

177

MINUTES OF A REGULAR MEETING OF THE
MAYOR AND COUNCIL OF THE TOWN OF CHAPEL HILL,
MUNICIPAL BUILDING, MONDAY, JUNE 24, 1985 7:30 P.M.

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

Marilyn Myers Boulton
David Godschalk
Jonathan Howes
Beverly Kawalec
Nancy Preston
R. D. Smith
Bill Thorpe

Council Member David Pasquini was absent, excused. Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ron Secrist, and Acting Town Attorney Michael Patrick.

Public Hearing on Closing of Unnamed Right-of-Way West of
Hamilton Road

Geroge Small, Town Engineer, made a presentation on the proposed closing of the unnamed right-of-way west of Hamilton Road. He said at present it was not a paved road but rather a gravel and grass open area that is not used for roadway purposes. OWASA and Village Cable both indicated facilities and easements in the right-of-way and would like them to remain. Mr. Small said the staff recommended retaining a blanket drainage and utility easement until the area was further developed or platted. He concluded by saying that if the right-of-way was closed the property would revert to the adjoining property owners, Kenan Oil, Flagler Systems, and Honey Properties.

Manager Taylor said his preliminary recommendation was for approval of the closing of the right-of-way, conditioned upon the reservation of easements.

Mr. Owen Kenan, representing the applicants, Flagler Systems and Kenan Oil Company, said the applicants felt the closing of the right-of-way was in the best interest of the community, especially with regard to its proximity to the main parking area (Prestwick Rd.) of the Glenwood School.

Ms. LeAnn Nease, attorney representing the applicant, stated that closing the right-of-way at this time will ensure that there would not be a road that opened onto the parking lot at Glenwood School. She also said that if the street were opened it would open onto NC 54 right before a traffic signal. She said this could present significant traffic problems. She also stated that each property that adjoins this right of way already had a means of ingress and egress from either Hamilton Road or NC 54.

Mr. Bob McDonald, of Haken/Corley Associates and representing the applicants, said that Hamilton Rd. was serving the needs of the area and was controlled by a traffic signal at its intersection with NC 54, whereas, this unnamed street was not currently being used and if opened could present traffic problems by allowing unregulated traffic (ie. not controlled by a traffic signal) onto NC 54.

Mr. Eugene Dauchert, an attorney representing Honey Properties, Inc., spoke against the closing of the right-of-way at this time. He asked that this item be delayed until Honey Properties had sufficient time to determine how this closing would affect the property. He introduced a letter from Kimley-Horn & Associates into the record which he said indicated that it would be a substantial detriment to his property to have this street closed. Mr. Dauchert said it was true that Honey Properties would not be land locked with the closing of the street, but that the closing would negatively affect access to the property and in return negatively affect the property's value.

178
Mr. John McCormick, an attorney representing the Chapel Hill - Carrboro City School System, spoke in support of the closing of the unnamed street. He said the School System felt the closing would aid in the safety of students attending Glenwood School. He said any additional access to Prestwick Rd. would be detrimental to the safety of the children and create a chaotic traffic pattern.

Mr. Y. L. Honey, speaking as the owner of Honey Properties, spoke against the closing of the unnamed street at this time.

Ms. Peg Parker, speaking as a resident, expressed concern about the potential for another access onto Prestwick Road from the Flagler-Kenan property.

Council Member Boulton asked if there was a development project pending on this property. Manager Taylor replied that there was a project pending but that he wasn't sure if it had been "officially" filed yet. He pointed out the proposed development would require a site plan review by the Planning Board.

Mayor Nassif asked the Manager if he had determined that this roadway was not of any use at all in this position. Manager Taylor said that it was the staff's preliminary feeling that this roadway was not needed to serve any of the properties it abuts.

Mayor Nassif said he was not sure if the issue of where the best point to serve all the properties could be fully addressed prior to the proposed closing. Manager Taylor replied that all the existing properties have access via other streets and that this unnamed street has not been used as an access.

Council Member Howes asked if the Manager expected this item to return to Council by July 8th, and if so, it would probably be better to delay until further study could be done. Manager Taylor replied that normally this item would return to Council on July 8th, and would have to extend the reporting time in their motion if they wished to delay consideration.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO REFER TO THE MANAGER WITH THE INSTRUCTION THAT IT NOT BE BROUGHT BACK TO COUNCIL BEFORE AUGUST 26, 1985.

Council Member Smith expressed concern about closing the road without knowledge of what type of development would occur on the now vacant property.

THE MOTION PASSED UNANIMOUSLY, (8-0).

Public Hearing on the Closing of a Portion of the Right-of-Way of Morgan Creek Road (aka Whitehead Circle)

George Small, Town Engineer, made a presentation on the proposed closing of the right-of-way for a portion of Morgan Creek Road. He said that both properties that abut the right-of-way have access to their properties from Whitehead Circle or Morgan Creek Road. He said utilities notified replied that they either already had access via easements through this property or would like to obtain access. Mr. Small said he had received a letter from Public Service Gas Company which stated that they owned fee simple title to the property. He said the staff would research this matter further, but if true, then the Town would not be involved in any closings. Mr. Small said the staff recommended that a blanket drainage and utility easement be included if the closing occurred.

Manager Taylor said his preliminary recommendation was that the right-of-way be closed with the easements retained.

Mr. Robert Smith, an attorney representing the applicants, said that this right-of-way was a piece of property that had been maintained by the abutting property owners. He said that as he understood it Public Service acquired a quit claim deed from the developer which, in essence, said that if there was any property left they would give it to Public Service, but was subject to any rights which may have vested in surrounding property owners due to the fact that this was an abandoned road. He concluded by saying that the closing was in the public interest and that there was no problem with the retaining of easements.

Mr. Harvey Smith, speaking as an owner of abutting property, said that in the thirty years he has lived adjacent to the roadway it has never been paved as a road. He said that over the years he has been raking leaves, planting grass, and picking up rocks from this property. He said that often in the past there have been motorists who drive down Morgan Creek Road believing it connects with US 15-501. He said in order to prevent confusion, and since it hasn't been used as a road, he asked that it be closed.

Mr. Victor Bryant, and attorney representing Public Service Gas Company, stated that Public Service Gas Co. claims title to the strip of land in question since 1959, and therefore questioned the Town's authority to close the right-of-way. He said the use to which Public Service had put this land was that of a takeoff station which allows the Town of Carrboro's distribution system to join in to the high pressure transmission line. Mr. Bryant said that Chapel Hill had never exercised the authority given to them to use this land as a right-of-way for a street and it had been over 30 years since the granting of the right-of-way. He said according to North Carolina law, if a strip of land was dedicated by plat, as this was, and that dedication was not accepted by the municipality within 15 years then there was a conclusive presumption that the dedication has been abandoned and withdrawn. He concluded by saying that if the right-of-way was closed then this property should not revert to adjoining land owners.

Council Member Howes asked if Public Service had been paying taxes on this property. Mr. Bryant replied that he believed so.

Council Member Howes said if the Town closed the right-of-way it might be prudent to rename that entire stretch of road as Whitehead Circle to avoid confusion.

Council Member Smith questioned how Public Service could acquire title to this piece of property when the Town had a dedicated right-of-way, even if unused or never withdrawn. Council Member Smith asked that the Manager find out if the property had ever been dedicated, and if so if it had been withdrawn.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO REFER TO THE MANAGER WITH THE STIPULATION THAT IT NOT BE BROUGHT BACK TO COUNCIL PRIOR TO AUGUST 26, 1985. THE MOTION PASSED UNANIMOUSLY, (8-0).

Petitions

Lightning Brown, speaking as a citizen, spoke to item 6, Greenways Task Force Report. He said he was pleased with the Manager's recommendation and stressed the need for continued preservation of greenways and open space.

Dave Walker, speaking as a citizen, asked to speak to item 10, regarding the right-of-way west of Shadylawn Road.

John Northen, an attorney representing Mr. Walker, asked to speak to item 10, right-of-way west of Shadylawn Road.

Dr. Bill Kohn, representing the Downtown Association, asked to speak to item 8, report regarding Police protection in the downtown area.

Council Member Boulton asked to defer item 13, nominations and appointments to Boards and Commissions until July or August.

180
Council Member Godschalk objected to deferring this item until August.

Council Member Thorpe also objected to delaying this item to August, stating that it did not seem fair to those applicants, nominees and Board members who expected a decision to be made that night.

Council Member Howes suggested the item be delayed until July 8.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO DELAY AGENDA ITEM #13, NOMINATIONS AND APPOINTMENTS TO BOARDS AND COMMISSIONS UNTIL THE JULY 8TH MEETING. THE MOTION PASSED UNANIMOUSLY, (8-0).

Minutes

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO ADOPT THE MINUTES OF JUNE 3, 1985 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT THE MINUTES OF JUNE 10, 1985 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Interstate 40 Overlay District

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT RESOLUTION 85-R-109. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION SCHEDULING A PUBLIC HEARING ON I-40 OVERLAY ZONING DISTRICT (85-R-109)

BE IT RESOLVED by the Council of the Town of Chapel Hill that a public hearing be scheduled for September 16, 1985, for the purposes of considering changes to the Chapel Hill Development Ordinance and Zoning Atlas, restricting development in the vicinity of interstate highways.

This the 24th day of June, 1985.

Greenways

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 85-R-110.

Council Member Preston spoke in support of the motion, saying that the time had come for a Greenways Commission.

Council Member Godschalk spoke in support of the motion and asked the Manager if there would be a more specific schedule with stated budget amounts for the implementation of Greenway acquisition. Manager Taylor replied that this resolution does not establish any specific schedule or dollar amounts. He said it had been agreed by Council, as a concept, that approximately 25% of the money available each year from the capital improvement reserve fund should be spent on the broad category of environmental improvements, which include parks, greenways, entranceways, and open space. He said the Greenways Commission could annually at the time of CIP consideration advise Council of potential sites of acquisition and development.

Council Member Boulton suggested that it might be a good idea to reassess the Greenways Commission's status and work after five years.

Council Member Kawalec clarified that money was not now presently in the Town budget for greenways and it was important for people supporting greenways to speak at budget work sessions and hearings regarding their need.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION IMPLEMENTING THE GREENWAYS TASK FORCE FINAL REPORT (85-R-110)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby accepts the final report of the Greenways Task Force with appreciation and commendation; and

BE IT FURTHER RESOLVED that the Council directs the Manager to implement the Greenways Task Force final report along the lines of the Manager's Report dated June 24, 1985; and

BE IT FURTHER RESOLVED that the Council directs the Manager to prepare an ordinance establishing a Greenways Commission, with the duties and responsibilities of the Commission similar to those outlined in the Manager's Report on Greenways dated June 24, 1985, to be considered by Council on July 8, 1985.

This the 24th day of June, 1985.

Old Chapel Hill Cemetery Report

Manager Taylor made a presentation on the Old Chapel Hill Cemetery. He said that preliminary investigation by the staff indicated that possibly the University, the Town, and private individuals all have property rights in the cemetery. Manager Taylor said that because of this the Town staff had been very careful over the years to perform routine maintenance work only so as not to infringe upon property rights. He said it appeared that this cemetery has the possibility of being designated as an historic site. He said the staff needed to spend more time formally establishing ownership and who should maintain the cemetery and other relationships, however in the he will direct maintenance crews to work harder maintaining the cemetery and to make every effort to get the cemetery designated as an historic site.

Council Member Preston asked what was the cost of fixing the headstones and markers. Manager Taylor replied that the cost was estimated to be approximately \$2000, but that it had not been Town policy to pay for the upkeep of private holdings, which the headstones would be. He suggested that the Town work with local groups, the Historical and Preservation Societies, etc., to see if private money could be raised to pay for the repairs to the headstones. Manager Taylor also said that having the cemetery designated as an historical site could give support for having Town funds used for upkeep.

Mayor Nassif said if the Town was to maintain headstones in this cemetery then it would be necessary for the Town to maintain and repair the headstones in all the sections of the Old Cemetery and also in the new Town Cemetery. Manager Taylor replied that this was a question of policy and something the Council would have to address when the question arose, but that if the Old Cemetery was designated as an historic site then maintenance of this cemetery might be appropriate and it should be for all the graves in the Old Cemetery.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH TO HAVE THE MAYOR DIRECT A LETTER TO THE HISTORIC SOCIETY AND PRESERVATION SOCIETY REQUESTING THEY DONATE \$1000 EACH TOWARD THE REPAIR OF HEADSTONES ALREADY DAMAGED IN THE WESTERN SECTION OF THE OLD CHAPEL HILL CEMETERY.

Council Member Smith suggested that family members of those interred could be contacted to see if they would be interested in donating funds for the restoration of the headstones.

THE MOTION CARRIED UNANIMOUSLY, (8-0).

182
Downtown Chapel Hill Association Request for Police Protection

Manager Taylor made a brief presentation in response to the May 28th petition by the Downtown Association requesting more Police protection. He said the staff believed there could be better service for the Downtown area. He said plans include; the appointment a police liaison officer to work with the Downtown Association allowing for greater communication, more use of the specialized Fifth Platoon to combat specific problems, having the Police continue to serve as consultants to businesses, etc. for ways to improve security, and to continue the current practice of deploying foot patrols in the Downtown area.

Mayor Nassif stated he felt there was a need for more pedestrian Police patrols in the Downtown area especially during times of heavy pedestrian use.

Council Member Boulton said she thought the liaison officer was a good idea, and it was very important that this individual have a special kinship with the Downtown area.

Council Member Smith asked if the Town needed more Police officers to do the job required. He commented that he never sees the Police patrolling his neighborhood.

Council Member Howes spoke in support of more Police protection in the Downtown area. He said there was a real need for more foot patrols in the business district. He suggested that the University Police be included in the discussions and implementation.

Dr. William Kohn, representing the Downtown Association, said he felt the Police Department was doing a good job and that the proposed plan was good but he felt there still needed to be more Police walking the streets. He asked that the plan be implemented as soon as possible, especially with regard to bicycles and skate boards on the sidewalks.

The Staff was asked to report on progress in the fall.

Community Development Projects in University Heights

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT RESOLUTION 85-R-111. THE MOTION PASSED UNIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE CHANGE ORDERS GREATER THAN \$10,000 FOR THE UNIVERSITY HEIGHTS SEWER AND STREET PROJECTS (85-R-111)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Manager to sign change orders totalling approximately \$39,000, amending the contract between the Town and Nello Teer Company, dated October 5, 1984, for the construction of sewer lines and streets in the University Heights neighborhood.

This the 24th day of June, 1985.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT ORDINANCE 85-O-35. THE MOTION PASSED UNANIMOUSLY, (8-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE TO AMEND THE "COMMUNITY DEVELOPMENT SMALL CITIES GRANT PROJECT ORDINANCE 83-O-61" (85-O-35)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Project Ordinance entitled "Community Development Small Cities Grant Project Ordinance 83-O-61" as duly adopted on November 14, 1983, be and the same is hereby amended as follows:

SECTION IV: Reflect the following increases and decreases in appropriations to the projects:

	<u>Current Project</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Project</u>
C-1 University Heights Sewer Lines	\$195,000		\$20,000	\$175,000
C-2 University Heights Streets	238,000	\$20,000		258,000
C-3 Barclay Road Sewer	86,600			<u>86,600</u>
TOTAL	\$519,600	\$20,000	\$20,000	\$519,600

This the 24th day of June, 1985.

Request to Release Interest in Unused Right-of-Way

Roger Waldon, Planning Director gave a brief presentation on the request to release the right-of-way. He said this item came before Council on August 27, 1984 and was referred back to the Manager for further study. Mr. Waldon said that the staff felt that the right-of-way was not needed for access to Eastwood subdivision and recommended that the Town grant the request for a release of any Town interest in the right-of-way.

Mr. John Northen, an attorney representing the property owners, spoke in support of the release of the Town's interest in the right-of-way. He said the right-of-way made one of the lots virtually unusable and it did not seem to serve a valid function.

Mr. Dave Walker, speaking as a property owner, spoke in support of the return of the right-of-way to the property owners.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER BOULTON TO ADOPT RESOLUTION 85-R-112A. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION CONCERNING AN AREA DEDICATED FOR USE AS PUBLIC RIGHT-OF-WAY ON THE WEST SIDE OF SHADYLAWN ROAD EXTENSION (85-R-112a)

BE IT 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, a quitclaim deed prepared by John A. Northen dated July 2, 1984 which releases, quitclaims and terminates any Town interest in that certain area of 17,292 sq. ft. dedicated for use as public right-of-way and described on a plat dated November 22, 1983, and recorded in Book 38, Page 24 of the Orange County Register of Deeds, property of David Walker and Alvin Tillman, and the Council directs that a copy of said deed shall be kept with the records of this meeting.

BE IT FURTHER RESOLVED that the Town's execution of said quitclaim deed shall not be deemed to limit the Town's authority to require in the future dedication of right-of-way or any replatting of lots on the plat dated November 22, 1983, recorded in Book 38, Page 24 of the Orange County Register of Deeds, of property of David Walker and Alvin Tillman, as may be appropriate under the Town's development regulations and circumstances as they may appear at any such future time.

This the 24th day of June, 1985.

184
Collection of Town Vehicle License Fee

Manager Taylor gave a brief report on the proposal to change the current billing and collection of Town vehicle licenses. He said that the staff had been working with the County to develop a different method for billing and collecting the Town auto tax, and recommended that this tax be included in the billing for the ad valorem taxes. Since billing is done by the County, he said the proposal was for the County to include this tax in the bills they send out. Enforcement of the vehicle tax would still be the responsibility of the Town, not the County Tax Collector. He said this proposal would go into effect in the July, 1986 tax billing. Manager Taylor stated that the staff recommended that the Town suspend the selling of Town tags as of July 1, 1985 so all taxes would be based on a fiscal year basis like property taxes. He also said that the staff would be coming back to Council with a request to increase the auto tax to \$5 per vehicle instead of the \$1 the Town now requires.

Mayor Nassif asked if there would be any stickers actually sold with the new system. Manager Taylor replied that there would not be any stickers sold.

Council Member Boulton spoke in support of increasing the tax to \$5, but questioned whether or not the Manager expected there to be a problem with collection since it was proposed not to have a fee for one year. Manager Taylor replied that he did not expect a problem with collection since this tax would be included with the ad valorem tax bills sent out by the County.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER BOULTON TO ADOPT RESOLUTION 85-R-113. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION SUSPENDING COLLECTION OF TOWN VEHICLE LICENSE FEES (85-R-113)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby suspends collection of Town Vehicle License Fees effective June 30, 1985. Said suspension will continue through June 30, 1986. During this one year suspension, the Town Manager is authorized to establish a procedure with Orange County officials to institute the billing of Town vehicle license fees on 1986 property tax bills.

This the 24th day of June, 1985.

Consent Agenda

Council Member Smith asked that items 12b & c, temporary closing of certain streets, be removed.

Council Member Preston asked that item 12a, abandoning special use permit for the Municipal Operation Facility, be removed.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 85-R-114 MINUS ITEMS A, B, AND C. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution and ordinance, as adopted, read as follows:

A RESOLUTION APPROVING AN ORDINANCE AND VARIOUS RESOLUTIONS (85-R-114)

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

- d. Bid for quick-lift axles for sanitation trucks (85-R-118).
- e. Year-end amendment of 1984-85 budget (85-0-36).

This is the 24th day of June, 1985.

A RESOLUTION AWARDING A CONTRACT FOR FOUR (4) QUICK-LIFT AXLES WITH AIR BRAKES (85-R-118)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in The Chapel Hill Newspaper on May 26, 1985 in accordance with G.S. 143-129 for the purchase and installation of 4 quick-lift axle units; and

WHEREAS, in response to the Town's request for bids published May 26, 1985 and opened June 10, 1985, in accordance with G.S. 143-129, the following bids have been received:

<u>Item</u>	<u>Fontaine Truck Equipment Co. Charlotte</u>	<u>Volvo White Truck Corp. Kernersville</u>	<u>Stone Heavy Vehicle Spec. Greensboro</u>	<u>Stone Heavy Vehicle Spec. Greensboro*</u>
4 Quick-Lift Axles	\$12,800.00	\$12,492.00	\$12,680.00	\$11,800.00
16 Rims (4* Each Axle)	960.00	1,405.60	976.96	976.96
Installation	<u>1,000.00</u>	<u>2,240.00</u>	<u>1,600.00</u>	<u>1,600.00</u>
TOTAL	\$14,760.00	\$16,137.60	\$15,256.96	\$14,376.96

*Alternate bid for quick axle other than the type specified.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town rejects the alternate bid of Stone Heavy Vehicle Specialist as non-responsive and accepts the bid of Fontaine Truck Equipment Company in the amount of \$14,760.

This the 24th day of June, 1985.

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1984" (85-R-36)

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>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>APPROPRIATIONS</u>				
GENERAL FUND				
Library	598,193	4,842		603,035
Planning				
Thoroughfare Planning	19,255	9,237		28,492
Transit Planning	0	6,080		6,080
Parks and Recreation, General Programs	244,832	11,450		256,282
TRANSPORTATION FUND				
Transit Planning	5,406	3,111		8,517
TRANSIT CAPITAL GRANT				
	0	87,015		87,015

186

ARTICLE II

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
REVENUES				
GENERAL FUND				
Service Charges	466,740	11,450		478,190
Grants	214,607	18,165		232,772
Appropriated Fund Balance	780,704	1,994		788,229
TRANSPORTATION FUND				
Transit Planning Grant	11,700	2,799		14,499
Appropriated Fund Balance	152,052	312		152,364
TRANSIT CAPITAL GRANT				
UMTA Grant	0	78,314		78,314
Appropriated Fund Balance	0	8,701		8,701

This the 24th day of June, 1985.

Council Member Preston asked if the Town leased the property the Municipal Operations Facility is located. Manager Taylor replied yes and that the Town had a thirty year lease on the site with the University.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO ADOPT RESOLUTION 85-R-115. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ABANDON THE SPECIAL USE PERMIT FOR THE MUNICIPAL OPERATIONS FACILITY (85-R-115)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to take the actions necessary for the Town to abandon the Unified Business Development Special Use Permit for its Municipal Operations Facility, recorded in Deed Book 324, Page 21 of the Orange County Registry, and the subsequent Modification of such Special Use Permit, recorded in Deed Book 350, Page 623 of the Orange County Registry, in accord with Subsection 8.6.4 of the Chapel Hill Development Ordinance.

This the 24th day of June, 1985.

Council Member Smith asked if amplified music would be allowed in the hours beyond those included in the closing of the streets. Manager Taylor replied that the Noise Ordinance states the hours in which amplified music can be played.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 85-R-116. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE CLOSING OF PART OF TINKERBELL ROAD (85-R-116)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the temporary closing of Tinkerbell Road between Fountain Ridge and Ferrell on Saturday, June 29 from 4:30 to 8:30 pm for a block party subject to the following conditions:

1. There shall be barricades placed at the ends of the closed area with persons available to allow entry by emergency vehicles if necessary.
2. The closed street area shall be cleaned of litter by 8:30 pm.
3. No alcohol shall be consumed in the public street right-of-way.
4. A permit for outdoor amplified sound shall be obtained from the Police Department if necessary under the Town's noise ordinance.
5. Participants in the event shall comply with reasonable directives of the Police and Fire Departments.

This the 24th day of June, 1985.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT RESOLUTION 85-R-117. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE CLOSING OF PART OF FORBUSH MOUNTAIN ROAD (85-R-117)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the temporary closing of Forbush Mountain Road from Summerlin Drive to 320 Forbush on Saturday, June 29 from 4:30 to 8:30 pm for a block party subject to the following conditions:

1. There shall be barricades placed at the ends of the closed area with persons available to allow entry by emergency vehicles if necessary.
2. The closed street area shall be cleaned of litter by 8:30 pm.
3. No alcohol shall be consumed in the public street right-of-way.
4. A permit for outdoor amplified sound shall be obtained from the Police Department if necessary under the Town's noise ordinance.
5. Participants in the event shall comply with reasonable directives of the Police and Fire Departments.

This the 24th day of June, 1985.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO ADJOURN THE MEETING. THE MOTION PASSED UNANIMOUSLY, (8-0).

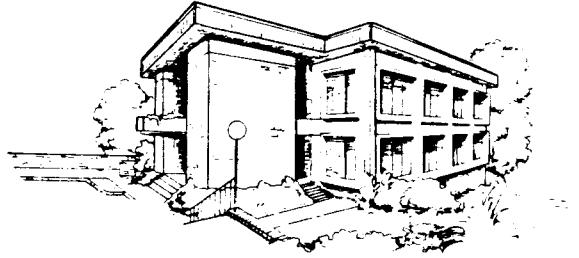
The meeting adjourned at 10:20 p.m.

Mayor Joseph L. Nassif

Nancy J. Wells
Town Clerk

TOWN OF CHAPEL HILL

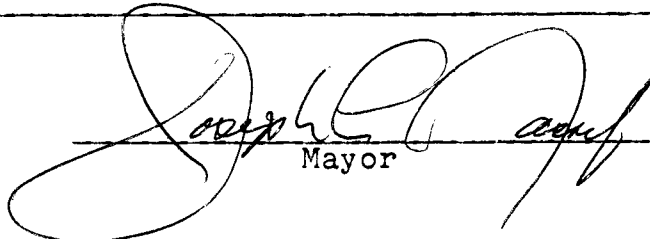
306 NORTH COLUMBIA ST.
CHAPEL HILL, N.C., 27514
(919) 929-1111



NOTICE OF SPECIAL MEETING OF THE CHAPEL HILL TOWN COUNCIL

TO: Marilyn Myers Boulton
David Godschalk
Jonathan Howes
Beverly Kawalec
David Pasquini
Nancy Preston
R. D. Smith
Bill Thorpe

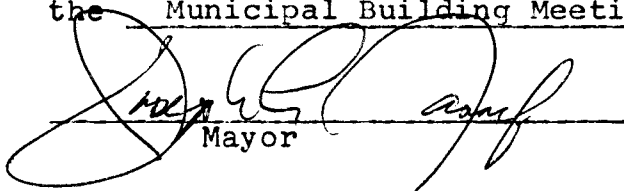
You, and each of you, are hereby notified that the Town Council has called a Special Meeting, to be held in the Meeting Room, at 1:00 pm on Friday June 28, 1985, to convene an executive session to discuss litigation



Mayor

ACCEPTANCE OF NOTICE

We, the undersigned, members of the Chapel Hill Town Council, hereby accept notice of a Special Meeting of the Council, called by Honorable Joseph L. Nassif, Mayor, to be held in the Municipal Building Meeting Room, Friday, June 28, 1985 at 1:00pm.



Mayor

