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MINUTES OF A REGULAR MEETING OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING
MONDAY, OCTOBER 22, 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 Town Manager David R. Taylor, Assistant Town Manager Sonna Loewenthal, and Town Attorney Grainger Barrett.

Boards and Commissions - Presentation of Certificates of Appointment

Mayor Nassif presented certificates of appointment to:

Kenneth Brown - Library Board
Tom McCurdy - Planning Board
Roosevelt Wilkerson - Human Services Advisory Board

Petitions

Leonard Berlow requested that he be allowed to speak to item 5.

Josh Gurlitz requested that he be allowed to speak to item 9.

Gina Cunningham requested that she be allowed to speak to item 5.

Pete DuBose requested that he be allowed to speak to item 5.

Robert Page requested that he be allowed to speak to item 10.

Alice Ingram requested that she be allowed to speak to item 3.

Art Werner, representing the Chapel Hill Alliance of Neighborhoods, presented a petition signed by 3,835 residents. The petition requested Council enact a 6-month moratorium on consideration of new subdivisions, apartments, and condominiums in order to assess the cumulative effect of development approved in the last 18 months. (Please refer to the Clerk's files.) Mr. Werner urged Council to take action by November 12, 1984.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER BOULTON, TO RECEIVE THE PETITION AND REFER IT TO THE MANAGER AND ATTORNEY.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO AMEND THE MOTION AND REQUEST THAT THE MANAGER AND ATTORNEY REPORT BACK TO COUNCIL ON THE PETITION BY NOVEMBER 12, 1984.

Council Member Boulton asked Manager Taylor if a November 12, 1984 deadline is feasible. Manager Taylor replied that although he has no sense of what the Council wants in the way of a report, he can be prepared to report back by November 12.

THE AMENDMENT TO THE MAIN MOTION PASSED UNANIMOUSLY, (9 - 0).

THE MAIN MOTION AS AMENDED PASSED UNANIMOUSLY, (9 - 0).

Paul Vick requested that he be allowed to speak to item 7a.

Joe Hakan requested that he be allowed to speak to item 8.

Ed Hinsdale, representing 265 neighbors in the Coker Hills area, presented a petition regarding traffic in the Coker Hills neighborhood. (Please refer to the Clerk's files.)

COUNCIL MEMBER SMITH MOVED TO REFER THE PETITION TO THE MANAGER AND STAFF TO CARRY OUT THE WISHES OF THE PETITIONERS AND THAT THE REQUESTS IN THE PETITION BE IMPLEMENTED AT THE EARLIEST POSSIBLE TIME.

THE MOTION DIED FOR A LACK OF A SECOND.

COUNCIL MEMBER BROADFOOT MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO REFER THE PETITION TO THE MANAGER AND ATTORNEY FOR THEIR RECOMMENDATIONS.

Council Member Smith said immediate action on the requests in the petition is necessary. He noted that the some of requested actions are just a matter of stricter enforcement of the present laws.

Council Member Howes stated that by referring the petition to the Manager and Attorney, the Manager can implement the suggested requests and report back to Council.

COUNCIL MEMBER BOULTON MOVED TO AMEND THE MOTION AND ADD "IN DUE HASTE" TO THE END OF THE MOTION. COUNCIL MEMBER HOWES ACCEPTED THE AMENDMENT.

Mayor Nassif suggested that the Manager confer with the Police Department on the matter.

THE MOTION AS AMENDED PASSED UNANIMOUSLY, (9 - 0).

At the request of Manager Taylor, COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER THORPE, TO ADD ITEM 17 TO THE AGENDA - EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF AN INTEREST IN REAL PROPERTY.

THE MOTION PASSED UNANIMOUSLY, (9 - 0).

Minutes of September 24

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER BOULTON, TO APPROVE THE MINUTES OF SEPTEMBER 24, 1984 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (9 - 0).

Minutes of October 3

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO APPROVE THE MINUTES OF OCTOBER 3, 1984 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (9 - 0).

Water Conservation Ordinance

Dr. David Moreau, Chairman of the OWASA Board of Directors, reviewed the past year's growth rate for the demand of water. He also highlighted some of the plans OWASA has made to try to ensure an adequate water supply for the future. Dr. Moreau stated that although 90% of the land has been acquired for the Cane Creek reservoir, it was obvious that OWASA could not meet the water demands of the community until such time that the reservoir is in operation. OWASA has gained access to the Hillsborough and Durham water systems as well as gained acquisition of the quarry. OWASA has also looked at other alternatives to meet the water demand and has decided to proceed with an interim impoundment at Cane Creek.

Everette Billingsley, Executive Director of OWASA, explained the reasons for the proposed changes to the conservation ordinance. He also reviewed the specific changes. He asked that the Town Attorneys for Carrboro and Chapel Hill work out some of the language in the ordinance (various places in the ordinance to say a state of alert "may be declared." Mr. Billingsley said construction of the interim impoundment of Cane Creek should begin by December 1, 1984 and use of the facility should begin around the end of June 1985.

Council Member Howes asked if the interim impoundment facility will in any way elongate the construction time for the permanent reservoir. Mr. Billingsley replied that the interim impoundment facility is not a substitute for the permanent reservoir. He said the Cane Creek reservoir should be completed by 1988 or 1989. He also explained that when the permanent reservoir begins operation, the interim impoundment facility will be demolished by means of overflowing. Dr. Moreau noted that having the interim impoundment facility might save OWASA some money that might have had to have been spent for "fast-tracking" the permanent reservoir. However, he noted construction of the permanent reservoir will be done under permits containing expiration dates. He said construction of the interim facility is by no means an intention to postpone construction of the permanent facility.

Council Member Smith expressed concern about developers who need to have landscaping in place prior to issuance of a certificate of occupancy. Manager Taylor explained that historically, during periods of a water shortage, the Town has worked with developers and has issued temporary certificates of occupancy or has required a landscaping bond from developers.

Council Member Smith asked if OWASA foresees any problems with meeting the future water demand, given the past year's increase in the number of customers and the fact that it will take four years to construct the Cane Creek reservoir. Mr. Billingsley said OWASA is making plans to meet the demand for water. However, if those plans fail and if it does not rain, OWASA will have to depend on the ordinance.

Council Member Broadfoot asked if the ordinance is 15-20 years premature since OWASA officials have said the interim dam will be in use before a possible water shortage in 1985 and the Cane Creek reservoir will meet water demands into the 21st century. Dr. Moreau said no one can guarantee the interim water supply will be available by July 1985. He said the stricter ordinance is a precautionary step in the event that unforeseen circumstances prevent OWASA from proceeding with plans to meet the demand for water. Dr. Moreau also noted that most communities have water conservation ordinances even though they might have an excess water supply.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER THORPE, TO ADOPT ORDINANCE #70.

Council Member Pasquini asked what the lake level is at the present time. Dr. Moreau responded that it is 24" below full. Dr. Moreau explained that even though 24" below full is in the trigger level for the "alert stage", the ordinance does not automatically call for the conservation methods to go into use. He said calling for the conservation methods to go into use is dependent on a number of factors other than just the level of the lake. THE MOTION PASSED BY A VOTE OF 8-1 WITH COUNCIL MEMBER BROADFOOT VOTING AGAINST THE MOTION.

The ordinance, as adopted, follows:

AN ORDINANCE PROVIDING FOR CONSERVATION OF WATER DURING A WATER SHORTAGE, AND FOR RESTRICTIONS ON THE USE OF WATER DURING MORE SEVERE SHORTAGES (84-0-70)

WHEREAS, University Lake provides the primary source of raw water from which the Orange Water and Sewer Authority supplies water to the Town of Chapel Hill, and

WHEREAS, the level of said lake indicates the amount of reserve water available and the need to conserve water, or restrict its use, and

WHEREAS, it is essential for the protection of the health and safety of the citizens of Chapel Hill that restrictive measures be imposed upon the use of water supplied within the Town of Chapel Hill and the surrounding territory through the facilities of the Orange Water and Sewer Authority, in the event the reserve supply reaches from below normal to critical levels.

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

SECTION I.

That the Council hereby amends Chapter 11 of the Code of Ordinances by adding a new Article X as follows:

Section 11-101. Water Shortage Deemed in Light of Reserve Water Supply

A water shortage may be declared to exist when the reserve supply available through the facilities of the Orange Water and Sewer Authority shall have reached the point where the reserve supply has been so reduced that the citizens cannot be supplied with water to protect their health and safety without curtailing substantially the water demand.

Section 11-102. Proclamation of Water Shortage

In the event of a water shortage in any of the five degrees of severity hereinafter set forth in the Town Water Supply threatening the health and safety of the citizens of the Town, the Mayor of the Town of Chapel Hill is authorized, empowered, and directed to issue a public proclamation declaring to all persons the existence of such state and the severity thereof, and in order to more effectively protect the health and safety of the people within the Town of Chapel Hill, to place in effect the restrictive provisions hereinafter authorized.

Section 11-103. Compliance Required in the Event of Shortage

In the event the Mayor issues any such proclamation described in Section 11-102, then and in that event it shall be unlawful for any person, firm, or corporation, to use or permit the use of water from the water system within the Town of Chapel Hill supplied through the facilities of the Orange Water and Sewer Authority for any of the purposes hereinafter set forth until such time as this Ordinance be amended or repealed, or until the Mayor, by public proclamation, has declared certain provisions no longer in effect. In exercising this discretionary authority, consideration shall be given to: water levels of available sources of supply; available/usable shortage on hand; drawdown rates; the projected supply capability; outlook for precipitation; daily water use patterns; and availability of water from other sources.

In light of the many benefits that can be derived by conserving water, all residents, businesses and institutions in the community should follow water conservation practices, regardless of the time of year or whether or not a water shortage exists. Water conservation should be followed during all phases of construction related activities. Where appropriate, water needed should be obtained from supplemental sources and non-essential construction-related activities which require water should be delayed until such time as the water emergency has ended.

Section 11-104. Restrictions Applicable Various Water Levels at University Lake

The severity of the water shortage shall be determined by the level of University Lake, and the restrictive measures in effect at each stage are as follows:

- A. In the event the water level of University Lake declines to a level of 347 feet above mean sea level (24 inches below full) a stage I of water shortage ALERT may be declared in effect, and the following voluntary water restrictions imposed:
 1. An extensive publicity campaign will be initiated using public media and specialized methods to inform the public of an impending water shortage.

2. Residential conservation measures will be encouraged and recommended including the following:
 - a. Use shower for bathing rather than bathtub and limit shower to no more than four (4) minutes.
 - b. Limit flushing of toilets by multiple usage.
 - c. Do not leave faucets running while shaving or rinsing dishes.
 - d. Limit use of clothes washers and dishwashers and when used, operate fully loaded.
 - e. Limit lawn watering to that which is necessary for plants to survive.
 - f. Water shrubbery the minimum required, reusing household water when possible.
 - g. Limit car washing to the minimum.
 - h. Do not wash down outside areas such as sidewalks, patios, etc.
 - i. Install water flow restrictive devices in shower heads.
 - j. Use disposable and biodegradable dishes.
 - k. Install water saving devices such as bricks, plastic bottles or commercial units in toilet tanks.
 - l. Limit hours of operation of water-cooled air conditioners.
 3. It is recommended that water supply line pressure reducing valves be set to the minimum necessary for effective operations of fixtures and equipment.
 4. Conservation in public buildings, institutions, dormitories, etc. is encouraged by reducing pressure at plumbing fixtures, by installation of restricting devices and shutting down on water flow control devices, and by only periodic flushing of urinals.
 5. All residents, businesses and institutions are requested to temporarily delay new landscape work until the water shortage has ended.
 6. Local governing bodies will utilize untreated or reclaimed water for street washing, landscape irrigation, and other appropriate purposes to the extent practical and will implement in their facilities the water conservation measures required under a stage II WARNING of the ordinance.
- B. In the event the water level of University Lake declines to the level of 346 feet above mean sea level (36 inches below full), a stage II water shortage WARNING may be declared in effect, and in addition to the restrictions heretofore imposed, the following moderate mandatory water restrictions shall be in effect. It shall be unlawful to use water from the public water system supplied by Orange Water and Sewer Authority for the following purposes:
1. To water lawns, grass, shrubbery, trees, flower and vegetable gardens except as follows:

Customers located to the south of the centerline of NC 54 West, Main Street in Carrboro, Franklin Street, and US 15/501 Boulevard may water lawns, grass, shrubbery, trees, flower and vegetable gardens on Saturday morning between the hours of 6:00 am and 9:00 am.

Customers located to the north of the centerline of NC 54 West, Main Street in Carrboro, Franklin Street, and US 15/501 Boulevard may water lawns, grass, shrubbery, trees, flower and vegetable gardens on Sunday morning between the hours of 6:00 am and 9:00 am.

Such watering is to be done by hand-held hose or container or drip irrigation system.

2. To fill newly constructed swimming and/or wading pools or refill swimming and/or wading pools which have been drained. A minimal amount of water may be added to maintain continued operation of pools which are in operation at the time the provisions of a stage II WARNING are placed into effect.
3. To operate water-cooled air conditioners or other equipment that does not recycle cooling water, except when health and safety are adversely affected.
4. To wash automobiles, trucks, trailers, boats, airplanes, or any other type of mobile equipment, including commercial washing.
5. To wash down outside areas such as streets, driveways, service station aprons, parking lots, office buildings, exteriors or existing or newly constructed homes or apartments, sidewalks, or patios, or to use water for other similar purposes.
6. To operate or introduce water into any ornamental fountain pool or pond or other structure making similar use of water.
7. To serve drinking water in restaurants, cafeterias, or other food establishment, except upon request.
8. To use water from public or private fire hydrants for any purpose other than fire suppression or other public emergency.
9. To use water for dust control or compaction.
10. To use water for any unnecessary purpose or to intentionally waste water.

The owner or occupant of any land or building which receives water from Orange Water and Sewer Authority and that also utilizes water from a well or supply other than that of Orange Water and Sewer Authority shall post and maintain in a prominent place thereon a sign furnished by Orange Water and Sewer Authority giving public notice to the use of the well or other source of supply.

C. In the event the lake level of University Lake declines to the level of 344.5 feet above mean sea level (54 inches below full), a stage III water shortage DANGER may be declared to exist, and in addition to the restrictions heretofore imposed, the following severe mandatory water restrictions shall be in effect. It shall be unlawful:

1. To water or sprinkle any lawn.
2. To water any vegetable garden or ornamental shrubs except during the hours of 6:00 a.m. to 9:00 a.m. on Saturday. Such watering is only to be done by hand-held hose or container or drip irrigation system.
3. To make any non-essential use of water for commercial or public use, and the use of single service plates and utensils is encouraged and recommended in restaurants.

- D. In the event the level of University Lake declines to the level of 343 feet above mean sea level (72 inches below full), a stage IV water shortage emergency may be declared to exist and in addition to the restrictions heretofore imposed, the following stringent mandatory water restrictions shall be in effect. It shall be unlawful:
1. To use water outside a structure for any use other than an emergency use involving fire.
 2. To operate an evaporative air conditioning unit which recycles water except during the operating hours of the business.
 3. To introduce water into any swimming pool.
- E. In the event the level of University Lake declines to the level of 341 feet above mean sea level (96 inches below full), a stage V water shortage CRISIS may be declared in effect, and a system of water rationing shall be put in effect in addition to all previously imposed restrictions. In the event of water rationing in which water will be supplied in the minimal quantities required for the health, welfare, and safety of the citizens in accordance with a program determined by the Orange Water and Sewer Authority:
1. It shall be unlawful to fail to act in accordance therewith or use water in any manner or attempt to evade or avoid such water rationing restrictions.
 2. Fire protection will be maintained, but where possible tank trucks shall use raw water.

Section 11-105. Penalties.

Any violations of the provisions of the Ordinance shall constitute a misdemeanor punishable upon conviction by a fine not exceeding FIFTY DOLLARS (\$50.00) or imprisonment not exceeding thirty (30) days as provided by General Statute Section 14-4 and in addition thereto such violation may be enjoined and restrained as provided in General Statute Section 160A-175.

Section 11-106. Injunctive Remedies.

Pursuant to the provisions of General Statute Section 160A-193, the injunctive remedies therein provided shall be applicable for the summary abatement or remedying of appropriate conditions dangerous or prejudicial to the public health both within the town limits of the Town of Chapel Hill and within one mile thereof and the expense thereof assessed as therein provided.

Section 11-107. Severability.

If any section, subdivision, clause, or provision of the Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, clause, or provision so adjudged, and the remainder of this Ordinance may be declared valid and effective.

SECTION II

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

SECTION III

This Ordinance shall be in full force and effect from and after its adoption.

This the 22nd day of October, 1984.

N.C. 54 Zoning Atlas Amendment

Leonard Berlow, owner of the property (.8 acre) located between the DuBose property and the Finley Forest development, asked Council not to defer action on the request. Mr. Berlow explained that he would like to sell his property and cannot do so until the zoning issue is settled. Mr. Berlow requested Council to leave zoning as R-4.

Gina Cunningham, representing the Task Force on Entranceways, encouraged Council to deny the rezoning request. The Task Force feels a master landscaping plan would provide adequate buffers for properties along the entranceways. The Task Force has also considered recommending the Town use various means to acquire properties on the entranceways in order to maintain the vistas. Ms. Cunningham said the final report from the task force is due December 3.

Pete DuBose Jr., representing the property owners, asked Council to leave the property zoned R-4 or at least to defer action until Council receives the final report from the Task Force on Entranceways.

Council Member Pasquini asked why the Berlow property was not treated separately from the DuBose property. Manager Taylor responded that it is his understanding the .8 acre Mr. Berlow owns is the only property he owns in Orange County and therefore the only portion of the Berlow property that could be considered by Chapel Hill for rezoning. Manager Taylor noted that Finley Forest petitioned for and was granted annexation and therefore the entire tract could be rezoned. Council Member Pasquini asked why the rezoning request is for R-1. Manager Taylor said the property needs to be compatible with other surrounding zones. Zoning the property R-1 would make it compatible with the rest of the land Mr. Berlow owns. Zoning the property R-4 would make it compatible with Finley Forest. Council Member Pasquini asked what dictated the zoning lines put in place in 1980. Manager Taylor responded that the lines were probably placed as a result of following the natural boundaries of the property lines.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER BROADFOOT, TO ADOPT ORDINANCE #71A.

Council Member Boulton questioned whether the staff and various town boards had considered all the options for rezoning the property (e.g. - the front portion R-1 or R-2 and leave the rear portion R-4). Manager Taylor said other rezoning options were considered. After examining the options, Manager Taylor said his recommendation is to rezone the property from R-4 to R-1. He explained that the owners can ask for another rezoning if the need arises in the future.

In response to a question from Council Member Boulton, Alice Ingram said that although the Planning Board took no formal vote on the rezoning request, there was a strong feeling to downzone the property.

Council Member Howes said the proposed action is premature since the Task Force on Entranceways has not submitted its final report. He also stated that the proposed action places a burden on zoning to preserve the present character of the entranceway. Council Member Howes said neither the R-1 or the R-4 zoning will preserve the existing character of the entranceway since either of the zonings allows development. He expressed concern that no type of negotiation with the property owner has taken place. He said negotiations might find a way to preserve the existing character of the property along the entranceway and make the land behind it available for development. Council Member Howes noted that the proposed action might alienate the property owner and create a feeling of hostility. Council Member Howes said deferral of the request would allow time for negotiations to take place.

Council Member Kawalec said it is her belief that a mistake was made in 1981 when the site was rezoned from R1 to R-4. She noted that it was the intent of Council in 1981 to leave the zoning of properties as they were prior to adoption of the development ordinance. She said she sees no reason to delay action on the request.

Council Member Boulton asked Council Member Kawalec if her aims could be accomplished by a suggestion such as the one made by Council Member Howes which might rezone only a portion of the site. Council Member Kawalec said she does not feel two zoning classifications are necessary

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for the property. She said with an R-1 zoning the owner can submit a request for a planned development and there would be enough land to retain a buffer along the entranceway.

Council Member Smith expressed support for some type of negotiations to take place with the owner.

Mayor Nassif said he feels there should be negotiations to determine which part of the land will take high density. However, he said Council should support the motion to return the land to its original zoning and then begin the negotiations.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO AMEND THE MOTION AND ALLOW THE PORTION OF THE BERLOW PROPERTY LOCATED IN CHAPEL HILL'S JURISDICTION TO RETAIN THE R-4 ZONING.

THE MOTION CARRIED 8 - 1 WITH COUNCIL MEMBER PASQUINI OPPOSING THE MOTION.

The ordinances, as adopted, follows:

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS (84-0-71A)

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

SECTION I

That the property identified below and one-half the adjoining rights-of-way of N.C. 54 and Finley Golf Course Road and containing approximately 116 acres of land be reclassified from Residential-4 to Residential-1:

Tract A: the portion of Chapel Hill Township Tax Map 52, Lot 6 which is located on the south side of N.C. 54;

Tract B: the portion of Chapel Hill Township Tax Map 52, Lot 6 that is on the north side of N.C. 54 between the northern right-of-way line of N.C. 54 and a line parallel to and 1,400 feet north of the northern right-of-way line of N.C. 54;

Tract D: Chapel Hill Township Tax Map 65, Block D, Lot 1.

SECTION II

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

This the 22nd day of October, 1984.

THE MAIN MOTION AS AMENDED CARRIED 5 - 4. THE MOTION WILL NEED A SECOND READING ON NOVEMBER 12. COUNCIL MEMBERS BROADFOOT, KAWALEC, NASSIF, PASQUINI, AND PRESTON VOTED FOR THE MOTION, COUNCIL MEMBERS BOULTON, HOWES, SMITH AND THORPE VOTED AGAINST THE MOTION.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION #214C.

THE MOTION PASSED UNANIMOUSLY, (9 - 0).

The resolution, as adopted, follows:

A RESOLUTION DENYING THE PROPOSED REZONING OF THE BERLOW PROPERTY SOUTH OF NC 54 (84-R-214c)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the proposed rezoning of approximately three-fourths of an acre described as lot 1 of Chapel Hill Township Tax Map 66.

This the 22nd day of October, 1984.

Public Hearings - Three Hour Limits

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER BROAD-

FOOT, TO ADOPT RESOLUTION #215.

Council Member Boulton said Council should be careful not to use up the three hours with discussion among itself.

Council Member Kawalec said the order of the speakers on the agenda for a public hearing should remain the same as it has been.

Council Member Howes said the proposed action is an artificial means of dealing with the problem. He said the Council should enact a Public Facilities Ordinance that was suggested by the Task Force on Growth Management.

Mayor Nassif said the proposal is not intended as a means to regulate growth, rather it is intended to allow the staff to have adequate time to review requests when the interest rates are favorable.

THE MOTION PASSED 8-1 WITH COUNCIL MEMBER HOWES VOTING AGAINST THE MOTION.

The resolution, as adopted, follows:

A RESOLUTION REGARDING THE LENGTH OF PUBLIC HEARING MEETINGS (84-R-215)

WHEREAS, under present public hearing agenda procedures the capacity of the Council and the Town staff to fully and properly evaluate numerous applications in a timely fashion may be exceeded due to lengthy public hearings;

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the following policies for the placement of items on public hearings on special use, Council site plan reviews, rezoning and Development Ordinance Text Amendment applications:

1. Generally, no more than 3 development applications shall be scheduled on the agenda of any given public hearing; and the total times estimated to be necessary to hear all items placed on such an agenda for a given date shall not exceed 3 hours.
2. When the hearing on an application is not completed on the scheduled date, it shall be rescheduled for the next public hearing date under a "bumping" procedure in which applications are considered in sequence based on acceptance of a completed application and Planning Board consideration.

This the 22nd day of October, 1984.

Special Use Permits - Revocation of Expired Permits

Paul Vick, representing Eastowne Associates, requested that items #4 and #16 be deferred until Council's next meeting. Mr. Vick said this would give him time to discuss this matter with his clients who are presently out of the country.

Attorney Barrett explained that there are three groups of past special use permits: (1) those for which the beginning date for construction has expired (included in the proposed resolution #216); (2) those approved after January 1984 and that include a stipulation which makes the permit void if all stipulations are not met - one of the stipulations included since January 1984 has been that projects begin by a certain date; and (3) those permits not included on the proposed resolution because their time for commencement of construction has not yet expired but approved prior to January 1984. Attorney Barrett explained that Council will need to review the permits under group #3 in order to consider revoking the permits after the starting dates have expired. Mayor Nassif suggested Council consider a resolution that would automatically void permits included in group #3 if construction has not begun by the start-up date. Council Member Boulton expressed concern about automatic revocation of permits since there might be some cases of extenuating circumstances. Mayor Nassif asked if there is a list of the number of units, names of properties owners, etc. for the permits included under resolution #216. Manager Taylor said he did not have such a list at hand. Mayor Nassif said it is important to relay Council's action to the media, property owners, prospective property owners, etc.

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Attorney Barrett noted that a resolution can be prepared for Council's consideration that would take action under the present ordinance authority to revoke a special use permit conditional on an event occurring in the future which is the expiration of the start of construction of the permit. Attorney Barrett said the owners would be notified. Council Member Kawalec said she hopes the proposed resolution does not have the effect of encouraging developers to bring in bits and pieces of a development rather than plans for an entire project. Council Member Broadfoot noted that phasing would take care of that concern.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO ADOPT RESOLUTION #216 WITH THE EXCEPTION OF #4 and #16.

COUNCIL MEMBER BROADFOOT MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO AMEND THE MOTION TO INCLUDE ITEMS #4 AND #16.

In response to a question from Council Member Boulton, Manager Taylor said staff made the best effort possible to notify all of the owners whose special use permits are included in the proposed resolution. He said staff was unable to locate any one connected with the Greer-Burris Baptist Children's Home.

Council Member Howes said it is a matter of courtesy to consider items #4 and #16 at the next meeting. Mayor Nassif stated that 10 years is long enough for the permits to be left open.

THE AMENDMENT PASSED 6-3 WITH COUNCIL MEMBER BOULTON, HOWES AND KAWALEC VOTING AGAINST THE MOTION.

THE MOTION AS AMENDED PASSED UNANIMOUSLY, (9 - 0).

The resolution, as adopted, follows:

A RESOLUTION REVOKING EXPIRED SPECIAL USE PERMITS AND MODIFICATIONS OF SPECIAL USE PERMITS (84-R-216).

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the use, construction, or activity authorized by the following Special Use Permits or Modifications of Special Use Permits were not started within the starting time stipulated as a condition of their approvals:

1. Elkin Hills Village/Edmiston Unified Business Development Special Use Permit (approved October 11, 1971 and recorded in DB 232, page 269 of the Orange County Registry) and Modification of Special Use Permit (approved October 2, 1972); Chapel Hill Township Tax Map 34, Block B, Lots 1, 1A, 1B, and 10 (Airport Road); starting time limit - April 11, 1973.
2. Camino Ridge Apartments Unified Housing Development Modifications of Special Use Permit (approved March 13, 1972; approved May 15, 1972; approved February 12, 1973 and recorded in DB 228, page 406 of the Orange County Registry); Chapel Hill Township Tax Map 83, Block A, Lots 1 and 1A (Clark Road); starting time limit - June 1, 1973.
3. Marlowe's Car Wash: Drive-In Business Special Use Permit (approved October 16, 1972 and recorded in DB 239, page 228 of the Orange County Registry); Chapel Hill Township Tax Map 24, Lot 37A (Airport Road); starting time limit - October 9, 1973.
4. Garden Park Apartments Unified Housing Development Special Use Permit (approved December 11, 1972); Chapel Hill Township Tax Map 26, Lot 17 (Eastowne Drive); starting time limit - December 11, 1973.
5. Marlboro Meadows Unified Housing Development Special Use Permit (approved June 12, 1972 and recorded in DB 241, page 714 of the Orange County Registry) and Modifications of Special Use Permit (approved March 12, 1973 and recorded in DB 241, page 1280; approved December 17, 1973; approved January 7, 1974 and recorded in DB 247, page 277; approved May 6, 1974; approved September 3, 1974); Chapel Hill Tax Maps 27D and 27E (Legion Road); starting time limit - September 30, 1974.

6. Northampton Plaza/Terrace Unified Housing Development Modification of Special Use Permit (additions approved November 14, 1977); Chapel Hill Township Tax Map 81, Block B, Lot 14 and Tax Map 83, Block A, Lot 5 (Airport Road); starting time limit - December 1, 1979.
7. Greer-Burriss Baptist Children's Home: Quasi-Public Buildings Special Use Permit (approved January 9, 1978 and recorded in DB 299, page 180 of the Orange County Registry) and Modification of Special Use Permit (approved January 8, 1979 and recorded in DB 305, page 432); Chapel Hill Township Tax Map 128, Block B, Lot 2 (Old Lystra Road); starting time limit - January 31, 1980.
8. Chapel Hill Insurance Agency Unified Business Development Special Use Permit (approved September 11, 1978 and recorded in DB 297, page 35 of the Orange County Registry) and Modification of Special Use Permit (approved May 14, 1979 and recorded in DB 311, page 527); Chapel Hill Township Tax Map 83, Block A, Lot 2 (Airport Road); starting time limit - September 1, 1980.
9. A Place in the Woods/Bolin Creek Townhouses Unified Housing Development Special Use Permit (approved December 11, 1978 and recorded in DB 305, page 450 of the Orange County Registry) and Modification of Special Use Permit (approved January 14, 1980); Chapel Hill Township Tax Map 78, Block A, Lot 1 (Elizabeth Street); starting time limit - January 1, 1982.
10. Kennedy Apartments Unified Housing Development Special Use Permit (approved December 11, 1978 and recorded in DB 304, page 357 of the Orange County Registry) and Modification of Special Use Permit (approved September 4, 1980 and recorded in DB 350, page 438); Chapel Hill Township Tax Map 27, Block A, Lot 3A (Old Oxford Road); starting time limit - January 1, 1983.
11. Pine Ridge/Lakeview Manor Nursing Home Modification of Special Use Permit (addition approved July 23, 1979); Chapel Hill Township Tax Map 27, Block D, Lots 21A and 21B (Legion Road); starting time limit - July 31, 1981.
12. Timberlyne Village Shopping Center Unified Business Development Special Use Permit (approved July 25, 1979 and recorded in DB 320, page 204 of the Orange County Registry); Chapel Hill Township Tax Map 24K and Tax Map 28, Lot 28 (Weaver Dairy Road); starting time limit - July 31, 1983.
13. Timberlyne Office Park South Unified Business Development Special Use Permit (approved July 25, 1979 and recorded in DB 320, page 195 of the Orange County Registry); Chapel Hill Township Tax Map 24K (Kingston Drive); starting time limit - July 31, 1983.
14. Timberlyne Condominiums Unified Housing Development Special Use Permit (approved July 25, 1979 and recorded in DB 320, page 200 of the Orange County Registry); Chapel Hill Township Tax Map 24, Lot 28C (Kingston Drive); starting time limit - July 31, 1983.
15. UNC Student Apartments Unified Housing Development Special Use Permit (approved November 12, 1979 and recorded in DB 330, page 359 of the Orange County Registry); Chapel Hill Township Tax Map 46, Block B, Lot 1 (Couch Lane); starting time limit - October 31, 1982.
16. Carolina Courts Unified Business Development Special Use Permit (approved November 12, 1979); Chapel Hill Township Tax Map 26, Lot 17 (Eastowne Drive); starting time limit - October 31, 1982.
17. University Mall Unified Business Development Modification of Special Use Permit (additional building - approved April 28, 1980); Chapel Hill Township Tax Map 48, Block A, Lot 8 (South Estes Drive); starting time limit - May 1, 1981.
18. Stonehenge Apartments Planned Development-Housing (approved April 5, 1982); Chapel Hill Township Tax Map 127, Block B, Lot 4 (U.S. 15-501 South); starting time limit - June 30, 1984.

BE IT FURTHER RESOLVED that the Council hereby revokes the Special Use Permits and Modifications of Special Use Permits listed above in accord

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with Section 8.6 of the Development Ordinance.

This the 22nd day of October, 1984.

Special Use Permits - Start of Construction

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER THORPE, TO ADOPT ORDINANCE #72.

THE MOTION PASSED UNANIMOUSLY, (9 - 0).

The ordinance, as adopted, follows:

AN ORDINANCE AMENDING THE CHAPEL HILL DEVELOPMENT ORDINANCE (84-0-72)

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

SECTION I

RETITLE Section 8.6, Revocation of Special Use Permit, to read Voiding and Revocation of Special Use Permit Approvals.

SECTION II

DELETE condition 2) in the current first paragraph of Section 8.6 and RELETTER conditions b) through d) as a) through c).

SECTION III

INSERT a new first paragraph in Section 8.6 to read as follows:

If the use, construction, or activity authorized by Council approval of an application for a Special Use Permit or Modification of Special Use Permit is not started within twelve (12) months of the date of issuance of the permit, or within such further time stipulated in the approval, the approval shall automatically expire and any Town permit issued pursuant to the approval shall be void.

SECTION IV

DELETE the second sentence in the first paragraph of Subsection 15.4.4, Actions Subsequent to Decision.

SECTION V

INSERT a new Section 15.5 to read as follows:

15.6 Voiding of Site Plan Approvals

If the use, construction, or activity authorized by approval of an application for a Zoning Compliance Permit requiring site plan review is not started within six (6) months of the date of approval, or within such further time stipulated in the approval, the approval shall automatically expire and any Town permit issued pursuant to the approval shall be void.

SECTION VI

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

This the 22nd day of October, 1984.

Special Use Permits - Request for Resolution

COUNCIL MEMBER BROADFOOT MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO REQUEST THE MANAGER TO PREPARE A RESOLUTION FOR CONSIDERATION BY COUNCIL THAT WOULD AUTOMATICALLY REVOKE SPECIAL USE PERMITS ISSUED PRIOR TO JANUARY 1984 AND NOT INCLUDED IN RESOLUTION #216 AFTER THE STARTING DATES HAVE EXPIRED.

THE MOTION PASSED UNANIMOUSLY, (9 - 0).

Council Member Howes asked the Manager to submit a list of the permits affected by the requested resolution and to notify the property owners.

Special Use Permits - Public Hearing

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO ADOPT RESOLUTION #216.1

THE MOTION CARRIED UNANIMOUSLY, (9 - 0).

The resolution, as adopted, follows:

A RESOLUTION SCHEDULING A PUBLIC HEARING ON AMENDMENTS TO ARTICLES 8 AND 15 OF THE DEVELOPMENT ORDINANCE (84-R-216.1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby schedules the following proposed amendment of the Development Ordinance to be heard at its January 22, 1985 public hearing:

1. Amend Section 8.6 to:
 - a) provide for the automatic voiding of Special Use Permit approvals and Modification of Special Use Permit approvals where the use(s) authorized by the Permit or Modification ceases for a continuous period of 12 months;
 - b) allow the Town Manager to grant a single 12-month extension of the completion time limit for an approved development upon request, provided the developer can show a good faith effort to complete the development and conditions have not changed so as to warrant reconsideration of the original approval, and provided that additional extensions of the completion time limit be reviewed by Council, using the same criteria; and
 - c) provide for abandonment of Special Use Permits and Modifications of Special Use Permits on request of the permit holder where the authorized development has not started and the starting time limit has not yet expired.

2. Amend Article 8 to:
 - a) provide for the modification of revocation of a Special Use Permit to apply it to only part of the originally approved site; and
 - b) clarify the effect of a development on a previously-approved Special Use Permit authorizing a different development on the same site.

3. Amend Article 15 to:
 - a) provide for the automatic voiding of all Zoning Compliance Permit approvals where the authorized construction or activity is not started within six (6) months;
 - b) allow the Town Manager to grant extensions of the completion time limit for periods of up to twelve (12) months, provided the developer can show a good faith effort to complete the development and conditions have not changed so as to warrant reconsideration of the original approval;
 - c) provide for abandonment of Zoning Compliance Permits on request of the permit holder where the authorized development has not started and the starting time limit has not yet expired;
 - d) provide for revocation of a Zoning Compliance Permit on violation of its conditions or applicable development regulations;
 - e) provide for the modification or revocation of a Zoning Compliance Permit to apply it to only part of the originally approved site;
 - f) clarify the effect of a development on a previously approved Zoning Compliance Permit authorizing a different development on the same site; and

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- g) provide review for Town Manager approval of minor changes to plans approved under site plan review or sign plan review and provide for approval of substantial changes to approved plans by the approving body as a Modification of Zoning Compliance Permit.

BE IT FURTHER RESOLVED that the above amendment proposals be referred to the Town Manager and Planning Board for their consideration and recommendations.

This the 22nd day of October, 1984.

Chapel Hill Professional Village - Extension of Completion Date

Jo Hakan asked Council to approve a request for a two-year extension of the completion date for the Chapel Hill Professional Village.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO ADOPT RESOLUTION #217.

Council Member Broadfoot asked if Council has the authority to grant such an extension. Attorney Barrett replied that the ordinance does not address the subject. However, he said it is his opinion that Council may extend the completion date so long as Council does not require the kind of evidence that would necessitate going to a public hearing on the special use permit.

Mr. Hakan noted that since the property was rezoned a special use permit is not required to complete the project. However, he said he is trying to retain the special use permit so it will stay with the property. Attorney Barrett said there has been discussion at the staff level about the consequences of a rezoning in relation to an existing special use permit when part of a project has been completed. He said Council has called a public hearing on the matter.

THE MOTION CARRIED UNANIMOUSLY, (9 - 0).

The resolution, as adopted, follows:

A RESOLUTION EXTENDING THE COMPLETION OF CONSTRUCTION TIME LIMIT FOR CHAPEL HILL PROFESSIONAL VILLAGE (84-R-217)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that Trigon Associates has requested an extension of the completion of construction time limit contained in its Special Use Permit and Modification of Special Use Permit for the Chapel Hill Professional Village Unified Business Development.

BE IT FURTHER RESOLVED that the Council hereby extends the completion of construction time limit for Chapel Hill Professional Village Unified Business Development from November 1, 1984 to November 1, 1986.

This the 22nd day of October, 1984.

Bufferyards and Screening Requirements - Development Ordinance Text Amendment

Josh Gurlitz, representing the Appearance Commission, asked Council to defer action on the request. He said the Appearance Commission has not yet considered the amendment.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO DEFER ACTION ON THE REQUEST.

Council Member Pasquini asked that the memorandum be expanded to address the following:

the impact of the proposed buffers, a clearer explanation of the types of proposed buffers, how the amendment would effect the existing provisions in the ordinance, and the reasoning for not requiring buffers as indicated by the asteriks in Table 6.12.6.

Council Member Boulton expressed an interest in reviewing the requirements for setbacks.

THE MOTION PASSED UNANIMOUSLY, (9 - 0).

Public Hearing - Rezoning 10.3 acres of Chapel Hill Tax Map 24, Part of Lot 28C from R-5 to R-3

COUNCIL MEMBER BROADFOOT MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION #219.

Robert Page stated that Council would be setting a bad precedent for rezonings since the request originated from Council due to statements contained in a petition presented to Council by Scott Wallace rather than from a citizen rezoning application. Mr. Page said approving the request would open the door to anyone desiring a rezoning, including developers. Mr. Page noted that the rezoning fees were not set as a source of revenue but to assure serious rezoning requests.

Mr. Page explained that the site was originally agricultural in the County. In 1979 it came in under a PUD for 160 units with unlimited square footage. In 1981 the site was zoned R-5 by Chapel Hill. Mr. Page said the site is bordered by one single family lot. The site is bordered by R-5 to the west, Community Commercial to the north, R-3 to the south, and duplexes to the east. Under the PUD, the water and sewer lines were oversized in the area to take care of the density, the Kingston Road right-of-way was widened, Weaver Dairy Road was widened, Banks Drive was established and Westminster Drive was rerouted away from Kingston Drive. Mr. Page said it is his opinion that Mr. Wallace has had notice of the R-4 zoning. He also stated that 76% of the 68 signees of the petition moved in after the R-5 zoning.

Mr. Page said he knows of some residents who signed the petition that were not fully aware of what they were signing. Mr. Page stated that the burden of the rezoning should fall on the property owners. He also noted there has been no problem with salability of property or units in the area.

Mr. Page said the 1979 PUD, the 1981 zoning, and what has been proposed and what has been built are all basically the same. The amenities and the roads are in accordance with the density.

Council Member Broadfoot said there is a precedent for this type of Council action. He noted the request is just to call a public hearing on the matter.

Council discussed some previous rezoning requests and the origins of the requests.

Mayor Nassif said there are questions still pending which were raised at the first public hearing on the proposed Woodlyns project. Manager Taylor said a revised report will be issued for the public hearing scheduled for January which hopefully will contain answers to those questions.

THE MOTION FAILED BY A VOTE OF 2-7 WITH COUNCIL MEMBERS BROADFOOT AND PASQUINI VOTING FOR THE MOTION.

(Council Member Smith left.)

Rezoning of Proposed Site for Commons at Woodlyn - Report

Manager Taylor reported on the citizens' petition of October 8 for rezoning of the proposed site for Commons at Woodlyn. Manager Taylor said he anticipates a rezoning petition will be filed and the fee paid. If that is done prior to November 19th, the Manager's report will be a part of the public hearing rather than a special report. If a petition is not filed, the Manager's report will be presented as a special report on December 10.

(Council Member Boulton left.)

Development Applications - Report

Manager Taylor reported on the procedures for staff review of development applications. Council Member Pasquini said the action on site plan criteria could be "beefed-up".

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Nonconformities in R-4 Districts

Attorney Barrett submitted his recommendations for considering non-conformities in R-4 districts in Council's packets. He recommended that the current provisions in the ordinance regarding non-conformities not be changed as they affected the Finley Forest, Foxcroft and three McCauley Street properties rezonings.

Quarterly Reports by Council Liaisons

Council Member Broadfoot questioned the appropriateness of having a Council representative on JOCCA since the organization requests funds from Council.

Council Member Howes referred Council to the report from Triangle J which was included in member's packets.

Council Member Preston reported on the quarterly activities of JOCCA.

Quarterly Reports by Manager

Manager Taylor presented his quarterly report. He said he would like feedback from Council Members on the summary method used for this report. Council Member Broadfoot expressed concern about the lack of progress by the Housing Authority in the Community Development housing program.

Mayor Nassif expressed concern about the 20^{7/10}% employee turnover rate.

1983-84 Audit Report

Michael Nelson and Jan Llewellyn, both of Touche Ross & Company, presented the 1983-84 audit report. They noted that the town is applying for a Certificate of Conformance issued for excellence in financial reporting. They also said the town is in good shape financially. Mr. Nelson said the town needs to improve its system for administering grants, by developing written procedures.

N.C. League of Municipalities - Resolution supporting the Election of Jonathan Howes as Second Vice-President

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO ADOPT RESOLUTION #220.

THE MOTION PASSED UNANIMOUSLY, (7 - 0).

The resolution, as adopted, follows:

A RESOLUTION SUPPORTING THE ELECTION OF CHAPEL HILL COUNCIL MEMBER JONATHAN B. HOWES AS SECOND VICE PRESIDENT OF THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES (84-R-220)

WHEREAS, Council Member Jonathan B. Howes of Chapel Hill has served the North Carolina League of Municipalities as its Third Vice-President, as co-chair of the Revenue Sharing Task Force, as chairman of the Joint Regional Forum of the League and the North Carolina Association of County Commissioners, and as a member and subcommittee chairman of the Committee on the 80's; and

WHEREAS, he has been a member of the Board of Directors of the National League of Cities, currently serves on its Advisory Council, has served as Chair of NLC's Committee on Community and Economic Development, and as a member of the Committee on Natural and Economic Resources; and

WHEREAS, Council Member Howes has served as a board member and chairman of the Triangle J Council of Governments, and as a member and chairman of the Board of Directors of the Orange Water and Sewer Authority; and

WHEREAS, Mr. Howes has been a member of the Town Council since 1975, and served as Mayor Pro-tem from 1979 to 1981; and

WHEREAS, he is Director of the Center for Urban and Regional Studies at the University of North Carolina at Chapel Hill and has graduate degrees in both urban affairs and public administration; and

WHEREAS, Council Member Howes has a comprehensive and detailed knowledge of municipal government and urban affairs, and has earned the respect and appreciation of the many people with whom he works;

NOW THEREFORE BE IT RESOLVED that the Town Council of Chapel Hill hereby requests the Nominating Committee to nominate Jonathan B. Howes for the Second Vice Presidency of the North Carolina League of Municipalities, and urges that he be elected by delegates to the League's 1984 Annual Meeting.

This the 22nd day of October, 1984.

Housing Assistance Plan

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO ADOPT RESOLUTION #221.

THE MOTION PASSED UNANIMOUSLY, (7 - 0).

The resolution, as adopted, follows:

A RESOLUTION AUTHORIZING SUBMISSION OF A HOUSING ASSISTANCE PLAN TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (84-R-221)

BE IT RESOLVED that the Council of the Town of Chapel Hill hereby authorizes the Manager to submit a Housing Assistance Plan update and 1984-85 annual goal to the U. S. Department of Housing and Urban Development (HUD) by October 31, 1984 as generally described in a report to Council dated October 22, 1984, and to provide such additional information as HUD may require.

This the 22nd day of October, 1984.

Classification and Pay Plan

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT ORDINANCE #75.

Council Member Thorpe said the salaries for the Manager and the Attorney should have been considered separately.

THE MOTION PASSED 6 - 1 WITH COUNCIL MEMBER THORPE VOTING AGAINST THE MOTION.

The ordinance, as adopted, follows:

AN ORDINANCE AMENDING THE CLASSIFICATION AND PAY PLAN WHICH BEGAN OCTOBER 1, 1984 (84-O-75)

BE IT ORDAINED by the Council of the Town of Chapel Hill that "An Ordinance Establishing a Classification and Pay and Longevity Plan for the Employees of the Town of Chapel Hill and Bonds of Officials Beginning October 1, 1984" (84-O-37) be amended as follows:

In Section IV, change the salary of the Town Manager to \$60,000, and of the Town Attorney to \$40,000; these changes to be effective October 1, 1984.

This the 22nd day of October, 1984.

Boards and Commissions - Nominations

There were no nominations made for the interim seat on the Planning Board.

Boards and Commissions - Notice of Vacancies

Council was notified of vacancies on the Appearance Commission (due to the resignation of Jane Norton) and Transportation Board (due to the resignation of Ed Montgomery).

Executive Session

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ACQUISITION OF AN INTEREST IN REAL PROPERTY.

THE MOTION PASSED UNANIMOUSLY, (7 - 0).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING.

THE MOTION CARRIED UNANIMOUSLY.

Robin G. Rankin, Information Services

Joseph L. Nassif, Mayor