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MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING
MONDAY, SEPTEMBER 24, 1984, 7:30 P.M.

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

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

Council Member Broadfoot was absent, excused. Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ron Secrist, and Town Attorney Grainger Barrett.

Petitions

Carl Gebuhr, speaking for the Interfaith Council, explained that many projects begun by the IFC are spun off to other organizations (e.g., Chase Park/Elliott Woods Housing Projects, Community Housing Alternatives). He said when these agencies request monies from the Town, they are doing so on their own and are no longer a part of the IFC. Mr. Gebuhr then stated that long ago the IFC determined there is a need for an emergency shelter. He noted that the emergency shelter is a community-wide project and not solely an IFC project.

Council Member Thorpe asked Mr. Gebuhr if the IFC has requested funding from Carrboro for the emergency shelter. Mr. Gebuhr said IFC has asked Carrboro for funding but Carrboro did not respond favorably to the request. He said they plan to request funding from Carrboro again. Mayor Nassif said it is important for Council to be aware of the projects that the IFC plans to release responsibility for and that Council know who will be responsible for the projects once they are spun off from the IFC. Mayor Nassif asked Mr. Gebuhr if IFC plans to spin off the emergency shelter project. Mr. Gebuhr responded that IFC would like for another agency to take over the emergency shelter project once it is established and successful.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ACCEPT THE PETITION AND REFER IT TO THE MANAGER.

THE MOTION WAS PASSED UNANIMOUSLY, (8 - 0).

Mr. Phil Post requested that he be allowed to speak to Item #4b.

Council Member Thorpe said he was wondering what has happened to the issue concerning the Village Foundation. Manager Taylor said the matter was in litigation and that Attorney Barrett could respond to Council Member Thorpe. Manager Taylor asked Council Member Thorpe if he was asking for a verbal or written report. Council Member Thorpe responded that he was just raising the question.

Minutes of August 27, 1984

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO APPROVE THE MINUTES OF AUGUST 27, 1984 AS CIRCULATED.

THE MOTION PASSED UNANIMOUSLY, (8 - 0).

Minutes of September 10, 1984

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO APPROVE THE MINUTES OF SEPTEMBER 10, 1984 AS CIRCULATED.

THE MOTION PASSED UNANIMOUSLY, (8 - 0).

the option of a rezoning request, she explained that it was suggested to her by the Town staff.

Alice Ingram spoke for the Planning Board. She said the Planning Board agrees, except for one member, with staff's recommendation.

Acting Manger Secrist stated that the Manager's preliminary recommendation is that Council adopt the proposed ordinance approving the request.

Jim Longstreth of #11 Bolin Heights said that Sparrow Glass Company is a new company that began business in January 1984. He said the Town was called in on the matter and determined that Sparrow Glass Company was in compliance but not to the letter of the law.

Mr. Longstreth noted that Ms. Danziger does own property at #5 Bolin Heights but uses the building for storage and does not reside at that address.

Mr. Longstreth said the tendency for the area in question has been to go more towards residential rather than commercial. He said there is already a problem turning off of and onto Airport Road and the problem will increase with the development of Mill Creek. He said the planned widening of Bolin Heights Road will not alleviate the problem but will only provide a longer turn lane. He said widening the road will not compensate for the amount of increased traffic. Mr. Longstreth also said the property in question is very small and he does not believe there will be adequate room to provide on-site parking. Mr. Longstreth asked that Council consider the request more carefully and in terms to its subsequent use.

Council Member Broadfoot said one of the statements made was that the Town is trying to concentrate commercial and activity in centers. He expressed concern that the town is losing a great deal of residential land to commercial development. He asked if there is a policy that states that low and moderate income housing is supposed to be close to activity centers.

Council Member Broadfoot asked why staff is favoring commercial use over residential use that you want close to activity centers. Assistant Manager Loewenthal replied that this is an attempt to balance the need to have commercial uses available for residential uses (i.e. have higher density residential areas around activity centers) as opposed to leaving the land open for future residential development. Assistant Manager Loewenthal stated that leaving land open for residential development does not ensure that the land will be used for low to moderate residential development. Council Member Broadfoot said that by leaving it open to residential development at least there is a chance that the property will develop for low to moderate housing.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER BROADFOOT, TO REFER THIS MATTER TO THE MANAGER AND ATTORNEY.

THE MOTION PASSED UNANIMOUSLY (8 - 0).

There being no further business, the meeting was adjourned at 12:15 a.m.

Joseph L. Nassif, Mayor

Robin G. Rankin, Deputy Town Clerk

Report by the Growth Management Task Force

Dr. David Godschalk, Chairman of the Task Force, presented the report. The report was submitted as a part of the record of this meeting (Please refer to Clerk's files).

Dr. Godschalk thanked the Council for the opportunity to work on the report.

Council Member Preston commended the Task Force for an excellent report in record time. She said the report should be distributed throughout the community.

In regard to Table 11 "Thoroughfare System Deficiencies," Council Member Preston asked if Council should assume that traffic for 1984 is 1/3 of the way between traffic calculations for 1979 and projected figures for 2000. Dr. Godschalk responded that he does not believe the traffic figures for 1984 are 1/3 of the way yet. He said the information was obtained from data for the 1982 Thoroughfare Plan study and the traffic projections were based on estimated population. He said estimated population was probably somewhat lower when the 1982 Thoroughfare Plan study was made than what the Task Force found it to be. Council Member Preston noted that there is no way to tell which roadways are over capacity in 1984. Dr. Godschalk commented that there were roads already over capacity in 1979.

Council Member Howes expressed appreciation to the Task Force for the report. He noted that the Planning Board has submitted an update to the Goals and Objectives for the Comprehensive Plan which was one of the recommendations of the report.

COUNCIL MEMBER HOWES MOVED THAT COUNCIL RECEIVE THE REPORT FROM THE TASK FORCE ON GROWTH MANAGEMENT WITH APPRECIATION AND COMMENDATION AND THAT A WORK SESSION BE SCHEDULED, INVOLVING THE PLANNING BOARD, THE TOWN COUNCIL, MEMBERS OF THE TASK FORCE AND INTERESTED PARTIES, FOR A DETAILED REVIEW OF THE REPORT AT THE EARLIEST POSSIBLE DATE. COUNCIL MEMBER PRESTON SECONDED THE MOTION.

Council Member Pasquini said the work session should be scheduled within the next week.

COUNCIL MEMBER PRESTON OFFERED A FRIENDLY AMENDMENT TO THE MOTION TO SCHEDULE THE WORK SESSION FOR OCTOBER 2, 1984 AT 7:30 P.M. IN THE MEETING ROOM. COUNCIL MEMBER HOWES ACCEPTED THE AMENDMENT.

THE MOTION AS AMENDED PASSED UNANIMOUSLY, (8 - 0).

Council Member Smith noted that the section in the report on Social Impact indicates that there is adequate housing in Chapel Hill. He said the Task Force did not take into consideration that there is inadequate housing in Chapel Hill for persons of low to moderate income levels. Council Member Smith stated that the report recommends 13 police officers/10,000 residents. He said he would like to know how Chapel Hill stands in relation to this ratio since it is his understanding that Chapel Hill has a full force with an adequate number of police officers. Council Member Smith also stated that he would like to know what the Council can do to help alleviate the problem of street intersections that are at or over capacity.

Council Member Pasquini asked that Council be provided with an example of a Public Facilities Ordinance. He also asked that, prior to the work session, Task Force members consider which of the residential zoning areas and to what extent the densities and setbacks should be reduced.

Council Member Thorpe commented that the Task Force saved the Town \$40,000 (an estimated amount a professional consultant would have charged for the same report).

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Mayor Nassif said it would be interesting to find out what percentage of University employees live in town and what percentage of University employees live outside Chapel Hill and what their means of transportation is. He said that the number of commuting employees might have some relationship to the number of intersections that are over capacity. Mayor Nassif also noted that the recent increase in the school system's population has not been caused by the number of recently approved units since most of the units have not yet been built or occupied. He said it seems that the increase in local school enrollment might be attributed to an "in-house baby boom."

Mayor Nassif said he would like recommendations from the Task Force on how the Town should handle the recommended utility capacities. He also noted that joint planning with Orange County is scheduled to begin in December 1984.

Mayor Nassif said he would like to discuss placing a 12 month expiration date on special use permits at the October 2 work session as well as a proposal to limit the number of Public Hearing agenda items to a 3-hour timeframe.

Council Member Kawalec asked what the status is of items that were deferred until after the Report on Growth Management was completed. She said she is ready for the items to be placed on the Council's agenda as soon as possible. Attorney Barrett noted that the issue of floodplains is scheduled for Council's October 8 meeting. Council Member Kawalec said she will assume that staff is moving ahead with scheduling the deferred items without any further instruction from Council.

Request for Rezoning and a Special Use Permit Orange-Person Chatham
Mental Health Center - Courtesy Review

Assistant Manager Loewenthal presented the request. One of the issues that surfaced was a question of whether or not garbage trucks would have adequate room to turn around on the site, thus avoiding the need to back out onto N.C. 86. Staff feels these turning movements can be accommodated as designed. Assistant Manager Loewenthal said there was some question about the buffer along N.C. 86. She said in other projects along N.C. 86 the Town has encouraged preservation of the natural buffer. However, in this case there is no existing natural woodland buffer, although there is room for a buffer since there is a 53' setback. She said the Staff feels Orange County will require a 10' landscaped buffer along N.C. 86. Another issue identified was that of the right-of-way along N.C. 86. There is currently a 60' right-of-way and 100' right-of-way is appropriate for this section of N.C. 86. The applicant would need to dedicate 20' on the western side of N.C. 86. Assistant Manager Loewenthal said there is also a question of improvements. Developers are normally required to improve the portion of road along their property frontage to a 65' cross-section with curb and gutter. Staff recommends that the County consider this type of improvement.

Mayor Nassif asked if the Town's policy on road improvements is still pending. Manager Taylor replied that staff has not completed its study and it has not been brought back to Council. Mayor Nassif stated that this is a small frontage, the Town has asked N.C. DOT to improve N.C. 86 and now the property owner is being asked to dedicate 20' of frontage. He said he does not mind this but asked if N.C. DOT will acquire the needed right-of-way via requests for dedication or outright purchase. Manager Taylor responded that he feels sure N.C. DOT will acquire the needed right-of-way. Mayor Nassif said he is trying to be consistent. He said he felt it was not right to ask one property owner to dedicate the portion of needed land along his property's frontage and have the rest of the property owners get paid for their property when DOT decided to widen the road. Manager Taylor said the staff's recommendation is to encourage the County to consider the appropriateness of and methods for widening N.C. 86. Manager Taylor said the Planning Board did not address this issue. Mayor Nassif said he would go along with asking for a dedication of the land without requiring improvements. Council Member Boulton asked if this has been the Town's policy all along. Manager Taylor said some developments along N.C. 86 have been required to dedicate as well as improve roadways along their frontage.

Ms. Alice Ingram said the Planning Board did address the issue of road improvements. The Board agreed that it would be a trade off; the land could be acquired through dedication and N.C. DOT would pay for the road improvements.

Council Member Smith said he opposes requiring dedication of the property or building the necessary improvements since the Town has already requested DOT to improve the road. He said when DOT improves the road it will tear up any improvements and build the road to its own design. He said the State should purchase the necessary property as well as construct the improvements.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION #190A. She said this resolution recommends the County consider the appropriateness of and methods for widening N.C. 86.

Council Member Howes said he supports the motion but does not understand why there is a problem accepting the land that the applicant is willing to dedicate. He said in the long run it will save the State some money.

Council Member Pasquini asked what is meant by a 10' landscaped buffer. Assistant Manager Loewenthal said it means that it will be landscaped according to County standards. She said she is unsure of what the Council's standards are for landscaped buffer.

THE MOTION PASSED UNANIMOUSLY, (8 - 0).

The Resolution, as adopted, is as follows:

A RESOLUTION CONVEYING COURTESY REVIEW OF THE PROPOSED ADDITION TO THE ORANGE-PERSON-CHATHAM HALFWAY HOUSE (84-R-190a)

WHEREAS, the Board of County Commissioners has requested the comments of the Town of Chapel Hill on a proposed development that would be located in the Transition Zone of the proposed Joint Planning Area;

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council respectfully recommends that the Board of County Commissioners attach the following conditions to any approval of the proposed development:

1. That plans showing the design of the proposed garbage truck turn-around be approved by County Manager in consultation with the Town Manager prior to the issuance of a Building Permit.

BE IT FURTHER RESOLVED that the Council encourages the County to consider the appropriateness of and methods for widening N.C. 86.

This the 24th day of September, 1984.

McCoy Housing Development Request for Rezoning and a Special Use Permit - Courtesy Review

Mr. Phil Post, representative for the applicant, presented a colored drawing of a revised site plan. He said the site plan incorporates all of the conditions suggested by the Town staff and the Planning Board. The revised site plan eliminates a proposed driveway from the development onto Airport Road and provides access from two points along Homestead Road. Mr. Post said the revised site plan also includes provisions for a dedicated Class B public street access with a 60' dedicated right-of-way, built 27' back-to-back with curb and gutter. This access will be the beginning of a loop connector to properties to the west and will eventually lead out to Homestead Road. Mr. Post noted that there will be a dense landscaped buffer screening the development from Airport Road as well as a dense landscaped buffer along Homestead Road. He said the setbacks along Homestead Road are all at least 75'. Mr. Post said the developer agrees with the proposed resolution.

Assistant Manager Loewenthal presented the request. She said that the two access points on Homestead Road straddle the crest of the hill on Homestead Road. Assistant Manager Loewenthal explained that the two main issues have been access to the site and access to surrounding areas. She said the developer has been very cooperative in trying to come up with a workable solution to both issues. Assistant Manager Loewenthal noted that the revised site plan does eliminate a driveway onto N.C. 86 and provides two access points onto Homestead Road. She also said the developer had agreed to provide the beginnings for a local road system to properties to the west that will minimize access points onto Homestead Road. Staff recommends that the westernmost access from the development onto Homestead Road be closed within 12 months after the suggested major collector street is constructed. Ms. Loewenthal went on to explain the recommended road improvements to N.C. 86 and to Homestead Road. She noted that both the developer and the staff have spent a considerable amount of time reviewing this project and coming up with a mutual compromise for the project.

Mayor Nassif asked if the units will be double loaded back-to-back. Mr. Post replied yes and explained that the round areas indicated on the drawings are the decks. Mayor Nassif asked if the foundations will be slab on grade. Mr. Post responded that the type of foundation has not been determined but the buildings will be slab on grade where possible. Mayor Nassif also asked if all occupants will be facing either pavement or each other. Mr. Post replied no and pointed out those units that will be facing wooded areas.

Mr. Steve Upson of the H.B. McCoy Company described the buildings. The buildings will be 2-story, back to back. Each unit will have a separate entranceway with no cut through to the center of the building. The materials for the buildings will be a combination of cedar siding with brick chimneys and patio walls. Mr. Upson said the one bedroom units will have 700 square feet and the two bedroom units will have 950 square feet.

Council Member Pasquini asked how high the buildings will be. Mr. Upson said they will be approximately 26 - 27' high.

Mayor Nassif said that with the amount of cut and fill that will be required, the slab on grade and the back to back units, the project is shaping up to be one that bulldozes out everything in the center of the site and leaves trees only on the perimeter. He said (developers) need to work more with the site than they currently do. Mr. Post said there may be areas within the site where existing trees will remain; however, those areas will be limited.

Mayor Nassif commended the Manager on the proposed road network and said he hopes the process continues. Mayor Nassif said he does not think all high density developments need to be concentrated at intersections.

Council Member Boulton asked what the current status is of the building at the corner of Homestead/Airport Roads. Assistant Manager Loewenthal said she believes the building is being used for storage. She noted that a gas station could not reopen at that location under the current ordinance.

Council Member Kawalec said she is also pleased with the proposed road network. However, she said it is a mistake to create roads such as the proposed stubout, and use them for parking lots. She noted that roads used as parking lots are both aesthetically displeasing and unsafe.

Mayor Nassif asked why the proposed road would not be a road now. Attorney Barrett replied that it is presently located off site. Mayor Nassif suggested putting it on site.

Council Member Preston asked what the property is zoned now and what it was zoned prior to this proposal. Assistant Manager Loewenthal explained that the property is zoned Community Commercial-3 and the request of the County is to change it to Planned Development/Community Commercial-3 along with a special use permit that would allow this project to be built.

Council Member Preston opined that the proposed project is too intense and has too much impervious surface. She also expressed concern with adding more traffic to Airport Road. She noted that Homestead Road is a school road on which a lot of young people travel. She said she would like to see the Council recommend denial of the project or at least recommending a lower density.

Council Member Pasquini said he agrees with the previous sentiments expressed by Mayor Nassif and Council Member Preston. He noted that properties on both ends of this project are zoned R-1. Council Member Pasquini asked what Chapel Hill's equivalent zoning would be. Manager Taylor replied that R-5 is 20 units per acre, and this project is 18 units per acre.

Council Member Pasquini noted that the Growth Management Report indicates that 2800 new units have been approved in this quadrant of the Town and he does not see that this plan is so outstanding that it needs to be rushed through. He also said he feels this would proposed project set a precedent for the area.

Manager Taylor noted that if the proposed connector road was moved into this project, three buildings or 48 units would have to be eliminated and that would significantly reduce the density.

Mayor Nassif said the project could be rearranged. He said he is equally concerned about the livability of the units as he is about the footprints of the buildings. He said it would be appropriate to recommend that the project be revised and that it be rescheduled to the joint planning agenda in December.

Council Member Preston asked about the recommendation to relocate the recreation facilities. Assistant Manager Loewenthal said the recreation facilities were previously proposed at a location near Airport Road and have not been moved more towards the center of the site.

Council Member Boulton asked why the Town has not considered annexing this area up to Weaver Dairy Road. Manager Taylor replied that if you just look at this tract in isolation it is undeveloped and would not meet the criteria until it is subdivided or is put in conjunction with some other developed property; or, it could be done by petition. Council Member Boulton said it seems the Town should consider annexing some undeveloped property when it is obvious that annexation will occur in this area and when the property is really a part of the Town. Mayor Nassif said joint planning with Orange County will begin in December and Council will have input on projects that are within the joint planning district.

Council Member Smith asked what the distances are between the crest of the hill and the two entranceways into this project. Phil Post said the crest of the hill lies to the west of this project. He said the road changes grade around the entrances to this project. Council Member Smith said there is a hill beside the Duke Power Facility. Council Member Smith expressed concern about slow moving cars exiting the proposed project and interfering with school busses coming over the crest of the hill. He said this project, with its high density, might put a lot of school children in jeopardy. Council Member Smith also noted that since this area will probably be annexed, the issue of refuge collection should be addressed. Mr. Post said the Town approved the driveway for Duke Power and one of the entrances for this project is directly across the Duke Power's drive. Council Member Smith stated that Duke Power does not generate the amount of traffic this development will generate. Mr. Post said there is adequate site distance for both driveways and said the driveways have been approved by N.C. DOT's traffic safety engineer.

Council Member Smith also expressed concern about the number of 900 square foot apartments that are being built. He said he is not convinced that there is a need or demand for small apartments.

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Council Member Howes expressed concern about Council having to make a recommendation on this project since it did not participate in the public hearing and is unaware of citizens' concerns. He said that although the developer has made a conscientious effort to accommodate the concerns noted by the Town staff and the Planning Board, there are still some serious concerns.

COUNCIL MEMBER HOWES MOVED TO RECOMMEND TO THE COUNTY COMMISSIONERS THAT THEY DENY THE REZONING REQUEST AND SPECIAL USE PERMIT OR THAT THEY SCHEDULE THE PROJECT IN A REVISED FORM AND TAKING INTO CONSIDERATION CONCERNS EXPRESSED BY THE CHAPEL HILL TOWN COUNCIL, FOR THE DECEMBER JOINT PUBLIC HEARING. COUNCIL MEMBER KAWALEC SECONDED THE MOTION.

Mayor Nassif asked in what direction and where the site drains. Manager Taylor responded that the site drains to the southeast but he said he does not know where the drainage goes. Manager Taylor noted that the County does not require as much information about a development proposal as does the Town; therefore, Town staff was unable to complete the detailed analysis of the site.

MAYOR NASSIF OFFERED A FRIENDLY AMENDMENT TO THE MOTION TO REQUEST THAT DETAILED DRAINAGE PLANS BE PROVIDED FOR THIS SITE SINCE THE PROJECT IS SO CLOSE TO CHAPEL HILL, SINCE IT WILL BE IN CHAPEL HILL'S CORPORATE LIMITS, AND SINCE CHAPEL HILL WILL PROVIDE SERVICE TO IT. COUNCIL MEMBER HOWES AND KAWALEC ACCEPTED THE AMENDMENT.

THE MOTION AS AMENDED PASSED UNANIMOUSLY, (8 - 0).

Goal's and Objectives of the Comprehensive Plan

Ms. Alice Ingram presented the revised Goals and Objectives of the Comprehensive Plan that the Planning Board has updated.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO RECEIVE THE REPORT AND INCORPORATE FURTHER CONSIDERATION OF IT INTO THE PROCESS THAT WILL START ON OCTOBER 2.

Council Member Pasquini suggested setting another date to discuss this report. Council Member Preston opined that this report and the Report on Growth Management are intertwined and should be discussed together.

THE MOTION PASSED UNANIMOUSLY, (8 - 0).

Performance Contracts - Interfaith Council (emergency housing) and Women's Health Counseling Center (educational program for youth)

Ms. Patricia Sullivan, Chair of the Human Services Advisory Board explained that the two performance contracts were withheld by the Board when it made recommendations to Council in May 1984.

Ms. Sullivan said the Board did not feel that the first request made by the Women's Health Counseling Center targeted a critical group. However, the Board does agree that this second proposal, which targets the town's youth population, is a valid proposal.

Council Member Boulton asked what is the amount requested by the Women's Health Counseling Center. Ms. Sullivan replied that the Center requested \$1,000. She also noted that the Center is hoping to target 700 students.

Council Member Smith asked if there is going to be coordination between the Women's Health Counseling Center and the school guidance counselors. Ms. Sullivan said there has to be cooperation in order to make school visitations. Ms. Sullivan stated that there needs to be some overlap in the various agencies dealing with this subject due to the matter of confidentiality. Council Member Smith said he was concerned about the overlap of agencies. He said that a pregnant teenager might get confused because of different opinions given by different agencies.

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Council Member Preston asked how the money will be spent. Ms. Sullivan replied that most of the funds will go for printing and photocopying and for purchasing literature that will be used in presentations. She said \$100 will be allocated for travel and the rental of films. Ms. Sullivan reminded Council that this is now a new project but one the Women's Health Counseling Center would like to expand.

Ms. Sullivan explained the request for funding the emergency shelter. She said a study previously presented to the Council indicated there is a need for the shelter. Ms. Sullivan explained that IFC has targeted four categories of people who need this type of shelter. It has found other funding sources and has located a shelter site. Ms. Sullivan said that a report recently issued by the American Psychiatric Association specifically emphasized the need for someone to take responsibility for deinstitutionalized persons.

Council Member Boulton asked if the police will take persons to the shelter and if there will be referral the following morning. Ms. Sullivan replied yes to both questions. She also said this shelter will provide the focal point for coordinating services offered for these people by different agencies in the area.

Council Member Smith said he is glad that someone is finally addressing this problem. He said the greatest problems faced by deinstitutionalized people are those of housing and employment. Council Member Smith noted that one of the primary reasons deinstitutionalized persons return to the institutions is because they do not follow through on their medication. He said he hopes the Mental Health Center does a better job following-up on the prescribed medications for deinstitutionalized persons. He also stated that he hopes someone in the community will look into the area of employment for these people.

COUNCIL MEMBER HOWES MOVED TO ADOPT RESOLUTION #192. COUNCIL MEMBER PRESTON SECONDED THE MOTION.

Council Member Pasquini asked for the Manager's recommendation. Manager Taylor said he recommends approval of resolution #192 and ordinance #65.

Council Member Pasquini asked why the request was not delayed until the new budget session. Ms. Sullivan responded that winter is coming and the Board told the Council in May, it would be returning in the Fall after further studying proposals received from these agencies. Council Member Pasquini asked if the Human Services Advisory Board plans to return with other requests during this fiscal year. Ms. Sullivan replied that she does not foresee any future requests at the present but that does not mean other requests will not be made. Council Member Pasquini asked what the status is of Orange Enterprises whose proposal for funding was \$25,000. Ms. Sullivan said the request is still pending.

Council Member Boulton asked Ms. Sullivan to explain the reasons that two members on the Board voted for denial of the request. Ms. Sullivan noted that she was one of the members voting against the request. She said she was concerned with the proposal because of the amount of money; in relation to the proposed shelter budget, that was requested from the Town. She said she does not feel the Town should be put in a position of determining the success or failure of a project because of Town funding. Ms. Sullivan also said there have been discussions in regard to alternative ways to work out the performance contract, such as for a three year period. This is a one time request for funding which the shelter needs up front in order to obtain other monies.

Council Member Pasquini asked if this money is going to be matched by Carrboro and Orange County. Ms. Sullivan responded no, due to the fact this is the middle of the budget cycle. She did say they hope to receive funding from Carrboro and Orange County for the next fiscal year.

Council Member Preston noted that in the first proposal these funds were going to be used to pay a resident manager's salary. Ms. Sullivan said that portion of the proposal has been eliminated because they did not want to ask the Town to take on the responsibility of funding a position.

THE MOTION PASSED UNANIMOUSLY, (8 - 0).

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The resolution, as adopted, follows.

A RESOLUTION APPROVING 1984-85 FUNDING FOR SERVICE AGREEMENTS WITH THE INTER-FAITH COUNCIL AND WOMEN'S HEALTH COUNSELING SERVICE AS RECOMMENDED BY THE HUMAN SERVICES ADVISORY BOARD (84-R-192)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the following allocations pursuant to the Town's community development authority to provide for the welfare needs of low and moderate income residents, to fund contracts with community human services agencies in 1984-85 addressing the community's priority human services needs as identified by the Human Services Advisory Board:

	<u>AMOUNT</u>
Inter-Faith Council	\$15,000.00
Women's Health Counseling Service	\$1,000.00

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves, and authorizes the Town Manager to execute on behalf of the Town, contracts with the above agencies for services described in the Human Services Advisory Board's report of September 24, 1984.

BE IT FURTHER RESOLVED that the appropriations for payments pursuant to the above agreements shall be from non-property tax sources.

This the 24th day of September, 1984.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT ORDINANCE #65.

THE MOTION PASSED UNANIMOUSLY, (8 - 0).

The ordinance, as adopted, follows.

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1984" (84-0-65)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1984" as duly adopted on May 29, 1984, be and the same is hereby amended as follows:

Article I

<u>Appropriation</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
General Fund				
Town Manager				
Human Services	80,960	7,200		88,160
Non-Departmental (Contingency)	71,779		7,200	64,579

This the 24th day of September, 1984.

Village Cable - Report on Feasibility of Alarm Monitoring System

Ms. Lu Stevens, representing Village Cable, reviewed a letter she sent to Manager Taylor dated September 17, 1984, regarding the feasibility of home cable security monitoring systems.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER BOULTON, TO REFER VILLAGE CABLE'S REPORT TO THE MANAGER FOR REVIEW.

Council Member Smith asked if the possibility of obtaining home monitoring services has been advertised well enough. He also commented that he is not sure a survey of 202 residences out of 10,000 is adequate. Ms. Stevens said the survey indicated that approximately 50% of those polled were aware of the availability of home monitoring services.

THE MOTION PASSED UNANIMOUSLY, (8 - 0).

(Council Member Marilyn Myers Boulton left the meeting.)

Consent Agenda

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO ADOPT RESOLUTION #193.

THE MOTION CARRIED UNANIMOUSLY, (7 - 0).

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

A RESOLUTION APPROVING VARIOUS RESOLUTIONS AND AN ORDINANCE (84-R-193)

- a. Award of contract for sewer and street improvements in University Heights (84-R-194).
- b. Submittal of Final Commitment to the N.C. Housing Finance Agency (for 16 home improvement loans to lower income families). (84-R-195).
- c. Removal of 13 parking spaces on the west side of Pittsboro Street (84-O-66).
- d. Closing of Weaver Street right-of-way (with reservation of sewer easement). (84-R-196).

This the 24th day of September, 1984.

A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE UNIVERSITY HEIGHTS COMMUNITY DEVELOPMENT PROJECT (84-R-194)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice on July 29, 1984, and readvertised said legal notice in accordance with G.S. 143-132 on August 26, 1984, for the University Heights Community Development Project; and

WHEREAS, the following bids have been received and opened on September 4, 1984:

<u>Contractor</u>	<u>Base Bid</u>	<u>Bid Alternate # One</u>	<u>Bid Alternate # Two</u>	<u>Base Bid with Bid Alternate # Three</u>
Nello L. Teer Company	\$390,330.50	\$19,600.00	\$11,200.00	\$403,685.50
Kirkpatrick Brothers, Inc.	\$620,328.00	NO BID	NO BID	\$624,061.00
(Engineer's	(\$453,207.00)	(\$8,663.00)	(\$3,850.00)	(\$457,142.00)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the base bid of Nello L. Teer Company in the amount of \$390,330.50; and further accepts the bid alternates one and two of Nello L. Teer Company, subject to the Town Manager's determination that sufficient funds are available for completion of said alternate items, in the amount of \$19,600.00 and \$11,200.00 respectively.

This the 24th day of September, 1984.

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A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT A FINAL COMMITMENT TO THE NORTH CAROLINA HOUSING FINANCE AGENCY FOR PARTICIPATION IN THE HOME IMPROVEMENT LOAN PROGRAM (84-R-195)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes and approves the Mayor to submit a final commitment generally as described in the Manager's memorandum to Council dated September 24, 1984 to the North Carolina Housing Finance Agency indicating the Town's commitment to participate in the Home Improvement Loan Program and identifying Community Development funds available for use in the Program, and

BE IT FURTHER RESOLVED that the Town Manager is hereby directed and designated as the authorized representative of the Town to act in connection with the implementation of this Final Commitment, to execute legal agreements required by the N.C. Housing Finance Agency to implement this program, and to provide such additional information, assurances and certifications as may be required by the N.C. Housing Finance Agency, except that, where specifically required by State law or regulations of the N.C. Housing Finance Agency, the Mayor is hereby designated as the Town's authorized representative in lieu of the Town Manager.

This the 24th day of September, 1984.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (84-0-66)

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

SECTION I

That Section 21-27 of the Town Code of Ordinances, "No Parking As to Particular Streets", is amended by inserting the following therein, in appropriate alphabetical order:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Pittsboro Street	West	Cameron Avenue	McCauley Street

and by deleting the following line:

Pittsboro Street	West	A point 125 ft. north of the centerline of McCauley Street	A point 370 ft. north of the center line of McCauley Street
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SECTION II

This ordinance shall be effective on Monday, October 14, 1984.

SECTION III

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

This the 24th day of September, 1984.

A RESOLUTION APPROVING CLOSURE OF RIGHT-OF-WAY DEDICATED FOR WEAVER STREET (84-R-196)

WHEREAS, the Weaver Street right-of-way is presently unused for roadway purposes, and

WHEREAS, Banks Drive is complete and in use parallel to and in close proximity to the Weaver Street right-of-way so that construction of a public street within said Weaver right-of-way would be both unnecessary and undesirable, and

WHEREAS, the Council on May 14, 1984 adopted a resolution of intent to consider closing the Weaver Street right-of-way, and a public hearing thereon was held on June 20, 1984;

WHEREAS, all known objections to the closing of the Weaver Street right-of-way have been resolved; and

WHEREAS, the closing of the Weaver Street right-of-way would not be contrary to the public interest, and no individual owning property in the vicinity of the Weaver Street right-of-way would be deprived of reasonable means of ingress and egress to his or her property by the closing of said right-of-way; and

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 known as Weaver Street, and extending for a distance of approximately 900 feet between Weaver Dairy Road and Westminster Drive (Cardinal Street) as shown on Chapel Hill Township Tax Map 24, and as further described on a plat dated October 10, 1983, revised February 6, 1984, and drawn by Fred Johnson.

BE IT FURTHER RESOLVED that there is hereby reserved a sanitary sewer easement which crosses the above-described Weaver right-of-way, and which is described on a survey by Freehold Land Surveys, Inc. entitled "Weaver Street Sanitary Sewer Easement"; dated October 10, 1983, revised February 6, 1984, a copy of which is attached hereto and incorporated herein by reference.

This the 24th day of September, 1984.

Boards and Commissions - Nominations and Appointments

Council Member Pasquini nominated Welbon Delon for a seat on the Human Services Advisory Board.

To fill 1 seat on the Human Services Advisory Board, the following vote was taken:

- Welbon Delon (1): Pasquini
- Roosevelt Wilkerson (6): Howes, Kawalec, Nassif, Preston, Smith, Thorpe

Roosevelt Wilkerson was appointed.

To fill 1 seat on the Library Board of Trustees, the following vote was taken:

- Kenneth Broun (7): Howes, Kawalec, Nassif, Pasquini, Preston, Smith, Thorpe

Kenneth Broun was appointed.

To fill 1 seat on the Planning Board, the following vote was taken:

- Tom McCurdy (4): Howes, Kawalec, Pasquini, Preston
- Joanne Peerman (3): Nassif, Smith, Thorpe

A run-off vote was taken as follows:

- Tom McCurdy (5): Howes, Kawalec, Nassif, Pasquini, Preston
- Joanne Peerman (2): Smith, Thorpe

Tom McCurdy was appointed.

Notification of Vacancy on the Appearance Commission

Council received a resignation letter from Phil Rominger.

Request by Dr. Bill Rohe for 1 year leave of absence from the Planning Board

COUNCIL MEMBER HOWES MOVED TO ACCEPT MR. ROHE'S REQUEST FOR A ONE YEAR LEAVE OF ABSENCE FROM THE PLANNING BOARD.

THE MOTION DIED FOR LACK OF A SECOND.

Council Member Howes stated that he offered the motion because there is a precedent for this type of request and it is legally specified. He noted that the precedent was set on the Planning Board. Council Member Howes said this type of action is a way to keep qualified people on Boards and Commissions while accommodating demands and schedules that occur in a University town.

Council Member Smith asked if the Planning Board is having full attendance at its meetings. Alice Ingram replied yes.

Council Member Howes pointed out that in the past the Council has made interim appointments to fill the positions of someone who is on leave of absence.

COUNCIL MEMBER HOWES MOVED TO ACCEPT MR. ROHE'S REQUEST FOR A ONE YEAR LEAVE OF ABSENCE. COUNCIL MEMBER SMITH SECONDED THE MOTION.

Council Member Kawalec reminded Council about a memorandum she presented a few months ago recommending that a leave of absence be limited to four months. She said the memorandum has been referred to the Manager. Council Member Kawalec stated that the recommendation was in direct response to a problem of obtaining a quorum that many Boards and Commissions were facing. She also said often times the Council has not appointed an interim member. However, when one has been appointed there has been a time lag and a problem meeting the quorum in the lag period.

THE MOTION PASSED UNANIMOUSLY, (7 - 0).

COUNCIL MEMBER SMITH MOVED TO APPOINT JOANNE PEERMAN AS AN INTERIM MEMBER ON THE PLANNING BOARD.

THE MOTION DIED FOR A LACK OF A SECOND.

Attorney Barrett said it would be appropriate for Council to follow its nominating/appointing procedures. He said staff can advertise the vacancy in the next week or two.

Council Member Kawalec noted that nominations for the vacancy on the Planning Board is not on the agenda; therefore, Council would have to approve a motion to suspend the rules of procedure. Mayor Nassif noted that a motion to suspend the rules of procedure would be out of order since all the Council members are not present.

Attorney Barrett said it would be inconsistent to make an appointment for the position at this meeting. However, he said it would not be inconsistent to nominate a candidate for the position at this meeting.

Mayor Nassif ruled that nominations for the vacancy should be placed on the next agenda.

Council Member Smith expressed concern with the lack of minority representation on Boards and Commissions. He said he thought the Council was dedicated to appointing minority representatives to Board and Commissions.

1985-90 Capital Improvement Program - Rescheduling October 1 Forum

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION #197.

THE MOTION PASSED UNANIMOUSLY, (7 - 0).

The resolution, as adopted, follows.

A RESOLUTION RESCHEDULING A FORUM FOR PUBLIC COMMENT ON THE CAPITAL IMPROVEMENT PROGRAM (84-R-197)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby reschedules the initial public forum on preparing the 1985-90 Capital Improvement Program to Wednesday, October 3, 1984 in the Meeting Room of the Municipal Building, 306 N. Columbia Street.

This the 24th day of September, 1984.

Council Member Smith requested the Manager to notify citizens who plan to attend the forum about the change in the date.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS. (10:25 pm)

THE MOTION PASSED UNANIMOUSLY.

A motion was duly made and seconded to adjourn the meeting.

The motion passed unanimously.

Joseph L. Nassif, Mayor

Robin G. Rankin, Deputy Town Clerk