

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, NOVEMBER 25, 1985, 7:30 P.M.

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

- David Godschalk
- Jonathan Howes
- Beverly Kawalec
- David Pasquini
- Nancy Preston
- R. D. Smith
- Bill Thorpe

Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ron Secrist, and Attorney Ralph Karpinos.

Certificates of Appointment

Mayor Nassif welcomed and introduced new appointees to Council Advisory Boards. He presented Certificates to the following:

- Dorothy Talbot - Greenways Commission
- Betsy Pringle - Greenways Commission
- Kathy Harris - Greenways Commission
- Eva Metzger - Greenways Commission
- Philip Sloane - Greenways Commission
- Meg Parker - Planning Board
- Mario Pieroni - Transportation Board
- Kani Hurow - Parks and Recreation Commission
- Joel Bulkley - Parks and Recreation Commission
- Roosevelt Wilkerson - Human Services Advisory Board
- James Webb - Historic District Commission

Those also receiving Certificates, but were not present at the meeting were:

- Lyman Ford - Human Services Advisory Board
- Roberta Douglas - Parks and Recreation Commission
- Elizabeth Myers - Greenways Commission
- Thomas Jerdee - Greenways Commission

Petitions

George Tate, speaking as a citizen, petitioned Council to modify his special use permit, granted in 1983, requiring the applicant to pave with curb and gutter the section of road in front of the property. He said that since the granting of the special use permit the State has agreed to repave Merritt Mill Road including that area in front of his property.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO RECEIVE THE PETITION AND REFER TO THE MANAGER TO REPORT BACK TO COUNCIL.

Council Member Smith agreed that the Town should not require applicants to pave with curb and gutter those sections of road maintained by the State.

THE MOTION PASSED UNANIMOUSLY, (8-0).

Mr. Mel Rashkis, speaking as one of the owners of Chandler's Green Subdivision asked to speak to item #10, street widths in Chandler's Green.

Joe Herzenberg, speaking as a citizen, asked to speak to item #11a, Library expansion.

Manager Taylor petitioned Council to add item 19i, a resolution correcting the ordinance and resolution numbers, to the agenda. There were no objections.

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Minutes

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT THE MINUTES OF NOVEMBER 12, 1985 AS CIRCULATED . THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT THE MINUTES OF NOVEMBER 18, 1985 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

General Remarks By Mayor Nassif

Mayor Nassif read a resolution of appreciation for Council Member Beverly Kawalec for her years of service to the Town. The resolution enumerated her many accomplishments as a member of the Chapel Hill Town Council. Council Member Kawalec replied by expressing thanks to the Mayor and Council, Town staff, and Council Advisory Boards for their work and dedication to the Town.

Council Member Kawalec then read a resolution of appreciation for Mayor Nassif for his years of service as Council Member and Mayor of the Town of Chapel Hill. The resolution included many of his accomplishments while in office.

Mayor Nassif addressed the Council stating that he was proud to have served with the Council, that he felt the Council had performed their duties in the proper manner and had voted their convictions. He encouraged the Council not to spend too much time deliberating new zoning and development ordinances but to chose a Development Ordinance that the Council felt comfortable with and to go on from there. He said he was afraid that the over emphasis on growth and its effect would cause the Council to neglect the other areas of the Town which needed work. He concluded by saying that he was leaving office with mixed emotions, that he would miss them, but that he felt there needed to be new people and ideas on the Council. Mayor Nassif thanked the Council for their friendship and presented each of them with a copy of "Chapel Hill, An Illustrated History".

Council Member Thorpe presented Mayor Nassif with a framed photograph of the Mayor when he took his oath of office.

Council Member Howes and Preston read resolutions of appreciation for deceased Council Members Marilyn Myers Boulton and Winston Broadfoot.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT THE RESOLUTIONS OF APPRECIATION FOR MAYOR NASSIF, COUNCIL MEMBER KAWALEC, COUNCIL MEMBER BOULTON AND COUNCIL MEMBER BROADFOOT. THE MOTION PASSED UNANIMOUSLY, (8-0).

Baucom Rezoning Request

Council Member Godschalk asked if the Council could defer action until the Council reviewed the Manager's report on conditional use zoning. Attorney Karpinos replied that the Council could defer the item, but that conditional use zoning could have different regulations with regard to the application process so that the applicant might have to go through an application process all over again.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 85-R-219.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER THORPE FOR A SUBSTITUTE MOTION TO REFER TO THE MANAGER PENDING FURTHER INFORMATION ON CONDITIONAL USE ZONING.

Council Member Pasquini felt the delay would not help the applicant and felt it would just place his application on hold indefinitely. He asked the Manager when the staff expected to have a report ready on conditional use zoning. Manager Taylor replied that the staff report would probably be in the spring with potential Council action in the fall.

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

THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Smith asked if the applicant was aware that he could apply to rezone for Office/Institutional-1. Manager Taylor replied that a copy of the memorandum had been sent to the applicant.

Council Member Preston asked if there were any time advantage of either applying for OI-1 rezoning or modifying the Special Use Permit. Roger Waldon, Planning Director, replied that either request would have to come before Council in a public hearing and that the earliest it could be scheduled would be in March. Council Member Preston asked if this meant the applicant would not have to wait a year to apply for an OI-1 rezoning request. Mr. Waldon replied that the applicant would not have to wait a year.

Council Member Howes asked if the Attorney felt the applicant would not have to wait a year. Attorney Karpinos stated that having further reviewed the Development Ordinance and the General Statutes, he felt there was enough differences between NC and OI so that a year's wait was not needed.

Council Member Godschalk said if the Council agreed to modify the existing Special Use Permit it would have the authority to exempt the property from certain provisions. Attorney Karpinos agreed that this was true, but stated that he had received a letter from the applicant's attorney stating that the applicant did not wish to modify the special use permit.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 85-R-220. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION DENYING AN APPLICATION FOR REZONING (85-R-220)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it hereby denies the application of William E. Brenner and William E. Brenner, Jr. to rezone the property identified as Chapel Hill Township Tax Map 77, Block B, Lot 17, located on the northwest corner of East Franklin Street and Elizabeth Street, from Residential-2 to Neighborhood Commercial. The legal description of the property is as follows:

BEGINNING at an iron stake in the Northern property line of the Old Chapel Hill-Durham Road, now known as Holloway Street, and the Eastern property line of Elizabeth Street; running thence from said beginning point along the line of Elizabeth Street North 55 degrees 5 minutes West 128 feet to an iron stake in the drive of the H. C. Holloway property; running thence with along and with the Southeastern property line of said drive North 39 degrees West 99 feet to an iron stake, said stake being in the line of the property formerly owned by Eva Kate Burks; thence with said property line South 55 degrees 5 minutes East 123 feet to an iron stake in the Northern boundary line of the Old Chapel Hill-Durham Road South 35 degrees West 100 feet to an iron stake, the place and point of BEGINNING, and being a portion of the tract conveyed to Edward C. Burks by H. C. Holloway, Sr., et ux by deed dated April 15, 1946, recorded in the Office of the Register of Deeds of Orange County in Book 124 at page 352 and being a portion of the tract conveyed by Edward C. Burk et ux to North Carolina State Highway and Public Works Commission by deed dated June 14, 1951, and recorded in the Office of the Register of Deeds of Orange County in Book 137 at page 100.

The reason for this action is that the Council fails to find that:

- a) the proposed amendment would correct a manifest error;
- b) the proposed amendment is appropriate due to changed or changing conditions; or
- c) the proposed amendment achieves the purposes of the Comprehensive Plan.

This the 25th day of November, 1985.

Wilco Service Station

Roger Waldon, Planning Director, made a brief presentation on the revised plan submitted by the applicant. He said the applicant had made changes in the size of the building (increase from 2400 to 4200 square feet), added 7 more parking spaces, increased the size of the island along Airport Road, and added plantings. He said the changes proposed were relatively minor except for the increase in building size. This change if kept, he felt, necessitated reopening the public hearing.

Mayor Nassif reminded the Council that evidence pertaining to this item was considered in a public hearing, therefore, new renderings displayed that evening should not be taken into consideration.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO ADOPT RESOLUTION 85-R-179B.

Council Member Preston asked about the appearance of the proposed building. Manager Taylor responded that the building referred to in the resolution would be only 2400 square feet, but he would expect it to look similar to the developer's renderings.

Council Member Pasquini expressed concern that the proposed site plan was not the one Council was proposing to adopt.

Council Member Smith expressed concern about requiring the type "D" buffer.

COUNCIL MEMBER SMITH MOVED A SUBSTITUTE MOTION TO ADOPT RESOLUTION 85-R-179C. THE MOTION FAILED FOR LACK OF A SECOND.

Council Members Preston and Godschalk expressed concern over the type and width of the buffer. Council Member Preston asked if the gasoline tanks would have to be moved if the required buffer were placed in the site plan. Manager Taylor responded that the above ground gasoline pumps would need to be moved, but he could not answer whether or not the underground tanks would be required to be moved.

THE MOTION CARRIED, 5-3, WITH COUNCIL MEMBERS KAWALEC, NASSIF, AND SMITH VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING A MODIFICATION OF UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT FOR WILCO FOOD MART (85-R-179b)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Modification of Unified Business Development Special Use Permit proposed by Mr. A. T. Williams for a service station/convenience store on property identified as Chapel Hill Tax Map 24, Lot 40, if developed in accordance with the site plan dated November 13, 1985 and the 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:

1. That construction begin by November 25, 1986 and be completed by November 25, 1987.

2. That one-half of a 65-foot-wide roadway with curb and gutter and sidewalk be provided along the site's frontage with Airport Road.
3. That curb and gutter be provided along the driveway entrances and along the edges of the parking areas.
4. That the width of the southern driveway entrance be reduced to 36 feet by extending the median between the two driveway entrances southward.
5. That all outdoor lighting be designed and installed to provide direct illumination only within the property boundaries. Such lighting shall be shown on a detailed lighting plan and shall be approved by the Appearance Commission prior to the issuance of a Zoning Compliance Permit.
6. That structures and measures for protection of existing trees during construction be provided before commencement of grading or construction.
7. That a Type D buffer be provided along the site's frontage on Airport Road.
8. That the detailed utility plan be approved by OWASA, Duke Power, Southern Bell and the Town Manager before issuance of a Zoning Compliance Permit.
9. That final plans to be approved by the Town Manager before issuance of a Zoning Compliance Permit (detailed site plan, utility plan, grading and stormwater management plan, and right-of-way/easement plats) conform to the approved preliminary plans and demonstrate compliance with the above conditions and the design standards of the Development Ordinance and the Design Manual.
10. That the type of Special Use is hereby redesignated a Service Station rather than a Unified Business Development.
11. That the building constructed on the site not exceed 2400 square feet in size.
12. If any conditions shall be held invalid or void, then this permit shall be void and of no effect.
13. The 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.
14. That except as modified herein, all other special terms, conditions and stipulations heretofore made applicable to the Special Use Permit be continued in effect.

BE IT FURTHER RESOLVED that the Council hereby approves a Modification of Unified Business Development Special Use Permit in accord with the plans and conditions listed above.

This the 25th day of November, 1985.

Payment-in-Lieu of Recreation Area

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO ADOPT ORDINANCE 85-O-77A.

Mayor Nassif expressed concern that the term "immediate area" would be construed by developers and property owners to be near or adjacent to their property. Manager Taylor replied that the Town Attorney had been in contact with the Attorney General's Office and offices at the N.C. League of Municipalities regarding this issue and had found that the intent of the law was that the definition of "immediate area" should be left to the discretion of the local governments. He said the staff recommended using the classifications of parks and the radius of population they serve as outlined in the Community Facilities Report to define immediate area.

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Council Member Smith also expressed concern over the definition of "immediate area".

THE MOTION CARRIED, 5-3 WITH COUNCIL MEMBERS NASSIF, SMITH AND THORPE VOTING AGAINST.

The ordinance requires a second reading.

Closing of an Unnamed Right-of-Way West of Hamilton Road

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO ADOPT RESOLUTION 85-R-221A. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING CLOSURE OF AN UNNAMED RIGHT-OF-WAY WEST OF HAMILTON ROAD, BETWEEN ROUTE 54 AND PRESTWICK ROAD (85-R-221A)

WHEREAS, the development plans for the "Glenwood Village Shopping Center" have been approved by the Chapel Hill Planning Board on November 4, 1985, and;

WHEREAS, such plans assume that this right-of-way would be closed, and;

WHEREAS, whether or not said shopping center is constructed, the right-of-way in question is unnecessary and undesirable for public roadway purposes, and;

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the permanent closure for roadway purposes of an unnamed, unopened portion of right-of-way approximately sixty (60) feet wide and three hundred seventy (370) feet long, extending between N.C. Route 54 and Prestwick Road approximately one hundred seventy (170) feet west of Hamilton Road, to be effective upon fulfillment of the following conditions as set forth below:

That the plat for "Glenwood Village Shopping Center" is duly recorded in accordance with the approved site plan, and;

That a blanket utility and drainage easement remain with the property in question, for possible future needs by the Town and/or public utilities.

This the 25th day of November, 1985.

Chandler's Green - Response to Petition of Mel Rashkis

Mayor Nassif asked how the staff determined that Sweeten Creek Road should be a collector street. Roger Waldon replied that comparing the design specifications for collector streets closely met the traffic volume expectations of Sweeten Creek Road.

Council Member Godschalk stated he felt the street should not be designated as a collector street and the standards for a Class "A" residential street were more appropriate to be applied to this proposed road.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 85-R-222B. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION CALLING FOR SWEETEN CREEK ROAD TO BE CONSIDERED A LOCAL CLASS "A" STREET, CONSTRUCTED TO CLASS "A" STANDARDS (33') (85-R-222b)

BE IT RESOLVED by the Council of the Town of Chapel Hill that Sweeten Creek Road, a street in the Chandler's Green Subdivision approved by Council on October 14, 1985, is of a nature and character that make it appropriate to classify it as a Local Class "A" street;

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BE IT FURTHER RESOLVED that Council directs the Town Manager to require that Sweeten Creek Road be constructed to standards for a Local Class "A" street, as described in the Town's Design Manual, including a thirty-three foot (33') roadway width and turn lanes at major intersections, and a sixty foot (60') right of way width.

This the 25th day of November, 1985.

Major Capital Needs: Public Library Expansion, Southern Park and Fire Station, and Municipal Meeting Room/Office Space

Joe Herzenberg, speaking as a member of the Library Board of Trustees, said that he disagreed with the Board's recommendation regarding Library expansion, feeling that a downtown site would be more accessible and the present facility should not be maintained as a branch library because it would not be economical.

Ms. Lisa Price, speaking as the Chair of the Library Board of Trustees, said the Board recommended expansion of the Library through the addition of a new main library away from the Town Center feeling it would be more accessible, provide better parking, and reduce traffic congestion downtown. She introduced the Library Board's evaluations of the potential downtown sites suggested by the Manager in his report and stated the Board rated the sites lower than the Manager. She also presented the Board's rating of property near the intersection of Airport Road and Estes Drive. She said the Board further recommended maintaining the present Library as a branch facility and retaining the Bookmobile as a mobile branch of the Library. (For a complete text of Ms. Price's comments, see the Clerk's files)

Council Member Smith suggested that the Council and the Library Board seek input from as many Town citizens as possible on this issue since it proposed to be an extremely expensive matter if adopted.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO RECEIVE THE REPORT AND REFER TO THE MANAGER. THE MOTION PASSED UNANIMOUSLY, (8-0).

Manager Taylor said he believed the issues of the Library had been placed before Council and the staff looked forward to direction from Council on the location, timing, and size of the Library.

Manager Taylor also stated that with regard to a southern park and fire station the staff did not have a specific site for Council to consider but that they were working on it, feeling it was still an important issue. He commented that the space needs report of the Old Police Building was included and that he would answer any questions.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO REFER TO THE MANAGER. THE MOTION PASSED UNANIMOUSLY (8-0).

Colony Woods Drainage Report

Mayor Nassif said that he had nothing new to report but that he was waiting word from Durham County regarding the situation in Colony Woods. He felt the Town should replace the drainage pipes if no agreement could be arranged with Durham County.

Housing Authority

Mayor Nassif said that he felt that since the Federal Government would be greatly reducing the amount of funds it gives for low income housing assistance, the Town should consider bringing the Chapel Hill Housing Authority into the Town as a separate department with its own budget and under the control of the Manager. He encouraged Council to seriously consider this action.

106 15-501 Bypass Improvements

Mayor Nassif said that he had been working diligently to get the date for improvements to 15-501 Bypass moved up. He said conversations with Mr. Buchanan of NCDOT led him to believe that the Council needed to offer to pay for the pre-construction work involved in the hope that NCDOT would move the construction date forward. He urged Council to authorize him to send a letter to NCDOT suggesting the Town undertake the pre-construction work.

Manager Taylor said that from his conversations with NCDOT it appeared that the cost for planning, environmental impact, and design engineering, for the entire section of bypass around Chapel Hill and Carrboro would be around \$900,000 (approximately \$500,000 within the Town's jurisdiction), and that he felt the letter to DOT would help the Town achieve their goal of getting the bypass widened.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES TO AUTHORIZE THE MAYOR TO SEND A LETTER TO NCDOT SUGGESTING THE TOWN PERFORM THE PRE-CONSTRUCTION WORK ON WIDENING AND IMPROVING 15-501 BYPASS. THE MOTION PASSED UNANIMOUSLY (8-0).

Council Member Thorpe asked that a copy of the letter be sent to Mr. Buchanan.

University Lake and Cane Creek Watershed Classifications

Mayor Nassif said that the State had recently changed its water quality classifications to WS-II or III allowing for degradation of water in Cane Creek and University Lake by permitting point source discharges. He asked Council to authorize him to send a letter to the Department of Natural Resources requesting that both basins be classified WS-I, thereby maintaining its present classification.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO AUTHORIZE THE MAYOR TO SEND A LETTER TO THE DEPARTMENT OF NATURAL RESOURCES REQUESTING THAT THE WATER CLASSIFICATION IN CANE CREEK AND UNIVERSITY LAKE BE WS-I. THE MOTION PASSED UNANIMOUSLY, (8-0).

Report on OWASA

Mayor Nassif stated that he had met with the Executive Director of OWASA, along with the Mayor and Manager of Carrboro, the Chapel Hill Manager, and the Orange County Chairman and Manager regarding extension of water and sewer service to areas outside of the county. He said it appeared that OWASA was willing to agree not to extend service without consulting with the adjacent governmental bodies regarding potential problems with storm water runoff, etc. Mayor Nassif said that the lines of communication had been opened and it was up to the Council to keep them open. He stated that he was of the opinion that there needed to be automatic seats on the OWASA Board of Directors for the Mayors of Chapel Hill and Carrboro and the Chairman of the County Commissioners so that they might give their Boards' direct input into OWASA matters.

Merger Study of Chapel Hill and Carrboro

Mayor Nassif said that he and Mayor Porto of Carrboro would like the governing bodies of each Town to endorse the merger study of Chapel Hill and Carrboro.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT RESOLUTION 85-R-223. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION ENDORSING A STUDY OF MERGING THE TOWNS OF CHAPEL HILL AND CARRBORO (85-R-223)

WHEREAS, the issue of merging Chapel Hill and Carrboro has been discussed in the community for some time; and

WHEREAS, the Mayors of the Towns of Chapel Hill and Carrboro have supported and the Editor of the Chapel Hill Newspaper has raised private funds for a study to determine the advantages, disadvantages and cost implications of merging the two Towns;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby endorses a study of the advantages and disadvantages of merging the Towns of Chapel Hill and Carrboro.

This the 25th day of November, 1985.

Transit Services Between UNC and the Town

Manager Taylor reported that this item was a written memorandum representing the verbal agreement between the Town and the University regarding their cooperation with a transit system and how costs for its operation should be shared.

Council Member Howes asked Manager Taylor if the University had seen this proposal and were in agreement with it. Manager Taylor replied yes.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 85-R-224. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Pasquini asked for clarification on the Transportation Board's comments regarding the cost allocation formula.

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING A MEMORANDUM OF UNDERSTANDING FOR PUBLIC TRANSPORTATION SERVICES BETWEEN THE TOWN AND THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL (85-R-224)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Manager is authorized to enter into and sign on behalf of the Town a Memorandum of Understanding for Public Transportation Services between the Town and the University of North Carolina at Chapel Hill, said Memorandum of Understanding being substantially in the form as presented by the Manager on November 25, 1985, and as described in the Manager's report of November 25, 1985.

This the 25th day of November, 1985.

Taxicab and Limousine Ordinance

Mr. L. C. Edwards, speaking as a franchisee, asked Council to delay action on this matter until the Council could meet with the taxicab owners to answer some questions they had regarding the proposed changes in the ordinance.

Council Member Howes suggested the owners put in writing their concerns and present it to the Council for consideration.

Council Member Smith suggested the taxicab owners meet with the Manager to discuss the problems.

Mayor Nassif urged Council to pass the proposed amendment and to discuss problems when they occur.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HOWES TO REFER TO THE MANAGER AND REQUEST HE REPORT TO THE COUNCIL ON THE TAXICAB OWNERS' QUESTIONS AND POTENTIAL SOLUTIONS. THE MOTION PASSED UNANIMOUSLY, (8-0).

Parking Rate Reduction For Downtown Merchants During Holiday Season

Manager Taylor said that he had received a telephone call from Dr. William Kohn, president of the Downtown Association, requesting that Council remove this item from the agenda. He pointed out that Mr. Milton Julian representing the Parking Committee of the Association was the one who presented the petition to Council.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO REMOVE THE ITEM FROM THE AGENDA AT THE REQUEST OF DR. KOHN. THE MOTION PASSED UNANIMOUSLY, (8-0).

110 Council Member Thorpe said this resolution was to change the time of the December 2, 1985 Council meeting to 12:00 noon.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT ORDINANCE 85-O-79. THE MOTION PASSED UNANIMOUSLY, (8-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE CHANGING THE TIME OF THE COUNCIL'S DECEMBER 2, 1985 MEETING (85-O-79)

WHEREAS, the 1985-87 Town Council will hold its organizational meeting on December 2, 1985; and

WHEREAS, the seating of the new Council symbolizes the democratic process in action, and the opportunity and power of the citizens to determine the future of Chapel Hill by exercising the right to vote; and

WHEREAS, the 1985 Mayoral and Council elections attracted numerous candidates and generated vigorous campaigning and debate, and the seating of the 1985-87 Council is an important event in the life of our Town; and the Council desires to have this meeting at a special time;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the time of the December 2, 1985 meeting from 7:30 p.m. to noon.

This the 15th day of November, 1985.

Mayor Nassif and Council Member Kawalec stated that due to other commitments they would be unable to attend the December 2 meeting.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO APPOINT COUNCIL MEMBER SMITH TO CONVENE THE DECEMBER 2ND MEETING IN THE ABSENCE OF THE MAYOR AND MAYOR PRO TEM. THE MOTION PASSED UNANIMOUSLY, (8-0).

Rosemary Square: Deliveries to Franklin Street Merchants, Lease Amendment With Postal Service

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT RESOLUTION 85-R-226. THE MOTION CARRIED, 7-1, WITH COUNCIL MEMBER PASQUINI VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING COMMERCIAL DELIVERY FACILITIES FOR FRANKLIN STREET MERCHANTS DURING AND AFTER CONSTRUCTION OF ROSEMARY SQUARE (85-R-226)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the Rosemary Square Commercial Delivery Facilities Agreement in substantially the form submitted by the Town Manager to the Council on November 25, 1985, and authorizes the Manager to sign the agreement on behalf of the Town, with minor changes to the form of the Agreement which are satisfactory to the Manager and legal counsel to the Town. A copy of the above-described agreement shall be retained with the records of this meeting.

This the 25th day of November, 1985.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT RESOLUTION 85-R-227. THE MOTION CARRIED, 7-1, WITH COUNCIL MEMBER PASQUINI VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING CHANGES IN THE TOWN'S LEASE AGREEMENT WITH THE U. S. POSTAL SERVICE (85-R-227)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves, and authorizes the Manager to sign on behalf of the Town, amendments to the 1979 lease agreement with the U. S. Postal Service in regard to parking for Postal employees and means of delivery during and after construction of the Rosemary Square project under terms as generally described in the Manager's report on this matter dated November 25, 1985, a copy of which shall be retained with the records of this meeting; and provided, that the form of the lease amendment shall be subject to the approval of the Town Attorney.

This the 25th day of November, 1985.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT ORDINANCE 85-O-80.

Council Member Preston asked if the increase in insurance on the buses would be included in the cost sharing agreement with UNC regarding transit service. Manager Taylor replied that it would be included in the agreement for next year.

THE MOTION PASSED UNANIMOUSLY, (8-0).

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-80)

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 10, 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>
Non-Departmental	1,235,717	68,000		1,303,717
Transportation Fund Operations	1,768,063	50,000		1,818,063
Landfill Fund	421,350	4,780		426,130
Parking Facilities Fund	62,500	1,310		63,810

ARTICLE II

Revenues

General Fund Fund Balance	807,641	68,000		875,641
Transportation Fund Fund Balance	15,224	50,000		65,224
Landfill Fund Fund Balance	175,350	4,780		180,130
Parking Facilities Fund Fund Balance	0	1,310		1,310

This the 25th day of November, 1985.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT ORDINANCE 85-O-81.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO AMEND THE MOTION TO INCLUDE \$8,000 FOR A NEW SYNCHRONIZED TRAFFIC SIGNAL AT THE INTERSECTION OF PITTSBORO AND McCAULEY STREETS.

Council Member Howes, Kawalec and Pasquini suggested having NCDOT turn the present signal to the normal mode.

THE AMENDMENT FAILED TO PASS, 2-6, WITH COUNCIL MEMBERS PRESTON AND THORPE VOTING IN FAVOR.

Council Member Pasquini asked if the East Franklin Street study would include synchronizing the traffic lights. Manager Taylor replied that it did not. Council Member Pasquini felt that many of the proposals were too broad and vague and suggested the Manager return when he had definite costs and plans.

Council Member Preston asked for clarification of the proposed growth management procedure study. Manager Taylor replied that he proposed hiring a consultant to perform the study of how applications were received and processed in the Planning Department.

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Council Member Godschalk also expressed concern over several of the proposals feeling they were possibly too vague.

Mayor Nassif stated that the Manager's memorandum was in response to Council's direction and that if Council wanted more specific items then it should direct the Manager as to the specifics.

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

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-81)

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 10, 1985, be and the same is hereby amended as follows:

ARTICLE 1

<u>APPROPRIATIONS</u>	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
GENERAL FUND				
Planning	336,093	69,000		405,094
<u>REVENUES</u>				
Licenses and Permits	216,250	40,000		256,250
Service Charges	492,278	29,000		521,278

This the 25th day of November, 1985.

Consent Agenda

Council Member Thorpe asked that item 19a, Manager's interim report on the Rusten Report, be removed from the consent agenda.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER KAWALEC TO ADOPT RESOLUTION 85-R-228 MINUS ITEM A. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolutions and ordinances, as adopted, read as follow:

A RESOLUTION APPROVING VARIOUS ORDINANCES AND RESOLUTIONS (85-R-228)

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:

- b. Closing unused Whitehead Circle right-of-way (85-R-230).
- c. Parking restrictions - Caldwell Street. (85-O-82).
- d. Conveyance of sewer easement near Southbridge subdivision to OWASA. (85-R-231).
- e. Authorizing auction of parcel on Lindsay Street (85-R-232).
- f. Receipt of election results. (85-R-233).
- g. Annexing Southbridge Subdivision, Phase II (85-O-83).
- h. Authorizing supplemental agreement with North Carolina Department of Transportation re Merritt Mill Road improvements. (85-R-234)
- i. Amending the ordinance and resolution numbers submitted for the November 25, 1985 agenda (85-R-235).

This the 25th day of November, 1985.

A RESOLUTION APPROVING A CLOSURE OF AN UNUSED PORTION OF RIGHT-OF-WAY OF MORGAN CREEK ROAD (a.k.a. WHITEHEAD ROAD) SOUTH OF WHITEHEAD CIRCLE AND NORTH OF THE 15-501 BYPASS (85-R-230)

WHEREAS, the Town has received a request to close this right-of-way; and

WHEREAS, the Town finds that the right-of-way in question is unnecessary for public roadway purposes; and

WHEREAS, no individual(s) owning property in the vicinity would be deprived of reasonable means of ingress or egress to his or her property, and the closing would not be contrary to the public interest;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the permanent closure (for roadway purposes) of an unused portion of right-of-way of Morgan Creek Road (a.k.a. Whitehead Road) approximately 48 feet wide and 175 feet long, extending between Whitehead Circle and the north right-of-way of the 15-501 Bypass; and retains a blanket utility and drainage easement on the property for use by the Town and/or public utility companies.

This the 25th day of November, 1985.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (85-O-82)

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

SECTION I

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

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Caldwell Street	North	Church Street	Columbia Street

SECTION II

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>
Caldwell Street	South	Church Street	60 feet west of N. Columbia Street

SECTION III

These ordinances shall be effective beginning on Monday, December 9, 1985.

SECTION IV

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

This the 25th day of November, 1985.

A RESOLUTION AUTHORIZING EXECUTION OF EASEMENT TO OWASA FOR SOUTHBRIDGE SEWER LINE (85-R-231)

WHEREAS, a sewer line from Southbridge Subdivision, as approved by the Council of the Town of Chapel Hill, extends across Town property to the outfall line along Morgan Creek; and

WHEREAS, conveyance of an easement to OWASA is necessary in order for OWASA to maintain said line;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that transfer to OWASA of a sewer easement for Southbridge Subdivision is hereby approved and the Town Manager and Town Clerk are hereby authorized to execute the attached easement for and on behalf of the Town.

This the 25th day of November, 1985.

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A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE MANAGER TO REJECT ALL BIDS RECEIVED AND TO HOLD A PUBLIC AUCTION (LINDSAY STREET, TAX MAP 85-E-23) (85-R-232)

BE IT RESOLVED that the Council of the Town of Chapel Hill rejects all bids received for Tax map lot 85-E-23 on Lindsay Street (approximately 21 feet by 98 feet) offered pursuant to the "negotiated offer, advertisement, and upset bids" procedure of G.S. 160A-269, and authorizes the Manager to hold a public auction using the procedures of G.S. 160A-270, with the minimum bid set at \$400 plus the costs of advertising incurred.

BE IT FURTHER RESOLVED that the Council sets the date of the auction for January 6, 1985 at 2:00 p.m. in the Meeting Room of the Municipal Building, 306 N. Columbia Street, with highest bidder making a ten percent bid deposit at the time of the auction, such bid subject to acceptance or rejection of the bid by Council within 30 days of the auction date.

This the 25th day of November, 1985.

A RESOLUTION CERTIFYING THE RESULTS OF THE MUNICIPAL ELECTION
(85-R-233)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the results of the November 5 Municipal Election, as certified by the Orange County Board of Elections in its Certificate of Abstract of Votes dated November 7, 1985 and listed below, are hereby received and accepted.

ABSTRACT OF VOTES

Cast at a General Election held in the TOWN of CHAPEL HILL, ORANGE COUNTY, North Carolina, for MAYOR & TOWN COUNCIL held on Tuesday, November 5, 1985; the places appointed by law for holding election in said C

ELECTION PRECINCT	MAYOR					TOWN COUNCIL											TOTAL
	A.L. FRENCH, JR.	WES BARR	ROBERT C. KENNEDY	DAVID CHARLES BARR	WILLIAM P. BARR	JIM WALLACE	JOHN ARTHUR	JOHN COOPER	DAVID L. GORDON	JOE HENDERSON	KEITH JONES	JOHN MCINTOSH	JOHN L. MORGAN, JR.	DAVID A. PASQUINI	ARTHUR WATSON	WILLIAM STANBORN	
LA PINE	3	46	183	8	0	202	320	85	255	188	101	178	67	209	172	58	
COOK HILLS	3	30	192	6	0	280	396	106	229	152	106	230	77	291	251	66	
COLONIAL KNIGHTS	2	53	167	12	4	175	276	91	215	203	112	123	76	162	144	79	
COUNTRY CLUB	0	17	45	0	0	75	92	29	60	42	27	54	26	93	64	10	
EAST FRATLEY	1	25	126	1	2	91	125	31	142	167	61	60	24	73	63	89	
EASTSIDE	4	31	272	9	5	318	476	157	249	169	144	351	58	353	343	56	
EVANS HILLS	0	23	297	10	3	320	481	202	338	232	157	261	121	325	269	89	
FLORWOOD	0	24	169	7	0	250	312	138	120	106	129	216	106	217	226	41	
HERRWOOD	0	14	72	6	0	137	157	74	110	62	62	100	49	130	95	17	
KINGS HILL	0	7	166	0	2	109	150	41	80	56	35	95	22	92	93	19	
LINCOLN	3	35	89	3	2	85	123	33	67	91	46	70	23	79	72	121	
MARSH PARK	0	26	72	3	0	47	122	25	67	78	35	64	14	54	57	29	
NORTHSIDE	9	71	142	16	3	86	160	75	102	162	126	57	50	67	63	122	
RIDGEFIELD	2	29	267	13	5	201	396	169	271	185	149	283	99	225	226	64	
WEAVER BARRY	2	16	199	5	3	339	429	124	249	152	125	269	73	361	305	53	
WILLOWOOD	2	31	94	4	1	137	187	69	125	128	59	96	50	136	120	31	
WINDYBUSH	0	7	33	2	0	37	47	14	36	42	16	27	8	40	29		
WINDYBUSH	0	0	24	1	0	24	33	19	16	12	13	25	11	21	23		
TOTAL	31	515	2519	106	26	2979	4222	1476	2786	2195	1457	2552	962	2949	2618		

STATE OF NORTH CAROLINA,

ORANGE COUNTY.

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the General Election in the several precincts in this county, held as above stated, we do hereby certify that the above is a true abstract thereof and contains the number of legal ballots cast in each precinct for Mayor & Town Council, the names of each person voted for, and the number of votes given for each as aforesaid.

This 7th day of November, 1985

Barbara E. Lantz
Wayne P. Pate
County Board of Elections

This the 25th day of November, 1985.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL, NORTH CAROLINA (85-0-83) 115

WHEREAS, the Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Chapel Hill Municipal Building, 306 North Columbia Street, Chapel Hill, N. C., 27514, at 7:30 p.m. on the 12th day of November, 1985, after due notice by publication on the 1st and 12th days of November, 1985; and

WHEREAS, the Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

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

SECTION I

By virtue of the authority granted by G.S. 160A-31, as amended, the following described property is hereby annexed and made part of the Town of Chapel Hill as of midnight November 30, 1985.

The areas to be annexed are described as follows:

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 37 deg. 00' East 30.00 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 330.00 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.

SECTION II

Upon and after midnight, November 30, 1985, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Chapel Hill and shall be entitled to the same privileges and benefits as other parts of the Town of Chapel Hill. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION III

The Manager of the Town of Chapel Hill shall cause to be recorded in the office of the Register of Deed of Orange County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section I hereof, together with a duly certified copy of this ordinance.

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SECTION IV

Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Chapel Hill.

This the 25th day of November, 1985.

A RESOLUTION REGARDING A SUPPLEMENTAL AGREEMENT WITH THE N.C. DEPARTMENT OF TRANSPORTATION FOR THE MERRITT MILL ROAD WIDENING PROJECT (85-R-234)

WHEREAS, the North Carolina Department of Transportation and the Town of Chapel Hill propose to make certain street and highway improvements consisting of the construction and improvement of SR 1927 (Merritt Mill Road) from Cameron Avenue to SR 1919 (South Greensboro Street); and

WHEREAS, the Department and the Municipality now wish to amend the agreement to change the limits of the project and the amount the Department will reimburse the Municipality to \$400,000.00.

NOW, THEREFORE, BE IT RESOLVED that Project 9.8070356, Orange County, is hereby formally approved by the Town Council of the Town of Chapel Hill and that the Mayor and Clerk of this Town of Chapel Hill are hereby empowered to sign and execute the required agreement between the Town of Chapel Hill and Department of Transportation.

This the 25th day of November, 1985.

A RESOLUTION CORRECTING THE ORDINANCE AND RESOLUTION NUMBERS FOR NOVEMBER 25, 1985 AGENDA ITEMS (85-R-235)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby amends the ordinance and resolution numbers submitted for November 25, 1985 agenda items as follows:

<u>Agenda Item</u>	<u>Submitted</u>	<u>Amended</u>
#5 Baucom rezone	85-R-203 85-O-71	85-R-219 85-O-75
#6 Brenner rezone	85-R-204 85-O-72	85-R-220 85-O-76
#8 Payments in lieu	85-O-73a, b	85-O-77a, b
#9 NC 54/Prestwick Right-of-Way	85-R-205a, b	85-R-221a, b
#10 Sweeten Creek Road	85-R-206a, b	85-R-222a, b
#12f Merger Study	85-R-207	85-R-223
#13 Transit MOU	85-R-208	85-R-224
#14 Taxi/limo ordinance	85-O-74	85-O-78
#15 Token discounts	85-R-209a, b	85-R-225a, b
#16 Dec. 2 Meeting Time	85-O-75	85-O-79
#17a Rosemary Square delivery agreement	85-R-210	85-R-226
b. Post Office lease amendment	85-R-211	85-R-227
#18a Insurance Costs	85-O-76	85-O-80
b. Growth Management Studies	85-O-77	85-O-81
#19 Consent Agenda	85-R-212	85-R-228
a. Interim report - police & fire audit	85-R-213	85-R-229
b. Whitehead right-of-way	85-R-214	85-R-230
c. Caldwell Street parking	85-O-78	85-O-82

d. Sewer easement	85-R-215	85-R-231
e. Lindsay Street Parcel	85-R-216	85-R-232
f. Election results	85-R-217	85-R-233
g. Annexing Southbridge, Phase II	85-O-79	85-O-83
h. Merritt Mill Road	85-R-218	85-R-234

This the 25th day of November, 1985.

Interim Report on Management Study

Council Member Thorpe asked the Manager when the Council would have input in the recommendations of the management study. Manager Taylor replied that many of the recommendations (14 to 18 of 49 recommendations) involved consideration in the upcoming budget and he expected the Council to be involved with these.

Council Member Thorpe expressed concern about the potential for pressure being placed on individuals to become PSO's and not continue as firefighters, especially in the next year when the Manager was expected to review the matter. He said he believed Council had made it clear that people would not be required to switch over as long as they were on the job.

Mayor Nassif suggested that the Council defer this item until January so that Council could discuss in more detail some of the Manager's recommendations.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO DEFER THE ITEM. THE MOTION PASSED UNANIMOUSLY, (8-0).

Executive Session

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned to executive session at 11:20 p.m.

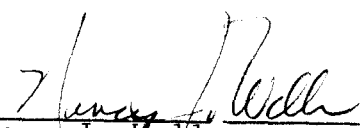
COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO RETURN TO REGULAR SESSION. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting reconvened at 11:40 p.m.

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

The meeting adjourned at 11:43 p.m.

Mayor Joseph L. Nassif



Nancy J. Wells
Town Clerk

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27514-3699

968-2700

Telephone 919. [REDACTED]

I, James C. Wallace, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

James C. Wallace

The above oaths were this day December 2, 1985, subscribed and sworn to before me.

[Signature]

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27514-3699

968-2700
Telephone (919) [REDACTED]

I, Julianne M. Andersen., do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

Julianne M. Andersen

The above oaths were this day December 2, 1985, subscribed
and sworn to before me.

[Signature]

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27514-3699

Telephone (919) 968-2700

I, DAVID R. GODSCHALK, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

D. R. Godschalk

The above oaths were this day December 2, 1985, subscribed and sworn to before me.

Edy Paul

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27514-3699

968-2700
Telephone (919) [REDACTED]

I, David Allan Pasquini, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

David Allan Pasquini

The above oaths were this day December 2, 1985, subscribed and sworn to before me.

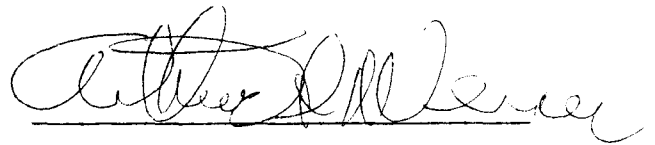
[Signature]

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27514-3699

Telephone (919) 968-2700

I, Arthur S. Werner ., do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.



The above oaths were this day December 2, 1985, subscribed and sworn to before me.



