

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, OCTOBER 26, 1987, 7:30 P.M.

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

- Julie Andresen
- David Godschalk
- Jonathan Howes
- David Pasquini
- Nancy Preston
- Bill Thorpe
- Arthur Werner

Council Member Smith was absent, excused. Also present were Acting Town Manager Sonna Loewenthal and Town Attorney Ralph Karpinos. Town Manager David Taylor and Assistant Town Manager Ron Secrist were absent attending the ICMA meeting in Montreal, Canada.

Petitions

Helen Urquhart, Sherri Ontjes, James Taylor, Gerald Unks, Helen Hines and Herbert Harned asked to speak to item #6, Mat and Seal Road Treatment.

Joe Herzenberg, speaking as a citizen, petitioned the Council to establish a Town government code of ethics that would require all elected officials to list all real property holdings and to list all campaign contributions. He said that the Town might also want to have appointed board members list their property holdings. He said he wanted to petition the Council now, since action might be required by the General Assembly, so that the Town could set into motion the steps necessary to establish a code of ethics, hopefully by the summer of 1989.

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

Council Member Andresen stated that the County Commissioners would be holding a public hearing on November 23 to discuss the County's water and sewer policies and procedures. She said the Council might want to draft a resolution as to what how it felt about the matter and present to the Commissioners at the public hearing.

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

Council Member Preston stated that it was time for the annual evaluation of the Manager and Attorney and she wondered if the Council wanted to direct Council Member Godschalk, since he had done so the past two years, to head up the subcommittee to gather the information necessary for the evaluation.

Mayor Wallace stated that he had discussed this issue with the Manager and had decided to postpone the review until after the end of October. He suggested the Council discuss how they wanted to proceed in Executive Session at the next regular meeting. The Council agreed.

Council Member Thorpe stated that he was concerned with the possible over use of the Dean Smith Athletic Center and how its use was affecting the nearby residents and the traffic situation. He asked that the Council consider reviewing the Center's policies and use at an upcoming Council meeting.

Minutes

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT THE MINUTES OF OCTOBER 1, 1987 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN TO ADOPT THE MINUTES OF OCTOBER 5, 1987 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO ADOPT THE MINUTES OF OCTOBER 12, 1987 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY, (8-0).

Joint Planning Agreement

Mayor Wallace said he was pleased that this item was on the agenda as it represented the culmination of work by three governmental units, the towns of Chapel Hill and Carrboro and Orange County, to develop a joint planning agreement. He thanked Council Members Godschalk, Andresen and Howes for their work on the intergovernmental committee.

Council Member Godschalk stated that the proposal was a compromise agreement that would serve the areas well but that would need amendments over time. He said the joint planning agreement was a good framework from which to continue work on intergovernmental issues.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HOWES TO ADOPT RESOLUTION 87-10-26/R-1.

Council Member Howes said the joint planning process had been going on over a long period of time and was a unique agreement. He said one of the important parts of the agreement was in the

definition of the Transition areas which identified the areas and extent of urban development for Chapel Hill and Carrboro.

Council Member Andresen agreed that the agreement was an excellent framework and beginning, but that intergovernmental planning needed to continue. She pointed out that the agreement did not provide for protection of the watershed once the OWASA study was complete and did not protect the watershed from development using alternative water and sewer sources.

Council Member Preston asked about the Foxmeadow subdivision residents' concerns about being included in the Town of Carrboro's Transition Area. Acting Manager Loewenthal responded that the Town of Carrboro had adopted the proposed joint planning agreement which placed the subdivision in Carrboro's Transition Area. She said Carrboro had also adopted a resolution stating that they would not initiate annexation of Foxmeadow subdivision for at least 10 years.

Council Member Werner asked what procedural items were in place for what could occur once the watershed study was complete. Council Member Godschalk replied that there were no procedural steps available but that this was something the intergovernmental work group would be looking at as the watershed study progressed. He said there was a liaison committee from the intergovernmental work group working with OWASA on the watershed study who would provide information and updates as the study progressed.

Mayor Wallace asked if there were an established date for the completion of the watershed study. Council Member Godschalk replied that OWASA was given a one-year time period for the study and that the contracts for the study had just been signed.

THE MOTION TO ADOPT 87-10-26/R-1 PASSED UNANIMOUSLY, (8-0).

The resolution, as adopted, reads as follows:

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A NEW JOINT PLANNING AGREEMENT WITH THE ORANGE COUNTY BOARD OF COMMISSIONERS AND THE CARRBORO BOARD OF ALDERMEN (87-10-26/R-1)

WHEREAS, representatives of the governing bodies of Orange County and the Towns of Carrboro and Chapel Hill began meeting in the fall of 1986 to prepare a new Joint Planning Agreement; and

WHEREAS, these representatives of the 3 jurisdictions have addressed issues including:

- *establishing a rural buffer in Orange County around Chapel Hill and Carrboro;
- *future "urban services" or transition areas for Chapel Hill and Carrboro,

- *planning for the University Lake watershed;
- *long-term boundaries for annexation by Chapel Hill and Carrboro;
- *representation of Transition Area residents on municipal Planning Boards and Boards of Adjustment; and

WHEREAS, the proposed new Joint Planning Agreement and the new Joint Planning Area Land Use Plan adopted in 1986, as amended, would establish a long-term urban form for the Chapel Hill-Carrboro area, and these documents thereby represent a major achievement by the three jurisdictions; and

WHEREAS, the new Joint Planning Agreement was the subject of a public hearing by the three jurisdictions on October 14, 1987; and the concepts of resource protection and growth management in the agreement have the support of many citizens; and

WHEREAS, the Council hereby expresses its appreciation to the Orange County Board of Commissioners and the Carrboro Board of Aldermen for their cooperation and dedication to developing a new agreement which is in the best interest of the citizens of Orange County, Chapel Hill and Carrboro;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves, and authorizes the Mayor to sign on behalf of the Town, the Joint Planning Agreement substantially in the form distributed by the Town Manager for the Council's October 26, 1987 meeting. A copy of said Agreement as distributed on October 26, 1987 shall be retained with the records of this meeting.

This the 26th day of October, 1987.

Mat and Seal Surface Treatment for Streets

Acting Manager Loewenthal said that the staff proposed that the Council adopt an alternative means of addressing problems caused by unpaved streets in the Town of Chapel Hill. She said currently there were 56 unpaved, publicly maintained streets, totalling 8 miles in Chapel Hill, and that maintenance of these streets was more expensive than maintenance of standard streets. She said staff proposed the adoption of an alternative means of paving these streets through the use of mat and seal which was less expensive than standard paving, would eliminate most of the problems of unpaved streets, but would only have a useful life of approximately 5 years. She pointed out that mat and seal was a surface treatment only, and did not compare in strength and long life to the compacted earth, crushed stone base, asphalt, curb and gutter of "standard streets".

Ms. Loewenthal said the staff recommended a limited program of applying mat and seal surface treatment to short unpaved streets for which a valid petition was received. She stated that the staff proposed spending \$30,000 of the street resurfacing funds during the coming year for this purpose, and for reasons of equity, that assessments to the property owners be for 75% of the cost of applying the mat and seal the first time. She said the current estimated cost for improvements of the streets using mat and seal based on NCDOT information was \$2.23 per linear foot.

Council Member Godschalk said that since the cost was so low, why not recommend that the resident pay the total cost. Ms. Loewenthal responded that although the unpaved streets for which the mat and seal process would be viable were primarily used by the residents, these streets were also used by non-residents for various reasons and therefore served a public purpose, and in addition, the tax base would benefit by lower maintenance costs. She said the staff felt the 75/25 split in costs was equitable.

Council Member Godschalk said he had no problem with having the residents pay 100% of the costs of the street resurfacing since it was so low, and because it appeared natural to expect that the Town would have to resurface those streets again in 3 to 5 years totally at the public expense.

Council Member Pasquini agreed and said that these streets would have a tendency to be torn up by large vehicle and the Town would have to make the repairs. Ms. Loewenthal said the roads would be susceptible to heavy traffic, which was a reason that the staff preferred to begin the project on low-use, dead-end roads.

Council Member Pasquini asked if there were a policy for the use of mat and seal versus standard paving. Ms. Loewenthal replied there was no written policy as of yet. She said the staff would prefer to get some experience with the mat and seal process before attempting to establish a written policy.

Council Member Andresen asked for clarification of how the Town had maintained these unpaved streets in the past. She asked if it were not true that the Town had oiled the streets until the State had said this process was environmentally unsound. Ms. Loewenthal responded that the Town had oiled the streets.

Council Member Werner stated that the street paving procedure involved petitioning to the Council for the paving. He said that the Council could determine at the time of the petition whether or not it felt the street should be paved using mat and seal or the standard practices. He said this would prohibit the misuse of mat and seal on heavily used streets.

Helen Urquhart, speaking as a citizen, spoke in support of the proposal for mat and seal. She said she lived on a dusty road that was always giving the residents trouble. She asked that information on how to petition for mat and seal be sent to her

area residents. She also said that until something could be done with regard to the dust could the town put in speed bumps to deter the speeding which occurred on her street.

James Taylor, speaking as a resident of Fern Lane, spoke in support of the proposal. He said he felt the Town should pay some of the costs involved and would prefer to have the 75/25 split instead of the residents paying 100% of the costs.

Helen Hines, speaking as a resident of Shady Lawn, spoke in support of the proposal. She also asked for consideration of ways of acquiring signatures of absentee property owners since most of the property abutting her street was an apartment complex.

Herbert Harned, speaking as a resident of Springdell Lane, spoke in support of the proposal with the Town paying at least 25% of the mat and seal costs.

Gerald Unks, speaking as a resident of Maple Drive, said his area residents had petitioned for standard paving and were awaiting funding. He said they would prefer to have standard paving but if it were not to occur this year then the Maple Drive residents wanted to petition for mat and seal. Mr. Unks asked if the valid petition for standard paving was sufficient for the mat and seal. Town Attorney Karpino responded that the Maple Drive residents would have to submit another petition for mat and seal which indicated their agreement to pay the assessed cost of the improvements as designated by the Council. He said the valid paving petition on file for standard paving indicated that the residents would pay 50% of the assessed costs and that the proposals before the Council were for 75% or 100% or no assessment.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER PASQUINI TO ADOPT RESOLUTION 87-10-26/R-2B.

Council Member Werner said he offered this motion because he felt it fair to assess the property owners for 100% of the initial costs since mat and seal would require more Town maintenance than conventional paving. He said if the assessment was only \$1.00 per linear foot and could be paid over three years, it would not be a burden to the property owner.

Council Member Thorpe said he would prefer that the Town pay 25% of the costs since the roads were used by individuals other than the property owners.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER HOWES FOR A SUBSTITUTE MOTION TO ADOPT RESOLUTION 87-10-26/R-2A.

Council Member Howes said that it was a question of equity and the public benefit from the Town participation in the costs of the resurfacing. He said the amount of costs involved was

negligible in comparison to conventional paving. He said he felt the 3 to 5 year maintenance cycle was probably conservative and that the streets would last longer.

Council Member Andresen asked what would constitute a valid petition. Acting Manager Loewenthal responded that the petition would have to be signed by over 50% of the owners of over 50% of the land abutting the street.

Council Member Preston asked how the edges of the streets would look with mat and seal. Bruce Heflin, Public Works Director, replied that the edges would be unfinished, with no shoulder sections.

Council Member Preston asked how the roads would be chosen to receive mat and seal. Ms. Loewenthal stated that the staff would process the petitions as they came in and that once they had enough they would contract for the work in the Spring. She pointed out that the cost estimates for the work were just that, estimates, and that the actual costs would not be known until the contracts were made for the work. Council Member Preston asked why the staff was requesting \$30,000 for this work. Ms. Loewenthal responded that the staff anticipated funding for approximately one third of the streets this year and that whereas the residents had three years in which to pay the assessment, the Town had to pay the contractor at the time of completion of the work.

Council Member Preston asked when Maple Drive was proposed to be paved with conventional paving. Ms. Loewenthal responded that it was on the list of projects to be discussed in the upcoming Capital Improvements Program.

Council Member Preston asked about the service road near Aldersgate. Ms. Loewenthal replied that that road was a State road and that the Town had made no plans for its maintenance in that it would be taken care of as part of the Bypass improvements.

Council Member Godschalk commented that he felt mat and seal was a good proposal. He asked for clarification of why the Town would need to fund \$30,000 if the assessment were 75% or 100%. Ms. Loewenthal replied that the contract required payment for the work at the time of completion and that the Town paid this amount and then billed the property owners for the assessment. She said the property owners had three years in which to pay the assessment.

Council Member Godschalk said he did not think the 100% assessment was unreasonable since the residents would be the primary benefactors.

Council Member Pasquini agreed saying that most of the roads were dead-ends.

THE SUBSTITUTE MOTION FAILED TO PASS, (4-4), WITH COUNCIL MEMBERS ANDRESEN, HOWES, PRESTON AND THORPE VOTING IN FAVOR.

THE MOTION TO ADOPT RESOLUTION 87-10-26/R-2B CARRIED, (6-2), WITH COUNCIL MEMBERS PRESTON AND THORPE VOTING AGAINST.

Council Member Thorpe said that the reason he voted against the motion was because he felt the Town should share in the costs.

Attorney Karpinos said that the petition for mat and seal would include the statement that the property owners agreed to pay 100% of the assessed costs for the surface treatment.

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE USE OF MAT AND SEAL SURFACE TREATMENT FOR UNPAVED STREETS (87-10-26/R-2b)

WHEREAS, the Town of Chapel Hill now includes about 8 miles of unpaved public streets, and

WHEREAS, the residents of such streets experience inconvenience and travellers on such streets experience less safe driving conditions than on standard paved streets, and

WHEREAS, the maintenance of such streets is expensive;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Manager is authorized to begin a limited program of mat and seal treatment of short unpaved streets with low traffic volumes, such program to include the following elements:

- assessments of 100% of the cost, to be paid over a period not to exceed 3 years, based on petitions valid according to G.S. Chapter 160A, Article 10;
- priorities set among streets by date of receipt of valid petitions;
- the continued encouragement of residents to petition the Town to improve unpaved streets with standard asphalt, curb and gutter.

BE IT FURTHER RESOLVED that the Manager is authorized to spend up to \$30,000 from street resurfacing funds this fiscal year on this program.

This the 26th day of October, 1987.

Community Appearance Commission Annual Report

Cassandra Sloop, Chair of the Community Appearance Commission, said the Appearance Commission had accomplished a lot during fiscal year 1986-87. She said highlights from the past year included coordination of preparations for the Olympic Festival, working with the regional image task force, and working on the Municipal Building and Library Building Committees. She said the Commission had also inspected 15 previously approved projects to determine if these projects' landscaping plans had been implemented.

Council Member Andresen thanked Ms. Sloop for her report and said she was glad the Commission was doing follow-up site visits. She asked what was the progress on the entranceways master plan. Ms. Sloop said that the Commission had met with the consultant for a brief introduction into the work proposed. She said they had reviewed aerial photographs and indicated areas to be addressed.

Audit Report

Jan Llewellyn, of Touche Ross Company, presented the 1986-87 Audit Report for the Town of Chapel Hill. She said the audit included a copy of the Certificate of Excellence in Financial Reporting received by the Town for fiscal year 1985-86. She said the company had not written a letter of recommendation to management because they had found no material weaknesses in the reporting system. Ms. Llewellyn said that this was a tribute to the Town's Finance staff.

Council Member Thorpe asked if the Town would be a candidate for a Certificate of Excellence for fiscal year 1986-87. Ms. Llewellyn replied yes.

Council Member Preston asked when the Town would know if it would receive the Certificate. Ms. Llewellyn responded that the deadline for the application was December 31 and that the decision would be made in June or July.

Mayor Wallace thanked Ms. Llewellyn for her report.

Stormwater Management Status Report

Acting Manager Loewenthal said the Stormwater Management Program involved ten tasks, including the development of a drainage ordinance. She asked Town Engineer George Small to give a staff report.

George Small, Town Engineer, said the Stormwater Management Program involved various tasks. He said the staff had completed the following tasks: the development and calibration of a Soil Conservation Service hydrological model, development of an engineering design manual, preparation of a Resource Conservation District implementation guide, development of a computer model for design of detention facilities, and holding training workshops for local consulting engineers, etc. He said the staff was

currently working on developing a Manning's "n" reference guide for local streams and floodplains, evaluating flood elevations throughout the floodplain areas, developing a drainage ordinance, and analyzing the implementation and costs of the stormwater management program. Mr. Small said two workshops were planned for November 18 and 19 to solicit input from interested parties, and to answer questions, on a drainage ordinance. He stated that the goal of the workshops was to discuss policies, objectives, alternatives, advantages/disadvantages of alternatives. Mr. Small said the staff proposed a schedule of July, 1988 for presentation of the proposed drainage ordinance to the Council. He stated that the staff needed policy input from the Council in preparing the drainage ordinance and that as such he hoped the Council would be able to attend one of the workshops scheduled for November.

Council Member Andresen asked if the hydrologic model was used in other localities and if so what was its success rate. Mr. Small said that the Town's model was new and developed for micro-computers, although it was similar to one in operation in Cobb County, Georgia. He said that various localities were contacting Chapel Hill for information on the Town's program.

Council Member Werner asked what was the Town's current drainage policy. Mr. Small said that the only drainage policy in effect did not deal with single-family development; for other developments it specified that after development, the amount of run-off from the site had to be less than or equal to the run-off from the site prior to development. Council Member Werner asked if the proposed drainage ordinance would address how to deal with existing problems as well as potential problems. Mr. Small said yes.

Council Member Werner commented that the Planning staff was in the process of developing a public facilities ordinance. He said drainage might be something that needed to be looked at as part of the public facilities ordinance.

Council Member Godschalk said that since input from the Council was essential to the staff in developing the drainage ordinance, the Council should definitely have a work session on the subject. He commented that there would be many different alternatives which would be applicable to some parts of the Town and not in others. He asked about the policy issues mentioned in the staff memorandum. Mr. Small responded that they were some issues which the staff and the consultant felt needed to be addressed.

Quarterly Reports

Council Member Preston gave a report on the Joint Orange-Chatham Community Action Agency. She said JOCCA had received \$157,000 grant for rural housing program for water connections in northern Orange County and for educating individuals on how to tap into the water system. She said JOCCA was experiencing problems with

funding for the emergency assistance grants to help in payment of rent and utilities for low income individuals and might have to apply to local municipalities for assistance. Ms. Preston said JOCCA was also involved in counseling services for the homeless and in publicizing the North Carolina Poverty program.

Council Member Preston gave a report on the Regional Solid Waste Task Force. She said a contract had been signed with HDR Techserv Associates for the waste disposal study. She said they would examine all the viable technologies for waste disposal and present alternatives and recommendations to the Task Force who would then make a recommendation to the participating governmental units. She said the time frame for the study was between 90 and 120 days and that the consultants would hold two public meetings in Durham and Orange Counties to inform the public of what was being done and to solicit input. Ms. Preston stated that the Task Force had also agreed to appoint two citizens from Orange County and two from Durham County to serve on the Task Force so that further citizen input could be obtained. Ms. Preston said that David Moreau and Larry Reid had been appointed from Orange County.

Council Member Werner asked what was expected of the consultants within the 90-120 day contract period. Bruce Heflin, Public Works Director, said that the Task Force had agreed to certain criteria prior to setting up the contract. He said the study would involve cost analysis and feasibilities. He stated that he felt the consultants would offer the most likely options to the Task Force for consideration.

Council Member Thorpe gave a report on the Transportation Advisory Committee. He said they had held a public meeting on September 30 on the proposed new Thoroughfare Plan for the Durham Urban Area. He said concern was expressed about Pittsboro Street extension, the UNC land use plan traffic aspect, and 15-501 Bypass. He said the Committee would take the information and use it in assessing alternatives. Mr. Thorpe stated that there would be another public meeting in January.

Council Member Howes gave a report on the Triangle J Council of Governments. He said the COG was involved in preparations for its meeting on December 2. He said some of the topics to be discussed were regional transit authorities, watershed protection, magnet schools, and human services issues. He said he felt it would be an interesting meeting and hoped the Council would be able to attend.

Acting Manager Loewenthal presented the staff first quarterly report. She said the main accomplishment during the first quarter was the creation of the Department of Housing and Community Development. She said the quarterly report was in the Council's packet of information and that she would be glad to answer any questions.

Council Member Andresen asked about the status of the fraternity houses which had been issued citations for building code violations. Ms. Loewenthal said that there were currently 10 fraternities with outstanding violations and that the staff was working with them to get the problems fixed.

Council Member Howes asked if the 54.4% increase in the tax base was due to the reassessment of the property values and not because of annexations or growth. Ms. Loewenthal responded that the increase was primarily due to the reassessment of the property values.

Council Member Pasquini said that the Tandler project indicated that 15 of the 34 lots had been assigned. He asked if the Town expected to assign all the lots prior to the deadline for the 4% discount. Ms. Loewenthal stated that the discount was applicable to applications received prior to the deadline (October 1), and that the Town had 56 eligible applications. She said that 20 of the 34 lots had been assigned to date.

Tina Vaughn, Director of Housing and Community Development, gave a report on the status of the Housing and CD Department. She said that on July 13, the Housing Department had been created with the dissolution of the Chapel Hill Housing Authority. Ms. Vaughn said that all ten employees of the Housing Authority had been retained with the Town, nine in Housing and CD and one in Finance. She stated that the Council had allocated \$25,000 in CD funds in 1986 for repairs to public housing units and that those repairs had been completed and involved replacing roofs and gutters, installing ventilation vents and eave drips, replacing door canopies and decks, and painting above-ground natural gas lines. Ms. Vaughn stated that the Council had also created a Housing Advisory Board and that the Board had held its first meeting on October 15, when Ed Caldwell had been elected chair. She said the Department was also involved in the Tandler homeownership program.

Council Member Godschalk said that the report indicated that four houses were currently under construction in the Tandler project. He asked when was the expected completion date. Ms. Vaughn said that at least one house was expected to be completed by Thanksgiving.

Council Member Pasquini asked how many public housing units were in Carrboro and if there were any efforts being made to solicit funding from Carrboro to help maintain these units. Ms. Vaughn replied that there were 30 units in Carrboro and that the staff planned to request the Council to request the Town of Carrboro to waive its payment in lieu of taxes (PILOT) for those units to help fund repairs.

Council Member Thorpe asked if a public housing tenant was automatically a member of the tenants' association. Ms. Vaughn replied no and that a formal tenants' association was just being

established. She said that to be a member, a tenant had fill out an application and pay the annual dues of fifty cents.

Council Member Thorpe asked if any of the old Housing Authority employees receive less money when they became employees of the Town. Ms. Vaughn replied no.

Consent Agenda

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER WERNER TO ADOPT RESOLUTION 87-10-26/R-3. THE MOTION PASSED UNANIMOUSLY, (8-0).

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

A RESOLUTION APPROVING VARIOUS ORDINANCES AND RESOLUTIONS (87-10-26/R-3)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the following ordinances and resolutions as submitted by the Town Manager:

- a. Housing Assistance Program (R-4).
- b. Just Compensation for Sewer Easement for Tandler Homeownership Project. (R-5).
- c. Acquiring Duke Power Property for Tandler Project (R-6).
- d. Shelter Grant Application (R-7).
- e. Transit Project Ordinance (O-1).
- f. Budget Amendment - Encumbrances (O-2).
- g. Meeting with Planning Board February 1 (R-8).
- h. Personnel Appeals Committee Additional Seat (O-3).

This the 26th day of October, 1987.

Housing Assistance Program

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING SUBMISSION OF A HOUSING ASSISTANCE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (87-10-26/R-4)

BE IT RESOLVED that the Council of the Town of Chapel Hill hereby authorizes the Manager to submit a Housing Assistance Plan to the U.S. Department of Housing and Urban Development (HUD) by October 31, 1987 as generally described in a report to Council dated

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October 26, 1987, and to provide such additional information as HUD may require.

This the 26th day of October, 1987.

Tandler Homeownership Project - Just Compensation for Sewer Easement

The resolution, as adopted, reads as follows:

A RESOLUTION ESTABLISHING JUST COMPENSATION FOR ACQUISITION OF EASEMENT (Tax Map 91-H-3,4) (87-10-26/R-5)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it has determined on the basis of appraisals by Kathleen K. Buck, Appraiser, and review appraisals by Fred K. Ruffin, Appraiser, that the just compensations for the easements to be acquired for Community Development program purposes is as follows:

<u>Parcel No.</u>	<u>Owner</u>	<u>Interest To Be Acquired</u>	<u>Area</u>	<u>Just Compensation</u>
91-H-4	Elizabeth Jolly	Easement	2,542 sq.ft.	\$300.00
91-H-3	William Smith	Easement	1,180 sq.ft.	\$0.00

BE IT FURTHER RESOLVED that the Council hereby certifies that to the best of its knowledge, the work of the appraiser, Kathleen K. Buck, and the review appraiser, Fred K. Ruffin, has been performed in a competent manner in accord with applicable State and federal law and the policies and requirements of the U. S. Department of Housing and Urban Development, and authorizing the Manager to acquire the easements.

This the 26th day of October, 1987.

Tandler Homeownership Project - Acquiring Duke Power Property

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE ACQUISITION OF DUKE POWER COMPANY'S PROPERTY AND EASEMENTS AT EAST MERRITT MILL ROAD FOR HOMEOWNER-SHIP PROGRAM (87-10-26/R-6)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Manager to submit a letter of intent to acquire property and easements with a purchase offer to Duke Power Company and to follow through on the acquisition process of the property and easements necessary to construct a T-turnaround and cul-de-sac; such property described as Tax Map Lot# 91-G-11, and a 25' strip immediately north of this property, now shown as part of the Tax Map #91-G-10 owned by the Town of Chapel Hill, off the Old Merritt Mill right-of-way.

This the 26th day of October, 1987.

Shelter Grant Application

The resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR EMERGENCY SHELTER GRANT PROGRAM FUNDS TO THE NORTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT (87-10-26/R-7)

WHEREAS, the needs of homeless people are a significant community concern; and

WHEREAS, the Town is supportive of the efforts of the Inter-Faith Council to operate an emergency shelter for the homeless;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Mayor to submit a grant application for \$25,000 to the North Carolina Department of Natural Resources and Community Development for the Emergency Shelter Grant Program, including all understandings and assurances contained therein; and

BE IT FURTHER RESOLVED that the Council directs and authorizes the Town Manager to act as the official representative of the Town in connection with the application and to provide such additional information as may be required.

This the 26th day of October, 1987.

Transit Project Ordinance

The ordinance, as adopted, reads as follows:

AN ORDINANCE TO ADOPT A GRANT PROJECT ORDINANCE FOR TRANSIT PROJECT (87-10-26/O-1)

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

Section I

The project authorized is a Transit Capital and Planning Grant from FY 1985 federal funds, more specifically known as Urban Mass Transportation Administration Grant NC-90-X064, awarded under the Urban Mass Transportation Act of 1964, as amended. The project provides funds for transit capital purchases and planning activities.

Section II

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

Section III

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

Urban Mass Transportation Administration Grant	\$63,749
North Carolina Department of Transportation Grant	\$ 7,969
Town of Chapel Hill (local match)	<u>\$ 7,969</u>
TOTAL	\$79,687

Section IV

The following amounts are appropriated for the project:

Transit Planning	\$53,437
Capital Equipment	<u>26,250</u>
TOTAL	\$79,687

Section V

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

Section VI

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

This the 26th day of October, 1987.

Budget Amendment - Encumbrances

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" (98-10-26/O-2)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1987" as adopted on May 26, 1987 be and the same is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
GENERAL FUND				
Town Manager				
Administration	421,561	2,643		424,204
Information Serv.	186,527	23,399		209,926
Personnel	263,419	3,807		267,226
Finance	331,021	929		331,950
Legal	95,889	2,500		98,389
Planning	503,752	30,280		534,032
Inspections	239,367	558		239,925
Engineering	314,384	12,212		326,596
Public Works				
Administration	133,014	4,105		137,119
Construction	173,877	48		173,925
Streets	1,252,039	216,493		1,468,532
Equip. Services	597,741	11,444		609,185
Sanitation	1,315,724	1,695		1,317,419
General Service	583,447	14,069		597,516
Police				
Administration	245,107	2,737		247,844
Support Services	589,232	96		589,328
Patrol	2,344,256	12,948		2,357,204
Detective	374,642	302		374,944
Fire				
Administration	165,427	3,877		169,304
Suppression	1,072,644	19,857		1,092,501
Prevention	77,392	867		78,259
Parks & Recreation				
General Recreation	638,623	7,989		646,612
Parks Maintenance	392,466	8,484		400,950
Library	754,666	15,833		770,499
Non-Departmental	2,082,260	172		2,082,432
LANDFILL FUND	862,350	32,626		894,976

PARKING FACILITIES FUND	268,229	194	268,423
PARKING FACILITIES BOND FUND	191,000	15,819	206,819
CHURCH STREET PARKING FACILITIES BOND FUND	178,600	549	179,149
TRANSPORTATION FUND			
Administration	350,204	2,141	352,345
Operations	2,219,846	8,826	2,228,672
Maintenance	503,206	6,466	509,672
CAPITAL IMPROVEMENTS FUND	882,500	49,783	932,283

ARTICLE II

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
REVENUES				
GENERAL FUND				
Fund Balance	400,000	397,344		797,344
LANDFILL FUND				
Fund Balance	371,350	32,626		403,976
PARKING FACILITIES FUND				
Fund Balance	0	194		194
PARKING FACILITIES BOND FUND				
Fund Balance	0	15,819		15,819
CHURCH STREET PARKING FACILITIES BOND FUND				
Fund Balance	0	549		549
TRANSPORTATION FUND				
Fund Balance	55,142	17,434		72,576
CAPITAL IMPROVEMENTS FUND				
Fund Balance	822,500	49,783		872,283

This the 26th day of October, 1987.

Meeting with Planning Board

The resolution, as adopted, reads as follows:

A RESOLUTION REGARDING THE FEBRUARY 1 QUARTERLY MEETING WITH BOARDS (87-10-26/R-8)

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 Planning Board meet with the Council at 6:30 p.m. on Monday, February 1, 1988, for an informal supper, and at 7:30 to discuss matters of interest.

This is the 26th day of October, 1987.

Personnel Appeals Committee - Additional Seat

The ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 14 OF THE CHAPEL HILL CODE OF ORDINANCES (87-10-26/O-3)

BE IT ORDAINED by the Council of the Town of Chapel Hill that Chapter 14 of the Chapel Hill Code of Ordinances is amended as follows:

Section I

AMEND Section 14-118 to read as follows:

"Sec. 14-118 Creation and Membership

There is hereby created a Personnel Appeals Committee which shall consist of up to eight (8) persons appointed by the governing body of the Town of Chapel Hill. Each member of the Personnel Appeals Committee shall be a citizen of the Town. No Town employee or official shall be eligible to serve on the Personnel Appeals Committee."

Section II

This ordinance shall be effective upon its adoption.

This the 26th day of October, 1987.

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

The meeting adjourned at 9:44 p.m.

