

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING
APRIL 9, 1985, 7:30 P.M.

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

Jonathan Howes
Beverly Kawalec
David Pasquini
Nancy Preston
R. D. Smith

Council Member Marilyn Myers Boulton was absent, excused. Council Member Thorpe arrived late. Also present were Town Manager David Taylor, Assistant Town Manager Sonna Loewenthal and Acting Town Attorney Michael Patrick.

Oath of Office

Mayor Nassif administered the oath of office to new Council Member David R. Godschalk.

Council Member Godschalk made a brief presentation in which he expressed his concerns on issues which included improving the Town's Land Use Plan, Development Ordinance, open space, library system and infrastructures. He stated that he had reviewed the entire record concerning each application for a Special Use Permit pending before Council on tonight's agenda and was prepared to vote on the issues presented in each application.

Petitions

Ms. Susan Rader, speaking as County Coordinator for the Safety Haven program, explained that the Safety Haven program was a program which provided places where children could seek emergency assistance at any time. She asked for Council's support for the program.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO REFER TO THE MANAGER AND HUMAN SERVICES ADVISORY BOARD. THE MOTION PASSED UNANIMOUSLY, (7-0).

Resolution to call public hearing to discuss proposed change in Council seats

This item was deferred.

Council Member Thorpe arrived at this point - 7:45 p.m.

Timber Hollow

Roger Waldon, Planning Director, said that the applicant had proposed changes to meet some of the concerns expressed by Council and staff at the April 1, 1985 meeting. These included moving one swimming pool, building and tennis court. This resulted in a better match of parking spaces for each building.

Council Member Pasquini asked whether Mendel Drive would be connected to the development or if it would just be a fire lane. Town Manager Taylor replied that the staff recommended that Mendel Drive be connected.

Council Member Godschalk expressed concern on the connection with Mendel Drive and the routing of a great amount of traffic through a single-family development. Town Manager Taylor replied that the staff did not foresee much traffic flowing through Mendel Drive, in the single-family development; rather the traffic from the single-family development would more likely go through Timber Hollow to reach Piney Mountain Road into the project.

Council Member Howes asked whether the North Carolina Department of Transportation had been asked about an Airport Road entrance/exit. Manager Taylor replied yes, and that the Department of Transportation was the one who suggested that drivers would probably execute a U-turn in order to turn left.

Council Member Preston said she was concerned about the cumulative effect of this project and the entire area. She still felt that Council might need to downzone the area more than R-3.

Council Member Smith expressed concern about the traffic patterns on Piney Mountain Road and Airport Road. Town Manager Taylor replied that his recommendation included a stipulation to require the developers to pay the Town a sum sufficient to fund installation by DOT of traffic signals at the intersection, as well as widen Piney Mountain Road. Council Member Smith inquired if dual left turn lanes would be part of this stipulation. Town Manager Taylor said that the dual left turn lane was in the future plans for Piney Mountain Road, but not necessarily part of this project. The widening of Piney Mountain Road by both Misty Woods, across the street and by this project, would allow room for two left turn lanes.

Mayor Nassif expressed concern about the amount of clearing which would be necessary for the proposed slab on grade construction. He felt it wasn't necessary and, therefore, would like to keep the stipulation pertaining to no tree removal beyond 15' from the buildings. This would probably require the developers to change their planned method of construction. His objective was to see the project fitted to the site rather than the reverse.

Mayor Nassif asked the Manager to see if this would keep trees all the way around the buildings.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION 85-R-56c TO DENY THE PROJECT.

Mayor Nassif and Council Members Howes and Godschalk said that they would prefer to see the project sent back to the developer for further study.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH, FOR A SUBSTITUTE MOTION TO REFER BACK TO THE STAFF AND DEVELOPER FOR FURTHER STUDY, INCLUDING LOOKING AT THE TRAFFIC SITUATION. THE MOTION PASSED, (7-1), WITH COUNCIL MEMBER THORPE VOTING AGAINST.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK, FOR A SITE PLAN DESIGNED WITHOUT A CONNECTION TO MENDEL DRIVE. THE MOTION FAILED TO PASS, (4-4), WITH COUNCIL MEMBERS HOWES, NASSIF, PASQUINI AND THORPE VOTING AGAINST.

Windy Hill, Planned Development-Housing Special Use Permit

Council Member Godschalk asked why the staff was proposing the widening of the road on the inside of the curve rather than widening it on the outside. Town Manager Taylor replied that the staff felt the road was better widened from the inside in that the sight distances were improved and that widening on the outside would present a need for two small reverse curves on each end of the curve. He said the staff felt the two reverse curves would be more dangerous than widening on the inside, even though the widening of the inside would create a sharper degree of curvature than widening on the outside.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION 85-R-68d, TO DENY THE PROJECT.

THE MOTION CARRIED, (7-1), WITH COUNCIL MEMBER THORPE VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION DENYING A PLANNED DEVELOPMENT-HOUSING SPECIAL USE PERMIT FOR WINDY HILL (85-R-68d)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby fails to find that the Planned Development-Housing Special Use Permit for 91 dwelling units on Erwin Road, proposed by Ghidorzi Construction Company, dated October 3, 1984, and the preliminary landscape plan, dated November 5, 1984:

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

The reasons for Council's failure to make these findings are that (1) the proposal lacks sufficient separation and open areas among buildings and recreation facilities to provide effective livability space that avoids a sense of overcrowdedness, (2) the public traffic safety would not be maintained or promoted on Erwin Road in the vicinity of the proposed development, (3) the site design does not adequately consider the relationship of the development to natural topography, as required by Section 6.4.1, and (4) the pattern of use proposed is not appropriate to the topography of the site as required by Section 8.8.1.3.

BE IT FURTHER RESOLVED that the Council hereby denies the Special Use Permit requested for said development.

This the 9th day of April, 1985.

Cambridge Place, Planned Development-Housing Special Use Permit

Council Member Godschalk said he agreed that a reduction in parking spaces was valid, but he would like to know what contingency plan the developers had if more parking spaces were needed.

Manager Taylor replied that if more spaces were needed, it would require modifying the Special Use Permit, which would require another public hearing and Council approval.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH, TO ADOPT RESOLUTION 85-R-69c WITH THE INCLUSION OF A STIPULATION REQUIRING A PARKING EXPANSION PLAN, SHOWING PROPOSED ENLARGEMENTS OF PARKING AREAS TO ONE SPACE PER DWELLING AND 1.5 SPACE PER DWELLING, BE PROVIDED PRIOR TO ISSUANCE OF THE ZONING COMPLIANCE PERMIT.

Council Member Preston asked how to enforce the buffer zone regulations and prevent the developer from cutting any trees in the areas designated as buffers and green space.

Town Manager Taylor said he could not absolutely assure Council that the buffers would remain as planned but that the Council could penalize the developer if this occurred. He said the final penalty could be denial of the certificate of occupancy.

Council Member Smith asked what procedure was necessary if the developer wanted to convert the development for occupancy for any persons other than the elderly and handicapped. Manager Taylor replied that any change would require a modification in special use permit.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO AMEND THE MOTION TO CHANGE THE WORDING OF STIPULATION 7 FROM THAT RESIDENTS IN THE DEVELOPMENT BE PRIMARILY ELDERLY PERSONS TO READ THAT RESIDENTS OF THE DEVELOPMENT BE ELDERLY OR HANDICAPPED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Pasquini expressed concern about the change in parking spaces as required by the motion on the floor. He felt any change in the number of spaces would require a change in the site plan with regard to the trees. He also said he felt the project was too large and tall, in scale, for the land.

Mayor Nassif expressed concern about the construction traffic. He said he didn't want the construction traffic to exit/enter off of Kingston Drive.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES, TO AMEND THE MOTION TO ADD A STIPULATION THAT ACCESS TO KINGSTON DRIVE NOT BE OPENED UNTIL 98% OF THE CONSTRUCTION OF THE PROJECT IS COMPLETED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Mayor Nassif then said he wanted the staff to make sure the developers adhered to the regulations regarding the transportation of construction cut and fill material. The Manager said the staff would follow this closely.

THE MOTION, AS AMENDED, CARRIED, (7-1), WITH COUNCIL MEMBER PASQUINI VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING A PLANNED DEVELOPMENT-HOUSING SPECIAL USE PERMIT FOR CAMBRIDGE PLACE (85-R-69c)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Planned Development-Housing Special Use Permit proposed by Crossland Properties, Inc., if developed in accordance with the preliminary site plan, preliminary utility plan, and preliminary grading, paving, storm drainage, and erosion control plan dated January 22, 1985 and the stipulations and conditions set forth below:

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

These findings are conditioned on the following stipulations:

1. That construction begin by April 9, 1986 and be completed by April 9, 1990.
2. That access to Kingston Drive not be open until 98% of the construction of the project is completed.
3. That a parking expansion plan, showing proposed enlargements of parking areas to include 1 space per dwelling and 1.5 space per dwelling, be provided prior to issuance of the Zoning Compliance Permit.
4. That a bus shelter be provided at the proposed bus stop.
5. That the entry drive and parking courts adjacent to Westminster Drive be modified to allow for a 30-foot-wide buffer abutting the Westminster Drive right-of-way.
6. That final utility plans be approved by the Town Manager, OWASA, Duke Power, Southern Bell, and Village Cable before issuance of a Zoning Compliance Permit.
7. That easement documents as approved by OWASA be recorded for utility easements before issuance of a Zoning Compliance Permit, and that the property owner bear the cost of any assessments required by OWASA for maintenance of fire hydrants until such time as this responsibility is assumed by a homeowners association or a public entity or until such time as OWASA policy may change.
8. That a pedestrian path be provided in the woods south of the residential building.

9. That residents of the development be elderly or handicapped persons.
10. That steps acceptable to the Town Manager be taken to prevent deposit of materials on public roads and that measures, as practical, be approved by the Town Manager to remove such materials deposited on the roadways.
11. That final plans to be approved by the Town Manager before issuance of a Zoning Compliance Permit (site plan, utility plan, fire flow analysis, grading and stormwater management plan, stormwater management analysis, and right-of-way/easement plats) conform to the preliminary plans and demonstrate compliance with all applicable conditions and the design standards of the Development Ordinance and the Design Manual.
12. That continued validity and effectiveness of this permit is expressly conditioned upon compliance with or fulfillment of these conditions, and upon compliance with application provisions of the Chapel Hill Development Ordinance and regulations thereunder.
13. If any of the above conditions shall be held invalid or void, then this permit shall be void.

BE IT FURTHER RESOLVED that the Council hereby finds that:

1. The Planned Development is intended for occupancy by elderly or handicapped individuals;
2. Reasonable assurances exist that the dwelling units served by the parking spaces will be maintained for occupancy by the elderly or handicapped; and
3. Sufficient livability space exists on the property to ensure that should the units be converted to another form of occupancy or use, that sufficient parking can be provided on the site to satisfy the parking requirements of the new use, without violating the land use intensities of Section 5.11;

and therefore finds that the proposed parking ratio of .77 space per dwelling meets "Minimum Off-Street Parking Space Requirements," as specified in Section 6.6.7 of the Development Ordinance.

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

This the 9th day of April, 1985.

Growth Management

Manager Taylor made a brief presentation summarizing recent Council actions and plans for staff work on additional issues relating to the Land Use Plan and growth management. He said that the staff had devised a schedule of long term issues to be worked on by the staff in accordance to the direction given to the staff after the Council work session in January.

Manager Taylor stated that updating the Land Use Plan was the number one priority item on the schedule.

Council Member Pasquini said he thought the tree protection and public facilities ordinances should be brought forward on the schedule.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION 85-R-61 WITH THE INCLUSION OF THE PHRASE "AND IN CONSULTATION WITH NEIGHBORHOOD RESIDENTS AND LAND OWNERS" AS PART OF THE RESOLUTION.

Mayor Nassif and Council Member Howes said they felt citizen input would come at the time of the public hearing. They felt inclusion of citizens during this planning stage would cause delays in the development of an acceptable plan.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER THORPE, TO AMEND MOTION TO DELETE THE PHRASE "AND IN CONSULTATION WITH NEIGHBORHOOD RESIDENTS AND LAND OWNERS."

Council Members Preston, Pasquini and Godschalk felt that citizen involvement was necessary in the planning stage. Council Members Howes and Thorpe agreed to withdraw their amendment from the floor.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON, FOR A SUBSTITUTE MOTION TO DELAY ACTION UNTIL COUNCIL MEMBER GODSCHALK AND MANAGER TAYLOR COULD DISCUSS AND DEVISE A PLAN FOR THE COUNCIL TO FOLLOW IN UPDATING THE LAND USE PLAN WHICH WOULD INCORPORATE CITIZEN PARTICIPATION. THE MOTION PASSED, (7-1), WITH COUNCIL MEMBER SMITH VOTING AGAINST.

Council Member Howes asked the status of the Joint Planning process with Orange County. Manager Taylor replied that there would be some projects for Council to review at the June joint public hearing with Orange County. He also said that the Planning staff was working with the County for a land use plan for joint planning areas.

Council Member Preston asked how a Greenways or Open Space Commission could be set up and if it should be on the work schedule. Manager Taylor replied that the staff would get back to Council on this.

Council Member Kawalec said the County was working on a land use plan for joint planning areas and asked that Council get the information on this subject at the same time as the County Commissioners.

Mayor Nassif asked for a report on the current status of the staff's and County's negotiations on a joint land use plan and the assumptions which were being used to develop this plan.

Old Police Building

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION 85-R-70, EXTENSION, UNTIL JULY 12, 1985, OF THE AGREEMENT WITH IFC FOR USE OF THE BASEMENT OF THE OLD POLICE BUILDING AS A TEMPORARY SHELTER. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO AN EXTENSION OF AN AGREEMENT FOR USE OF A PORTION OF THE OLD POLICE BUILDING FOR A TEMPORARY EMERGENCY SHELTER (85-R-70)

WHEREAS, the Council adopted Resolution 85-R-8 on January 14, 1985, granting the Inter Faith Council the use of the basement of the Old Police Building at 100 East Rosemary Street for the operation of a temporary emergency shelter; and

WHEREAS, the Inter Faith Council has requested an extension to use the basement beyond the originally approved April 30, 1985 expiration date because a permanent emergency shelter location has not been secured; and

WHEREAS, the Council has determined that the basement in the Old Police Building will not be needed by the Town through July 12, 1985;

THEREFORE, BE IT RESOLVED, by the Council of the Town of Chapel Hill that the Town Manager is hereby authorized and enter into and sign on behalf of the Town, an extension to the existing Temporary Use Agreement, dated February 11, 1985, with the Inter Faith Council, said extension to be contingent upon a reinspection of the premises by the Town Building and Fire Inspectors and the Inter Faith Council's acceptance to abide by the reasonable directives of Town inspections and said extension to conclude on or before July 12, 1985.

This is the 9th day of April, 1985.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION 85-R-71, SALE OF SURPLUS PROPERTY AND EQUIPMENT FROM THE OLD POLICE BUILDING TO ORANGE COUNTY. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION DECLARING ITEMS OF PERSONAL PROPERTY TO BE SURPLUS AND AUTHORIZING AND DIRECTING THE SALE AND TRANSFER OF SAID PROPERTY TO ORANGE COUNTY (85-R-71)

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

WHEREAS, Orange County has asked the Town to transfer to Orange County certain doors and stainless steel commodes in the Old Police Building on Rosemary Street; and

WHEREAS, Orange County has offered the Town \$650 for a damaged 1982 Chevrolet Impala; and

WHEREAS, the Council desires to accept said request and offer;

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

1. That the following items of personal property are hereby declared surplus:
 - a. Such steel bars, bunks, doors and stainless steel commodes in the "lock-Up" area of the Old Police Building at 100 W. Rosemary Street.
 - b. 1982 sedan (Chevrolet, serial number VIN 2G1AL69L5C12 12390).
2. That the Town Manager shall be and is hereby authorized to dispose of this surplus property in accord with G.S. 160A-274.
3. That as a condition of transfer:
 - a. During the IFC's operation of the shelter facility in the basement, the County may remove the bars and commodes at at time acceptable to IFC.
 - b. The County may remove the bunks when they are no longer in use for the IFC shelter (with the end of the shelter operation in the Old Police Building, or earlier if IFC agrees.)
 - c. Repairs to walls, ceilings and fixtures must be satisfactory to the Town Manager and at the County's expense.
4. That the vehicle shall be sold "as is" and "where is" and the Town makes no guarantee of and assumes no responsibility for said vehicle.

This is the 9th day of April, 1985.

Noise Permit

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO ADOPT RESOLUTION 85-R-72B, TO DENY THE PERMIT.

Council Member Howes said that adoption of the resolution would be in violation of the Noise Ordinance.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION DENYING A REQUEST FOR A NOISE PERMIT FOR OUTDOOR AMPLIFIED SOUND ON SUNDAY, APRIL 14, 1985 (85-R-72B)

WHEREAS, the Noise Ordinance adopted by the Chapel Hill Town Council allows the issuance of special noise permits for outdoor amplified sound on Thursday nights, Friday nights and Saturdays; and

WHEREAS, musical events on the University campus can be heard in nearby areas;

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council denies the request by the South Campus Jam Committee for a special permit for an outdoor concert on Sunday afternoon, April 14, 1985, on the intramural field near Ridge Road and Ehringhaus Dormitory.

This is the 9th day of April, 1985.

Audit Contracts

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO ADOPT RESOLUTION 85-R-73. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS FOR AUDIT SERVICES (85-R-73)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it approves, and authorizes the Mayor of the Town of Chapel Hill to execute on behalf of the Town, contracts with the firm of Touche Ross and Company for audit services covering the 1984-85 fiscal year. The form of such contracts shall be as submitted to the Council on April 9, 1985, with the Touche Ross and Company proposal of February 20, 1985.

This is the 9th day of April, 1985.

Consent Agenda

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER THORPE, TO ADOPT RESOLUTION 85-R-74. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolutions, as adopted, read as follows:

A RESOLUTION APPROVING A RESOLUTION AND AN ORDINANCE (85-R-74)

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

- a. Rental Rehabilitation Project Ordinance (85-0-19).
- b. Street Resurfacing (85-R-75).

This the 9th day of April, 1985.

AN ORDINANCE TO ADOPT A RENTAL REHABILITATION PROGRAM GRANT PROJECT ORDINANCE (85-0-19)

BE IT ORDAINED by the Council of the Town of Chapel Hill that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

SECTION I

The project authorized is the Federal Rental Rehabilitation Program of the U. S. Department of Housing and Urban Development, as approved by Council on February 25, 1985 (85-R-39); funds are as contained in the award letter dated February 13, 1985 from the N. C. Housing Finance Agency (NCHFA) to Joseph L. Nassif, Mayor (Grant Number R845G370104). The program will result in the rehabilitation of approximately 30 dwelling units.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the U. S. Department of Housing and Urban Development, and the budget contained herein.

SECTION III

The following revenues are anticipated to be available to complete this project:

FY 1984	Rental Rehabilitation Grant	\$ 75,000
FY 1985	Rental Rehabilitation Grant	<u>\$ 75,000</u>
Total		\$150,000

SECTION IV

The following amounts are appropriated for the projects:

Rental Rehabilitation Program (Matching Grant)	\$150,000
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SECTION V

The Finance Director is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to HUD and the NCHFA as required by the grant agreement(s) and federal and state regulations.

SECTION VI

Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to HUD in an orderly and timely manner.

SECTION VII

The Manager is directed to report annually on the financial status of each project in Section IV and on the total grant revenues received.

SECTION IX

Copies of this grant ordinance shall be entered into the minutes of Council and copies filed within five days of adoption with the Manager, Finance Director and Clerk.

This the 9th day of April, 1985.

A RESOLUTION AWARDING A CONTRACT FOR RESURFACING STREETS AND REJECTING BIDS FOR UTILITY ADJUSTMENTS (85-R-75)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in the Chapel Hill Newspaper on March 13, 1985, in accord with G.S. 143-129 for the resurfacing of streets; and

WHEREAS, the following bids were received and opened on March 22, 1985:

Item	Lee Paving Company Unit Price	Company Total Price	C. C. Magnum Unit Price	Magnum Total Price	Rea Construction Co. Unit Price	Rea Construction Co. Total Price	Nello Teer Unit Price	Teer Total Price
BASE BID								
STREET RESURFACING								
a. 4600 tons-asphalt	\$ 33.91	\$155,986	\$ 47.25	\$217,350	\$ 43.60	\$200,560	\$ 40.30	\$185,380
b. 50 tons-patching	\$ 65.00	\$ 3,250	\$100.00	\$ 5,000	\$ 90.00	\$ 4,500	\$ 60.00	\$ 3,000
TOTAL		\$159,236		\$222,350		\$205,060		\$188,380
ALTERNATE 1								
UTILITY ADJUSTMENTS								
a. 75 manholes	\$110.00	\$ 8,250	\$200.00	\$ 15,000	\$180.00	\$ 13,500	\$150.00	\$ 11,250
b. 88 valve boxes	\$100.00	\$ 8,800	\$175.00	\$ 15,400	\$150.00	\$ 13,200	\$100.00	\$ 8,800
TOTAL		\$ 17,050		\$ 30,400		\$ 26,700		\$ 20,050

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the base bid of Lee Paving Company in the amount of \$159,236, and awards a contract to Lee Paving Company in the amount of \$135,000, pursuant to the Town's option, as set forth in the specifications, to decrease the contract amount up to 25% without increasing the unit price thereunder, and rejects all Alternate 1 bids in response to the Town's request for bids published March 13, 1985 and opened March 22, 1985 in accord with G.S. 143-129.

BE IT FURTHER RESOLVED that the Manager is authorized to reduce the amount of street resurfacing work to keep the cost of said work within the budgeted amount.

This is the 9th day of April, 1985.

Executive Session

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ACQUIRING INTEREST IN REAL PROPERTY. THE MOTION PASSED UNANIMOUSLY, (8-0).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING. THE MOTION CARRIED UNANIMOUSLY, (8-0).

The meeting adjourned at 10:45 p.m.

Mayor Joseph L. Nassif

Nancy J. Wells, Information Services