

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL  
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,  
MONDAY, OCTOBER 28, 1985, 7:30 P.M.

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

- David Godschalk
- Jonathan Howes
- Beverly Kawalec
- Nancy Preston
- Bill Thorpe

Council Members Marilyn Boulton, David Pasquini, and R. D. Smith were absent, excused. Manager Taylor was absent, excused, attending the International City Manager's Association's Annual Meeting in Philadelphia. Also present were Acting Town Manager Sonna Loewenthal and Attorney Ralph Karpinos.

Petitions

Council Member Thorpe introduced a letter he had received from J. W. Watkins of NCDOT in which Mr. Watkins said that NCDOT was monitoring the new traffic patterns with the Pittsboro and Columbia one-way pair to see if the McCauley - Pittsboro Streets intersection required a new traffic signal. Council Member Thorpe said that he had observed the traffic patterns at the McCauley intersection and he felt it definitely needed a new traffic signal.

Council Members Howes, Kawalec and Preston agreed that the intersection of McCauley and Pittsboro Streets needed a new traffic signal.

Mayor Nassif commented on a recent letter sent to the Council by General and Mrs. Hurow regarding the original appointment of David Godschalk to the Council, and in which they suggest that Dr. Godschalk agreed to serve only the unexpired term of Winston Broadfoot and that he should not seek re-election. Mayor Nassif said that the Council could not demand that of any individual and that this letter represented political propaganda against Dr. Godschalk who was running for re-election.

Minutes

The adoption of the minutes of October 14, 1985 was delayed until the next regular meeting.

15-501 Bypass

This item was delayed to the next regular meeting.

Downtown Parking Requirements

Mayor Nassif stated that he felt the downtown parking requirements should be reviewed by the Manager in an attempt to decide if the Town should change its ordinance to eliminate on site parking requirements, to encourage or require developers to bring buildings forward on the street, and to permit use of the entire building lot. He suggested that instead of providing on-site parking, developers would pay into a parking fund. Mayor Nassif also suggested designating a special town center parking tax district, the revenue from which would be used to fund parking facilities in the downtown area.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO DIRECT THE MANAGER TO STUDY EXISTING TOWN CENTER PARKING REQUIREMENTS AND DEVELOP A PROPOSAL FOR PRESENTATION DURING THE 1986-87 BUDGET. THE MOTION PASSED UNANIMOUSLY, (6-0).

Master Plan for Street and Sidewalk Lighting

Mayor Nassif asked for clarification of what this proposed Master Plan entailed.

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Acting Manager Loewenthal replied that this plan would set standards for different parts of the entire Town and would address light intensity as well as spacing. She said that if the resolution passed, the Town would request Duke Power to immediately change the light fixtures in three specific areas in the Town.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO ADOPT RESOLUTION 85-R-193A.

Council Member Preston asked that the Town investigate the possibility of having more attractive fixtures in the downtown area. Acting Manager Loewenthal said the proposal called for this review and noted that the fixtures in Lot #5 would be a "carriage light" style.

Mayor Nassif said that he would not vote against the motion but that he did not like the sodium vapor lights.

THE MOTION PASSED UNANIMOUSLY, (6-0).

The resolution, as adopted, reads as follows:

A RESOLUTION DIRECTING THE TOWN MANAGER TO PREPARE A MASTER STREET AND SIDEWALK LIGHTING PLAN AND TO CHANGE CERTAIN COMPONENTS OF THE TOWN'S STREET LIGHTING SYSTEM (85-R-193a)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Manager to prepare a comprehensive master plan for street lighting townwide, which will establish overall goals/objectives, set standards, identify phased implementation and indicate cost factors. The first phase will address lighting within the Town Center and will be presented as part of the operating budget recommendation for Fiscal 1986-87. Future phases of implementation will be presented in respective operating budget recommendations.

BE IT FURTHER RESOLVED that the Council authorizes the Manager request that Duke Power Company expeditiously replace existing mercury vapor luminaires with high pressure sodium luminaires at the following three locations:

1. Along Airport Road from Rosemary Street to Hillsborough Street.
2. Cameron Avenue from South Columbia Street to Ransom Street.
3. McCauley Street from South Columbia Street to Ransom Street.

This the 28th day of October, 1985.

#### Payment-in-Lieu of Parking

Council Member Thorpe asked if the request for the study on downtown parking would affect this proposal. He asked if the Town would be able to provide enough parking spaces for those who wished to participate in payments-in-lieu. Acting Manager Loewenthal replied that this proposal would not affect the study on downtown parking and that the staff felt there would be enough parking spaces available for any who wished to participate in the program.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT ORDINANCE 85-O-65. THE MOTION PASSED UNANIMOUSLY, (6-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 11A OF THE TOWN CODE (85-O-65)

BE IT ORDAINED by the Council of the Town of Chapel Hill that Chapter 11A of the Chapel Hill Town Code of Ordinances be amended as follows:

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SECTION I

**SUBSTITUTE the following for the last two sentences of Section 11A-3:**

**The costs per space shall be seven thousand two hundred dollars (\$7,200.00), computed according to fractional spaces provides.**

SECTION II

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

**This the 28th day of October, 1985.**

Audit Report

Ms. Jan Lewellyn, representing Touche Ross and Company, said the audit report was finished for fiscal year 1984-85 and it included two notable changes. She said the changes were a letter of transmittal at the beginning which gave a synopsis of the report, and the tables of information in the back of the report which gave information on the Town over the last 10 years. Ms. Lewellyn pointed out that the General Fund Balance was approximately \$550,000 less than last year and was due primarily to the loan from the General Fund for the development of parking facilities. She stated that there were still some problems with perpetual inventories in some departments but that there had been improvement. Ms. Lewellyn stated that the Town should be aware that it had violated two covenants with regard to the bonds for Parking Lot #5. She said the two covenants dealt with the amount of the insurance binder and the preparation of quarterly reports. Ms. Lewellyn said that the Town had received waivers with regard to these two covenants but that she felt they needed to be watched.

Mayor Nassif asked if the current problem with perpetual inventories would be corrected by the end of the next fiscal year. Acting Manager Loewenthal replied that the departments involved had already begun work on such systems and expected them to be fully operational by the end of the fiscal year.

Mayor Nassif thanked Touche Ross for their work and complimented them on the audit report.

State Funds for Water and Sewer

Acting Manager Loewenthal gave a brief presentation in which she stated that the proposed resolution would transfer Chapel Hill's 1985-86 allocation of State water and sewer funds to OWASA to help fund the replacement of the Bolin Creek interceptor sewer and the Cameron Avenue finished water main. She said it would also clarify the Council's intentions regarding the use of the Town's 1986-87 allocation. She recommended that Council adopt resolution 85-R-194.

Council Member Godschalk asked what the Town of Carrboro was doing with their allocation. Acting Manager Loewenthal said that she did not know what Carrboro's policy was.

Mayor Nassif commented that the lines of communication between the Town and OWASA needed to be open and that in recent months this had been accomplished. He further stated that Chapel Hill had water and sewer problems that needed to be corrected and that this resolution would work towards that.

**COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT RESOLUTION 85-R-194. THE MOTION PASSED UNANIMOUSLY, (6-0).**

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The resolution, as adopted, reads as follows:

**A RESOLUTION TRANSFERRING CERTAIN STATE FUNDS TO THE ORANGE WATER AND SEWER AUTHORITY FOR USE WITHIN THE TOWN OF CHAPEL HILL (85-R-194)**

WHEREAS, the 1985 Session of the General Assembly appropriated funds for use by local governments in water and sewer projects; and

WHEREAS, the Orange Water and Sewer Authority has been providing water and sewer services to the residents of the Town of Chapel Hill since 1977; and

WHEREAS, OWASA has indicated its desire to use these funds and to match them with the Authority's funds;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town shall transfer its 1985-86 allocation under Senate Bill #2, Chapter 480 of the 1985 Session Laws, to the Orange Water and Sewer Authority for its use and match in the Bolin Creek sewer Interceptor and Cameron Avenue finished water main projects to be implemented in 1986.

BE IT FURTHER RESOLVED that the Council directs the Town Manager to take those actions necessary to ensure that the funding is made available by the State to OWASA.

BE IT FURTHER RESOLVED that the Council makes this allocation with the understanding that the OWASA and Town staff will develop plans to use the 1986-87 allocation for projects that will extend water and sewer services to other parts of Chapel Hill and that OWASA will provide the match for these funds, and that Council shall approve the specific projects to be funded by the 1986-87 allocation.

This the 28th day of October, 1985.

Housing Assistance Plan

Council Member Howes commented that he felt there might be more specific reasons for the difficulty the Housing Authority had encountered in meeting the goal of sixteen loans completed by the end of December than was stated in the letter from Judson Barrett, the Authority's Executive Director. Acting Manager Loewenthal replied that the difficulties were the result of the variety of requirements and that the staff was not sure exactly where the primary problems lay. She said the staff was working with the Authority to try to identify what changes would be necessary in the program to make it workable in Chapel Hill.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 85-R-195. THE MOTION PASSED UNANIMOUSLY, (6-0).

The resolution, as adopted, reads as follows:

**A RESOLUTION AUTHORIZING SUBMISSION OF A HOUSING ASSISTANCE PLAN TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (85-R-195)**

BE IT RESOLVED that the Council of the Town of Chapel Hill hereby authorizes the Manager to submit a Housing Assistance Plan update and 1985-86 annual goal to the U. S. Department of Housing and Urban Development (HUD) by October 31, 1985 as generally described in a report to Council dated October 28, 1985, and to provide such additional information as HUD may require.

This the 28th day of October, 1985.

Council Member Godschalk said it might be in the best interest of the Town and Council to have the Housing Authority and OWASA report to Council on what was occurring in their areas on a regular basis.

Meeting Schedule for Land Use Plan.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 85-R-196. THE MOTION PASSED UNANIMOUSLY, (6-0).

The resolution, as adopted, reads as follows:

**A RESOLUTION REGARDING PUBLIC HEARING DATES (85-R-196)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends the schedule for 1985 and 1986 public hearings as follows:

December 10, 1985 rescheduled to December 3, 1985  
March 11, 1986 rescheduled to March 13, 1986

BE IT FURTHER RESOLVED that the Council schedules a Joint Hearing on a proposed Land Use Plan for January 14, 1985.

This the 28th day of October, 1985.

University Heights Follow-up Report

Acting Town Manager Loewenthal stated that the staff recommended that the Town continue to negotiate with the consultant for reimbursement of construction costs that could be attributed to inadequate design. She said the staff further proposed that the Town install the needed sewer extension and modify the existing plumbing on two dwellings. She said the estimated cost would be between \$27,000 to \$35,000 and recommended using the 1/4 cent sales tax revenue reserved for water and sewer uses for construction costs, and the remaining CD grant monies for OWASA connection fees for the two houses that needed replumbing.

Council Member Thorpe asked for clarification that the reason for using the 1/4 cent sales tax revenues was because the original grant monies for construction was depleted. Ms. Loewenthal replied that this was so. Council Member Thorpe commented that he was concerned that this could set a precedent for using other Town funds for projects whose funds had run out without the project being completed.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 85-R-197. THE MOTION PASSED UNANIMOUSLY, (6-0).

The resolution, as adopted, reads as follows:

**A RESOLUTION AUTHORIZING USE OF 1/4 CENT SALES TAX REVENUE FOR EASEMENT ACQUISITION AND CONSTRUCTION OF SEWER LINES IN UNIVERSITY HEIGHTS TO SERVE DWELLINGS AND PROPERTIES PRESENTLY NOT SERVED BY GRAVITY LINES (85-R-197)**

WHEREAS, the Town has determined that four (4) dwellings and two unoccupied properties located in University Heights cannot adequately be served by gravity sewer to the main sewer lines installed under the University Heights Community Development project; and

WHEREAS, the Town has determined that two (2) dwellings in University Heights will require significant modification of existing sewer plumbing under the dwelling to allow gravity sewer service to the main lines installed under the University Heights Community Development project; and

WHEREAS, insufficient monies remain available in the University Heights Community Development grant to pay for necessary construction costs to serve the above mentioned properties with gravity sewer connections; and

WHEREAS, the Town must make gravity sewer connections available to all properties in the University Heights project area;

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THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the use of  $\frac{1}{2}$  cent sales tax revenue for easement acquisition and construction of approximately 400 feet of 8" sanitary sewer extension, from an existing sewer main on Vance Street in University Heights through the center of the block bounded by Garden Street, Vance Street, and Scarlette Drive including connection of four (4) adjacent dwellings to said sewer extension; and for necessary modifications to existing domestic plumbing under two (2) dwellings on Scarlette Drive to enable their connection by gravity sewer to an existing sewer main in Scarlette Drive.

BE IT FURTHER RESOLVED that the Manager is directed to negotiate with the Town's design consultant, Olsen and Associates, regarding reimbursement of costs involved in the construction of the 8" sewer main described above.

This the 28th day of October, 1985.

Mayor Nassif said that in the future the Town needed to be more clear and concise in their requirements of consultants.

#### Designation of Delegates

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO APPOINT COUNCIL MEMBER HOWES AS THE VOTING DELEGATE AND COUNCIL MEMBER PRESTON AS THE ALTERNATE DELEGATE TO THE N.C. LEAGUE OF MUNICIPALITIES ANNUAL MEETING NOVEMBER 10-12. THE MOTION PASSED UNANIMOUSLY, (6-0).

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER THORPE TO APPOINT COUNCIL MEMBER HOWES AS THE VOTING DELEGATE AND COUNCIL MEMBER PRESTON AS THE ALTERNATE DELEGATE TO THE NATIONAL LEAGUE OF CITIES ANNUAL CONGRESS DECEMBER 7-11. THE MOTION PASSED UNANIMOUSLY, (6-0).

#### Reports

Council Member Howes gave a report on Triangle J Council of Governments. He displayed a new metropolitan map of the Research Triangle Area which Triangle J was selling.

Council Member Howes commented that a group from the National League of Cities met in Washington last week to discuss General Revenue Sharing (GRS) and that the outlook was dim. He said they were told not to expect to receive all of the GRS funds originally expected for this fiscal year.

Council Member Preston gave a report on Joint Orange Chatham Community Action saying they had a busy summer with a variety of projects involving youth groups, building a home and senior citizen center, and that the current Chair of JOCCA, George Esther, received a recognition award for outstanding contribution and support to the new Community Action Network throughout the Southeast from the Southeastern Association of Community Action Agencies.

Council Member Thorpe said he had nothing to report from the Orange County Human Services Advisory Commission.

Acting Manager Loewenthal presented the Town's Quarterly Report and asked for input from Council with regard to the content and form.

Council Member Preston commented that she preferred Sections I and II, and that the statistics were not that necessary.

Council Member Howes expressed appreciation for the information and work done by the staff.

Council Member Kawalec suggested that the Council use the quarterly reports with their Budget Worksessions.

Mayor Nassif said the quarterly reports indicated the areas and manner in which the Town was moving. He said the Council needed to know the number of building permits outstanding on a monthly basis as well as quarterly.

Council Member Godschalk suggested that the report contain more graphics.

Affirmative Action Report

Acting Manager Loewenthal said the report represented the annual update to the Affirmative Action Plan. She asked for any comments or questions from Council.

Council Member Kawalec asked if the Council could get a breakdown of salary increases by race. She questioned whether the Performance Based Pay Plan was working adversely against women and blacks.

Pat Crotts, Personnel Director, replied that the staff was working on putting together the information on various breadowns of different groups of employees, the amounts of increases, and the numbers.

Council Member Thorpe said that he felt there were problems in the Transportation Department and that the Council needed to be sure that a management study was done on that department like was done on the Police and Fire Departments.

Mayor Nassif said that the Performanc Based Pay Plan was not designed to hinder anyone, rather it was designed to give everyone an opportunity to excell in whatever work they did. He said that it worked well in Greensboro, although they also experienced some problems trying to get it started, but they had not had any question of it cutting across racial lines.

Council Member Kawalec stated that the Plan depended on the supervisors knowing how to do fair evaluations. She said that if employees were felt that the supervisor was either incapable of doing the evaluation correctly or unwilling to do it correctly, then there was a problem. She asked Ms. Crotts if she felt the supervisors were doing the evaluations exactly as they should be done. Ms. Crotts replied that she did not think it could be said that everybody was being evaluated in exactly the correct manner but that the Town was working towards that goal. She said that if there were any problems the Personnel Department would like to know about them.

Consent Agenda

Council Member Kawalec asked that item 14g be removed from the consent agenda.

Council Member Preston asked that item 14b be removed.

Council Member Thorpe asked that items 14c & 14f be removed.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 85-R-198 MINUS B, C, F, AND G. THE MOTION PASSED UNANIMOUSLY, (6-0).

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

**A RESOLUTION APPROVING VARIOUS ORDINANCES AND RESOLUTIONS (85-R-198)**

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

- a. Calling hearings November 12 on annexation petitions for Chandler's Green site (85-R-199.1) and Phase II of Southbridge Subdivision (85-R-199.2).

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- d. Prohibiting parking on Franklin Street from 6 a.m. - 12:30 p.m. on Saturday, December 7 for holiday parade (85-0-67).
  - e. Selecting William S. Totten as Town's appraiser on committee to determine payment in lieu of open space in Oaks II subdivision (85-R-201).

This the 28th day of October, 1985.

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION OF CHANDLER'S GREEN PURSUANT TO G. S. 160A-31, AS AMENDED ( 85-R-199.1)**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made;

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

Section 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Building Meeting Room at 7:30 o'clock, p.m. on the 12th day of November, 1985 .

Section 2. The area proposed for annexation is described as follows:

LEGAL DESCRIPTIONS

Beginning at a point in the eastern line of the Sweaney property as described in Deed Book 138, Page 245, said point being the intersection of the Chapel Hill Zoning District line and running thence with said Sweaney line north  $05^{\circ}35'58''$  east 833 feet +- to a stake thence north  $06^{\circ}16'11''$  east 446.80 feet to a stake, the northeast corner of said Sweaney property, thence continuing with said Sweaney property north  $84^{\circ}09'24''$  west 399.79 feet to a stake, thence north  $84^{\circ}25'36''$  west 117.93 feet to a stake, thence north  $84^{\circ}35'16''$  west 124.85 feet to a new stake in the Sweaney line, thence with a new line north  $40^{\circ}26'21''$  east 125.79 feet to a new stake, thence north  $74^{\circ}58'03''$  east 212.66 feet to a new stake, thence north  $16^{\circ}35'35''$  east 356.31 feet to a new stake in the southern R/W line of Interstate 40, thence along and with the southern R/W line of Interstate 40 the following courses and distances, south  $48^{\circ}58'02''$  east 339.46 feet, south  $77^{\circ}25'26''$  east 386.94 feet, south  $42^{\circ}08'38''$  east 435.06 feet to a concrete monument in the northern line of Carrol property as recorded in Deed Book 268, Page 600, thence with said Carrol property north  $83^{\circ}37'06''$  west 183.73 feet to a stake, the northwest corner of said Carrol property, thence with the western line of said Carrol property south  $06^{\circ}28'26''$  west 940 feet to a point in the Chapel Hill Zoning District line, thence with said zoning line south  $54^{\circ}35'38''$  west 653 feet to the point and place of beginning containing 19.8 acres more or less as per plat by S. D. Puckett & Associates, Inc. entitled "North Weaver Partnership" dated 12-84.

Beginning at a stake on the eastern R/W line of S.R. 1732, said stake being 650 feet ± north of the northern R/W line of Weaver Dairy Road, thence with the eastern R/W line of S. R. 1732 north  $08^{\circ}27'07''$  west 166.20 feet to a stake, thence along the eastern R/W line of S.R. 1732 in a curve having a radius of 1261.04 feet, a length of 250.28 feet to a stake, thence continuing along said R/W line north  $02^{\circ}58'$  east 306.98 feet to a stake on the southern side of an existing 60 foot R/W, thence with said R/W south  $83^{\circ}40'30''$  east 236.41 feet to a stake, thence with said R/W south  $83^{\circ}42'00''$  east 330.83 feet to a stake, thence with said R/W south  $84^{\circ}53'35''$  east 1193.99 feet to a stake, the southeast corner of said 60 foot R/W, thence north  $04^{\circ}53'56''$  east 60 feet to a stake, the southeast corner of the Clark property as recorded in Deed Book 238, Page 1419, thence with the Clark property north  $04^{\circ}53'56''$  east 434.53 feet to a stake, thence north  $04^{\circ}12'10''$  east 362.30 feet to a stake in the southern R/W line of Interstate 40, thence along and with the southern R/W line of Interstate 40 the following courses and distances, south  $62^{\circ}43'54''$  east 216.02 feet, south  $55^{\circ}43'43''$  east 490.20 feet, south  $54^{\circ}10'54''$  east 512.58 feet, south  $34^{\circ}34'39''$  east 181.16 feet, south  $46^{\circ}58'01''$  east 412.81 feet to a new stake,



thence along a new line south 16°35'35" west 356.31 feet to a new stake, thence south 74°58'03" west 212.66 feet to a new stake, thence south 40°26'21" west 125.79 feet to a new stake in the line of the Sweaney property as recorded in Deed Book 138, Page 245, thence with the said Sweaney property north 84°35'16" west 129.45 feet to a stake, thence north 79°58'05" west 251.55 to a cedar stake in a rock pile, thence north 74°32'12" west 237.10 feet to a stake, thence north 77°26'23" west 888.27 feet to a stake, thence south 05°33'11" west 261.82 feet to a stake, thence north 84°28'11" west 1347.22 feet to a stake, the point and place of beginning, and containing 60.417 acres more or less as per plat by S. D. Puckett & Assoc., Inc. entitled "North Weaver Partnership", dated 12-84.

Section 3. Notice of said public hearing shall be published in the Chapel Hill Newspaper, a newspaper having a general circulation in the Town of Chapel Hill, at least ten (10) days prior to the date of said public hearing.

This the 28th day of October, 1985 .

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION OF SOUTHBRIDGE, PHASE II PURSUANT TO G. S. 160A-31, AS AMENDED ( 85-R-199.2 )

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made;

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

Section 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Building Meeting Room at 7:30 o'clock, p.m. on the 12th day of November, 1985 .

Section 2. The area proposed for annexation is described as follows:

SOUTHBRIDGE, PHASE II  
PLAT BOOK 39, PAGE 102

BEING all that portion of the tract or parcel of land known and briefly described as Southbridge, Phase II, Plat Book 39, Page 102, and being more particularly described as BEGINNING at a monument in the northern margin of Culbreth Drive, corner with H.D. Bennett, and running thence with Bennett's line North 27 deg. 00' East 134.83 feet to a stake, thence North 10 deg. 00' East 120.00 feet to a stake, thence North 27 deg. 00' East 106.64 feet to a stake, thence North 25 deg. 14' 06" East 50.73 feet to a stake, North 23 deg. 00' East 82.60 feet to a stake, thence North 15 deg. 00' East 50.00 feet to a stake, thence North 57 deg. 00' East 50.00 feet to a stake, thence North 21 deg. 00' East 280.00 feet to a stake, thence North 01 deg. 00' East 175.00 feet to a stake, thence North 19 deg. 00' East 105.00 feet to a stake, thence South 80 deg. 00' East 40.00 feet to a stake, thence North 65 deg. 00' East 140.00 feet to a stake, thence North 70 deg. 00' East 120.00 feet to a stake, thence North 55 deg. 00' 105.00 feet to a stake, thence North 15 deg. 00' East 115.00 feet to a stake in the southern margin of Morgan Creek, corner with H.D. Bennett; running thence along and with the southern margin of Morgan Creek, in a generally southerly and easterly direction, the following calls and distances: South 69 deg. 00' East 300.00 feet to a stake, thence South 50 deg. 00' East 280.00 feet to a stake; running thence South 43 deg. 15' 14" West 226.70 feet to a monument, thence South 51 deg. 00' West 129.76 feet to a point, thence South 85 deg. 04' 06" West 71.62 feet to a point, thence South 40 deg. 00' West 143 feet to a point, thence North 47 deg. 00' West 55 feet to a point, thence South 50 deg. 00' West 128 feet to a point, thence South 30 deg. 30' West 244 feet to a point, thence South 26 deg. 00' West 290 feet to a point, thence South 25 deg. 00' West 88.83 feet to a point, thence along a curve to the left, in a southerly direction, having a radius of 530.00 feet, for a distance of 163.89 feet to a point in the northern margin of Culbreth Drive; running thence along and with the northern margin of Culbreth Drive North 85 deg. 58' West 70.79 feet to a point, and thence North 77 deg. 50' West 298.52 feet to the corner of the H.D. Bennett property, point and place of BEGINNING, according to survey prepared by Ayers and Edgerton, containing 14.522 acres, more or less.

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 Section 3. Notice of said public hearing shall be published in the Chapel Hill Newspaper, a newspaper having a general circulation in the Town of Chapel Hill, at least ten (10) days prior to the date of said public hearing.

This the 28th day of October, 1985 .

AN ORDINANCE TO PROHIBIT PARKING ON FRANKLIN STREET ON THE MORNING OF A HOLIDAY PARADE (85-O- 67)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby prohibits parking on Franklin Street from Boundary Street to the western Town limits on December 7, 1985 from 6:00 a.m. until 12:30 p.m.

This the 28th day of October, 1985.

A RESOLUTION APPOINTING AN APPRAISER TO ASSIST IN DETERMINING A PAYMENT IN LIEU OF RECREATION AREA FOR OAKS II SUBDIVISION (85-R-201)

BE IT RESOLVED by the Council of the Town of Chapel Hill that William S. Totten, M.A.I., be appointed as the Town's appraiser to serve on a Special Appraisal Committee to determine land value for use in calculating payment in lieu of required recreation area for the Oaks II Subdivision. The process of said committee is outlined in Section 7.9.5 of the Development Ordinance.

This the 28th day of October, 1985.

Budget Amendment

Council Member Preston commented that the revised budget amount for Fire suppression should be \$1,144,432 instead of \$1,143,432.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT ORDINANCE 85-O-66 WITH THE REVISED BUDGET AMOUNT FOR FIRE SUPPRESSION AT \$1,144,432. THE MOTION PASSED UNANIMOUSLY, (6-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1985 (85-O- 66)

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, 1985" as duly adopted on June 20, 1985, be and the same is hereby amended as follows:

ARTICLE I

<u>APPROPRIATIONS</u>	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
<b>GENERAL FUND</b>				
Fire Suppression	1,141,432 <del>1,142,432</del>	2,000		1,143,432
<b>CAPITAL RESERVE FUND</b>				
Reserved for Library Capital Improvements	40,000	8,500		48,500

ARTICLE II

REVENUES

GENERAL FUND

Grants	208,934	2,000	210,934
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CAPITAL RESERVE FUND

State Appropriation	-	8,500	8,500
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This the 28th day of October, 1985.

University Heights Change Order

Council Member Thorpe asked for clarification of this resolution. Acting Manager Loewenthal replied that this resolution authorized the Manager to execute change orders to cover the cost of connecting the houses to the sewer lines and was not related to the work proposed in agenda #11.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 85-R-200. THE MOTION PASSED UNANIMOUSLY, (6-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE CHANGE ORDERS FOR THE UNIVERSITY HEIGHTS SEWER AND STREET PROJECTS (85-R-200 )

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Manager to sign an additional change order totalling \$9,823 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 28th day of October, 1985.

Parking on Noble Street

Council Member Thorpe asked that Council receive copies of any petitions relating to parking on Town streets.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO ADOPT ORDINANCE 85-O-68. THE MOTION PASSED UNANIMOUSLY, (6-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (85-O- 68)

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

SECTION I

That Section 21-27.1C of the Town Code of Ordinances, "No Parking During Certain Hours", is amended by inserting the following therein, in appropriate alphabetical order:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Noble Street	North	Pritchard Avenue	N. Columbia St.

SECTION II

This ordinance shall be effective beginning on Monday, December 2, 1985.

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SECTION III

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

This the 28th day of October, 1985.

Parking on Boundary Street

Council Member Kawalec stated that she thought that when the Council approved the North Street subdivision that it had been designed and built with the understanding that there would be no on-street parking at all.

Mayor Nassif said that the neighborhood could request resident stickers to prohibit those not living on the street from parking in that area.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT ORDINANCE 85-0-69. THE MOTION PASSED UNANIMOUSLY, (6-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE TOWN CODE (85-0-69)

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

SECTION I

That the Council hereby amends Sec. 21-27 of the Town Code by inserting, in appropriate alphabetical order, the following line:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Boundary St.	Both	North Street	A point 400 feet north of North Street

SECTION II

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

This the 28th day of October, 1985.

Historic District Commission Nominations

Council Member Preston nominated James Webb.

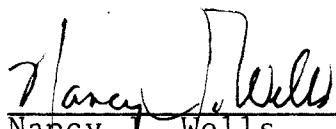
Council Member Howes nominated David Timothy Woodley.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION AND LAND ACQUISITION. THE MOTION PASSED UNANIMOUSLY, (6-0).

The meeting adjourned to executive session at 9:25 p.m.

A MOTION WAS DULY MADE, AND SECONDED TO ADJOURN THE MEETING. THE MOTION PASSED UNANIMOUSLY, (6-0).

Mayor Joseph L. Nassif

  
Nancy J. Wells  
Town Clerk