

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, AUGUST 22, 1988, 7:30 P.M.

Mayor Jonathan B. Howes called the meeting to order. Council Members present were:

- Julie Andresen
- David Godschalk
- Joe Herzenberg
- David Pasquini
- Nancy Preston
- James C. Wallace
- Art Werner
- Roosevelt Wilkerson, Jr.

Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ronald Secrist, and Town Attorney Ralph Karpinos.

Mayor Howes announced that Chapel Hill instituted mandatory water conservation measures today.

Certificates of Appointments

Mayor Howes presented Certificates of Appointment to Boards and Commissions to the following appointees: Mary Clayton, Billie Cox, Michael Lee Culpepper, Kathy Harris, Bill Hildeboldt, Conrad Noel, Charles Nottingham, Marco Pieroni, Alan Rimer, Betty Sanders, Philip Sloane, and James Ward; and read the names of all appointees who were not at the meeting. Mayor Howes said all the appointees are people who are able to help make the Town a better place to live; and the Council appreciates their service.

Petitions

Boyd Russell presented a petition from Clayton Road residents requesting physical barrier be placed across Clayton Road (east of its junction with Curtis Road) for the purpose of eliminating through vehicular traffic. Mr. Russell said the residents wish to eliminate cut-thru traffic; that no-thru-truck signs and speed limit changes have been tried, but have not been effective. He said there have been numerous incidents of near accidents, and pets have been run over in this area.

Council Member Werner said he would like the staff to present the Council several options of how to handle this problem.

Council Member Andresen asked Mr. Russell if residents have noticed increased traffic since the installation of stop signs on Elliott Road. Mr. Russell replied they had.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO REFER TO THE MANAGER.

Mr. Steele said he lives on Elliott Road, and he thinks all the Town has to do is put up a stop sign on Clayton Road.

Council Member Godschalk said he hopes the staff will review all aspects of the problem and the area, and provide solutions which will solve this problem without causing others in the area.

THE MOTION PASSED UNANIMOUSLY, (9-0).

Council Member Werner said a number of citizens have requested that the hours allowed for watering shrubbery, etc. under mandatory water restriction be changed to 7:00 a.m. to 10:00 a.m. during Eastern Standard Time rather than 6:00 a.m. to 9:00 a.m. now allowed, so that watering can be done during daylight hours.

Mayor Howes said he thinks citizens are trying to stay within the spirit of the ordinance, and that the hours could be changed if water restrictions remain in effect.

Minutes

Council Member Preston pointed out two corrections to the minutes of July 5.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK, TO ADOPT THE MINUTES OF JULY 5 AS CORRECTED. THE MOTION PASSED UNANIMOUSLY (9-0).

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADOPT THE MINUTES OF JULY 11 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY (9-0).

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK, TO ADOPT THE MINUTES OF JULY 12 AS CIRCULATED. THE MOTION PASSED UNANIMOUSLY (9-0).

Regional Mobility Study

Mayor Howes welcomed Mr. Tom Bradshaw. Mr. Gene Swecker, representing the Chapel Hill-Carrboro Chamber of Commerce, introduced Mr. Bradshaw. Mr. Bradshaw said at the beginning of the process of the Regional Mobility Study, the study group decided to ask municipalities in the region about the kinds of transit activities are needed in the different areas. The group also asked Chambers of Commerce to list essential projects they could identify, and subsequently devised two sets of projects. He said a major part of the study emphasizes education of everyone involved to the kinds of projects needed, how they relate regionally, the

benefits of improved transportation to the region, and resources for paying for the projects. Mr. Bradshaw said the study group feels a transportation authority would be the best tool for building and improving transportation means within the region.

Council Member Andresen asked if funding could be requested through the State Legislature. Mr. Bradshaw said they have approached the State.

Council Member Godschalk said that most entities in the region have similar needs, and Chapel Hill must think and plan regionally to improve transportation.

Mayor Howes thanked Mr. Bradshaw for his presentation and commended the work of the Task Force.

1988-89 Issues

Town Manager Taylor presented a report to the Council identifying a number of complex policy issues for the staff to work on in the coming year. He requested the Council discuss the issues with him and provide input on the areas and priorities he identified in his report.

Mayor Howes said the Manager has capsulized the issues, and the report can serve as a benchmark for what the Council feels is the true picture of what the critical issues are. The Mayor then introduced Al Rimer to give a report from the Planning Board.

Mr. Rimer said the Planning Board also needs quality time with the Council to discuss the Comprehensive Plan. He said the Board concluded in its meeting last week that the elements identified are clearly to be used as interim reports for discussion. He said the Planning Board will bring key elements to the Council in October on which it needs the Council's guidance. He said the Planning Board's objective is to provide a Comprehensive Plan in May of next year for the Council's consideration.

Council Member Wilkerson asked if the Transportation model will consider and reconfigure the system of traffic in this area. Mr. Rimer said yes.

Council Member Werner said that the Town's relationships with other entities are very important, and are the means to accomplishing the other goals, rather than being a goal in itself. He said relationships shouldn't be listed as one of the issues. Council Member Werner said he would like to see the Public Facilities Ordinance highlighted in the issues discussions.

Council Member Godschalk said the five issues listed are important. He said the Council needs to come to some better

understanding of what it is we want to do in some of the areas. He agreed with the priorities listed. He said maybe the issues could be made more specific for purposes of discussion.

Council Member Andresen said just thinking about transportation when talking about the Thoroughfare Plan leaves out a lot; that parking and alleviating traffic problems must be discussed all together. She said she would like to see the Neighborhood Planning and Housing Initiatives pushed back in importance; and she would like more emphasis placed on appearance issues, Entrancesways, and the Transition Zones downtown. She said if the Transition Zones downtown are not set soon, the Council will have to deal with development using the current ordinance requirements.

Council Member Preston said she thinks the relationships issue with other entities is a real top priority. She said now, with new people in key positions at the University, is a perfect time to work on our inter-relationships with them. She said she thinks it is a real goal, and the Council needs to pay attention to it. She said the Neighborhood Plan has only come up recently, and should be a lower priority than other things the Town has been dealing with for longer periods. Ms. Preston said the Adequate Public Facilities Ordinance seemed to need so much work the last time the Council saw it that maybe the issue needs to be lower priority.

Town Manager Taylor said the Intergovernmental Relations issue is super strategic; and that the other entities can become a part of the solutions if there is a process in place to inter-relate with them. He said the Comprehensive Plan is on track at this time, so it is not identified as a key element needing guidance from the Council. Mr. Taylor said based on what he has heard thus far, perhaps the Council wants more attention paid to the appearance issues, and maybe less to neighborhood planning issues.

Council Member Godschalk suggested that maybe the Neighborhood Plan could come back as a key issue next year; but that he feels it is a very important issue.

Council Member Werner said the Council has not adopted the Neighborhood Plan concept as policy. Mayor Howes said the Council has discussed the Neighborhood Plan as the next step beyond the Comprehensive Plan: that it is a way to address relationships between neighborhoods.

Town Manager Taylor said that if the Town doesn't have a process in place for dealing with the leadership of other entities, that discussion on other issues could be difficult.

Council Member Werner said he agreed, that it is important that the Town's representatives know what it is that Chapel Hill wants out of any issue, that representatives need guidance from Council. He said he sees the Intergovernmental Relationships issue as a process, and the other issues as goals.

Council Member Godschalk said he feels there already is an effective model for working out agreements with other agencies; that maybe the issue could be stated as potential joint planning with the University.

Council Member Pasquini said he would like a list of items under the major headings. He asked that the Adequate Public Facilities Ordinance be considered a goal.

Mayor Howes asked the Manager to bring back suggestions to the September 12 meeting on how to go about prioritizing the issues before the Council.

Tree Protection Task Force

Mayor Howes said he thought it might be useful to get interested people together this fall to work on a meaningful tree program, and that he had found support and enthusiasm for this idea.

Council Member Preston asked that the Greenways Commission be represented on this task force. Council Member Andresen agreed.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT 88-8-22/R-2. THE MOTION PASSED UNANIMOUSLY (9-0).

The resolution, as adopted, reads as follows.

A RESOLUTION INDICATING THE COUNCIL'S INTENT TO APPOINT A TREE PROTECTION TASK FORCE (88-8-22/R-2)

WHEREAS, the Council of the Town of Chapel Hill is interested in having a tree protection and planting program and ordinance; and

WHEREAS, the Town of Chapel Hill has drafted an ordinance which was presented at a Public Hearing in April, 1988, and which drew many comments from citizens; and

WHEREAS, many individuals and groups in the community are interested in a tree protection program and ordinance; yet, we have not found a community consensus on this program and ordinance;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Chapel Hill hereby expresses its intent to appoint a Tree Protection Task Force at its regularly scheduled meeting on September 12, 1988.

BE IT FURTHER RESOLVED that the Council invites interested citizens to submit their application for appointment to this Task Force by September 7, 1988.

This 22nd day of August, 1988.

Community Housing Alternatives Grant

Mayor Howes said the proposed resolution of support would be beneficial to community housing alternatives to create a local housing development corporation.

Council Member Preston said she thinks this is the kind of work JOCCA is doing, and she is concerned that this new agency is competing with JOCCA. She said she doesn't want to undermine JOCCA's work, so she could not support the resolution. Mayor Howes said he feels it is important to produce affordable housing--no matter who provides it. Council Member Preston said she is concerned that there is no coordination among the agencies already doing this kind of work.

Council Member Wilkerson said he will support the resolution because he believes there cannot be an overabundance of groups working to create new and innovative housing initiatives.

Mayor Howes said he would like to see a strong message of support go out from the Council.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADOPT 88-8-22/R-3.

Council Member Wallace said he will support this motion because he is familiar with the Z. Smith Reynolds Foundation, and thinks they have done remarkable work with the money they've had. He said he feels it would be helpful if the Town could indicate support.

Mayor Howes asked if the staff could indicate the relationship between the Foundation and JOCCA. Manager Taylor said yes. Council Member Werner said he doesn't see this action as being inconsistent with any current programs.

THE MOTION CARRIED (8-1) WITH COUNCIL MEMBER PRESTON VOTING AGAINST.

The Resolution, as adopted, reads as follows:

A RESOLUTION SUPPORTING AN APPLICATION TO THE Z. SMITH REYNOLDS FOUNDATION (88-8-22/R-3)

WHEREAS, there is a shortage of affordable housing opportunities in Chapel Hill; and

WHEREAS, there is a need for a local, private non-profit housing development corporation to help develop more affordable housing opportunities; and

WHEREAS, Community Housing Alternatives, Inc. (CHA), has requested a grant from the Z. Smith Reynolds Foundation to assist CHA in establishing such a corporation;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council supports and endorses the request of Community Housing Alternatives for a grant from the Z. Smith Reynolds Foundation, as proposed in a 7/21/88 grant proposal.

BE IT FURTHER RESOLVED that this expression of support be forwarded to the Z. Smith Reynolds Foundation, with a request for favorable consideration of the CHA proposal.

This the 22nd day of August, 1988

Communication With OWASA

Council Member Pasquini said, that at times, action by the OWASA Board has been taken with undefined policy, and OWASA has not given timely notice of its action. He said the OWASA Board has recently discussed these policy matters. Mr. Pasquini proposed that Chapel Hill develop a draft Memorandum of Understanding outlining OWASA's role, and submit it to the OWASA Board for its input and subsequent agreement.

Council Member Preston agreed. Council Member Godschalk commended Council Member Pasquini and said he thinks this is exactly what is needed. Council Member Wallace said he feels it is essential that OWASA's role be clarified, and that it have clear guidelines from its constituents.

Mayor Howes said there appeared to be a consensus of the Council to proceed with a Memorandum of Understanding.

Council Member Andresen asked how the other entities will be involved. The Mayor said the staff could draft the document, then Council can consider it and send it on to the other entities and OWASA for consideration. He asked the Manager to draft the document.

Council Member Werner suggested that the first draft be shared with every agency for input, so it doesn't appear to be Chapel Hill's document. The Council agreed.

Bond Referendum for Water Reservoir Land Acquisition

Council Member Pasquini said he feels the Council should take a position on this bond issue, and that current OWASA users should not bear the burden of the new land acquisition.

Council Member Andresen asked what is OWASA's position on this issue. Mr. Everett Billingsley, Executive Director of OWASA, said that there is a need for another water reservoir in Orange County, and that there is a need for a professional agency to manage the water system. He said when OWASA prepared the issues paper, they tried to be neutral; however OWASA does have the professional staff and the experience to operate the water system needed for central Orange County.

Council Member Andresen asked if OWASA is satisfied that resources to repay the bond can be developed. Mr. Billingsley answered that he feels if the reservoir is built and southern Orange County is not assured of direct benefit from it, then we shouldn't pay for it.

Council Member Andresen asked if equity can be accomplished. Mr. Billingsley said to protect the interest of current OWASA customers, direct access to the reservoir is necessary. He added that there are some difficult financial issues which must be addressed. Mr. Billingsley said special districts could be created, or a separate service district, or the governing agencies could decide to merge the current system with the proposed system and allow the money to be spent where needed.

Council Member Werner asked what the bond referendum commits any of the agencies to. Mr. Billingsley answered that the bond would be a commitment to provide \$1,000,000 for the acquisition of land at some unspecified site.

Council Member Wallace said he will oppose the bond referendum unless specificity of site, governing agency, and water users is forthcoming. He said OWASA is the only authority in North Carolina which operates under the special legislation which allowed its creation, and he doesn't want to dilute OWASA. He said the mandate of OWASA should be broadened, and the money should be put in place to build the reservoir, for OWASA to operate.

Council Member Godschalk asked if OWASA's position is that it would be the coordinating agency for solving the water problem. He said he would like a clear statement from OWASA that it can

handle this problem and how it would go about it; that he would like OWASA to spell out alternatives for solving the problem.

Everett Billingsley said he feels that because Orange County is a constituent agency of OWASA, it would be inappropriate for OWASA to proceed with building a recommendation unless so directed by all the constituent agencies.

Council Member Wallace said he feels the Council should request OWASA to come forth with what it really believes can be done to solve this problem, rather than attempting the more neutral role without specificity.

Council Member Herzenberg asked how far along is the County with the bond referendum. Mayor Howes said the Commissioners held a public hearing last week and decided to proceed with the bond referendum in November.

Council Member Andresen said one of the arguments advanced by the County Commissioners was that if the County operates the proposed water system, the Council would then be in a better position to control the land use planning around Hillsborough, and the rural buffer in that area.

Mayor Howes said it would be helpful to know the capacity of the Town of Hillsborough to mount this water system. He said the Mayor of Hillsborough has indicated that Hillsborough seeks the County's help, but Hillsborough has not documented that it is financially incapable of augmenting its system in a way that would be necessary to keep up with the growth and demands on the system. He said it is clear the water supply needs to be augmented, but the affected entities have not proposed the organizational arrangements for doing that. He said this kind of information would be helpful to consider the proposed fundamental alteration to the water supply in northern Orange County.

Council Member Pasquini said a lot of these questions need to be answered by Orange County because they are proposing the bond issue. He said he doesn't think it's OWASA's responsibility to come up with a position paper; that direction should come from the Towns and Orange County.

Council Member Andresen asked if OWASA could present a recommendation for the policy group to consider. Council Member Pasquini said yes, but he wants to be clear that it would be a position and not a policy statement.

Mayor Howes said that in order to take a position on the bond issue, he will need to know: what is the position of the Town of Hillsborough; whether a larger district is needed, and how it might be set up and financed; and what OWASA's role might be in

operating that system were it to be created. He said this information would lead to a logical position on the bond referendum.

Council Member Pasquini said he thinks that is a reasonable request of OWASA, but that the policy-makers are in control rather than OWASA.

Council Member Werner said he thinks the Council is looking for an options paper from a technical, professional perspective.

Mr. Robert Peck, Chairman of the OWASA Board, said that the issue is a matter of equity between southern Orange County and central Orange County. He said OWASA feels the system should be paid for by its users; that there must be a political solution to the question of private versus public use of the water in the northern Orange basin. Mr. Peck said that OWASA wants equity for all the users.

Verla Insko said she thinks the issue is whether or not Chapel Hill wants to buy land in Orange County to build a reservoir.

Council Member Pasquini asked the Manager to be the coordinator: to list the points of discussion that the Council has brought up and additional information needed. And he asked OWASA to provide alternatives for providing an adequate water supply for Orange County.

Town Manager Taylor said he would like more than a coordinating role, that he would like to be able to comment on the recommendations when he brings it back to Council. Council Member Pasquini said he would expect the Manager to have comments.

Mayor Howes said this discussion should emphasize how complex this issue is; that it is hard to simplify the issue in terms of how to vote on a bond issue.

Report from OWASA Board

Council Member Pasquini reported that the OWASA Board will hold a retreat on October 1. He said the Board will discuss development of a Policies and Procedures Manual which will outline the procedures, duties, and responsibilities of the OWASA Board of Directors, the Executive Director, and administration and staff; define a Service District Boundary; institute a policy for conducting meetings, specifically the Executive Committee and the Board of Directors meetings so that everything is public and with proper notice so the public can attend. And fourth, it will consider a policy for the responsibilities and communications between the OWASA Board of Directors and the governing bodies. He said the bond issue will be discussed then too; and policies for developing OWASA's operating and CIP Budget, a decision matrix on

determining the status of OWASA's water supply, and increasing the number of meetings held jointly with the Town Boards and Orange County, and water and sewer extensions into the rural buffer.

Bond Issue

Council Member Wallace suggested this item be discussed on Tuesday evening, August 23. The Council agreed.

Executive Session

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER WALLACE, TO ADJOURN THE REGULAR MEETING TO AN EXECUTIVE SESSION TO CONSIDER PROPERTY AND LITIGATION MATTERS. THE MOTION PASSED UNANIMOUSLY (9-0).

The Regular meeting adjourned at 10:35 p.m., and the Executive Session of Council adjourned at 11:20.

165
Mayor Howes re-opened the meeting at 7:30 p.m. on August 23, 1988. Council Members present were:

David Godschalk
Joe Herzenberg
David Pasquini
Nancy Preston
James C. Wallace
Arthur Werner
Roosevelt Wilkerson, Jr.

Mayor Howes said that Council Member Andresen was unavoidably absent. COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO EXCUSE COUNCIL MEMBER ANDRESEN FROM THIS MEETING. THE MOTION CARRIED UNANIMOUSLY (8-0).

Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ronald Secrist, and Town Attorney Ralph Karpinos.

Mayor Howes asked if anyone would like to speak on any of the items on the agenda for this meeting.

Mr. Roscoe Reeve and Mr. Bill Rohe said they would like to speak on Agenda item #12. Two other citizens requested to speak on Agenda item 14.

Mayor Howes said that item 12 is the Transition Area zoning item, and Council could choose to hear from those who wish to speak; but that Item 14 is the second reading of that item and Council could decide to not allow additional input at this meeting. Council Member Wallace suggested Council vote on this item without additional input from citizens.

Proposed Bond Referendum for Open Space

Council Member Wallace said he is raising this issue as a question to the Council.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER PRESTON, ADOPTION OF RESOLUTION 88-8-22/R-4.

Council Member Wallace said the open space question is a generic issue which everyone is in favor of. He said he thinks there are several tracts in Chapel Hill now which could be purchased for open space. He said he realized the Town just authorized bonds two years ago, and that the CIP might begin to provide funds upon which the Town could rely for Open Space. He said however, that the availability of open space is diminishing. Mr. Wallace said that zoning is a valuable tool, but if over-extended becomes an arrogant assumption that the Town is perilously close to a

'taking'. He said if the Town is forced to zone too tight--to take open space, in the absence of money to buy it, that the Town opens itself to a law suit.

Council Member Wallace said that while he is in favor of the CIP, he senses the existence of a gap for the next year and-a-half, when the CIP will hopefully bring the Town into proper posture to get land. He said he feels that if the Town fails to act now, citizens will be scared away from any action at all. Mr. Wallace said this is a win situation; there is no harm, and is a matter of duty by the Council to permit some bond issue to go to the public for a decision by citizens.

Council Member Preston asked how Council Member Wallace came up with the \$10 Million figure. Council Member Wallace said he wanted to give management and the Council some leverage during the interim period with enough money to purchase land as needed.

Council Member Preston asked what effect the \$10 Million would have on the tax rate. Town Manager Taylor said it would add approximately eight cents to the tax rate. Council Member Preston said she had had positive comments from citizens about the proposal to hold a bond issue for more open space.

Council Member Pasquini asked how much money is left from the bond issue two years ago. Town Manager Taylor said about \$700,000 is left, but that about \$500,000 of that had been committed for the development of the Southern Park.

Council Member Godschalk asked how much acreage the Town has bought in the last year. Town Manager Taylor said approximately 80 acres; 30 of which is for the Library/Open Space site and 50 acres for the Southern Park. He said the 80 acres has cost about \$2 Million.

Council Member Preston asked if the amount of the bond issue could be changed to \$5 Million. Council Member Pasquini asked Council Member Wallace if he has plans for how the money will be spent so the Council can justify setting a limit.

Council Member Wallace said that in previous referendums the Council specified the use of money. He said this item is for greenways, entranceways, open space, and related acquisitions. He said he would like the Council to endorse the principle and let the people decide. He said he wouldn't mind if the amount is changed to \$5 Million.

Council Member Werner said he thinks the most compelling arguments for putting this item on the ballot are that available land is disappearing; and for the Council to identify land it would be interested in would increase the price of that land.

Mayor Howes said he feels that the Council can't come up with a specific amount because it hasn't planned this item well. He said to put this bond issue to the voters this fall would be a serious mistake. He said the voters will have to decide on the County bond issue for reservoir land, and there will be a bond issue for schools. He said he agrees that there are important pieces of land to be acquired, and that the Council should cycle this consideration into the Capital Improvements programming, and think in terms of a bond issue next year--either in connection with the municipal elections or at some other time, and in such an amount that the Council can defend it and justify it.

Council Member Godschalk said he thinks it is the Council's responsibility to plan, set priorities, and to listen to the citizens and their needs, but he doesn't believe this is the time for this particular action. He feels an issue of this magnitude should be planned with great care and not an impulsive act of the Council.

Council Member Preston said she agrees that planning for bond issues and specifying how to spend the money is necessary; but with the economy as it is, this may be the only time in the near future that the Town will be able to ask citizens for more taxes. She said she thinks open space is a need people see; but feels Council must do it in a little more thoughtful way.

Council Member Herzenberg said he would support the motion, but at a lesser amount. He said he agrees that land will be less available, and will be more expensive later.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO AMEND THE ORIGINAL MOTION (TO ADOPT 88-8-22/R-4) TO: ADOPT RESOLUTION 88-8-22/R-4 WITH A BOND FIGURE OF \$5 MILLION. THE MOTION PASSED (6-2) WITH COUNCIL MEMBER GODSCHALK AND MAYOR HOWES VOTING NO.

Council Member Pasquini said he wants open space, but feels this issue is a bit rash. He said maybe the Town should proceed with this issue through the Manager, and get more information and input to make a better decision.

Town Manager Taylor said if Council is to accomplish a bond issue in November, it must go by the proposed timetable listed in the report. He said that on September 19 the Council could stop the process by not adopting a bond order.

Council Member Pasquini asked how much money would have to be spent to that point. Town Manager Taylor said about \$5,000; that the entire process would cost about \$25,000.

168

THE ORIGINAL MOTION, AS AMENDED, PASSED (5-3) WITH COUNCIL MEMBERS PASQUINI AND GODSCHALK, AND MAYOR HOWES VOTING NO.

The Resolution, as adopted, reads as follows:

A RESOLUTION DIRECTING THE MANAGER TO PREPARE FOR A MUNICIPAL GENERAL OBLIGATION BOND REFERENDUM IN NOVEMBER, 1988 (88-8-22/R-4)

WHEREAS, the Council of the Town of Chapel Hill recognizes needs for open space, parks, greenways, and entranceways; and

WHEREAS, the Council wishes to preserve the character of the community; and

WHEREAS, bond financing is an equitable means of financing projects which have a useful life of 15 or more years, and future taxpayers who benefit would share their cost; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council directs the Manager to take all steps necessary (including, without limitation, selection of bond counsel, publishing legally-required notices, and filing application materials with the N.C. Local Government Commission) to prepare for a bond referendum to be held on November 8, 1988, concerning the following purpose and amount:

Purpose: To pay capital costs of providing parks and recreational facilities within and without the corporate limits of the Town, including the acquisition and development of land for community and neighborhood parks, greenways, and open spaces.

Amount: \$5 million

This the 22nd day of August, 1988.

Special Use Zoning

Roger Waldon, Planning Director, described Special Use Zoning as a zoning tool which allows the Council more flexibility in making decisions on the use of properties. He said this issue was before the Council as an amendment to the Special Use Zoning regulations at the Council's June 20 public hearing, and the item is before the Council at this meeting for action. He said the Planning Board and Manager recommend adoption of Resolution A, which would make no changes in the Development Ordinance. He said in a recent action, the North Carolina Supreme Court ruled that the Special Use Zoning tool was valid. He said the Council has the option to adopt one of the other ordinance, which would restrict the use of the Special Use Zoning tool in various ways.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF ORDINANCE 88-8-22/O-1a.

Council Member Preston said she had discussed this issue with a lot of people, and most favored either elimination of the Special Use Zoning designation or an adjustment to how it could be used. She said zoning is designed to tell people what to expect in certain places; but with Special Use Zoning, land is subject to the whim of the owner or developer. She said this amendment was designed to protect those who live in the less dense residential zones, so they don't feel threatened by the various changes which could be proposed at any time in any way.

Council Member Preston said that all the people at the public hearing on this issue wanted this zoning changed, and she thinks the Council should listen to them.

Council Member Werner said of the three times the SUZ was used by Council, every Council Member voted in the affirmative on at least two of those three issues. He asked Council Member Preston why she introduced Ordinance 1a; which would not protect the people who live in R-4 and R-5 zones. She said she introduced O-1a because she thinks R-4 and R-5 are zoning districts where more than residential uses are already allowed.

Council Member Godschalk said that he is in favor of this type of zoning because it does give the Council control over the specific use of a piece of property, it has been upheld by the N.C. Supreme Court, and is a useful and acceptable practice. He said he would think the SUZ is a useful tool for the Council to have, and he would support the Planning Board's and Manager's recommendations.

Council Member Pasquini asked what would happen to the three parcels approved under the SUZ if Ordinance A were adopted. Town Attorney Ralph Karpinos said it would have no effect on prior zonings.

Council Member Herzenberg said there has been no citizen who has spoken in favor of this kind of zoning. He said when a Special Use Permit is used, there is a certain amount of subjectivity by Council in the decision; and that the Council can be open to valid criticism if similar decisions aren't made for similar requests. He said that he would recommend that until there is some general resolution of how to treat the older, more vulnerable neighborhoods adjacent to the Town Center, he would encourage a moratorium or suspension of the use of SUZ. He said based on these points, he would urge Council to vote for Ordinance O-1a.

THE MOTION FAILED TO PASS (3-5) WITH COUNCIL MEMBERS GODSCHALK, WALLACE, WERNER, AND WILKERSON, AND MAYOR HOWES VOTING AGAINST THE MOTION.

Council Member Wallace said that with all the defects of the Special Use, which is subject to abuse, the Council does have complete control when using it. He said he feels it is a valuable tool to have, but doesn't want citizens to feel left without redress or protection--which zoning should grant. He said however, he doesn't want the Council's hands tied.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER WILKERSON, ADOPTION OF RESOLUTION 88-8-22/R-5.

Council Member Preston said she will vote against this action. She said that if the Town needs to keep the Special Use Zoning, she would request that the name be changed to Conditional Use Zoning. She pointed out that the name is so similar to Special Use Permit, that it is confusing to explain to people.

Mayor Howes asked if the name could be changed. Manager Taylor said it can be changed after a public hearing is held on the amendment to the Development Ordinance.

Mayor Howes said he didn't support the first motion because he doesn't think SUZ should be eliminated in some areas and not in all.

THE MOTION PASSED (5-3) WITH COUNCIL MEMBERS HERZENBERG, PASQUINI, AND PRESTON VOTING AGAINST THE MOTION.

The Resolution, as adopted, reads as follows:

A RESOLUTION DENYING THE PROPOSED AMENDMENT TO THE CHAPEL HILL DEVELOPMENT ORDINANCE (88-8-22/R-5)

WHEREAS, the Council of the Town of Chapel Hill has considered the proposal to amend Article 20 of the Development Ordinance to preclude special use district rezoning from particular zoning districts, and fails to find that the amendment corrects a manifest error in the Zoning Atlas, or is appropriate due to changed or changing conditions in the particular area or in the jurisdiction generally, or achieves the purposes of the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that it hereby denies the proposal to amend Article 20 of the Development Ordinance to preclude special use district rezoning from particular zoning districts.

This the 22nd day of August, 1988.

Transition Area Zoning

Roger Waldon, Planning Director, described this item to the Council. He said this is the final action Chapel Hill will have to take to implement the new Joint Planning Agreement, and the Council is being asked to recommend zoning for the new areas which will be governed by Joint Planning. The Council's recommendations will be acted on by the Orange County Commissioners, which will assign Chapel Hill zoning to these areas. He said there are four areas where the Manager and the Planning Board disagree: 1) an area north of Weaver Dairy Road and south of I-40; 2) an area north of Town including the potential landfill site; 3) an area next to Brookstone Apartments; and 4) an area north of Homestead Road and west of Airport Road.

Mr. Waldon said Resolution A reflects the Manager's recommendations, and Resolution B reflects the Planning Board's recommendations.

Roscoe Reeve said he has an aerial photo of the area near Homestead Road, and will answer questions about the area if needed. He said he supports the Manager's recommendation.

Bill Rohe, President of the Northwest Chapel Hill Neighborhood Association, said the Greene property is inappropriate as a landfill. He said he thinks it is irresponsible to allow a landfill in this area, and he requested that the Council make a statement that the area will not be a future landfill site.

Council Member Werner said he is concerned that residents might think adoption of R-6a is a commitment by the Council to not put a landfill on the Greene property.

Council Member Wallace said he feels it would be proper to let the Greene tract remain as it is at this time, until Council has a clear idea of what to do about Solid Waste Disposal in this region.

Manager Taylor said the Greene tract area is zoned by the County as R-1. He said he wants Mr. Rohe and other citizens to understand that the Greene site was purchased as a future landfill site, and that citizens should not misunderstand the zoning issue.

Council Member Godschalk said the Town may be able to purchase land for a landfill where there is less conflict, and he would urge the Manager to think about a swap of land if possible. Mr. Taylor said the Solid Waste Task Force is working on how to handle solid waste for the future, but that he wants people to know that the proposed zoning won't change the fact that the Greene tract is a potential landfill site.

Council Member Pasquini said he agreed that citizens shouldn't get the wrong impression; and he suggested that the zoning label RT be used on the Greene tract so it will be clearly understood.

Council Member Werner said he thinks the zoning should be left at RT so it is not misleading.

Council Member Preston said she feels the Greene tract is an inappropriate site for a landfill, but agrees that the Town could not change the designation of the site by itself because the tract is owned by three governmental entities.

Council Member Wallace said he would suggest the Town let the tract remain zoned as it is, but make sure people know that it is a potential landfill site.

Mayor Howes said the RT zoning was recommended because that was the zoning Orange County used. He said the Town could rezone the tract and designate it as potential landfill site on the maps. Town Attorney Ralph Karpinos said a special designation on the zoning map could not be a part of the action taken by Council.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ZONE AREA 2 (WHICH INCLUDES THE GREENE TRACT) AS RURAL TRANSITION (RT). THE MOTION CARRIED (5-3) WITH COUNCIL MEMBERS HERZENBERG, WALLACE, AND WILKERSON VOTING NO.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER WALLACE, TO ZONE AREA 1 (AREA NORTH OF WEAVER DAIRY ROAD) AS R-1. THE MOTION CARRIED (5-3) WITH COUNCIL MEMBERS PASQUINI, WERNER, AND WILKERSON VOTING NO.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER WALLACE, TO ZONE AREA 3 (AREA NEXT TO BROOKSTONE APARTMENTS) AS R-4.

Council Member Pasquini said R-4 would allow apartments and this area might not be the most appropriate place for apartments.

THE MOTION CARRIED (6-2) WITH COUNCIL MEMBERS PASQUINI AND WERNER VOTING NO.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ZONE AREA 4 (AREA NORTH OF HOMESTEAD ROAD AND WEST OF AIRPORT ROAD) AS R-2. THE MOTION CARRIED (6-2) WITH COUNCIL MEMBERS PASQUINI AND WILKERSON VOTING NO.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF RESOLUTION 88-8-22/R-6a. THE MOTION CARRIED (6-2) WITH COUNCIL MEMBERS PASQUINI AND WILKERSON VOTING NO.

The Resolution, as adopted, reads as follows:

A RESOLUTION REZONING PROPERTY IN THE JOINT PLANNING TRANSITION AREA (88-8-22/R-6a)

WHEREAS, Chapel Hill, Carrboro, and Orange County adopted a Joint Planning Agreement on November 2, 1987; and

WHEREAS, Chapel Hill and Orange County adopted the Joint Planning Land Use Plan on October 13, 1986; and

WHEREAS, the Chapel Hill Town Council adopted the Chapel Hill Land Use Plan on July 14, 1986; and

WHEREAS, both the Joint Planning and the Chapel Hill Land Use Plans are components of the Town's Comprehensive Plan; and

WHEREAS, Chapel Hill's Transition Area is identified in the Joint Planning Agreement and the agreement calls for the application of Chapel Hill development standards within the Town's Transition Area; and

WHEREAS, the rezoning of the Chapel Hill Transition Area properties, as shown on the attached maps, would achieve the purposes of the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the proposed rezoning for the Joint Planning Agreement Transition Area from Orange County zoning to the Chapel Hill zoning designations identified on the attached maps and recommends that the Orange County Board of Commissioners adopt this Zoning Atlas Amendment, such amendments being necessary to achieve the purposes of the Comprehensive Plan.

This the 22nd day of August, 1988.

Skateboard Ramps

This being the second reading of Ordinance 8-7-22/O-2c, no motion was necessary.

THE ORIGINAL MOTION TO ADOPT ORDINANCE 88-7-11/O-2c CARRIED (7-1) WITH COUNCIL MEMBER WERNER VOTING AGAINST THE MOTION.

Sidewalk Sales

This being the second reading of Ordinance 8-7-22/O-3, no motion was necessary.

THE ORIGINAL MOTION TO ADOPT ORDINANCE 88-7-11/O-3 CARRIED (5-3) WITH COUNCIL MEMBERS GODSCHALK, HERZENBERG, AND PASQUINI VOTING AGAINST THE MOTION.

173.1

ORDINANCE C

AN ORDINANCE DEFINING SKATEBOARD RAMPS EXCEEDING TEN FEET IN HEIGHT OR 30 FEET IN LENGTH AS PUBLIC NUISANCES AND ORDERING REMOVAL BY OWNERS (88-7-11/O-2c)

WHEREAS, the Council of the Town of Chapel Hill has received numerous complaints from property owners and residents surrounding the skateboard ramp at 45 Rogerson Drive; and

WHEREAS, complaints and the comments and other evidence received at the May 9, 1988 public hearing establish that the continued operation of the skateboard ramp at 45 Rogerson Drive is a public nuisance and is detrimental to the health, safety and welfare of the citizens of Chapel Hill in that:

1. The ramp attracts people from throughout the community who come to use the skateboard ramp or observe the use of the ramp and disturb the peaceful enjoyment of surrounding properties by their owners and residents.
2. The use of the ramp generates intolerable noise levels and noise of such a character and duration as to constitute a threat to the health and welfare of the citizens of Chapel Hill and, in particular, the surrounding property owners and residents and their guests.
3. The ramp poses a danger to the users of the ramp and observers.
4. The ramp is 12 feet high and 36 feet long.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that Chapter 11 of the Town Code of Ordinances is amended by adding a new Section 11-14 as follows:

Section 11-14. Large Outdoor Skateboard Ramps Prohibited

- (a) Outdoor skateboard ramps in excess of 10 feet high or 30 feet long in residential zones are hereby defined and determined to be public nuisances detrimental to the health, safety and welfare of the citizens of Chapel Hill.
- (b) The owners of outdoor skateboard ramps in residential zones exceeding these dimensions are hereby ordered and directed to cease any and all use of the ramps immediately and to dismantle and remove the ramps or otherwise bring them into compliance with this Code within 30 days of the receipt of a copy of this ordinance.

173.2

2

BE IT FURTHER ORDAINED by the Council that the Town Manager is directed to mail a copy of this ordinance to the owner of the property at 45 Rogerson Drive, certified mail, return receipt.

This the 11th day of July, 1988.

SECOND READING: This the 22nd day of August, 1988.

Annual Reports

TRIANGLE J COUNCIL OF GOVERNMENTS: Council Member Godschalk said COG is conducting a survey regarding the use of Geographic Information Systems (GIS). He said COG will have a presentation of the GIS program on August 24 at the COG offices.

TRANSPORTATION ADVISORY COMMITTEE FOR THE DURHAM URBANIZED AREA: Mayor Howes said this committee is looking at a regional transit authority to operate an inter-city bus system integrated with the existing transit systems, that could involve someday a light-rail system. He said the most difficult issue will be the financing, and whether or not to draw from the regional tax base to support the system.

Council Member Werner said Chapel Hill is not now included in the light-rail system. Mayor Howes said Chapel Hill's existing rail right-of-way is limited, and the Town's first consideration would be bus systems operating on dedicated lanes.

LIBRARY COMMITTEE: Mayor Howes said the Manager has recently completed a contract with GGA Architects which will provide the architectural work for the new library. He said he will bring a recommendation for the Council's consideration regarding expanding the membership of the Library Committee at the Council's next regular meeting.

SOLID WASTE TASK FORCE: Council Member Preston said this Task Force has been operating since 1986. She said its progress is steady, toward the goal of analyzing the handling of solid waste in the two counties, identifying the problems of waste disposal, and exploring alternative solutions to these problems.

She said the committee is attempting to evaluate the positive and negative aspects of each of the solutions with an eye to the costs involved, the environmental effects, and the political realities. She said the committee has held two public forums, and has incorporated public opinion in the recommendations. She said the final phase of the Task Force begins now, and will include more public forums, and with a final report to member agencies. Ms. Preston commended Assistant Town Manager Sonna Loewenthal and Public Works Director Bruce Heflin for their work with the Task Force.

TOWN HALL EXPANSION COMMITTEE: Council Member Preston told Council this committee has made a great deal of progress on the expansion of the Town Hall. She said that presently the architect is working on the detailed drawings, and the committee hopes bids for construction will be let in November, with construction beginning in early 1989.

JOINT ORANGE-CHATHAM COMMUNITY ACTION: Council Member Preston said that JOCCA has had a good year. She said there are now three sites which provide meals five days each week. She said JOCCA has become a partner in the Job Training Partnership Act; is involved in the Orange-Chatham Home Repair program; and began the North Carolina Rural Communities Assistance Project.

ORANGE-CHATHAM COOPERATIVE PLANNING: Council Member Andresen's report was deferred to another meeting.

TRIANGLE J WATER RESOURCES COMMITTEE: Mayor Howes read the following report from Council Member Andresen. The most interesting work to date has been the work of John Hartwell's subcommittee on water supply. It recently completed a draft of a mutual aid compact which is a plan for sharing water in emergencies. If adopted by the member agencies, it would allow managers to take quick action in water emergencies without official action by the elected board.

Next, a committee has produced a draft proposal for a regional water supply networking plan. This draft was written by Katie Kalb, from OWASA.

The Committee has asked COG for a non-technical version of the March 88 Jordan Lake Water Supply Study done by a private consultant. This study was paid for by the various water users of the Triangle Region and gives information on where pipes and treatment plants might be located in a regional system. It also contains cost estimates.

Finally, at the next meeting on September 6 the NRCD will present a draft of the allocation plan for Jordan Lake Water.

INTERGOVERNMENTAL WORK GROUP ON ALTERNATIVE REVENUES: Council Member Godschalk said this group consists of representatives from Carrboro, Chapel Hill, Orange County, and Hillsborough, and is trying to identify sources of revenue for local governments. He said the committee is now considering an impact tax, which is a tax levied on new development, but is not the same as an impact fee.

ANNUAL REPORT BY MANAGER: Town Manager Taylor said the staff had been very active, and had produced a lot of work this year, as evidenced by the data in the printed report. He said the staff has emphasized trying to reach out and help the community. Mayor Howes asked how available the report is to the general public. Mr. Taylor said it is available through the Manager's Office and at the Public Library.

Consent Agenda

Manager Taylor requested that items #a and #m be removed from the Consent Agenda. Council Member Werner requested that item #g be removed.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT RESOLUTION 88-8-22/R-7 WITHOUT ITEMS A, G, AND M. THE MOTION PASSED UNANIMOUSLY (8-0).

The Resolution, as adopted, reads as follows:

A RESOLUTION APPROVING VARIOUS ORDINANCES AND RESOLUTIONS (88-8-22/R-7)

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

- b. Transportation Budget Amendment (O-3)
- c. Pay Plan Ordinance Changes (O-5)
- d. Marilyn Lane Improvements Hearing (R-9)
- e. Battle, Senlac, and Hooper one-way regulations August 27 & 28 (O-6)
- f. Johnson, Wentworth, and Lincoln parking restrictions (O-7)
- h. Edwards Street parking restrictions (O-9)
- i. McDade (Yates) Stop Regulation (O-10)
- j. Harrington Point Street Closing (R-10)
- k. Calling Right-of-way closing hearing for Laurel Hill Road (R-11)
- l. Calling Right-of-way closing hearing for area near Mt. Bolus Road (R-13)

This the 22nd day of August, 1988.

Transportation Budget Amendment

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, 1988 (88-8-22/O-3)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1988" as duly adopted on May 25, 1988, be and the same is hereby amended as follows:

177

ARTICLE I

<u>APPROPRIATIONS</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Revised Decrease</u>	<u>Budget</u>
TRANSPORTATION FUND				
Administration	379,677	12,220		391,897
Operations	2,353,443	142,945		2,496,388
Maintenance	540,432	60,645		601,077

ARTICLE II

REVENUES

TRANSPORTATION FUND	3,401,402	215,810		3,617,212
---------------------	-----------	---------	--	-----------

This the 22nd day of August, 1988

Pay Plan Ordinance Changes

The Ordinances, as adopted, read as follows:

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION AND PAY PLAN (88-8-22/O-4)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the Ordinance Establishing a Position Classification and Pay Plan and Longevity Plan for Employees of the Town of Chapel Hill and Bonds of Officials Beginning July 1, 1988" as follows:

IN Section IV, C, DELETE the lines:

	Full-time		Part-time		Grade
	No.	Hrs.	No.	Hrs.	
<u>Operations</u>					
Bus Driver I	43	37.5-40	23	varies	14
Bus Dispatcher	4	40	--	--	17

Equipment Maintenance

Equipment Mechanic I	3	40	--	--	12
Equipment Service Attendant I	3	40	--	--	10

and ADD the lines:

Operations

Bus Driver I	48	37.5-40	24	1	14
Bus Dispatcher	4	40	1	varies	17

Equipment Maintenance

Equipment Mechanic I	4	40	--	--	15
Equipment Service Attendant I	4	40	--	--	10

This the 22nd day of August, 1988.

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION AND PAY PLAN (88-8-22/O-5)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the "Ordinance Establishing a Position Classification and Pay Plan and Longevity Plan for Employees of the Town of Chapel Hill and Bonds of Officials Beginning October 1, 1988" as follows:

IN Section III, grade 21 DELETE the title Surveyor; and in Grade 23 ADD the title Surveyor

IN Section IV, C, DELETE the lines:

	Full-time	Part-time		Grade
	No.	Hrs.	No.	Hrs.

ENGINEERING

Surveyor	1	37.5	--	--	21
----------	---	------	----	----	----

179

TRANSPORTATION

Operations

Bus Driver I 43 37.5-40 23 varies 14

Bus Dispatcher 4 40 -- -- 18

Equipment Maintenance

Equipment Mechanic I 1 40 -- -- 15

Equipment Service Attendant I 3 40 -- -- 10

LIBRARY

Librarian III 1 37.5 1 30 23

and ADD these lines:

ENGINEERING

Surveyor 1 37.5 -- -- 23

TRANSPORTATION

Operations

Bus Driver I 48 37.5-40 24 varies 14

Bus Dispatcher 4 40 1 varies 18

Equipment Maintenance

Equipment Mechanic I 2 40 -- -- 15

Equipment Service Attendant I 4 40 -- -- 10

LIBRARY

Librarian III 2 37.5 -- -- 23

IN Section D (SPECIFIC CONTRACT CLASSIFICATIONS), DELETE the lines:

	<u>No.</u>	<u>Hrs.</u>	<u>SALARY</u>
Legal Assistant	1	varies	\$13,500
Relief Parking Lot Attendant	5	varies	Grade 8

and ADD the lines:

Legal Assistant	1	varies	Grade 23
Relief Parking Lot Attendant	varies	varies	Grade 10

This the 22nd day of August, 1988.

Marilyn Lane Improvements Hearing

The Ordinance, as adopted, reads as follows:

A RESOLUTION OF INTENT TO UNDERTAKE STREET IMPROVEMENTS ON
MARILYN LANE (88-8-22/R-9)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council intends to undertake a project for street improvements on Marilyn Lane.

1. The Town has received a petition for the improvements on Marilyn Lane, and the petition has been determined to be valid under G.S. 160A-217(a); and
2. Marilyn Lane is a private street extending approximately 700 feet eastward off of Roosevelt Drive in the Glendale area; and
3. The Town would improve Marilyn Lane to standards acceptable to the Town and assess eight (8) owners of property abutting Marilyn Lane and who have signed the petition at an equal share per property owner; and
4. The assessment amount will be 100% of the actual, total project cost upon completion (not including the cost of improvements made at street intersections), which costs shall include construction, legal services, any interest charges, right-of-way acquisition, and publication expenses; and

5. Owners of assessed property shall have the option of paying the assessment in one cash payment within 30 days after publication of the final assessment roll, or in not more than 10 annual installments, the first of which will be due and payable 60 days after the assessment roll confirmation, with interest at an annual rate of 8%; and
6. The Town herewith calls a public hearing at 7:30 p.m. on October 10, 1988 in the Municipal Building, 306 N. Columbia Street, to consider adoption of a resolution to undertake the above described project.

This the 22nd day of August, 1988.

Traffic Flow During UNC Orientation

The Ordinance, as adopted, reads as follows:

AN ORDINANCE TO DIRECT THE FLOW OF TRAFFIC ON BATTLE LANE, SENLAC ROAD AND HOOPER LANE ON AUGUST 27 AND 28, 1988 (88-8-22/O-6)

WHEREAS, traffic will be extremely congested in the Battle Park neighborhood while students are moving into dormitories on the UNC campus; and

WHEREAS, routing traffic in one direction on Battle Lane, Hooper Lane and Senlac Road will ease congestion and allow traffic to flow more smoothly; and

WHEREAS, the University of North Carolina has requested traffic changes as described in a letter dated August 2, 1988 to the Town Manager; and

WHEREAS, the University of North Carolina has notified residents of Battle Lane, Hooper Lane and Senlac Road of the proposed traffic direction and will issue passes to residents which will allow them to travel in either direction on the streets; and

WHEREAS, the University of North Carolina will provide personnel to direct and monitor traffic;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that on Saturday, August 27, 1988 from 9 a.m. to 2 p.m. and on Sunday, August 28, 1988 from 9 a.m. to 8 p.m., vehicular traffic on Battle Lane shall travel only south to north, that vehicular traffic on Hooper Lane will travel only west to east, and that vehicular traffic on Senlac Road will travel only west to east; provided, that residents of Hooper Lane and Senlac Road may travel in the opposite direction.

This the 22nd day of August, 1988.

Parking Restrictions

The Ordinance, as adopted, reads as follows.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES
(88-8-22/O-7)

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

SECTION I

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Johnson St.	South	Center of Wentworth St.	A point 45 ft. east
Johnson St.	South	Center of Wentworth St.	A point 45 ft. west (including all of the T- turnaround)
Lincoln Lane	South	Center of Wentworth St.	A point 34 ft. east.
Lincoln Lane	South	A point 280 ft. east of Wentworth St.	The east end of Lincoln Lane
Lincoln Lane	North	Full length (including T- turnaround)	
Wentworth St.	East	Center of Lincoln Lane	A point 30 ft. north
Wentworth St.	East	Center of Johnson St.	A point 110 ft. south
Wentworth St.	West	Full length	

SECTION II

This ordinance shall be effective Tuesday, September 6, 1988.

SECTION III

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

This the 22nd day of August, 1988.

183

Edwards Street Parking

The Ordinance, as adopted, reads as follows.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCE (88-8-22/O-9)

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

SECTION I

That Section 21-27 of the Town Code of Ordinances is amended by inserting the following in appropriate alphabetical order:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Edwards St. West	Entire Length		

SECTION II

That Section 21-27a (8:00 a.m. to 5:00 p.m.) of the Town Code of Ordinances is amended by inserting the following in appropriate alphabetical order:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Edwards St.	East	Entire Length	

SECTION III

This ordinance shall be effective Monday, September 12, 1988.

SECTION IV

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

This the 22nd day of August, 1988.

Stop Regulations on McDade Street

The Ordinance, as adopted, reads as follows:

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (88-8-22/O-10)

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

SECTION I

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

Through Street

Franklin

Stop StreetMcDade St. (aka
N. Basnight Lane)

SECTION II

This ordinance shall be effective Tuesday, September 6, 1988.

SECTION III

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

This the 22nd day of August, 1988.

Harrington Point Street Closing

The Resolution, as adopted, reads as follows:

A RESOLUTION AUTHORIZING THE CLOSING OF HARRINGTON POINT
(88-8-22/R-10)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the temporary closing of Harrington Point on Monday, September 5, 1988 from 4 p.m. to 8 p.m. (or on Saturday, September 10 in the event of rain) for a picnic subject to the following conditions:

1. There shall be vehicles parked to serve as barricades at the end of the closed area with persons available to allow entry by emergency vehicles if necessary.
2. The closed street area shall be cleaned of litter by 9 p.m.
3. No alcohol shall be consumed in the public street right-of-way.
4. A permit for outdoor amplified sound shall be obtained from the Police Department if necessary under the Town's noise ordinance.

5. Participants in the event shall comply with reasonable directives of the Police and Fire Departments.

This the 22nd day of August, 1988.

Laurel Hill Road Right-of-way Closing

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CLOSURE OF A PORTION OF THE LAUREL HILL ROAD RIGHT-OF-WAY BETWEEN U.S. 15-501 AND COKER DRIVE (88-8-22/R-11)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby declares its intent to consider closing the existing Laurel Hill Road public right-of-way between U.S. 15-501 and Coker Drive, as shown on Orange County Tax Map 66 which right-of-way is approximately 1200 feet long; and calls a public hearing at 7:30 p.m. on Monday, September 19, 1988 in the Meeting Room of the Municipal Building, 206 N. Columbia Street, Chapel Hill, on the proposed closing of said right-of-way.

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

This the 22nd day of August, 1988.

Calling a Public Hearing for Woodland/Dogwood Right-of-Way Closing

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CLOSURE OF AN UNUSED PORTION OF RIGHT-OF-WAY BETWEEN DOGWOOD DRIVE AND WOODLAND AVENUE (88-8-22/R-12)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby declares its intent to consider closing an unused right-of-way between Dogwood Drive and Woodland Avenue as shown on Orange County Tax Map 88, Block E adjacent to Lot 3, which right-of-way is approximately 40 feet wide and 113 feet long; calls a public hearing at 7:30 p.m. Monday, September 19, 1988 in the Meeting Room of the Municipal Building, 306 N. Columbia Street, Chapel Hill, on the proposed closing of said right-of-way.

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

This the 22nd day of August, 1988.

S. Estes Drive Parking Restrictions

Council Member Werner said that the proposal to restrict parking on S. Estes Drive would inconvenience a lot of people who use Rainbow Soccer facilities. He recommended that parking be allowed during the day, but eliminated at night.

Manager Taylor said the staff would reconsider the issue.

1989 Meeting Calendar

Manager Taylor said that Resolution 88-8-22/R-8 is incorrect as presented: that the January 16, 1989 meeting should be rescheduled to Thursday, January 12 (not January 18 as the resolution is written).

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT RESOLUTION 88-8-22/R-8 AS AMENDED, AND ORDINANCE 88-8-22/O-2 AS SUBMITTED. THE MOTION PASSED UNANIMOUSLY (8-0).

The Resolution and Ordinance, as adopted, read as follows:

A RESOLUTION REGARDING PUBLIC HEARING MEETING DATES IN 1989 (88-8-22/R-8)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends the schedule for 1989 Public Hearings on proposed special uses, rezonings, and Development Ordinance amendments as follows::

January 16, 1989 is rescheduled to Thursday, January 12, 1989.

October 16, 1989 is rescheduled to October 18, 1989.

This the 22nd day of August, 1988.

AN ORDINANCE REGARDING MEETING DATES IN 1989 (88-8-22/O-2)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the meeting schedule for 1989 as follows:

March 13, 1989 is rescheduled to March 6, 1989.

July 3, 1989 is cancelled.

November 27, 1989 is rescheduled to November 30, 1989.

This the 22nd day of August, 1988.

Mt. Bolus Road Right-of-Way Closing

Manager Taylor requested this item be withdrawn from the agenda. He said new developments have emerged on this issue and it is not appropriate to proceed to public hearing.

Board/Commission Nominations and Appointments

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER PRESTON, THAT ALL APPLICANTS FOR VACANCIES ON BOARDS AND COMMISSIONS BE NOMINATED. THE MOTION PASSED UNANIMOUSLY (8-0).

Community Appearance Commission

For two seats on the Community Appearance Commission the following vote was taken.

Timothy Barber	(1): Herzenberg
John Shannon	(4): Godschalk, Howes, Preston, Wilkerson
Laura J. Steinberg	(3): Pasquini, Wallace, Werner
Carol Whisnant	(6): Godschalk, Howes, Pasquini, Preston, Werner, Wilkerson
Elizabeth Williams	(2): Herzenberg, Wallace

John Shannon and Carol Whisnant were appointed.

Historic District Commission

For two seats on the Historic District Commission the following vote was taken.

Anna W. Carr	(4): Godschalk, Pasquini, Werner, Wilkerson
Lee Plummer	(0)
Mary Arthur Stoudemire	(4): Herzenberg, Howes, Preston, Wallace
Knox Tate, IV	(8): Godschalk, Herzen- berg, Howes, Pasquini, Preston, Wallace, Werner, Wilkerson

Knox Tate was appointed, and the following vote was taken to appoint the second member.

Second Vote

- Anna W. Carr (3): Pasquini, Werner
- Mary Arthur Stoudemire (6): Godschalk, Herzenberg, Howes, Preston, Wallace, Wilkerson

Mary Arthur Stoudemire was appointed.

Housing Advisory Board

For three seats on the Housing Advisory Board, the following vote was taken.

- Lynn Magee (6): Godschalk, Herzenberg, Pasquini, Preston, Wallace, Werner
- Paul Mihas (1): Howes
- Ruth Thomas (4): Pasquini, Wallace, Werner, Wilkerson
- Adele Thomas (8): Godschalk, Herzenberg, Howes, Pasquini, Preston, Wallace, Werner, Wilkerson
- Priscilla Wooley (5): Godschalk, Herzenberg, Howes, Preston, Wilkerson

Lynn Magee, Adele Thomas, and Priscilla Wooley were appointed.

Library Board

For one seat on the Library Board of Trustees, the following vote was taken.

- Lucia Anderson (0)
- June Dunnick (0)

Eric Leifer	(0)
William S. Overton	(0)
Barbara Rogers	(0)
Kenneth Shearer	(1): Preston
Nina Wallace	(6): Godschalk, Herzenberg, Howes, Wallace, Werner, Wilkerson

Nina Wallace was appointed.

Personnel Appeals Committee

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK, TO APPOINT THOMAS JERDEE TO THE PERSONNEL APPEALS COMMITTEE BY ACCLAMATION. THE MOTION CARRIED UNANIMOUSLY (8-0).

Transportation Board

For one seat on the Transportation Board, the following vote was taken.

William Frey	(1): Pasquini
Dennis Pagano	(0)
Donald Stanat	(5): Godschalk, Herzenberg, Howes, Preston, Wilkerson
Laura Thomas	(0)
Ruth Thomas	(0)
Carol Whisnant	(0)
George Viconovic	(2): Wallace, Werner

Donald Stanat was appointed.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADJOURN THE REGULAR MEETING TO AN EXECUTIVE SESSION. THE MOTION CARRIED UNANIMOUSLY (8-0).

The Regular Meeting of Council adjourned at 10:22 p.m.. The Executive Session of Council adjourned at 10:41 p.m.