

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL  
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,  
MONDAY, JULY 2, 1984, 7:30 P.M.

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

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

Also present were Assistant Town Managers Sonna Loewenthal and Ron Secrist, and Town Attorney Grainger Barrett.

Petitions

Tom Higgins asked that he be allowed to speak to Agenda #3 (Eastwood Subdivision).

Lightning Brown asked that he be allowed to speak to Agenda #3 (Eastwood Subdivision).

Ann Fleming asked that she be allowed to speak, for Juanita Sturdevant, to Agenda #8 (Scarlette Drive).

Bill Ray asked that he be allowed to speak to Agenda #3 (Eastwood Subdivision).

COUNCIL MEMBER BROADFOOT MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO DIRECT THE MAYOR TO SEND CHAPEL HILL'S THOROUGHFARE PLAN TO RALEIGH. Council Member Boulton said she thought there was a time frame set up for when this should be done. Mayor Nassif said there is no time frame. Council Member Howes said he would object to placing this item on the agenda this week; but he would not object to it being on the agenda in the future.

Minutes

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO APPROVE THE MINUTES OF MAY 29 AS AMENDED. THE MOTION CARRIED UNANIMOUSLY (9 to 0).

Eastwood Subdivision - Preliminary Sketch

Mr. Tom Higgins said shifting the road bed of Piney Mountain Road was recommended by the Planning Board to save trees. He said the applicant is willing to state on the plats of lots 24 through 28, which lots will be used for drainage easement, that the lots are within the floodplain. This would assure that nothing can be built on these lots.

Lightning Brown said the Planning Board has asked for a pedestrian, non-motorized-vehicle easement along the creek, through open space of this project. He suggested that the stipulation describing the easement be expanded to add a connector to Piney Mountain Road. He said this recommendation is his personal recommendation.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO ADOPT RESOLUTION 84-R-136.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER THORPE, TO AMEND THE MOTION TO AMEND STIPULATION #4 OF THE RESOLUTION. Council Member Boulton said she wasn't convinced at the last meeting that a sidewalk is needed on both sides of Eastwood Road. She said since a sidewalk is stipulated for the north side of the street,

by the Housing Authority, the requirement for this subdivision may be unnecessary.

Assistant Town Manager Ron Secrist said if this sidewalk were deleted from the stipulations, a sidewalk will remain on the north side of Eastwood from Piney Mountain Road to the end of the property line of the public housing property; the sidewalk would not extend to Shady Lawn. Council Member Preston asked if the Town would have to build the sidewalk in order to extend it to Shady Lawn. Attorney Barrett said if a developer requested permission to develop land adjacent to the right-of-way, the Council could stipulate that the developer build the sidewalk.

Council Member Boulton asked if it was the recommendation of the staff and Planning Board that this sidewalk not be required. Assistant Manager Secrist said staff feels a sidewalk should exist on one side of the road.

THE MOTION TO AMEND FAILED TO PASS BY A VOTE OF 4 TO 5; WITH COUNCIL MEMBERS THORPE, BOULTON, PASQUINI, AND PRESTON VOTING FOR THE MOTION, AND COUNCIL MEMBERS BROADFOOT, KAWALEC, HOWES, AND SMITH, AND MAYOR NASSIF VOTING AGAINST.

COUNCIL MEMBER BROADFOOT MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO AMEND THE MOTION BY ADDING A STIPULATION #15 (That no construction, including grading, authorized under this subdivision approval shall commence, and that no zoning compliance permit or no further permits be issued unless and until the Executive Director of OWASA shall certify to the Town Manager that the Cane Creek improvement is then providing a substantial additional increment of water supply to the OWASA system).

Council Member Boulton said she would speak against the motion for two reasons. She said Council has asked the Manager to bring a study on the water situation and potential need for a moratorium on development. She said secondly that many times Council has felt a particular stipulation should be added, and decided against it because it isn't fair to place a restriction on one development. She said stipulations should be something Council has decided upon, and applies to all developments equally.

THE MOTION FAILED TO PASS BY A VOTE OF 2 TO 7; WITH COUNCIL MEMBERS BROADFOOT AND PRESTON VOTING FOR THE MOTION, AND COUNCIL MEMBERS THORPE, BOULTON, PASQUINI, KAWALEC, HOWES, AND SMITH, AND MAYOR NASSIF VOTING AGAINST THE MOTION.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL SMITH, TO AMEND THE MAIN MOTION BY AMENDING STIPULATION #5.

Assistant Town Manager Loewenthal said the proposal is for widening a road, that is currently 20 feet wide, to a width of 27 feet. She said the road would be widened within the 60-foot right-of-way that currently exists for the road. She said the road would still be two lanes of travel, with curb and gutter.

Mr. Bill Ray said he is concerned about his corner lot at Summerlin, which is elevated. He fears the widening may take away the trees buffering his home from the roadway. Assistant Town Manager Loewenthal said any kind of widening at this point would be done with an eye towards the transition back to the existing roadway, and considering possible future widening. She said it is very clear that the grade difference at the point of Summerlin's intersection is an important one, and would be important in the final widening of the road.

Council Member Smith asked what is the width of the shoulder on Piney Mountain Road where the sidewalk is proposed. Council Member Boulton asked for a diagram. Town Engineer George Small described the widening proposal with a diagram.

Council Member Pasquini said he is concerned that shifting the road bed

will remove some natural buffers which are now there. He said it is difficult to make a decision on the matter when he can't know the actual details.

Council Member Howes said he thinks the proposed method of widening the road bed is far less destructive than doing it otherwise, which will destroy a lot of natural environment. Council Member Pasquini said he doesn't see the benefit of moving the road.

Roscoe Reeve said the road must be widened to meet town standards to one-half of the 40-foot cross-section, with a five-foot sidewalk. The proposal is to shift the widened road to the west to minimize the need to fill, and destroy natural buffers.

Council Member Smith said regardless of where the road is widened, some of the natural buffer will be disturbed, and he wonders why the road must be widened at all at that point.

THE MOTION FAILED TO PASS BY A VOTE OF 2 TO 7; WITH COUNCIL MEMBERS PASQUINI AND SMITH VOTING FOR THE MOTION, AND COUNCIL MEMBERS THORPE, BOULTON, BROADFOOT, KAWALEC, PRESTON, AND HOWES, AND MAYOR NASSIF VOTING AGAINST THE MOTION.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO AMEND THE MOTION BY ADDING TO STIPULATION #11.

Council Member said she feels staff should have time to consider this stipulation. Interim Planning Director Liz Rooks said staff would not have objections to that stipulation.

THE MOTION CARRIED UNANIMOUSLY. (9 to 0)

Council Member Smith said he is concerned about lots 24 through 28: that people may buy the lots not knowing that they are too wet to build on.

COUNCIL MEMBER SMITH MOVED TO DELETE LOTS 24 THROUGH 28 FROM THE PROJECT APPROVAL.

THE MOTION FAILED FOR LACK OF A SECOND.

Mayor Nassif asked where the water goes when it is released. He said the Town has a lack of policy; therefore, drainage is released such that it causes an erosion problem. He said he is concerned drainage will be released into a swale on lots 24 through 28; then an erosion problem will occur, and the Town will be called upon to solve the problem. Assistant Town Manager Loewenthal said these questions can be answered when the drainage plans are submitted. She said Council could delay action until the applicant could provide a more detailed drainage plan and staff can consider the plan. Mayor Nassif said he would feel more comfortable if he knew the drainage outfall would not be allowed to flow freely over lots on which people will build homes. He said this has been a problem in the past, and should be carefully controlled from now on.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO REFER THIS MATTER BACK TO STAFF TO SOLVE THE DRAINAGE PROBLEMS.

Mayor Nassif said he is not trying to delay approval of this request. He said approval could be given with the stipulation that the drainage plan come back for approval before any building takes place.

THE MOVER WITHDREW HIS MOTION.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO AMEND THE MAIN MOTION BY ADDING A STIPULATION TO THE RESOLUTION THAT DRAINAGE PLANS BE RETURNED TO COUNCIL FOR APPROVAL.

Council Member Howes said he would support the motion, however he thinks drainage plans are not the business of Council. He said he

doesn't think Council should get into the business of approving all drainage plans. Mayor Nassif said Council could see what kind of police staff will use when they work this plan out with the developer.

Council Member Smith said he agrees that Council has not, in the past, been able to see where drainage water will go from proposed projects. He said that may be why there is a drainage problem in Chapel Hill now. Mayor Nassif said piping water is expensive, and developers commonly use as little as possible, which causes eroding when the water is released.

THE MOTION CARRIED UNANIMOUSLY (9 to 0).

THE MAIN MOTION CARRIED BY A VOTE OF 6 TO 3; WITH COUNCIL MEMBERS THORPE, BOULTON, KAWALEC, HOWES, AND PRESTON, AND MAYOR NASSIF VOTING FOR THE MOTION, AND COUNCIL MEMBERS PASQUINI, BROADFOOT, AND SMITH VOTING AGAINST THE MOTION.

The resolution, as adopted, is as follows.

A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR EASTWOOD ROAD SUBDIVISION (84-R-136)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the preliminary plat dated April 12, 1984 for Eastwood Road Subdivision located on property identified as Chapel Hill Township Tax Map 28, Lots 3, 5 and 5B, and Tax Map 29, part of Lot 3, subject to the following:

1. That the through road's intersection with Eastwood Road be aligned with the road to the Eastwood Planned Development.
2. That the through road be built to Class B standards with curb and gutter. All other roads may be built to Class C standards. Plans shall be approved by the Town Manager prior to approval of the final plat.
3. That Shadylawn Road be paved to an asphalt width of 22 feet, with curb and gutter on the south side, along this property's frontage. Plans shall be approved by the Town Manager prior to approval of the final plat.
4. That Eastwood Road be improved to  $\frac{1}{2}$  of a 33-foot width with curb and gutter and a 5-foot wide paved sidewalk along this property's frontage. Plans shall be approved by the Town Manager prior to approval of the final plat.
5. That Piney Mountain Road be improved to the equivalent of  $\frac{1}{2}$  of a 33-foot cross-section with curb and gutter and a 5-foot wide paved sidewalk and that right-of-way be dedicated along this property's frontage, measured 30 feet from the centerline of the improved roadway. The roadway may be widened on its west side where necessary to avoid extensive fill on the east side and where existing right-of-way allows. Plans shall be approved by the Town Manager prior to approval of the final plat.
6. That utility easements as required by OWASA be shown on the final plat. These easements shall include a sewer easement along the southern boundary of lot 30 and along the draw through the proposed open space in the southeastern portion of the property and along the eastern boundaries of lots 8-16 and lot 1.
7. That lots 4 and 57 have access from the through street rather than from Eastwood Road. That lots 30 and 31 have access from the through street rather than from Piney Mountain Road. A notation shall be placed on the final plat indicating these access restrictions.
8. That workzone traffic control plans be approved by the Town Manager as part of the construction plans for improvements to existing

public streets.

- 9. That plans for water and sewer be approved by the Town Manager and OWASA prior to approval of the final plat. That the Town Manager advise the Planning Board on how sewer service will be provided to this property, prior to approving sewer plans. That any off-site easements required to serve this subdivision be approved by the Town Manager and recorded prior to the start of construction activities, including clearing.
- 10. That plans for the location and installation of fire hydrants be approved by the Town Manager prior to approval of the final plat.
- 11. That a 50-foot wide non-motorized vehicle and pedestrian easement be provided along the north side of Booker Creek where the creek crosses this property, to be owned and maintained by the homeowners association. That a connecting easement from the one described above be provided to Piney Mountain Road.
- 12. That the name of the development and its streets be approved by the Town Manager prior to approval of the final plat.
- 13. That no Certificate of Occupancy be issued within any phase of the subdivision until all improvements associated with that phase are accepted as complete.
- 14. That a notation be placed on the final plat indicating that the Town does not accept responsibility for maintenance of the drainage easements.
- 15. That drainage plans be submitted to Council for approval.

This the 2nd day of July, 1984.

Cable Television Franchise Amendment - Village Cable, Service Extension Policy

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT ORDINANCE #49.

THE MOTION CARRIED BY A VOTE OF 8 TO 1, WITH COUNCIL MEMBERS THORPE, BOULTON, PASQUINI, BROADFOOT, KAWALEC, HOWES, PRESTON, AND SMITH VOTING FOR THE MOTION, AND MAYOR NASSIF VOTING AGAINST THE MOTION.

This is the First Reading of the following ordinance.

AN ORDINANCE AMENDING THE FRANCHISE GRANTED TO VILLAGE CABLE, INC. (84-0-49)

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

SECTION I

That Paragraph 2, Page 1 of 4, of Form H of Village Cable's franchise proposal of September 4, 1979, is amended as follows:

a. Initial Service Area

Except for the UNC campus, the "Initial Service Area" shall consist of the area encompassed by the Chapel Hill corporate limits as of January 1, 1980, which is shown on the map referred to in Paragraph 1 of Form H. Service shall be provided to all dwelling units in the Initial Service Area which existed at the time of acceptance of the franchise by Village. Initial service shall be provided to those dwelling units within twelve months following the date on which the franchise was accepted. (Service shall be provided to other dwelling units as provided below.) The UNC campus shall not be included in the Initial Service Area until appropriate authority is granted by the University of North Carolina to extend cable service within the campus. "Dwelling units" as used in this

sub-paragraph shall mean units of housing, including without limitation individual apartment units and single-family houses, which are customarily occupied or available for occupancy on a year-round basis. Dwelling units in multiple-family developments such as apartment, townhouse or condominium complexes shall not be considered "dwelling units" for the purposes of this sub-paragraph if the development is served by a "small master antenna television" (SMATV) system.

b. Extension of Service to Dwelling Units in the Initial Service Area Which Are Constructed After the Date of Acceptance of the Franchise and to Dwelling Units in Areas Annexed After the Franchise is Granted

(1) Extension of Service Where Dwelling Unit Density is at Least 40 Dwelling Units Per Mile of Aerial Cable or 30 Dwelling Units Per Mile of Underground Cable:

Village shall extend service to dwelling units constructed in the Initial Service Area and to dwelling units in areas annexed by the Town after January 1, 1980 where there are, on the average, (a) in an area where Village extends service via aerial lines, at least 40 such dwelling units for each mile of proposed new cable extension reasonably necessary for extension of such service, or (b) if the cable extension is underground and is installed on both sides of the street, at least 30 such dwelling units per mile of proposed new cable extension (where the length of the applicable cable extension shall include the cable necessary to serve both sides of the street), rather than 40 dwelling units per mile. Village shall maintain a reasonably accurate record of written and oral requests for service extensions requiring feeder cable extensions. Village shall extend service to a requesting single dwelling unit within six months after receipt by Village of the first request for service.

(2) Extension of Service Where Dwelling Unit Density is Less Than 40 Dwelling Units Per Cable Mile of Aerial Cable (or 30 Dwelling Units Per Cable Mile of Underground Cable):

In areas where there are, on the average, fewer than (a) 40 dwelling units for each mile of new aerial cable required for extension of the service, or (b) 30 dwelling units for each mile of new underground cable (where the length of the applicable cable extension shall include the cable necessary to serve both sides of the street) necessary for extension of service, Village shall provide service with a sharing of costs in the manner illustrated below.

If, for example, service is requested for a dwelling unit in an area where there are 25 dwelling units for each mile of proposed new trunk and feeder cable, Village's share of costs shall equal 25/40ths of the incremental construction cost necessary to extend cable from the nearest existing cable which is capable of delivering a signal consistent with the specifications provided for in the franchise to the dwelling unit for which service is requested, if the area will be served with overhead feeder cable; or 25/30ths if served by underground feeder cable. The remainder of the cost of extension will be paid in full to Village by the households which request service on a pro-rata basis or as otherwise agreed upon by the households. Such shares of extension costs paid by households shall be in addition to any normal installation fees.

The persons requesting service shall do so in writing and shall be obligated to pay Village Cable their respective shares before the commencement by Village of construction. Construction shall commence within 30 days from the date the payment in full is received by Village.

If, following completion of the extension, service is requested for additional dwelling units which can be served by said extension,

Village Cable shall recalculate the share for each dwelling unit, increasing the divisor by the number of additional dwelling units for which service is requested. Upon receiving payment for extension costs from such additional households, the households which previously had paid a share of extension cost (under the prior calculation of cost shares) shall receive a proportionate refund mailed within 90 days by Village Cable to the last known addresses of the residents. Residents shall be responsible for notifying Village of address changes.

If the number of dwelling units along a specific extension (regardless of whether receiving service) increases, on the average, to 40 or more dwelling units per mile in an area served by aerial feeder, or 30 per mile in an area served by underground feeder cable, households which previously paid a share of construction costs as most recently calculated shall be mailed refunds of such cost shares within 90 days in the manner described above.

To the extent Village has knowledge of new housing developments in the Initial Service Area and annexed areas, Village will encourage the developers of those new housing tracts to prewire the dwelling units for cable TV.

c. Costs for Service Drops in Excess of 300 Feet

Dwelling units requiring service drops longer than 300 feet from the closest existing feeder cable shall, upon request for service, pay, in addition to the customary installation fee, an additional fee sufficient to cover the incremental labor and material expenses incurred by Village in extending the service drop beyond 300 feet.

d. Definitions

For the purpose of administering Village's franchise proposal of September 4, 1979, as amended, the franchise ordinance, as amended, and Article V of Chapter 10 of the Code of Ordinances of the Town, as may be amended, the following terms are hereby defined:

- (1) a "trunk" cable shall mean a cable, usually but not necessarily of a diameter of approximately 0.75 to 1.0 of an inch, which connects the head-end to feeder cables.
- (2) a "feeder" cable shall mean a sheathed cable, usually but not necessarily of a diameter of approximately 0.412 to 0.625 of an inch, which is installed in right(s)-of-way or easement(s) and may be tapped for service drops to dwelling units or establishments.
- (3) a "service drop" means a cable, usually but not necessarily of a diameter of approximately 0.242 to 0.405 of an inch, which extends from a tap in a feeder cable along a street or other public right-of-way to an outlet or outlets in only one dwelling unit or establishment; provided, that none of the cable within a right-of-way or easement shall be considered part of a service drop to a dwelling unit or establishment.
- (4) The reference to usual diameters in (1) through (3) above reflect 1984 technology and customary industry practices. These diameters may change in the future, and the above references shall be deemed to include and refer to customary diameters used by the cable industry in the future as successors to the usual diameters set forth above.

SECTION II

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

This the 2nd day of July, 1984.

### Triangle Land Conservancy - Presentation to Council

Council Member Kawalec said the Triangle Land Conservancy and the Town could work together to retain land in its natural state. She said she invited the conservancy to make a presentation of its program to the Council so Council would know how they operate. She introduced Norm Gustaveson and B.B. Olive to the Council.

Mr. Gustaveson said one of the amenities of the Triangle area is that this is a lovely place. He said there is concern that this might be lost with existing and projected development for the area. He said the question arose of what are some of the ways, besides local governmental land use planning, that natural, unique, open space, and significant ecological and biological areas can be preserved in a private trust mechanism. A recommendation from the Land Use Conference Committee to the Project 2000 committee was that the COG should develop or encourage the development of a land trust in the six counties of the Triangle J region.

Mr. Gustaveson said the Land Use Advisory Committee set as a priority, two years ago, to encourage the development of a land trust. After much work, this committee recommended that the Triangle Land Conservancy be established. The Conservancy was begun about a year ago, a Board of Directors has been established, and a grant has been received.

Mr. B.B. Olive said that within the last year the conservancy has grown to nearly 150 members, representing all of the six counties of Region J. He said contributions have been received, and a memorial fund has been set up in honor of Dr. Logan Irvin, who was one of the founders of the Triangle Land Conservancy. He said the conservancy has received about ten acres of property in Wake County, and there is a possibility of receiving another twenty-five acres in that area.

Mr. Olive said there are many citizens in Orange County who see the value of protecting Orange County land. He said the Triangle Land Conservancy is becoming a model for others like it in North Carolina. He said the conservancy is currently making land surveys to identify property of botanical, scenic, or open space interest. He said there are a lot of ridges in Orange County, and there is some interest in preserving the tops of those. He said the conservancy is contacting all the local governments throughout Region J in an attempt to expand its knowledge of the land that may be worth preserving.

Mr. Olive said the Town of Chapel Hill could help the conservancy by letting people know there is now a mechanism for taking conservation easements, fee-simple property, and even purchasing land of unique interest in this area. He asked that the Town advise the Conservancy about land of unique local interest.

### Council Meetings - Location Of Monthly Public Hearings

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION 84-R-141b.

Council Member Thorpe said he thinks this is a bad idea. He said the Municipal Building Meeting Room is the Council's meeting place, and to move the place for public hearings can confuse citizens. He said this might also make Council feel more comfortable with its meeting space, so that it does not move to upgrade current space, as is needed.

Council Member Kawalec said she has received many complaints from citizens who feel they can't communicate with Council at public hearings. She said citizens say they must stand, sometimes outside, until their item is heard; they get tired, and some even leave because it is extremely uncomfortable. She said the chairs are uncomfortable, and the post in the middle obstructs the view of the audience.

Council Member Kawalec said she has talked with the Manager's Office about this problem, and it became clear that it would be expensive to



upgrade current facilities. She said the intent of this issue is only to make it easier for citizens to participate in government.

Council Member Howes said the idea of making citizens more comfortable at meetings justifies this effort; however, Council is the unit doing the business of government, and the business of government takes place in the Meeting Room. He said he thinks it would be a mistake to move the hearings to another location, that the symbolism of holding hearings in the normal place of business is very important. He said that from time-to-time questions come up requiring staff to get additional documentation from the offices upstairs; and a public hearing might have to be stopped, if such information required for the hearing were across town in another building. He said he thinks this is a reasonable suggestion, but a bad public policy, and he will vote against the resolution to move.

Council Member Smith said sometimes people sit all night waiting for an item to come before Council, only to have it postponed to another date. He said the schedule for public hearings should be monitored carefully, and perhaps reduce the number of items on a public hearing agenda, so that the entire agenda could be completed at the time it is publicized.

Council Member Boulton said she would agree with the comments supporting keeping public hearings in the Meeting Room. She said the problem with Phillips is that Council is on a stage and citizens are down in the seats. She said the Meeting Room is more conducive to citizen input. She suggested that maybe the room could be arranged differently; and that citizens can be notified of the approximate time of their item, so they don't all come at the same time.

THE MOTION FAILED BY A VOTE OF 3 TO 6; WITH COUNCIL MEMBERS PASQUINI, KAWALEC, AND PRESTON VOTING FOR THE MOTION, AND COUNCIL MEMBERS THORPE, BOULTON, BROADFOOT, HOWES, AND SMITH, AND MAYOR NASSIF VOTING AGAINST THE MOTION.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION 84-R-141a.

Mayor Nassif said he doesn't think there is much that can be done about re-arranging the chairs in the Meeting Room. He said some renovation could be done, if there were enough space for displaced personnel in other parts of the building. He said he had recommended in the past that the Manager have the right and prerogative to take the public hearing requests that come to him, and to hold the agenda to approximately three hours. He said if Council doesn't do either of these things, there will be the problem of crowds. He said since Council voted down allowing the Manager to limit the hearings to three hours, he would vote for this resolution to try a new location.

Council Member Smith said he thinks the staff is being taxed unduly by holding the long meetings, and then expecting them to work the next day. He said the agenda should be limited, even if meetings are held at Phillips.

THE MOTION PASSED BY A VOTE OF 5 TO 4; WITH COUNCIL MEMBERS PASQUINI, KAWALEC, PRESTON, SMITH, AND MAYOR NASSIF VOTING FOR THE MOTION, AND COUNCIL MEMBERS THORPE, BOULTON, BROADFOOT, AND HOWES VOTING AGAINST THE MOTION.

A RESOLUTION REGARDING THE LOCATION OF MONTHLY PUBLIC HEARINGS (84-R-141A)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council shall hold the regular public hearings on applications for special use permits and Development Ordinance amendments in the Phillips Jr. High School auditorium from September through November, 1984.

BE IT FURTHER RESOLVED that the hearing in January, 1985 shall be rescheduled to January 22, 1985 due to the Town's Martin Luther King,

Jr. Holiday.

This the 2nd day of July, 1984.

Development Ordinance - Amendment, Definitions

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT ORDINANCE #50.

Mayor Nassif said he would like to see the word 'density' defined in the Development Ordinance. Assistant Town Manager Loewenthal said this could be prepared for Council's consideration in the future.

THE MOTION CARRIED UNANIMOUSLY (9 to 0).

The ordinance, as adopted, is as follows.

AN ORDINANCE AMENDING THE CHAPEL HILL DEVELOPMENT ORDINANCE (84-0-50)

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

SECTION I

SUBSTITUTE the words "Transportation Plan" for the words "Major Street Plan" in the first paragraph of Subsection 6.5.1.

SECTION II

DELETE Sections 18.6 and 18.14, Reserved, and RENUMBER Sections 18.7 through 18.13 as Sections 18.6 through 18.12.

SECTION III

INSERT new Sections 18.13 and 18.14 to read as follows:

18.13 Building envelope: The three-dimensional space within which a structure is permitted to be built on a zoning lot, and which is defined by setback and height regulations.

18.14 Bonus level: A higher level of land use intensity ratios for which development may qualify if it provides specified public benefits. Bonus intensity ratios are designed to provide an incentive for the achievement of specified public objectives.

SECTION IV

DELETE Section 18.20, Reserved, and RENUMBER Sections 18.21 through 18.41 as Sections 18.20 through 18.40.

SECTION V

INSERT a new Section 18.41 to read as follows:

18.41 Efficiency dwelling unit: A dwelling unit in which living and sleeping activities are conducted or intended to be conducted within a single room.

SECTION VI

DELETE Section 18.49, Reserved, and RENUMBER Sections 18.47 and 18.48 as Sections 18.48 and 18.49.

SECTION VII

INSERT a new Section 18.47 to read as follows:

18.47 Floor Area Ratio (FAR): A decimal fraction that, when multiplied by the gross land area of a zoning lot,

determines the maximum floor area permitted within the zoning lot. The Floor Area Ratios for the various zoning districts and use groups are in the Schedule of Intensity Regulations.

SECTION VIII

DELETE Section 18.55, Reserved, and RENUMBER Sections 18.56 through 18.58 as Sections 18.55 through 18.57.

SECTION IX

INSERT a new Section 18.58 to read as follows:

18.58 Intensity: The degree to which land is used, generally measured by a combination of the type of land use and the amount of land or floor area devoted to that use.

SECTION X

DELETE Section 18.59, Reserved, and RENUMBER Sections 18.60 and 18.61 as Sections 18.59 and 18.60.

SECTION XI

INSERT a new Section 18.61 to read as follows:

18.61 Land Use Intensity (LUI) Ratios: A scale of established ratios that are applied to the gross land area of a zoning lot to determine maximum floor area, minimum open space, minimum livability space, and minimum recreation space requirements for development within the zoning lot. Each LUI scale is identified by a LUI rating.

SECTION XII

REPLACE Section 18.63, Reserved, with the following:

18.63 Livability Space Ratio (LSR): A decimal fraction that, when multiplied by the gross land area of a zoning lot, determines the minimum livability space required within the gross land area of the zoning lot. The Livability Space Ratios for the various zoning districts and use groups are in the Schedule of Intensity Regulations.

SECTION XIII

DELETE Section 18.73, Major Street Plan, and INSERT Section 18.73, Reserved.

SECTION XIV

REPLACE Section 18.88, Reserved, with the following:

18.88 Open Space Ratio (OSR): A decimal fraction that, when multiplied by the gross land area of a zoning lot, determines the minimum open space required within the gross land area of the zoning lot. The Open Space Ratios for the various zoning districts and use groups are in the Schedule of Intensity Regulations.

SECTION XV

DELETE Section 18.101, Reserved, and RENUMBER Sections 18.102 through 18.104 as Sections 18.101 through 18.103.

SECTION XVI

INSERT a new Section 18.104 to read as follows:

- 18.104 Recreation Space Ratio (RSR): A decimal fraction that, when multiplied by the gross land area of a zoning lot, determines the minimum recreation space required within the zoning lot. The Recreation Space Ratios for the various zoning districts and use groups are in the Schedule of Intensity Regulations.

#### SECTION XVII

REPLACE Section 18.120, Reserved, with the following:

- 18.120 Site plan review: The process whereby the Council or Planning Board reviews plans of a development proposal which is a permitted use to assure that it complies with applicable development regulations and standards.

#### SECTION XVIII

DELETE Section 18.140, Reserved, and RENUMBER Sections 18.137 through 18.139 as Sections 18.138 through 18.140.

#### SECTION XIX

INSERT a new Section 18.137 to read as follows:

- 18.137 Transportation plan: A plan, or any portion thereof, adopted by the Chapel Hill Town Council, establishing goals, objectives, policies, and recommendations designed to manage vehicular, transit, bicycle, and pedestrian transportation access and circulation patterns in the Chapel Hill community. The Transportation Plan is composed of the transportation sections of the Comprehensive Plan, the Thoroughfare Plan, the Street Classification Standards, the Functional Classification of Existing Streets, the Bikeways Plan, the Sidewalk Plan, and any Council-adopted plans for area traffic circulation and parking.

#### SECTION XX

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

This the 2nd day of July, 1984.

#### Development Ordinance - Amendment, Information Requirements for Development Applications

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL SMITH, TO ADOPT ORDINANCE #51.

Council Member Howes asked to hear the Planning Board's concerns.

Roscoe Reeve spoke for the Planning Board. He said the Board felt this is the only use for which this change would serve; that it would serve no other purpose than discriminatory. He said that someone in the community will conclude that attachment of a name has something to do with the decision of the Council. That is what the Planning Board is concerned about.

Council Member Boulton asked for staff comment on what the advantages would be. Assistant Town Manager Secrist said Council members attending a Work Session on March 24 expressed a consensus opinion that they wished to have this information available. This recommendation is in response to what staff felt it was directed to do at that work session.

Council Member Broadfoot said that in the past, had Council had this information, it would have known that the Plaintiff in a case against

the Town had no standing in court. He said also that it is not the business of the Planning Board to oversee any prejudices that Council may have. He said Council is far more subject to pressures and erroneous judgements therefrom, from the public hearings just discussed than from who an applicant is. He said it is common, if not universal, from the American Planning Association that these are standard items of information required on Special Use Permits and on Subdivisions.

Council Member Boulton said the former Town Attorney had said Council could not get this information. Attorney Barrett said the purpose of such a requirement is to assure to the Town that a party with the proper relationship with the Town is making the application. He said that beyond that point, it is not relevant to the question of use or zoning of the property; it is an initial threshold question. Council Member Boulton asked if this ordinance is asking for more than that relationship. Attorney Barrett said that some of the information would go beyond that.

Mayor Nassif said he would question the wording of Section I of the ordinance. Attorney Barrett said the difficulty in drafting this ordinance is that there are many forms of legal ownership of property, and there are many forms of being the beneficial owner. He said there are many ways to put legal title in one entity to shield who is actually getting the benefit. He said the drafting effort tried to cover the many varied kinds of legal forms of ownership and variations of ownership and relationships to property; it was not intended to address any other purpose.

Mayor Nassif said he would vote for the first part of each section, but not the part that talks about the detailed information without knowing what that means. He said only that which Council should know to help it, in the event it goes to court, is proper, beyond that, Council has no interest nor benefit.

Council Member Smith asked if the Town can assist an individual determine a proper seller of property. Attorney Barrett said if the information is relevant to an application for development to the Town, the principals behind a corporate entity could be identified as the parties benefitted by the applicaton.

Mayor Nassif asked if this information would be available before a case goes to court. Attorney Barrett said the information would be found out during legal proceedings, in time for court. He said, however, there are some cases in which the Town would want to know the information before a court suit is begun. He said the proposal was drafted broadly to go to public hearing so that Council could consider whether, if it was presented with the name of a corporation, Council thought it would be relevant to the standing of that party who the control parties of that corporation were.

Council Member Howes said he thinks Mr. Broadfoot is correct that this is information that is customarily obtained by cities most of the time. He said he agrees it is appropriate for Council to know who is going to operate business within the Town. He said he feels it is correct for the Planning Board to reason that this information might be used in a discriminatory way. Mr. Howes said he doesn't see any harm in the way the ordinance is drawn, and thinks the Council should try it.

Council Member Boulton asked, if the Planning Staff has this information, why shouldn't Council get the information also.

Council Member Preston said it would be helpful to have the information on the application as simply a part of the information to Council.

Council Member Broadfoot said his concern is from an archival point of view. He said if this ordinance is adopted, there would never be questions about who is doing what.

Council Member Boulton said she is just trying to find out if Council is going too far with this request for information.

THE MOTION PASSED BY A VOTE OF 6 TO 3; WITH COUNCIL MEMBERS BOULTON, BROADFOOT, KAWALEC, HOWES, PRESTON, AND SMITH VOTING FOR THE MOTION, AND COUNCIL MEMBERS THORPE, PASQUINI, AND MAYOR NASSIF VOTING AGAINST THE MOTION.

The ordinance, as adopted, is as follows.

AN ORDINANCE AMENDING THE CHAPEL HILL DEVELOPMENT ORDINANCE (84-0-51)

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

#### SECTION I

AMEND the second paragraph in Subsections 8.4.1 and 19.3.2 (Application Submittal Requirements) to read as follows:

The Town Manager shall prescribe the form(s) on which applications are made. Applications shall include the name and address of the applicant, the name and address of the owner of each zoning lot involved, and the relationship of the applicant and property owner in connection with the application. If the applicant or property owner is an entity other than an individual, the application shall also include detailed information regarding the principals of the entity. The Town Manager shall prescribe any other material that may reasonably be required to determine compliance with this chapter, with sufficient copies for necessary referrals and records.

#### SECTION II

AMEND the second paragraph in Subsection 15.4.1 (Application Submittal Requirements) to read as follows:

The Town Manager shall prescribe the form(s) on which applications are made. In the case of applications involving site plan review, applications shall include the name and address of the applicant, the name and address of the owner of each zoning lot involved, and the relationship of the applicant and property owner in connection with the application. If the applicant or property owner listed on an application involving site plan review is an entity other than an individual, the application shall also include detailed information regarding the principals of the entity. The Town Manager shall prescribe any other material that may reasonably be required to determine compliance with this chapter, with sufficient copies for necessary referrals and records.

#### SECTION III

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

This the 2nd day of July, 1984.

#### Scarlette Drive - Right-Of-Way Abandonment

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO ADOPT RESOLUTION #143a.

Council Member Pasquini asked if the Town is keeping its options open; if there is no other access to the adjacent property. Assistant Town Manager Loewenthal said this will keep options open.

Council Member Smith asked if there is a stipulation that Colony Lake developers dedicate an easement. Ms. Loewenthal said yes. Mr. Smith asked if there was a timetable for the dedication. Ms. Loewenthal said the easement would have to be dedicated before the Zoning Compliance Permit for Stage I is issued, and they have one year to begin. Assistant Town Manager Secrist said the latest word is to expect construction to begin in the fall.

Council Member Smith said his concern is that this dedication should be made, regardless of when construction begins. He said that would have solved the problem with this right-of-way. He said he would like to abandon this right-of-way and require a different one from the developer. Ms. Loewenthal said that should Colony Lake not be built as approved, it is possible for the permit to become void and a different proposal to be made for that site. She said that as of today, the easement has not been recorded in the County Registrar's office.

Council Member Pasquini said he would rather give up the right-of-way now than to hold it as it is for another year.

THE MOTION PASSED BY A VOTE OF 7 TO 2; WITH COUNCIL MEMBERS THORPE, BOULTON, BROADFOOT, KAWALEC, HOWES, AND PRESTON, AND MAYOR NASSIF VOTING FOR THE MOTION, AND COUNCIL MEMBERS PASQUINI AND SMITH VOTING AGAINST THE MOTION.

The ordinance, as adopted, is as follows.

A RESOLUTION APPROVING CLOSURE OF RIGHT-OF-WAY SOUTH OF SCARLETTE DRIVE (84-R-143a)

WHEREAS, the development plans for Colony Lake, if and when constructed, would provide adequate access to the tract of land to which the unused right-of-way immediately south of Scarlette Drive approximately at the corner of Scarlette Drive and Vance Street now allows potential access, thereby removing the need for the said right-of-way to be open;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the permanent closure of an unopened portion of right-of-way south of Scarlette Drive beginning at the corner formed by Scarlette Drive and Vance Street, and extending for a distance of approximately 135 feet west of Scarlette Drive across Chapel Hill Township Tax Map 27A, between Lot 1 of Block H and Lot 8 of Block I, to be effective upon fulfillment of the condition set forth below:

That the dedication of all public right-of-way required of the Colony Lake development is duly recorded.

This the 2nd day of July, 1984.

Chapel Hill Housing Authority - Interlocal Cooperation Agreement

Assistant Town Manager Secrist said this agreement is based upon discussions of the last several months with Mr. Barrett, Executive Director of the Housing Authority. He said it is based upon recommendations in the Management Audit of 1983, and would set up a formal process for both agencies to entertain specific cooperative agreements with one another. He said the agreement is basically a purchase of services by one agency from another.

Council Member Smith said he is concerned that the Town has assumed large quantities of land in past years which require the services of the Public Works Department, yet we have not added to the manpower of the Public Works Department. Mr. Secrist said this agreement does not bind the Town to provide any service for the Housing Authority, but enables the town to entertain a request from the Housing Authority.

Council Member Broadfoot asked if this agreement is basically a barter agreement where the total value of any deal is \$2500 per year. Mr. Secrist said the Town will not provide any service to the Housing Authority which would have a value in excess of \$2500 per year, without prior Council approval. Mr. Broadfoot asked if the Town will charge the full cost of services rendered.

COUNCIL MEMBER BROADFOOT MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION #144 AMENDED WITH A STIPULATION THAT THE AGREEMENT IS FOR A ONE-YEAR TRIAL PERIOD.

THE MOTION FAILED BY A VOTE OF 3 TO 6; WITH COUNCIL MEMBERS BROADFOOT AND PRESTON, AND MAYOR NASSIF VOTING FOR THE MOTION, AND COUNCIL MEMBERS THORPE, BOULTON, PASQUINI, KAWALEC, HOWES, AND SMITH VOTED AGAINST THE MOTION.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO ADOPT RESOLUTION #144.

THE MOTION CARRIED UNANIMOUSLY.

The Resolution, as adopted, is as follows.

A RESOLUTION AUTHORIZING AN INTERLOCAL COOPERATION AGREEMENT WITH THE CHAPEL HILL HOUSING AUTHORITY (84-R-144)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves, and authorizes the Manager to enter into on behalf of the Town, a three-year Interlocal Cooperation Agreement with the Chapel Hill Housing Authority. Said agreement shall be substantially in the form as submitted with the Town Manager's report of July 2 on this matter, and shall be kept on file with the records of this meeting.

This the 2nd day of July, 1984.

Consent Agenda

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO ADOPT RESOLUTION #145.

THE MOTION CARRIED UNANIMOUSLY.

The Consent Agenda Resolution, and the resolutions and ordinance adopted thereby, were adopted as follows.

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ORDINANCES (84-R-145)

- a. Annexation of Southbridge subdivision, phase 1. (84-O-52).  
Planning Board also recommends adoption.
- b. Sale of surplus buses. (84-R-146).
- c. Sale of surplus car and truck. (84-R-147).
- d. One-way traffic on certain streets in University campus for student orientation (Sunday, August 19). (84-O-53).
- e. Extension of period for Manager's report on floodplain regulations. (84-R-148).

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL, NORTH CAROLINA (84-O-52)

WHEREAS, the Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Chapel Hill Municipal Building, 306 North Columbia Street, Chapel Hill, N.C. 27514, at 7:30 p.m. on the 20th day of June, 1984, after due notice by publication on the 3rd and 10th days of June, 1984; and

WHEREAS, the Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill, North Carolina:



SECTION I

By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the Town of Chapel Hill as of midnight August 31, 1984.

The areas to be annexed are described as follows:

1. BEGINNING at a monument in the northern margin of Culbreth Drive (S.R. 1994), said monument marking the southeast corner of the property described herein and as shown on the final plat for Southbridge Subdivision, Phase One, recorded in Plat Book 37, Page 125, Orange County Registry; and running thence with the northern margin of the right-of-way of Culbreth Drive (said right-of-way margin being measured as 35 feet from the centerline of Culbreth Drive) and clockwise turning curve with a radius of 665.00 feet and a distance of 423.22 feet to an iron; running thence North 77 degrees 50 minutes West 137.99 feet to an iron; running thence North 77 degrees 49 minutes 54 seconds West 200.09 feet to an iron; running thence South 85 degrees 57 minutes 49 seconds East 70.71 feet to an iron; running thence with the western margin of the right-of-way of Southbridge Drive a clockwise turning curve with a radius of 550.00 feet and a distance of 163.90 feet to an iron; running thence North 25 degrees 00 minutes East 88.83 feet to an iron; running thence North 26 degrees 00 minutes East 290.00 feet to an iron; running thence North 30 degrees 30 minutes East 244.00 feet to an iron; running thence North 50 degrees 00 minutes East 128.00 feet to an iron; running thence South 47 degrees 00 minutes East 55.00 feet to an iron; running thence North 40 degrees 00 minutes East 143.00 feet to an iron; running thence North 85 degrees 04 minutes 06 minutes East 71.62 feet to an iron; running thence North 51 degrees 00 minutes East 129.76 feet to a monument; running thence North 43 degrees 15 minutes 14 seconds East 226.72 feet to an iron at or near the southern margin of Morgan Creek; running thence South 00 degrees 00 minutes 75.00 feet to an iron; running thence South 48 degrees 00 minutes West 110.00 feet to an iron; running thence South 16 degrees 00 minutes East 150.00 feet to an iron; running thence South 45 degrees 00 minutes East 240.00 feet to a monument at or near the southern margin of Morgan Creek; running thence South 51 degrees 18 minutes West 599.99 feet to a monument; running thence South 22 degrees 00 minutes East 322.06 feet to the monument and place of BEGINNING.
2. Those tracts owned by the Town of Chapel Hill and designated as Lots 7 and 7A, Block B, Map 122, of the official tax maps of Orange County for Chapel Hill Township, being those tracts bounded on the east by the western right-of-way line of Highways 15 and 501, on the north by the southern right-of-way line of the southwestern ramp of Highway 54, on the west by the Hazel Trimble property (being shown as Lot 6 of Block B, Map 122 of the official tax maps of Orange County for Chapel Hill Township), and on the south by the southern boundary of Morgan Creek as it meanders from the southeastern corner of said Trimble property to Highways 15 and 501.
3. That part of the right-of-way of Highway 54 fronting the Town of Chapel Hill properties described above as Lots 7 and 7A, Block B, Map 122 of the official tax maps of Orange County for Chapel Hill Township, being bounded on the south by said Town of Chapel Hill properties, on the east by the western right-of-way line of highways 15 and 501, on the north by the Chapel Hill corporate limits, and on the west by a line extending across the Highway 54 right-of-way, perpendicular to the centerline of the right-of-way from the northwestern corner of the Town of Chapel Hill properties described above.

SECTION II

Upon and after midnight, August 31, 1984, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Chapel Hill and shall be entitled to the same privileges and benefits as other parts of the Town of Chapel Hill. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION III

The Manager of the Town of Chapel Hill shall cause to be recorded in the

office of the Register of Deeds of Orange County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section I hereof, together with a duly certified copy of this ordinance.

#### SECTION IV

Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Chapel Hill.

This the 2nd day of July, 1984.

#### A RESOLUTION ACCEPTING A BID FOR THE PURCHASE OF SEVEN (7) SURPLUS BUSES (84-R-146)

WHEREAS the Town of Chapel Hill has solicited formal bids on June 13, 1984 and the following bids have been received:

<u>Vehicle Number</u>	<u>Year/Model</u>	<u>Archie's Bus Transit</u>	<u>Barker's Auto Salvage</u>
730	1958/GMC	\$75.00	\$276.00
731	1958/GMC	100.00	276.00
732	1958/GMC	50.00	200.00
733	1958/GMC	75.00	276.00
734	1958/GMC	75.00	276.00
735	1958/GMC	100.00	276.00
739	1958/GMC	<u>50.00</u>	<u>276.00</u>
	TOTAL BID	<u>\$525.00</u>	<u>\$1,856.00</u>

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Barker's Auto Salvage in the amount of \$1,856.00 for the purchase of seven surplus buses.

This the 2nd day of July, 1984.

#### A RESOLUTION CONCERNING THE SALE OF A SURPLUS CAR AND TRUCK (84-R-147)

WHEREAS the Town of Chapel Hill has solicited formal bids on June 13, 1984 and the following bids have been received:

<u>Items</u>	<u>Barker's Auto Salvage</u>	<u>Riverside Auto Parts</u>
1975 GMC Truck	\$506.00	\$525.00
1975 Chevrolet Nova	\$156.00	\$225.00
TOTAL BID	<u>\$662.00</u>	<u>\$750.00</u>

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town rejects the bid of Riverside Auto Parts and accepts the bid of Barker's Auto Salvage in the amount of \$662.00 for a 1975 GMC Truck and a 1975 Chevrolet Nova.

This the 2nd day of July, 1984.

#### AN ORDINANCE PROVIDING FOR TEMPORARY ONE-WAY STREETS (84-O-53)

BE IT RESOLVED by the Council of the Town of Chapel Hill that on the 19th day of August, 1984, between the hours of 8 a.m. and 5 p.m.:

Raleigh Street shall be limited to one-way traffic, flowing north from South Road to Franklin Street; and

Cameron Avenue/Country Club Road shall be limited to one-way traffic, flowing east from Columbia Street to Gimghoul Road.

This the 2nd day of July, 1984.

A RESOLUTION EXTENDING THE PERIOD FOR THE MANAGER'S REPORT CONCERNING FLOODPLAIN REGULATIONS (84-R-148)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby extends to September 24, 1984 the period for the Manager's report concerning floodplain regulations, said matter having been the subject of a public hearing on March 19, 1984.

This the 2nd day of July, 1984.

Boards/Commissions - Nominations And Appointments

To fill 2 seats on the Board of Adjustment, the following vote was taken:

- Marcia Herman-Giddens (7): Thorpe, Boulton, Kawalec, Howes, Preston, Smith, Nassif
- Johnnie Leon Peace, Sr. (5): Thorpe, Kawalec, Howes, Smith, Nassif.
- Edward Bowen (2): Pasquini, Broadfoot.
- Russell McCormick (4): Boulton, Pasquini, Broadfoot, Preston.

Marcia Herman-Giddens and Johnnie Leon Peace, Sr. were appointed.

To fill 4 vacancies on the Appearance Commission, the following vote was taken.

- Charlie Nelson (8): Thorpe, Boulton, Pasquini, Broadfoot, Preston, Smith, Nassif.
- Karen Davidson (6): Thorpe, Broadfoot, Kawalec, Howes, Preston, Smith.
- Donald Shaw (6): Boulton, Pasquini, Broadfoot, Kawalec, Howes, Nassif.
- David Woodley (1): Broadfoot.
- Grace Wagoner (7): Boulton, Pasquini, Kawalec, Howes, Preston, Smith, Nassif.
- Jon Condoret (7): Boulton, Pasquini, Kawalec, Howes, Preston, Smith, Nassif.

A run-off vote was taken as follows.

- Karen Davidson (3): Thorpe, Preston, Smith.
- Donald Shaw (6): Boulton, Pasquini, Broadfoot, Kawalec, Howes, Nassif.

Charlie Nelson, Jon Condoret, Grace Wagoner, and Donald Shaw were appointed.

To fill 3 seats on the Human Services Advisory Board, the following vote was taken.

- Paul Morris (7): Boulton, Pasquini, Kawalec, Preston, Howes, Smith, Nassif.
- Welbon DeLon (1): Smith.
- Mary Jane Burns (7): Pasquini, Broadfoot, Kawalec, Preston, Howes, Smith, Nassif.
- Lyman S. Ford (5): Thorpe, Boulton, Pasquini, Broadfoot, Kawalec.
- Dorothy Gamble (2): Thorpe, Howes.
- Nick Holland (1): Broadfoot.
- Roosevelt Wilkerson (3): Thorpe, Boulton, Preston.

Paul Morris, Mary Jane Burns, and Lyman S. Ford were appointed.

To fill 2 seats on the Library Board of Trustees, the following vote was taken.

- Kenneth Brown (4): Broadfoot, Kawalec, Howes, Smith.
- Margaret Siefert (7): Thorpe, Boulton, Pasquini, Broadfoot, Preston, Smith, Nassif.
- Joseph Herzenberg (7): Thorpe, Boulton, Pasquini, Kawalec, Howes, Preston, Nassif.

Margaret Siefert and Joseph Herzenberg were appointed.

To fill 1 vacancy on the Orange Water and Sewer Authority, the following vote was taken.

- Betty Sanders (5): Thorpe, Preston, Kawalec, Smith, Nassif.
- Bob Peck (3): Boulton, Broadfoot, Howes.
- Betty White (1): Pasquini.

Betty Sanders was appointed.

To fill 4 seats on the Parks and Recreation Commission, the following vote was taken.

- Mattie Arrington (9): Thorpe, Boulton, Broadfoot, Pasquini, Kawalec, Howes, Preston, Smith, Nassif.
- Olga Morrison (6): Boulton, Broadfoot, Pasquini, Kawalec, Smith, Nassif.
- William Haflett (4): Broadfoot, Kawalec, Howes, Preston.
- Gertrude London (6): Thorpe, Pasquini, Howes, Preston, Smith, Nassif.
- Stuart Nelson (8): Boulton, Broadfoot, Pasquini, Kawalec, Howes, Preston, Smith, Nassif.

Mattie Arrington, Olga Morrison, Gertrude London, and Stuart Nelson were appointed.

To fill 1 seat on the Personnel Appeals Committee, the following vote was taken.

- Jake Wicker (8): Thorpe, Boulton, Pasquini, Broadfoot, Kawalec, Howes, Smith, Nassif.
- Donald S. Patterson (1): Preston.

Jake Wicker was appointed.

To fill 2 seats on the Planning Board, the following vote was taken.

- Mae McLendon (7): Thorpe, Boulton, Kawalec, Howes, Preston, Smith, Nassif.
- Aarne Vesilind (8): Thorpe, Boulton, Pasquini, Broadfoot, Kawalec, Howes, Preston, Nassif.
- Phil Schinhan (3): Pasquini, Broadfoot, Smith.

Aarne Vesilind and Mae McLendon were appointed.

To fill 3 seats on the Transportation Board, the following vote was taken.

- Don Thomson (7): Boulton, Pasquini, Kawalec, Howes, Preston, Smith, Nassif.
- Carol Mead (7): Boulton, Broadfoot, Kawalec, Howes, Preston, Smith, Nassif.
- Richard Palmer (5): Thorpe, Pasquini, Broadfoot, Smith, Nassif.
- Albert Wurth (6): Boulton, Pasquini, Broadfoot, Kawalec, Howes, Preston.

Don Thomson, Carol Mead, and Albert Wurth were appointed.

#### Executive Session

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER BROADFOOT, TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER.

THE MOTION PASSED UNANIMOUSLY.

AFTER THE EXECUTIVE SESSION, A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE REGULAR MEETING.

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Mayor Joseph L. Nassif

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Robin G. Rankin, Deputy Town Clerk