

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL  
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,  
MONDAY, FEBRUARY 10, 1986, 7:30 P.M.

Mayor James C. Wallace called the meeting to order. Council Members present were:

Julie Andresen  
David Godschalk  
Jonathan Howes  
David Pasquini  
Nancy Preston  
R. D. Smith  
Bill Thorpe  
Arthur Werner

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

Public Hearings on Proposed Development Ordinance Text Amendments

Density Caps

Manager Taylor requested that Agenda memorandum #1a, dated February 10, 1986, "Development Ordinance Text Amendment: Density Caps", the Growth Management Task Force Report of September 1984 and the Traffic Signal System Evaluation of September 1984 be entered into the record of this hearing.

Roger Waldon, Planning Director, noted that the Planning Board's recommendations had been distributed to the Council on February 7. He gave a presentation on the proposal to reduce allowable densities for new residential development. He pointed out that this proposal did not affect single family development and discussed the background of the development of density caps in the Town. Mr. Waldon said the proposal was to reduce the number of dwelling units per acre in each zoning district from Residential-1 with 2 dwelling units per acre to Residential-5,-6, OI-2, and CC with only 12 units per acre. He said the advantages of lowering these density caps are reducing the impacts of new development, especially the traffic impact, and to insure the average density of new development did not exceed the current average densities. Mr. Waldon said the disadvantages of lowering densities would be to increase service costs, increase the cost of land and housing, and to create nonconformities.

Pat Evans, representing the Planning Board, said the Board recommended that the current density caps for R-1 remain the same and that the density caps for R-5, R-6, OI-2, CC be 15 dwelling units per acre because they felt too many nonconforming uses would be created and this could lead to rezoning. She said the Board felt the Council should be aware of the implications of these changes and suggested further study.

Manager Taylor recommended that the Council adopt an ordinance lowering density caps.

Watts Hill, Jr., speaking as an individual and as chair of the Affordable Housing Task Force, spoke against lowering the density caps. He said he felt the Land Use Intensity Ratios were a better means of controlling growth. He commented that by lowering density caps this would increase the cost of land and housing and thereby make it virtually impossible to provide affordable housing to low and moderate income families in Chapel Hill.

Mary Eder, representing the Alliance of Neighborhoods, spoke in support of lowering the density caps. She felt this was a positive step toward quality growth in Chapel Hill. (For copy of text, see Clerk's Files)

170.  
Dusty Penta, speaking as a resident, spoke in support of reducing density caps, Land Use Intensity ratings, and height limits feeling these reductions would help with the negative visual impact and traffic problems associated with current levels of development. (For a copy of text, see Clerk's Files)

Mimi Cross, representing the Estes Hills Elementary and Phillips Junior High School PTA's, spoke in support of the proposed changes in the Development Ordinance feeling these changes would help reduce the traffic impact of future development. (For a copy of text, see Clerk's Files)

Phil Szostak, representing the Chapel Hill Designer's Council, agreed with Mr. Hill's comments that lowering density caps would increase the cost of land per dwelling unit and therefore, of housing. He said the group agreed with the Planning Board's recommendation to keep R-1 with a 3 dwelling unit per acre density cap. He commented that reducing density caps did not guarantee a reduction in the number of homes built or in the number of vehicles on the roads. Mr. Szostak said the Design Council felt an impact study of these proposed changes would be in order and offered to match Town funds to conduct such a study.

Burnelle Powell, speaking as a resident, said the Council needed to review the Development Ordinance in an attempt to clarify that developments, especially condominium developments, would be built for single family or multifamily habitation. He said it needed to be clear to potential homeowners that the condominium development would be inhabited by single families only, single and multifamily groups, or multifamily groups.

Len Van Ness, representing the Chapel Hill-Carrboro Chamber of Commerce, said that lowering density caps could increase the cost of land per housing unit and thereby increase the number of families residing in a single unit. He said he felt the Council needed to study this issue further.

Sam Longiotti, speaking as a citizen, commented that 58% of the population of Chapel Hill resides in rental units and that Chapel Hill has a transient community and that the Council should consider these issues when contemplating changing the Development Ordinance.

Henry Whitfield, speaking as a resident, suggested a task force be established made up of the Council and citizens who are part of the development community to study the growth issue and the future of development in Chapel Hill. He commented that the size of a lot or number of dwelling units per acre did not designate the "quality of life" in Chapel Hill, rather this "quality" was derived from the individuals who inhabit the dwelling units.

Don Francisco, speaking as resident, said he was concerned with the lack of flexibility built into the proposed changes to the Development Ordinance. He said the Council could allow for the flexibility to have higher densities, etc. through the special use process. He agreed that reducing densities did not guarantee a reduction in the number of people or vehicles on the roads.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER SMITH TO REFER TO THE MANAGER AND ATTORNEY. THE MOTION PASSED UNANIMOUSLY, (9-0).

#### Land Use Intensity Ratios

Manager Taylor requested that Agenda memorandum #1b, dated February 10, 1986, "Development Ordinance Text - Land Use Intensity Ratios" Growth Management Task Force Report of September 1984, and Traffic Signal System Evaluation of September 1984 be entered into the record of this hearing.

Roger Waldon, Planning Director, gave a presentation on the proposed reduction in the Land Use Intensity (LUI) ratios in all districts except Town Center and Office/Institutional-3. He briefly discussed the background of the LUI system and reiterated that the proposed changes did not affect single family development. He gave examples of how reductions in the LUI ratios would affect development. Mr. Waldon said the advantages of reducing the LUI ratios were that the reduction would answer the sentiment that the current LUI ratios were too high and encouraged intense development and that the reduction would encourage development in the Town Center zone. He said the disadvantages were the fiscal impact on provision of public services and the creation of nonconformities.

Pat Evans, representing the Planning Board, said the Board felt that if the density caps were reduced then the LUI ratios should correspond. 171

Manager Taylor recommended the Council adopt an ordinance reducing the LUI ratios.

Jim Haar, representing the Chapel Hill Alliance of Neighborhoods, spoke in support of reducing the LUI ratios especially in non-residential development. (For a copy of text, see Clerk's Files)

Burnelle Powell, speaking as a resident, reiterated his desire to see the Development Ordinance address the problem of condominium development and the number of families in each dwelling unit.

Phil Szostak, representing the Designer's Council, spoke against the proposed LUI ratio changes due to its potential adverse affect on affordable housing in Chapel Hill by increasing the cost of land per unit.

Griffin Graves, speaking as a resident, said he was not sure that lowering LUI ratios and density caps would accomplish the goal of improving the quality of life in Chapel Hill.

Watts Hill, Jr. commented that these proposals did not address the University land because the Town was aware that the University could essentially build on their land what they desired regardless of the Town's Development Ordinance. He said that development on the University campus was a harbinger of what the future would hold and the Council needed to be aware of this. He said he was not against reducing the LUI ratios but that the Council needed to be aware of the implications, especially the increased land costs, of reducing these ratios.

Carol Ann Zinn, representing the Growth Management Committee of the Chamber of Commerce, said the Committee felt the Town needed to encourage a local economy characterized by varied scale and types of activities and therefore a variety of development types. She said the Committee felt the height limits and LUI ratios for OI-1 and 2 should be left intact to discourage sprawling office buildings and to avoid the loss of new office development in Chapel Hill. (For copy of text, see Clerk's Files)

Mary Pender, representing residents of Burlage Circle and Estes Drive, spoke in favor of the proposed development changes.

Don Francisco, speaking as a citizen, reiterated his desire for flexibility in the proposals. He cautioned the Council that office development would move outside of Chapel Hill if the current proposals were adopted. He said there should be areas like Eastowne Park where office development should be encouraged.

Henry Whitfield, speaking as a resident, spoke in favor of further study of the proposed development changes.

Ron Strom, speaking as a resident, said reductions in the LUI ratios with regard to OI zoning would require increases in land costs and rental costs to businesses. He suggested that the changes might indicate that the Council was not in favor of any office development within the Town.

Council Member Smith questioned whether or not the goal of affordable housing was realistic with the proposed changes in the Development Ordinance. He said he was committed to encouraging the development of affordable housing (in the \$40-60,000 range) for low to moderate income families.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER WERNER TO REFER TO THE MANAGER AND ATTORNEY. THE MOTION PASSED UNANIMOUSLY, (9-0).

#### Height Limits

Manager Taylor requested that Agenda memorandum #1c, dated February 10, 1986, "Development Ordinance Text Amendment - Height Limits", Growth Management Task Force Report of September 1984, and Traffic Signal System Evaluation of September 1984 be entered into the record of this hearing.

172  
Roger Waldon, Planning Director, gave a presentation on the proposal to reduce secondary height limits to 40 feet in all but the TC and OI-3 zoning districts. He gave examples of developments at the current height limits and said that the proposal of 40' maximum secondary height would mean that buildings could not be taller than 3-stories. He said the advantages of the proposal was it adhered to the desirability of small, human, scale; reduced intensity by reducing the height envelope; and would complement the other proposed changes. The disadvantages were there would be less design flexibility; fewer sloped roof lines; could result in more disturbed area on a site and a larger "building footprint"; and would create nonconformities. Mr. Waldon said the staff did recommend having the height limit apply to the top of inhabited space only, with an allowance of 10 feet or so additional to allow for sloped roofs, parapets for mechanical equipment, etc.

Council Member Thorpe asked how this proposal would affect developments that were built on a slope. Roger Waldon replied that the staff and developer would use the average grade of the slope to determine the point from which the height limit would apply.

Pat Evans, representing the Planning Board, said the Board realized this was a stop gap measure and that consideration should be given to visual impact, sunlight, etc.

Manager Taylor recommended the Council adopt an ordinance reducing the secondary height limits.

Ruth Thomas, representing the Alliance of Neighborhoods, spoke in support of reducing the height limits. She said the proposed changes would place building heights at the limits they were prior to the adoption of the Development Ordinance and reduce the traffic impact.

Bill O'Brien, speaking as a resident, spoke against lowering the height limits because he felt it would encourage a certain monotony in building design and create severe restrictions on designers. He said there would be less impact on the ground with allowing taller buildings. He reiterated that the design community was willing to help pay and provide assistance for a study on the implications of the proposed changes.

Phil Szostak, representing the Chapel Hill Designers Council, agreed with the staff recommendation of measuring height within the habitable space. He recommended that building height requirements coincide with the those used in the North Carolina Building codes. He said the Council needed to allow for flexibility in design.

Len Van Ness asked that the comments in the statement from the Chamber of Commerce's Growth Management Committee be entered into the record. (For a copy of comments, see Clerk's Files)

Mary Scroggs, speaking as a citizen, expressed concern that there was not affordable housing in Chapel Hill and wondered how the proposed changes would affect this situation. She said she would prefer to have taller buildings than buildings that sprawled over the landscape.

Watts Hill, Jr. spoke in favor of allowing flexibility in design.

Robert Joesting, speaking as a resident, said he was concerned that the proposals would outlaw variety in Chapel Hill. He said the Town needed a variety of heights and a variety of uses. He suggested adding zoning districts to allow for this variety and then select the areas of the Town where these zones would fit.

Whit Morrow, speaking as a citizen, spoke in favor of diversity in areas where it would fit in. He urged the Council to be careful of encouraging sprawling commercial development.

Don Francisco agreed with Mr. Morrow that the Town needed flexibility.

Ron Strom commented that these proposals would affect those areas under consideration for annexation and wondered if there were not some duplication of efforts. He wondered if the requirement of a 100' buffer along I-40 would not accomplish the same thing as the height limits. He questioned if the Town wanted to completely hide all development from the streets.

Jon Condoret, speaking as a resident, hoped the Council would keep creativity alive in Chapel Hill and said that height was not always a bad thing.

Council Member Godschalk asked the number of times the bonuses for density levels in the Development Ordinance for developing moderate income housing had been used. Mr. Waldon replied that the program was set up for use with Federal funds and for rental units only. Council Member Godschalk suggested that this ought to be changed.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH TO REFER TO THE MANAGE AND ATTORNEY. THE MOTION PASSED UNANIMOUSLY, (9-0).

Mayor Wallace suggested that the Council recess the meeting at 11:00 p.m. and reconvene at 7:00 p.m. on February 17, 1986 to discuss the items still remaining on the agenda. The Council agreed to the Mayor's suggestion.

Council Member Howes asked that Agenda item #8 be moved up on the agenda to be discussed this night.

#### Petitions

Fran Weaver, speaking for the residents of Coker Hills, petitioned the Council to install stop signs at the intersections of Elliott Road and Velma, Michaux, and Audubon Roads. She urged the Council to grant this request in the hope that this will discourage speeding on Elliott Road. (For copy of statement and petition, see Clerk's Files)

Council Member Werner and Mayor Wallace spoke in support of the petition.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER SMITH TO REFER TO THE MANAGER. THE MOTION PASSED UNANIMOUSLY, (9-0).

#### Minutes

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT THE MINUTES OF JANUARY 13, 1986 AS AMENDED. THE MOTION PASSED UNANIMOUSLY, (9-0).

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT THE MINUTES OF JANUARY 21, 1986 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (9-0).

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT THE MINUTES OF JANUARY 27, 1986 AS AMENDED. THE MOTION PASSED UNANIMOUSLY, (9-0).

#### Nonconforming Sign Abatement Program

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT ORDINANCE 86-2-10/O-1.

Council Member Thorpe asked if the staff knew how many signs were nonconforming. Manager Taylor said the staff had an estimate but not an exact count.

THE MOTION PASSED UNANIMOUSLY, (9-0).

The ordinance, as adopted, reads as follows:

**AN ORDINANCE AMENDING THE CHAPEL HILL DEVELOPMENT ORDINANCE (86- 2-10/0-1)**

WHEREAS, the Town Council adopted changes to its sign regulations on October 14, 1985; and

WHEREAS; a preliminary review indicates that many existing signs are presently nonconforming;

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

**SECTION I**

DELETE the phrase "sign area and number" from the ninth line of Subsection 14.4.1, Definition.

**SECTION II**

DELETE the phrase "sign spacing and clearance" from the seventeenth line of Subsection 14.4.1, Definition.

**SECTION III**

DELETE the first paragraph of Subsection 14.4.3, Discontinuance.

**SECTION IV**

AMEND Subsections 14.3.3 and 14.4.3, Discontinuance, to change references to "Section 14.6" to "Section 14.7."

**SECTION V**

INSERT a new Section 14.5 to read as follows:

**14.5        Nonconforming Signs**

**14.5.1     Definition**

A nonconforming sign is a sign that was lawfully established prior to the effective date of this chapter or a subsequent amendment thereto, but does not conform to the Design Standards of Article 6 applicable to such sign.

**14.5.2     Regulations**

Nonconforming signs may be continued subject to the following limitations:

- a) No nonconforming sign, including its permanent message or its structure, shall be extended, enlarged, moved or otherwise altered unless such sign is made to conform to the current regulations of this chapter.
- b) When a nonconforming sign is demolished or damaged to the extent where more than fifth percent (50%) of its display area requires replacement, such sign shall be eliminated or made to conform to the current regulations of this chapter.
- c) When the repair, maintenance, or replacement cost of a nonconforming sign exceeds five hundred dollars (\$500), such sign shall be eliminated or made to conform to the current regulations of this chapter.

### 14.5.3 Amortization of Nonconforming Signs

Any nonconforming sign shall be either eliminated or made to conform to current regulations of this chapter in accord with the following schedule:

- a) Any nonconforming sign that does not conform to the requirements of Subsection 6.13.5, Traffic Safety Precautions, shall be either eliminated or made to conform to the current regulations of this chapter within ninety (90) days after the date of the notice of nonconformity required in Section 14.7.
- b) Any nonconforming sign that is exempt from regulation under Subsection 16.3.4, but that does not conform to the temporary sign limitations in Subsection 6.13.4(f)-(k), shall be either eliminated or made to conform to the current regulations of this chapter within ninety (90) days after the date of the notice of nonconformity required in Section 14.7.
- c) Any nonconforming sign other than those to which a) or b) above applies shall be either eliminated or made to conform to the current regulations of this chapter within three (3) years after the date of the notice of nonconformity required in Section 14.7.

### SECTION VI

RENUMBER Sections 14.5, Repairs and Maintenance, and 14.6, Nonconformity Survey and Notice, as Sections 14.6 and 14.7, respectively.

### SECTION VII

ADD the following sentences to the end of the first paragraph of Subsection 6.13.6, General Limitations:

When the use or establishment to which a sign is related ceases or is vacated, such sign, including all of its attendant supports, frames, and hardware, shall be removed within four (4) months of the cessation or vacating of the use or establishment unless such sign is used by a new use or establishment on the premises in conformance with all current regulations of this chapter.

### SECTION VIII

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

This the 10th day of February, 1986.

### NCNB Application for Modification of Special Use Permit

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO ADOPT RESOLUTION 86-2-10/R-2C.

Council Member Werner questioned what would happen if there was a conflict between the Police Department review and the Appearance Commission's review of the buffers. Mr. Waldon replied that the Police Department would review the buffer scheme and make a recommendation to the Appearance Commission who would make the final decision.

Council Member Godschalk questioned the use of alternative buffers. Mr. Waldon replied that the use of alternative buffers was something the Appearance Commission could grant and that they determine the equivalency of the alternative buffer to the original buffer requirement.

176  
Council Member Smith suggested the Council have a work session to discuss the buffer requirements and uses.

THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

**RESOLUTION APPROVING AN APPLICATION FOR A MODIFICATION OF A SPECIAL USE PERMIT FOR NORTH CAROLINA NATIONAL BANK ( 86-2-10/R-2c)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that the proposed addition to NCNB located at 851 Willow Drive on property identified as Chapel Hill Township Tax Map 47, Block A, Lot 12E, if developed according to the site plan dated June 29, 1985, and the conditions listed below, would comply with the provisions of the Development Ordinance.

1. That construction begin by February 10, 1987, and be completed by February 10, 1988.
2. That the detailed building elevations and landscape plans to be approved by the Appearance Commission be approved before issuance of a Zoning Compliance Permit (instead of before issuance of a Certificate of Occupancy), and that the detailed landscape plan include a maintenance plan and be submitted to the Police Department for its review and recommendation before Appearance Commission action.
3. That buffers meeting Town standards be provided. Any alternate buffers proposed must be reviewed and approved by the Appearance Commission before issuance of a Zoning Compliance Permit.
4. That the continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
5. That if any of the above conditions are held invalid, this approval shall be void.

BE IT FURTHER RESOLVED that the Council hereby approves the application for modification of the Special Use Permit for North Carolina National Bank in accord with plans and conditions listed above.

This the 10th day of February, 1986.

Human Services Needs Report

Al Mebane, Chair of the Human Services Advisory Board, gave a brief presentation on the needs identified by the Board that should be addressed by the Town of Chapel Hill. He said these needs ranged from housing, both home ownership and rental, to preventive services for at-risk youth, to affordable day care, to information and referral services. He commended the work being done by the Affordable Housing Task Force and thanked the Council for providing a staff member to help with the information and referral services.

Council Member Werner questioned whether or not it was the Town's responsibility to provide services that encouraged family oriented recreational activities.

Council Member Smith suggested this program be geared toward the parents and their responsibility to their children.

Council Member Howes commended the Board for the report and felt the concerns addressed in the memorandum needed more attention from the Council and citizens of Chapel Hill.



Consent Agenda

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT RESOLUTION 86-2-10/R-8. THE MOTION PASSED UNANIMOUSLY, (9-0).

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

A RESOLUTION APPROVING VARIOUS ORDINANCES AND RESOLUTIONS (86-2-10/R-8)

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. Bids for Street Sweeper. (R-9)
- b. Bids for Landfill Compactor. (R-10)
- c. Budget Amendment and Project Ordinance - Transportation Grant Funds. (O-4 and O-5)
- d. No Through Trucks on Elliott, Curtis and Caswell Road. (O-6)
- e. Interlocal Risk Management Agreement Amendments. (R-11)

This the 10th day of February, 1986.

A RESOLUTION ACCEPTING BIDS FOR ONE (1) CAB AND CHASSIS EQUIPPED WITH A VACUUM SWEEPER BODY (86-2-10/R-9)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in The Chapel Hill Newspaper on January 12, 1986 in accordance with G.S. 143-129 for one (1) Cab and Chassis equipped with a Vacuum Sweeper Body; and

WHEREAS, the following bids have been received and opened on January 28, 1986:

<u>Item</u>	<u>Cavalier Equip. Corp. Richmond, Va.</u>	<u>Jet-Vac Sanitary Service Sumter, S.C.</u>	<u>North Carolina Equipment Company Greensboro, N.C.</u>	<u>North State Ford Truck Sales, Inc. Raleigh, N.C.</u>
Cab and Chassis	\$34,215	\$33,587	\$34,975	\$34,273.56
Vacuum Sweeper	46,350	68,540	59,945	64,121.05
Installation	Included with Vacuum Cost	900	4,100	4,315.80
Subtotal	\$80,565	\$103,027	\$99,020	\$102,710.41
Power Boom	\$ 600	\$ 1,150	\$ 2,600	\$ 2,836.85
Swivel Joint	250	Included with Boom	475	521.05

178

Rear Engine Throttle	150	150	215	247.35
Safety Buzzer	75	200	220	236.85
Intake Hose	300	1,200	2,050	2,263.15
Catch Basin Tube	150	160	275	289.50
Total With All Options	\$82,090	\$105,887	\$104,855	\$109,105.16

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town rejects the bid of Cavalier Equipment Corporation for one (1) Cab and Chassis equippped with a Vacuum Sweeper Body, including options, as non-responsive; and accepts the bid of North Carolina Equipment Company (including all optional items) in the amount of \$104,855, in response to the Town's request for bids published January 12, 1986 and opened on January 28, 1986 in accordance with G.S. 143-129.

This the 10th day of February, 1986.

A RESOLUTION ACCEPTING BID FOR ONE (1) DIESEL POWERED LANDFILL COMPACTOR (86-2-10/R-10 )

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in The Chapel Hill Newspaper on January 8, 1986 in accordance with G.S. 143-129 for one (1) Diesel Powered Landfill Compactor; and

WHEREAS, the following bids have been received and opened on January 23, 1986;

<u>Item</u>	<u>Bemiss Equip. Corp. Richmond, Va.</u>	<u>E. F. Craven Co. Greensboro N.C.</u>	<u>A. E. Finley &amp; Assoc. Raleigh, N.C.</u>	<u>Gregory Poole Equip. Raleigh, N.C.</u>
Base Bid		\$163,815.47		\$171,019.00
(Less Trade-In)	No Bid	(\$35,166.47)	No Bid	(\$10,000.00)
Net Cost		\$128,649.00		\$161,019.00
Alternate Bid (without Trade-in)	\$217,850.00	\$159,596.91	\$117,985.00	\$171,019.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town rejects the low alternate bid by A. E. Finley & Associates for one (1) Diesel Powered Landfill Compactor as non-responsive, and accepts the base bid with trade-in of E. F. Craven Company in the amount of \$128,649.00, in response to the Town's Request for Bid published January 8, 1986 and opened on January 23, 1986 in accordance with G.S. 143-129.

This the 10th day of February, 1986.

AN ORDINANCE TO ADOPT A GRANT PROJECT ORDINANCE FOR TRANSIT PROJECT (86-2-10/O- 4 )

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

179

SECTION I

The project authorized is a Transit Capital and Planning Grant from FY 1983 federal funds, more specifically known as Urban Mass Transportation Administration Grant NC-90-0031, awarded under the Urban Mass Transportation Act of 1964, as amended. The project provides funds for transit capital purchases and planning activities.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with the implementation of the project within the terms of the grant agreement executed with the Urban Mass Transportation Administration and the North Carolina Department of Transportation and within the funds appropriated herein.

SECTION III

The following revenue is anticipated to be available to the Town to complete activities as outlined in the project application.

Urban Mass Transportation Administration Grant	\$160,332
North Carolina Department of Transportation Grant	20,041
Town of Chapel Hill (local match)	<u>20,042</u>
 TOTAL	 <u>\$200,415</u>

SECTION IV

The following amounts are appropriated for the project.

Transit Planning	\$ 39,040
Capital Equipment	146,690
Contingency	<u>14,685</u>
 TOTAL	 <u>\$200,415</u>

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Report. He shall also keep the Council informed of any unusual occurrences.

SECTION VI

Copies of this project ordinance shall be entered into the Minutes of the Council and copies shall be filed within 5 days of adoption with the Manager, Finance Director and Clerk.

This the 10th day of February, 1986.

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1986 (86-2-10/O- 5 )

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>
GENERAL FUND				
Transit Planning 84-85	23,114		23,114	0
TRANSPORTATION FUND				
Transit Planning 84-85	15,930		15,930	0
Contribution to 71 Fund	0	2,205		2,205
TRANSIT CAPITAL GRANT FUND	13,051	50,955		64,006
<u>REVENUES</u>				
GENERAL FUND				
Planning Grant	20,830		20,830	0
Fund Balance	875,641		2,284	873,357
TRANSPORTATION FUND				
Planning Grant	13,725		13,725	0
TRANSIT CAPITAL GRANT FUND				
Capital Grants	0	57,605		57,605
Fund Balance	13,501		6,650	6,851

This the 10th day of February, 1986.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES  
(86-2-10/O- 6 )

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

SECTION I

That Section 21-6 of the Town Code of Ordinances, "Trucks" is amended by inserting the following therein:

"It shall be unlawful to operate a truck on Caswell, Curtis and Elliott Road from Estes Drive to Franklin Street except load service vehicles and delivery trucks making deliveries and/or pick-ups to houses in the area; it being the intent of the subsection to close a portion of said public street to through trucks"

SECTION II

This ordinance shall be effective beginning on Tuesday, February 11, 1986.

SECTION III

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

This the 10th day of February, 1986.

A RESOLUTION REGARDING BY-LAWS CHANGES FOR THE N.C. INTERLOCAL RISK MANAGEMENT AGENCY (86-2-10/R-11)

BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF CHAPEL HILL that the Council hereby approves the two proposed amendments distributed by the N.C. League of Municipalities on January 22, 1986.

This the 10th day of February, 1986.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WERNER TO RECESS THE MEETING UNTIL 7:00 P.M. ON FEBRUARY 17, 1986. THE MOTION PASSED UNANIMOUSLY, (9-0).

The meeting recessed at 11:10 p.m.

Mayor James C. Wallace

Harvey J. Wall  
Town Clerk

