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MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL  
OF THE TOWN OF CHAPEL HILL, MONDAY, FEBRUARY 27, 1989,  
MUNICIPAL BUILDING, 7:30 P.M.

Mayor Howes called the meeting to order. He announced that three of the Council Members, Andresen, Wallace, and Wilkerson were absent excused from this evening's meeting.

Council Members present were:

David Godschalk	Nancy Preston
Joe Herzenberg	Arthur Werner
David Pasquini	

Also present were: Town Manager David R. Taylor, Assistant Town Manager Sonna Loewenthal, Town Attorney Ralph Karpinos and Planning Director Roger Waldon.

Ceremonies

Mayor Howes introduced Ms. Gertrude Belle Elion and Dr. George Herbert Hitchings, recipients of the Nobel Prize in Medicine. He noted that Ms. Elion's and Dr. Hitchings' achievement had brought distinction to themselves and their community.

Mayor Howes read the following resolution of recognition into the record:

A RESOLUTION HONORING MS. GERTRUDE BELLE ELION AND DR. GEORGE HERBERT HITCHINGS ON THE OCCASION OF THEIR RECEIVING THE NOBEL PRIZE IN MEDICINE (89-2-27/R-1)

WHEREAS, Gertrude Belle Elion and George Herbert Hitchings have devoted their lives to scientific research to reduce the pain and suffering of illness; and

WHEREAS, Ms. Elion and Dr. Hitchings have been instrumental in developing drugs for treating herpes, malaria, gout, leukemia, bacterial infections, AIDS and kidney transplants; and

WHEREAS, Ms. Elion and Dr. Hitchings have recently been recognized for their outstanding contributions in the field of medicine by the Nobel Assembly of the Karolinska Institute which awarded them the Nobel Prize in Medicine; and

WHEREAS, Ms. Elion and Dr. Hitchings have been contributing members of the Chapel Hill and Research Triangle communities since 1970 when they each moved here to work at the Burroughs Wellcome Laboratories in Research Triangle Park;

NOW, THEREFORE, be it resolved by the Council of the Town of Chapel Hill that we salute Ms. Elion and Dr. Hitchings for their accomplishments and recognitions; and

BE IT FURTHER RESOLVED that we honor Ms. Elion and Dr. Hitchings through the presentation of this resolution and by these keys to the Town of Chapel Hill.

This the 27th day of February, 1989.

The resolution was signed by the Mayor and Council Members.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK, TO ADOPT RESOLUTION 1, RECOGNIZING THE ACHIEVEMENTS OF MS. ELION AND DR. HITCHINGS. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

Mayor Howes presented the certificates of recognition and keys to the Town of Chapel Hill to Ms. Elion and Dr. Hitchings.

Ms. Elion said that she was proud to receive the recognition from the Chapel Hill Town Council.

Dr. Hitchings said that Ms. Elion and he were proud to be residents of the area.

Public Hearing--Proposed Bond Order--Open Space/Parks and Recreation

Mike Loveman, Parks and Recreation Director, provided an overview of the Town's open space and parks and recreational facilities. He stated that earlier studies had been presented to the Council concerning the status of community facilities, greenways, entranceways, etc..

Mr. Loveman said that one additional community park (21-100 acres) and six additional neighborhood parks (5-20 acres) will be needed in the Town by the year 2000. He noted that a UNC planning class had recently completed a Town-owned open space inventory. Mr. Loveman stated that special efforts will also be needed to protect view corridors and open space, and to preserve unique natural areas.

Mr. Loveman outlined the four methods of land acquisition: development ordinance requirements, land donation, transfers of development rights, and direct acquisition.

Mr. Loveman showed an exhibit map to the Council, denoting Town parks and undeveloped Town-owned land. He noted that the majority of mini-parks in the Town's jurisdiction had been acquired through development ordinance requirements.

Council Member Godschalk asked whether the North Carolina Botanical Gardens had been included in the parks and open space inventory. Mr. Loveman said that the Botanical Gardens were not included on the exhibit map, but were included in the inventory.

Margaret Taylor, President, Alliance of Neighborhoods, said that it was now or never for the Town to acquire land for recreational purposes. She noted the Town's past reliance on the University for parks and recreational facilities. Ms. Taylor stated that some neighborhoods have greater open space needs than others.

Hershel Slater, Chairperson, Parks and Recreation Commission, urged the Council to move ahead with the bond referendum process. He noted that the Town's Comprehensive Plan cites diverse open space and recreational needs, based on the Town's projected growth. Mr. Slater stated that real estate experts have noted a correlation between population growth and inflated land prices.

Mr. Slater said that approximately \$5 million could be used to acquire between 75 and 100 acres of open space to add to the Town's current inventory of 366 acres. Mr. Slater said that this 366 acres translated to approximately 3-1/2% of the Town's total land area. Mr. Slater said that \$4 million could be used to address community facility needs such as neighborhood parks, bridges, trails and improvements to existing recreational facilities.

Dr. Phil Sloane, representing the Greenways Commission, noted that Betsy Pringle, a fellow Greenways Commission member, had addressed the Council at an earlier meeting. Dr. Sloane noted that acquiring land as soon as possible would pay dividends in the future. Dr. Sloane said that while he favored land acquisition as a high priority, he was sensitive to the facility needs of the Parks and Recreation Department. Dr. Sloane noted the contributions of Parks and Recreation staff to the community.

Bill Bracey, Conservation Chairperson, Sierra Club, expressed his support of the bond referendum. Mr. Bracey provided a population growth/impact study of the Triangle area to the Mayor and Council and Town staff.

Council Member Godschalk noted that only advocates of the referendum had spoken. He expressed surprised that so few people had chose to speak on this issue. Council Member Godschalk inquired what level of property tax increase would be realized for a \$100,000 home if \$9 million of bonds were approved by voters. Town Manager Taylor stated that an 8 cents per \$100 of valuation was estimated, resulting in an increase of \$80 per year. He noted that this estimate was based on several assumptions: a twenty year term, 8% interest rate, single sale of all \$9 million of bonds at once, and the current tax base level.

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Council Member Godschalk asked what standards were employed to determine the Town's open space needs. Roger Waldon, Planning Director, stated that there are no recognized standards for these determinations. Mike Loveman, Parks and Recreation Director, stated that the needs and concerns of the community were fully evaluated in determining the Town's open space needs.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO REFER COMMENTS TO THE TOWN MANAGER. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

Mayor Howes recognized former Mayor Pro-Tem Bill Thorpe, present at this evening's meeting.

### Petitions

Jacqueline Hanson sought an amended response letter from the Town's Police Department. Ms. Hanson stated that dates were omitted from a chronology concerning an alleged incident at the IFC homeless shelter.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO RECEIVE MS. HANSON'S PETITION. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

Council Member Preston said she had been contacted by several citizens concerning the delivery of unsolicited promotional newspapers. She asked whether the Town could take action in this matter. Council Member Herzenberg suggested that individual citizens should contact newspaper circulation offices to request delivery cessation.

Council Member Preston noted that at the February 13th Council Meeting, Council Member Andresen had inquired about possibility improving the poor turning radius at the U.S. Post Office on Estes Drive. Council member Preston asked whether the Town could do anything to improve this situation.

Town Attorney Karpinos noted that the Town had recently been apprised of actions in two legal matters. Mr. Karpinos stated that an order was entered on February 17th, cancelling the permit for the Janus Tree House. Mr. Karpinos also said that a previously disputed annexation case, involving 282 acres bordering N.C. 86 had been resolved in the Town's favor. He stated that the annexation will be effective June 30, 1989.

### Minutes

Council Member Preston and Werner requested several modifications to the minutes of the February 13th Council meeting.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT THE MINUTES OF FEBRUARY 13TH, AS AMENDED THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

Adequate Public Facilities/Development Timing Report

Roger Waldon, Planning Director, noted that at their January 14th retreat the Council had requested a comprehensive review of the Town's growth management policies. Mr. Waldon stated that a growth management system is a set of tools or ordinances to address the scope and scale of developments in an area.

Mr. Waldon noted that a 1986 consultant's study concluded that Adequate Public Facility Ordinances employed in other parts of the country would not be likely to succeed in Chapel Hill. Mr. Waldon added that a 1987 traffic study suggested traffic congestion was the most critical transportation issue facing the Town. He noted that there were valid criticisms of a proposed Transportation Management Ordinance: it would not work in a vacuum, did not address timing well, and T.M.O. is an idea with merit, but should be part of a comprehensive approach.

Mr. Waldon stated that the Special Use Permit and Capital Improvements Program have some influence in determining the timing of development.

Mr. Waldon reviewed six growth management tools, as follows:

- 1) Adequate Public Facilities Ordinance, whereby development could be delayed or denied if adequate public facilities were not in place.
- 2) Transportation Management Ordinance, with a chief objective of reducing the total number of vehicle trips via establishment of growth corridors.
- 3) Micro-Planning, the creation of land-use plans for small area.
- 4) Imposition of caps on development by number of dwelling units, square footage, etc.
- 5) Dual Land-Use Plan System - a comparative analysis of a community at full build-out contrasted with suitable present uses as related to current infrastructure.
- 6) Developer's choice - if infrastructure is determined to be insufficient, the developer may choose to wait for infrastructure upgrade or scale back scope of proposal, or install upgraded infrastructure.

Mayor Howes commended Planning staff for a well-done treatment of a complicated subject.

Council Member Godschalk expressed his distaste for imposing development caps, noting that timing is not an end in itself. Council Member Godschalk stated that Florida has a development concurrency requirement, wherein adequate public facilities must be in place prior to development approval.

Council Member Godschalk noted that many communities had abandoned rate of growth caps because the caps were too simplistic, cumbersome and controversial. Council Member Godschalk concluded his remarks by noting that development caps were not needed at this time and that he saw no need to consider requesting legislative authority to implement them in Chapel Hill.

Council Member Werner stated that the six options outlined by Mr. Waldon appeared to be subparts of an APF Ordinance. Council Member Werner asked why a combination of the six planning tools might work as a growth management system in Chapel Hill while an Adequate Public Facilities Ordinance would not. Mr. Waldon noted that the two approaches had similarities. He noted that Lexington, Kentucky employs a dual-land use plan, a variant of the adequate public facilities ordinance, which seems to work well. He noted that adoption of an adequate public facilities ordinance would obligate the Town to spend monies for the installation of infrastructure.

Council Member Werner noted that the Town's CIP outlines approximately \$190 million of capital needs over the next five years. Mr. Waldon noted that the Town's CIP is somewhat ambitious, containing a large percentage of projects, particularly State road projects, not directly under the Town's control.

Council Member Werner stated that some intersections in Town are operating at inadequate serve levels. He asked whether this situation would warrant denial of a development proposal on the basis of inadequate facilities. Town Attorney Karpinos said that denial could only occur on the basis of public health, safety and welfare consideration. Town Manager Taylor added that current denials do not obligate local governments to make adequate public facilities available.

Council Member Werner expressed his desire to implement an effective Adequate Public Facilities Ordinance. He asked whether current authority could be broadened. Town Attorney Karpinos responded that in some instances, the Town could possibly be obligated to provide adequate public facilities.

Council Member Werner reiterated that the six tools outlined earlier by Mr. Waldon appeared to be closely associated with an Adequate Public Facilities Ordinance. Mr. Waldon stated that the tools borrowed heavily on an Adequate Public Facilities Ordinance.

Town Attorney Karpinos noted that there are limitations on what can be done with an APF Ordinance. He stated that the Town could not deny development and not make facilities available at a later date.

Council Member Preston stated that prior to this evening's discussion, she did not realize that an APF Ordinance would be tied to future Town obligations to provide facilities. She added that the absence of facilities did not appear to limit development. Mr. Waldon stated that many CIP projects, such as road improvements, correct infrastructure deficiencies, opening up the potential for future development.

Council Member Preston suggested holding a work session to further discuss growth management issues.

Mayor Howes noted that growth management for the Town had been discussed for many years.

Council Member Godschalk stated that holding a public hearing would be a bad idea at this stage.

Council Member Pasquini acknowledged the innovative ideas presented in the Planning staff report. He stated that a Public Facilities Ordinance had been discussed for a long time. Council Member Pasquini expressed his support for limiting development in areas where adequate infrastructure is not in place. He concluded his remarks by saying that he did not favor development caps or limiting the number of vehicle trips.

Council Member Preston suggested holding a work session, followed by a public hearing. She expressed interest in development caps, adding that she would like additional information about cap related problems encountered by other communities.

Mayor Howes suggested holding a work session to give direction to staff on which items to consider at a future public hearing.

Council Member Werner stated that the document before the Council was a good one, but would be difficult to take to a public hearing.

Council Member Pasquini stated that the Council should move forward on timing and pace regulations for development.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT RESOLUTION 2. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

A RESOLUTION CALLING A PUBLIC HEARING (89-2-27/R-2)

WHEREAS, the Chapel Hill Town Council has expressed concerns that the Town's array of growth management mechanisms does not adequately address issues related to the timing and pace of development;

NOW, THEREFORE, BE IT RESOLVED that the Council calls a Work session on Tuesday, March 28th at 7:30 pm in the Chapel Hill Municipal Building Meeting Room; and a Public Hearing for May 15, 1989, at 7:30 pm in the Chapel Hill Municipal Building Meeting Room, to consider amendments to the Chapel Hill Development Ordinance. Such amendments would address the following objectives:

- Establish a cap on the annual rate of development;
- Require actions that would reduce automobile trip generation; and
- Limit development in areas where one or more components of the community's basic infrastructure is without additional capacity.

BE IT FURTHER RESOLVED that the Council directs the Town Manager to prepare Development Ordinance Text Amendments as described above for consideration at the Public Hearing, and that these be submitted to the Chapel Hill Planning Board no later than April 4 with a request for recommendation.

This the 27th day of February, 1989.

Neon Signs

Cassandra Sloop, Chairperson, Appearance Commission, stated that a preliminary amendment to the Town's Ordinances was presented at a meeting with downtown merchants on February 8. Ms. Sloop said that two citizens, Timothy Flynn and Dee Spencer, had forwarded letters to the Appearance Commission, expressing their opposition to the use of neon signs.

Ms. Sloop noted that any amendment to the sign ordinance must be enforceable and properly enforced. She told the Council that the Appearance Commission have voted 6-4 in favor of neon sign restrictions. Ms. Sloop expressed a desire to receive public input on neon signs.



Council Member Godschalk asked which frontages in the Historic District would be impacted by allowing neon signs in Town Center districts. Council Member Herzenberg noted that the portion of Franklin Street east of the U.S. Post Office would be included in the proposed restrictions.

Grainger Barrett, Attorney, representing Copytron, urged the Council to consider the concerns of the Downtown Commission related to neon signs. He noted that the neon marquee at the Varsity Theater predated any Town neon sign ordinances. He stated that the Appearance Commission was concerned with applying qualitative standards to signs. Mr. Barrett said that he and Mr. Josh Gurlitz would welcome the opportunity for further input on the neon sign issue.

Council Member Herzenberg asked whether neon signs were permitted in residential districts. Town Manager Taylor stated that this was not a permissible use in any district in Town at present.

Mayor Howes inquired about specific language applying to residential signs. Mr. Waldon responded that non-illuminated and certain dimension signs were exempt from regulation.

Wilson McCarrow stated that he and his wife endorsed the Manager's recommendation to hold a public hearing on March 20th.

Council Member Godschalk expressed concern about possible bias against businesses in the historic district.

Mayor Howes asked how staff would accommodate a decision by the Council to permit neon sign exemptions in the historic district. Town Attorney Karpinos responded that advertisements for the public hearing would be phrased accordingly.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION 3, CALLING A PUBLIC HEARING ON MARCH 20. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

**A RESOLUTION CALLING A PUBLIC HEARING (89-2-27/R-3)**

WHEREAS, the Council of the Town of Chapel Hill has received a recommendation from the Community Appearance Commission that changes be made to the Chapel Hill Development Ordinance, such changes adjusting regulations that deal with neon signs;

NOW, THEREFORE, BE IT RESOLVED that the Council calls a Public Hearing for March 20, 1989, at 7:30 pm, at the Chapel Hill Municipal Building, to consider changes to the portions of Article 14 of the Development Ordinance that address neon signage.

This the 27th day of February, 1989.

Solid Waste Task Force Report

Council Member Preston recognized the efforts of Bruce Heflin, Public Works Director, Blair Pollock, Solid Waste Planner, and Sonna Loewenthal, Assistant Town Manager for their assistance in report preparation.

Council Member Preston read the charge of the Task Force. Council Member Preston noted that work had yet to be completed on determining a final plan of action. She said that the first step in the process was to reduce waste at its source. She also noted the importance of recycling and reusing certain items. Finally, Council Member Preston noted the importance of achieving volume reduction.

Council Member Preston listed the twelve steps of the proposed Solid Waste Task Force, as follows:

1. Develop a plan to recycle about 25% of Orange County's wastes.
2. Begin a public search for a new landfill site for Orange County.
3. Initiate further study of approaches to the reduction of the volume of solid waste which is not recycled, including:
  - Refuse derived fuel (or RDF);
  - Waste-to-energy (or WTE); or
  - Compost/landfill
4. Evaluate participation with Wake and possibly Chatham Counties in ways to cooperate in waste disposal.
5. Create an institutional arrangement or agency to coordinate our efforts.
6. Institute an ordinance or ordinances to control where solid wastes are delivered (so-called waste stream control or flow control legislation).
7. Develop a mechanism to involve other COG area governments in our efforts.
8. Design a program to educate the public about the issues, and to work towards reducing the amount of wastes generated by individuals and institutions.
9. Conduct a study to determine the components of the waste stream (the universe of wastes generated).

10. Determine our support for the legislative package developed by the Solid Waste Study Committee, or other potential legislation.
11. Follow the detailed studies of alternative technologies of reducing the volume of wastes, conduct a risk assessment for each technology and site selected.
12. Keep the Solid Waste Task Force as an active body at least until an agency might be created to lead the efforts for the region.

Council Member Werner noted that no decisions had been made on volume reduction method. He inquired about what criteria would be used for selection of a landfill site. Council Member Preston stated that many members of the community were anxious to begin a landfill site selection process. She noted that the volume of reduction will determine the amount of land needed, although the Task Force hope to acquire a large site. Council Member Preston stated that suitable land was becoming more scarce and expensive.

Bruce Heflin, Public Works Director, reiterated Council Member Preston's remark that efforts were focusing on locating the largest possible suitable site. Council Member Werner asked how staff was balancing selection and acquisition of a landfill site with alternative approaches. Mr. Heflin responded that a landfill search could be initiated soon. He stated that acquisition would take approximately 18 months, with necessary related studies requiring between one and two years. Mr. Heflin said that every effort was being made to merge landfill needs and available technologies.

Council Member Werner noted that it could take longer to identify appropriate waste reduction techniques than a suitable landfill site. Council Member Werner asked about possible programs for disposing of household hazardous wastes. Mr. Heflin responded that the Town was unable to tie into Raleigh's program this year. he added that efforts were being made to determine anticipated costs of such a program.

Council Member Herzenberg stated that many citizens expressed opposition to incineration at an earlier Public Forum on solid waste. He noted that a possible Town composting program could be greatly aided by sludge from OWASA's treatment plants. Council Member Preston noted that composting would be possible with or without sludge.

Council Member Godschalk stated that the Solid Waste Task Force had been formulating its plans for approximately 2-1/2 years. He noted that the Task Force was recommending additional studies. Council Member Godschalk asked whether these were proposals to move ahead on recycling programs. Council Member Preston said that the 1989-90 Town Budget would contain a proposal for a

Town-wide recycling program, with possible participation by Carrboro, Hillsborough and Orange County.

Council Member Preston noted that HDR Engineering, the Town's consultant on recycling matters, conducted a preliminary search for suitable landfill sites.

Mayor Howes said that a recent New York Times article on solid waste stated that regional cooperation and timing are two key components of successful solid waste management.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK TO ADOPT RESOLUTION 3.1. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

A RESOLUTION SUPPORTING AND REFERRING THE SOLID WASTE TASK FORCE REPORT TO THE TOWN MANAGER (88-2-27/R-3.1)

WHEREAS, the management of solid waste has become a major problem in our region; and

WHEREAS, in recognition of the problem, local governments of Durham and Orange counties have formed a Regional Solid Waste Task Force to study the issues and make recommendations for solutions; and

WHEREAS, the Task Force has recommended to the member governments of the two counties certain actions and steps, which include the recommendation that the two counties continue to work together to solve these solid waste problems;

NOW, THEREFORE, BE IT RESOLVED BY THE CHAPEL HILL TOWN COUNCIL the following:

1. that the Town of Chapel Hill, Orange County, supports these efforts; and
2. that the Town of Chapel Hill, Orange County, Manager is hereby requested to report to the Council on the recommendations of the Task Force, and to present recommendations for further specific actions, which would include information on costs and funding.

This the 27th day of February, 1989.

To be adopted by:

- Town of Carrboro
- Town of Chapel Hill
- City of Durham
- Durham County
- Orange County

Neighborhood Planning Report

Chris Berndt, Long Range Planning Coordinator, stated that UNC Planning Class 222 had recently completed a community planning program study under terms of an agreement made with the Town in Fall, 1988. She stated that Council had cited neighborhood planning as a low-priority item, but had authorized Town staff to arrange for the study to be completed.

Ms. Berndt provided an overview of three alternative strategies considered in the class' study, ranging from very unstructured to very structured. Ms. Berndt said that the class recommended designation of a Citizen Participation Coordinator in the Town's Planning Department. She added that the class did not consider a two-tiered approach, feeling that such a model was too complicated.

Ms. Berndt stated that the Planning Board endorsed the study. She noted that the Manager recommended referral for budget consideration.

Council Member Werner noted that the study recommended the least structured approach. He asked whether the hiring of a new staff member (Citizen Participation Coordinator) would address the Planning Departments needs. Mr. Waldon responded that this was difficult to say. Council Member Werner urged that the position not be considered in a vacuum.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO ADOPT RESOLUTION 4. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

A RESOLUTION OF APPRECIATION TO UNC PLANNING CLASS 222, FALL, 1988, AND WILLIAM ROHE, PROFESSOR (89-2-27/R-4)

WHEREAS, the Council of the Town of Chapel Hill requested the Planning Board to conduct a study of neighborhood planning for Chapel Hill; and

WHEREAS, Planning Class 222 of the Department of City and Regional Planning, University of North Carolina, undertook this study for the Planning Board;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council expresses its appreciation to class members Jose Cabral, Richard Dines, Sarah Flaks, Anthony Lee, Tamara Sand, Tricia Santos, Jonathan Soulen, and Duncan Yetman, and Professor William Rohe, for preparation of "Proposal for a Community Planning Program in Chapel Hill," December 8, 1988.

BE IT FURTHER RESOLVED that the Council commends the class members for the high quality of the final report and the professionalism with which they approached the study.

This the 27th day of February, 1989.

Mayor Howes noted the two fine efforts of the University Community at this evening's meeting (open space report and neighborhood planning report).

#### Drainage System

George Small, Engineering Director, outlined a proposed Town stormwater management plan to the Council, as follows:

- Expanded Town role in managing and maintaining the community storm drainage system.
- Development and implementation of comprehensive design standards for drainage facilities and systems.
- Protection of natural drainage conveyances.
- Comprehensive analysis of detention requirements to determine need and effects.
- Drainage basin-wide review requirements to determine potential sub-regional or shared detention basin possibilities.

He noted that the plan will require a great deal of time, money and person-power. Mr. Small said that since critical information is lacking, it will be necessary to implement the stormwater management plan on a step-by-step basis, with the staff returning to the Council in one to two years to recommend system upgrades for more efficient operations.

Mr. Small stated that the boards and commissions which had reviewed the plan concurred with the need for a step-by-step process. He said that other communities are waiting to see what type of stormwater management programs are implemented by the Town.

Mr. Small stated the importance of inventorying the Town's drainage system, to identify where pipes begin and end. He noted that additional staff and equipment would be needed for this effort.

Council Member Preston noted that estimated costs between November, 1988 and February, 1988 differed by \$4,000. She asked what occurred to shift estimates upward. Mr. Small stated that estimated fringe benefits had been initially underestimated. Council Member Preston also inquired why the estimated cost of capital equipment had been reduced from \$10,000 to \$5,000. Mr. Small responded that aerial photography rather than physical surveying would be employed in the program.

Council Member Herzenberg stated that he had observed in drainage problem near a Sequoia tree on North Columbia Street. Mr. Small said he would investigate the matter.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT RESOLUTION 5. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

A RESOLUTION DIRECTING THE MANAGER TO INCLUDE DISCUSSION IN THE BUDGET PROCESS OF THE COST NECESSARY TO PROCEED WITH A COMPREHENSIVE INVENTORY AND ANALYSIS OF THE TOWN STORM DRAINAGE SYSTEM, THE ADDITION OF A STAFF DRAINAGE ENGINEER AND A DRAINAGE TECHNICIAN TO COORDINATE THE STUDY AND ANALYSIS (89-2-27/R-5)

WHEREAS, the Town is considering taking a more active role in storm drainage management and maintenance; and

WHEREAS, a draft drainage policy and draft drainage ordinance have been developed which detail such an expanded role; and

WHEREAS, the extent and costs of increased Town involvement in managing and maintaining the storm drainage system cannot be determined without further study;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council directs the Town Manager to include discussion in the budget process of the cost necessary to proceed with a comprehensive inventory and analysis of the Town drainage system, including the addition of a staff drainage engineer and a drainage technician to coordinate the study and analysis; and to make specific recommendations regarding establishing Town maintenance and management responsibility for key portions of the storm drainage system.

This the 27th day of February, 1989.

Local Legislative Bill Requests

Town Manager Taylor said that the deadline for submittal of local bills was mid-March (March 16th) rather than mid-April, as had been originally anticipated.

Mr. Taylor stated that the general concern surrounding proposed tree regulations was the uncertainty of the ordinance's scope. He said that proposed inclusionary zoning measures would provide housing opportunities for low and middle income-families via authority to create developer incentive programs.

Mr. Taylor noted that there had been relatively little comment on the adequate public facilities ordinance at the Council's public hearing. Mr. Taylor suggested that since the concept of development caps had not been discussed at the public hearing, it would be wise to exclude this concept from the enabling legislation. Mr. Taylor stated that the Council's real property interests article would include provisions for disclosure in cases where a council member has a 10% or greater interest in a business.

Mr. Taylor stated that authorization was being suggested at this evening's meeting for the Mayor to take the draft enabling legislation to the local legislative delegation.

Council Member Herzenberg stated that there had been excessive rhetoric on the tree protection issue. He noted that the proposed regulations applied only to trees, not landscaping in general. Mayor Howes noted that many communities already have tree ordinances in place.

Council Member Werner sought clarification of whether the real property disclosure provisions applied only to council members or to council members and their spouse, since the Orange County ordinance model outlined this provision in only one section of its text. Council Member Werner stated that the legislation should be consistent throughout. Council Member Godschalk expressed a preference for consistent inclusion of language for both the council member and spouse.

Council Member Preston sought clarification of Council Member Herzenberg's remark at the February 13 meeting that the Orange County ordinance was "working". Council Member Herzenberg responded that the Orange County Commissioners were complying with the law and don't object to complying. Council Member Preston asked whether the intent of the legislation was to assure that council members were not promoting their self-interests. Council Member Herzenberg noted that it is not difficult for citizens to find out the land holdings of a council member or any other citizen. He added that potential future embarrassment could be avoided by up-front disclosure of larger (10% or more) business interest holdings.



Council Member Godschalk asked whether a council member having a substantial interest in a public/private project would be disqualified in voting on such a project. Council Member Herzenberg commented that this would be difficult to answer. Town Attorney Karpinos responded that it was difficult to make a determination without precise facts.

Mayor Howes asked why the proposed ordinance would be self-executing. Mr. Karpinos responded that the bill was drafted on Orange County's model, a self-executing one.

Mayor Howes asked whether it would be preferable to draft the property disclosure utilizing state enabling legislation. Town Attorney Karpinos responded that this would depend upon the specifics of whether disclosure or disqualification provisions were being sought.

Council Member Godschalk said that he had disqualified himself from voting in an earlier zoning case where he owned adjacent property. Council Member Preston asked whether Council Member Godschalk needed to disqualify himself in such an instance. Town Attorney Karpinos expressed hesitancy at evaluating a past situation. Town Attorney Karpinos noted that if a property disclosure ordinance were passed, future council members could be more familiar with the rules that they have to follow. Council Member Herzenberg noted that the City of Raleigh Council had recently adopted similar property disclosure legislation.

Mayor Howes noted that the legislature's action would grant general authority to the Town, whereby the Town could fashion its own ordinances.

Town Attorney Karpinos noted that the draft enabling legislation was both general and brief.

Mayor Howes stated that all four items would likely be introduced in the legislature. He stated that it might be possible for the Council to schedule a breakfast meeting between the Council and the local legislative delegation to discuss legislation specifics.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO REFER TO MAYOR HOWES FOR FOLLOW-UP WITH THE LOCAL LEGISLATIVE DELEGATION. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

#### Proposed Downtown Service District

Council Member Herzenberg requested that small business owners in the downtown area be made aware of the proposed service district plan. He said that he could not support a district which would include private residences.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK, TO ADOPT RESOLUTION 7. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

A RESOLUTION ADOPTING A PROCESS FOR CONSIDERING THE ESTABLISHMENT OF A DOWNTOWN SERVICE DISTRICT (89-2-27/R-7)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopts the following process and calendar for considering the establishment of a downtown service district which could be effective on July 1, 1989:

<u>Date</u>	<u>Action</u>
April 24	Submittal of report including proposed boundary of service district, discussion of need for service district and service plans.
" "	Deadline for mailing notices to property owners and having report available in Clerk's Office.
" "	Submittal of recommended 1989-90 Town budget including recommendation on funding for downtown services and improvements.
May 15	Deadline for publishing notice of public hearing.
May 22	Public hearing on report including proposed service district boundaries and service plan.
June 12	Consideration of resolution to establish service district, budget ordinance provision to establish tax rate and consideration of performance agreement(s) for services.
July 1	Potential effective date of downtown service district.

This the 27th day of February, 1989.

Town Hall Expansion/Renovation

Council Member Preston noted that the Council appeared to see the wisdom of moving ahead with bids received for the Town Hall Expansion project. She commended the great devotion and broad-mindedness of the members of the Town Hall Expansion Committee. Council Member Preston noted that the proposed design changes would have a minimal impact on the architectural design of the building. Council Member Preston, stating that she stood behind the recommendation of the Town Hall Expansion Committee, recommended that the Council adopt resolution A.

Mayor Howes noted that it was conceivable that five votes might not be attainable on possible amending votes.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT RESOLUTION A.

COUNCIL MEMBER WERNER PROPOSED A SUBSTITUTE MOTION, SECONDED BY COUNCIL MEMBER GODSCHALK, TO ADOPT RESOLUTION C.

Council Member Preston asked whether items were being recommended for deletion due to cost and design or purely cost considerations. Council Member Godschalk stated that the proposed building design was quite adequate. He stated that citizens could be directed to the Town Hall by means other than a clock tower. Council Member Godschalk expressed his willingness to support resolution C.

Council Member Preston noted that time was of the essence in this matter. She asked if items were presently deleted by Council, whether it would be possible to reconsider design features at a later date.

Council Member Werner expressed concern that project was well over budget at present, prior to groundbreaking.

Council Member Pasquini stated that he would support resolution C, noting that he would have voted to rebid if three council members had not been absent from this evening's proceedings.

Council Member Herzenberg said that he did not want to be obstructionist in consideration of this matter. He noted that he would argue for resolution B rather than C as a substitute for resolution A. He stated that the absent council members would most likely support resolution B.

Council Member Preston asked Mayor Howes whether the Council would like to be briefed on the Council Chamber ceiling. Mayor Howes asked whether the Council wanted to hear such a presentation. No other council members expressed a desire for this information.

Mayor Howes noted that the Council was at a crucial juncture in the consideration of the Town Hall Renovation/Expansion project, adding that action must occur at this evening's meeting. Mayor Howes stated that he would support resolution C.

The question was called and a vote was taken on the substitute motion, resolution C. The motion failed (4-2), with Council Members Godschalk, Pasquini and Werner, and Mayor Howes in favor, and Council Members Herzenberg and Preston opposed.

A SECOND VOTE ON RESOLUTION C WAS ADOPTED UNANIMOUSLY (6-0). COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT ORDINANCE 1. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

A RESOLUTION ACCEPTING BIDS FOR THE GENERAL CONSTRUCTION, MECHANICAL, PLUMBING, AND ELECTRICAL WORK FOR THE TOWN HALL EXPANSION PROJECT (89-2-27/R-8c)

WHEREAS, the Town of Chapel Hill solicited formal bids by legal notice in The Chapel Hill Newspaper and The News and Observer on November 20, 1988 and The Durham Herald on November 22, 1988, in accordance with G.S. 1432-129 for the construction, mechanical, plumbing, and electrical work for the Town Hall Expansion project; and

WHEREAS, the following bids were received and opened on January 5, 1989;

General Construction

	<u>Barnhill Const. Co.</u>	<u>Bordeaux Const. Co.</u>	<u>Trout &amp; Riggs Const. Co.</u>	<u>Van Thomas Const. Co.</u>	<u>Pizzagalli Const. Co.</u>	<u>LDA, Inc.</u>	<u>Westminster Comp.</u>	<u>Matrix Const. Co.</u>
Base Bid	2,040,700	2,105,000	2,198,500	2,178,000	2,313,333	2,349,000	2,504,435	2,427,000
Alt. G-1(Add)	132,594	150,000	164,950	191,000	175,000	190,000	175,504	301,000
Alt. G-2(Add)	43,993	47,700	46,560	65,000	50,000	65,000	58,445	97,000
Alt. G-3(Deduct)	(3,000)	(7,100)	(6,950)	(4,100)	(3,000)	(12,000)	(4,844)	(4,800)
Alt. G-4(Deduct)	(1,200)	(1,600)	(1,600)	(1,200)	(1,200)	(800)	(707)	(1,500)
Alt. G-5(Add)	11,275	4,000	8,915	10,000	10,000	16,000	12,474	12,700
Alt. G-6(Deduct)	(10,590)	(No Bid)	(No Bid)	(13,000)	(15,000)	(7,000)	(10,061)	(11,300)
Alt. G-7(Add)	4,400	3,600	4,100	1,000	2,000	1,000	1,310	3,200
Total	2,218,172	2,301,600	2,414,475	2,426,700	2,531,133	2,601,200	2,736,556	2,823,300

Mechanical

	<u>Lee Air Conditioners</u>	<u>Newcomb &amp; Co.</u>	<u>Rural Plumbing &amp; Heating</u>	<u>Electricon, Inc.</u>	<u>Southern Piping Co.</u>	<u>Carolina Air Conditioning</u>	<u>Mechanical Assoc.</u>
Base Bid	111,995	112,936	122,900	129,129	134,281	139,890	143,535
Alt. M-1(Add)	81,995	83,909	98,900	97,479	100,412	103,390	110,000
Total	193,990	196,845	221,800	226,608	234,693	243,280	255,535

Plumbing

	<u>Sparrow &amp; Sons</u>	<u>Brown Bros.</u>	<u>ACME</u>	<u>Triangle Mech. Contr.</u>	<u>Thompson Plumbing</u>	<u>Mechanical Assoc.</u>	<u>Electricon, Inc.</u>
Base Bid	40,160	46,497	46,410	50,987	59,000	72,800	75,000
Alt. P-1(Add)	6,449	1,638	10,620	15,810	8,385	14,000	13,500
Total	46,609	48,135	57,030	66,797	67,385	86,800	88,500

WHEREAS, the following bids were received and opened on January 12, 1989;

Electrical

	<u>Talley Electric</u>	<u>Bolton Contr.</u>	<u>Quality Elect. Co.</u>	<u>Vaughn Electric</u>	<u>Pendergraph &amp; Thompson</u>	<u>Adams Electrical</u>	<u>Edward Elect. Co.</u>	<u>Electricon, Inc.</u>
Base Bid	176,000	169,900	176,390	179,979	183,393	219,000	202,400	219,800
Alt. E-1(Add)	36,500	50,000	44,290	50,569	45,442	43,500	69,600	51,500
Alt. E-2(Add)	22,000	18,500	20,000	17,833	19,900	19,500	32,700	23,800
Alt. E-3(Deduct)	(700)	(1,200)	(3,400)	(1,500)	(1,200)	(1,200)	(1,100)	(2,500)
Alt. E-4(Deduct)	N/C	N/C	N/C	N/C	N/C	N/C	N/C	(2,200)
Total	233,800	237,200	237,280	246,881	247,535	280,800	303,600	290,400

N/C - No Change

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bids of:

- 1) Barnhill Construction Company in the amount of \$2,012,420 negotiated for the general Construction base bid and Alternates G-1, G-2, and G-6;
- 2) Lee Air conditioners in the amount of \$193,990 for Mechanical/HVAC base bid and Alternate M-1;
- 3) Sparrow and Sons in the amount of \$46,609 for Plumbing, base bid and Alternates E-1 and E-2.
- 4) Talley Electric in the amount of \$233,925 negotiated for the electrical base bid and Alternates E-1 and E-2.

This the 27th day of February, 1989.

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1988 (89-2-27/0-1)

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:

ARTICLE I

<u>APPROPRIATIONS</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
GENERAL FUND				
Non-Departmental Transfer to Capital Project Ordinance	0	200,000		200,000

ARTICLE II

REVENUES

GENERAL FUND			
Fund Balance	788,541	200,000	988,541

This the 27th day of February, 1989.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT ORDINANCE 2. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

AN ORDINANCE TO AMEND CAPITAL PROJECTS ORDINANCE FOR PUBLIC BUILDINGS AND PUBLIC MEETING ROOMS (89-2-27/0-2)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance 86-12-8/0-5 entitled "A Capital Projects Ordinance for Public Buildings and Public Meeting Rooms" is hereby amended as follows:

Section III - Revenues anticipated to be available for the project are amended as follows:

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
Interest Earnings	0	175,000		175,000
From GENERAL FUND	0	200,000		200,000

Section IV - Appropriations for the Municipal Building project are amended as follows:

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
Construction	1,700,000	375,000		2,075,000

This the 27th day of February, 1989.

OWASA Budget Comments

Council Member Werner asked whether a copy of the OWASA budget would be forthcoming to council members. Mayor Howes responded that the Council was being offered the opportunity to have input into the OWASA Capital Budget process. Town Manager Taylor echoed Mayor Howes comments.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION 9. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

A RESOLUTION REQUESTING THE MANAGER TO PREPARE COMMENTS FOR COUNCIL CONSIDERATION ON OWASA'S ANNUAL BUDGET AND CAPITAL PROGRAM (89-2-27/R-9)

WHEREAS, the Orange Water and Sewer Authority has requested comments from the Town of Chapel Hill regarding OWASA's budget and capital program; and

WHEREAS, the Council wishes to offer procedural suggestions and to identify identify matters which OWASA can address as part of its budget and capital program;

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council requests the Manager to prepare comments in response to OWASA's request and to place this item on the Council Agenda for March 6, 1989.

This the 27th day of February, 1989.

Consent Agenda

Council Member Preston requested that Agenda Item #14A be discussed by the Council prior to consideration.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT CONSENT AGENDA ITEMS #14 B-J. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

A RESOLUTION ADOPTING VARIOUS ORDINANCES AND RESOLUTIONS (89-2-27/R-10)

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

- a. Stephens Street one-way traffic. (O-3)
- b. North Boundary Street and Campbell Lane parking restrictions. (O-4)
- c. Critz Drive parking restrictions. (O-5)
- d. Traffic regulations for new streets. (O-6)
- e. Apple Chill Street closing and parking restrictions. (O-7, R-11)
- f. Bids for bus signs. (R-12)
- g. Bids for replacement bus windows. (R-13)
- h. Stateside Drive/Dixie Drive paving with assessments. (R-14)
- i. Short Street parking restrictions. (O-8)
- j. Purchase of property at 114 Estes Drive. (R-15)

This the 27th day of February, 1989.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (89-2-27/O-4)

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

SECTION I

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



<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Boundary St.	East	A point 400 ft. north of North Street	the northern end

SECTION II

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

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

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Boundary St.	East	Rosemary St.	North St.
Campbell Ln.	West	Entire Length	

SECTION III

This ordinance shall be effective Monday, April 17, 1989.

SECTION IV

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

This the 27th day of February, 1989.

AN ORDINANCE AMENDING CHAPTER 21 OF THE TOWN CODE OF ORDINANCES (89-2-27/0-5)

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

SECTION I

That Section 21-27 of the Town Code of Ordinances, "Parking as to particular streets," is amended by inserting the following in alphabetical order:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Critz Drive	Both	Centerline of Airport Rd.	A point 215 ft. west

SECTION II

This ordinance shall be effective Monday, April 17, 1989.

SECTION III

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

This the 27th day of February, 1989.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (89-2-27/O-6)

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 therein in appropriate alphabetical order:

Through Streets

Erwin Road  
Covington Place  
Orchard Lane  
Orchard Lane  
North Boundary Street

Stop Streets

Covington Place  
Carriage Circle  
Covington Place  
Carriage Circle  
Rose Lane

SECTION II

That Section 21-11 (B) (2) of the Town Code of Ordinances, "Twenty-five (25) miles per hour on the following streets:" is amended by inserting the following therein in appropriate alphabetical order:

Carriage Circle  
Covington Place  
Orchard Lane  
Rose Lane

SECTION III

That Section 21-27 of the Town Code of Ordinances, "No parking as to particular streets," is amended by inserting the following in appropriate alphabetical order:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Rose Lane	Both	Entire Length	

SECTION IV

These ordinances shall be effective on Monday, March 27, 1989.

SECTION V

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

This the 27th day of February, 1989.

AN ORDINANCE TEMPORARILY REMOVING PARKING FROM PORTIONS OF FRANKLIN AND HENDERSON STREETS (APPLE CHILL '89) (89-2-27/0-7)

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

That on the 16th day of April, 1989, between the hours of 12:30 and 8:00 p.m., there shall be no parking on either side of Franklin Street, between Columbia Street and the western entrance of Morehead Planetarium parking lot, or on either side of Henderson Street, between Franklin and Rosemary Streets.

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

This the 27th day of February, 1989.

A RESOLUTION TEMPORARILY CLOSING PORTIONS OF FRANKLIN STREET AND HENDERSON STREET (APPLE CHILL '89) (89-2-27/R-11)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the closing of Franklin Street, between Columbia Street and the western entrance of the Morehead Planetarium parking lot, and the closing of Henderson Street, between Rosemary and Franklin Streets on Sunday, April 16, 1989, from 10:30 a.m. to 8:00 p.m., to allow the operation of the Apple Chill Fair and subsequent street clean-up.

This the 27th day of February, 1989.

A RESOLUTION AWARDING A CONTRACT FOR REPLACEMENT CURTAIN STYLE SIGNAGE IN TWENTY-EIGHT GMC RTS TRANSIT COACHES WITH ELECTRONIC SIGNAGE (89-2-27/R-12)

WHEREAS, the Council of the Town of Chapel Hill has solicited formal bids by legal notice on December 22, 1988 in accordance with G.S. 143-129 for Replacement Curtain Style Signage in Twenty-Eight GMC RTS Transit Coaches with Electronic Signage; and

WHEREAS, the following bids were received and opened on January 18, 1989:

<u>Bidder</u>	<u>Amount</u>
Luminator	\$99,792.00
Vultron, Inc.	\$89,236.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the contract for Replacement of Curtain Style Signage with Electronic Signage in Twenty-Eight GMC RTS Transit Coaches be awarded to Vultron, Inc. in the amount of \$89,236.00.

This the 27th day of February, 1989.

A RESOLUTION AWARDING A CONTRACT FOR REPLACEMENT SLIDING SASH WINDOW ASSEMBLIES FOR 1980 MODEL GMC RTS II-04 TRANSIT COACHES (89-2-27/R-13)

WHEREAS, the Council of the Town of Chapel has solicited formal bids by legal notice on December 22, 1988 in accordance with G.S. 143-129 for Replacement Sliding Sash Window Assemblies for 1980 Model GMC RTS II-04 Transit Coaches; and

WHEREAS, the following bid was received and opened on January 17, 1989:

<u>Bidder</u>	<u>Amount</u>
Belvedere Corporation	\$55,210.40

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the contract for Replacement Sliding Sash Window Assemblies for 1980 Model GMC RTS II-04 Transit Coaches be awarded to Belvedere Corporation in the amount of \$55,210.40.

This the 27th day of February, 1989.

A RESOLUTION ADOPTING AN ASSESSMENT RESOLUTION FOR PAVING STATESIDE DRIVE AND A PORTION OF DIXIE DRIVE (89-2-27/R-14)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to undertake the paving of Stateside Drive and a portion of Dixie Drive with related improvements including grading, paving, storm drainage, and other improvements as described in the preliminary resolution adopted by the Council on January 9, 1989.

BE IT FURTHER RESOLVED by the Council that pursuant to Article 10 of Chapter 160A of the North Carolina General Statutes:

1. Special assessments shall be levied, after completion and determination of actual, final cost of the improvements, on an equal per lot basis, as requested in the valid petition received by the Council on December 13, 1988.
2. Fifty percent of actual, final costs of the project, including those of construction (excluding intersections), legal services, interest charges, right-of-way acquisition, and publication expenses, shall be assessed in equal shares to the owners of property abutting the project.
3. An owner of property abutting the project may pay an assessment (a) in one cash payment for the entire amount of the assessment, without interest, within 30 days after publication of a notice of confirmation of the assessment roll, or (b) in not more than 10 annual installments, with interest at an annual rate of 8%, the first of which shall be due and payable concurrently with property taxes, and subsequent annual installments shall be due and payable on the same date in each successive year until the assessment is paid in full.

This is the 27th day of February, 1989.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (89-2-27/O-8)

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

SECTION I

That Section 21-27 (c) of the Town Code of Ordinances, "No parking during certain hours", is amended by inserting the following therein in appropriate alphabetical order.

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

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Short St.	South	Entire length	

SECTION II

This ordinance shall be effective on Monday, April 10, 1989.

SECTION III

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

This the 27th day of March, 1989.

A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY (89-2-27/R-15)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby gives final authorization for the purchase of Lot 9, Tax Map 38, Block B, Orange County, from Ms. Frances K. Snipes for public purposes (as part of a library/park site) for the negotiated sum of \$98,000.

BE IT FURTHER RESOLVED that the Council hereby ratifies, affirms and approves the contract for said property, as the contract of the Town for the purchase of said property, said contract having been signed by the Town Manager on behalf of the Town pursuant to instructions given in executive session on February 13, 1989.

BE IT FURTHER RESOLVED that the Council authorizes the Manager and Attorney to deliver the agreed upon purchase price and execute all necessary documents to complete said transaction.

This the 27th day of February, 1989.

Council Member Preston asked whether Stephens Street would be restored to a two-way street upon completion of the Town Hall Expansion/Renovation project. Mayor Howes noted that the current Town Council could not take actions which would bind future Councils. Town Manager Taylor stated that the future intention was to return Stephens Street to a two-way thoroughfare.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT CONSENT AGENDA ITEM #14A. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES (89-2-27/O-3)

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

SECTION I

That Section 21-10, "One-way Streets," of the Town Code of Ordinances is amended by inserting the following in appropriate order:

- (0) Traffic on Stephens Street shall move only in a westerly direction from Airport Road to North Columbia Street.

SECTION II

That Section 21-13, "Right-of-way and Stop Regulations," is amended by deleting the following:

Through streets

Airport Road

Stop Streets

Stephens Street

SECTION III

This ordinance shall be effective Wednesday, March 1, 1989.

SECTION IV

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

This the 27th day of February, 1989.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADJOURN THE REGULAR MEETING INTO EXECUTIVE SESSION. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

The regular meeting stood adjourned at 10:40PM.

Executive Session

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE EXECUTIVE SESSION. THE MOTION WAS ADOPTED UNANIMOUSLY (6-0).

The Executive Session stood adjourned at 10:56PM.

