

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting in the Town Hall on June 27, 1961, at 7:30 P.M., o'clock with the following present: Mayor McClamroch; Aldermen Robinson, Giduz, Strowd, Walters, Wager, and Page. Town Attorney LeGrand and Town Manager Rose.

Minutes of the June 12 meeting were approved on a motion by Alderman Walters, seconded by Alderman Robinson, and passed.

Oral Petitions - None at this time.

Written Petitions

Beer License requested by Bill Minor, 110 N. Graham Street. Town Manager stated that Mr. Minor has filed the necessary application; that the Police Department has approved the application. Alderman Robinson moved that the Board approve the request for Beer "On Premises", seconded by Alderman Strowd, and passed.

Beer License requested by Jim Durham at Sunocco Station on West Franklin Street, formerly operated by Tommie Gardner, request license account of new management for "Off Premises", Alderman Giduz moved that the the request be allowed for "Off Premises" beer, seconded by Alderman Wager, and passed.

Miss Mary Gilson, #1 Cobb Terrace has requested that she be allowed to use a B-B gun to eradicate squirrels which are a source of great worry to her. Alderman Giduz moved that Town Attorney be authorized to set up the appropriate legislation, seconded by Alderman Walters, and passed.

TOWN ATTORNEY:

Re: Ordinance to amend zoning change from RA-10 Residential to RA-20 Residential. An area on E. Rosemary Street. The group of property owners who seek to upzone this area appeared before the Board. Attorney Emery Denny, counsel for the Harriss Land Company et al, spoke in opposition to the rezoning. He stated that this amendment is aimed at the undeveloped area and urged that no action be taken in the matter until consideration is given on the merits of the matter. Attorney John Manning stated that the upzoning should be considered at this time and urged the Board to re-affirm the decision of June 12, 1961, meeting. Alderman Walters moved the adoption of the following:

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", as adopted March 14, 1955, and as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM "RA-10, RESIDENTIAL", to "RA-20, RESIDENTIAL".

WHEREAS, after due advertisement as provided by law, a joint public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill, on May 29, 1961, to consider a request for rezoning the area hereinafter described from RA-10, RESIDENTIAL, to RA-20, RESIDENTIAL; and,

WHEREAS, the Board of Aldermen deem it advisable that the property hereinafter described be rezoned, as requested, from RA-10, Residential, to RA-20, Residential;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-10, Residential, to RA-20, Residential, and that the uses permitted in areas designated as RA-20, Residential, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

In the Town of Chapel Hill, bounded on the South by the Northern property line of East Franklin Street; on the West by the Horace Williams property, now owned by the University of North Carolina, and the East property line

of Glenburnie Street; on the North by the rear property lines of the lots facing Tenney Circle and the P.H. Winston property; and on the East by the West property line of Carolina Avenue extended.

SECTION II.

All ordinances, laws and clauses of laws in conflict herewith are hereby repealed.

This the 27th day of June, 1961.

seconded by Aldermen Strowd, and unanimously adopted.

Aldermen Robinson, Giduz, Strowd, Walters, Wager, and Page voted "aye".

Re: Rezoning an area in University Heights - Intersection of U.S. 15-501 and the Old Durham Road, rezoning from RA-20 to Suburban Commercial. Mr. Marshall Stewart appeared before the Board and supplied a written protest stating that he is owner of 20% or more of the area of the lots in the rear of the proposed zoning change---. Mayor McClamroch stated that the action taken at June 12 meeting which was passed by less than 4/5 vote, was in error. Alderman Wager moved that action be deferred at this time, seconded by Alderman Strowd, and unanimously passed. Counsel for Sion Jennings stated that a verbal commitment has been made and a written one will be made, if it is desired. No action was taken.

TOWN MANAGER:

Greater Fire District -Chapel Hill

Town Manager read a letter from the Commissioners of the Greater Chapel Hill Fire Protection District wherein they requested that the Town extend the Greater Chapel Hill Fire District to include the area described as:

Blocks A and B, comprising thirty-two (32) lots in the N. Forest Hills Sub-division, according to a plat registered in Plat Book 7, Page 38, in the Register of Deeds Office in Orange County, which subdivision adjoins the Greater Chapel Hill Fire District at the boundary of the district.

Town Manager stated that both Fire Chief Boone and himself also approve the extension. Alderman Strowd moved that the recommendation by Mr. Boone (Fire Chief) and Town Manager be approved, seconded by Alderman Robinson, and passed.

Lake Forest Association Committee on Sanitation

Dr. E. H. Shuford acted as spokesman for a group of property owners who appeared before the Board. He supplied the Board with a data sheet to support the request that the Town consider annexing the Lake Forest area as the septic tanks and lake pollution presents a difficult problem, also that the area would be a valuable area as to revenue to be derived. Alderman Robinson moved that a study be made as to the feasibility of annexing the Lake Forest area, seconded by Alderman Page, and passed. Clark Hills and other surrounding areas were discussed, and the Board agreed that these areas could be studied along with Lake Forest.

1961-62 Budget

Alderman Page moved the adoption of the tentative Budget, seconded by Alderman Strowd, and unanimously passed.

Alderman Giduz moved the adoption of the following:

AN ORDINANCE OF THE TOWN OF CHAPEL HILL PROVIDING FOR PERSONNEL POLICIES, A POSITION CLASSIFICATION PLAN, AND A PAY PLAN COVERING EMPLOYMENT BY THE TOWN OF CHAPEL HILL

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

Section I. Purpose. It is the purpose of this ordinance to establish a fair and uniform system of personnel administration for all employees of the Town of Chapel Hill under the supervision of the Town Manager.

Sec. 2. Position Classification Plan. The position classifi-

1066
 cation plan prepared by the Employment Security Commission of North Carolina as of April, 1961 is hereby approved as the classification plan for the Town of Chapel Hill. * The Town Manager shall administer and maintain a current plan of position classification for all full-time classes of positions, assigning and reassigning individuals to positions and positions to classes on the basis of kind and level of duties and responsibilities. Copies of the classification plan and amendments thereto shall be furnished to the members of the Board of Aldermen, to department heads, and shall be on file in the offices of the Town Manager and the Town Clerk.

Sec. 3. Pay Plan. The attached Schedule of Salary Ranges and Classes Grouped by Salary Ranges are hereby approved as the pay plan for the Town of Chapel Hill. The annual budget adopted by the Board of Aldermen, and any amendments thereto, together with the authorized appropriations, shall constitute the approval of amendments to the pay plan by the Board of Aldermen. Copies of the pay plan and amendments thereto shall be furnished to members of the Board of Aldermen, to department heads and shall be on file in the offices of the Town Manager and the Town Clerk.

(a) Starting Salaries. All persons employed in positions covered by this pay plan shall be employed at the minimum salary for the classification in which they are employed. Provided, on the recommendation of the department head with the approval of the Town Manager, exceptionally well qualified applicants may be employed at the first or the second step above the minimum salary.

(b) Salary of Trainee. Applicants hired or employees promoted to positions in higher classifications who do not meet all the established requirements of the position may be appointed by the Town Manager at a "training" salary as much below the minimum salary as step #2 is above the minimum salary. The Town Manager shall report the name of an employee appointed at a "training" step below the minimum salary for a class of positions to the Board of Aldermen at its first meeting following the effective date of the appointment. Employees in a "trainee" status shall continue to receive a reduced salary until the department head and the Town Manager shall certify that the trainee is qualified to assume the full responsibilities of the position.

(c) Earned Salary Increment. Salary increases above the minimum for each class of positions shall be granted only in recognition of superior service or improved performance. The Town Manager shall each year include in the budget a lump-sum appropriation for providing earned salary increments for at least one-half of all eligible employees. An earned salary increment may be granted to an employee at any time during the fiscal year upon the recommendation of the department head and with the approval of the Town Manager. If an employee should be granted more than one earned increment during a fiscal year, the Town Manager shall report the name of this employee to the Board of Aldermen at its first meeting following the effective date of the second earned salary increase.

(d) Salary Upon Reinstatement. All employees reinstated in a classification shall receive a starting salary at a listed rate for that classification. Provided, if the salary of the reinstated employee at the time of his last employment with the Town is within range established for the classification in which he is reinstated, the starting salary for such employee may not be greater than his former salary.

(e) Pay Periods. Laborers shall be paid semi-monthly. All other employees shall be paid monthly. The Town Manager shall determine which classes of positions shall be considered as laborers.

(f) Town Manager Or Auditor to Pay Employees. At least once each year the Town Manager or the Town Auditor shall personally hand each employee of the Town of Chapel Hill his or her pay check.

Sec. 4. Appointment, Suspension and Dismissal.

(a) Vacancies Publicized. The Town Manager shall publicize vacancies to be filled in the municipal service in order to encourage qualified persons to apply and qualify for municipal employment.

(b) Appointments. The Town Manager shall appoint all full-time employees of the Town of Chapel Hill except the Clerk of Court. Appointments to positions with the Town shall be made on the basis of merit and fitness. Applicants for laboring classes shall be required to pass a reasonable physical examination before receiving a permanent appointment. Applicants for other classes of positions shall pass appropriate competitive written, oral and physical examinations to be determined by the Town Manager before entering on duty. The Town Manager shall report every such appointment to the board at the next meeting following the appointment.

(c) Probationary Period. All appointments to positions in the service of the Town of Chapel Hill shall be for a period of twelve (12) months.

(d) Suspension. During the investigation, hearing, or trial of an employee on any criminal charge, or during the course of any civil action involving an employee, when suspension would be in the best interest of the Town, the Town Manager may suspend the employee without pay for the duration of the proceedings as a non-disciplinary measure. Every such suspension shall be reported to the Board of Alderman at the next board meeting following such suspension. Back pay shall not ordinarily be recoverable, but where the suspension is terminated by full reinstatement of the employee, the Board of Aldermen may authorize full recovery of pay and benefits for the entire or for any lesser period of the suspension.

(e) Demotion or Dismissal. Employees guilty of gross negligence or defects of character that bring discredit upon the Town may be demoted or dismissed without notice by the Town Manager. The Town Manager shall report every such demotion or dismissal to the Board of Alderman at the next board meeting following the action.

(f) Right of Appeal. Any employee demoted or discharged may appeal to the City Manager after notifying his department head of his desire to appeal his demotion or discharge.

(g) Reduction in Force. In the event that a reduction in force becomes necessary, consideration will be given to the quality of each employee's past performance, the needs of the service, and seniority in determining those employees to be retained.

Sec. 5. Hours of Work

(a) Work Week. The standard work week of employees of the Town of Chapel Hill be as set forth in Table II, Classes Grouped by Salary Ranges.

(b) Overtime. Employees shall be required to work overtime hours only in cases of emergency. Supervisors shall arrange the work schedules of their employees so as to accomplish the required work within the standard work day. If it shall prove necessary for employees to work beyond the hours established for the standard work day, the department head may authorize overtime work. Compensatory time off for overtime work may be granted on an hour for hour basis to be taken by the employee at a time which will in the opinion of the employee's supervisor least obstruct the operation of the office or department.

Sec. 6. Annual Leave.

(a) Annual Leave Earned. Each full-time municipal employee of the Town of Chapel Hill shall earn annual leave rate of fifteen (15) working days per year or one and one-fourth days (1-1/4) for each month worked. Employees hired on or before the 15th calendar day of each month shall earn annual leave from the 1st calendar day of the month. Employees hired after the 15th calendar day of each month shall earn annual leave from the 1st calendar day of the following month.

(b) Annual Leave Accumulation. Employee may accumulate a maximum of thirty (30) days of annual leave. Provided, that upon the recommendation of a department head and with the approval of the Town Manager, an employee may accumulate up to sixty (60) days of annual leave for a special purpose.

BBB913

(c) Previous Annual Leave Credit. Annual leave credits accumulated by each employee as of June 30, 1961 shall be retained as of the effective date of this ordinance.

(d) Annual Leave Taken As Earned. Annual leave may be taken as earned by an employee with the approval of the employee's department head. However, vacation leave is permissive and may be denied by the heads of the departments or the Town Manager when conditions are such that the ordinary work of the Town could not be performed adequately if vacation leave were granted. Firemen off a 24 hour shift shall be charged with having taken two (2) days leave.

(e) Terminal Pay. The Town Manager is authorized to pay as terminal pay all unused annual leave time, but in no case shall this terminal pay be for more than thirty (30) days of unused annual leave.

Sec. 7. Holidays. All Town employees will receive full pay for the following holidays:

New Years Day
Easter Monday
July 4th
Labor Day
Thanksgiving
Christmas (3 working days)

Employees required to work on an observed holiday shall receive compensatory time off. Holidays observed by the Town shall not be counted as vacation leave.

Sec. 8. Sick Leave.

(a) Sick Leave Is a Privilege. Sick leave with pay is not a right which an employee may demand but a privilege granted by the Town.

(b) Definition. Leave from work with pay may be charged as sick leave if the absence is due to sickness, bodily injury, quarantine, required physical or dental examinations or treatment, exposure to a contagious disease when continued work might jeopardize the health of others, illness in the employee's immediate family which requires the care of the employee, or the funeral of a member of an employee's family. All such absences except those resulting from intemperance or immorality shall be charged against the sick leave credit of the employee.

(c) Previous Sick Leave Credit. As sick leave records have not been maintained in the past, each employee shall be credited as of July 1, 1961 with six (6) days of sick leave for each previous year of full-time employment, but in any case not to exceed a total credit as of July 1, 1961 of sixty (60) days.

(d) Sick Leave Earned. Each full-time municipal employee of the Town of Chapel Hill shall earn sick leave at the rate of one (1) day for each month worked.

(e) Sick Leave Accumulation. Sick leave shall be accumulative for an indefinite period, and there is no maximum amount of sick leave that may be accumulated.

(f) Physician's Certificate May be Required. Department heads shall determine when a doctor's certificate is required and under what conditions such certificates are required. Department heads shall be responsible for the application of this provision to the end that there will be no abuse of sick leave privileges.

(g) Separated Employees Lose Sick Leave Credit. Employees who resign or retire or who are dismissed from Town employment shall not be paid for any accrued sick leave.

Sec. 9. Workmen's Compensation Leave. The foregoing provisions as to sick leave shall not apply to employees injured by an accident arising out of and in the course of employment except in cases of injury causing disability of seven days or less for which no compensation is payable under the Workmen's Compensation Act.

Employees disabled on the job, and for whom Workmen's Compensation is approved, shall be granted Workmen's Compensation leave without charge against sick leave for the full period covered by Workmen's Compensation but not to exceed six (6) calendar months. Provided, that the Workmen's Compensation payment shall be included in the computation of full pay.

In the event that disability covered under Workmen's Compensation shall extend beyond six (6) calendar months, continued absence shall be charged against accrued sick leave and then to accrued annual leave until exhausted, and then to leave without pay other than the Workmen's Compensation payments provided by law.

Sec. 10. Military Leave. The Town Manager, upon the recommendation of the department head, may grant up to two weeks of military leave with pay in any fiscal year to any full-time Town employee for Reserve or National Guard training. Military leave shall not be charged against the annual leave to which the employee may be eligible.

Sec. 11. Civil Leave. A municipal employee called for jury duty or as a witness for the Federal or State governments or a subdivision thereof shall be entitled to leave with pay for such duty during the required absence. Municipal employees may keep all fees received for jury duty in addition to his regular compensation. Law enforcement officers may not receive or keep any witness fees for appearing in a criminal court in connection with their official duties.

Sec. 12. Education Leave. A special leave of absence at full or part pay may be granted by the Town Manager upon the recommendation of the department head to permit a Town employee to take courses of study which will better equip the employee to perform his duties for the Town of Chapel Hill.

Sec. 13. Leave Without Pay. A Town employee may be granted a leave of absence without pay for up to one year by the Town Manager upon the recommendation of the department head for reasons of personal or family illness, completion of education, or special work which will permit the Town of Chapel Hill to profit by the experience gained or the work performed.

Sec. 14. Political Activity. No employee of the Town of Chapel Hill except those subject to popular election shall seek nomination, election, or appointment to a political office or as an officer of a political party, club or organization, or take an active part in, or make or solicit contributions or donations to, any political campaign, or distribute badges, pamphlets, or handbills of any kind favoring or opposing any candidate for nomination or election to public office; nor publicity exert his or her influence favoring or opposing any candidate. Provided, however, that nothing in this subsection shall be construed to prevent any employee from becoming or continuing to be a member of a political party, or from attendance at a political meeting, or from enjoying entire freedom from interference in casting his or her vote. Failure to comply with this subsection is grounds for immediate dismissal.

Sec. 15. Article 1 of Subchapter D of the 1961 Revised Compilation of Chapel Hill Ordinances and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 16. This ordinance shall become effective as of July 1, 1961.

TABLE I
SCHEDULE OF SALARY RANGES
TOWN OF CHAPEL HILL
June, 1961

Salary Range							
No.	Min	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	Max.
1	2124 (177)	2232 (186)	2340 (195)	2460 (205)	2580 (215)	2712 (226)	2844 (237)
2	2232 (186)	2340 (195)	2460 (205)	2580 (215)	2712 (226)	2844 (237)	2988 (249)

Salary Range No.	Min	1	2	3	4	5	Max.
3	2340 (195)	2460 (205)	2580 (215)	2712 (226)	2844 (273)	2988 (249)	3132 (261)
4	2460 (205)	2580 (215)	2712 (226)	2844 (237)	2988 (249)	3132 (261)	3288 (274)
5	2580 (215)	2712 (226)	2844 (237)	2988 (249)	3132 (261)	3288 (274)	3456 (288)
6	2712 (226)	2844 (237)	2988 (249)	3132 (261)	3288 (274)	3456 (288)	3624 (302)
7	2844 (237)	2988 (249)	3132 (261)	3288 (274)	3456 (288)	3624 (302)	3804 (317)
8	2988 (249)	3132 (261)	3288 (274)	3456 (288)	3624 (302)	3804 (317)	3996 (333)
9	3132 (261)	3288 (274)	3456 (288)	3624 (302)	3804 (317)	3996 (333)	4200 (350)
10	3288 (274)	3456 (288)	3624 (302)	3804 (317)	3996 (333)	4200 (350)	4404 (367)
11	3456 (288)	3624 (302)	3804 (317)	3996 (333)	4200 (350)	4404 (367)	4632 (386)
12	3624 (302)	3804 (317)	3996 (333)	4200 (350)	4404 (367)	4632 (386)	4860 (405)
13	3804 (317)	3996 (333)	4200 (350)	4404 (367)	4632 (386)	4860 (405)	5100 (425)
14	3996 (333)	4200 (350)	4404 (367)	4632 (386)	4860 (405)	5100 (425)	5364 (447)
15	4200 (350)	4404 (367)	4632 (386)	4860 (405)	5100 (425)	5364 (447)	5628 (469)
16	4404 (367)	4632 (386)	4860 (405)	5100 (425)	5364 (447)	5628 (469)	5904 (492)
17	4632 (386)	4860 (405)	5100 (425)	5364 (447)	5628 (469)	5904 (492)	6204 (517)
18	4860 (405)	5100 (425)	5364 (447)	5628 (469)	5904 (492)	6204 (517)	6516 (543)
19	5100 (425)	5364 (447)	5628 (469)	5904 (492)	6204 (517)	6516 (543)	6840 (570)
20	5364 (447)	5628 (469)	5904 (492)	6204 (517)	6516 (543)	6840 (570)	7176 (598)
21	5628 (469)	5904 (492)	6204 (517)	6516 (543)	6840 (570)	7176 (598)	7536 (628)
22	5904 (492)	6204 (517)	6516 (543)	6840 (570)	7176 (598)	7536 (628)	7920 (660)

seconded by Alderman Walters, and unanimously adopted. Alderman Wager requested that a letter of appreciation be mailed to Donald Hayman of Institute of Government and Employment Security Commission.

Planning Board Members Resign

The Board stated that a letter of resignation has been received from the members of the Planning Board. Alderman Giduz read a short statement of facts in the matter, and moved that the resignation be accepted, with regret, by the Board of Aldermen, seconded by Alderman Walters, and passed.

Committee Reports:

Cemetery - Committee Chairman Strowd asked that an early meeting be arranged.

Streets - Chairman Robinson stated that the committee recommends that School Lane be paved from Church Street to School Building; that a traffic light be put at E. Boundary and Franklin Streets. He also stated that C. B. Cummings of Whitaker Street will pay for curb and gutter if the Town will install it there; that Church Street has bad holes and the edge is breaking; that it could be patched. Alderman Robinson stated that he will circulate a petition in hopes of getting curb and gutter work done.

Recommendation of Street Committee - That shrubbery be cut at the following locations: Hillsboro & Rosemary, Rosemary & Boundary, Greenwood & Old Mill Road, and Brookside Street and Sycamore Street.

Finance - Chairman Wager moved that the Town send the annual membership amount of \$100.00 from Contingency Fund to the N.C. Symphony Society, seconded by Alderman Giduz, and passed.

Recreation - Chairman Walters asked about costs of repairs at the Roberson Street Community Center. Town Manager stated he will present at the next meeting.

Alderman Giduz inquired as to the coordination of Street Lights and the Walk Sign at Columbia and Franklin Streets, also that consideration should be given to condition of Ridgewood Lane.

Mayor McClamroch set Friday, June 30th at 4:30 P.M. o'clock as a meeting time to consider appointments for members of the Planning Board.

There being no further business to be considered at this time, the meeting was adjourned at 9:04 P.M.

Robert M. McClamroch Mayor

Mary Lovejoy Town Clerk

June 27, 1961

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Special Called Meeting in the Town Hall on June 30, 1961, at 4:30 P.M. with the following present: Mayor McClamroch; Aldermen Robinson, Giduz, Strowd, Walters, Wager and Page; Town Manager Rose.

Mr. P. E. Parrow appeared before the Board appealing for a more equitable representation on the Planning Board. He stated that he objects to the Aldermen ruling on recommendations of the Planning Board. The Board advised Mr. Parrow that the present setup is prescribed by State Statutes.

Alderman Walters moved that the following five persons be appointed to the Planning Board:

Stuart Chapin	1961 - 1962	Frederic Cleaveland	1961 - 1965
John Wettach	1961 - 1963	R. D. Smith	1961 - 1966
Whid Powell	1961 - 1964		

seconded by Alderman Wager, and unanimously passed.

The Board stated that an official letter accepting the resignation of the Planning Board, would be mailed to each of its members; that the next meeting of the Planning Board would be on July 5.

Adjournment - 5 P.M.

June 20, 1961

BBB913