

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, SEPTEMBER 14, 1987, 7:30 P.M.

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

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

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

Certificates of Appointment

Mayor Wallace introduced to the Council the new appointees to the Council's Advisory Boards and Commissions. He presented them with certificates of appointment.

Those present were:

Board of Adjustment:

Helen Urquhart
Betty Sanders
Johnnie Leon Peace

Community Appearance Commission:

Matt Mlekush
David Swanson

Historic District Commission:

Michael Hining

Library Board of Trustees:

Zora Rashkis

Orange Water and Sewer Authority:

Verla Insko

Parks and Recreation Commission:

John Schaenman

Personnel Appeals Committee:

Stephen Allred
Linda Vaughn

Planning Board:

Bruce Guild
Judy White

Transportation Board:

Don Thomson

Also receiving certificates, but not present at the meeting were:

Board of Adjustment:

James Ellis

Community Appearance Commission:

Richard Guthridge
Michael Helpingstine

Greenways Commission:

Eva Metzger
Betsy Pringle

Historic District Commission:

Gwen Loudermilk
Lilyan Page

Human Services Advisory Board:

Mary Jane Burns
Anne Dellinger
Lillian Lee

Library Board of Trustees:

Lisa Price

Parks and Recreation Commission:

Gertrude London

Planning Board:

Thomas McCurdy
Mae McLendon

Public Hearing on Cloverleaf Annexation Petition

Roger Waldon, Planning Director, said this was a public hearing to receive citizen comments on a petition to annex 36.3 acres of undeveloped land north of Eubanks Road and west of Interstate-40. He said no dwelling units currently exist on the property and no development plans have been approved. Mr. Waldon stated that no municipal services were provided to the property and that water and sewer service was not in the immediate vicinity. He said that service extensions to the area would be financed by the property owner or developer of the property at the time of development. Mr. Waldon stated that municipal services could be provided with existing personnel and equipment.

Floyd McKissick, Jr., an attorney representing the petitioner, stated that the petition was for annexation of approximately 36.3 acres in the area north of Eubanks Road. He said the petitioner was also requesting that the property, once annexed, be zoned for mixed use in accord with the Town of Chapel Hill's land use plan.

There were no citizen comments.

Council Member Smith asked why there was a pocket of land indicated on the vicinity map that was not included in the petition. Mr. Waldon responded that the property in question was not owned by the petitioner and therefore not a part of this petition for annexation.

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

Public Hearing on Petition to Annex Mount Carmel Church Road Right-of-Way

Roger Waldon, Planning Director, said this was a public hearing to receive citizen comments on a petition to annex a part of Mt. Carmel Church Road right-of-way. He stated that in early August the Town had received a petition from the North Carolina State Department of Transportation (NCDOT) for the annexation of approximately 7.3 acres of right-of-way easement. Mr. Waldon said that during the review of the Sycamore Run annexation last spring, area residents had expressed concern about vehicular and pedestrian safety on Mt. Carmel Church Road and had questioned why the road had not been a part of that annexation. He stated that in light of these concerns and discussions with NCDOT, the Town had requested NCDOT to submit the annexation petition. He said if the annexation petition were approved, the Town would be responsible for area fire and police protection in the corridor with maintenance of the road would remain the responsibility of NCDOT. Mr. Waldon also pointed out that this annexation would also facilitate future annexations of bordering property.

There were no citizen comments.

Council Member Godschalk commented that this was a strange petition. He asked what would be the advantage of the annexation. Mr. Waldon responded that the annexation would allow protection of areas adjacent to the road and that it would facilitate future annexations in the area in conjunction with the larger annexation plans of the Town.

Council Member Preston asked for clarification of who would maintain the road. She also asked why the urban services area left out a small subdivision on Mt. Carmel Church Road. Mr. Waldon replied that the State would continue to maintain the road. He said the urban services area had been designed to follow the ridge line so that the areas within the that area would be easily served by a gravity sewer.

Council Member Smith asked for clarification of why NCDOT wanted this right-of-way within the Town. Mr. Waldon responded that as a result of the public hearing on the Sycamore Run annexation earlier this year, concerns had been expressed that the Town had not and was not annexing Mt. Carmel Church Road. Manager Taylor replied that the Town had requested the State to petition for annexation and that the State had complied.

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

Petitions

Sally Jessee, speaking as a property owner and developer, petitioned the Council to review its street lighting policy with regard to requiring the standard of residential street lighting to be 50% of IES standards. She asked that they review the policy with the idea of allowing for more flexibility. Ms. Jessee pointed out that under the current standards, one lot in Chesley subdivision would require four 100 watt high pressure sodium lights across the front of it. She stated that she understood the reasons for the policy but felt that there should be some flexibility allowed.

Council Member Andresen stated that she had discussed this matter with Ms. Jessee and felt that maybe the Council had made a mistake in its street lighting policy. She also commented that the Design Task Force had some ideas on the kinds and types of lights that should be used. She suggested referring this matter to the Manager for review and that the policy should take into consideration lot sizes and tree coverage, etc.

Council Member Godschalk said that upon reviewing the required lighting plan for the Chesley subdivision it did appear that the standards were excessive. He said the street lighting policy was an attempt by the Council to address the concerns and needs of the residents for safety. He agreed that a review of the policy would be in order.

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

E. B. Palmore petitioned the Council to consider adopting an ordinance establishing Chapel Hill as a nuclear weapons free zone. He said the proposed ordinance would prohibit the storage of nuclear weapons and their radioactive wastes within the town limits. He stated this ordinance would not affect the use of radioactive materials for medical, scientific, or other peaceful purposes.

Council Member Godschalk asked if any cities where nuclear weapons were stored had adopted the ordinance. Mr. Palmore replied that he did not know for certain but that he did not think so.

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

Stepney Edwards, Richard Edens, Robert Seymour, and Joe Hakan petitioned to speak to item #6, Shelter for the Homeless.

Cassandra Sloop, speaking as the chair of the Appearance Commission, petitioned the Council to try to save a large willow oak on Cameron Avenue from being cut as part of a subdivision development. She commented that the landscape design for the subdivision that the Appearance Commission had reviewed and approved, had not included several trees along Cameron Avenue. Ms. Sloop stated that the Commission, developer and staff were working on a compromise in the site design in an effort to save the large willow oak. She asked that the Council support these efforts.

Council Member Werner asked who was responsible for providing accurate information on existing conditions of subdivision proposals. Manager Taylor replied that the developer was to provide all the information. He stated that the trees had not been shown on the landscape plan because the initial plans for the property had showed the trees as being removed.

Council Member Werner stated that he hoped the willow oak could be saved, but expressed concern that several other trees might have to be cut as part of the site redesign in order to try to save the oak. He said it would be bad to see a lot of other trees cut in an attempt to save the one oak and then have the oak die.

Council Member Andresen stated that she was also in favor of saving the oak tree by some site redesign. She also said she would like to see some of the parking removed from Cameron Avenue to help with the situation, particularly site distances for motorists.

Council Member Smith asked if the subdivision plans would have to come back to the Council for further review if there were changes made. Manager Taylor replied that the staff was working with the developer in an attempt to save the tree and redesign the site plan. He said that he did not think the changes would be major, therefore the changes could be approved administratively.

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

Council Member Werner informed the Council that the next meeting of the UNC/Town Committee would be on Tuesday, September 22 at 7:30 p.m. at the Institute of Government. He said the meeting would not be cablecast live but would probably be video-taped.

Council Member Andresen petitioned the Council to have it direct the Manager to have the staff look at the current Town Center zones and the possibility of having transitional zones between the Town Center and the adjoining neighborhoods. The Council agreed to her petition.

Council Member Howes petitioned the Council to hold a work session on the Rosemary Square project so that the Council could be updated and informed of its status.

Council Member Andresen spoke in support of the petition, saying she felt the work session needed to be held as soon as possible and that it should be made clear what was expected from the work session.

Council Member Godschalk said that the public also needed to be given an accurate update of the project and what it entailed. He said he felt it would be useful for the Council to review the facts, etc.

Council Member Werner said he was not sure what was the purpose of a work session. He said the project had been debated in the past and that it was a political issue and could be debated in that arena but that he did not see what would be the purpose of a work session on the issue by the Council.

Council Member Smith stated that he felt the N.C. Supreme Court decision upholding the legality of the Rosemary Square development agreement should put an end to the issue. He said the project had been a political issue in the last election and that it should not become one in this election.

Council Member Preston spoke in favor of the petition saying she felt more conversation on the issue was needed. She said she did think the citizens of Chapel Hill were confused as to what the facts really were and that she would like to hear what citizens really felt about the project. Ms. Preston stated that she did not want to force this project on the citizens of Chapel Hill.

Council Member Thorpe asked for clarification of what was expected from the work session and if the Council were also seeking a forum for citizen input. He said if the latter were true, then he would prefer to hold a public hearing on the issue.

Council Member Howes said the purpose of the work session would be to get an update on the project. He said a potential outcome of the work session could be a public hearing.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO HOLD A WORK SESSION ON THE ROSEMARY SQUARE PROJECT AT A DATE AND TIME TO BE SET LATER.

Council Member Smith commented that the Council needed to give the Manager some indication of what kind of information the Council wanted to review at the work session.

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

Council Member Smith petitioned the Council to have the Manager investigate allegations made in a letter to the Council regarding the drowning of a young boy at the A.D. Clark pool and the actions of the lifeguards at the pool.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO REFER TO THE MANAGER AND ATTORNEY AND TO BRING BACK A REPORT AS SOON AS POSSIBLE. THE MOTION PASSED UNANIMOUSLY, (8-0).

Minutes

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT THE MINUTES OF AUGUST 24, 1987 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT THE MINUTES OF AUGUST 31, 1987 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Henderson Street (Women's Center) Special Use Rezoning and Special Use Permit Requests

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER THORPE TO ADOPT RESOLUTION 87-9-14/R-0.1 TO DEFER ACTION ON THIS MATTER UNTIL ACTION IS SCHEDULED ON A PROPOSED DEVELOPMENT ORDINANCE TEXT AMENDMENT REGARDING SPECIAL USE ZONING.

Council Member Preston asked if this implied that the Henderson Street applications would be on the agenda the same night as the Development Ordinance text amendment. Manager Taylor replied yes. Council Member Preston asked when the Development Ordinance text amendment was scheduled to be considered by the Council. Manager Taylor replied that the public hearing was scheduled for

October and that this would mean it would probably be November 9 before it would be on the Council's agenda for action.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

RESOLUTION DIRECTING THE SCHEDULING OF THE REQUESTS OF THE ORANGE COUNTY WOMEN'S CENTER FOR SPECIAL USE ZONING AND SPECIAL USE PERMIT (87-9-14/R-0.1)

WHEREAS the Orange County Women's Center has applied for special use zoning and a special use permit; and

WHEREAS, the Chapel Hill Town Council has scheduled a public hearing on a proposed Development Ordinance text amendment regarding procedures for adopting special use zoning; and

WHEREAS, Mr. Bob Page, representing the Orange County Women's Center, has requested that action on the two aforementioned applications be delayed until the Council takes action on the proposed Development Ordinance text amendment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Manager is directed to place the two applications of the Orange County Women's Center on the Council's agenda no sooner than action is scheduled on the proposed Development Ordinance text amendment regarding special use zoning.

This the 14th day of September, 1987.

Shelter for Homeless

Mickey Ewell, spokesman for the Downtown citizens committee, said the committee had purchased a 60-day option on the Mason Motel property at the corner of Merritt Mill Road and Rosemary Streets in the Town of Carrboro. He said the committee had worked diligently over the summer in an attempt to locate suitable alternatives to the Old Police/Town Hall Building for a shelter for the homeless. He said they had only acquired the option that morning. He asked Mr. Joe Hakan to show some rough designs of how the site could be used. He pointed out that the committee had not had time to discuss in detail the plans with the Inter-Faith Council (IFC) and that anything the committee proposed was contingent upon agreement with the IFC.

Mr. Hakan presented rough drawings of how the site and building could be utilized. He indicated that he was not a member of the committee but had volunteered to help with the design. He said he believed that the building could be bought and renovated for less than renovating the Old Police/Town Hall Building. Mr. Hakan stressed that the plans were very rough and that the IFC had not had a chance to review them. He also said that from

conversations he had been part of, he felt there were other professionals within the Town (contractors, builders, etc.) who would be willing to contribute to the project.

Council Member Andresen asked how much money would be involved in renovating the Mason Motel site. Mr. Hakan replied that he was not certain but that it would be less than the \$500,000 figure suggested for the Old Police/Town Hall Building. Council Member Andresen asked if Mr. Hakan thought there would be contributions from the private community. Mr. Hakan replied yes.

Council Member Godschalk asked what was the square footage in the Mason Motel proposal. Mr. Hakan replied approximately 6000 square feet with the kitchen/dining facilities. He said there would be nine usable rooms with two to three people per room.

Council Member Werner complemented Mr. Hakan for his designs. He asked what the committee was asking. Mr. Hakan replied that the committee needed time to see if the committee and the IFC could make the proposal was workable.

Stepney Edwards, speaking for several Carrboro residents, said that the Carrboro citizens might not be in favor of the proposal, especially in the Mason Motel location. He presented a petition signed by area residents and businesses against the proposal. (For copy of petition, see Clerk's files.)

Council Member Smith asked if the Mason Motel site was zoned for a shelter. Mr. Ewell replied that it was zoned commercial. Reverend Richard Edens, President of the Inter-Faith Council, stated that he had talked with a Carrboro planner, Ann Weeks, who indicated that the site was not zoned for a shelter even though it was zoned commercial.

Council Member Smith asked if the IFC had not reviewed this site when it had been searching for a location for the shelter. Rev. Edens replied yes and that the Mayor's Task Force had also reviewed the site. He said it had been rejected because of the space limitations, both internally and externally; the neighborhood response; the possible problems with using Chapel Hill funds in Carrboro; and the zoning problem. He said the IFC deeply appreciated the work and effort by the Downtown committee and that they were willing to look at the feasibility of the property further. However, he said the IFC encouraged the Council to approve resolution R-3a to publish a notice of intent to lease the Old Police/Town Hall Building to the IFC. He said if in the interim an alternative was found, the IFC would consider it.

Mr. Ewell asked if the IFC had projections of what it would cost to renovate the Old Police/Town Hall Building and from where would it obtain the funds. Mr. Edens responded that the estimates were that the renovations would cost between \$250,000 and \$500,000. He said other that the Town's contribution, he was not sure from where all the additional funds would be obtained.

48
Mayor Wallace asked the Manager what was the amount available and the costs contemplated at this time. Manager Taylor stated that the Town had agreed to make available \$150,000 in Community Development funds toward the project and that he understood the IFC had about \$60,000 in capital improvement funds. He said the cost of the renovation would depend on just how much the IFC wanted done and when, but could range from \$250,000 to \$500,000.

Mayor Wallace said all the renovations did not have to occur simultaneously. Manager Taylor replied no.

Council Member Godschalk asked about the possibility of using the new federal funds for the homeless. Manager Taylor replied that he was not sure at this time whether those funds could be used or how much money would be involved. He said the staff was working on this but that he would not want to count on those funds to help fund this proposal.

Mayor Wallace commented that as Council Member Smith had stated several months ago, the IFC needed a place and the Town had one. He said he felt this statement effectively covered the issue.

Stepney Edwards, representing concerned citizens of Chapel Hill and Carrboro, said that the area around Mason Motel already had problems with vagrants. He said many of the businesses in that area were working toward upgrading their properties and he felt having the shelter in the same area would only decrease the property values. He urged the Council to reject the Mason Motel location.

Robert Seymour, speaking as a citizen and former chair of the Mayor's Committee on Human Services, said the shelter had been in operation in the Old Police/Town Hall Building for two years and he did not believe it had created any problems in the area, nor that adjacent property values had decreased. He said the Committee had looked at the Mason Motel site and had rejected it because of the objections of neighbors, the site arrangement and space deficiencies. He urged the Council to adopt resolution R-3a indicating the Council's intent to lease the Old Police/Town Hall facility to the IFC.

Council Member Preston commented that she had never been an advocate of using the Old Police/Town Hall Building as a permanent shelter, but that a determination of what should be done in the next year needed to be made. She said that during the next year the Downtown committee and IFC and other concerned citizens could continue to search for alternatives.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER SMITH TO ADOPT RESOLUTION 87-9-14/R-3A.

Council Member Smith spoke in support of the motion saying the Town and IFC needed to move forward on this issue so that there could be better facilities for the homeless by late this fall.

Council Member Werner commented that the IFC would not be able to completely renovate the facility by this winter. He wondered at what point in the process would the decision to have the shelter permanently in the Old Police/Town Hall Building become irrevocable.

Manager Taylor stated that if the Council approved resolution R-3a, the Town would publish a notice of intent to lease the facility to the IFC. He said if the Council agreed to lease the facility to the IFC in a future meeting then, the IFC could move out of its present location in the basement of the building to the upper floors. He said, however, that it would be several months before the renovation timetable, and specific costs would be determined.

Council Member Werner asked what needed to be done for this winter. Manager Taylor replied that he was not sure. Rev. Edens responded that the IFC already had the plans and funds to operate the shelter this winter.

Council Member Godschalk said it appeared that the Old Police/Town Hall Building was emerging as the best choice for a shelter location. He said he appreciated the work done by the Downtown committee on this matter and he hoped that they would not cease in their efforts to help the homeless in Chapel Hill.

Council Member Andresen asked again at what point a permanent shelter in the Old Police/Town Hall facility would be irrevocable. Rev. Edens responded that the IFC would be committed to the facility if it put any of its funds into renovation.

Council Member Preston said she made the motion to adopt resolution R-3a because she felt the need to move forward on this issue even though she had never been in favor of using the Old Police/Town Hall building for a permanent shelter. She said she hoped those interested and involved in the project would continue to search for an alternative location for a permanent shelter.

Council Member Thorpe asked how many people were expected to be served by the shelter. He said an intent to lease indicated a commitment by the Council. Mr. Thorpe also commented that he did not want to see the shelter become a drawing card for all the vagrants in the surrounding areas. Mr. Edens responded that the IFC had specific guidelines for those participating in the shelter program. Manager Taylor commented that the plans for the shelter indicated that the shelter would accommodate approximately 22 people per night and that the soup kitchen served several hundred people a week.

Mr. Ewell said Mr. Thorpe's comments were well taken, and that the Downtown citizen committee would continue to look at the situation.

50
Manager Taylor encouraged the IFC and Downtown committee to continue to work together and with the staff. He said he hoped Mr. Hakan's comments regarding the availability of volunteer services, equipment and donations to assist in the renovation process would materialize.

THE MOTION TO ADOPT RESOLUTION 87-9-14/R-3A PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION DIRECTING PUBLICATION OF A NOTICE OF INTENT TO LEASE PROPERTY AT 100 WEST ROSEMARY STREET (87-9-14/R-3a)

WHEREAS, the Council of the Town of Chapel Hill commends the Human Services Committee for its report of May, 1987 on the needs of the homeless; and

WHEREAS, the Council has determined that the building at 100 West Rosemary Street, known as the Old Police Building, will not be needed for Town activities for the three-year term of the lease as proposed; and

WHEREAS, the Council has consistently supported the Inter-Faith Council in providing nutrition and shelter services to needy people by providing rent-free space for a temporary shelter and appropriating \$150,000 to develop a permanent shelter facility;

NOW, THEREFORE, 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 Inter-Faith Council for the Old Police Building at 100 West Rosemary Street for a Community Kitchen and Shelter for the Homeless, said lease being substantially as described by the report from the Town Manager on this matter on July 6, 1987, a copy of which should be kept with the records of this meeting.

This the 14th day of September, 1987.

Library Committee Charge

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 87-9-14/R-4.

Council Member Godschalk asked for clarification of what the resolution proposed to accomplish. Manager Taylor said that adoption of resolution R-4 would remove the responsibility of preparing a policy on the selection of an architect for the new library from the Library Committee and instead charge the committee with participating in the selection process in accord with the policies of the Council. He said the staff planned to develop a recommendation on a policy to address the issue of local preference and other general procedures for selection of

professional services before selection of an architect for the new library commences.

Council Member Godschalk commented that it was important for the community to select the best qualified professional regardless of from where they come.

Council Member Andresen agreed with Council Member Godschalk and said the definition of "local" could be beyond the town limits and could include the triangle area. She asked when the Council would be have the opportunity to consider the policy. Manager Taylor replied that the staff hoped to have a draft policy for the Council to consider in early 1988.

Council Member Thorpe agreed that the best qualified applicant should be selected for any job, but said that in cases where all things being equal, a local should be chosen.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION AMENDING RESOLUTION 87-2-9/R-4 REGARDING NEW LIBRARY FACILITIES (87-9-14/R-4)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby amends resolution 87-2-9/R-4 by deleting from paragraph 3 the phrase "Recommend to the Council a process of selecting an architect" and substituting the phrase "Participate in selection of an architect in accord with the policies of the Council"; the amended restated resolution is attached hereto.

BE IT FURTHER RESOLVED that the Council directs the Manager to recommend to the Council policies on selection of professional services, to meet with the members of the local Design Council before submitting recommendations to the Council, and to submit recommendations for timely consideration by the Council before selection of an architect for the new library facilities.

This the 14th day of September, 1987.

Thoroughfare Plan Update

Council Member Thorpe said that the Durham Urban Area Transportation Advisory Committee had scheduled several meetings in the month of September to discuss population and employment projections and how they will affect roadway capacities. He said these meetings were part of the process of updating the Thoroughfare Plan for the Durham Urban Area. Mr. Thorpe stated that the meetings would be on September 16 at N.C. Central University, September 23 at the N.C. School of Science and Math, and on September 30 at 7:30 at Culbreth Junior High School.

Council Member Andresen asked when the Council would review the Town's Thoroughfare Plan to see if it represented what was needed in the Town. Mr. Thorpe commented that the new Thoroughfare Plan would take the place of the current Chapel Hill - Carrboro Thoroughfare Plan. Mr. Waldon responded that there would only be one Thoroughfare Plan for Chapel Hill, Carrboro and Durham and that the Plan would have to be adopted by each government and by NCDOT. He said there would be opportunity for citizen input throughout the development process. He stated that the focus of the revisions would be on interfacing the Chapel Hill - Carrboro plan with Durham but that any aspect of the plan could be reviewed and revised.

Council Member Preston asked if once the new plan was adopted would there be an opportunity to address specific roads. Mr. Waldon said the time to discuss any changes would be prior to adoption of the new plan. He said that after adoption it would have the same legal status as the current Thoroughfare Plan.

Watershed Protection

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 87-9-14/R-5.

Council Member Godschalk spoke in support of the motion saying he felt it was a move in the proper direction. He agreed that the agencies that consider applications for development or facilities within the watersheds should hold formal public hearings.

Council Member Howes also spoke in support of the motion and asked the Town Attorney to comment on the issue. Attorney Karpinos replied that he did not know what the reaction would be to the resolution, but that he expected the agencies would hold public hearings.

Council Member Andresen spoke in support of the motion and also stated that there was a definite need for stronger legislation on watershed protection throughout the state.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION CONCERNING PROTECTION OF THE UNIVERSITY LAKE AND CANE CREEK WATERSHEDS (87-9-14/R-5)

WHEREAS, as scientific knowledge about the potential health effects of substances in drinking water and the capability to detect such substances have increased, the need for more stringent drinking water standards has become more apparent, and is reflected in current and pending national standards for drinking water; and

WHEREAS, the Town Council of Chapel Hill is concerned with carefully protecting the watersheds of University Lake and Cane Creek, which store water for treatment and distribution to approximately 55,000 present customers in Orange County and southwest Durham County; and the Orange Water and Sewer Authority may provide water from these reservoirs to additional areas on a temporary basis during emergencies, and will serve additional customers as the Chapel Hill-Carrboro area grows; and

WHEREAS, the Town Council of Chapel Hill supports very low density for any residential development in the University Lake and Cane Creek watersheds, with lot sizes averaging two or more acres per housing unit; and the Town Council has also opposed the extension of public water and sewer lines in these watersheds because such lines increase the potential for future development of types and at densities which are inappropriate in a water supply watershed; and

WHEREAS, the Orange Water and Sewer Authority has adopted an interim policy of restricting water and sewer service extensions in the University Lake watershed pending a study of the carrying capacity of the watershed; and

WHEREAS, the Town Council of Chapel Hill supports the prudent regulation of septic systems and other facilities proposed to be built and operated in watershed areas; and such regulations should maximize long-term protection of public health;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council requests all public agencies and bodies which consider applications for developments and facilities proposed to be in the University Lake and Cane Creek reservoir watersheds to hold public hearings on such applications (excluding developments of and facilities serving less than 10 residences), with evidence to be submitted by competent, qualified persons under oath; with the opportunity for questions to be asked of witnesses; and with prior notice to the general public and notice by letter to parties requesting same.

BE IT FURTHER RESOLVED that the Council commends the Orange Water and Sewer Authority's interim policy of restricting service extensions in the University lake watershed and OWASA's requirement for public hearings on requests for such service extensions.

BE IT FURTHER RESOLVED that the Council requests the Board of Commissioners of Orange County and the Board of Aldermen of the Town of Carrboro to adopt resolutions similar to this one regarding the need for formal public hearings.

BE IT FURTHER RESOLVED that the Council directs the Town Manager to transmit copies of this resolution to the County of Orange, the Town of Carrboro, the N. C. Public Utilities Commission, the N. C. Environmental Management Commission, the N. C. Divisions of

Environmental Management and Health Services, and to other agencies and bodies as appropriate.

This the 14th day of September, 1987.

Weaver Road Right-of-Way

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 87-9-14/R-6.

Council Member Godschalk commented that he had thought that the Weaver Road right-of-way was already designated as park land. He said he strongly supported such as designation.

Council Member Werner asked that a map be provided showing the location of the right-of-way. Manager Taylor replied that a map would be provided when this item was brought back to the Council for action. He said what resolution R-6 did was to receive the request from the Greenways Commission to redesignate the Weaver Road right-of-way as park land and refer the matter to the Manager.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION RECEIVING THE CHAPEL HILL GREENWAYS COMMISSION'S RESOLUTION OF AUGUST 12, 1987 CONCERNING THE WEAVER ROAD RIGHT-OF-WAY, AND REFERRING SAID RESOLUTION TO THE TOWN MANAGER AND TOWN ATTORNEY (87-9-14/R-6)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby receives the resolution of the Chapel Hill Greenways Commission requesting that the Weaver Road right-of-way be redesignated as park land and included as a part of the Battle Branch greenway.

BE IT FURTHER RESOLVED that the Council refers the Commission's resolution to the Town Manager and Town Attorney for a report and recommendations on the request and on procedures and actions needed to achieve the objectives of the Commission.

This the 14th day of September, 1987.

Boards and Commissions - Scheduling Quarterly Meeting with Board of Adjustment and Library Board of Trustees

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 87-9-14/R-7. THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING THE OCTOBER 5 QUARTERLY MEETING WITH BOARDS (87-9-14/R-7)

WHEREAS the Council of the Town of Chapel Hill has established a series of quarterly meetings to discuss matters of interest with Council appointed boards and commissions, and

WHEREAS, the Council is most appreciative of the contributions made by members of boards and commissions and seeks to become more familiar with board projects and issues of concern,

NOW THEREFORE BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby requests the members of the Board of Adjustment and the Library Board of Trustees meet with the Council at 6:30 p.m. on Monday, October 5, 1987 for an informal supper, and at 7:30 and 8:30 respectively, to discuss matters of interest.

This the 14th day of September, 1987.

Septic Tank Regulations - Calling Public Hearing on Development Ordinance Text Amendment

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 87-9-14/R-8.

Council Member Smith asked what regulations were being recommended to amend?

Council Member Preston replied that it would require two-acres for a single family home with septic tank. Council Member Smith asked if this would be in effect within the Town limits or extraterritorial jurisdiction. Ms. Preston responded within our jurisdiction.

Council Member Smith said he thought the Town had outlawed septic tanks if the property could be connected to sewer. He asked if there were places where a property owner could not hook up to sewer.

Council Member Godschalk said that the Board of Adjustment did not follow that train of thought.

Council Member Werner said he too was trying to understand the reasoning for this matter. He said he also thought the Town did not allow septic systems in the Town if they could be served by public water and sewer. He said this proposal would apply to new subdivisions, since existing ones were exempt. He asked if the proposal implied that someone could put a new subdivision in, apply to the Board of Adjustment for a waiver from having to hook up to water and sewer.

Council Member Godschalk replied that someone had.

Manager Taylor said that this implied that there was a gap, and the staff was trying to fill it. He said what the staff was asking was to have a public hearing next Monday to discuss this issue and try to fill the gap.

Council Member Godschalk said he thought it was critical to have the public hearing and fill the gap, but he said he was disappointed that the Council was having to do this because he thought the Town's policies were clear about it. He said he was disappointed that the Board of Adjustment was not receiving the advise of the professional planning staff and attorney in these and other matters. He said he looked forward to discussing that with them at the Council's joint meeting with the Board.

Council Member Preston asked for clarification of the phrase "individual subsurface sewage disposal system". She asked if this meant a septic tank. Manager Taylor said it was a bureaucratic way of saying septic tank.

THE MOTION PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION CALLING A PUBLIC HEARING (87-9-14/R-8)

WHEREAS the Council of the Town of Chapel Hill has identified a need to adjust the Town's regulations dealing with individual subsurface sewage disposal systems;

NOW THEREFORE BE IT RESOLVED that the Council calls a Public Hearing for September 21 to consider amending Articles 13 and 14 of the Development Ordinance to create a minimum lot size for single- and two-family dwellings to be served by individual subsurface sewage disposal systems.

This the 14th day of September, 1987.

Consent Agenda

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT RESOLUTION 87-9-14/R-9. THE MOTION PASSED UNANIMOUSLY, (8-0).

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

A RESOLUTION APPROVING AN ORDINANCE AND VARIOUS RESOLUTIONS (87-9-14/R-9)

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

- a. Calling Zoning Hearing - Cloverleaf Property (R-10).
- b. Calendar for Budget Preparation and Related Matters (R-11).
- c. Festifall Street Closing and Parking (R-12) (0-2).
- d. Amendments to Bond Orders (R-13.1) (R-13.2).
- e. Lease of Ridgefield Center Building (R-14).
- f. Lease of 317 Caldwell Street Extension Space (R-15).
- g. Bridge Inspections (R-16).

This the 14th day of September, 1987.

Calling Public Hearing on Zoning Cloverleaf Property

The resolution, as adopted, reads as follows:

A RESOLUTION CALLING A PUBLIC HEARING ON ZONING A PROPOSED ANNEXATION AREA (87-9-14/R-10)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 p.m. on Monday October 19, 1987 in the Municipal Building Meeting Room, 306 N. Columbia Street, to receive comments from the public on zoning by the Town of an area proposed for annexation that is not already zoned by the Town known as the Cloverleaf property.

BE IT FURTHER RESOLVED that the Council directs the Manager to prepare a proposed zoning atlas addition for the above described area and to submit said proposal to the Planning Board for consideration in accord with Article 19 of the Development Ordinance.

This the 14th day of September, 1987.

Budget Calendar

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING THE PROCESS FOR DEVELOPING THE 1988-89 BUDGET, 1988-89 CAPITAL IMPROVEMENTS PROGRAM, AND 1988-89 COMMUNITY DEVELOPMENT GRANT BUDGET (87-9-14/R-11)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopts the following timetable for developing the 1988-89 budget, 1988-89 Capital Improvements Program, and 1988-89 Community Development grant budget.

<u>DATE</u>	<u>OPERATING BUDGET</u>	<u>CIP</u>	<u>CD BUDGET</u>
September 28		Public Forum for comments on Capital Improvements Plan for 1988-89	
November 9	Public Forum for comments/requests regarding the 1988-89 Operating Budget	Manager's Preliminary CIP submitted to Council and referred to Advisory Boards	
November 10	Human Services Advisory Board holds Needs Forum		
January 4	Council Work Session on goals and objectives for 1988-89 Budget	Public Forum for citizen's comments and Advisory Board recommendations on Preliminary CIP; and Work Session regarding Council priorities	Public Hearing on Community Development (CD) needs and objectives
February 8	Human Services Advisory Board presents report on Human Services Needs to Council		
March 14	Interim Budget Report on 1988-89 Operating Budget submitted to Council	Manager's Recommended CIP submitted to Council	Public Hearing on Manager's Recommended CD grant application
March 28	Public Forum for comments on Interim Report re 1988-89 Operating Budget		
April 25	Manager's Recommended 1988-89 Operating Budget submitted to Council		Council action on CD application

- May 9 Public Hearing on Recommended 1988-89 Budget; use of General Revenue Sharing Funds; Transportation services and pass/fare prices. Human Services Advisory Board makes recommendations on contracting for services

- May 23 Adoption of 1988-89 Operating Budget Adopting of CIP project ordinances Adoption of Community Development Project Ordinances

- June 27 Copies of Adopted Budget distributed to Council Copies of Adopted CIP document distributed to Council

This the 14th day of September, 1987.

Festifall

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

A RESOLUTION TEMPORARILY CLOSING PORTIONS OF FRANKLIN STREET AND HENDERSON STREET (FESTIFALL '87) (87-9-14/R-12)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the closing of Franklin Street between Columbia Street and the western entrance of the Morehead Planetarium parking lot, and of Henderson Street between Rosemary and Franklin Streets on Sunday, October 4, 1987 from 11:00 a.m. to 8:00 p.m., to allow the holding of the Festifall Street Fair and clean-up of the streets following the Fair.

This the 14th day of September, 1987.

AN ORDINANCE TEMPORARILY REMOVING PARKING FROM PORTIONS OF FRANKLIN AND HENDERSON STREETS (FESTIFALL '87) (87-9-14/O-2)

That on the 4th day of October, 1987, between the hours of 12:30 p.m. and 8:00 p.m. there shall be no parking on either side of Franklin Street between Columbia Street and the western entrance of Morehead Planetarium parking lot, or on either side of Henderson Street between Franklin and Rosemary Streets between the above hours.

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

This the 14th day of September, 1987.

Bond Order Amendments for Parking Lots

The resolutions, as adopted, read as follows:

SUPPLEMENTAL BOND ORDER PROVIDING FOR THE AMENDMENT OF THE BOND ORDER ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CHAPEL HILL ON FEBRUARY 11, 1985 AUTHORIZING THE ISSUANCE OF PARKING REVENUE BONDS OF THE TOWN OF CHAPEL HILL FOR THE PURPOSE OF PAYING THE COST OF PROVIDING A PARKING LOT LOCATED AT A SITE BOUNDED BY WEST ROSEMARY STREET, CHURCH STREET AND WEST FRANKLIN STREET IN THE TOWN OF CHAPEL HILL AND PROVIDING FOR THE SECURING THEREOF (87-9-14/R-13.1)

WHEREAS, the Town of Chapel Hill (the "Town") issued on February 13, 1985 an aggregate principal amount of \$1,000,000 Parking Revenue Bonds, Series 1985, pursuant to The Local Government Revenue Bond Act and a Bond Order adopted by the Town Council of the Town on February 11, 1985 (the "Bond Order") for the purpose of providing funds, together with other available funds, to pay the costs of providing a parking lot located in the Town; and

WHEREAS, Section 10.04 of the Bond Order permits the holders of all outstanding Bonds to consent in writing to such orders supplemental to the Bond Order as shall be deemed necessary or desirable by the Council for the purpose of amending any of the terms and provisions of the Bond Order, which consents shall be filed with First-Citizens Bank and Trust Company, as Trustee under the Bond Order (the "Trustee"); and

WHEREAS, the Town has determined that it is necessary and desirable to provide for the adoption of an order supplemental to the Bond Order to amend certain of the terms and provisions of the Bond Order, such supplemental bond order to be effective with respect to reporting and insurance requirements in Fiscal Years 1987 and thereafter;

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

ARTICLE I

SECTION 1

Section 7.09 of the Bond Order shall be amended by inserting, in the third line, after "Fiscal Years", the words "as a part of its annual comprehensive audit,".

SECTION 2

Section 7.09 of the Bond Order shall be amended by inserting, in the eighteenth line thereof, after the words "Fiscal Year", the words "as additional information in the comprehensive annual financial report,".

SECTION 3

Section 7.10(b) of the Bond Order shall be amended to read, in place of "excess liability coverage of \$8,000,000", "excess liability coverage of \$1,000,000".

ARTICLE II

MISCELLANEOUS

SECTION 1

The Bond Order as amended and supplemented by this Supplemental Bond Order constitutes the Bond Order. The amendments set forth herein are limited precisely as written and, except as expressly provided herein, shall not be deemed to be a consent to any waiver or modification of any other term or condition of the Bond Order, or any of the instruments or agreements referred to therein, or prejudice any rights granted by the Bond Order, or any of the instruments or agreements referred to therein, including, without limitation, all rights and remedies in connection with events of default, all of which rights and remedies are expressly reserved. Except as expressly supplemented and amended hereby, the terms and conditions of the Bond Order shall continue in full force and effect. Whenever the Bond Order is referred to in any of the other documents or papers executed and delivered in connection therewith hereinafter, it shall be deemed to be the Bond Order as supplemented and amended hereby.

SECTION 2

This Supplemental Bond Order shall be governed exclusively by the applicable laws of the State of North Carolina.

EFFECTIVE DATE

This Supplemental Bond Order shall be effective immediately following its adoption, the consent thereto and filing thereof.

This the 14th day of September, 1987.

SUPPLEMENTAL BOND ORDER PROVIDING FOR THE AMENDMENT OF THE BOND ORDER ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CHAPEL HILL ON DECEMBER 28, 1983 AUTHORIZING THE ISSUANCE OF PARKING REVENUE BONDS OF THE TOWN OF CHAPEL HILL FOR THE PURPOSE OF PAYING THE COST OF ACQUIRING A PARKING LOT LOCATED AT THE INTERSECTION OF EAST ROSEMARY STREET AND NORTH COLUMBIA STREET IN THE TOWN OF CHAPEL HILL AND PROVIDING FOR THE SECURING THEREOF (87-9-14/R-13.2)

WHEREAS, the Town of Chapel Hill (the "Town") issued on January 12, 1984 an aggregate principal amount of \$540,000 Parking Revenue Bonds, Series 1984 pursuant to The Local Government Revenue Bond Act and a Bond Order adopted by the Town Council of the Town on December 28, 1983 (the "Bond Order") for the purpose of providing funds, together with other available funds, to pay the costs of providing a parking lot located in the Town; and

WHEREAS, Section 10.04 of the Bond Order permits the holders of all outstanding Bonds to consent in writing to such orders supplemental to the Bond Order as shall be deemed necessary or desirable by the Council for the purpose of amending any of the terms and provisions of the Bond Order, which consents shall be filed with Central Carolina Bank and Trust Company, National Association, as Trustee under the Bond Order (the "Trustee"); and

WHEREAS, the Town has determined that it is necessary and desirable to provide for the adoption of an order supplemental to the Bond Order to amend certain of the terms and provisions of the Bond Order, such supplemental bond order to be effective with respect to reporting and insurance requirements in Fiscal Years 1987 and thereafter;

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

ARTICLE I

SECTION 1

Section 7.09 of the Bond Order shall be amended by inserting, in the third line, after "Fiscal Years", the words "as a part of its annual comprehensive audit,".

SECTION 2

Section 7.09 of the Bond Order shall be amended by inserting, in the eighteenth line thereof, after the words "Fiscal Year", the words "as additional information in the comprehensive annual financial report,".

SECTION 3

Section 7.10(b) of the Bond Order shall be amended to read, in place of "excess liability coverage of \$8,000,000", "excess liability coverage of \$1,000,000".

ARTICLE II

MISCELLANEOUS

SECTION 1

The Bond Order as amended and supplemented by this Supplemental Bond Order constitutes the Bond Order. The amendments set forth herein are limited precisely as written and, except as expressly provided herein, shall not be deemed to be a consent to any waiver or modification of any other term or condition of the Bond Order, or any of the instruments or agreements referred to therein, or prejudice any rights granted by the Bond Order, or any of the instruments or agreements referred to therein, including, without limitation, all rights and remedies in connection with events of default, all of which rights and remedies are expressly reserved. Except as expressly supplemented and amended hereby, the terms and conditions of the Bond Order shall continue in full force and effect. Whenever the Bond Order is referred to in any of the other documents or papers executed and delivered in connection therewith hereinafter, it shall be deemed to be the Bond Order as supplemented and amended hereby.

SECTION 2

This Supplemental Bond Order shall be governed exclusively by the applicable laws of the State of North Carolina.

EFFECTIVE DATE

This Supplemental Bond Order shall be effective immediately following its adoption, the consent thereto and filing thereof.

This the 14th day of September, 1987.

Ridgefield Center Lease - Head Start Program

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO LEASE THE RIDGEFIELD COMMUNITY CENTER TO CHAPEL HILL - CARRBORO HEAD START (87-9-14/R-14)

WHEREAS, the Council of the Town of Chapel Hill is supportive of educational and developmental programs for disadvantaged pre-school aged youngsters; and

WHEREAS, the Council has determined that the Ridgefield Community Center is not needed for Town programs during the term of the lease as proposed, and is available to house a Head Start classroom; and

WHEREAS, pursuant to N.C. General Statute 160A-272, a notice of intent to enter into a lease agreement with Chapel Hill - Carrboro Head Start was published in The Chapel Hill Newspaper on August 30, 1987 and no other proposals were received;

NOW THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to lease the Ridgefield Community Center located in the Ridgefield Public Housing Site to Chapel Hill - Carrboro Head Start, 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 14th day of September, 1987.

Housing and Community Development Space Lease - Job Service Office

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO LEASE THE FIRST FLOOR OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT ADMINISTRATION BUILDING TO ORANGE COUNTY (87-9-14/R-15)

WHEREAS, the Council of the Town of Chapel Hill is supportive of the Employment Security Commission operating an office in Chapel Hill; and

WHEREAS, the Council has determined that the first floor of the Department of Housing and Community Development Administration Building is not needed for Town services during the term of the lease as proposed; and

WHEREAS, pursuant to N.C. General Statute 160A-272, a notice of intent to enter into a lease agreement with the County of Orange was published in the September 1, 1987 edition of The Chapel Hill Newspaper and no other proposals were received;

NOW THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to lease 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 Orange County 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 14th day of September, 1987.

Bridge Inspections

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR BRIDGE INSPECTION (87-9-14/R-16)

WHEREAS, the Town of Chapel Hill has requested the Department of Transportation to perform certain work under the Federal Aid Highway Bridge Replacement and Rehabilitation Program, said work to consist of the reinspection and analysis of all public bridges on the Municipal Street System in the Town of Chapel Hill; and

WHEREAS, the Town of Chapel Hill proposes to enter into an agreement with the North Carolina Department of Transportation for said work wherein the Department of Transportation or a Consulting Engineering firm retained by the Department of Transportation will reinspect and prepare the necessary reports for all public bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards; and

WHEREAS, under the proposed agreement the Federal Highway Administration shall reimburse the Department of Transportation for eighty (80% percent of the cost of the work subject to compliance with all applicable federal policy and procedural rules and regulations; and

WHEREAS, under the proposed agreement the Town of Chapel Hill shall reimburse the Department of Transportation for all costs of the work incurred by the Department of Transportation not paid by the Federal Highway Administration.

NOW, THEREFORE, BE IT RESOLVED that the agreement for the hereinabove referenced bridge inspection work is hereby formally approved by the Town Council of the Town of Chapel Hill and the Manager of this Municipality is hereby empowered to sign and execute the required agreement between the Town of Chapel Hill and the Department of Transportation.

This the 28th day of September, 1987.

Boards and Commissions - Housing Advisory Board

Council Member Andresen commented that the Council had appointed a subcommittee to locate candidates to serve on the Housing Advisory Board. She said a slate of candidates was listed in the memorandum. Ms. Andresen commented that one candidate had not filled out an application until that day and according to the Council's procedures he could not be considered unless the Council waived their procedures.

Council Member Howes suggested that the Council waive its procedures for applications. The Council agreed.

Council Member Godschalk said that this was an important Board that the Council was appointing. He asked if the subcommittee had considered including alternates to the Board. Ms. Andresen said the subcommittee had not actually considered alternates but that it was a good idea. She said the committee had had a problem in getting the requisite number of applicants for the nine regular seats.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO APPOINT THE SLATE OF CANDIDATES LISTED IN THE MEMORANDUM BY ACCLIMATION. THE MOTION PASSED UNANIMOUSLY, (8-0).

Those appointed were:

Three-Year Term

Betsy Bryan
Barbara Booth Powell
Harvey Reid (tenant)

Two-Year Term

Ed Caldwell
LaChaiel Farrington (tenant)
Charles Weaver (Carrboro)

One-Year Term

Nona Carter (tenant)
Don Higgs
Adele Thomas

Council Member Thorpe commended the subcommittee for their work.

Boards and Commissions - Personnel Appeals Committee

Council Member Thorpe commented that there were no applicants for the two vacancies on the Personnel Appeals Committee and suggested the Mayor appoint a subcommittee to locate candidates.

Mayor Wallace appointed Council Members Thorpe and Preston to the subcommittee.

Orange County Human Relations Commission

Mayor Wallace said that there were no candidates for this Commission and asked Mayor Pro-tem Thorpe and Council Member Preston to also look for candidates for the Human Relations Commission.

Executive Session

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER WERNER 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 10:15 p.m.

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

The meeting adjourned at 10:40 p.m.

