

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, FEBRUARY 9, 1987, 7:30 P.M.

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

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

Council Member Howes and Town Manager David R. Taylor were absent, excused. Also present were Acting Town Manager Sonna Loewenthal, Assistant Town Manager Ron Secrist, and Town Attorney Ralph Karpinos.

Herman Stone - Resolution Honoring Him for His Service

Mayor Wallace read the following resolution honoring retired Chief Herman Stone for his service to the people of Chapel Hill and Orange County. He said Mr. Stone was unable to attend the meeting that evening but thanked the Council for the resolution of appreciation.

A RESOLUTION HONORING THE SERVICE OF HERMAN STONE TO THE PEOPLE OF CHAPEL HILL AND ORANGE COUNTY

WHEREAS, Herman L. Stone has served in the Chapel Hill Police Department for 37 years: from 1949 to 1958 as a Patrol Officer, from 1958 to 1966 as Sergeant, from 1966 to 1973 as Lieutenant, from 1973 to 1977 as a Patrol Captain, and as the Town's Chief of Police from 1977 to 1987; and

WHEREAS, Chief Stone earned the respect, admiration and affection of the many people with whom he has worked, and of the citizens he serves; and

WHEREAS, Chief Stone strengthened the Chapel Hill tradition of combining excellent law enforcement with a desire to serve, help and solve problems of the citizens, and with fairness and understanding and communication to and from citizens; and

WHEREAS, Herman Stone's leadership of the Chapel Hill Police Department has brought the Department to the highest level of innovation, planning and management in public safety services; and

WHEREAS, the Police Department under Chief Stone is a leader in North Carolina in having excellent crime prevention, police

social work, juvenile delinquency, training academy and other special programs; and

WHEREAS, Herman Stone is a model for youth, for law enforcement officers, and for other people who serve the community; and

WHEREAS, UNC President Emeritus William C. Friday calls Chief Stone an outstanding "Dean of Students," and Chief Stone has been patient and compassionate in working for the future of young people; and

WHEREAS, Herman Stone has worked with officers and employees of the Police Department, has been open in his communication style and concerned for the needs of personnel; and

WHEREAS, police service is Herman Stone's life work, and his dedication and caring have shown us all how one person makes a difference;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby honors

HERMAN STONE

for his leadership of the Police Department, his dedication and professionalism, and for his service to the citizens of Chapel Hill and Orange County.

This the 9th day of February, 1987.

Public Hearing on Implementation of the 1983 Community Development Program

Acting Manager Loewenthal said the purpose of this hearing was to receive citizen comments on the Town's performance in carrying out a Community Development grant for University Heights sewer and streets, and Barclay sewer projects.

Sarah Sherer, a resident of Justice Street, thanked the Town for their work and professionalism. She said it had been pleasant working with George Small and the Town staff on this project and that the contractors had been helpful and cooperative during the construction project.

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

Petitions

Council Member Andresen told the Council that she was concerned about the subdivision review process and was in the process of preparing an agenda item in which to discuss possible changes. She said one possibility was to have the presentation of the

subdivision at one meeting and the vote at another, especially if questions posed were not answered.

Minutes

Council Member Preston asked that the minutes of the January 20th meeting state on page 5 that "...the alternative recommended by the staff was probably the best one available,...".

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT THE MINUTES OF JANUARY 20, 1987 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Preston said that on page 19 and 20 of the draft minutes for the January 28 meeting - changes needed to be made to correct the spelling of Boone Turchi and Katherine Dickman.

Council Member Andresen asked that the minutes state on page 20 that "... the residents of East Franklin Street be alerted of the proposed changes so that they were aware of what was happening and have the staff conduct further discussions with the residents as to the proposed changes."

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT THE MINUTES OF JANUARY 28, 1987 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Human Services Needs Report

Al Mebane, Chair of the Human Services Advisory Board, gave a report on the assessed human services needs of the community. He said the priorities as identified by the Board were; Services for Children and Youth; Services to the Economically Needy; Services for Women; Nutritional Services and Social Activities for the Elderly and Homebound; and Affordable and Emergency Housing. He said the Board would advertise for Requests for Proposals (RFP) from community human services agencies to address these needs after receiving comments and recommendations from the Council. Mr. Mebane said after the Board received the RFP's they would prepare a recommendation on Performance Agreements for Council consideration.

Mr. Mebane explained the monitoring process the Board uses with those community agencies now under contract with the Town.

Council Member Preston thanked the Board for their good report. She asked why the Board had felt the Old Police Building was inadequate as a shelter for the homeless. Mr. Mebane responded that by just walking into the old jail facility it was obvious that it was inappropriate as a shelter for the myriad individuals who comprise the homeless in Chapel Hill. He said the conditions were too crowded and not conducive to welcoming indigent families much less single individuals. He said even if the jail were painted and cleaned up he did not think it would be suitable.

Council Member Andresen said the Board had identified nutritional services and social activities for the elderly and homebound as a priority. She asked if the nutritional services were in part being met by Meals on Wheels. Mr. Mebane said Meals on Wheels addresses the homebound nutritional services and JOCCA addresses the more mobile senior citizens who may not have any contact with other people other than their one meal a day meeting at the center.

Council Member Andresen asked if the Board was recommending continuing support to Meals on Wheels and JOCCA or did the Board feel there were other things which needed to be done. Mr. Mebane said they had been concerned and encouraged Meals on Wheels to expand their services more than they have. He said the Board was not certain that all citizens who needed a hot meal each day and are unable to get out of their homes were being fed.

Council Member Smith asked if the Board had, when evaluating the Old Police Building as a shelter for the homeless, reviewed the use of the entire building for a shelter and not just the old jail area, and if the Board had not, would this alter their opinion of the site for a shelter. Mr. Mebane said the Board had not considered the entire building and that he could not speak for the entire Board, but he felt the Town could provide a better facility elsewhere.

Council Member Smith asked if the Board had considered talking with the District Attorney and judges about the proliferation of child abuse and the possible correlation to the lack of severe penalty for the crime. He said with the rise in cases of child abuse it might be beneficial to talk to these individuals to see how the forms of punishment might be changed to help deter the crime. Mr. Mebane responded that the Board met with officers of the court on other matters but had not addressed this issue with them. He said the Board would discuss this issue.

Council Member Smith said there were various organizations dealing with women services and he wondered if they might be consolidated. Mr. Mebane said the Board had recommended consolidation and cooperation among the various agencies. He commented that it appeared that the various sources of funds for each agency did not lend themselves to consolidation or transference to another agency.

Council Member Werner asked if the Board had considered recommending funding a smaller number of agencies, thereby increasing the impact to meet a specific need. Mr. Mebane stated that the Board had and did consider this issue regularly but seemed to feel that it would be better not to have any one agency dependent upon Town funds for its operations. By keeping the Town contribution to 10% or less of the budget then the agencies do not depend upon the Town for its existence.

Noise Ordinance

Mayor Wallace asked for a motion on the matter in order that discussion could be held.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT ORDINANCE 87-2-9/O-1.

Berton Kaplan, speaking as a resident of Oakwood Drive, said he and others had already sent in a letter of complaint to the Town regarding noise pollution and he thanked the Manager and Council Member Godschalk for their assistance in using the current ordinance to solve a problem in his neighborhood with a noisy skateboard rink. He asked that the Council, when amending or developing a noise ordinance, consider ways of preventing noise pollution; incorporating statements from the victims of noise pollution into the noise measurement criteria; and solicit expert opinion from health officials on the affects of noise.

Mark Burnett, speaking as the manager of He's Not Here, showed the Council a decibel meter which was used to measure the decibel level. He said conversations he had had with Dr. Larry Rowan, a physics professor, showed that a 69% decrease in the intensity of sound (which measures how far the sound would travel) would only require the decibel level to be reduced to 80 decibels. He commented that a reduction of the decibel level to 80 or 82 decibels should eliminate some of the problems and concerns with the current ordinance.

Council Member Andresen said a permit was given for outdoor concerts. She asked what was the decibel level at which the bands played. Mr. Burnett said their bands generally played at 81 or 82 decibels and that this measurement was made at a right angle at the property line from the music.

Mike Troy, speaking as the owner of He's Not Here, said his business was a good neighbor and good citizen of the business district. He said the proposed ordinance to reduce the time limit for which a noise permit was valid from 1:00 am to 12:00 midnight could have severe repercussions for his business. He said most of his clientele did not arrive until after 10:00 pm. Mr. Troy also said as his business was downtown and surrounded by commercial areas, he did not think the noise from his establishment was disturbing residents. He asked the Council to consider modifying the ordinance to keep the 1:00 am deadline in the Central Business District.

Philip Pavlik, speaking as a resident of Carr Street, said there were many people living in the Northside neighborhood who suffered from the noise from Franklin Street including He's Not Here. He said on Council Member Smith's front porch one evening the decibel reading was 54 because of a live band at He's Not Here. However, he said his main point was to familiarize the Council with a report from NCSU professor Larry Royster, an acoustical engineer, on noise pollution in municipalities. He said the report recommended in an industrial zone the decibel

level limit during the daytime be 70 and in residential the level should be 50. Mr. Pavlik stated that the city of Raleigh had residential decibel level limits of 45 and the highest decibel level allowed was 80 and that this was in a railroad yard. He said the report also suggested the cut off point be 11:00 pm and not the proposed midnight. He said it should be incumbent upon the Council to consider why the report of experts should be departed from by so much if the Council adopts the proposed ordinance.

Velma Perry, speaking as a resident of Lindsay Street, agreed with Mr. Pavlik in that the residents of Northside do suffer from noise pollution from businesses on Franklin Street, and live concerts at He's Not Here in particular. She also said there was a problem with the noise levels from stereos being played in parked cars, loud talking late at night, and barking dogs during the day and night.

Roy Propst, speaking as a resident of Severin Street, said he had difficulty understanding the concept of noise permits. He commented that he did not think they should be allowed, but if they were, then there needed to be a provision in the ordinance which would allow revocation of the permit if there were complaints from neighbors.

John Parm, speaking as President of the Inter-Fraternity Council, said he was from Raleigh and to his knowledge, Raleigh had specified zones in which noise levels could be elevated. He suggested the Town look into the possibility of incorporating noise zones in the noise ordinance. He said the Fraternity Council would support the Town Council and would like to work with them on developing a satisfactory noise ordinance for all concerned because he said lowering the decibel level to 75 and limiting the permit to midnight could produce opposition from the students and the university.

Fred Schroeder, speaking as the UNC Dean of Students, said the problem was an issue of rights and that a compromise would have to be made and accepted. He suggested that the Council set up a committee of individuals to study and work at developing a policy and regulation on noise control. Mr. Schroeder said if the Council preferred to adopt the proposed ordinance that he would suggest that there be a staging or sequential lowering of the decibel level and hour. He said the result would be that the hour was reduced and see if that solved the problem. If not, then reduce the decibel level to 80, then 75, etc. until the problem was solved.

John Futrell, representing Delta Sigma Phi fraternity, endorsed Mr. Parm's comments about having specified zoning districts for elevated noise levels. He pointed out that his fraternity was located at the golf course and that there were no close neighbors to complain about the noise level. He said what was needed was further study and more compromise from those involved. He said

the fraternities and students had been unaware of this item on the Council's agenda until late this afternoon, otherwise there would have been more people in attendance to discuss this issue.

Council Member Smith commented that houses away from the location of the outdoor events are also affected by the noise emitted from such functions. He said he would prefer banning all outdoor concerts with amplification. He said people were entitled to a good night's sleep.

Council Member Preston said noise was a problem, but that those residents who live in close proximity to the Downtown area and the campus expect a certain amount of noise. She said the difficulty to her, was that the noise level was often not reduced after 1:00 am. She said it might be a good suggestion to have certain "noise zones" and a committee to review the situation.

Council Member Andresen said they all knew noise pollution was a problem and it appeared further changes might be needed, like looking into the barking dogs and car stereos. She asked Interim Police Chief, Major Gold what was the normal noise complaint. Major Gold responded that the majority of the complaints were that there was a party somewhere and the noise was too loud. He said the police would go to the property line of the party and take a decibel reading. If it was within the prescribed limits there was little the police could do.

Council Member Andresen asked if concerts in the Smith Center would require a noise permit. Attorney Karpinos replied that although no permit is required for indoor sound, if the sound emitting from the center, at the property line, was above the specified legal levels, the event would be subject to the provisions of the Noise Ordinance.

Council Member Preston asked what the police did if they received more than one complaint from citizens with regard to a specific party or event and that party or event was within the legal sound levels. Major Gold replied that the police would ask that the sound be turned down. He said they kept records of complaints, both of those making the complaints and where they occurred, so that when an application for a noise permit was made, the police could see if there had been a series of problems with parties in that area or with that group. Major Gold said if there seemed to be a recurring problem with the location or applicant, the police might not issue the permit.

Council Member Godschalk said the Council had received a letter from the Dean of Student Affairs at UNC, Don Boulton, asking that changes in the noise ordinance be made in stages and that there be a committee set up to study the issue.

Council Member Smith spoke against a staged reduction in the noise levels. He also said the Council and staff should go out into the residential neighborhoods when the parties were going on

and experience what the residents do so as to get a first hand knowledge of the noise levels. He said changes should be made in the ordinance now and let the Manager study the issue further, as well.

Council Member Preston suggested that the Council adopt the proposed ordinance and also have the Manager and a committee review the situation for a year to evaluate its effectiveness.

Mayor Wallace said he would reluctantly vote in favor of the ordinance. He felt the Town should not allow noise permits, as it was not appropriate for one group to infringe upon others with loud noise.

THE ORDINANCE TO ADOPT 87-2-9/O-1 PASSED UNANIMOUSLY, (8-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 11 OF THE TOWN CODE REGARDING NOISE CONTROL (87-2-9/O-1)

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

Section I

ARTICLE III. NOISE, IS HEREBY REWRITTEN AS FOLLOWS:

"Sec. 11-37. Article designated noise control code.

This article shall be known as the "Noise Control Code for the Town of Chapel Hill."

Sec. 11-38. Terminology and standards.

(a) Terminology. All terminology used in this article not defined below shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body.

- (1) "A-weighted sound level:" The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designed dB(A).
- (2) "Decibel (dB):" A unit for describing the amplitude of sound, equal to twenty (20) times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micronewtons per square meter.
- (3) "Sound pressure level:" Twenty (20) times the logarithm to the base 10 of the ratio of the RMS sound pressure

to the reference pressure of twenty (20) micronewtons per square meter.

- (4) "Sound level meter:" An instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighing network used to measure sound pressure levels.
- (5) "Sound level:" The weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B or C as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1971, or the latest approved version thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.
- (6) "Emergency work:" Any work performed for the purposes of preventing or alleviating physical trauma or property damage threatened or caused by an existing or imminent peril.
- (7) "Outdoor amplified sound:" Any sound using amplifying equipment whose sound is outside or whose source is inside and the sound propagates to the outside through open doors or windows or other openings in the building.
- (8) "Sound amplifying equipment:" Any device for the application of the human voice, music or any other sound, including juke boxes, stereos and radios.

(b) Standards. Standards, instrumentation, personnel, measurement procedures and reporting procedures to be used in the measurement of sound as provided for in this section shall be those as specified herein:

- (1) Sound level measurement shall be made with a sound level meter using the "A" weighting scale, set on "slow" response.
- (2) Sound level meters shall be of at least Type Three meeting American National Standard institute Incorporated (ANSI) S1.4-1971 requirements. The entire sound measurement system shall be serviced and calibrated and operated as recommended by the manufacturer. Persons using the sound level meters shall be trained in sound level measurement and the operation of sound level measurement.
- (3) The town manager or his designee shall issue a general order adopting standards and procedures for sound level measurements and enforcement consistent with this article.

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Sec. 11-39. Maximum permitted sound levels.

(a) The use of sound amplifying equipment is limited to the conditions specified in this section.

(b) No person or group of persons shall operate or cause to be operated any source of sound in such a manner as to create a sound level which at its peaks exceeds the limits set forth hereinbelow when measured beyond the property line from which the sound originates.

(c) A live musical group or individual using sound amplifying equipment may operate out of doors only if the business manager or an authorized agent of that business manager has been granted a permit. This permit may be secured after it is signed by an authorized agent of the musical group and by a representative of the individual organization or group retaining the services of the musical group and on whose premises the amplifying equipment is to be used.

(d) The following are established as maximum sound levels:

(1) Nighttime sound levels (after 11:00 p.m. until 8:00 a.m.) may not exceed fifty (50) dB(A) except as noted in (3) below.

(2) Daytime/Evening sound levels (between 8:00 a.m. and 11:00 p.m.) may not exceed sixty (60) dB(A) except as noted in (3) below.

(3) Daytime/Evening sound levels in excess of sixty (60) dB(A) will be permitted upon issuance of a permit and allow sound levels exceeding those set above as follows:

Thursday Evening 75 dB(A)
(5:00 p.m. - 11:00 p.m. Thursday)

Friday Evening 75 dB(A)
(5:00 p.m. - midnight Friday)

Saturday 75 dB(A)
(10:00 a.m. - midnight Saturday)

(4) A permit to exceed sound levels may only be issued during the days and times listed in 11-39 (d)(3), to a maximum level of 75 dB(A). No outside amplified sound will be allowed unless a permit has been issued, subject to the exemptions set out in Section 11-40.

Sec. 11-40. Exceptions.

The following are exempt from the provisions of this article:

- (1) Sound emanating from regularly scheduled outdoor athletic events on the campus of the University of North Carolina.
- (2) Construction operations from 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends for which building permits have been issued or construction operations not requiring permits due to ownership of the project by an agency of government; providing all equipment is operated in accord with the manufacturer's specifications and with all standard equipment manufacturer's mufflers and noise-reducing equipment in use and in property operating condition.
- (3) Noises of safety signals, warning devices, emergency pressure relief valves, all church bells and the bells of the Bell Tower and the bell on South Building on the UNC Campus.
- (4) Noises resulting from any authorized emergency vehicle when responding to any emergency call or acting in time of emergency.
- (5) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefor has been granted by the town in accordance with the above. Regulations of noises emanating from operations under permit shall be according to the conditions and limits stated on the permit and contained above.
- (6) Unamplified and amplified sound at street fairs conducted by or for the Town of Chapel Hill.
- (7) An official all-campus University of North Carolina musical event, held in Kenan Stadium, of no more than one weekend in duration, occurring no more often than once per year.
- (8) All noises coming from the normal operations of properly equipped aircraft (not including scale model aircraft).
- (9) All noises coming from motor vehicles properly equipped with the manufacturer's standard mufflers and noise reducing equipment.
- (10) Noise from lawful fire works and noise makers on holidays.
- (11) Lawn mowers and agricultural equipment used between daylight hours 7:00 a.m. and 9:00 p.m. when operated with all the manufacturer's standard mufflers and

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noise-reducing equipment in use and in property operating condition.

- (12) Musical accompaniment to military ceremonies that is taped outdoor music, or music played with instruments not electrically amplified, provided such musical accompaniment lasts ten (10) minutes or less.
- (13) Sound amplification equipment used in conjunction with telecommunications system on business properties to notify employees of that business of incoming phone calls, providing that this system be used only between the hours of 7:00 a.m. and 10:00 p.m., and that any speakers attached to the system be oriented toward the interior of the property.

Sec. 11-41. Permit to exceed limits.

(a) Who may apply. A person or group of persons may produce or cause to be produced sound in excess of sixty (60) dB(A) only during the hours specified in Section 11-39, and only if a permit to exceed the limit for the time and place of the activity has been obtained.

(b) Application for permit. Any person or group of persons desiring a permit shall apply as provided herein, and shall provide all information required.

(c) Timeliness of application. The business manager or authorized agent or any person or groups of persons desiring a permit for a live musical group or individual to perform out of doors using sound amplifying equipment must apply prior to the activity for which the permit is requested. A person applying for a permit to exceed the sound levels set out in Section 11-39 (1 or 2) or to use sound amplifying equipment may apply jointly with the business manager or authorized agent of the musical group if live music is to be provided.

(d) Action by town manager. The town manager or his designee will act upon all requests for:

- (1) A permit to exceed the limits specified during the hours specified;
- (2) A permit on behalf of the business manager or authorized agent of any musical group that wishes to operate out of doors during the hours specified.

(e) Consideration by town manager. In considering and acting on all requests for permits pursuant to this article, the manager shall consider, but shall not be limited to the following, in issuing or denying such permit: The timeliness of the application; the nature of the requested activity;

previous experience with the applicant; the nature of the event; the time of the event; other activities in the vicinity of the location proposed; the frequency of the application; the cultural or social benefit of the proposed activity; the effect of the activity on the residential areas of the town; previous violations, if any, of the applicant.

(f) Requirements by town manager.

- (1) A permit granted forty-eight (48) hours in advance of an event will require the payment of a five dollar (\$5.00) administration fee. If a permit to exceed sixty (60) dB(A) is requested and granted less than forty-eight (48) hours prior to the event an administrative fee of twenty-five dollars (\$25.00) will be required.
- (2) The town manager or his designee may require that no sound speakers shall be set up more than ten (10) feet above the ground.
- (3) The town manager or his designee may require that the permit holders change the arrangement of loud speakers or the sound instruments so as to minimize the disturbance to others resulting from the position or orientation of the speakers or from atmospherically or geographically caused dispersal of sound beyond the property lines.

(g) Cooperation with police. Permit holders agree to cooperate with the police department in enforcing the noise control code by having the signers of the permit available at the site of the event during the entire time for which a permit has been issued and capable of assisting the police in enforcing the noise control code. Failure of such signer of a permit to be present or to assist the police in complying with this article will be cause for revocation of said permit.

Sec. 11-42. Violation.

Violation of any of the standards set forth in this article shall be unlawful, and punishable under the Code as provided therein, and is cause for immediate revocation of a permit to exceed limits. The town manager or his designee will deny a request to exceed the limits or to operate sound amplifying equipment to any individual, group, organization, or musical group who has held a permit to exceed noise levels within the previous six (6) months, and has violated the conditions of said permit, or who has violated any condition of this article within the previous six (6) months, with or without a permit. All permit issues pursuant to this article shall contain a statement of the penalties for violations set forth herein.

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Section II

All provisions of the Town Code of Ordinances inconsistent with this ordinance are hereby repealed.

Section III

This ordinance shall be effective on February 9, 1987.

This the 9th day of February, 1987.

Olympic Festival

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 87-2-9/R-1.

Council Member Preston said since there were no plans to construct Chapel Hill entranceway signs she liked the idea of having banners welcoming people to Chapel Hill.

Council Member Andresen said she appreciated the work the Community Appearance Commission and Public Works Department had done on the preliminary plans and would be doing to get the Town in shape for the Festival.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION DIRECTING THE TOWN MANAGER TO WORK WITH THE APPEARANCE COMMISSION IN PREPARATION OF LANDSCAPING PLAN FOR NATIONAL OLYMPIC FESTIVAL (87-2-9/R-1)

WHEREAS, the National Olympic Festival will take place in and around the Town of Chapel Hill in July, 1987, and

WHEREAS, the Chapel Hill Appearance Commission has accepted the responsibility for improving the appearance of the Town for that event, and has worked diligently in preparing a plan for landscape improvements, and

WHEREAS, the Council of the Town of Chapel Hill fully supports the efforts and goals of these volunteers;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council direct the Town Manager to assist the Appearance Commission in producing a plan for landscaping areas along certain entranceways, and to review said plans and to authorize the expenditure of funds for the purpose of implementing the plan; and

BE IT FURTHER RESOLVED that any funds donated to this purpose shall be appropriated to a Town account for the purpose of implementing the landscape plan, and

BE IT FURTHER RESOLVED that the Appearance Commission is requested to report to the Council on April 27 and June 22 as to the progress of this project.

This the 9th day of February, 1987.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT ORDINANCE 87-2-9/O-2. THE MOTION PASSED UNANIMOUSLY, (8-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1986" (87-2-9/O-2)

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 10, 1986 be and the same is hereby amended as follows:

ARTICLE I

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>APPROPRIATIONS</u>				
GENERAL FUND				
Public Works				
Equipment Svcs.	560,713		15,000	545,713
Bldgs. & Grounds	554,165	65,000		619,165
<u>REVENUES</u>				
Other Revenue (Donations)	11,875	50,000		61,875

This the 9th day of February, 1987.

Library Bookmobile

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT RESOLUTION 87-2-9/R-2A.

Mary Bridgers, Director of Victory Village Day Care Center and representing the Orange County Day Care Coalition, urged the Town to put the Bookmobile back on the road. She said the Day Care Centers in the Town as well as children throughout Town who stay at home need and miss Bookmobile services. Ms. Bridgers requested that when Bookmobile service resumes that the Day Care Center receive 12-month service not 9-month and that when planning for the new Library that input from the Day Care Centers be sought with regard to services to be provided.

Council Member Smith urged the Council to purchase an American-made Bookmobile so that parts would be readily available.

Council Member Preston asked for the timetable on the Bookmobile if the grant went through. Assistant Town Manager Ron Secrist replied that the application for the grant would be made in March with the Town to be notified of possible acceptance in July. He said with that kind of timetable, it would probably be January of 1988 before a new Bookmobile would be operating.

Council Member Werner said the importance of the Bookmobile was obvious to the Town and that the Bookmobile served a large population of citizens who currently are not able to take advantage of the Library facility on Boundary and Franklin Streets. He said he did not see the reason for waiting on federal grant funds for the new Bookmobile. He suggested applying for the grant, but for the Town to go ahead and purchase a new Bookmobile. If the grant were accepted then the Town could be reimbursed for the funds expensed, if not then the Town would amend the budget to take care of the expense.

Council Member Preston asked if it would be possible to outfit one of the surplus transit buses as a Bookmobile. Mr. Secrist responded that a Bookmobile was a self-contained unit, with a specified electrical system, etc, and that it would not be cost effective to retrofit a bus as a Bookmobile.

Council Member Smith asked if the Town could order a new Bookmobile in anticipation of the grant funding, and if the grant fell through, budget for the expenditure in next year's budget.

Assistant Town Manager Secrist said that he did not believe the Town could commit to purchasing the Bookmobile until the grant request was acted upon. He said the federal agency administering the grant funds probably would not look in favor at an applicant who had already purchased the item they expected the grant funds to purchase.

Council Member Andresen asked when the Town would know if they had received the grant. Mr. Secrist replied the Town would probably know between May and July.

Council Member Smith said the Town should do something in the interim. He asked if the Town could rent or use another vehicle to serve as a Bookmobile until the Town received notice on the grant and a new Bookmobile was delivered. Assistant Manager Secrist responded that the staff could look into that and that it might be possible for the Council to use one of the other options presented in the memorandum as a temporary measure until a new Bookmobile was purchased.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MANAGER TO APPLY FOR A MATCHING GRANT TO PURCHASE A LIBRARY BOOKMOBILE (87-2-9/R-2a)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town Manager is hereby authorized and directed to file an application on behalf of the Town of Chapel Hill to the N. C. State Library for a Library Service and Construction Act grant to provide matching funds to purchase a Library bookmobile, estimated to cost approximately \$50,000.

BE IT FURTHER RESOLVED that the Manager is authorized to provide any information and furnish such documents as required by the N. C. State Library and Library Service and Construction Act officials in connection with the grant request.

This the 9th day of February, 1987.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT ORDINANCE 87-2-9/O-3A.

Council Member Thorpe said that it was important that the children of Chapel Hill have the opportunity to have library services through the use of a bookmobile. He said the mind was a terrible thing to waste and that within the year it will take to get the new bookmobile, a lot of young minds would have been deprived the opportunity of growing and expanding through the world of books.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1986 (87-2-9/O-3a)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "The Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1986" as duly adopted on June 10, 1986, be and the same is hereby amended as follows:

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ARTICLE I

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>APPROPRIATIONS</u>				
LIBRARY GIFT FUND				
Contribution to General Fund	14,000	33,500		47,500
GENERAL FUND				
Library	687,338	50,000		737,338

ARTICLE II

REVENUES

LIBRARY GIFT FUND				
Dugan Gift		20,000		20,000
Fund Balance	0	13,500		13,500
GENERAL FUND				
From Library Gift Fund	14,000	33,500		47,500
LSCA Grant	0	16,500		16,500

This the 9th day of February, 1987.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO AUTHORIZE THE MANAGER TO LOOK INTO THE POSSIBILITY OF GETTING A VEHICLE TO USE FOR TEMPORARY LIBRARY OUTREACH SERVICES WHILE THE TOWN WAS WAITING FOR DELIVERY OF A NEW BOOKMOBILE. THE MOTION PASSED UNANIMOUSLY, (8-0).

Colony Woods - Drainage

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 87-2-9R-3A.

Peter and Desiree Denton, speaking as property owners of 509 Colony Woods Drive, said they appreciated the work done by the Town so far on this issue, but would prefer that the Town not defer action on this matter until after settlement of the pending lawsuit. They introduced into the record a letter from the attorney for the plaintiffs' in which he states that he did not think the case would result in an order which would require the developer to do anything to correct the problem since the property had been conveyed out to third parties. Mr. Denton said they had hired an engineer to estimate of the cost for widening the

culvert capacity under Colony Woods Drive and that the estimate they had received was \$11,000 (\$3,000 less than the Town's estimate).

Council Member Godschalk asked if the Denton's had been aware of the flooding problems when they bought the house. Mr. Denton replied that they had been apprised of some flooding problems but not of the actual extent of the problems. He said they had anticipated that certain remedial actions which they could take would relieve the problems, like putting in a sump pump, water proofing the foundation, etc.

Council Member Andresen said the storm sewer was backing up because the pipe underneath the road was too small. Mr. Denton said this was correct. He said as he understood it, the storm sewer had backed up before the development begun upstream, but that the new development exacerbated the problem.

Council Member Thorpe asked who was the Denton's Attorney when they purchased the house. The Denton's replied Michael Levine served both buyer and seller.

Council Member Preston asked what would be the cost of enlarging the storm sewer pipe under Colony Woods Drive. Acting Town Manager Loewenthal replied that just replacing the storm sewer may create further problems downstream, therefore a detention basin may also be needed. She said the estimated cost for these changes was approximately \$40,000.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK FOR A SUBSTITUTE MOTION TO REFER TO THE MANAGER.

The Dentons spoke against referring the matter to the Manager.

Council Member Preston asked the Town Attorney to comment on this matter.

Town Attorney Karpinos said the main question, and the reason the staff recommended deferral until the lawsuit was resolved, was that the question in the lawsuit was who was responsible, the Town or the developer. Until the question of responsibility had been determined it was not appropriate for the Town to act on this matter. If the court finds the developer responsible for the problem it should be the order of the court that he take corrective action.

Council Member Godschalk spoke in favor of the substitute motion to refer the matter back to the Manager, who in light of the information received tonight, and discussion which had occurred, would look at the issue and bring back another recommendation.

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

THE MOTION, AS SUBSTITUTED, PASSED UNANIMOUSLY, (8-0).

Mrs. Denton asked if the Council's action meant they were to wait for another recommendation from the Manager.

Council Member Godschalk said it meant the Manager would review the new information and this evening's discussion and would present the Council with another recommendation on how to proceed.

Council Member Pasquini said he did not expect a recommendation from the Manager until after the suit was settled.

Bond Projects - Implementation Process

Library

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 87-2-9/R-4.

Council Member Andresen said she did not think the proposed committee was large enough and did not take advantage of the wealth of knowledge and expertise with regard to building libraries that exist in the community. She suggested enlarging the committee to include three more members to be selected at-large.

COUNCIL MEMBER ANDRESEN MOVED TO AMEND THE MOTION TO ADD THREE MEMBERS TO THE LIBRARY COMMITTEE, TO BE SELECTED AT-LARGE, EACH FROM A SEPARATE GEOGRAPHIC AREA. THE MOTION FAILED FOR LACK OF A SECOND.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO AMEND THE MOTION TO INCLUDE A MEMBER FROM THE FRIENDS OF THE LIBRARY ON THE LIBRARY COMMITTEE. THE MOTION CARRIED, (5-3), WITH COUNCIL MEMBERS ANDRESEN, THORPE AND WERNER VOTING AGAINST.

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO AMEND THE MOTION TO ADD A MEMBER SELECTED AT-LARGE TO THE LIBRARY COMMITTEE. THE MOTION CARRIED, (5-3), WITH COUNCIL MEMBERS GODSCHALK, SMITH AND THORPE VOTING AGAINST.

THE MOTION AS AMENDED TO INCLUDE A MEMBER FROM THE FRIENDS OF THE LIBRARY AND ONE AT-LARGE TO THE LIBRARY COMMITTEE CARRIED, (6-2), WITH COUNCIL MEMBERS SMITH AND THORPE VOTING AGAINST.

The resolution, as adopted, reads as follows:

RESOLUTION AUTHORIZING THE MANAGER TO IMPLEMENT THE LIBRARY PROJECT FUNDED BY GENERAL OBLIGATION BOND PROCEEDS (87-2-9/R-4)

WHEREAS the citizens of Chapel Hill approved by referendum on November 4, 1986, the issuance of \$4 million of library bonds, and

WHEREAS the Council authorized a major public information effort on this and other bond issues before the referendum and held a widely-publicized Public Forum on January 28,

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Chapel Hill establishes a Library Committee to:

1. Recommend to the Council specific site selection criteria.
2. Recommend to the Council specific sites that would be compatible with site selection criteria as approved by the Council.
3. Recommend to the Council a process of selection of an architect.
4. Work with the architect through the design process.

BE IT FURTHER RESOLVED that the Committee shall include:

1. Two Council members.
2. Two members of the Library Board of Trustees appointed by that Board.
3. A member of the Community Appearance Commission appointed by that Commission.
4. A member of the Friends of the Library.
5. A member-at-large.

BE IT FURTHER RESOLVED that the Manager is directed to begin an analysis of automation needs so that the results may be incorporated into the building design process.

This the 9th day of February, 1987.

Street Improvements

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT RESOLUTION 87-2-9/R-5.

Council Member Andresen asked if it would still be possible for the residents of East Franklin to be included in discussions on just what changes would be occurring in their neighborhood. Acting Town Manager Loewenthal replied yes, and that the staff had already held at least two meetings with the residents and had come to a general consensus on the proposed changes. She said that it was not realistic to think that the Town would be able to please all of the residents with the proposed plans, but that the

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staff was listening to the neighbors concerns and taking them into consideration in the plans for the street improvements.

Council Member Thorpe urged the staff to make sure NCDOT was given a calendar of university and local school terms and events so that they could plan their projects accordingly.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MANAGER TO IMPLEMENT STREET IMPROVEMENT PROJECTS FUNDED BY GENERAL OBLIGATION BOND PROCEEDS (87-2-9/R-5)

WHEREAS, the citizens of Chapel Hill approved by referendum on November 4, 1986 the issuance of \$2.5 million of street improvement bonds; and

WHEREAS, the Council authorized a major public information effort on this and other bond issues before the referendum and held a widely publicized Public Forum on January 28; and

WHEREAS, the Council authorized (86-11-24/R-4) the execution of a Municipal Agreement with the N. C. Department of Transportation (DOT) concerning the Bypass Improvement Project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Manager to implement the plan proposed in the Manager's memorandum dated January 26, 1987 including but not limited to the following steps:

1. Continue to work with the DOT staff and consultants that are designing the Bypass Improvement Project.
2. Work out with DOT officials a proposal for DOT to improve the streets listed below and for the Town to contribute up to 20% of the estimated cost of these projects, not to exceed \$850,000; and for DOT to purchase and install a new traffic signal system in Chapel Hill and for the Town to agree to assume maintenance of the system, and to present this proposal to the Council for its action:

	Est. Cost
-- Widening of N.C. 86 from Homestead Road to I-40 Interchange	\$3,000,000
-- Sage Road Extension	
a. 15-501 to present 5-lane section	900,000
b. Erwin Road to Weaver Dairy Road	
-- East Franklin Street Corridor Improvements	100,000

--	Dobbins/Erwin Roads Intersection Improvements	140,000
--	Estes Drive/N.C. 86 Intersection Improvements	<u>30,000</u>
		\$4,170,000

3. Implement the three projects on local roads described in the memorandum of January 26 starting with the following steps:
 - a. Direct Town forces to begin construction of the re-alignment of Municipal Drive as soon as it can be scheduled.
 - b. Hire a consulting engineer to draw plans for the renovation of the Pritchard Avenue Extension Bridge and the realignment of Umstead Drive, and to proceed with construction.

This the 9th day of February, 1987.

Parks & Open Space

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 87-2-9/R-6. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

RESOLUTION AUTHORIZING THE MANAGER TO IMPLEMENT THE PARK & OPEN SPACE PROJECT FUNDED BY GENERAL OBLIGATION BOND PROCEEDS (87-2-9/R-6)

WHEREAS the citizens of Chapel Hill approved by referendum on November 4, 1986, the issuance of \$2.5 million of parks and open space bonds;

WHEREAS the Council authorized a major public information effort on this and other bond issues before the referendum and held a widely - publicized Public Forum on January 28;

NOW THEREFORE BE IT RESOLVED by the Council of the Town of Chapel Hill that the Manager is directed to identify sites suitable for a southern park, neighborhood parks, greenways, entranceways and other open space; to seek input from the Parks and Recreation Commission, the Greenways Commission, Planning Board, and Appearance Commission; and to follow the policy guidance of the final reports of the Greenways Task Force and the Entranceways Task Force, the Community Facilities Report, the Land Use Plan, and other elements of the Comprehensive Plan.

BE IT FURTHER RESOLVED that the Manager is directed to present sites for potential acquisition to the Council for its decision.

This the 9th day of February, 1987.

Meeting Room & Office Space

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 87-2-9/R-7.

Council Member Werner said the proposed Municipal Building Expansion Committee should include a member from the Northside neighborhood since the expansion would be impacting that neighborhood.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO AMEND THE MOTION TO INCLUDE A REPRESENTATIVE FROM THE NORTHSIDE NEIGHBORHOOD, SELECTED AT-LARGE. THE MOTION PASSED UNANIMOUSLY, (8-0).

THE MOTION, AS AMENDED, PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MANAGER TO IMPLEMENT THE MUNICIPAL BUILDING MEETING ROOM/OFFICE SPACE PROJECT FUNDED BY GENERAL OBLIGATION BOND PROCEEDS (87-2-9/R-7)

WHEREAS, the citizens of Chapel Hill approved by referendum on November 4, 1986 the issuance of \$2 million of public building bonds; and

WHEREAS, the Council authorized a major public information effort on this and other bond issues before the referendum and held a widely publicized Public Forum on January 28;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that a Municipal Building Expansion Committee is established to act as an advisory group during the design process and shall consist of:

1. two Council members;
2. one Planning Board member appointed by that board;
3. one Community Appearance Commission representative appointed by that commission; and
4. one representative of the Northside neighborhood.

BE IT FURTHER RESOLVED that the Manager is directed to hire an architect in consultation with the Committee; and

BE IT FURTHER RESOLVED that the Manager is directed to work with the Committee and the architect to produce plans for the building which shall be presented to the full Council in its role as owner/user.

This the 9th day of February, 1987.

Council Members Thorpe and Preston expressed interest in serving on this committee.

Fire Protection Services

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 87-2-9/R-8. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

RESOLUTION AUTHORIZING THE MANAGER TO IMPLEMENT THE FIRE PROTECTION PROJECT FUNDED BY GENERAL OBLIGATION BOND PROCEEDS (87-2-9/R-8)

WHEREAS the citizens of Chapel Hill approved by referendum on November 4, 1986, the issuance of \$800,000 of fire protection bonds, and

WHEREAS, the Council authorized a major public information effort on this and other bond issues before the referendum and held a widely publicized Public Forum on January 28,

NOW THEREFORE BE IT RESOLVED that the Manager is authorized to implement the three phases of the fire protection project, including, but not limited to, the following steps:

1. Purchase a fire pumper to be used in the new substation.
2. Hire a local architect to design the burn training facility for the site of the training tower next to the Fire Substation off Weaver Dairy Road.
3. Meet with interested citizens and the architect to explain the plans and expected operations of the training facility.
4. Proceed with construction of the training facility.
5. Once the site of the southern park is selected, hire an architect to design the southern fire substation and proceed with construction.

This the 9th day of February, 1987.

Annexation - Service Plans

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 87-2-9/R-9.

Council Member Smith said he hoped the Council and staff would take into consideration the need for additional police officers when areas are annexed, especially in light of the current shortage of public safety officers in the Town.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING A REPORT WITH PLANS FOR EXTENDING MAJOR MUNICIPAL SERVICES TO AN ANNEXATION AREA IN ACCORD WITH G.S. 160A-47 (87-2-9/R-9)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the annexation plan for extending and financing services to that certain proposed annexation area as described in the Town Council's resolution; which plan was submitted to the Town Council by the Manager on February 9, 1987 and a copy of which plan shall be retained with the records of this meeting.

BE IT FURTHER RESOLVED that the Council directs the Manager to make the report available to the public at least 30 days before the public hearing in accord with State law.

This the 9th day of February, 1987.

National Guard Armory

Mayor Wallace said the Town had received a letter from the National Guard concerning the possibility of locating an Armory in Chapel Hill. He asked for comments from the Council on this issue.

Council Member Godschalk said he did not see any public interest in such a facility.

Council Member Andresen spoke against having an Armory saying the Town already had too much air traffic.

Council Members Preston and Werner questioned the advantages to a Town in having a National Guard Armory.

Assistant Town Manager Secrist said there were cities who wanted a National Guard Armory for economic development (employment) purposes, as well as, having a facility to use for community events, etc.

Council Member Smith said the Town should spend the \$175,000 required to get a shelter for the homeless.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER SMITH TO HAVE THE MAYOR AND MANAGER POLITELY DECLINE THE TOWN'S INTEREST IN HAVING A NATIONAL GUARD ARMORY IN CHAPEL HILL. THE MOTION PASSED UNANIMOUSLY, (8-0).

Consent Agenda

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT RESOLUTION 87-2-9/R-11. THE MOTION PASSED UNANIMOUSLY, (8-0).

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

A RESOLUTION APPROVING AN ORDINANCE AND RESOLUTIONS (87-2-9/R-11)

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

- a. Sale of Land Near Bypass (R-12).
- b. Parking Restriction for Part of Boundary Street and for Campbell Lane (O-4).
- c. Extension of Report Period for Development Ordinance Text Amendments re Modification of Regulations (R-13).
- d. Rescheduling Public Hearing - Special Appearance District (R-14).
- e. Rescheduling Public Hearing - Master Plans (R-15).

This the 9th day of February, 1987.

A RESOLUTION ACCEPTING THE BID OF \$5000 FROM MR. GEORGE WATTS HILL TO PURCHASE LAND FROM THE TOWN OF CHAPEL HILL (TM 59, BLOCK E, LOT 1) (87-2-9/R-12)

WHEREAS Mr. George Watts Hill has offered to purchase the 1.22 acre parcel known as Tax Map 59, Block E, Lot 1, from the Town of Chapel Hill, and

WHEREAS, his offer acknowledges both the existing use restriction and the restriction to be added requiring the owner to transfer to the N.C. Department of Transportation any and all portions of the parcel needed for right-of-way purposes, at no cost to the Department of Transportation; and

WHEREAS, the Town has advertised for upset bids as required by G.S. 160-269 and has received none;

NOW THEREFORE BE IT RESOLVED by the Council of the Town of Chapel Hill, that the Council accepts the offer of Mr. Hill and directs

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the Manager to execute all documents necessary to complete this transaction.

This the 9th day of February, 1987.

AN ORDINANCE AMENDING CHAPTER 21 OF THE TOWN CODE OF ORDINANCES RESTRICTING PARKING ON A PORTION OF NORTH BOUNDARY STREET AND CAMPBELL LANE (87-2-9/O-4)

BE IT ORDAINED by the Council of the Town of Chapel Hill that Chapter 21 of the Town Code of Ordinances is hereby amended as follows:

Section I

ADD the following streets to the listing of streets contained in Section 21-27, No Parking As To Particular Streets:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Boundary Street	East	400 feet north of North Street	North End (Approximately 920 feet from North Street)
Campbell Lane	East	Entire Length	

Section II

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

This the 9th day of February, 1987.

A RESOLUTION DIRECTING THE MANAGER TO REPORT ON NON-CONFORMITIES ISSUES (87-2-9/R-13)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Manager's report on an amendment to the Chapel Hill Development Ordinance (on "Permitted Modifications of Regulations for Special Use Permits"), considered at a January 20, 1987 Public Hearing, be made on March 9, 1987, and include a discussion of issues related to non-conforming uses.

This the 9th day of February, 1987.

RESOLUTION RESCHEDULING A PUBLIC HEARING ON A DEVELOPMENT ORDINANCE TEXT AMENDMENT TO REVISE PROVISIONS DEALING WITH SPECIAL APPEARANCE DISTRICTS (87-2-9/R-14)

BE IT RESOLVED by the Council of the Town of Chapel Hill that a Public Hearing be scheduled to consider an amendment to the Development Ordinance, which would revise Article 13, "Special Appearance Districts," and an amendment to the Zoning Atlas to designate such districts.

BE IT FURTHER RESOLVED that this hearing be scheduled for the first available Public Hearing date following the report of the Design Task Force to the Town Council.

This the 9th day of February, 1987.

RESOLUTION RESCHEDULING A PUBLIC HEARING ON A DEVELOPMENT ORDINANCE TEXT AMENDMENT TO CREATE A TWO-STEP REVIEW PROCESS (87-2-9/R-15)

BE IT RESOLVED by the Council of the Town of Chapel Hill that a Public Hearing be scheduled to consider an amendment to the Development Ordinance, which would revise Article 15 to include a two-step review process for large developments.

BE IT FURTHER RESOLVED that this hearing be rescheduled from February 16 to March 16, 1987, at 7:30 p.m. in the Chapel Hill Municipal Building.

This the 9th day of February, 1987.

Boards and Commissions

Library Board of Trustees - Nominations

Council Member Preston nominated Doris Wilson.

Council Member Werner nominated Barbara Cryer, June Dunnick, Robert Miller, and Marjorie Swenson.

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

The meeting adjourned at 9:40 p.m.

