

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL  
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,  
MONDAY, AUGUST 25, 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 Managers Sonna Loewenthal and Ron Secrist, and Town Attorney Ralph Karpinos.

Certificate of Appointments

Mayor Wallace welcomed and presented Certificates of Appointments to those citizens recently appointed to serve on Council's advisory boards and commissions. Those present were:

Robert Joesting - Board of Adjustment  
Rebecca Clark - Community Appearance Commission  
Cassandra Sloop - Community Appearance Commission  
Anne Loeb - Greenways Commission  
Ken Broun - Library Board of Trustees  
James Laslie - Orange Water and Sewer Authority  
Caroline Lindsay - Parks and Recreation Commission  
Hershel Slater - Parks and Recreation Commission  
Berry Credle - Planning Board  
Pat Evans - Planning Board  
Lawrence Lanset - Transportation Board

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

Charles House - Board of Adjustment  
John Mason - Board of Adjustment  
Dana Staats - Community Appearance Commission  
Dorothy Talbot - Greenways Commission  
John Gulick - Historic District Commission  
William Massengale - Historic District Commission  
Richard Courtright - Human Services Advisory Board  
Al Mebane - Human Services Advisory Board  
Fredrick Lee - Library Board of Trustees  
Harold Langenderfer - Orange Water and Sewer Authority  
Robert Peck - Orange Water and Sewer Authority  
James Peace - Personnel Appeals Committee  
Shann Tracey - Personnel Appeals Committee

Public Hearing on Paving Portion of Kingston Drive

Manager Taylor said the Town had received petitions from residents along Kingston Drive, Riggsbee Road, and Piney Mountain Road to pave certain portions of these roads contiguous to the streets to be paved in the Partin Hills paving project. These portions of the roads were not included in the original paving petitions received by the Town last year, and were therefore not included in the current paving contract for the Partin Hills area.

Manager Taylor recommended that at the conclusion of each of the hearings, the Council take action and adopt the assessment resolution for paving.

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There were no citizen comments.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 86-8-25/R-0.1.

Council Member Werner commented that he did not think stipulations #5&6 were necessary in any of the assessment resolutions. The Council agreed to delete them.

THE MOTION, AS AMENDED, PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION ADOPTING AN ASSESSMENT RESOLUTION FOR PAVING OF A PORTION OF KINGSTON DRIVE (86-8-25/R-0.1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to undertake the paving of a portion of Kingston Drive with related improvements including storm drainage, but not including curb and gutter, as described in the preliminary resolution adopted by Council on June 23, 1986.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that pursuant to Article 10 of Chapter 160A of the North Carolina General Statutes:

1. Special assessments shall be levied, after completion and determination of actual, final cost of the improvements, on the basis of frontage abutting the project, at an equal rate per foot of frontage.
2. Fifty percent of actual, final costs of the project, including those of construction (excluding intersections), legal services, interest charges, right-of-way acquisition, and publication expenses, shall be assessed from the owners of property abutting the project.
3. An owner of property abutting the project may pay an assessment (a) in one cash payment for the entire amount of the assessment, without interest, within 30 days after publication of a notice of confirmation of the assessment roll, or (b) in not more than 10 annual installments, with interest at an annual rate of 6%, the first of which shall be due and payable concurrently with property taxes, and subsequent annual installments shall be due and payable on the same date in each successive year until the assessment is paid in full.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that Resolution 86-6-23/R-6 is herewith rescinded.

This the 25th day of August, 1986.

Public Hearing on Paving Portions of Riggsbee Road

There were no citizen comments.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 86-8-25/R-0.2 AS AMENDED. THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION ADOPTING AN ASSESSMENT RESOLUTION FOR PAVING OF A PORTION OF RIGGSBEE ROAD (86-8-25/R-0.2)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to undertake the paving of a portion of Riggsbee Road with related improvements including

storm drainage, but not including curb and gutter, as described in the preliminary resolution adopted by Council on June 23, 1986.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that pursuant to Article 10 of Chapter 160A of the North Carolina General Statutes:

1. Special assessments shall be levied, after completion and determination of actual, final cost of the improvements, on the basis of frontage abutting the project, at an equal rate per foot of frontage.
2. Fifty percent of actual, final costs of the project, including those of construction (excluding intersections), legal services, interest charges, right-of-way acquisition, and publication expenses, shall be assessed from the owners of property abutting the project.
3. An owner of property abutting the project may pay an assessment (a) in one cash payment for the entire amount of the assessment, without interest, within 30 days after publication of a notice of confirmation of the assessment roll, or (b) in not more than 10 annual installments, with interest at an annual rate of 6%, the first of which shall be due and payable concurrently with property taxes, and subsequent annual installments shall be due and payable on the same date in each successive year until the assessment is paid in full.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that Resolution 86-6-23/R-4 is herewith rescinded.

This the 25th day of August, 1986.

Public Hearing on Paving Portions of Piney Mountain Road

There were no citizen comments.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT RESOLUTION 86-8-25/R-0.3 AS AMENDED. THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION ADOPTING AN ASSESSMENT RESOLUTION FOR PAVING OF A PORTION OF PINEY MOUNTAIN ROAD (86-8-25/R-0.3)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to undertake the paving of a portion of Piney Mountain Road with related improvements including curb and gutter, storm drainage, and other improvements as described in the preliminary resolution adopted by Council on June 23, 1986.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that pursuant to Article 10 of Chapter 160A of the North Carolina General Statutes:

1. Special assessments shall be levied, after completion and determination of actual, final cost of the improvements, on the basis of frontage abutting the project, at an equal rate per foot of frontage.
2. Fifty percent of actual, final costs of the project, including those of construction (excluding intersections), legal services, interest charges, right-of-way acquisition, and publication expenses, shall be assessed from the owners of property abutting the project.

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3. An owner of property abutting the project may pay an assessment (a) in one cash payment for the entire amount of the assessment, without interest, within 30 days after publication of a notice of confirmation of the assessment roll, or (b) in not more than 10 annual installments, with interest at an annual rate of 6%, the first of which shall be due and payable concurrently with property taxes, and subsequent annual installments shall be due and payable on the same date in each successive year until the assessment is paid in full.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that Resolution 86-6-23/R-4.1 is herewith rescinded.

This is the 25th day of August, 1986.

#### Petitions

Manager Taylor stated that Mr. Oppold had called his office that afternoon and requested that the Council defer hearing the petition from the Coventry Homeowner's Association until the next regular meeting. The Council agreed.

Gerald Unks, representing the majority of property owners on Maple Drive, petitioned the Council to adopt resolution 86-8-25/R-15, to receive the paving petition from the residents of Maple Drive. (For copy of statement, see Clerk's files.)

Cassandra Sloop, speaking as Chair of the Community Appearance Commission, presented the Council with the "Sign Guidelines" booklet for Chapel Hill. (For copy of booklet, see Clerk's files.)

Margaret Holton, representing the League of Women Voter's, petitioned the Council to remain firm in their stand against expansion into the University Lake Watershed. She commended the Council for their statement of support made on July 14th and urged the Council to continue to work with Orange County and Carrboro to ensure the protection of the University Lake Watershed.

Manager Taylor petitioned to have agenda item #16 moved to the consent agenda, where it would become item #13k. The Council agreed.

Barbara Bolt, speaking as a representative of the Lake Forest Homeowners' Association, asked to speak to item #7, calling a public hearing regarding establishing a new low-density residential zone.

#### Minutes

Council Members Andresen and Godschalk commented that there were typographical errors on page 5 of the Minutes.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT THE MINUTES OF JULY 7, 1986 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (9-0).

Council Member Godschalk commented that the term "site" on page 52 of the Minutes should be "sight" in all instances.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT THE MINUTES OF JULY 14, 1986 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (9-0).

#### Land Use Plan Narrative Changes

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT RESOLUTION 86-8-25/R-1.

Council Member Werner asked for clarification of the entranceway described in the proposed narrative. Roger Waldon, Planning Director, said it applied to that area from the 15-501 By-Pass to the Chatham County line.

Council Member Thorpe commented that this change was the result of concern expressed during the adoption of the Land Use Plan for the Star Point Area and the need for redevelopment of that area.

THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AMENDING THE NARRATIVE ACCOMPANYING THE LAND USE PLAN MAP ADOPTED ON 7/14/86 (86-8-25/R-1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the narrative description of the Chapel Hill Land Use Plan be amended as follows:

ADD the following sentences to the end of the first paragraph on page 8 of the narrative:

"The Town of Chapel Hill wants to encourage development and redevelopment of the existing Star Point area in a manner that will enhance this key entranceway: attention to appropriate uses, landscaping, and signage will be critical. Development/redevelopment proposals in this vicinity will be reviewed in this context."

Such that the paragraph, in its entirety, will read as follows:

"We consider this area to be a significant opportunity to preserve a major entranceway from the south. A prominent visual landscape worthy of protection is a pasture off the N.C. 54 Bypass. The plan shows this area as open space, and notes the entranceway as extending to a neighborhood commercial area at the Chatham County line.

The Town of Chapel Hill wants to encourage development and redevelopment of the Star Point area in a manner that will enhance this key entranceway: attention to appropriate uses, landscaping, traffic flow and signage will be critical. Development/redevelopment proposals in this corridor will reviewed in this context."

This the 25th day of August, 1986

#### Wilco Service Station

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT RESOLUTION 86-8-25/R-2. THE MOTION CARRIED, (8-1), WITH COUNCIL MEMBER PASQUINI VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING MODIFICATION OF UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT FOR WILCO FOOD MART (86-8-25/R-2)

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 August 25, 1987 and be completed by August 25, 1988.
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 or that the Applicant provide the Town, prior to issuance of a Zoning Compliance Permit the amount of \$7240 for said improvements to be used for said improvements when needed.
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 A buffer be provided along the site's frontage on Airport Road except that the width of the buffer may be 10 feet with the number of trees required in the Type A buffer increased by a factor of 1.2 in accordance with the Town Design Manual.
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 standard 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 2765 square feet in size and that the building facade include one solarium 5 feet by 25 feet.

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 applciation 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 finds, with a Type A buffer as herein approved, that pursuant to Section 8.7.1 of the Development Ordinance the modification of the Special Use Permit does not increase the extent to which the project is nonconforming as to the applicable buffer regulations.

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.

BE IT FURTHER RESOLVED that issuance of this permit in accordance with these plans and conditions is contingent upon the dismissal of the appeals entered in A. T. Williams Oil C. v Town of Chapel Hill 86 CVS 43 (Orange County).

This, the 25th day of August, 1986

Calling a Public Hearing Re Establishing New Low-Density Residential Zone

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 86-8-25/R-3.

Barbara Bolt, representing the Lake Forest Homeowner's Association's Board of Directors, commended the staff for their work in preparing this item. She urged the Council to adopt the resolution calling a public hearing.

Council Member Werner asked if the staff had reviewed this item in regard to how it would affect all neighborhoods in Chapel Hill. Roger Waldon replied that the staff had not reviewed its affect on all neighborhoods and stated that this request for a public hearing was the result of a petition from the Lake Forest Homeowners in relation to future expiration of certain covenants on property in the area. Council Member Werner expressed concern saying that since the Town planned to review all the zoning within Chapel Hill, he felt there was a need to review how a proposed new residential zone would affect all neighborhoods.

Council Member Godschalk stated he did not think this procedure was the correct way to consider rezoning. He expressed concern about the number of non-conforming lots such an action would create. Mr. Godschalk commented that the Council needed to look at the problem more comprehensively.

Council Member Thorpe commented that this resolution would just call a public hearing but he agreed that the Council needed to be more comprehensive in its review of potential zoning changes.

Council Member Andresen suggested that other neighborhood groups could come forward at the public hearing to express their concerns and what impact it may have upon their properties. She said if the Council chose not to call for a public hearing at this time there still needed to be some positive action on the part of the Council with regard to this issue.

Council Member Werner said he did not think the staff could have all the pertinent information available in time for the proposed

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hearing date. He asked the staff for their input. Roger Waldon replied that the staff was planning in a couple of months to ask the Council specific questions on the zoning atlas in Chapel Hill.

Council Member Pasquini pointed out that the resolution proposed to call a public hearing to discuss the possibility of creating a new zoning district, not the possibility of changing current zones.

Mayor Wallace commented that holding a public hearing would not mandate Council action.

Council Member Preston spoke in support of the motion saying she felt it would be beneficial to hear citizen comments.

Manager Taylor said a public hearing would provide information on the whether the Town should provide a new (large residential lots) zoning classification. He said a public hearing may get citizens talking about the concept of rezoning. If, then, the Council decided a new classification was needed, then it could rezone areas as the need arose.

Council Member Smith also expressed concern that the proposed new residential zone would create non-conforming lots and that those people whose property would be affected needed to be made aware of the public hearing and the potential impact it would have on their property. Manager Taylor replied that the first step would be to hold a public hearing to see if a new zone were warranted.

Council Member Smith also stated that the Lake Forest residents needed to realize that if the public hearing were held it would be for all residential lots in Chapel Hill and not just in their area.

Council Member Godschalk said he did not think the Council could depend on citizens to come forward and express their concerns at this time. He said the citizens would tend to express concern when the proposal affected them directly. He reiterated that he did not think this was the proper way to create a new zone whereby it in effect rezoned already developed property. He said he felt more staff work was needed on this issue.

Council Member Howes said he agreed with the need for a proposed new zone, but felt there was some confusion on the issue since it came about in response to a petition from the Lake Forest Home-owners on a specific issue. He said the Manager might bring the item back as a policy issue without including the specific Lake Forest issue.

Council Member Preston asked when the Manager might be able to bring this item back before the Council. Manager Taylor replied that within 2 or 3 months the staff would be able to provide information on what gradation of lot sizes Chapel Hill needed and what should be Council's position on rezoning whole neighborhoods in response to the adopted Land Use Plan.

COUNCIL MEMBERS PASQUINI AND PRESTON WITHDREW THEIR MOTION.

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

#### Work Session on Housing Issues

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 86-8-25/R-4.

Council Member Andresen asked that a discussion of non-subsidized affordable housing be included in the work session.



Council Member Smith asked that the question of what constituted affordable housing (a specific definition) and how could it be achieved be included in the work session.

Council Member Godschalk asked that members of the community who have experience in these matters be included, such as Professor Michael Stegman at UNC.

Council Member Preston agreed saying the Housing Authority and Inter-Faith Council should also be included.

THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION CALLING A WORK SESSION (86-8-25/R-4)

BE IT RESOLVED by the Council of the Town of Chapel Hill that a Work Session to discuss housing issues be scheduled for Monday, October 6, at 7:30 p.m. in the Municipal Building Meeting Room.

BE IT FURTHER RESOLVED that the agenda for this Work Session include the following:

- 1. Status of Rehabilitation Programs
- 2. Status of Homeownership Demonstration
- 3. Discussion of Density Bonus Text Amendment
- 4. Discussion of Housing Loan Trust Fund
- 5. Discussion of use of Community Development Block Grant funds for housing
- 6. Relationship of the Town with the Chapel Hill Housing Authority and their programs

This the 25th day of August, 1986.

Bond Referenda

Manager Taylor recommended that each of the 5 bond issues be introduced separately, and then consideration of calling a public hearing on September 8.

Council Member Smith introduced the following bond order which was read by title:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$4,000,000 LIBRARY BONDS OF THE TOWN OF CHAPEL HILL"

WHEREAS, the Council of the Town of Chapel Hill deems it advisable to make the improvements hereinafter describes; and

WHEREAS, the Council has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Council that the application has been filed and accepted for submission to the Local Government Commission; NOW, THEREFORE,

BE IT ORDERED by the Council of the Town of Chapel Hill, as follows:

Section 1. The Council of the Town of Chapel Hill has ascertained and hereby determines that it is necessary to provide library facilities, including the acquisition of land and the construction, reconstruction and renovation of a building or

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buildings and including the acquisition and installation of furnishings and equipment required therefor and to pay capital costs of such improvements.

Section 2. In order to raise the money required to pay capital costs of providing the improvements as set forth above, in addition to any funds which may be made available for such purpose from any other source, bonds of the Town of Chapel Hill are hereby authorized and shall be issued pursuant to The Local Government Finance Act of north Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$4,000,000.

Section 3. A tax sufficient to pay the principal of and interest on said bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the Town at a referendum.

Council Member Smith introduced the following bond order which was read by title:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,500,000 STREET AND SIDEWALK BONDS OF THE TOWN OF CHAPEL HILL"

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WHEREAS, the Council of the Town of Chapel Hill deems it advisable to make the improvements hereinafter describes; and

WHEREAS, the Council has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Council that the application has been filed and accepted for submission to the Local Government Commission; NOW, THEREFORE,

BE IT ORDERED by the Council of the Town of Chapel Hill, as follows:

Section 1. The Council of the Town of Chapel Hill has ascertained and hereby determines that it is necessary to provide street improvements within and without the corporate limits of the Town, including, without limitation, the paving, grading, resurfacing and widening of streets, the acquisition, construction and installation of traffic controls, signals and markers, the provision of curbs and gutters and drains, and the acquisition of necessary land or rights-in-land and to pay capital costs of such improvements.

Section 2. In order to raise the money required to pay capital costs of providing the improvements as set forth above, in addition to any funds which may be made available for such purpose from any other source, bonds of the Town of Chapel Hill are hereby authorized and shall be issued pursuant to The Local Government Finance Act of North Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$2,500,000.

Section 3. A tax sufficient to pay the principal of and interest on said bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the Town at a referendum.

Council Member Godschalk introduced the following bond order which was read by title:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,500,000 PARKS AND RECREATIONAL FACILITIES BONDS OF THE TOWN OF CHAPEL HILL"

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WHEREAS, the Council of the Town of Chapel Hill deems it advisable to make the improvements hereinafter describes; and

WHEREAS, the Council has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Council that the application has been filed and accepted for submission to the Local Government Commission; NOW, THEREFORE,

BE IT ORDERED by the Council of the Town of Chapel Hill, as follows:

Section 1. The Council of the Town of Chapel Hill has ascertained and hereby determines that it is necessary to provide parks and recreational facilities within and without the corporate limits of the Town, including the acquisition and development of land for community and neighborhood parks, entranceways, greenways and open spaces and to pay capital costs of such improvements.

Section 2. In order to raise the money required to pay capital costs of providing the improvements as set forth above, in addition to any funds which may be made available for such purpose from any other source, bonds of the Town of Chapel Hill are hereby authorized and shall be issued pursuant to The Local Government Finance Act of North Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$2,500,000.

Section 3. A tax sufficient to pay the principal of and interest on said bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the Town at a referendum.

Council Member Preston introduced the following bond order which was read by title:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,000,000 PUBLIC BUILDINGS BONDS OF THE TOWN OF CHAPEL HILL"

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WHEREAS, the Council of the Town of Chapel Hill deems it advisable to make the improvements hereinafter describes; and

WHEREAS, the Council has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Council that the application has been filed and accepted for submission to the Local Government Commission; NOW, THEREFORE,

BE IT ORDERED by the Council of the Town of Chapel Hill, as follows:

Section 1. The Council of the Town of Chapel Hill has ascertained and hereby determines that it is necessary to construct,

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reconstruct and equip public buildings, including provision of public meeting rooms and office facilities, and including the acquisition and installation of furnishings and equipment required therefore and to pay capital costs of such improvements.

Section 2. In order to raise the money required to pay capital costs of providing the improvements as set forth above, in addition to any funds which may be made available for such purpose from any other source, bonds of the Town of Chapel Hill are hereby authorized and shall be issued pursuant to The Local Government Finance Act of North Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$2,000,000.

Section 3. A tax sufficient to pay the principal of and interest on said bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the Town at a referendum.

Council Member Werner introduced the following bond order which was read by title:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$800,000 FIREFIGHTING FACILITIES BONDS OF THE TOWN OF CHAPEL HILL"

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WHEREAS, the Council of the Town of Chapel Hill deems it advisable to make the improvements hereinafter describes; and

WHEREAS, the Council has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Council that the application has been filed and accepted for submission to the Local Government Commission; NOW, THEREFORE,

BE IT ORDERED by the Council of the Town of Chapel Hill, as follows:

Section 1. The Council of the Town of Chapel Hill has ascertained and hereby determines that it is necessary to provide facilities for firefighting and prevention within and without the corporate limits of the Town, including the acquisition of a firefighting vehicle and the construction of a fire station building and training facilities and including the acquisition of furnishings, machinery and equipment required therefor and the acquisition of land or rights-in-land required therefor and to pay capital costs of such improvements.

Section 2. In order to raise the money required to pay capital costs of providing the improvements as set forth above, in addition to any funds which may be made available for such purpose from any other source, bonds of the Town of Chapel Hill are hereby authorized and shall be issued pursuant to The Local Government Finance Act of North Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$800,000.

Section 3. A tax sufficient to pay the principal of and interest on said bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the Town's debt has been filed with the Town Clerk and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the Town at a referendum.

COUNCIL MEMBER HOWES MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION (86-8-25/R-6):

RESOLUTION CALLING PUBLIC HEARINGS ON FIVE BOND ORDERS AND DIRECTING THE FILING OF A STATEMENT OF DEBT (86-8-25/R-6)

WHEREAS, the bond orders entitled, "BOND ORDER AUTHORIZING THE ISSUANCE OF \$4,000,000 LIBRARY BONDS OF THE TOWN OF CHAPEL HILL", "BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,500,000 STREET AND SIDEWALK BONDS OF THE TOWN OF CHAPEL HILL", "BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,500,000 PARKS AND RECREATIONAL FACILITIES BONDS OF THE TOWN OF CHAPEL HILL", "BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,000,000 PUBLIC BUILDINGS BONDS OF THE TOWN OF CHAPEL HILL", and "BOND ORDER AUTHORIZING THE ISSUANCE OF \$800,000 FIREFIGHTING FACILITIES BONDS OF THE TOWN OF CHAPEL HILL" have been introduced at the meeting of the Council held on August 25, 1986 and the Council desires to provide for the holding of public hearings thereon and the submission of a statement of debt in connection therewith as required by The Local Government Bond Act; NOW, THEREFORE,

BE IT RESOLVED by the Council of the Town of Chapel Hill, as follows:

(1) The public hearings upon said bonds orders shall be held on the 8th day of September, 1986 at 7:30 o'clock, p.m. at the Municipal Building, 306 N. Columbia Street, in Chapel Hill, North Carolina.

(2) The Town Clerk is hereby directed to cause a copy of each bond order to be published with a notice of such hearing in the form prescribed by law in a qualified newspaper no fewer than six days prior to each such public hearing.

(3) The Town's Finance Officer is hereby directed to file with the Town Clerk, prior to publication of the bond orders with the notice of such public hearings, a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the Town and the net debt of the Town.

This the 25th day of August, 1986.

THE MOTION HAVING BEEN SECONDED BY COUNCIL MEMBER GODSCHALK IT WAS ADOPTED BY THE FOLLOWING VOTE:

AYES: Council Members Andresen, Godschalk, Howes, Pasquini, Preston, Smith, Thorpe, Wallace and Werner

NAYS: None

#### Bond Referenda Citizens' Task Force

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 86-8-25/R-7.

Council Member Howes commented that the Council would have to take a major active role in the proposed bond referenda.

Council Member Andresen suggested a sub-committee of Council Members to present a slate of citizens for Council consideration for the task force. The Council agreed. Mayor Wallace appointed Council Members Andresen, Howes, and Smith to this sub-committee.

THE MOTION PASSED UNANIMOUSLY, (9-0).

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The resolution, as adopted, reads as follows:

A RESOLUTION ESTABLISHING A CITIZENS BOND TASK FORCE  
(86-8-25/R-7)

WHEREAS, the Council of the Town of Chapel Hill has identified needs for capital projects; and

WHEREAS, the Council has called referenda to consider the issuance of general obligation bonds for five purposes: library, street improvements, parks and recreation land, public meeting room and office space, and fire station and training facility; and

WHEREAS, the Council believes that a public information effort should precede a referendum; and

WHEREAS, the Council believes that the bond issues proposed would serve the public welfare by addressing needs identified by the community;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Chapel Hill hereby establishes a Citizens Bond Task Force to consist of representatives of Town advisory boards, civic and neighborhood groups, whose charge is:

1. To maximize voter awareness and understanding of the five proposed bond issues, their benefits and costs; and
2. To advocate support of the five issues, based on well-informed judgment.

This the 25th day of August, 1986.

Road Improvement Priorities for Bond Referenda

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 86-8-25/R-8.

Council Member Andresen expressed concern about the priority list. She said she would prefer reordering of several items and that improvements to Dobbins Road should be moved up on the list and that the improvements to Umstead Drive and the extension of Pittsboro Street be moved down on the list.

Council Member Werner commented that he would prefer to see the potential funds distributed with 1/3 going to By-Pass improvements and 2/3 going to general street improvements without differentiating between State and Local roads. He thought this would give the Town more flexibility. He also commented that he would prefer to see improvements to Dobbins Road moved up on the list.

Council Member Howes agreed with Council Member Werner with regard to the disposition of funds because it would allow more flexibility, but he disagreed that there was a need to move up the improvements to Dobbins Road on the list when he felt the extension of Sage Road to Weaver Dairy would greatly relieve the congestion and confusion on Dobbins Road.

Council Member Preston commented that she also felt the extension of Pittsboro Street should be moved down on the priority list, and questioned whether it were possible to come to a consensus on the priority listing.

Council Member Smith suggested discussing the priorities at the public hearing where citizen comments could be heard.

Council Member Godschalk agreed with Mr. Smith and also asked why improvements to N.C. 86 from Homestead Road to I-40 interchange were not included in the list.

Manager Taylor replied that the staff had not included that section of N.C. 86 because of its costs and because it was felt that NCDOT would be placing that section on their priority list.

Council Members Howes and Preston agreed with Council Member Godschalk in that improvements to N.C. 86 from Homestead Road to I-40 be included.

Council Member Smith disagreed saying he felt the State should improve this section without enticements from the Town.

The consensus of the Council was that it would be advantageous to add the section of N.C. 86 from Homestead Road to I-40 to the road improvements list under the 1/3 portion of funds to improve the By-Pass, and to have the funds divided so that 1/3 went to By-Pass and N.C. 86 improvements and 2/3 goes toward local road improvements and to encourage and supplement State funding of projects on State roads. The Council also agreed that the priority rankings should be deleted from the resolution.

COUNCIL MEMBERS HOWES AND GODSCHALK AGREED TO AMEND THEIR MOTION TO REFLECT THESE CHANGES.

THE MOTION, AS AMENDED, PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

A RESOLUTION SETTING TENTATIVE PRIORITIES FOR ROAD IMPROVEMENT PROJECTS TO BE FUNDED BY GENERAL OBLIGATION BOND SALES, AND DESCRIBING THE INTENDED DISTRIBUTION OF FUNDS (86-8-25/R-8)

WHEREAS, the Council has directed the Manager to prepare for Town General Obligation Bond Referenda in November, 1986; and

WHEREAS, one referendum will involve street improvement projects on both Town and State-owned roads; and

WHEREAS, the Council recognizes the need to implement these street improvement projects in the most orderly and economical method possible and to maximize the use of other funds;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that it is the Council's intent that the following priorities be considered in distributing bond funds for use on street improvement projects.

BE IT FURTHER RESOLVED that changing patterns or pace of development, availability of other funds or unexpected changes in traffic volumes or patterns would cause a re-evaluation of these priorities.

#### Project Description

Replacement and upgrading of traffic signals Townwide to develop a computerized, coordinated system.

Extension and realignment of Weaver Dairy Road to meet Sage Road, including widening of Sage Road next to Brendle's.

Franklin Street Corridor improvements, including Estes Drive intersection at Franklin Street.

Improvement of Estes Drive intersection at Airport Road.

Realignment of Umstead Drive intersection at Airport Road.

Realignment of Municipal Drive intersection at Airport Road (N.C. 86).

Extension of Pittsboro Street from Cameron Avenue to Airport Road.

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Improvement of Dobbins Road (15-501 service road) intersection with Erwin Road.

Extension of Weaver Dairy Road at Fire Station #4.

Improvement of Pritchard Avenue Bridge.

BE IT FURTHER RESOLVED that it is the Council's intent that street improvement bond proceeds be distributed generally as follows:

1/3 of issue to supplement State funding for U.S. 15-501 Bypass improvements and improvements to N.C. 86 from Homestead Road to Interstate-40;

2/3 to be used for local road improvement projects and to encourage and supplement State funding of projects on State roads

This the 25th day of August, 1986.

#### Transportation Board Responsibilities

Council Member Andresen commented that this item was before the Council at her request. She said that through conversations with the Planning Board and the Transportation Board she believed there was a legitimate need for changes in the charge of the Transportation Board. The possible changes included adding bikeway planning; traffic impact analysis; and a more aggressive role in Thoroughfare evaluation.

Council Member Godschalk expressed disagreement with the proposal to give the Transportation Board the responsibility of providing traffic impact analysis for development projects, fearing it would only further delay action on items in an already lengthy process.

Council Member Andresen disagreed saying she felt it was important to have citizen input on traffic impact analysis.

Lawrence Lanset, representing the Transportation Board, commented that the Planning Board had suggested the Transportation Board to review traffic impact earlier this year and that the Board had had to turn down the request because it was a stated responsibility of the Planning Board and when the Transportation Board asked if the Planning Board could delegate this role to the Transportation Board, they were told they could not.

Council Member Smith agreed with Council Member Godschalk in that he did not feel the Transportation Board should be involved in the technical aspect of traffic impact analysis.

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

#### Resolution of Appreciation for S. Leigh Wilson of the North Carolina League of Municipalities

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT RESOLUTION 86-8-25/R-9.

Council Member Howes said that Mr. Wilson was retiring this year and this resolution was a means for the Town to show its appreciation for the approximately 40 years of service Mr. Wilson had given to the League.

Council Member Smith said he felt the Town should also do something more specific in showing its appreciation.



Council Member Howes replied that the League was also asking for contributions for a gift for Mr. Wilson.

THE MOTION PASSED UNANIMOUSLY, (9-0).

The resolution, as adopted, reads as follows:

RESOLUTION EXPRESSING THE RESPECT AND APPRECIATION OF THE  
COUNCIL OF THE TOWN OF CHAPEL HILL FOR MR. S. LEIGH WILSON  
(86-8-25/R-9)

WHEREAS, Mr. S. Leigh Wilson has been with the North Carolina League of Municipalities for almost 40 years, including service as a Field Consultant from 1947-55, as Assistant Director from 1955 to 1969 and as Executive Director since 1969; and

WHEREAS, Mr. Wilson has expertise in all aspects of local government, in addition to his strong knowledge of State and national government; and

WHEREAS, Mr. Wilson is a former member of the Boards of Directors of the National League of Cities and the National Association of Regional Councils; he chaired the national Planning Group for directors of State municipal leagues; and he served on the Commission on Reorganization of State Government, the Governor's Productivity Commission, the Advisory Committee for the N. C. Water Resources Research Institute, and numerous other bodies; and

WHEREAS, Mr. S. Leigh Wilson is a member of the International City Management Association, the American Public Works Association, the N. C. Community Development Council, the N. C. Local Government Advocacy Council, the Southern Growth Policies Board, the Telecommunication Task Force of the National League of Cities and other organizations; and

WHEREAS, Mr. Wilson has been highly effective in addressing hundreds of local government issues affecting North Carolina during his career with the League; and

WHEREAS, Mr. Wilson has earned the respect of the General Assembly and other branches of State government, and of municipal officials in all areas of North Carolina and in other states;

WHEREFORE, the Town Council of Chapel Hill hereby expresses respect, appreciation and admiration to

Mr. S. Leigh Wilson

for his many years of service to the citizens of Chapel Hill and other towns and cities in North Carolina.

This the 25th day of August, 1986.

#### Annual Reports

Council Member Howes said the Triangle J Council of Governments annual report would be released in October. He said there had been no meetings since June.

Council Member Werner reported that the Orange County Human Services Advisory Commission had met in June and the County Commissioners had appointed an ad hoc committee to review the role of the Commission.

Council Member Preston reported that Joint Orange-Chatham Community Action had held its 20th Anniversary in June. She circulated a copy of the event's program.

Council Member Thorpe reported that the Transportation Advisory Committee had met on June 18th and that new members had been

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welcomed, while recognition was given to retiring members. He said the Committee had met with officials from the U.S. Department of Highways to discuss transportation needs and that the budget for 1986-88 was discussed.

Manager Taylor said the Town's annual report was included in the packet and he would answer any questions from the Council.

Council Member Godschalk asked for clarification of sanitation collection procedures.

Council Member Smith asked about needed paving of Estes Drive and said he felt the Police Department needed more personnel to carry out its responsibilities. He was concerned that he often heard the Police Department report that they could not provide a service because they were short of personnel. Mayor Wallace agreed that more police might be needed. Council Member Howes said he expected to hear the need expressed by the Manager and said it was possible for the Council to get "sandbagged" on the issue.

#### Consent Agenda

Council Member Godschalk asked that item #13b, Parking Restrictions on Davie Circle be removed from the consent agenda.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 86-8-25/R-10 MINUS ITEM #B AND WITH THE ADDITION OF ITEM #K, CALLING A HEARING REGARDING ANNEXATION OF CERTAIN PROPERTY NEAR BARBEE CHAPEL ROAD. THE MOTION PASSED UNANIMOUSLY, (9-0).

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

A RESOLUTION APPROVING VARIOUS ORDINANCES AND RESOLUTIONS (86-8-25/R-10)

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. Traffic ordinances for various new and annexed streets (O-1).
- c. (Deleted)
- d. Calling public hearings September 8 on adoption of Soil Erosion and Sedimentation Control regulations (R-11).
- e. Calling public hearings on Altemueller annexation petition (area near Northwoods) (R-12).
- f. Closing part of Wesley Drive September 13 (R-13).
- g. 1987 Meeting Calendar changes (O-5, R-14).
- h. Receiving petition to pave Maple Drive (R-15).
- i. Festifall Street closing and parking restrictions October 5 (O-6, R-16).
- j. Budget amendment (O-7).
- k. Calling public hearing on Barbee Chapel Road area annexation petition. (R-17).

This the 25th day of August, 1986.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES  
(86-8-25/O-1)

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

Section I

That Section 21-13 of the Town Code of Ordinances, "right-of-way and stop regulations" is amended by inserting the following therein, in appropriate alphabetical order:

Through Streets

Airport Road (N.C. 86)  
Eastwood Road  
Erwin Road  
Erwin Road  
Erwin Road  
Finley Forest Drive  
Fireside Drive  
Forsyth Drive  
Laurel Hill Road  
Legion Road  
Piney Mountain Road  
Sage Road  
Steeplechase Road  
Weaver Dairy Road

Stop Streets

Ashley Forest Drive  
Billie Holiday Court  
McGregor Drive  
Old Oxford Road East  
Sage Road  
Brookberry Circle (East End)  
Colony Woods Drive  
Forsyth Court  
St. James Place  
Forsyth Drive  
Louis Armstrong Court  
Coleridge Road (All Entrances)  
Derby Lane  
Steeplechase Road

Section II

That Section 21-11 (B) (2) of the Town Code of Ordinances, "Twenty-five (25) miles per hour on the following streets:" is amended by inserting the following therein in appropriate alphabetical order:

Ashley Forest Drive  
Billie Holiday Court  
Brookberry Circle  
Coleridge Road  
Colony Woods Drive  
Derby Lane

Forsyth Court  
Forsyth Drive  
Louis Armstrong Court  
McGregor Drive  
Old Oxford Road (East)  
St. James Place  
Steeplechase Road

Section III

That Section 21-11(A) (3) of the Town Code of Ordinances, "Speed Regulations - Thirty-Five Miles Per Hour" is amended by inserting the following therein appropriate order:

Q) Sage Road from US 15-501 to Erwin Road

Section IV

These ordinances shall be effective on September 1, 1986.

Section V

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

This the 25th day of August, 1986.

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A RESOLUTION CALLING A PUBLIC HEARING (86-8-25/R-11)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 p.m. on Monday, September 8, 1986, on adopting a Soil Erosion and Sedimentation Control Ordinance for the Town of Chapel Hill including portions of the Town, and any portion of the Town's extraterritorial planning area, which are or may be in the future outside Orange County. The Town proposes to adopt a Soil Erosion and Sedimentation Ordinance which is similar or substantially identical to the Soil Erosion and Sedimentation regulations of Orange County.

This the 25th day of August, 1986.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION OF NORTHWOODS PHASE V PURSUANT TO G.S. 160A-31, AS AMENDED (86-8-25/R-12)

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 15th day of September, 1986.

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

BEGINNING at the Southeast corner of Tract #I, a control corner, and running N 31-49-17 E 141.88', thence N 02-02-43 W 140.09', thence N 37-18-14 W 132.0', thence N 07-45-55 E 111.02', thence N 00-00-00 W 185.00', thence N 11-18-36 W 101.98', thence N 32-00-19 W 94.34', thence N 36-52-12 W 100.00', thence N 66-39-57 W 277.71', thence N 75-22-45 W 181.38', thence N 05-54-30 E 129.46', the southwest corner of the Town of Chapel Hill land as described in Deed Book 256, Page 1420, thence along the western edge of the Town of Chapel Hill Tract N 05-54-30 E 315.00', thence along the southern property of the Northwood Subdivision N 84-05-30 W 1,836.54', thence S 05-01-45 W 1,457.57', thence N 84-04-50 W 1,836.54', thence S 05-01-45 W 1,457.57' thence N 84-04-50 W 2,477.71' to the point of BEGINNING.

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 25th day of August, 1986.

A RESOLUTION AUTHORIZING THE CLOSING OF PART OF WESLEY DRIVE (86-8-25/R-13)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the temporary closing of Wesley Drive from Burris Place to a point about 400 feet south of Burris Place on Saturday, September 13 from 3:00 to 8:00 p.m. (or on Saturday, September 20 in the event of rain) for a block party subject to the following conditions:

1. There shall be vehicles parked to serve as barricades at the end of the closed area with persons available to allow entry by emergency vehicles if necessary.
2. The closed street area shall be cleaned of litter by 8:00 p.m.
3. No alcohol shall be consumed in the public street right-of-way.
4. A permit for outdoor amplified sound shall be obtained from the Police Department if necessary under the Town's noise ordinance.
5. Participants in the event shall comply with reasonable directives of the Police and Fire Departments.

This the 25th day of August, 1986.

AN ORDINANCE RE MEETING DATES IN 1987 (86-8-25/O-5)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the meeting schedule for 1987 as follows:

May 25, 1987 rescheduled to May 26, 1987

This the 25th day of August, 1986.

A RESOLUTION RE PUBLIC HEARING DATES IN 1987 (86-8-25/R-14)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends the schedule for 1987 public hearings on proposed special uses, Development Ordinance text amendments and joint planning hearings as follows:

January 19, 1987 rescheduled to January 20, 1987

April 20, 1987 rescheduled to April 21, 1987

November 16, 1987 rescheduled to November 18, 1987

December 8, 1987 rescheduled to December 10, 1987

This the 25th day of August, 1986.

A RESOLUTION RECEIVING A PETITION FOR PAVING OF MAPLE DRIVE (86-8-25/R-15)

WHEREAS, the Town has received a petition for the paving of Maple Drive with curb and gutter; and

WHEREAS, the petition has been determined to be valid under G.S. 160A-217(a); and

WHEREAS, the Town does not now have funds available for this project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council receives said petition for paving Maple Drive, and the petition shall be considered for funding during the 1987-88 budget process.

This the 25th day of August, 1986.

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A RESOLUTION TEMPORARILY CLOSING PORTIONS OF FRANKLIN STREET AND  
HENDERSON STREET (Festifall '86) (86-8-25/R-16)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the closing of Franklin Street between Columbia Street and the western entrance of the Morehead Planetarium parking lot, and of Henderson Street between Rosemary and Franklin Streets on Sunday, October 5, 1986 from 11:00 a.m. to 8:00 p.m., to allow the holding of the Festifall Street Fair and clean-up of the streets following the Fair.

This the 25th day of August, 1986.

AN ORDINANCE TEMPORARILY REMOVING PARKING FROM PORTIONS OF  
FRANKLIN AND HENDERSON STREETS (Festifall '86) (86-8-25/O-6)

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

That on the 5th day of October, 1986, between the hours of 12:30 and 8:00 p.m. there shall be no parking on either side of Franklin Street between Columbia Street and the western entrance of Morehead Planetarium parking lot, or on either side of Henderson Street between Franklin and Rosemary Streets between the above hours.

The Police Department of the Town of Chapel Hill is hereby authorized to cover the parking meters on said streets during such hours on said date. The Police Department is further authorized to remove, tow, and impound automobiles and vehicles of any kind which are parked on said streets during such hours in contravention of this Ordinance. In light of the large number of pedestrians expected in the Street Fair area, the Council hereby determines that vehicles in the restricted area would constitute a special hazard requiring prompt removal. The owner shall be responsible for and pay storage and moving costs of any vehicle removed pursuant to the provisions of the Ordinance, and the Police Department shall use reasonable diligence to notify the owner of the removal and storage of such vehicle.

This the 25th day of August, 1986.

AN ORDINANCE TO CORRECT "THE ORDINANCE CONCERNING APPROPRIATIONS  
AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1,  
1986" (86-8-25/O-7)

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, 1986" as duly adopted on June 9, 1986, be and the same is hereby corrected as follows:

Article I

Appropriations

General Revenue Sharing Fund

Delete Amount "\$283,318" and  
Insert Amount "\$238,318"

TOTAL - ALL FUNDS

Delete Amount "\$19,780,337" and  
Insert Amount "\$19,735,337"

## Article II

### Revenues

#### General Revenue Sharing Fund

Delete Amount "\$283,318" and  
Insert Amount "\$238,318"

#### TOTAL ALL FUNDS

Delete Amount "\$19,780,337" and  
Insert Amount "\$19,735,337"

This the 25th day of August, 1986.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION OF CERTAIN AREAS PURSUANT TO G.S. 160A-31, AS AMENDED (86-8-25/R-17)

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 15th day of September, 1986.

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

BEGINNING at an iron stake in the western line of Barbee Chapel Road, the southeast corner of Dubose; running thence with the western margin of the Barbee Chapel Road, S 17°48' W 112.17 feet, to an iron stake; running thence N 88°30' W 868 feet, crossing the eastern line of Orange County. to an iron stake in the eastern property line of the University of North Carolina property known as the Mason Farm; running thence with the line of the Mason Farm N 0°09' E 107.70 feet, to an iron stake, the southwest corner of Dubose; running thence S 88°30' E 902 feet recrossing again into Durham County to an iron stake, the point and place of BEGINNING.

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 25th day of August, 1986.

### Parking Restrictions on Davie Circle

Council Member Godschalk commented that he would prefer to see the parking restrictions on the south side of Davie Circle, from Franklin Street, extended to 80-100' rather than the proposed 50 feet. Manager Taylor replied that there would be no problem with extending the restrictions to 80 feet.

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COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT ORDINANCE 86-8-25/O-2, WITH THE AMENDMENT THAT REMOVAL OF PARKING ON DAVIE STREET, SOUTH, FROM FRANKLIN STREET BE CHANGED TO READ TO A POINT 80' FROM FRANKLIN STREET INSTEAD OF 50'. THE MOTION PASSED UNANIMOUSLY, (9-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (86-8-25/O-2)

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>
Davie Circle	North	Franklin Street	A point 400 ft. from Franklin Street.
Davie Circle	South	Franklin Street	A point 80 ft. from Franklin Street.

#### SECTION II

This ordinance shall be effective beginning on Monday, September 8, 1986.

#### SECTION III

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

This the 25th day of August, 1986.

#### Request to Declare a Vacancy on the Human Services Advisory Board

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO DECLARE A VACANCY ON THE HUMAN SERVICES ADVISORY BOARD. THE MOTION PASSED UNANIMOUSLY, (9-0).

#### Parks and Recreation Commission

Council Member Preston nominated Eleanor Scandlin.  
Council Member Godschalk nominated Leandra Bedini

For one seat on the Parks and Recreation Commission, the following vote was taken.

Leandra Bedini (4) Andresen, Godschalk, Howes, Wallace

Eleanor Scandlin (5) Pasquini, Preston, Smith, Thorpe, Werner

Eleanor Scandlin was appointed.

#### Board of Adjustment

For one seat as an Alternate on the Board of Adjustment the following nominations were made.

Council Member Werner nominated Helen Urquhart.  
Council Member Howes nominated Louis Dworsky.



Historic District Commission

For one seat on the Historic District Commission due to the resignation of Allen Irvine, the following nominations were made.

Council Member Preston nominated Phil Rees.  
Council Member Howes nominated Gwen Loudermilk.

Executive Session

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION AND ACQUIRING INTEREST IN REAL PROPERTY. THE MOTION PASSED UNANIMOUSLY, (9-0).

The meeting adjourned to executive session at 9:40 p.m.

Mayor Wallace called the meeting back into regular session at 11:15 p.m.

Council Member Andresen commented that she was to meet with Dr. Farris Womack to discuss the possibility of a Design Competition regarding the University Power Plant and that she did not feel Dr. Womack had made as much of an effort as he had indicated he would at the public hearing to develop a design competition.

Council Member Thorpe commented that it was approaching the time for the Council to evaluate the Manager and Attorney. He suggested that a committee with Council Member Godschalk as chair, and Members Andresen, Preston, and himself, get together to set out the guidelines for evaluation. The Council agreed.

Council Member Thorpe also said that Council Member Preston and he were planning to evaluate the Council's Procedures' Manual.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO RECESS THE MEETING TO RECONVENE ON FRIDAY, AUGUST 29TH, AT 4:00 P.M. THE MOTION PASSED UNANIMOUSLY, (9-0).

The meeting recessed at 11:20 p.m.

The meeting reconvened on Friday, August 29, 1986 at 4:00 p.m. Mayor Wallace, noting that there was not a quorum present, and that there was no business to discuss, adjourned the meeting at 4:04 p.m.

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Mayor James C. Wallace

  
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Town Clerk