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MINUTES OF A MEETING OF THE MAYOR AND COUNCIL OF THE TOWN OF
CHAPEL HILL, MONDAY, AUGUST 28, 1989, 7:30 P.M.

Mayor Howes called the meeting to order.

Council Members in attendance were:

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

Also in attendance were Town Manager David Taylor, Assistant Town Managers Sonna Loewenthal and Florentine Miller, Public Safety Director Cal Horton, Town Attorney Ralph Karpinos and Planning Director Roger Waldon.

Mayor Howes noted that the adrenaline and traffic had returned to the Town with the return of students to the University.

Mayor Howes stated that the addition of notebooks for agenda items provided for a more orderly process.

Ceremonies

Mayor Howes said that four ceremonies were to be held this evening.

Mayor Howes noted that roses and other flowers on the Council table were provided through the joint efforts of the Chapel Hill Rose Society and Parks and Recreation Department. Mayor Howes requested that representatives of the two groups come forward to be recognized.

Mayor Howes recognized Gene Strowd, noting that he had served the Town as an Alderman between 1955 and 1966. Mayor Howes said small grants from the hotel/motel tax had been used to fund the Rose Society's program.

Parks and Recreation Director Mike Loveman said that cooperative projects with the Rose Society and Parks and Recreation Commission were very enjoyable.

Mr. Strowd said that the establishment of the rose and mainstreaming gardens at the Community Center are great assets to the Town. He stated that the efforts are the epitome of a grassroots project. Mr. Strowd commended the Council for their assistance in establishing the gardens. Mr. Strowd also expressed appreciation for the support and advice of Parks and Recreation Commission Chairperson Herschel Slater.

Petitions

Ms. Peggy E. McManus requested the Council's assistance in cleaning up Nunn Lane and the adjoining Nunn Alley. Ms. McManus noted that recent efforts to clean up the area had been well-intended but had been a losing battle to date. Ms. McManus thanked the Town Manager and Police personnel for their assistance in attempting to clean up the area. Ms. McManus said that the area is overgrown with weeds and shrubbery. Ms. McManus suggested that the area be cleared and provided with adequate lighting.

Edwin Caldwell, a resident of the Northside neighborhood, commended the Town staff for their first steps in attempting to clean up the area. Mr. Caldwell stressed the importance of maintaining these efforts in the long term. Mr. Caldwell stated that Council Members Preston and Wallace had recently toured the area. Mr. Caldwell concluded his remarks by saying he would like the Town to continue its effort to clean up the Nunn Lane/Alley area.

Council Member Andresen inquired when a report on this matter could be brought back to the Council. Town Manager Taylor said such a response could be produced within thirty days.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO REFER THE MATTER TO THE TOWN MANAGER. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

Ed Bynum, representing residents of Old Oxford Road, Booker Creek Road and Millwood Court said that he and his neighbors had signed a petition requesting that the Council take steps to eliminate flooding in their neighborhood.

Mr. Bynum said that Booker Creek Road and the Booker Creek Apartments are subject to flooding. Mr. Bynum read the neighborhoods petition into the public record, to wit:

"We, the residents of Booker Creek Road, Millwood Court, and Old Oxford Road would like to call the Town's attention to periodic flooding which occurs along Old Oxford Road, Booker Creek Road, Millwood Court, and Booker Creek Apartments.

We feel the Town has approved new construction, primarily Kirkwood, which has increased runoff during heavy rains. The present drainage system could only marginally handle runoff prior to the development of Kirkwood and with Kirkwood the existing drainage system is inadequate to handle the additional runoff. The result is periodic flooding causing serious damage down stream from Kirkwood.

Mr. Strowd also thanked the six rose-growing firms who had provided their rose bushes free of charge. Mr. Strowd said that individual contributions ranging from \$25 to \$1,000 had been received to fund the gardens. Mr. Strowd concluded his remarks by noting that the gardens are located on Estes Drive, across from the entrance to the United States Post Office.

Nancy Easterling, Horticultural Therapist, noted that the mainstreaming garden provides learning and creative opportunities for special populations.

Council Member Wallace arrived at 7:42 P.M.

Honorees of the ceremony shook hands with the Mayor and Council Members.

Mayor Howes said that the second ceremony this evening was to recognize the special efforts of eleven local teenagers who had participated in the ABCD program. The program seeks to prevent crime in neighborhoods. Mayor Howes requested that Tiffany Burnette, Jewel Bynum, Kela Edwards and Harold Wolfe come forward to receive special recognition. Mayor Howes stated that the teenagers and Chapel Hill Housing Authority were being recognized this evening for the creation of the "Tel-A-Neighbor" program. Mayor Howes said that the young people's initiative and ingenuity was greatly appreciated by he and the Council.

Ms. Bynum said that the program was focused on reporting suspicious activities to neighbors.

Mayor Howes expressed his great appreciation for the honorees efforts. He requested that they shake hands with the Council Members.

Mayor Howes called forward Bruce Heflin and Carlton Jordan to receive a special recognition award from the City of Durham. The City of Durham recognized assistance from the Public Works Department after a May, 1989 tornado struck that community. Mayor Howes stated that the Town provided 10 people, 288 person hours, and eight pieces of equipment to assist the City of Durham in its clean-up efforts. Mayor Howes stated that the total value of assistance was in excess of \$7,000. Mr. Jordan and Mr. Heflin shook hands with the Mayor and Council.

Mayor Howes recognized the Town's recent receipt of a certificate and plaque of achievement from the Government Finance Officer's Association. Mayor Howes called forward Finance Director James Baker and Accounting Services Manager Kathie Young to receive the awards. Mayor Howes noted that the reports, which were recognized for excellence, are available for public inspection at the Municipal Building. Mr. Baker said he was pleased to receive the award. Mr. Baker stated that Ms. Young's exemplary work had been responsible for receipt of the recognition.

Council Member Herzenberg stated that the Council recently received a letter from Margaret Taylor, President of the Alliance of Neighborhoods. In her letter, Ms. Taylor expressed concern about several matters of Town procedure. Council Member Herzenberg requested that the Town Manager report back to the Council in response to Ms. Taylor's concerns.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO REFER TO THE TOWN MANAGER. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

Town Manager Taylor requested that item 12 be removed from the agenda, since the applicant had requested its withdrawal.

Minutes

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PRESTON, THAT THE MINUTES OF JUNE 26, 1989 BE ADOPTED AS PRESENTED. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

Council Member Herzenberg noted a modification on page 13 of the July 10th minutes.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER WILKERSON, TO ADOPT THE MINUTES OF JULY 10, 1989, AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT THE MINUTES OF JULY 17, 1989 AS PRESENTED. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

Zoning

Planning Director Roger Waldon said that the Council was being asked to designate zoning for an area off NC 86, near Homestead Road. Mr. Waldon noted that annexation of the area had taken effect on June 30, 1989. Mr. Waldon stated that the area was currently zoned by Orange County. Mr. Waldon stated that State statutes require that zoning be assigned within sixty days of annexation. Mr. Waldon said that a public hearing had been previously held.

Mr. Waldon stated that R-2 zoning (maximum of four units per acre) was recommended for most of the area. Mr. Waldon noted that the Maddry family had requested R-3 zoning for its property, while the Manager recommended R-2 zoning on this parcel. Mr. Waldon also noted that R-4, the current zoning designation was recommended for the Brookstone Apartments. Mr. Waldon added that R-4 zoning was requested and recommended for the Ringwalt's and Reeves' properties.

Mr. Waldon stated that the recommended zoning categories coincide with the Town's land-use plan.

Recent rains caused flooding and evacuation of several Booker Creek Apartments and flooded property along Booker Creek Road and behind Millwood Court."

Mr. Bynum requested that the Council take appropriate steps to prevent future flooding in the area.

Council Member Werner said that the situation described by Mr. Bynum was not solely attributable to the recent particularly wet climate. Council Member Werner stated that the problem may only get worse as the area north of Erwin Road continues to develop.

Council Member Preston inquired how long the Kirkwood development had been in place. Mr. Bynum said that work on Kirkwood had begun about five years ago. Council Member Preston inquired whether the developers of Kirkwood had been required to provide stormwater drainage. Town Manager Taylor stated that the problem identified by Mr. Bynum involved other developments in addition to Kirkwood. Town Manager Taylor said he would make a report back to the Council. Mr. Bynum stated that the flooding problem was becoming increasingly worse.

Council Member Andresen inquired whether Kirkwood had been approved without detention facilities. Town Manager Taylor stated that there is a detention basin on the site.

Gerard McCarthy, 2525 Booker Creek Road, #6D, said he and his wife had recently moved to the Town from White Plains, New York. Mr. McCarthy stated that recent flooding at the Booker Creek Apartments had resulted in the destruction of furniture and an oriental rug. Mr. McCarthy added that flood waters had recently been just fifteen feet from his front door. Mr. McCarthy said his insurance carrier did not provide flood insurance coverage, since his residence is not in the flood plain. Mr. McCarthy said he wished to be compensated for his losses, but did not know where to seek assistance.

Mayor Howes requested that the flooding situation described by Mr. McCarthy and Mr. Bynum be further investigated. Town Manager Taylor said he would do so.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER WERNER, TO REFER THE MATTER TO THE TOWN MANAGER. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

Council Member Herzenberg requested that the Town Manager provide a report to the Council regarding recent Resource Conservation District violations along Little Creek.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO REFER TO THE TOWN MANAGER FOR A FUTURE REPORT. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

timing of development. Mr. Waldon said that small area plans would have the effect of rezoning currently undeveloped areas. Mr. Waldon said that the Council was being asked to consider comprehensive rezoning of undeveloped land in the near future.

Mr. Waldon showed a map of the areas proposed for rezoning. He depicted the Town's limits, the urban services area and undeveloped parcels within both areas recommended for rezoning. Mr. Waldon stated that Town staff recommended that the Council call a public hearing to consider rezoning of undeveloped parcels within the urban services area. Mr. Waldon noted that properties involved in litigation, those with development proposals pending, existing subdivisions and industrial and commercial areas were excluded from the areas recommended for rezoning.

Mr. Waldon showed the location of areas under consideration for possible rezoning: principally, north of the Horace Williams Airport; within the Erwin Road corridor; and an area south the Town limits near Morgan Creek. Mr. Waldon noted that Hunt Arboretum was recommended for deletion, while undeveloped property on Weaver Dairy Road was recommended for addition.

Mr. Waldon concluded his remarks by suggesting that the Council call a public hearing, in conjunction with Orange County, to discuss possible rezoning of undeveloped land in the transition area.

Council Member Werner requested a clarification of the location of the parcel to be added on Weaver Dairy Road. Mr. Waldon pinpointed the area.

John Frick said he would like to have a piece of property added to those being considered for rezoning by the Council. Dr. Frick said the subject property is located at 1702 through 1704 Legion Road. Dr. Frick stated that these parcels had been included in a comprehensive rezoning recommendation brought before the Planning Board on September 15, 1987. Dr. Frick said the properties were removed from Planning Board consideration on October 20, 1987 for unknown reasons. Dr. Frick said it was his understanding that he could either submit an individual application for rezoning or wait for the next round of comprehensive rezoning. Dr. Frick said an individual application would receive attention in February, 1990. He expressed his preference for inclusion in the group of properties being considered by the Council.

Mayor Howes recommended that Dr. Frick have his rezoning application heard separately. Town Manager Taylor concurred, noting that other areas under consideration are not in the Town limits. Town Manager Taylor said Dr. Frick would receive the greatest benefit from making a separate application to be heard. Dr. Frick responded that he had attempted to have his application heard two years ago. Town Manager Taylor reiterated that Dr. Frick's best approach would be to file a regular rezoning request. Mr. Waldon

Council Member Andresen inquired how far a sewer trunk line extended along NC 86. Mr. Waldon showed the area just north of Homestead Road.

Council Member Andresen asked whether there was an appreciable difference in traffic volume for properties zoned R-1 and R-2. Mr. Waldon said that R-2 zoning permitted the construction of a few more units, including duplexes, but would not result in a significant traffic increase.

Council Member Pasquini inquired about the Planning Board's rationale for recommending R-1 zoning. Mr. Waldon said the Planning Board had concerns about maintaining low density due to a potential landfill tract in the vicinity. Council Member Pasquini indicated his preference for designating one of the tracts as R-1. Council Member Andresen said she concurred with Council Member Pasquini. Council Member Andresen said she hoped the area would be served by sewer in the future. Council Member Andresen noted the importance of keeping density low until proper infrastructure is in place.

COUNCIL MEMBER PRESTON MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK, TO ADOPT ORDINANCE 1A. THE MOTION WAS ADOPTED BY A VOTE OF 6-3, WITH COUNCIL MEMBERS ANDRESEN, PASQUINI AND WALLACE CASTING DISSENTING VOTES.

AN ORDINANCE ZONING NEWLY ANNEXED AREAS (89-8-28/0-1a)

WHEREAS, the Council of the Town of Chapel Hill has annexed property identified on the attached map; and

WHEREAS, the Council has considered appropriate zoning designations for this property in the context of surrounding land uses and zoning, and in the context of Chapel Hill's Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that zoning be assigned to the above-mentioned property as designated on the attached map labeled as Ordinance 1A.

This the 28th day of August, 1989.

Rezoning Of Various Areas

Planning Director Roger Waldon said the proposal before the Council would allow the Town to manage the pace of development through zoning. Mr. Waldon said that such a strategy is firmly rooted in the goals, objectives and policies of the Comprehensive Plan recently adopted by the Council.

Mr. Waldon stated that the formulation of an Adequate Public Facilities Ordinance had been discussed for many years. Mr. Waldon said the Council had instructed staff to find mechanisms for the

of the Comprehensive Plan from the current zoning classification to low intensity zoning classifications (RT, R-1A, or R-1).

This the 28th day of August, 1989.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER GODSCHALK, TO ADOPT RESOLUTION 1B. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION REQUESTING ORANGE COUNTY TO CALL A PUBLIC HEARING TO CONSIDER THE REZONING OF PROPERTIES TO THE RURAL TRANSITION ZONING CLASSIFICATION (89-8-28/R-1b)

WHEREAS, on April 10, 1989 the Chapel Hill Town Council set a time table for the consideration of the Town's Comprehensive Plan and of adequate public facilities approaches; and

WHEREAS, the Comprehensive Plan adopted June 12, 1989 has an orderly growth objective to "encourage development to grow in an orderly fashion, going outward from existing developed areas at the same pace as public services and facilities are extended;"

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby requests Orange County to schedule a joint public hearing during the month of October, 1989 to consider a proposal to rezone properties in the Joint Planning transition area as shown on the attached map for the purpose of achieving this goal in the Comprehensive Plan from the current zoning classification to low intensity zoning classifications (RT, R-1A, or R-1).

This the 28th day of August, 1989.

Horace Williams Airport

Council Member Andresen stated that the Council had discussed the airport situation at its July 10th meeting. Council Member Andresen indicated that no hearing date was set at that time. Council Member Andresen noted that the University had presented a letter to the Council, outlining a possible schedule. Town Manager Taylor indicated that Chancellor Hardin could be present at the September 12th public hearing, according to staff of the Chancellor's Office.

Council Member Herzenberg requested that the phrase "and to pave an unpaved portion of the runway" be attached to resolution 2.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER WILKERSON, TO ADOPT RESOLUTION 2. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION SCHEDULING A PUBLIC HEARING ON PLANS OF THE UNIVERSITY OF NORTH CAROLINA FOR RUNWAY IMPROVEMENTS AND CONSIDERATION

noted that the Council's hearing calendar is quite full for the remainder of the year. He stated that Dr. Frick's application could come before the Council early in the new year.

Mayor Howes said he would prefer to see Dr. Frick's request handled via a direct, individual petition. Mayor Howes said this approach would be most beneficial in all respects but time. Mayor Howes said the contemplated rezoning proposal was potentially very controversial.

Town Manager Taylor said he encouraged Dr. Frick to file an individual application, since other applications might drop out in the interim, potentially freeing up public hearing time with the Council.

Vic Tennyson expressed concern over the proposed cut-off date, August 28th. Mr. Tennyson said that the Council should consider moving the cut-off date, in the interest of fairness and equity, to October 1 or 10.

Council Member Godschalk stated that discussions about an adequate public facilities ordinance had begun approximately four years ago, when there were grave water supply shortages. At that time, projects were tied to the availability of water. Council Member Godschalk said he favored the small area plan approach, since it was a proactive, rather than reactive, approach.

Council Member Pasquini inquired whether resolution 1B was a separate resolution. Town Manager Taylor said yes.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN, TO ADOPT RESOLUTION 1A. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER THE REZONING OF PROPERTIES TO THE RURAL TRANSITION ZONING CLASSIFICATION (89-8-28/R-1a)

WHEREAS, on April 10, 1989 the Chapel Hill Town Council set a time table for the consideration of the Town's Comprehensive Plan and of adequate public facilities approaches; and

WHEREAS, the Comprehensive Plan adopted June 12, 1989 has an orderly growth objective to "encourage development to grow in an orderly fashion, going outward from existing developed areas at the same pace as public services and facilities are extended";

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby schedules for 7:30 p.m., October 18, 1989, in the Meeting Room of the Chapel Hill Town Hall a public hearing to consider a proposal to rezone properties as shown on the attached map for the purpose of achieving this goal

Mayor Howes stated that the ad hoc committee would consist of Town Manager Taylor, Council Members Andresen and Pasquini, and himself.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO ADOPT RESOLUTION 2.1. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION REGARDING DISCUSSION WITH UNIVERSITY OF NORTH CAROLINA REPRESENTATIVES CONCERNING HORACE WILLIAMS AIRPORT (89-8-28/R-2.1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes transmittal to the University of the attached letter requesting discussions between University and Town representatives regarding the future of Horace Williams Airport.

This the 28th day of August, 1989.

University Lake Watershed Standards

Council Member Godschalk said that the work of the Orange/Chatham Work Group was continuing. Council Member Godschalk stated that adoption of resolution 3 would put the Council strongly on record in adopting the recommendations of the Camp-Dresser-McKee University Lake watershed study. Council Member Godschalk said that there was consensus that five acre minimum lot restrictions were good for the watershed. Council Member Godschalk said that there were some differences among parties as to how this objective should be attained. Council Member Godschalk noted that a minimum lot size of two acres is required in the Cane Creek watershed. Council Member Godschalk said that adoption of the resolution would put guidelines in place for handling future development applications in the watersheds.

Council Member Werner inquired what the timing for zoning would be in the watershed. Council Member Godschalk said that zoning standards could be enacted following the County's public hearing on this matter. Council Member Godschalk said that the Orange/Chatham Work Group was trying to produce its final report by late October.

Council Member Werner inquired about the imbalance of minimum acre lot sizes in the Cane Creek and University Lake watersheds. Council Member Godschalk stated that the Cane Creek is a fairly remote, less urbanized area.

Council Member Andresen stated that the University Lake watershed is an extremely environmentally sensitive area. Council Member Andresen noted that some members of the work group would support the development of lots of less than five acres.

OF CERTAIN OPERATIONAL CHANGES AT HORACE WILLIAMS AIRPORT
(89-8-28/R-2)

WHEREAS, the location and operation of Horace Williams Airport in proximity to schools and neighborhoods has been a matter of longstanding concern to the Town Council, the University, and many citizens of Chapel Hill; and

WHEREAS, the University and the Chapel Hill Town Council have expressed their desire to have a suitable alternative location for the Horace Williams Airport, and the University and Town desire to assure responsible operation of the airport; and

WHEREAS, on July 10, 1989 the Council adopted a resolution of intent to hold a public hearing on any requested improvements or changes in use at Horace Williams Airport; and

WHEREAS, the University has recently reported to the Town on the University's plans to initiate a capital improvement project, approved by the appropriate State offices, to repair and repave the airport runway; and to consider several operational changes; and to pave an unpaved portion of the runway;

NOW THEREFORE BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing for September 12 at 7:30 p.m. in the Municipal Building Meeting Room, 306 N. Columbia Street, on the University's plans for runway improvements at Horace Williams Airport, and the University's plans to consider certain operational changes, as outlined in a letter dated August 4, 1989 from Chancellor Hardin to the Mayor and Council.

This the 28th day of August, 1989.

Mayor Howes stated that the public hearing would consist of an introduction by the Town Manager, a presentation by University representatives, and a public forum for those who wish to speak on this matter. Mayor Howes noted that the public hearing on September 12th will be cablecast on Carolina Cable Channel 13.

Council Member Andresen stated that passage of resolution 2.1 would direct the Mayor to send a letter to University, urging that a dialogue begin concerning future development at Horace Williams Airport. Council Member Andresen noted that bids for runway paving extension could possibly be opened on September 14th. Council Member Andresen said it would be important for the Council to discuss these matters with the University and Chancellor Hardin.

Council Member Godschalk inquired whether the resolution was intended to put the Council on record indicating its desire to continue discussions about Horace Williams Airport with the University. Council Member Andresen said yes.

- (b) The water quality goal for the University Lake watershed is "minimal degradation or preventing significant future deterioration in water quality" as stated in the Camp Dresser McKee report. [page 9-1]

Second, the Commissioners are requested to include the following in interim County standards for University Lake watershed:

- (a) A five-acre minimum lot size with a 4% limit on impervious surface. We believe the lot size exception for certain previously approved subdivisions and for developments with 5 or fewer lots is acceptable provided there is also a recorded prohibition, as part of all subdivision approvals in the interim period, on further subdivision to less than 5-acre lots.

The 5-acre/impervious surface standard "...is the optimum restriction for jurisdictions which elect to rely in whole or in part upon land use controls." [page 9-4 of the Camp Dresser McKee report].

Camp Dresser and McKee stated that "Restrictions on density and imperviousness represent the preferred approach to watershed management." [page 9-2 of the report]

"From the standpoint of less risk and greater safety, the nonstructural approach (land use controls) is preferable." [page 9-2 of the report]

- (b) Limitation of wastewater systems to individual septic tank systems. [Please see page 8-6, table 8-2 of the report for comparison of relative risks of wastewater disposal systems].

The Council supports the proposed prohibition on community alternative wastewater systems as indicated in the hearing notice.

In addition, we suggest that plat, special use permit and other development documents recorded in the Register of Deeds Office should include a clear statement that failure of any community system in the University Lake watershed shall not obligate the extension of public sewer.

- (c) Public sewers will not be extended into the watershed because they create the economic potential for development at urban densities.
- (d) All of the University Lake watershed should be considered a critical area because of its size, stormwater travel times and other characteristics [page 3-26 of the CDM report].

Council Member Andresen said that this type of situation affected only a small portion of the watershed. Council Member Godschalk said it would be unwise and indefensible to change the policy in this regard.

Council Member Wallace inquired whether the Orange Water and Sewer Authority (OWASA) had made comments on the watershed guidelines. Council Member Godschalk said yes. Council Member Wallace inquired whether OWASA concurred with the two acre lot minimum in the Cane Creek watershed. Council Member Godschalk said yes.

Council Member Preston thanked Council Members Andresen and Godschalk for their good work with the University Lake watershed study.

Mayor Howes said the County commissioners will bear a lot of responsibility for the watershed development standards. Council Member Godschalk urged all interested citizens and water users in the watershed to speak to their County commissioners.

COUNCIL MEMBER GODSCHALK MOVED, SECONDED BY COUNCIL MEMBER ANDRESEN, TO ADOPT RESOLUTION 3. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION OFFERING COMMENTS TO THE ORANGE COUNTY BOARD OF COMMISSIONERS FOR THE PUBLIC HEARING ON INTERIM DEVELOPMENT STANDARDS FOR PROTECTION OF WATER SUPPLY WATERSHEDS (89-8-28/R-3)

WHEREAS, the Orange County Board of Commissioners, Carrboro Board of Aldermen and Chapel Hill Town Council entered into a Joint Planning Agreement on November 2, 1987 which provides in part that the local governments jointly discuss watershed protection procedures and standards following studies of the University Lake and Cane Creek watersheds; and

WHEREAS, representatives of local governments are discussing implementation of watershed protection measures on the basis of the Camp Dresser McKee report; and

WHEREAS, the Orange County Board of Commissioners has scheduled a public hearing on interim standards for water supply watersheds;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council offers the following comments for consideration:

First, the Commissioners are requested to adopt two objectives as the basis for development standards:

- (a) Protection of public health and safety is the most important consideration in watershed protection and related regulations.

North Carolina Department Of Transportation is willing to re-evaluate the situation.

Mr. Small said that there had been an increasing number of traffic problems and accidents, particularly, rear end collisions, at Umstead and Estes Drives. Mr. Small stated that the Town staff was in agreement about the need for a left-turn lane at this intersection.

Mr. Small said there is currently no State or Town funding for this project, but added that the North Carolina Department Of Transportation encouraged moving ahead with design of the project.

Mr. Small said the concept of placing reflectors in curves was a good one. Mr. Small stated that the installation of guard rail reflectors is suggested. Mr. Small also noted that Estes Drive and Estes Drive Extension are high on the Town's list for street light installation.

Council Member Andresen inquired whether the impact of the University park and ride lot on Estes Drive Extension had been factored into the staff's findings. Mr. Small said yes.

Council Member Wilkerson inquired about the timeframe for the installation of street lighting. Mr. Small said no funding is currently available for the installation of new lights on presently unlighted streets.

Maudy Benz said she concurred with Mr. Small's findings and remarks.

Council Member Wilkerson commended the citizens who had petitioned for improvements to Estes Drive Extension, noting that the Town staff's analysis had borne out the facts outlined by the petitioners.

COUNCIL MEMBER PASQUINI MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT ORDINANCE 2. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCE (89-8-28/O-2)

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

SECTION I

That Section 21-11 of the Town Code of Ordinances, speed regulations, Subsection a(4), forty-five miles per hour, is amended by deleting the following:

- (h) Estes Drive Extension from Airport Road to the Southern Railway Line Right-of-Way.

Third, the Commissioners are requested to adopt protective interim standards for the Cane Creek watershed pending the study to be commissioned and subsequent consideration of regulations for this watershed. For interim standards, a minimum lot size of 2 acres or greater is needed for the Cane Creek watershed.

As stated in the Camp Dresser McKee report:

"In the absence of a Cane Creek Reservoir management study, preliminary evaluations suggest that adequate water quality protection can be achieved with less stringent controls than are required for University Lake," which has less assimilative capacity. "At this juncture we would recommend that consideration be given to a preliminary nonstructural management strategy consisting of 2-acre single family lot zoning." [page 9-9 of the report]

BE IT FURTHER RESOLVED that the Council expresses its appreciation to and commends the Orange County Board of Commissioners for initiating the process of establishing interim development standards and for providing the opportunity for citizens and local governments to provide comments.

This the 28th day of August, 1989.

Nominations for Housing and Human Services Advisory Boards

Council Member Preston placed the names of all four nominees for the Housing Advisory Board and six nominees for the Human Services Advisory Board into consideration for appointment at the September 11th Town Council meeting.

Estes Drive Extension

Engineering Director George Small stated that a petition had been received in the spring, requesting improvements to Estes Drive Extension. Mr. Small said the improvements included reducing the speed limit on Estes Drive Extension from 45 to 35 MPH and the installation of caution lights and turn lanes at appropriate junctures.

Mr. Small stated that he had contacted the North Carolina Department of Transportation requesting a study of Estes Drive Extension, west of NC 86. Mr. Small said that accident records were studied and a speed study was conducted. Mr. Small said the study found that automobiles were travelling too fast in the area. Mr. Small said the study concluded that the speed limit on Estes Drive Extension should be reduced to 35 MPH. Mr. Small noted that the signalization study at Estes Drive Extension and Seawell School Road had been performed in the summer, when school was out of session. The preliminary study found that warrants were not met. Mr. Small suggested that the numbers be re-evaluated when school is in session. Mr. Small added that the

intersection, in conjunction with the North Carolina Department of Transportation, for traffic signal warrants.

This the 28th day of August, 1989.

Council Member Pasquini suggested that it was timely to examine the possible reduction of the speed limit on NC 86 between Homestead Road and Interstate 40.

Council Liaison Reports

Council Member Preston reported that the Orange/Durham Regional Solid Waste Task Force had received a report from HDR in the fall of 1988. Council Member Preston said that a work plan had been devised based on this report. Council Member Preston noted the particular importance of educating the public and supporting the solid waste legislative package in the State legislature. Council Member Preston noted that the attorneys and finance officers of governmental jurisdictions in Orange and Durham counties had been asked to evaluate possible approaches to the solid waste problem. Council Member Preston gave special thanks to Public Works Director Bruce Heflin and Solid Waste Planner Blair Pollock for their efforts with the Solid Waste Task Force.

Council Member Preston reported that Joint Orange-Chatham Community Action (JOCCA) had a significant year in addressing the problems of poverty. Council Member Preston stated that 196 low-income families had been moved from substandard housing into standard dwellings. Council Member Preston also noted that a shelter for the homeless had been established in Chatham County. Council Member Preston said that thirty-one residents of the shelter had been employed through JOCCA programs. Council Member Preston stated that 66,000 congregate meals and 12,000 home meals had been provided by JOCCA in the last year. Council Member Preston concluded her remarks by commending JOCCA's for-profit branch, Orange County Home Repair. Council Member Preston said that this program had helped soften the removal of federal funds.

Town Manager Taylor said that the Council had been provided with a summary of annual reports this evening. Town Manager Taylor encouraged the Council to read through the materials. Town Manager Taylor said major issues were highlighted in the cover memorandum presented to the Council.

Mayor Howes said that the day to day services of Town government often go unnoticed.

Council Member Andresen inquired whether staffing levels were adequate for handling planning applications. Town Manager Taylor said staffing is sufficient, but the planning process is somewhat elongated, permitting the public ample opportunity to hear issues brought before the Council.

SECTION II

That Section 21-11 of the Town Code of Ordinances, speed regulations, Subsection a(3), thirty-five miles per hour, is amended by adding the following in appropriate alphabetical order.

Estes Drive Extension (SR 1780) from Airport Road (N.C. 86) to the western corporate limits.

SECTION III

That Section 21-11 of the Town Code of Ordinances, speed regulations, Subsection a(3), thirty-five miles per hour, paragraph (e), is revised to read as follows:

(e) Estes Drive (SR 1750) from Airport Road (N.C. 86) eastward to Fordham Boulevard (U.S. 15-501 Bypass).

SECTION IV

This ordinance shall be effective Monday, September 11, 1989.

SECTION V

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

This the 28th day of August, 1989.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO ADOPT RESOLUTION 4. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO IMPLEMENT CERTAIN MEASURES TO ENHANCE SAFETY ALONG ESTES DRIVE EXTENSION WHEN FUNDS ARE AVAILABLE (89-8-28/R-4)

WHEREAS, the Council has received a petition requesting that improvements be made on the Estes Drive Extension to enhance safety; and

WHEREAS, Town and State staff have studied the Estes Drive Extension and have identified measures which could improve safety;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to, subject to the availability of funding, to: 1) work through and with the North Carolina Department of Transportation to construct a left-turn lane on Estes Drive Extension at Umstead Drive, 2) install reflectors on existing guard rails along Estes Drive Extension, 3) work with Duke Power Company to install street lighting along Estes Drive Extension, and 4) to continue to monitor the Estes Drive Extension and Seawell School Road

- (3) The proposed physical works meets the mandatory standards or, if it exceeds the mandatory standards, is necessary or highly desirable for the long-term viability of the project;
- (4) The PHA has complied with tenant/homebuyer consultation requirements under Chapter 5;
- (5) The PHA will comply with applicable civil rights requirements under paragraph 6-1 and 24 CFR 968.9 (a);
- (6) The PHA has adopted the goal of awarding at least 20 percent of the dollar value of the total of the modernization contracts to minority business enterprises under paragraph 6-2 and 24 CFR 968.9 (b);
- (7) The PHA has complied with applicable environmental requirements under paragraph 6-3;
- (8) The PHA has furnished a copy of the flood insurance policy to HUD or determined that flood insurance is not required under paragraph 6-4;
- (9) The PHA has complied with applicable requirements for lead-base paint poisoning prevention under paragraph 6-5;
- (10) The PHA has complied with applicable requirements for accessibility for the physically handicapped under paragraph 6-6; and
- (11) Where the proposed modernization involves the temporary or permanent rehousing of tenants, the PHA will ensure nondiscrimination in the selection of tenants to be rehoused, determination of which tenants require temporary and permanent rehousing, assignments of tenants within the PHA and provision of assistance to tenants being rehoused.

RECORDING OFFICER'S CERTIFICATION

I, David R. Taylor, the duly appointed, qualified and acting Secretary of the Town of Chapel Hill, do hereby certify that the above Resolution No. 89-8-28/R-8 was properly adopted at a regular or special meeting properly held on August 28, 1989.

In testimony whereof, I have hereunto set my hand and seal of the Town of Chapel Hill, this the 28th day of August, 1989.

(SEAL)

Council Member Andresen inquired when the Tandler evaluation would be presented to the Council. Mr. Waldon said this would be likely to occur by the end of September.

Consent Agenda

Council Member Godschalk requested that item "C" be pulled from the consent agenda.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO ADOPT THE REMAINDER OF THE CONSENT AGENDA (ITEMS 14 A, B, AND D-H). THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS (89-8-28/R-7)

- a. Application for public housing improvement funds. (R-8).
- b. Street closing for Botanical Garden open house. (R-9).
- c. Relocation of Fordham Boulevard entranceway project. (R-10).
- d. Bids for crawler dozer. (R-11).
- e. Bids for scraper. (R-12).
- f. Bids for light fixture replacement. (R-13).
- g. Resolutions on improvement and maintenance of Country-side subdivision streets (public hearing September 18). (R-14a, b).
- h. Calling public hearings September 18 on mat and seal street improvements. (R-15.1-.5).

This the 28th day of August, 1989.

A RESOLUTION APPROVING FY - 1989 COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM (CIAP) (89-8-28/R-8)

WHEREAS, the Town Council of the Town of Chapel Hill hereby approves the Comprehensive Assessment/Program Budget as executed and submitted by the Town Manager for Project(s) No. NC 46-001, 2, 4, and 5 in the amount of \$221,406 and hereby certify that:

- (1) The PHA will comply with all HUD policies, procedures and requirements for the modernization, including implementation of the modernization in a timely, efficient and economical manner;
- (2) The estimated costs of the modernization program cannot be funded from current operating funds or reserves;

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Gregory Poole Equipment Company \$ 246,709
Raleigh, N. C.

L. B. Smith, Inc. \$ 260,239
Clayton, N. C.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Gregory Poole Equipment Company in the amount of \$246,709 for a Scraper to be used at the Landfill.

This the 28th day of August, 1989.

A RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT FOR LIGHT FIXTURE REPLACEMENT FOR TOWN'S TENNIS COURTS AND SOFTBALL FIELDS (89-8-28/R-13)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in The Chapel Hill Newspaper on July 23, 1989 in accordance with G.S. 143-129 for the purpose of light fixture replacement at the Town's tennis courts and softball fields; and

WHEREAS, the following bids were received and opened on August 8, 1989:

<u>Vendor</u>	<u>Labor Costs</u>	<u>Material Costs</u>	<u>Total Costs</u>
IllumElex Corp. Raleigh, N.C.	\$ 12,990	\$ 42,005	\$ 54,995
E.F. Belk & Son, Inc. Mooreville, N.C.	\$ 32,348	\$ 44,232	\$ 76,580

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of IllumElex Corporation in the amount of \$54,995 for the purpose of light fixture replacement at the Town's tennis courts and softball fields.

This the 28th day of August, 1989.

A RESOLUTION ACCEPTING COUNTRY ROAD, ROUNDTREE ROAD, VILLAGE LANE, AND CREEKSIDE LANE INTO THE TOWN'S PUBLICLY MAINTAINED STREET SYSTEM SUBJECT TO COUNCIL AUTHORIZATION TO PROCEED FOLLOWING A PUBLIC HEARING ON AN ASSESSMENT PROJECT FOR IMPROVING THE STREETS TO STANDARDS ACCEPTABLE TO THE TOWN (89-8-28/R-14a)

WHEREAS, the Council of the Town of Chapel Hill has received a petition from property owners abutting Country Road, Roundtree Road, Village Lane, and Creekside Lane requesting that these existing private streets be improved to standards acceptable to the Town; and

(Signature)

A RESOLUTION TEMPORARILY CLOSING PORTIONS OF LAUREL HILL ROAD (LABOR DAY OPEN HOUSE AT THE NORTH CAROLINA BOTANICAL GARDEN) (89-8-28/R-9)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the closing of Laurel Hill Road between Fordham Boulevard and Coker Drive on Monday, September 4, 1989 from 7:00 a.m. until 5:00 p.m., to allow safer pedestrian movement for visitors to the North Carolina Botanical Garden's Labor Day Open House and clean-up following the event.

This the 28th day of August, 1989.

A RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT FOR THE PURCHASE OF A CRAWLER DOZER (89-8-28/R-11)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in The Chapel Hill Newspaper on August 1, 1989 in accordance with G.S. 143-129 for the purchase of a Crawler Dozer; and

WHEREAS, the following bids were received and opened on August 8, 1989;

<u>Vendor</u>	<u>Base Bid</u>	<u>Trade-in</u>	<u>Total Cost</u>
E.F. Craven Co. Greensboro, N.C.	\$188,187	-\$40,000	\$148,187
Gregory Poole Equip Raleigh, N.C.	\$196,012	-\$27,500	\$169,512

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of E.F. Craven Company in the amount of \$148,187 for a Crawler Dozer.

This the 28th day of August, 1989.

A RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT FOR THE PURCHASE OF A SCRAPER (89-8-28/R-12)

WHEREAS, the Town of Chapel Hill has solicited formal bids by legal notice in The Chapel Hill Newspaper on August 1, 1989 in accordance with G.S. 143-129 for the purchase of a Scraper; and

WHEREAS, the following bids were received and opened on August 9 as follows:

<u>Vendor</u>	<u>Bid Amount</u>
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- 5. Owners of assessed property shall have the option of paying the assessment in one cash payment within 30 days after publication of confirmation of the final assessment roll, or in not more than 10 annual installments with interest at an annual rate of 8%, the first of which will be due and payable concurrently with property taxes; and
- 6. The Town herewith calls a public hearing at 7:30 p.m. on Monday, September 18, 1989 to consider adoption of a resolution to undertake the above-described project.

This the 28th day of August, 1989.

A RESOLUTION OF INTENT TO CONSIDER UNDERTAKING MAT AND SEAL STREET IMPROVEMENTS ON COKER LANE (89-8-28/R-15.1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council intends to consider undertaking a project for mat and seal street improvements on Coker Lane.

- 1. The Town has received a petition requesting mat and seal improvements on Coker Lane, and the petition has been determined to be valid under G.S. 160-217(a).
- 2. Coker Lane is an existing gravel road, presently maintained by the Town.
- 3. The Town would install mat and seal street improvements on Coker Lane and assess owners of property abutting the improved sections of Coker Lane at an equal rate per foot of frontage.
- 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 cost shall include construction, legal services, any interest charges, right-of-way acquisition, and publication expenses.
- 5. Owners of assessed property shall have the option of paying the assessment in one cash payment within 30 days after publication of confirmation of the final assessment roll, or in not more than 3 annual installments with interest at an annual rate of 8%, the first of which will be due and payable concurrently with property taxes.
- 6. The Town herewith calls a public hearing at 7:30 p.m. on Monday, September 18, 1989 to consider adoption of a resolution to undertake the above-described project.

This the 28th day of August, 1989.

A RESOLUTION OF INTENT TO CONSIDER UNDERTAKING MAT AND SEAL STREET IMPROVEMENTS ON EVERGREEN LANE (89-8-28/R-15.2)

WHEREAS, the petition and State statutes provide for property owners abutting the improved streets to pay 100% of the improvement costs by assessments; and

WHEREAS, the public interest is served by variance from Town policy in ordering improvements without 100% of the signatures of property owners abutting the streets to be improved; and

WHEREAS, all property owners abutting the streets to be improved have dedicated adequate rights-of-way to allow Town operation and maintenance of the streets;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council herewith accepts Country Road, Roundtree Road, Village Lane, and Creekside Lane and the accompanying dedicated rights-of-way into the Town's publicly maintained street system, subject to Council authorization to proceed following a public hearing on an assessment project for improving the streets to standards acceptable to the Town.

This the 28th day of August, 1989.

A RESOLUTION OF INTENT TO CONSIDER UNDERTAKING STREET IMPROVEMENTS ON COUNTRY ROAD, ROUNDTREE ROAD, VILLAGE LANE, AND CREEKSIDE LANE (89-8-28/R-14b)

WHEREAS, the public interest is served by variance from Town policy in ordering improvements without 100% of the signatures of property owners abutting the streets to be improved;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council intends to consider undertaking a project for street improvements on Country Road, Roundtree Road, Village Lane, and Creekside Lane.

1. The Town herewith accepts a petition requesting street improvements on Country Road, Roundtree Road, Village Lane, and Creekside Lane; and
2. Country Road, Roundtree Road, Village Lane, and Creekside Lane are existing private streets, presently not being maintained by the Town; and
3. The Town would install pavement and drainage improvements on Country Road, Roundtree Road, Village Lane, and Creekside Lane at an equal share per lot basis; and
4. The assessment amount will be 100% of the actual, total project cost upon completion (not including the cost of improvements made at intersections with Town-maintained streets), which cost shall include construction, legal services, any interest charges, right-of-way acquisition, and publication expenses; 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 cost shall include construction, legal services, any interest charges, right-of-way acquisition, and publication expenses.
5. Owners of assessed property shall have the option of paying the assessment in one cash payment within 30 days after publication of confirmation of the final assessment roll, or in not more than 3 annual installments with interest at an annual rate of 8%, the first of which will be due and payable concurrently with property taxes.
6. The Town herewith calls a public hearing at 7:30 p.m. on Monday, September 18, 1989 to consider adoption of a resolution to undertake the above-described project.

This the 28th day of August, 1989.

A RESOLUTION OF INTENT TO CONSIDER UNDERTAKING MAT AND SEAL STREET IMPROVEMENTS ON MASON FARM PLACE (89-8-28/R-15.4)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council intends to consider undertaking a project for mat and seal street improvements on Mason Farm Place.

1. The Town has received a petition requesting mat and seal improvements on Mason Farm Place, and the petition has been determined to be valid under G.S. 160-217(a).
2. Mason Farm Place is an existing gravel road, presently maintained by the Town.
3. The Town would install mat and seal street improvements on Mason Farm Place and assess owners of property abutting the improved sections of Mason Farm Place at an equal rate per foot of frontage.
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 cost shall include construction, legal services, any interest charges, right-of-way acquisition, and publication expenses.
5. Owners of assessed property shall have the option of paying the assessment in one cash payment within 30 days after publication of confirmation of the final assessment roll, or in not more than 3 annual installments with interest at an annual rate of 8%, the first of which will be due and payable concurrently with property taxes.

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council intends to consider undertaking a project for mat and seal street improvements on Evergreen Lane.

1. The Town has received a petition requesting mat and seal improvements on Evergreen Lane, and the petition has been determined to be valid under G.S. 160-217(a).
2. Evergreen Lane is an existing gravel road, presently maintained by the Town.
3. The Town would install mat and seal street improvements on Evergreen Lane and assess owners of property abutting the improved sections of Evergreen Lane at an equal rate per foot of frontage.
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 cost shall include construction, legal services, any interest charges, right-of-way acquisition, and publication expenses.
5. Owners of assessed property shall have the option of paying the assessment in one cash payment within 30 days after publication of confirmation of the final assessment roll, or in not more than 3 annual installments with interest at an annual rate of 8%, the first of which will be due and payable concurrently with property taxes.
6. The Town herewith calls a public hearing at 7:30 p.m. on Monday, September 18, 1989 to consider adoption of a resolution to undertake the above-described project.

This the 28th day of August, 1989.

A RESOLUTION OF INTENT TO CONSIDER UNDERTAKING MAT AND SEAL STREET IMPROVEMENTS ON GLANDON DRIVE (89-8-28/R-15.3)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council intends to consider undertaking a project for mat and seal street improvements on Glandon Drive.

1. The Town has received a petition requesting mat and seal improvements on Glandon Drive, and the petition has been determined to be valid under G.S. 160-217(a).
2. Glandon Drive is an existing gravel road, presently maintained by the Town.
3. The Town would install mat and seal street improvements on Glandon Drive and assess owners of property abutting the improved sections of Glandon Drive at an equal rate per lot basis.

disservice to make a quick decision in this matter. Town Manager Taylor said that a plan in conformity with the Entranceway Plan would be developed. Council Member Godschalk urged that the \$25,000 of taxpayer's money be spent carefully.

Council Member Preston noted that the area of the proposed entranceway location was quite attractive.

Town Manager Taylor requested that item 14c be deleted from the Council's agenda this evening, to provide time for further examination and recommendations.

Council Member Andresen expressed concurrence with Council Member Godschalk and Preston's earlier remarks.

Mayor Howes said that a public hearing would be held on Tuesday, August 29th, to discuss the proposed Chapel Hill North mixed-use development. Mayor Howes noted that the meeting would commence at 7:30 p.m.

COUNCIL MEMBER WERNER MOVED, SECONDED BY COUNCIL MEMBER WALLACE, TO ADJOURN THE REGULAR MEETING INTO EXECUTIVE SESSION. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

Mayor Howes noted that no report or action would follow the Executive Session.

The regular meeting stood adjourned at 9:43 p.m.

Executive Session

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE EXECUTIVE SESSION. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

The Executive Session concluded at 10:59 p.m.

6. The Town herewith calls a public hearing at 7:30 p.m. on Monday, September 18, 1989 to consider adoption of a resolution to undertake the above-described project.

This the 28th day of August, 1989.

A RESOLUTION OF INTENT TO CONSIDER UNDERTAKING MAT AND SEAL STREET IMPROVEMENTS ON HILLCREST CIRCLE (89-8-28/R-15.5)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council intends to consider undertaking a project for mat and seal street improvements on Hillcrest Circle.

1. The Town has received a petition requesting mat and seal improvements on Hillcrest Circle, and the petition has been determined to be valid under G.S. 160-217(a).
2. Hillcrest Circle is an existing gravel road, presently maintained by the Town.
3. The Town would install mat and seal street improvements on Hillcrest Circle and assess owners of property abutting the improved sections of Hillcrest Circle at an equal rate per lot basis.
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 cost shall include construction, legal services, any interest charges, right-of-way acquisition, and publication expenses.
5. Owners of assessed property shall have the option of paying the assessment in one cash payment within 30 days after publication of confirmation of the final assessment roll, or in not more than 3 annual installments with interest at an annual rate of 8%, the first of which will be due and payable concurrently with property taxes.
6. The Town herewith calls a public hearing at 7:30 p.m. on Monday, September 18, 1989 to consider adoption of a resolution to undertake the above-described project.

This the 28th day of August, 1989.

Town Manager Taylor said that item "C" was a request from the Public Works department to relocate an entranceway along Fordham Boulevard. Town Manager Taylor said Town staff believes North Carolina Department of Transportation will need to do extensive work in the area of the current entranceway location.

Council Member Godschalk expressed concern about moving the entranceway location, saying he would prefer systematic implementation. Council Member Godschalk said it would be doing a