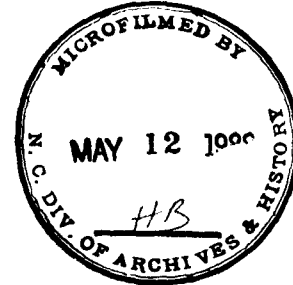


MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, AUGUST 24, 1987, 7:30 P.M.

Mayor Pro-tem Bill Thorpe called the meeting to order. Council Members present were:

Julie Andresen
David Godschalk
Jonathan Howes
David Pasquini
Nancy Preston
Arthur Werner



Council Member Smith arrived late.

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

Petitions

Council Member Andresen petitioned the Council to remove agenda items 3(b), petition from Sally Jessee regarding street lighting, and #11(a), nominations and appointments to Housing Advisory Board. She commented that Ms. Jessee was not able to attend this meeting and therefore would like her petition deferred until the next regular meeting. Ms. Andresen also stated that the subcommittee charged with soliciting citizens to serve on the Housing Advisory Board had come up with several recommendations but that they needed to have these individuals submit applications for the Board. She said the committee would prefer to consider this item at the next regular meeting.

COUNCIL MEMBER ANDRESEN MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO DEFER ITEMS #3(B) AND 11(A). THE MOTION PASSED UNANIMOUSLY, (7-0).

Mr. Miles Fletcher, presented a petition from the Willow Drive/Spruce Street neighborhood requesting additional stop signs at the intersection of Willow Drive and Spruce Street. He said the Town had had traffic counters in the area last week but that this had not been a good time to accurately count the traffic flow in the area as there had still been a lot of people on vacation last week.

Mayor Pro-tem Thorpe asked Mr. Fletcher to comment to the Council what he had said to him about the sidewalk that was recently laid out on Willow Drive.

Mr. Fletcher said that he did not feel the sidewalk on Willow Drive was adequate to meet the needs of the pedestrians using that roadway. He said that just extending the asphalt to make a

sidewalk did not give the protection of a standard raised, separated from the road, sidewalk.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO REFER TO THE MANAGER. THE MOTION PASSED UNANIMOUSLY, (7-0).

Margaret Brown petitioned the Council for support for protection of the University Lake watershed by using its power and authority to try to delay the recently approved Amberly development at least until the completion of the OWASA watershed study. She asked that the Council petition for public hearings before the Division of Environmental Management and the State Public Utilities Commission. (For copy of text, see Clerk's files.)

Council Member Werner commented that protection of the watershed was an important matter and that he would like the Town to take an aggressive look into what it could do regarding the Amberly subdivision and the watershed.

Council Member Smith asked Ms. Brown if she had presented her petition to the County Commissioners and said that the Town should coordinate its efforts with the County on petitioning the State for public hearings, etc.

Council Member Andresen said she concurred with the comments made and asked Ms. Brown if she was optimistic that the State would grant the hearing requests and delay the licensing. Ms. Brown replied that she did not know at this stage.

Council Member Preston asked if Ms. Brown was representing an organized group of citizens? Ms. Brown replied yes.

Council Member Howes said the petition mentioned a 30-day appeal period. He asked what could be appealed during this period. Ms. Brown said the appeal period was for the annexation, rezoning, and conditional use permit for Amberly.

Council Member Godschalk commented that the joint planning group had agreed on all points of interest except this one. He expressed support for requesting a public hearing on this matter.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO REFER TO THE MANAGER AND SUGGESTED THAT THE TOWN EFFORTS BE COORDINATED WITH THOSE OF ORANGE COUNTY COMMISSIONERS IN REQUESTING A PUBLIC HEARING. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Smith said that he had received a request that the Town look into ways to prohibit nuclear waste from being stored in the town. He said he would present the petition at the next meeting.

Mayor Pro-tem Thorpe asked that the staff investigate the possibility of an ordinance regarding Pitt Bull terriers. He also

stated that the Town needed to devise a policy for selecting local architects for Town projects. He suggested postponing the selection of the architect for the Municipal Building expansion until such a policy could be devised.

Council Member Preston said the Municipal Building Expansion Committee had been charged with working with the Manager to select an architect for the expansion. She said the Committee had looked at the work of several architects and had given the Manager a list of the top three candidates, the foremost of which was a firm from Raleigh. She said that there had been some negative feedback from local architects regarding their not being given priority in the architect selection. Ms. Preston said the Committee had investigated the policies of other area local governments and found that they had a stated policy that they would use area businesses whenever possible. She said she felt the architect recommended to the Manager was a good architect and would do an admirable job on the building expansion but that if the Council wished to delay selection and establish a specific policy then she would offer no objection.

Council Member Andresen said she had reservations about making this kind of decision this evening.

Council Member Smith expressed concern with changing the policy for selecting the architect for the Municipal Building expansion at this stage of the process. He said he did not feel the Council should change its policy retroactively.

Council Member Werner said that if the Council were to make a decision to change the policy retroactively with regard to this situation it should be understood that it then would not be out of hand for the Council to do so in other instances. He said he was opposed to making a retroactive decision.

Council Member Godschalk stated that the committee had done the work requested of them, made a recommendation and that the Council should support that recommendation and not change the policy retroactively.

Council Member Howes agreed and also said he did not feel the Library Committee should recommend a policy for selecting architects, etc. as suggested by the Manager in his letter to the Council. He said he thought it would be better to have a committee of Council Members to work with the staff on this issue.

Mayor Pro-tem Thorpe said he hoped that there could be a policy in place for future Town development.

Council Member Andresen asked when the Council could expect information on such a policy. Manager Taylor responded that he would have a resolution before the Council on September 14 regarding deleting the selection of architect criteria from the

Library Committee charge and would then proceed with discussing how to proceed with establishing a selection policy.

Council Member Pasquini stated that he hoped whatever policy was established that it was open minded. He said he did not have any problems with the current policy.

Minutes

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT THE MINUTES OF JUNE 23, 1987 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Werner asked that his comments on page 11 regarding the Special Use Rezoning versus general community commercial rezoning be reviewed for accuracy.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT THE MINUTES OF JULY 6, 1987 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Preston said that on page 28 the word "how" should be eliminated from her comments and that on page 39 regarding the Teen Arts Program the representative of the Arts Center was Rita Ware.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT THE MINUTES OF JULY 13, 1987 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY, (8-0).

University - Town Joint Advisory Committee

Council Member Werner gave a status report on the joint committee. He said the committee had met a couple of times in July. He said the first meeting had been organizational and at the second meeting there had been a presentation of the Town's Thoroughfare Plan and the University's draft long-range plan from representatives of the University's planning consultant.

Council Member Preston commented that she had found the guidelines for facilities planning extremely interesting. She asked if the proposed guidelines had been adopted. Ms. Preston said she was expressly concerned with the proposal #2(a) and (b).

Council Member Werner said that he had received information this past week which seemed to indicate that the proposed guidelines had been adopted by the University.

Council Member Andresen commented that the recommendations from this committee could be far-reaching. She asked if the committee saw itself coming up with recommendations on the Thoroughfare Plan and Land Use Plan. Council Member Werner said that it was a possibility.

Council Member Werner said the next meeting of the committee was the next evening and they would hear a presentation of the University's plans for the next few years. He said he would like the Town to sponsor cablecasting this meeting as well as a public meeting on September 22. He said the cost for each meeting would be approximately \$625.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER SMITH TO AUTHORIZE THE MANAGER TO NEGOTIATE FOR CABLECASTING OF TWO PUBLIC MEETINGS ON AUGUST 25 AND SEPTEMBER 22.

Mayor Pro-tem Thorpe stated that he believed the University should help bear the cost of cablecasting the meetings.

THE MOTION PASSED UNANIMOUSLY, (8-0).

Council Member Preston expressed concern that the public meeting on September 22 would generate more people than the meeting room would hold. She suggested that it might be appropriate to hold the meeting at another location which would accommodate more people.

Council's Procedures Manual - Removal of items from the Agenda

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT RESOLUTION 87-8-24/R-1.

Mayor Pro-tem Thorpe commended Council Member Werner for his efforts on this matter. He said the Council also needed to look at a formal procedure for placing items on the agenda.

Council Member Howes commented that he thought the proposed procedure was good but also pointed out that there could be times when an item of particular interest to a Council Member was to be on the agenda and that Council Member was at the last minute, unable to attend the meeting. He said he hoped other Council Members would, as they had in the past, petition to remove the item from the agenda out of courtesy, knowing of the individual member's interest in the subject.

Council Member Smith expressed concern that the procedure addressed the Council's concerns about removing an item from the agenda but it did not address the concerns of the individual citizen who had requested the item before the Council. He said the Council needed to be aware of the other parties involved and how delays of an item could only prolong the process.

THE MOTION CARRIED, (7-1), WITH COUNCIL MEMBER SMITH VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION AMENDING THE COUNCIL'S PROCEDURES MANUAL
(87-8-24/R-1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby amends its Procedures Manual as follows:

I. Meetings

B. Agenda of Council Meetings

5. Removal of items from the Agenda. Removal of an item from the agenda may be requested by Council Member(s) during the petition time on the agenda.

If a Council Member desires to have an item removed from the agenda of a meeting at which the Council Member will not be present, a written request shall be distributed to the Council by the Friday prior to the meeting. At the meeting, the Mayor shall present the written request to the Council for a vote.

Five affirmative votes shall be necessary to remove an item from the agenda.

Items removed, unless noted otherwise, will be placed on the agenda of the next similarly scheduled (regular or public hearing) meeting of the Council.

This the 24th day of August, 1987.

Council's Procedures Manual - Reimbursement of Board and Commission Members

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 87-8-24/R-2B. THE MOTION CARRIED, (7-1), WITH COUNCIL MEMBER WERNER VOTING AGAINST.

The resolution, as adopted, reads as follows:

A RESOLUTION AMENDING THE COUNCIL'S PROCEDURES MANUAL
(87-8-24/R-2b)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby amends its Procedures Manual as follows:

II. D.5 General Provisions

d. Reimbursement of Expenses. The following guidelines set forth Town policy regarding advances and reimbursement of expenses incurred by members of boards or commissions (excluding OWASA, an autonomous board).

(1) Out-of-Town Travel and Expenses to Relevant Conferences, Training Sessions and Meetings. The Town will pay costs for registration, lodging, transportation and meal expenses in accord with the Town's travel policy and as approved with the adopted budget.

(2) Reimbursement Procedures. If an advance for out-of-town travel is obtained, proof of expenses incurred (receipts) must be submitted to the Finance Department, through the department providing support to the board or commission after the trip, any unspent money must be returned. If a reimbursement is requested, receipts must be attached to the appropriate travel expense forms.

Requests for reimbursement will usually be honored within two weeks of official documentation of expenses.

This the 24th day of August, 1987.

Special Use Rezoning - Calling Public Hearing re Development Ordinance Text Amendment

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 87-8-24/R-3. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION CALLING A PUBLIC HEARING (87-8-24/R-3)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing on Monday, October 19, 1987, at 7:30 p.m. on amending portions of Articles 3, 18, and/or 20 of the Development Ordinance concerning special use zoning to comply with recent Court decisions.

BE IT FURTHER RESOLVED that the Council refers this matter to the Planning Board for consideration and a recommendation pursuant to procedures in Article 20.

This the 24th day of August, 1987.

South Orange Rescue Squad Funding Request Update

Manager Taylor stated that the Town had received a request from the South Orange Rescue Squad on June 18 for \$10,000 to help defray the costs of expanding their facility in Carrboro. He said the Town's 1987-88 budget had been adopted on May 26. Mr. Taylor commented that both Orange County and Carrboro had included \$10,000 each for the project in their 1987-88 budgets which were adopted in August and June respectively. He said the Rescue Squad's Chief had informed the Town that he expected to resubmit the request for funds from Chapel Hill for the 1988-89 budget. Mr. Taylor said the Town would work with South Orange Rescue Squad officials to develop a proposal for Town assistance of funding the building addition and would include this proposal for the Council's consideration with the 1988-89 budget in the Spring.

Council Member Godschalk asked the Manager to pass this information on to the Rescue Squad, thanking them for the fine work in the community.

Fire Burn Training Facility - Report

Assistant Town Manager Ron Secrist gave a report on the status of the Fire Burn Training Facility. He said that the November bond referenda had included \$800,000 for fire services and that a portion of those funds were to be used to construct a fire burn training facility. Mr. Secrist said that the Council had authorized the Manager to proceed with the design of the facility which was to be located adjacent to Fire Station #4 at the intersection of Weaver Dairy Road and N.C. 86. He said that T. J. Land had been hired as the architect for the project. Mr. Secrist pointed out that the proposed siting of the burn building had taken into consideration the extension of Weaver Dairy Road and the adjacent single family residential neighborhoods. He said the proposal included a 50' vegetative buffer and approximately 50' of paved area between the burn building and Weaver Dairy Road. He stated that the structure would be masonry and built to resemble a residential structure. Mr. Secrist commented that the next step was to bid the structure.

Council Member Godschalk asked if the building was actually set on fire for the training exercises. Mr. Secrist responded that the interior of the building was set on fire but that the exterior was not.

Council Member Godschalk asked how often the burn facility would be in use. Fire Chief Everette Lloyd replied that as the Town did not currently have such a facility he did not know exactly how often the facility would be in use but that he expected it to be used quite frequently for training purposes.

Council Member Werner asked if flames from the burn facility would be visible to motorists and neighbors. Mr. Secrist replied that he would not expect flames to be visible, but that smoke would probably be seen.

Council Member Smith asked what kind of impact this facility would have on the proposed Northwood V neighborhood. Mr. Secrist responded that in designing the site the staff and architect had paid particular attention to its proximity to the residential neighborhood and had positioned the site approximately 200' from the subdivision and adjacent to that part of the subdivision that was designated as recreational areas. He said the staff did not expect any kind of negative impact on the area.

Council Member Preston asked if there had been discussions on fencing off the site so as to prohibit unwanted access, especially by children playing in the area. Mr. Secrist said that there was currently no fence around the site and that they experience very little vandalism, but that with the extension of Weaver Dairy Road and the development of Northwood V it was conceivable that a property fence would be desirable.

Council Member Godschalk asked about the prevailing winds. Mr. T. J. Land, the architect, replied that the prevailing winds in North Carolina were from the southwest, and that this meant that the smoke from the facility would disperse over the site towards N.C. 86.

Council Member Smith asked how much smoke would be created. He said he was concerned that it might hinder traffic flow on N.C. 86. Chief Lloyd replied that they planned to burn pallets within the building which would create a hot fire with little smoke.

Council Member Andresen asked if other fire departments would use the facility. Mr. Secrist said that he expected with the mutual aid agreements with area volunteer fire departments that they would also use the facility.

Solid Waste Management Study

Council Member Preston gave a report on the regional solid waste management study. She said they had recently negotiated a contract with HDR Associates for a study and that they were ready to proceed with phases I and II of the study which was to identify components of the waste stream in Orange County. She said they would combine the results of this study with those of one recently done in Durham to develop alternatives for the disposal of solid waste and the possible locations for such disposal. Ms. Preston stated that after phase I and II were complete, HDR would recommend what should be the next steps for the Task Force to take, which could involve the feasibility of a regional facility or whether or not Orange County should have a separate facility, etc. Ms. Preston commended Public Works Director, Bruce Heflin, for his work and efforts on this project.

Council Member Andresen commented that Ms. Preston had indicated that the Task Force could expect a report within the next 90 to 100 days. She asked if the Task Force had given any direction to the consultants as to the methods of handling the garbage, etc.

Ms. Preston replied no, that the Task Force had wanted the consultants to review all alternatives.

Council Member Smith said the Task Force, and Chapel Hill, needed to be alert and concerned for any indication that southern Orange and Chapel Hill in particular, should bear the total burden of taking care of solid waste for the entire area.

Triangle J Council of Governments

Council Member Howes reported that the Triangle J Council of Governments governing board had been on summer vacation and there was not much new to report. He said the annual meeting would be held on Wednesday, October 28 and that the steering committee was to be headed by former governor James Hunt. Subjects would include the critical issues of water supply, traffic, etc.

Joint Orange-Chatham Community Action

Council Member Preston reported that JOCCA had been awarded a Housing and Preservation Grant from the Farm Home Administration for fiscal year 1987-88 in the amount of over \$377,500. She said the funds were to be used to renovate 80 or more homes of people with extremely low incomes. Ms. Preston stated that the Orange - Chatham Home Repair business was now an independent entity and was doing well. She also said JOCCA would be involved in the N.C. Poverty Project headed by William Friday.

Transportation Advisory Committee

Mayor Pro-tem Thorpe reported that the TAC had met last week and had called for a public hearing on September 30 at Culbreth Junior High School on revising the Thoroughfare Plan to meet the traffic needs of Chapel Hill, Carrboro and Durham.

Council Member Werner asked if there were any specific changes proposed in the new Thoroughfare Plan. Mr. Roger Waldon, Planning Director, responded that the purpose of the public hearing would be to present the traffic projections and deficiencies in the current road system and that this information would be used as a basis for redrawing the Thoroughfare Plan.

Council Member Andresen asked who would actually determine what changes in the Thoroughfare Plan took place. Mr. Waldon replied that the new Thoroughfare Plan would have to be adopted by Chapel Hill, Carrboro, Durham and the State.

Council Member Smith expressed concern that there might be a duplicating or wasting of efforts by the University - Town Joint Committee on the Thoroughfare Plan and the University's land use plan. Mr. Waldon commented that he thought the work and discussions being held by the University - Town Joint Committee were timely and would be useful in the discussion on the proposed new Thoroughfare Plan.

Council Member Preston commented that she had heard that the right-of-way acquisition for the expansion of U.S. 15-501 would be the same for six lanes as for eight lanes. She asked if there were plans for the by-pass to be eight lanes. She said that she felt 15-501 By-pass was not really a by-pass but a Town road and that she would like to see the proposed Laurel Hill Parkway become the true by-pass around Chapel Hill.

Mr. Waldon responded that he had not heard anything about 15-501 being eight lanes. He said that six lanes had been one of the alternatives suggested when the by-pass improvements had been discussed.

Council Member Andresen said that she had attended the TAC meeting last spring at the Research Triangle Park and that the traffic projections had been staggering. She said she was concerned that the Thoroughfare Plan revisions would be designed so as to address these figures alone and that the Town's wishes might not be considered.

Annual Report

Manager Taylor stated that he was glad to have this time to discuss the accomplishments of the Town during the last year. He said some of the highlights included the homeownership demonstration project, revisions to the Resource Conservation District ordinance and Development Ordinance, completion of the University Heights sewer extension and the Barclay-Justice sewer, and completion of the field review of all signs within the town and initial letters sent to owners of non-conforming signs. Manager Taylor also said significant work was done in the area of solid waste management and recycling; Chief Herman Stone retired after 37 years with the Town, and there was a reduction in average response time to emergencies by the Police from 3.25 minutes to 2.9. He pointed out that over 300 hours of in-service training for each fire suppression employee was conducted and that a smoke detector ordinance for older residences adopted. Mr. Taylor said he was pleased to say that the major entranceways had been landscaped as part of the Olympic Festival plans, and that there had been further work on greenways development. He reported that library circulation increased, and that transportation ridership had increased 6.6%. He said he was pleased to report that the general fund revenues exceeded expenditures, and that the Town had had a successful bond referenda to authorize funding for street improvements, parks and open space, a new library, fire services, and municipal building expansion.

Council Member Howes said that he appreciated the presentation and that this was a good way for the Council to review the activities of the past year and to reflect on what had occurred. He said that it might be beneficial in the future to have some of the Department Heads give presentations. He asked if the revisions of the Development Ordinance had been reviewed by Rusten and Associates. Manager Taylor replied that the staff had talked

with Rusten but that the Town had not had Rusten formally review the changes. He said the staff had included cross references and a users guide to help make the Development Ordinance simpler to understand.

Council Member Howes asked if the Urban Mass Transit Administration's policy regarding the use of private businesses for charters had had an impact on the Town's transit operations. Mr. Bob Godding, Transportation Director, replied that it had had an impact, especially in the area of unemployment compensation. He pointed out that the Town had been able to "call back" drivers for charter work, who had been laid off during the summer but that now these drivers would not be able to work during the reduced summer schedule and therefore may have to be paid unemployment compensation which would cost the Town. Council Member Howes asked about University events like football games, etc. Mr. Godding replied that special services like the shuttles to the games were not considered charters but that if a specific group like the Ram's Club wanted to charter a bus, the Town would not be able to provide it.

Council Member Smith asked what kind of accidents had Town employees been involved in the last year. Bruce Heflin replied that most of them had been vehicular accidents. Mr. Smith asked if there were driver training programs for the employees. Mr. Heflin responded that there were classes and departmental safety programs.

Council Member Smith asked who inspected the taxis, how often were they inspected, and what did it take to sideline a taxi. Chief Gold replied that the Police inspected the taxis about twice a year. Council Member Smith said the taxis needed to be inspected more often.

Council Member Smith asked if the number of employee grievances had been reduced since the change in the pay policy. Mr. Taylor replied yes.

Council Member Smith asked if the Town was involved in any drug testing of its employees. Mr. Taylor replied no.

Council Member Smith commented that the Durham Police was involved in a successful interaction program with the citizens they serve. He suggested the Town implement this kind of program.

Council Member Godschalk commented that the annual report indicated that the studies of the Franklin Street traffic corridor was complete and that nothing appeared to have been resolved. Manager Taylor replied that the studies were complete and that every suggestion from the Town had been turned down by the State. Mr. Godschalk asked that this issue not be tabled and that the Town continue with its efforts.

Council Member Andresen asked about the status of the traffic signalization improvement plans. Manager Taylor replied that he was unsure of the status of the project with the recent legislation on roads adopted by the General Assembly, but he expected an update soon from State officials.

Council Member Andresen said the report indicated the consultant had started work on the entranceways in July. She asked when this work was expected to be completed. Manager Taylor responded that the consultant was due to complete his work in October of this year.

Council Member Andresen asked what was the status of the public facilities ordinance. Mr. Waldon replied that the staff and consultant were working on this and were merging it in with the work on the Comprehensive Plan and that they were targeting late Spring for a public hearing and ordinance consideration.

Council Member Preston asked how the Town determined which streets to resurface. Bruce Heflin, Public Works Director, replied that the staff reviewed the age, characteristics, patches, signs of distress, history, etc. of the streets within the Town each year. He said this information along with visual review was used to estimate the need for resurfacing. He said the staff then would prioritize the roads for resurfacing based on this information. Mr. Heflin said the staff would then resurface streets on the list, also taking into account the geographic distribution, etc. of the streets. Council Member Preston said that this meant the streets were reviewed each year to see which needed to be resurfaced rather than there being a master plan for resurfacing which scheduled certain streets for resurfacing each year. Mr. Heflin replied yes.

Council Member Preston asked how long an asphalt road with normal traffic would be expected to last. Mr. Heflin replied that it depended upon the traffic flow, road bed, etc. but that generally a normal street surface would last approximately 10 to 12 years.

Council Member Werner asked if the Town was making progress on the collection of household hazardous materials. Mr. Heflin responded that the Town's recycling coordinator was working on a feasibility study to develop such a program.

Council Member Werner asked if the University had its own hazardous materials plan and team or were they part of the County's. Mr. Heflin replied that the University had its own plan, and Chief Lloyd stated that the University had its own team. Council Member Werner asked if the University's hazardous materials team would assist the Town if needed. Chief Lloyd replied yes.

Council Member Smith asked if all the apartment complexes were completely occupied to their maximum capacity, would there be enough parking spaces in the complex for every occupant. Manager Taylor replied no. Council Member Smith stated that as such the

Town needed to be aware that the apartment residents would then be parking their vehicles in neighboring residential sections and that this needed to be monitored so as not to create any problems.

Council Member Smith commented that there were not supposed to be left turns onto N.C. 86 from the Shadowood Apartment's entrance on N.C. 86, but that people were making left turns. He asked the staff to look into this.

Council Member Preston thanked the staff for an outstanding year.

Local Acts - Authorization to Codify

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL GODSCHALK TO ADOPT RESOLUTION 87-8-24/R-4. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING ADDITIONS TO THE TOWN CHARTER
(87-8-24/R-4)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the incorporation of the following local acts into the Town Charter:

1. Chapter 460, 1987 session laws:

Title I, Chapel Hill Occupancy Tax (add as Article VIII, Section 29 of Charter Appendix.

Title II, Chapel Hill Smoke Detectors (add as Article VII, Smoke Detectors, Section 26 of Charter Appendix Reserve Sections 27 and 28.

Title V, Chapel Hill Housing (add to Chapter VI, a new Article 6, Housing, Section 6.36 in the Charter).

2. Chapter 233, 1987 session laws, Joint Planning and Annexation Agreements (add as Section 5.18 of the Charter).

3. Chapter 936, 1986 session laws, Impact Fees (add as Sections 5.34 - .41 of the Charter).

4. Chapter 961, 1984 session laws, Economic Development Projects (add as a new Article 4, Sections 4.20 - .25).

5. Chapter 346, 1973 session laws, Private Sale of Redevelopment Property (add as Section 6.37 of Charter).

This the 24th day of August, 1987.

Consent Agenda

Council Member Pasquini asked to remove items #a and f(2).

Council Member Preston asked to remove items #d(1),(2) and h(4).

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 87-8-24/R-5 MINUS ITEMS #A, D(1), D(2), F(2), AND H(4). THE MOTION PASSED UNANIMOUSLY, (8-0).

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

A RESOLUTION APPROVING VARIOUS ORDINANCES AND RESOLUTIONS (87-8-24/R-5)

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

- b. 1988 Meeting Calendar (O-1, R-7).
- c. Notices of intent to lease.
 - (1) Ridgefield Center space for Head Start Program (R-8).
 - (2) Housing and Community Development space for the Job Service office (R-9).
- d. Calling public hearings.
 - (3) September 21 zoning hearings for Ephesus Baptist Church and Chandler's Green Subdivision, Phase I (recently annexed areas). (R-12).
 - (4) September 28 on request to close right-of-way north of Azalea Drive (R-13).
- e. Ratifying change order for Merritt Mill Road Project (R-14).
- f. Budget amendments.
 - (1) Reappropriating matching Town funds for 1986-87 Highway Safety grant (\$7,472). (O-2).
- g. Bids.
 - (1) Refuse trucks (R-15).
 - (2) Tractor scraper (landfill equipment). (R-16).
 - (3) Fire equipment (R-17).

h. Traffic.

- (1) Wesley Drive street closing (R-18).
- (2) Harrington Point street closing (R-19).
- (3) Stop and speed limit regulations for various new streets and streets in annexation areas (O-4).
- (5) Parking restriction for Lindsay Street (O-6).
- (6) Parking restriction for Woodbine Drive (O-7).

i. Travel Reimbursement for Town Employees (O-8).

This the 24th day of August, 1987.

Meeting Calendar

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

AN ORDINANCE REGARDING MEETING DATES IN 1987 (87-8-24/O-1)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the meeting schedule for 1988 as follows:

July 4, 1988 rescheduled to July 6, 1988.

This the 25th day of August, 1987.

A RESOLUTION REGARDING PUBLIC HEARING DATES IN 1988 (87-8-24/R-7)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends the schedule for 1988 Public Hearings on proposed special uses, rezonings, and Development Ordinance amendments as follows:

January 18, 1988 rescheduled to January 20, 1988.

March 21, 1988 rescheduled to March 23, 1988.

This the 24th day of August, 1987.

Ridgefield Center - Intent to Lease

The resolution, as adopted, reads as follows:

A RESOLUTION DIRECTING PUBLICATION OF A NOTICE OF INTENT TO LEASE THE RIDGEFIELD COMMUNITY CENTER TO THE CHAPEL HILL - CARRBORO HEAD START PROGRAM (87-8-24/R-8)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council directs the Town Manager to publish a Notice of the

Council's intent to enter into a lease with the Chapel Hill - Carrboro Head Start Program for use of the Ridgefield Community Center located in the Ridgefield Public Housing Site on Estes Drive, said lease being substantially in the form presented by the Town Manager in his report on this matter on August 24, 1987, a copy of which shall be kept with the records of this meeting.

This the 24th day of August, 1987.

Job Service Office - Housing and Community Development Space - Intent to Lease

The resolution, as adopted, reads as follows:

A RESOLUTION DIRECTING PUBLICATION OF A NOTICE OF INTENT TO LEASE THE FIRST FLOOR OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT ADMINISTRATION BUILDING TO THE COUNTY OF ORANGE (87-8-24/R-9)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council directs the Town Manager to publish a notice of the Council's intent to enter into a lease with the County of Orange for approximately 2,009 square feet on the first floor of the Department of Housing and Community Development Administration Building at 317 Caldwell Street Extension to be used by the Employment Security Commission of North Carolina, said lease being substantially in the form presented by the Town Manager in his report on this matter on August 24, 1987, a copy of which shall be kept with the records of this meeting.

This the 24th day of August, 1987.

Calling Public Hearing on Zoning Recently Annexed Areas - Ephesus Baptist Church and Chandler's Green, Phase I

The resolution, as adopted, reads as follows:

A RESOLUTION RESCHEDULING PUBLIC HEARINGS CALLED ON ZONING NEWLY ANNEXED AREAS (87-8-24/R-12)

BE IT RESOLVED by the Council of the Town of Chapel Hill that Public Hearings called for in Resolutions (87-6-22/R-8) and (87-7-13/R-11) to consider zoning classifications for the Ephesus Church property and Chandler's Green Subdivision, two areas to be annexed by the Town and described in said resolutions, be re-scheduled from their original hearing date of September 14, 1987.

BE IT FURTHER RESOLVED that the new date of these hearings be September 21, 1987, at 7:30 p.m at the Chapel Hill Municipal Building Meeting Room.

This is the 24th day of August, 1987.

Azalea Drive - Request to Close Right-of-Way

The resolution, as adopted, reads as follows:

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CLOSURE OF AN UNNAMED RIGHT-OF-WAY OFF AZALEA DRIVE (87-8-24/R-13)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby declares its intent to consider closing an unnamed right-of-way off of Azalea Drive between Tax map Lot 133.B.4 (which is also Lot 4 of Phase 1 of Morgan Creek Hills as shown on the plat at Plat Book 15 at Page 119) and Tax Map Lot 133.C.1 (which is also Lot 5 of Phase 1 on the same plat), which right-of-way is approximately 60 feet wide and 200 feet long; and calls a public hearing at 7:30 p.m. on Monday, September 28, 1987, in the Meeting Room of the Municipal Building, 306 N. Columbia Street, Chapel Hill, on the proposed closing of said right-of-way.

BE IT FURTHER RESOLVED that the Town Manager is hereby directed to arrange publication and mailing of notices of the hearing as required by law.

This the 24th day of August, 1987.

Merritt Mill Road Improvements - Change Order

The resolution, as adopted, reads as follows:

A RESOLUTION RATIFYING CHANGE ORDER ONE ON THE MERRITT MILL ROAD IMPROVEMENTS PROJECT (87-8-24/R-14)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council ratifies Change Order One on the Merritt Mill Road Improvements Project in the amount of \$24,125.00.

This the 24th day of August, 1987.

Budget Amendment - Reappropriations for Highway Safety Grant

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, 1987" (87-8-24/O-2)

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, 1987" as duly adopted on May 26, 1987, be and the same is hereby amended as follows:

ARTICLE I

	<u>Current Budget</u>	Increase	Decrease	<u>Revised Budget</u>
<u>APPROPRIATIONS</u>				
GENERAL FUND				
Engineering	306,912	7,472		314,384

ARTICLE II

REVENUES

GENERAL FUND				
Grants	236,140	6,102		242,242
Approp. Fund Balance	400,000	1,370		401,370

This the 24th day of August, 1987.

Refuse Truck Bids

The resolution, as adopted, reads as follows:

A RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF TWO (2) CAB AND CHASSIS EQUIPPED WITH SIDE - LOADING PACKER BODIES (87-8-24/R-15)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in the Chapel Hill Newspaper on July 19, 1987, in accordance with G.S. 143-129 for the purchase of two (2) Cab and Chassis equipped with side - loading packer bodies; and

WHEREAS, the following bids have been received and opened on August 4, 1987:

<u>Vendor</u>	<u>Cab & Chassis</u>	<u>Packer Body</u>	<u>Total</u>
	<u>Unit Price</u>	<u>Unit Price</u>	
Worth Keeter, Inc. Charlotte, N.C.	\$31,846.00	\$22,240.00	\$54,086.00
North State Ford Raleigh, N.C.	\$32,899.00	No Bid	
Rand Autom Compaction Raleigh, N.C.	\$35,111.67	\$23,213.84	\$58,425.51
Cardinal Int. Trucks Raleigh, N.C.	\$35,192.80	No Bid	

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Worth Keeter, Inc., in the amount of \$108,172.00 for two (2) Cab and Chassis equipped with side - loading packer bodies.

This the 24th day of August, 1987.

Tractor Scraper (Landfill) Bids

The resolution, as adopted, reads as follows:

A RESOLUTION ACCEPTING A BID FOR THE PURCHASE OF A TRACTOR SCRAPER (87-8-24/R-16)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in the Chapel Hill Newspaper on July 19, 1987, in accordance with G.S. 143-129 for the purchase of a tractor scraper; and

WHEREAS, the following bids have been received and opened on August 4, 1987;

<u>Item</u>	<u>L.B. Smith, Inc.</u>	<u>Gregory Poole, Inc.</u>
Tractor scraper	\$223,870.00	\$265,904.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of L.B. Smith, Inc., in the amount of \$223,870.00 for a Tractor Scraper.

This the 24th day of August, 1987.

Fire Equipment Bids

The resolution, as adopted, reads as follows:

A RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF FIRE EQUIPMENT (87-8-24/R-17)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in The Chapel Hill Newspaper on June 7, 1987, in accordance with G.S. 143-129 for the purchase of fire equipment; and

WHEREAS, the following bids have been recommended:

Vendor: Charlotte Equipment Sales

<u>Item</u>	<u>Quantity</u>	<u>Price</u>	<u>Total</u>
5" Single Jacket Hose	50'	14.40'	\$ 720.00
3" Single Jacket Hose	2400'	4.18'	10,032.00
1-3/4" Single Jacket Hose	1600'	2.90'	<u>4,640.00</u>
Total:			\$15,392.00

Vendor: Harold's Sales and Service

<u>Item</u>	<u>Quantity</u>	<u>Price</u>	<u>Total</u>
35' Pumper Extension Ladder	2	488.30	976.60
14' Pumper Roof Ladder	2	138.00	276.00
10' Folding Ladder	3	102.00	306.00
Axes - 6 lb. pickhead	2	38.95	77.90
Axes - 6 lb. flathead	2	33.10	66.20
Foam Eductor	2	209.80	419.60
Hose Straps	8	11.85	94.80
Hose Clamps	4	172.05	688.20
Master Stream Appliance	2	1,173.10	2,346.20
Handline Nozzle - 1-1/2" NST	4	337.90	1,351.60
Handline Nozzle - 1"	2	224.50	449.00
Handline Nozzle - 2-1/2"	4	368.80	1,475.20
Total:			\$8,527.30

Vendor: Newton's Fire and Safety Equipment

<u>Item</u>	<u>Quantity</u>	<u>Price</u>	<u>Total</u>
Ladder Cover	3	34.00	68.00
Electric Reel Cable	2	66.00	132.00
Lights	4	82.00	328.00
Smoke Ejector	2	363.00	726.00
Doorbar	2	47.50	95.00
4-Way Connector	2	122.00	244.00
Air Packs	8	1,018.00	8,144.00
Extra Tanks	8	282.00	2,256.00
Pike Poles: IBM Napla	2	63.00	126.00
Pike Poles: CH-32-F6	2	44.30	88.60

<u>Item</u>	<u>Quantity</u>	<u>Price</u>	<u>Total</u>
Handlights	4	70.00	\$ 280.00
Wheel Chocks	2	59.00	118.00
Hydrant Wrenches	4	16.00	64.00
Spanner Wrenches and Holder	6	27.00	162.00
Spanner Wrench	4	6.00	24.00
Hose Clamp	4	170.50	682.00
Double Male	4	31.00	124.00
Double Female	4	45.42	181.68
E-Z Locks	10	15.40	154.00
Hydrant Gate Valve	2	249.00	498.00
Handline Nozzle - 1-1/2"	4	309.00	1,236.00
Gated Wye	4	195.00	780.00
Master Stream Nozzle	2	400.00	800.00
Salvage Covers	2	254.00	508.00
Hoolington Tool	2	96.00	192.00
Utility Bar	2	33.00	66.00

Pry Axe	2	87.50	175.00
K-Tool	2	61.50	123.00
Fire Ext. 20 lb.	2	59.00	118.00
Fire Ext. 2-A	2	44.00	88.00
Bolt Cutters	2	122.00	<u>244.00</u>

Total: \$18,825.28

GRAND TOTAL: \$42,744.58

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bids of Charlotte Equipment Sales (\$15,392.00), Harold's Sales and Service (\$8,527.30), and Newton's Fire and Safety Equipment (\$18,825.28) for a total of \$42,744.58.

This the 24th day of August, 1987.

Wesley Drive Temporary Street Closing

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE CLOSING OF PART OF WESLEY DRIVE (87-8-24/R-18)

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 12, 1987 from 3:00 to 8:00 p.m. (or on Saturday, September 19 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 24th day of August, 1987.

Harrington Point Temporary Street Closing

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE CLOSING OF HARRINGTON POINT
(87-8-24/R-19)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the temporary closing of Harrington Point on Monday, September 7, 1987 from 4:30 p.m. to dark (or on Saturday, September 12 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 9:00 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 24th day of August, 1987.

Traffic Regulations for New Streets in Annexed Areas

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE TOWN CODE OF ORDINANCES
(87-8-24/O-4)

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", be amended by inserting the following in appropriate alphabetical order.

Through Street

Forsyth Drive
Morgan Creek Road
Mount Carmel Church Road

Stop Street

Elderberry Drive
Morgan Bend Court
Old Bridge Lane

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:

Elderberry Drive
Forsyth Drive
Morgan Bend Court
Old Bridge Lane

SECTION III

This ordinance shall be effective on Tuesday, September 8, 1987.

SECTION IV

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

This the 24th day of August, 1987.

Lindsay Street Parking Restrictions

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (87-8-24/O-6)

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

SECTION I

That Section 21-27.1. "No parking during certain hours" of the Town Code of Ordinances, is amended by inserting the following in appropriate alphabetical order:

"(c) 9:00 a.m. to 4:00 p.m. Monday - Friday."

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Lindsay Street	South	Church Street	Mitchell Lane

SECTION II

This ordinance shall be effective beginning Tuesday, September 8, 1987.

SECTION III

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

This the 24th day of August, 1987.

Woodbine Drive Parking Restrictions

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (87-8-24/O-7)

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

SECTION I

That Section 21-27. No parking as to particular streets. is amended by inserting the following in appropriate alphabetical order:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Woodbine Drive	South	Full Length	

SECTION II

This ordinance shall be effective beginning on Tuesday, September 8, 1987.

SECTION III

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

This the 24th day of August, 1987.

Travel Reimbursement for Town Employees

The ordinance, as adopted, reads as follows:

AN ORDINANCE TO AMEND CHAPTER 14 OF THE CODE OF ORDINANCES (87-8-24/O-8)

BE IT ORDAINED by the Council of the Town of Chapel Hill, that Section 14-92 of the Town of Chapel Hill Code of Ordinances be amended to read:

Sec. 14-92. Policy.

The Town Manager shall be responsible for establishing, administering, revising, and maintaining a travel policy applicable to all Town employees; per diem reimbursement rates for employees shall not exceed those authorized for the Town Council and contained in the Council's Procedures Manual.

This the 24th day of August, 1987.

Dixie Drive Paving Petition

Council Member Pasquini asked why the paving petition called for curb and gutter when none of the streets in that area had curb and gutter. Manager Taylor replied that the petition was the standard form used by the Town for paving petitions and that the residents had signed the petition requesting paving with curb and gutter. Mr. Taylor said if the Council subsequently changed its policy on curb and gutter, the petitioners may choose to submit another petition.

Council Member Werner asked where the OWASA interceptor was in relation to Dixie Drive. Assistant Town Manager Sonna Loewenthal replied that the interceptor was not designed to run in the area of Dixie Drive.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT RESOLUTION 87-8-24/R-6. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION RECEIVING A PETITION FOR PAVING OF A PORTION OF DIXIE DRIVE (87-8-24/R-6)

WHEREAS, the Town has received a petition for the paving of a portion of Dixie 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 a portion of Dixie Drive, and the petition shall be considered for funding during the 1988-89 budget process.

This the 24th day of August, 1987.

Annexation Petition - Cloverleaf Associates

Council Member Preston commented that the petition requested annexation and rezoning at the same time. She said the resolution before the Council for consideration was just to call a public hearing on the annexation. She asked why the rezoning hearing was not being scheduled at this time.

Floyd McKissick, Jr., an attorney representing the petitioner, also asked why the zoning hearing was not being scheduled at the same time as the annexation hearing.

Roger Waldon, Planning Director, responded that the annexation hearing was held as part of a regularly scheduled Council meeting while the zoning hearing had to be scheduled for a public hearing meeting. He said the Planning Board was required to review the rezoning of the property prior to its going to public hearing before the Council, but that the Council could call a public hearing on the rezoning whenever it wanted.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 87-8-24/R-10. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AFFIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION OF A CERTAIN AREA PURSUANT TO G.S. 160A31, AS AMENDED (87-8-24/R-10)

WHEREAS, a petition requesting annexation of the areas 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 I

That a public hearing on the question of annexation of the areas described will herein be held at the Municipal Building Meeting Room at 7:30 p.m. on the 14th day of September, 1987.

SECTION II

The area proposed for annexation is described as follows:

BEGINNING at a point in the northern right-of-way line of Eubanks Road, said point marking the intersection of the northern right-of-way line of Eubanks Road with the proposed western right-of-way line of Interstate Highway No. 40 as shown on a survey by William Jerry Autry, dated October 23, 1983; running thence from said beginning point South 87 degrees 12 minutes 27 seconds West with the northern right-of-way line of Eubanks Road 157.06 feet to a point, thence North 85 degrees 19 minutes 35 seconds West with the northern right-of-way line of Eubanks Road 403.75 feet to an iron stake; thence North 2 degrees 17 minutes 29 seconds East 242 feet to an iron stake; thence North 85 degrees 36 minutes 25 seconds West 900 feet to a point; thence North 2 degrees 15 minutes East with the Eastern line of the "Sparrow" tract 624.53 feet to a point; thence North 87 degrees 26 minutes 28 seconds West with the northern line of said "Sparrow" tract 246.25 feet to a point; thence South 2 degrees 35

minutes 12 seconds West with the western line of said "Sparrow" tract 852.83 feet to an iron stake in the northern right-of-way line of Eubanks Road; thence North 84 degrees 47 minutes 42 seconds West with the northern right-of-way line of Eubanks Road 279.35 feet to an iron stake; thence North 80 degrees 8 minutes 22 seconds West with the northern right-of-way line of Eubanks Road 168.97 feet to a State highway monument; thence North 75 degrees 45 minutes 13 seconds West with the northern right-of-way line of Eubanks Road 591.86 feet to an iron stake; thence North 0 degrees 15 minutes 54 seconds West with the Eastern line of the "Mel-lott" tract 710.27 feet to an iron stake located in the right-of-way of Piedmont Electric Company; thence South 87 degrees 22 minutes 53 seconds East 1,967.99 feet to an iron stake marking the southeast corner of the "Erber" tract; thence South 47 degrees 56 minutes 22 seconds East with the proposed western right-of-way line of Interstate Highway No. 40 as shown on the Autry survey 64.64 feet to a point; thence continuing with the said proposed western right-of-way line of I-40 South 47 degrees 56 minutes 22 seconds East 166.61 feet to a point; thence continuing with the said proposed western right-of-way line of I-40 South 40 degrees 21 minutes 42 seconds East 172.25 feet to a point; thence continuing with the said proposed western right-of-way line of I-40 South 31 degrees 39 minutes 44 seconds East 480.06 feet to a point; thence continuing with the said proposed western right-of-way line of I-40 South 33 degrees 9 minutes 46 seconds East 114.95 feet to a point; thence continuing with the said proposed western right-of-way line of I-40 South 56 degrees 17 minutes 51 seconds East 211.03 feet to a point; thence continuing with the said proposed western right-of-way line of I-40 South 19 degrees 30 minutes 2 seconds West 33.14 feet to the point of BEGINNING.

BEING 36.34 acres more or less, and being a portion of the land conveyed to Marvin P. Hogan by deed recorded in Book 350, Page 427 of the Orange County Register of Deeds.

This property is the same property described in a deed to I-40/86 Cloverleaf Associates recorded in Book 517, Page 413 of the Orange County Register of Deeds.

SECTION III

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 (10) days prior to the date of said public hearing.

This is the 24th day of August, 1987.

Annexation Petition - Mt. Carmel Church Road Right-of-Way

Council Member Preston asked for clarification of what property was entailed in the petition. Manager Taylor replied that the petition was for the annexation of the right-of-way of Mt. Carmel Church Road. He said this would enable the Town to have police control of the road and aid in further annexations of property adjacent to the right-of-way.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 87-8-24/R-11. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AFFIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION OF CERTAIN AREAS PURSUANT TO G.S. 160A-31, AS AMENDED (87-8-24/R-11)

WHEREAS, a petition requesting annexation of the areas 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 I

That a public hearing on the question of annexation of the areas described will herein be held at the Municipal Building Meeting Room at 7:30 p.m. on the 14th day of September, 1987.

SECTION II

The areas proposed for annexation are described as follows:

Area One

That certain public right-of-way under the jurisdiction of the North Carolina Department of Transportation known as Mount Carmel Church Road (State Road 1008) from the east margin of the U.S. 15-501 South right-of-way (at its intersection with S.R. 1008) for a distance approximately 5,200 feet southeast to the northeast corner of Lot 5 of Block C, Chapel Hill Township Tax Map 126.

Area Two

The public right-of-way of U.S. 15-501 at its intersection with Mount Carmel Church Road/State Road 1008.

SECTION III

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 (10) days prior to the date of said public hearing.

This is the 24th day of August, 1987.

Budget Amendment - Landfill Fund

Council Member Pasquini asked what was included in the \$80,000 funding request. Council Member Preston replied that the Town would pay \$55,000 of the \$80,000 for phases I and II of the consultant's proposal.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT ORDINANCE 87-8-24/O-3. 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, 1987" (87-8-24/O-3)

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, 1987" as duly adopted on May 26, 1987 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>				
LANDFILL FUND	782,350	80,000		862,350
<u>REVENUES</u>				
LANDFILL FUND				
Contributions from City of Durham	0	25,000		
Appropriated Fund Balance	316,350	55,000		371,350

This the 24th day of August, 1987.

Cooper Street Stop Signs

Council Member Preston commented that the map indicated one of the adjacent streets as being Vance Street. She said there was another Vance Street in Chapel Hill and that she would like the staff to look into this as it might be confusing.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT ORDINANCE 87-8-24/O-5. THE MOTION PASSED UNANIMOUSLY, (8-0).

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (87-8-24/O-5)

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

SECTION I

That Section 21-13(c) of the Town Code of Ordinances, Right-of-Way and Stop Regulations is amended by inserting the following in appropriate alphabetical order.

Intersection(s)

Cooper Street/Legion Road

SECTION II

This ordinance shall be effective beginning on Tuesday, September 8, 1987.

SECTION III

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

This the 24th day of August, 1987.

Boards and Commissions - Housing Advisory Board

Deferred until the next regular meeting. See petitions.

Boards and Commissions - Personnel Appeals Committee

Council Member Preston nominated Linda Vaughn.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER SMITH TO APPOINT STEPHEN ALLRED AND LINDA VAUGHN TO THE PERSONNEL APPEALS COMMITTEE BY ACCLIMATION. THE MOTION PASSED UNANIMOUSLY, (8-0).

Stephen Allred and Linda Vaughn were appointed.

Boards and Commissions - Human Relations Commission

Mayor Pro-tem Thorpe said that the County had asked the Town for recommendations for two seats on the Human Relations Commission. He asked that the Council provide names for consideration at the next regular meeting.

Executive Session

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION AND INTEREST IN REAL PROPERTY. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned to executive session at 10:10 p.m.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned at 10:45 p.m.