
3. That the two parking spaces on the west side of the property intersect the drive at 90 degrees and that these spaces be designated as compact spaces unless the drive width is increased to 26 feet. Plans shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
4. That the parking lot and drive aisles be built to Town standards. Detailed plans shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
5. That the driveway be ramp-type. Detailed plans shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
6. That detailed plans for the dumpster location and screening be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
7. That a shading plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
8. That a 5-foot wide bufferyard landscaped to Town standards be provided on the east side of the property. Plans shall be approved by the Town Manager and the Appearance Commission prior to issuance of a Zoning Compliance Permit.
9. That a second grill and picnic table be provided in the recreation area. Plans shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
10. That the landscape buffer shown along the southern property line be relocated, or that the underground power line be relocated, to provide a 10- to 12-foot working area for Duke Power and still meet the Ordinance requirements for a 5-foot wide landscape buffer. Plans shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
11. That plans for water and sewer utilities be approved by the Town Manager and OWASA prior to issuance of a Zoning Compliance Permit.
12. That a plat dedicating all easements and street rights-of-way including any off-site easements or rights-of-way necessary to serve the development be approved by the Town Manager and recorded prior to issuance of a Zoning Compliance Permit.
13. That a storm drainage plan with hydrologic calculations be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
14. That the names of the development be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
15. That a detailed plan of the proposed light fixtures be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
16. That the sidewalks adjoining the parking spaces be 6-feet wide or that wheel stops be provided for these spaces if they are 5-feet wide. That detailed plans for the sidewalks including width and construction materials be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

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17. If any of the above conditions shall be held invalid or void, then this permit shall be void and of no effect.
 18. The continued validity and effectiveness of this permit is expressly conditioned upon compliance with or fulfillment of these conditions, and upon compliance with applicable provisions of the Chapel Hill Development Ordinance and regulations thereunder.
 19. That construction begin by May 31, 1985, and be completed by May 31, 1987.

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

This the 14th day of May, 1984.

Resolution to Deny the Request to Increase the Minimum Land Area for Planned Developments to 5 Acres and to Delete Section 8.8.3 of the Development Ordinance

Mayor Nassif stated his objection to what he felt was protection of R-1 and R-2 zoning districts. He supported the current minimum land area requirements of the Development Ordinance.

COUNCILMEMBER PASQUINI MOVED, SECONDED BY COUNCILMEMBER BOULTON, ADOPTION OF ORDINANCE 84-0-34a.

COUNCILMEMBER PRESTON MOVED, SECONDED BY COUNCILMEMBER BROADFOOT, THAT THE PROPOSED ORDINANCE BE AMENDED TO STATE THAT "the minimum gross land area required for a zoning lot containing a Planned Development-Housing shall be...five (5) acres in RT, R-1, R-2, and R-3 zoning districts" and that proposed "b" ("Thirty-seven thousand five hundred (37,500) sq.ft. in R-3 zoning districts; and") be deleted from the proposed ordinance.

Mr. Jennings, Planning Director, stated that there were few 5-acre lots in R-3 zoning districts.

Councilmember Howes opposed both the proposed ordinance and the amendment, supporting current minimum land area requirements.

Mr. Jennings and Mr. Barrett explained to the Council that Section 8.8.2 permitted the Council to increase the minimum lot size required for a Planned Development to protect the surrounding area.

Councilmember Howes felt that the proposed modification did not address past problems of a development being too large. Councilmember Pasquini felt that there was currently no vehicle by which this concern could be addressed. Mayor Nassif felt that minimum land area requirements were a way to manage the orderly growth of Chapel Hill. The Council could make changes if they felt it was necessary.

Councilmember Broadfoot felt that Planned Unit Developments should not be permitted on a lot of less than 5 acres. Mayor Nassif explained that the Council could deny a request on the basis that it was too small for a location and that special protection was needed for such locations. Mr. Barrett stated that concepts of the Comprehensive Plan and special protection for an area needed to be carefully considered because land in each location was unique and different.

THE MOTION TO AMEND THE PROPOSED ORDINANCE WAS DEFEATED 3 TO 6 WITH COUNCILMEMBERS PASQUINI, BROADFOOT, AND PRESTON SUPPORTING, AND COUNCILMEMBERS BOULTON, HOWES, KAWALEC, SMITH, THORPE, AND MAYOR NASSIF OPPOSING.

THE MOTION TO ADOPT ORDINANCE 84-0-34a WAS DEFEATED 4 TO 5 WITH COUNCILMEMBERS PASQUINI, BROADFOOT, KAWALEC, AND PRESTON SUPPORTING, AND COUNCILMEMBERS BOULTON, HOWES, SMITH, THORPE, AND MAYOR NASSIF OPPOSING.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER THORPE, ADOPTION OF THE FOLLOWING RESOLUTION:

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RESOLUTION TO DENY THE REQUEST TO INCREASE THE MINIMUM LAND AREA FOR PLANNED DEVELOPMENTS TO 5 ACRES AND TO DELETE SECTION 8.8.3 OF THE DEVELOPMENT ORDINANCE

BE IT RESOLVED that the Council of the Town of Chapel Hill denies the request to increase the minimum land area for Planned Developments to 5 acres, and to delete Section 8.8.3 of the Development Ordinance.

This the 14th day of May, 1984.

THE MOTION CARRIED 6 TO 3 WITH COUNCILMEMBERS THORPE, BOULTON, KAWALEC, HOWES, SMITH, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBERS PASQUINI, BROADFOOT, AND PRESTON OPPOSING.

Discussion of the Planned Development Review Process

Mayor Nassif explained that proposed resolution 84-R-86 would seek a local act through the General Assembly to provide the Town with more authority for land use regulation than currently existed. Proposed resolution 84-R-86.1 proposed to require that a Planned Development be approved by a Zoning Atlas Amendment, rather than by Special Use approval. Proposed resolution 84-R-86.2 proposed to require that Planned Developments be approved by both a Zoning Atlas amendment and a Special Use Permit.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER THORPE, THAT ALL OF THE PROPOSED RESOLUTIONS BE DENIED AND THAT THE CURRENT PROVISIONS IN THE DEVELOPMENT ORDINANCE RE SPECIAL USE PERMITS FOR PLANNED DEVELOPMENTS BE RETAINED.

Councilmember Broadfoot opposed the motion, feeling that more control over the development review process was needed. He stated that rezoning was a mechanism for control of Planned Developments under the former Zoning Ordinance that he felt should be put back into the Development Ordinance. Mayor Nassif felt that the Council could approve or deny a request and that that was enough control.

Councilmember Boulton felt more control was needed to assure that the proposal would, in fact, be developed according to the request at the time of the rezoning.

THE MOTION TO DENY THE PROPOSED RESOLUTION AND TO RETAIN CURRENT WORDING IN THE DEVELOPMENT ORDINANCE CARRIED 6 TO 3 WITH COUNCILMEMBERS THORPE, KAWALEC, HOWES, PRESTON, SMITH, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBERS BOULTON, PASQUINI, AND BROADFOOT OPPOSING.

Discussion of Proposed Amendment to the Development Ordinance re Starting Period for Construction under Special Use Permits and Approved Site Plans

COUNCILMEMBER BROADFOOT MOVED ADOPTION OF ORDINANCE 84-O-35c (for a 12-month starting period for construction, with no extension). THE MOTION FAILED FOR LACK OF A SECOND.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER KAWALEC, ADOPTION OF ORDINANCE 84-O-35b (to apply present construction requirements for Special Use Permits to approved Site Plans; the Council would determine the starting period for construction, and whether to grant an extension of that deadline).

Councilmember Broadfoot felt that the proposed ordinance (84-O-35b) would not address the problem of developer speculations.

Mayor Nassif felt that an 18-month deadline would allow better control of other development reviews. If the deadline was not met, the developer would have to go through the entire process again. He felt that the Council would not be inclined to deny a request for an extension. An 18-month deadline with no extension was reasonable and would strengthen the Development Ordinance.

Councilmember Kawalec stated that the current Development Ordinance allowed the Council to "for good cause shown extend..." the construction deadline for up to 12 months. The Council could also revoke a Special Use Permit if reasons (listed in the Development Ordinance) were found.

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Councilmember Smith also felt that the Council would not deny an extension request to a developer, even though the Development Ordinance allowed the Council to do so.

THE MOTION TO ADOPT ORDINANCE 84-R-35b FAILED 4 TO 5 WITH COUNCILMEMBERS THORPE, BOULTON, KAWALEC, AND HOWES SUPPORTING, AND COUNCILMEMBERS BROADFOOT, PASQUINI, PRESTON, SMITH, AND MAYOR NASSIF OPPOSING.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER PRESTON, ADOPTION OF ORDINANCE 84-0-35a (to allow construction to begin within 18 months, with extension for good-faith effort).

Mayor Nassif explained that this would allow successive renewals of extensions.

THE MOTION TO ADOPT ORDINANCE 84-0-35a WAS DEFEATED 4 TO 5 WITH COUNCILMEMBERS PASQUINI, BROADFOOT, PRESTON, AND SMITH SUPPORTING, AND COUNCILMEMBERS THORPE, BOULTON, KAWALEC, HOWES, AND MAYOR NASSIF OPPOSING.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER SMITH, TO DEFER THE MATTER TO THE MAY 29, 1984, COUNCIL MEETING. THE MOTION CARRIED UNANIMOUSLY.

Resolution Authorizing Submission of Chapel Hill's FY 1985 and FY 1986 Biennial Element of the Transportation Improvement Program for the Durham Urbanized Area

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER PRESTON, ADOPTION OF RESOLUTION 84-R-88.

Mr. Taylor responded to Mayor Nassif's question that the widening of the portion of Columbia Street in front of the Carolina Inn was for bus pull-offs.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER SMITH, TO DELETE THE PROPOSED WIDENING OF SOUTH COLUMBIA STREET IN FRONT OF THE CAROLINA INN FROM TABLE F OF THE BIENNIAL ELEMENT AND THAT SUBSEQUENT PRIORITIES BE ADJUSTED ACCORDINGLY.

THE MOTION TO AMEND RESOLUTION 84-R-88 CARRIED UNANIMOUSLY.

THE MOTION TO ADOPT THE FOLLOWING RESOLUTION, AS AMENDED, CARRIED UNANIMOUSLY:

A RESOLUTION AUTHORIZING SUBMISSION OF CHAPEL HILL'S FY '85 AND FY '86 BIENNIAL ELEMENT OF THE TRANSPORTATION IMPROVEMENT PROGRAM FOR THE DURHAM URBANIZED AREA (84-R-88)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Manager to submit the attached FY 1985 and FY 1986 Chapel Hill Biennial Element of the Transportation Improvement Program to the Transportation Advisory Committee for the Durham-Chapel Hill-Carrboro Urbanized Area for inclusion in the area's Transportation Improvement Program.

This the 14th day of May, 1984.

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TRANSPORTATION IMPROVEMENT PROGRAM

BIENNIAL ELEMENT BEGINNING FY 84-85

CHAPEL HILL PROJECTS

The following biennial element of the Transportation Improvement Program shows items included in the Chapel Hill Transportation and Planning budgets as recommended for FY 84-85. Budget figures for FY 85-86 have been estimated. Elements of the Town's Capital Improvements Program also are included. Local budget figures shown in this document are now under consideration by and are subject to approval by the Chapel Hill Town Council.

I. Transit Projects

Transit projects fall into four categories: planning, capital, operations, and ridesharing. These categories are described below and their costs are listed in Tables A, B, and C.

- A. Planning. The Town proposes using UMTA Section 9 funds for routine transit planning activities as described in the urban area's Unified Planning Work Plan. The Planning item is included in Table A-1.
- B. Capital. Several capital needs are proposed for funding during FY 84-85 under UMTA Section 5. These items include additional buses, construction of administrative office space, and a replacement air compressor for the Transit garage. Proposed expenditures for these items also are described in Table A-1. Table A-2 shows capital needs projected for fiscal years 1986 through 1989.
- C. Operations. Chapel Hill Transit currently operates 9 transit routes covering over 98 linear miles within the community. Annually, the system provides over 51,000 hours of fixed route service to about 2 million riders. In addition, the regular fixed-route service is supplemented with a complement of demand-responsive services.

Only minor changes in the system's service level are anticipated for FY 84-85. An increase in the University's shuttle service and a rescheduling of the existing A route represent possible changes to the system. More expansion in service due to the current level of development activity is expected in FY 85-86.

An increase in off-peak fares to \$.50 per ride is being recommended for FY 84-85. This would equalize the off-peak with the peak hour fares. No increase is being recommended for pass prices. Current and proposed fare and pass prices are shown below:

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<u>Bus Fares</u>	<u>Current Rates</u>	<u>Proposed Rates</u>
Adult -- Peak	\$.50	\$.50
-- Off Peak	.40	.50
Youth & Senior -- Peak	.25	.25
-- Off Peak	.20	.25

<u>Bus Pass Prices</u>	<u>Current Rates</u>	<u>Proposed Rates</u>
12 month	\$135.00	\$135.00
9 month	109.75	109.75
6 month	78.75	78.75
3 month	42.25	42.25
40 ride pass	17.00	17.00

(no change)

Youth, Senior (includes any holder of a Medicare card) and handicapped passes are 50% of the above rates. E-Z Rider fares equal the respective adult fares. (E-Z Rider provides demand-responsive service to persons who are unable to use the fixed route service.)

- D. Ridesharing. The Town of Chapel Hill has been asked to continue as the recipient agency for federal funds needed to support the regional ridesharing program (TRI-A-RIDE). These funds would come from both the Urban Mass Transportation Administration and the North Carolina Department of Transportation and would be passed directly to Triangle J Council of Governments. No Chapel Hill Funds, other than normal COG dues, would be involved in these transactions. The FY 85 TRI-A-RIDE operating budget is included as Table C-1. An estimated TRI-A-RIDE operating budget for FY 86 is included in Table C-2.

This year, Tri-A-Ride is preparing to expand beyond its existing carpool matching program and initiate a new vanpooling program. The Town of Chapel Hill also has been asked to sponsor a capital grant to initiate a Triangle Area Vanpooling program. This program could be operated with a modification of our existing contract with the TRI-A-RIDE program. The Town would apply for UMTA Section 9A funds to purchase up to eight (8) fifteen passenger vans. NCDOT has agreed to provide all of the local match required for the project. Chapel Hill Transit would lease the vans to a local ridesharing agency. In turn, the ridesharing agency would sublease the vans to individuals or employers for vanpool commuting. The proposed project budget is shown in Table D.

II. Highway Improvements Program

Table E lists the highway improvement projects for Chapel Hill included in the North Carolina Department of Transportation TIP

for 1984-1993. This document was issued in November, 1983. Also included in Table E are street improvement projects proposed for funding by the Town. Capital improvements for the Transit system are described in Section I-B of this report.

Table F shows a priority listing by eligible funding sources of highway improvements that are needed within the community. The Chapel Hill Town Council plans to submit this list to the N. C. Board of Transportation as a request for funding of the various projects.

TABLE A-1
TRANSIT CAPITAL AND PLANNING ACTIVITIES
FY 84-85

Project Description	Local	State	Federal	UMTA Funding	Total
1 Transit Planning	2,167	2,167	17,338	Sec. 9	21,673
2 Vehicles -8 buses -2 support vehicles	142,800	142,800	1,142,400	Sec. 5	1,428,000
3 Construction of Administrative Offices at Transit Operations/Maintenance Facility	13,560	13,560	108,480	Sec. 5	135,600
4 Building Air Compressor	500	500	4,000	Sec. 5	5,000
TOTAL	159,027	159,027	1,272,218		1,590,273

TABLE A-2
Projection of Transit Capital and Planning Needs
FY 86 through FY 89

	Capital		
	Planning	Cost*	Purpose
FY 86	23,000	66,000	Vehicles
FY 87	24,000	36,000	Vehicles
FY 88	25,000	924,000	Vehicles
FY 89	26,000	93,000	Vehicles

* anticipated funding: 80% federal, 10% State, 10% Local

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TABLE B-1
TRANSIT OPERATIONS
FY 1984-85

Total Operating Expenses *		2,324,698 =====
Operating Revenues		
UNC Passes	333,600	
Town Fares/Charters	310,260	

Total Operating Revenues		643,860
Operating Deficit		
Local	840,419	
State	0	
Federal (UMTA Sec. 5)	840,419	

Total Deficit		1,680,838
Total Revenues		2,324,698 =====

* eligible for federal assistance

TABLE B-2
TRANSIT OPERATIONS
FY 1985-86

Total Operating Expenses *		2,439,760 =====
Operating Revenues		
UNC Passes	371,850	
Town Fares/Charters	331,375	

Total Operating Revenues		703,225
Operating Deficit		
Local	868,268	
State	0	
Federal (UMTA Sec. 5)	868,268	

Total Deficit		1,736,535
Total Revenues		2,439,760 =====

* eligible for federal assistance

TABLE C-1
TRI-A-RIDE
FY 84-85

Total Expenses		131,506
Revenue:		
Local	32,877	
State	32,876	
Federal (UMTA Sec. 5)	65,753	
Total Revenue		131,506

TABLE C-2
TRI-A-RIDE
FY 85-86

Total Expenses		141,237
Revenue:		
Local	35,309	
State	35,309	
Federal (UMTA Sec. 5)	70,619	
Total Revenue		141,237

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TABLE D
VANPOOLING PROGRAM
FY 84-85

Project Cost

eight (8) 15-passenger vans @15,000	\$120,000
contingency	6,000
	<u>\$126,000</u>

Project Funding

UMTA Sect. 9A	\$100,800	(80%)
NCDOT	25,200	(20%)
	<u>\$126,000</u>	(100%)

TABLE

CHAPEL HILL
HIGHWAY IMPROVEMENT PROGRAM
FY 84-85 THROUGH FY 89-90

(all costs are shown in thousands of dollars)

ID #	Project Location	Length Project in Miles	Project Cost in Thousands	Anticipated Funding Sources	FY 85		FY 86		FY 87		FY 88		FY 89		FY 90	
					type work	cost	type work	cost	type work	cost	type work	cost	type work	cost		
Interstate																
1-9	I-40 I-85 to Research Triangle Park	21.8	107,905	Federal Aid: Interstate:	6S	17,600	P	5,600	P	4,400	P	8,200				
Urban																
1-624	Pittsboro Rd. NDM to SR 1008	1.5	1,900	Urban 4R			ROM	400	C	1,500						
Bridge Replacement																
1-1311	U.S. 15-501 at Morgan Creek		535	Federal Aid: Bridge Replacement	C	535										
Municipal Projects																
1	Merritt Hill Rd. SR 1919 to Cameron Ave.	.73	604	Local: State:	ROM PE	31: 33:	C	200	C	200	C	53:				
2	University Heights Street Improvements Project	.78	343	Local, CD	PE	34: 389:	C									
3	Old Oxford Rd. Improvement	.04	7	Local:	PE	1:	C									

KEY: ROM= Right-of-Way PE= Preliminary Engineering C= Construction B= Grading & Structures P= Paving 4R= Resurfacing, Restoration, Rehabilitation, or Reconstruction

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TABLE F
TOWN OF CHAPEL HILL
HIGHWAY IMPROVEMENT REQUESTS

Priority listing of needs by eligible Federal funding sources:

Priority	FEDERAL AID FUNDS		
	Primary	Secondary	Urban
1	15-501 Bypass entire length widen and improve	N.C. 86 (Airport Rd.) Homestead Rd. to I-40 widen and improve	Merritt Mill Rd.--Cameron Ave. to S. Greensboro St.--widen to 41' cross- section
2	U.S. 15-501 from Bypass to Chatham County line widen and improve	Laurel Hill Parkway from U.S. 15-501 to N.C. 54 build along new align- ment	Sage Rd. Weaver Dairy Rd. to U.S. 15-501 widen and extend
3	U.S. 15-501 Improve inter- section with Scarlette Dr/ Old Durham- Chapel Hill Road	Mt. Carmel Church Rd. (SR 1008) U.S. 15-501 to County line widen and improve	N.C. 86 (Airport Rd.) Estes Dr. to Homestead Rd. widen and improve
4	U.S. 15-501 Franklin St. to I-40 Improve and extend front- age roads	Old Durham- Chapel Hill Road. Scarlette Dr. to county line--widen and improve	Frances St. Willow Dr. to Ephesus Ch. Rd. complete connection
5	U.S. 15-501 Franklin St. to I-40 Widen and improve		Estes Drive Franklin St. to Carrboro town limit widen and improve

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Resolution Authorizing Submission of Recommendations from Chapel Hill to the North Carolina Board of Transportation for the North Carolina Transportation Improvement Program

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION WITH THE DELETION OF "2. Widen South Columbia Street (U.S. 15-501 Business) adjacent to the Carolina Inn" IN SECTION "C," AND THE ADJUSTMENT OF SUBSEQUENT PRIORITIES:

A RESOLUTION AUTHORIZING SUBMISSION OF RECOMMENDATIONS FROM CHAPEL HILL TO THE NORTH CAROLINA BOARD OF TRANSPORTATION FOR THE NORTH CAROLINA TRANSPORTATION IMPROVEMENT PROGRAM (84-R-89)

WHEREAS, it is the policy of the Town of Chapel Hill to develop a system of major thoroughfares which will provide access to and between major neighborhood centers and which will be integrated with inter-city movements; and

WHEREAS, it is the policy of the Town of Chapel Hill to discourage through traffic on residential streets;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby requests the North Carolina Board of Transportation to include the following road improvements in the State's Transportation Improvement Program:

A. Federal-Aid Primary Funding

1. Widen and improve U.S. 15-501 by-pass from Franklin Street to Pittsboro Road.
2. Widen and improve U.S. 15-501 from U.S. 15-501 by-pass to the Chatham County line.
3. Improve U.S. 15-501 intersection with Sage Road and Scarlette Drive.
4. Improve and extend frontage roads along U.S. 15-501 from Franklin Street to the pending I-40 interchange.
5. Widen and improve U.S. 15-501 from Franklin Street to the pending I-40 interchange.

B. Federal-Aid Secondary Funding

1. Widen and improve N.C. 86 from Homestead Road to the pending I-40 interchange.
2. Build Laurel Hill Parkway from U.S. 15-501 to N.C. 54 along new alignment.
3. Widen and improve Mt. Carmel Church Road (S.R. 1008) from U.S. 15-501 to the Chatham County line.
4. Widen and improve Old Durham-Chapel Hill Road from Scarlette Drive to the Durham County line.

C. Federal-Aid Urban Funding

1. Widen Merritt Mill Road from Cameron Avenue to S. Greensboro Street to a 41-foot cross-section.
2. Improve and extend Sage Road from Weaver Dairy Road to U.S. 15-501.
3. Widen and improve N.C. 86 from Estes Drive to Homestead Road.
4. Complete the connection of Frances Street from Willow Drive to Ephesus Church Road.

BE IT FURTHER RESOLVED that the Council hereby requests that the State give the Town an opportunity to request bikeways facilities in conjunction with any future State-supported road improvements programmed in the Town; and

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BE IT FURTHER RESOLVED that the Council hereby requests that the State give the Town the opportunity to participate in the design of any State-supported road improvements that might be programmed in the Town.

This the 14th day of May, 1984.

THE MOTION CARRIED UNANIMOUSLY.

Resolution Authorizing the Manager to Ask the North Carolina Department of Transportation to Investigate Developing Park/Ride Lots at I-40 Interchanges with N.C. 54 and N.C. 86

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

A RESOLUTION AUTHORIZING THE MANAGER TO ASK THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO INVESTIGATE DEVELOPING PARK/RIDE LOTS AT I-40 INTERCHANGES WITH N.C. 54 AND N.C. 86 (84-R-90)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves, and authorizes the Manager on behalf of the Town to ask the North Carolina Department of Transportation to investigate developing park/ride lots at I-40 interchanges with N.C. 54 and N.C. 86.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council encourages the Transportation Advisory Committee of the Durham Urbanized Area to ask the North Carolina Department of Transportation to investigate developing park/ride lots at I-40 interchanges with N.C. 54 and N.C. 86.

This the 14th day of May, 1984.

Councilmember Kawalec asked that Ms. Ann Franklin, Administrator of the Triangle Ride-Sharing Program, be recognized and commended her for her efforts in this program.

THE MOTION TO ADOPT RESOLUTION 84-R-90 CARRIED UNANIMOUSLY.

Resolution Requesting the N.C. Department of Transportation to Widen Airport Road in Conjunction with the Construction of Interstate 40 through Orange County and to Widen the Overpass Proposed for Construction at N.C. 86 and I-40 to Accommodate a 5-lane Section on N.C. 86

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

A RESOLUTION REQUESTING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO WIDEN AIRPORT ROAD IN CONJUNCTION WITH THE CONSTRUCTION OF INTERSTATE-40 THROUGH ORANGE COUNTY AND TO WIDEN THE OVERPASS PROPOSED FOR CONSTRUCTION AT N.C. 86 AND I-40 TO ACCOMMODATE A FIVE-LANE SECTION ON N.C. 86 (84-R-91)

WHEREAS, plans call for Interstate-40 to be extended from the Research Triangle Park through Orange County; and

WHEREAS, the State has acquired about three-fourths of the land it needs in Orange County for the I-40 right-of-way and expects to award the first construction contracts in the county in July and September, 1984; and

WHEREAS, the proposed I-40 extension is expected to be open for traffic in 1987; and

WHEREAS, the proposed I-40 route calls for an interchange where the route will cross N.C. 86 north of Chapel Hill; and

WHEREAS, the Town of Chapel Hill has experienced much growth near its northern corporate limits and beyond since discussion and planning for I-40 began several years ago; and

WHEREAS, the presence of the interchange proposed for this area is expected to significantly increase traffic coming into Chapel Hill at this point; and

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WHEREAS, N.C. 86 is five lanes wide in Chapel Hill but narrows to two lanes at Homestead Road; and

WHEREAS, the Town is presently experiencing traffic congestion and safety problems on the two-lane segment of N.C. 86 especially at Weaver Dairy Road and Homestead Road; and

WHEREAS, the Durham-Chapel Hill-Carrboro Transportation Advisory Committee unanimously voted on August 30, 1983, to ask NCDOT to widen the overpass to be constructed for I-40 at N.C. 86 (Airport Road) and to widen the existing two-lane rural section of Airport Road south of this interchange to a five-lane section;

BE IT RESOLVED that the Council of the Town of Chapel Hill formally requests NCDOT to widen the above-mentioned overpass and to widen N.C. 86 between its intersection with I-40 and the Chapel Hill corporate limits to be completed by or before the time I-40 is open to traffic in Orange County.

This the 14th day of May, 1984.

THE MOTION CARRIED UNANIMOUSLY.

Resolution Supporting Legislation for the State-wide Use of Phosphate-free Detergents

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER PRESTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION SUPPORTING LEGISLATION FOR THE STATE-WIDE USE OF PHOSPHATE-FREE DETERGENTS (84-R-92)

WHEREAS, the State of North Carolina, in cooperation with local governments, has initiated an aggressive and comprehensive program for protecting the waters of Falls and Jordan Reservoirs; and

WHEREAS, these valuable resources--along with other lakes, rivers, and estuaries of the State--are increasingly threatened by nuisance algae growths stimulated by excessive nutrients; and

WHEREAS, phosphate detergents contribute more than 10 and 15 percent, respectively, to the total phosphorus inputs of Falls and Jordan Reservoirs; and

WHEREAS, the elimination of detergent phosphate could reduce annual wastewater treatment costs by 10 percent if and when municipalities are required to remove phosphorus; and

WHEREAS, the North Carolina Department of Natural Resources and Community Development has determined that highly effective substitutes for phosphate detergents are available which do not increase consumer laundering costs; and

WHEREAS, on March 21, 1984, the Board of the Triangle J Council of Governments adopted a resolution urging legislation requiring state-wide use of phosphate-free detergents; and

WHEREAS, the Board of Directors of the Orange Water and Sewer Authority adopted a resolution on March 22, 1984, urging a state-wide ban on phosphate detergents; and

WHEREAS, six other states facing similar water quality problems have required the exclusive use of phosphate-free detergents; and

WHEREAS, such action would be a cost-effective supplement to other clean water efforts, such as stricter development regulations, agricultural conservation practices, and improved wastewater treatment plant operations;

NOW, THEREFORE, BE IT RESOLVED that the Town of Chapel Hill urges the North Carolina General Assembly to enact legislation requiring the exclusive state-wide use of phosphate-free laundry detergents.

This the 14th day of May, 1984.

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THE MOTION CARRIED UNANIMOUSLY.

Resolution Responding to OWASA Regarding the Issue of Fire Hydrant Fees

COUNCILMEMBER THORPE MOVED, SECONDED BY COUNCILMEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION RESPONDING TO OWASA REGARDING THE ISSUE OF FIRE HYDRANT FEES (84-R-93)

WHEREAS, the Chair of the Board of Directors of the Orange Water and Sewer Authority has requested the views of the Council regarding fire hydrant fees; and

WHEREAS, the Council has considered both the practical problems and the questions of equity presented by the current policy;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Chapel Hill suggests that the Board of Directors of the Orange Water and Sewer Authority adopt a policy that would:

1. Eliminate separate fees for hydrants and "fire protection."
2. Require developers to buy and install hydrants to meet OWASA standards.
3. Have OWASA accept such hydrants for ownership and continued maintenance.

This the 14th day of May, 1984.

THE MOTION CARRIED UNANIMOUSLY.

Consent Agenda

--Councilmember Smith requested that Consent Agenda "e" (re a public hearing for the closing of Weaver Street right-of-way) be removed from the Consent Agenda.

--Councilmember Thorpe requested that Consent Agenda "a" (re funding by Orange County for municipal library and parks and recreation services) be removed from the Consent Agenda.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER PRESTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION APPROVING VARIOUS RESOLUTIONS (84-R-94)

- b. A resolution regarding continuation of public hearings called for June 18 (84-R-96).
- c. A resolution awarding a contract for radio communication equipment (84-R-97).
- d. Resolutions declaring seventy-four items of personal property to be surplus and authorizing and directing the sale of said property by public auction or private negotiated sale (84-R-98 and 84-R-99).

This the 14th day of May, 1984.

Resolutions Adopted on the Consent Agenda

The following resolutions were adopted on the Consent Agenda:

A RESOLUTION REGARDING CONTINUATION OF PUBLIC HEARINGS CALLED FOR JUNE 18, 1984 (84-R-96)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the public hearing meeting scheduled for June 18, 1984, shall be recessed to 7:30 P.M. on Wednesday, June 20, in the Meeting Room of the Municipal Building, 306 North Columbia Street, as follows:

June 18

Coker Woods - Special Use Permit Application
 Woodlynn Towers - Special Use Permit Application
 Howell Offices - Special Use Permit Application
 Allenton Offices - Special Use Permit Application
 Mill Creek - Special Use Permit Application

June 20

Tate Apartments - Special Use Permit Request
 Southbridge Annexation
 Street Closings - Weaver Street and Scarlett Drive
 Planning Board Membership Composition - Development Ordinance
 Text Amendment
 Definitions - Development Ordinance Text Amendment

This the 14th day of May, 1984.

A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR RADIO COMMUNICATION EQUIPMENT (84-R-97)

WHEREAS, the Town of Chapel Hill has solicited formal bids on April 6, 1984, and the following bids have been received:

<u>Item</u>	<u>Motorola Communications & Electronics, Inc. Chicago, Ill.</u>	<u>Aerotron, Inc. Raleigh, N.C.</u>	<u>Midland LMR Kansas City, Mo.</u>
1. 9 Dash Mounted Mobile Radios	\$ 4,175.00	No Bid	No Bid
2. 10 Four-Channel Portable Radios	\$ 9,180.00	No Bid	No Bid
3. 10 Remote Speaker/Microphones	\$ 750.00	No Bid	No Bid
4. 10 Desk Chargers	\$ 390.00	No Bid	No Bid
5. 5 Two-Channel Portable Radios	\$ 2,935.00	No Bid	No Bid
6. 1 Multi-Unit Charger	\$ 219.00	No Bid	No Bid
7. 1 Desk Charger	\$ <u>15.00</u>	No Bid	No Bid
	\$17,764.00		

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid and awards a contract to Motorola Communications and Electronics, Inc., in the amount of \$17,764.00.

This the 14th day of May, 1984.

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A RESOLUTION DECLARING SIXTY-FOUR ITEMS OF PERSONAL PROPERTY TO BE SURPLUS AND AUTHORIZING AND DIRECTING THE SALE OF SAID PROPERTY BY PUBLIC AUCTION OR PRIVATE NEGOTIATED SALE (84-R-98)

WHEREAS, Article 12 of General Statutes 160A and Section 4.16 of the Charter of the Town of Chapel Hill authorize the Town to dispose of surplus personal property; and

WHEREAS, the Town desires to dispose of certain items of personal property;

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

1. That the following items of personal property are hereby declared surplus and, where indicated, the minimum bids across from items shall apply:

<u>ITEM</u>	<u>MINIMUM BID</u>
One Dodge 1/2 Ton Pick-up Truck (1976)	\$200
One Dodge 1 Ton Truck w/flatbed (1974)	350
One Dodge 1 Ton Cab & Chassis (1976)	400
One GMC Sideload Garbage Truck (1973)	350
One Dodge Van (1976)	200
One Volkswagon Van (1968)	50
One Plymouth/Volare (1978)	300
One Plymouth/Fury (1975)	150
Three Mercury/Zephears (1981)	Each 400
One Dodge/Dart (1974)	150
One International Tractor w/rt. side sickle mower	700
One Asplundh, Gas Powered, wood chipper	1,000
One Ice Making Machine	100
Two Murray Power Mowers	Each 10
One Triumph Sicle Mower	50
One Suction Pump, Gas Powered	25
One Shallow well pump, electric w/tank	25
Two Carrier, Gas Furnaces, 120,000 BTU's	Each 50
One Cobey, 6 cu. yd. tailgate extension	250
Four Mobile Radios	
One Weed Eater, Gas Powered	
Two Ford Industrial Engines	
One AB Dick Photocopier	
Two Sofas	
Two Lounge Chairs	
One Metal Door	
Two Steel Shelves	
One Book Cart	
One Pedestal Bulletin Board	
One Record Player Cabinet	
Five Calculators	
Two Typewriters	
One IBM Mag Card	
One NCR-399 System	
One Typing Stand	
One Case Xerox Developer (outdated)	
One Box assorted office machine ribbons	
Eleven Clothing Lockers	

2. That the Purchasing Agent of the Town of Chapel Hill shall be and is hereby authorized to dispose of this surplus personal property at public auction in accordance with statutory requirements.

3. That the public auction is to take place on Saturday, June 2, 1984, at 10:00 A.M., at the Municipal Operations Facility, 1099 Airport Road, Chapel Hill, N.C. (Rain Date: June 9, 1984, at the same time and place).

4. That the terms of sale shall be to the highest bidder for cash or other form of cash-equivalent acceptable to the Purchasing Agent (items specifying a minimum bid price shall be to the highest bidder equalling or exceeding the established minimum). All sales shall be designated final on the day of the auction.

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5. That all items shall be sold on an "as is" and "where is" basis and the Town makes no guarantee of and assumes no responsibility for any of the items.
6. That it shall be a condition of sale that all items purchased shall be picked up and removed from the premises of the Municipal Operations Facility by 3:30 P.M. on the day of the auction. Purchasers shall bear sole risk of loss of any items remaining on said premises past such time.

BE IT FURTHER RESOLVED that if any of the surplus property is not sold at the public auction, the purchasing agent is hereby authorized to sell said surplus property by private negotiated sale in conformity with General Statute 160A-267.

This the 14th day of May, 1984.

A RESOLUTION DECLARING TEN ITEMS OF PERSONAL PROPERTY TO BE SURPLUS AND AUTHORIZING AND DIRECTING THE SALE OF SAID PROPERTY BY ADVERTISED SEALED BID ON PRIVATE NEGOTIATED SALE (84-R-99)

WHEREAS, Article 12 of General Statutes 160A and Section 4.16 of the charter of the Town of Chapel Hill authorizes the Town to dispose of surplus personal property; and

WHEREAS, the Town desires to dispose of certain items of personal property;

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

1. That the following items of personal property are hereby declared surplus, and, where indicated, the minimum bids across from items shall apply:

<u>ITEM</u>	<u>MINIMUM BID</u>
One 1958 GMC Bus (Scrap)	
Two 1958 GMC Buses	Each 150.00
Four 1958 GMC Buses	Each 100.00
One Chevrolet Nova (1975)	50.00
One GMC 3/4 Ton Truck (1975)	500.00
Approximately 5000 pounds scrap metal	

2. That the Purchasing Agent of the Town of Chapel Hill shall be and is hereby authorized to dispose of this surplus personal property by advertisement for sealed bids in accordance with the provisions of General Statute 160A-268.

3. That all items shall be sold on an "as is" and "where is" basis and the Town makes no guarantee of and assumes no responsibility for any of the items.

BE IT FURTHER RESOLVED that if any of the surplus property is not disposed of by sealed bid, the Purchasing Agent is hereby authorized to sell said surplus property by private negotiated sale in conformity with General Statute 160A-267.

This the 14th day of May, 1984.

Resolution of Support for and Requesting Continuation of Funding by Orange County for Municipal Library and Parks and Recreation Services

COUNCILMEMBER THORPE MOVED, SECONDED BY COUNCILMEMBER KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION OF SUPPORT FOR AND REQUESTING CONTINUATION OF FUNDING BY ORANGE COUNTY FOR MUNICIPAL LIBRARY AND PARKS AND RECREATION SERVICES (84-R-95)

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WHEREAS, the Orange County Board of Commissioners has appropriated funds for several years to support municipal Library and Parks and Recreation services in southern Orange County in a spirit of cooperation between the County and the Town of Chapel Hill;

WHEREAS, the Town's Library and Parks and Recreation services are available to residents of Orange County who do not live in Chapel Hill on the same basis as for Town residents; and

WHEREAS, the Town Council of Chapel Hill believes the policy of municipal support funding by the Orange County Board of Commissioners is commendable;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Chapel Hill that the Council hereby expresses its appreciation and gratitude to the Orange County Board of Commissioners for its policy of financial support of Chapel Hill Library and Parks and Recreation services; and

BE IT FURTHER RESOLVED that the Town Council of Chapel Hill authorizes the Mayor and Town Manager to meet with the Chairman of the Orange County Board of Commissioners and the Orange County Manager to develop a recommended level of County funding for the Chapel Hill Public Library and for the Chapel Hill Parks and Recreation Departments for fiscal year 1984-85; and

BE IT FURTHER RESOLVED that the Mayor of the Town of Chapel Hill is authorized to formally present the request of the Town of Chapel Hill for municipal support funding to the Orange County Board of Commissioners at the appropriate County budget hearing.

This the 14th day of May, 1984.

THE MOTION CARRIED UNANIMOUSLY.

Resolution Calling a Public Hearing on Proposed Closing of the Weaver Street Right-of-Way

Mr. Taylor responded to Councilmember Smith that Timberlyne Shopping Center owned property on one side of Weaver Street, and Beemer and Mallette and W. Lloyd were owners of properties on the other side of Weaver Street.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER PRESTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION CALLING A PUBLIC HEARING ON PROPOSED CLOSING OF THE WEAVER ROAD RIGHT-OF-WAY (84-R-100)

BE IT RESOLVED by the Council of the Town of Chapel Hill that, in accord with G.S. 160A-299, the Council hereby calls a Public Hearing at 7:30 on June 20, 1984, in the Meeting Room of the Municipal Building, 306 North Columbia Street, to receive comments on whether the Town should close the right-of-way of Weaver Road for a distance of approximately 936 feet, as shown on Chapel Hill Township Tax Map 24, west of Lot 28.

This the 14th day of May, 1984.

THE MOTION CARRIED UNANIMOUSLY.

Upon Council concensus, the work session scheduled for May 16 was rescheduled for May 30, 1984.

COUNCILMEMBER PASQUINI MOVED, SECONDED BY COUNCILMEMBER SMITH, THAT THE MEETING BE ADJOURNED. THE MOTION CARRIED UNANIMOUSLY.

The meeting was adjourned at 11:07 P.M.

Joseph L. Nassif, Mayor

Robin G. Rankin, Deputy
Town Clerk