

TOWN HALL IMPROVEMENTS

Assistant Town Manager Honeycutt asked if the Board would give its feeling toward the preliminary cost estimates for the proposed renovation of the Town Hall. Alderman Smith moved, seconded by Alderman Scroggs to direct the Town Manager to get a complete breakdown of the cost for this purpose. The motion carried unanimously.

RESIGNATION

Mayor Lee read a letter of resignation from Robert Stipe who was resigning from the Community Appearance Commission.

The meeting adjourned at 11:10 P.M.



Mayor



Town Clerk, David Roberts

MINUTESBoard of AldermenTown of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M., June 1, 1970 with the following members present: Mayor Lee, Aldermen Scroggs, Nassif, Smith, Bernholz and Coxhead. Alderman Prothro was absent. Also present were Assistant Town Manager Honeycutt, Town Clerk Roberts and Town Attorney Denny. Town Manager Peck was absent.

MINUTES

Alderman Coxhead moved, seconded by Alderman Scroggs to approve the minutes of the meeting of May 25, 1970 as corrected. This was unanimously carried.

HISTORIC SITE-McDADE-MERRITT HOUSE

Mr. Jack Davis from University Baptist Church petitioned the Board to declare the McDade-Merritt House a historic structure. Alderman Coxhead moved, seconded by Alderman Bernholz to receive the petition and discuss it at its place on the agenda. This motion passed unanimously.

HOUSING AUTHORITY

Mrs. Williams from the Housing Authority introduced Mr. Midgette, an attorney for the Housing Authority, to present the agreement to be considered by the Board. Mr. Midgette stated that the present interest rate laws have put Chapel Hill out of the Housing Authority business. Mr. Midgette was asking the Town to guarantee the three-eighths of one per cent which was over the six per cent interest rate law. He said the total cost of the fifty six Turnkey housing units would be \$1,256,760.00 and that three-eighths of one per cent would be \$4,712.00. Alderman Coxhead asked how long the Town would have to underwrite this percentage. Mr. Midgette said that the Town would underwrite this percentage until the general assembly changed the law. Town Attorney Denny said that this was a public purpose according to general statutes in his opinion. Alderman Coxhead moved, seconded by Alderman Bernholz to have a resolution drawn up. Alderman Coxhead said that the Town should pick up the difference in interest rates and go ahead. He said the Town should get preference in housing as long as there were units available. Mrs. Williams said that no assignment of the units had been made. Alderman Nassif said that the interest rate problem was being worked on at a national as well as a state level. Alderman Coxhead said that if the Town would underwrite this percentage rate then Chapel Hillians should get first choice as long as units were available. Alderman

Nassif said that he would abstain from voting on this matter because of financial interest in the project. The motion passed four (4) to nothing (0) with Alderman Nassif abstaining.

SAFETY AWARD

Mr. G. Claude Yates presented a safety award from the North Carolina Motor Club to the Chapel Hill Police Department commending the Police Department on not having a fatality in 1969. He said that Chapel Hill was one of eighteen cities in North Carolina of five thousand or more population which did not have a fatality in 1969. Chief of Police Bill Blake received the award for the Police Department. Mayor Lee commended the Chief of Police and his department for a job well done.

SOLID WASTE COLLECTION

The Board asked if the Manager's office had received any calls concerning the proposed rates. No. Mayor Lee asked if anyone was in the audience who was concerned over the proposed rate changes. Mr. Rinfret, from Granville Towers, was present as an observer. Alderman Coxhead asked what his reaction was to the proposed rates. Mr. Rinfret said that he was not opposed to the rates and that they seemed fair. Alderman Nassif moved, seconded by Alderman Scroggs to adopt the recommended rates for daily garbage pickup and prepare the necessary ordinance. This was carried unanimously.

HISTORIC SITE-McDADE-MERRITT HOUSE

Mr. Jack Davis asked the Board to adopt a resolution declaring the McDade-Merritt House a historic structure. Alderman Nassif asked if the back side of the house would have to come down. Mr. Davis said that it would not. He said that the front of the building was built in 1870 and that it could be brought to the code requirements without much trouble. He said that it would be hard to bring the Merritt portion of the house in the rear up to fire code without veneering it. He felt that veneering the back portion of the house would do harm to its historic value. Alderman Nassif asked if he planned to leave the porch on the house. Mr. Davis said that they had not decided yet. Alderman Coxhead asked what was going to be done about the tenants. Mr. Davis replied that the tenants had been given notice and that he would lease the house to a firm who would agree to restore the building. Alderman Coxhead asked what would be done with the building. Mr. Davis said that it would be used for business. Alderman Nassif asked if there would be substantial renovation inside. Mr. Davis said that the inside would be brought up to the fire code. Alderman Bernholz asked if the Board needed to act now. Mayor Lee asked if the building inspector had been working with the historic society. Mr. Davis said that the building inspector's opinion was that if the interior was brought up to code then the proposal would probably be all right. Alderman Smith asked what would have to be done to bring the outside up to code. Mr. Davis said that veneering of the back portion of the house would have to be done. He said that Mrs. Welsh from the Community Appearance Commission concurs with his ideas. Alderman Smith asked what kind of businesses would be allowed and would they create a fire hazard. Mr. Davis said that he had not settled this as yet but that a clothing store, a law office, and a gift shop were being considered as tenants. Mayor Lee asked what the resolution would include. Town Attorney Denny said that there was a resolution in the package sent out with the regular packet. Alderman Coxhead said that repairs would have to be made. Mayor Lee asked if the resolution would have to be specific as to what was going to be done. Town Attorney Denny said that the resolution would allow deviation from the code without details on what was to be done. Mayor Lee asked Town Attorney Denny what he thought of the resolution. Mr. Denny said that the resolution was satisfactory in its form. Mr. Davis said that he needed to know how the Board felt in order to see if it was worth his while to get an architectural design estimate. Alderman Nassif asked if he would not restore the building like it was before. Alderman Coxhead pointed out that the entire building was historical. Alderman Coxhead moved to approve the intent of the resolution and get an

opinion from the building inspector in a report to be presented to the Board. Mr. Davis asked that the building be declared a historic structure as a separate motion. Alderman Scroggs said that this was reasonable. Alderman Bernholz asked what affect this declaration would have. Town Attorney Denny said that the building could not be demolished without public concern and that it could be continued as it now stands and certain steps made to improve the structure. Mr. Davis said that they could proceed with the plans if the Board declared the building a historic structure. Alderman Coxhead said that the area would be safe since the structure in question was a good distance from other buildings. Alderman Nassif said that he would still like to have a report. Alderman Smith said that he was concerned over the deviations from the code in the CBD. Alderman Scroggs said the Board would have to have approval of the insurance commission. Mayor Lee said that if the building was declared a historic structure then the insurance commission would allow more deviation. Alderman Smith moved to declare the McDade-Merritt House a historic structure and to get a report from the building inspector on what the deviation from the fire code for this building would have on the fire rating of the CBD. Alderman Coxhead seconded the motion. Alderman Nassif said that everything should be done at once rather than to drag it out. Alderman Scroggs said that by declaring the structure historic the Board would be tying down the front portion but leaving the status of the back portion open to discussion. He said that only the front could be restored with this motion. Town Attorney Denny agreed. Town Planner Palmer said that the building inspector had been in contact with the fire rating bureau. Col. Spiller, a building inspector, was called into the meeting. Mayor Lee asked Col. Spiller about the code and its affect on historic sites. Col. Spiller said that a frame house could not be altered in the CBD. It can be declared a historic structure but that it might affect the insurance rates in the fire district. He pointed out that Raleigh had declared some structures historic sites and that they had had no problems with them so far. Alderman Smith asked what the buildings in Raleigh were being used for. Col. Spiller said that one was being used as a branch bank. Alderman Scroggs said that the Board needed to know the affect on the rate. Town Attorney Denny said that a permit could be issued if the motion is passed. The motion carried unanimously.

SPECIAL USE-CHI OMEGA

Mr. Jim Webb represented the Chi Omega Foundation Inc. as their architect. He said that the property was owned by Chi Omega and was in an R-10A zone. He asked that modification be extended on the special use. He also pointed out that the parking requirements had been met. Alderman Coxhead moved to approve the request. Alderman Scroggs seconded the motion. Alderman Nassif asked Town Attorney Denny if the Board could approve the request without a public hearing. Town Attorney Denny said that it depended on the degree. He pointed out that the sorority was used just for sorority use before and after the special use permit and the modification. He said that the motion should carry the pre-existing stipulations of the former special use permit. Alderman Bernholz asked about the number of occupants. Mr. Webb said that the occupancy would not be changed. Alderman Smith asked if a major revision was being made. Town Attorney Denny said that the use was not a major revision. Alderman Scroggs said that the Board had done something similar to this in the Turnkey housing. Alderman Nassif commended the proposal as a good plan. Town Attorney Denny pointed out that the original special use permit was for temporary use and was granted in 1967 for not more than five years. Alderman Scroggs asked if the motion should remove the temporary stipulation. Yes. Alderman Scroggs pointed out that contiguous lots owned by the same person is considered one lot. Mayor Lee asked Town Attorney Denny to state a motion that would express the feelings of the Board. The motion was that the extension of a special use permit be granted as presented in plans revised May 28, 1970, subject to the stipulation contained in the original special use permit with the exception of the time limitation which is deleted. The motion carried unanimously.

BANNERS ON FRANKLIN STREET

Mayor Lee read the existing ordinance concerning banners and streamers over streets. Alderman Nassif asked how many times banners were used per year. Four to six times, it was thought. Alderman Scroggs said that banners over streets did not bother him. Alderman Coxhead said that we should do away with all banners. Alderman Smith said that he felt certain banners were good to bring to the attention of the public certain matters of public interest. He felt they were good if they were not for commercializing and were brought down immediately after the period of time allowed. Alderman Coxhead said that banners served no useful purpose and were not pretty. Alderman Bernholz did not feel the issue was important. Alderman Coxhead moved to repeal the ordinance and have a new ordinance drawn banning all banners. The motion died because of lack of a second.

RENOVATION OF TOWN HALL

Assistant Town Manager Honeycutt summarized a detailed breakdown of the estimate to renovate Town Hall. He pointed out that the new cost estimate would be about \$85,000. He also pointed out that if the Board so desired, an additional cost of \$15,000 would be added to bring Town Hall up to meet rest room and handicap standards. The total cost of \$100,000 would be split two ways with the Town paying half and the State paying half if the application was approved by the law and order committee. It was pointed out that the application could be withdrawn if the Board saw in its budget hearings that it could not afford the renovation. Alderman Coxhead moved to approve the cost estimates and submit application for the renovation to the law and order committee. Alderman Scroggs seconded the motion. This was unanimously carried. Alderman Nassif pointed out that nothing was included in the proposed renovation for improving the jails. Alderman Bernholz asked that the Town Manager report on the grand jury recommendations concerning the jail.

PERSONNEL ORDINANCE

Town Attorney Denny said that Section 1A second sentence, in part, should read, and two shall serve until July 1, 1971, in lieu of one serving until July 1, 1971. Assistant Town Manager Honeycutt asked if it would not be better to have the members of the Board appointed at the last regular meeting in June of each year rather than at the first regular meeting in July since the Board members would begin serving their term on the first of July. The Board agreed on this point. Dr. Hayman said that in the last sentence of Step 1 in Section 2 of the Personnel Ordinance that to have the grievance in writing might be unreasonable in the first step. The Board agreed and struck out the last eight words of the sentence. Alderman Nassif said that he personally thanked Dr. Hayman and Town Attorney Denny for their work on this Personnel Ordinance amendment. He said that he remained unconvinced on a public hearing for personnel matters but would go along with the Board. He said that he was also unconvinced that the employee should have a choice of going to the Town Manager. Alderman Smith said that this choice would be explained to the employee before he made it. Alderman Nassif moved to adopt the amendment to the Personnel Ordinance as amended and prepared. This was seconded by Alderman Scroggs. The motion was unanimously carried. Mayor Lee thanked Dr. Hayman and Town Attorney Denny for their work on this amendment. Alderman Nassif moved that a copy or copies be posted so that all employees could read this. Alderman Scroggs amended the motion to have it circulated and explained. This was seconded by Alderman Bernholz. The motion was unanimously carried.

PERSONNEL ORDINANCE

AN ORDINANCE TO AMEND THE 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 TO PROVIDE FOR THE APPOINTMENT OF AN ADVISORY PERSONNEL BOARD, A GRIEVANCE PROCEDURE, AND AN EMPLOYEE APPEAL PROCEDURE

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

SECTION 1. The Ordinance entitled, "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," as adopted on June 27, 1961, and as subsequently amended, is hereby further amended by adding the following sections:

Section 1a. Advisory Personnel Board. The Board of Aldermen of the Town of Chapel Hill may elect an Advisory Personnel Board to consist of five (5) members. Members of the Advisory Personnel Board shall serve for a term of three years, except that of the members first appointed, two shall serve until July 1, 1973, one shall serve until July 1, 1972, and two shall serve until July 1, 1971. Beginning in 1971, members shall be appointed by the Board of Aldermen at their last regular meeting in June of each year. A member of the Advisory Personnel Board may be removed by the Board of Aldermen only for cause and after being given a written statement of the charges against him and a public hearing thereon, if he so requests. Vacancies in an unexpired term shall be filled by the Board of Aldermen by appointment for the remainder of the term.

Each member of the Advisory Personnel Board shall be a qualified voter of the Town, and shall be known to be in sympathy with the merit principle of personnel administration. No person who has actively participated in the immediately preceding municipal election by seeking office, soliciting funds or votes, either by letter, telephone, personal contact or speeches, in behalf of any candidate for municipal office, and no Town employee or officer shall be eligible to serve on the Advisory Personnel Board. No lawyer practicing in any of the criminal courts in Orange County shall serve on the board. One member of the Advisory Personnel Board shall have had experience in public or private personnel administration. Any member of the Advisory Personnel Board who becomes a candidate for political office or actively participates in Town elections shall be deemed to have vacated his position as a member of the Advisory Personnel Board. Members of the Advisory Personnel Board shall not be eligible for more than two consecutive three-year terms on the Board.

The Advisory Personnel Board at the first meeting in each fiscal year shall elect one of its members as chairman, who shall preside at all meetings. Meetings shall be held from time to time as necessary, and two members shall constitute a quorum. Members of the Advisory Personnel Board shall serve without compensation. The Town Clerk shall serve ex officio as secretary to the board and shall perform such duties as the board may direct.

The Advisory Personnel Board shall:

- (1) Advise the Board of Aldermen and the Town Manager on municipal personnel problems.
- (2) Conduct grievance hearings as provided in Sec. 4(d) (4), and render advisory opinions to the Town Manager.
- (3) Conduct public hearings upon the request of discharged, suspended, or demoted town employees. The board shall have all powers necessary to complete investigation of the action taken, including the power to call and examine witnesses and papers. The board shall inform the employee and the Town Manager in writing of its findings and recommendations.
- (4) Keep an adequate record of all its proceedings, findings, and recommendations.

Sec. 2. The Personnel Ordinance of the Town of Chapel Hill as adopted on June 27, 1961 as amended is amended by deleting subsection (d), (e), and (f) of Section 4 of the Personnel Ordinance and substituting the following:

(d) Grievance Procedure.

(1) Purpose.

(a) To provide employees a procedure by which their complaints can be considered rapidly, fairly and without reprisal.

(b) To encourage employees to express themselves about the conditions of work which affect them as employees.

(c) To promote better understanding of policies, practices, and procedures that affect employees.

(d) To instill in employees confidence that personnel actions are taken in accord with established, fair, and uniform policies and procedures.

(e) To develop in supervisors a greater sense of responsibility in their dealings with employees.

(2) Definition. A grievance is a claim or complaint based upon an event or condition which affects the circumstances under which an employee works allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. A grievance might involve alleged safety or health hazards, unsatisfactory physical facilities, surroundings, materials or equipment, unfair or discriminatory supervisory or disciplinary practices, unjust treatment by fellow workers, unreasonable assignment of working hours or personal time allowances, unfair or unreasonable work quotas, or any other grievance relating to conditions of employment. Provided: No claim arising as a result of a disciplinary action which might be settled in accordance with the provisions of subsection (e), Section 4 of this ordinance shall constitute a grievance.

(3) Policy. It is the policy of the Town of Chapel Hill to provide a means whereby employees may freely discuss problems with supervisors and to provide a procedure for the presentation and mutual adjustment of points of disagreement that arise between employees and their supervisors.

(4) Procedure. When an employee or a group of employees has a claim or complaint concerning the condition of his employment with the Town, the following successive steps are to be taken. The number of days indicated at each level should be considered as the maximum number of working days unless provided otherwise and every effort should be made to expedite the process. However, when mutually agreed upon, the time limits given below may be extended.

Step One. The employee with a grievance shall present the matter to his immediate supervisor within thirty (30) calendar days of its occurrence or within 30 days of the time the employee learns of its occurrence, orally or in writing, with the objective of resolving the matter informally. The employee may be accompanied by one or more persons of his choosing. The immediate supervisor shall give the employee an answer as soon as possible but within a maximum of three (3) days. The grievance and answer shall be reported to the department head or to the supervisor's immediate superior.

Step Two. If the grievance is not resolved during Step One, the employee within ten (10) days may file the grievance in writing with the department head who shall hear the grievance within three (3) days and render a decision in writing within a maximum of three (3) days.

Step Three. If the grievance is not resolved to the satisfaction of the employee or group of employees, they may ask within ten (10) days that the written grievance presented to the department head in Step Two shall be referred to the Town Manager or the Personnel Advisory Board. If the grievance is referred to the Town Manager, he may (1) arrange a time to hear the employee or group of employees and their representative and give an answer in writing within ten (10) days, or (2) refer the grievance to the Advisory Personnel Board. If the grievance is referred to the Advisory Personnel Board, the Board shall hold a public hearing thereon and within ten (10) days render a written decision to the aggrieved employee or employees, and the Town Manager. The Personnel Advisory Board may hold an executive session for the purposes of making its decision. The Personnel Advisory Board may find (1) that the grievance is without merit, (2) that the grievance has merit, and administrative action suggested in an earlier step should be followed, or (3) that the grievance has merit and recommend some other course of action. Within three (3) days after receiving the recommendation of the Advisory Personnel Board, the Town Manager shall submit in writing to the employee his decision which shall be final.

All hearings provided for herein shall be held on working time.

(e) Disciplinary Action-Suspension, Demotion or Dismissal. As provided by Sections 4.22 and 4.41 of the Chapel Hill Town Charter, the Town Manager is responsible for the disciplining, suspension and dismissal of all Town employees.

A permanent employee whose work is unsatisfactory over a period of time shall be notified in what way his work is deficient, and what he must do if his work is to be satisfactory.

The causes for suspension, demotion or dismissal are:

(1) Failure in the performance of duties, and (2) failure in personal conduct.

(1) Failure in the Performance of Duties. Employees who are suspended, demoted or dismissed for unsatisfactory performance of duties should normally receive at least three warnings. First, one

or more oral warnings; second, an oral warning with a follow-up letter to the employee which sets forth the points covered in discussion; and third, a written warning which will serve notice upon the employee that corrected performance must take place immediately in order to avoid dismissal. In interviewing an employee with respect to his unsatisfactory performance of duties, the supervisor should record the date of the interview and the specific deficiencies discussed with the employee.

The following causes relating to a failure in the performance of duties are representative of those considered to be adequate grounds for suspension, demotion or dismissal.

- (a) Inefficiency, negligence or incompetency in the performance of duties.
- (b) Physical or mental incapacity to perform duties.
- (c) Careless, negligent, or improper use of Town Property or equipment.
- (d) Discourteous treatment of the public or other employees.
- (e) Absent without approved leave.
- (f) Habitual improper use of sick leave privileges.
- (g) Habitual pattern of failure to report for duty at the assigned time and place.

An employee suspended, demoted or dismissed because of unsatisfactory performance of duties shall be notified in writing by his department head or by the Town Manager of the action taken, the effective date, and the reasons for the suspension, demotion or dismissal. An employee separated for unsatisfactory performance will normally be given two weeks notice. This two week period may include payment for accumulated annual leave and may be in the form of payment in lieu of notice.

(2) Failure in Personal Conduct. An employee may be suspended or dismissed by his department head or by the Town Manager without warning for causes relating to personal conduct detrimental to Town service (1) in order to avoid undue disruption of work, (2) to protect the safety of persons or property, or (3) for other serious reasons. In less serious or disruptive situations, steps similar to those listed under Failure in Performance of Duties above may be in order. When an employee is suspended or dismissed immediately, the employee shall be told to leave Town property at once and either to report to his supervisor at a specific time or to remain away until further notice.

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 opinion of the department head or of the Town Manager, in the best interest of the Town, the department head or the Town Manager may suspend the employee without pay for the duration of the proceedings as a nondisciplinary measure.

The following causes relating to a failure in personal conduct are non exclusive, but representative of those considered to be adequate grounds for suspension, demotion, or dismissal:

- (a) Fraud in securing appointment
- (b) Conviction of a felony or of a misdemeanor involving moral turpitude, or the entry of a plea of guilty or of nolo contendere to either.
- (c) Misuse of Town funds.
- (d) Falsification of Town records for personal profit or to grant special privileges to others.
- (e) Reporting to work under the influence of alcohol or drugs or partaking of such things while on duty or while on public property, except that prescribed medication within the limits set by a physician may be taken so long as medically necessary.
- (f) Willful and wanton damage or destruction of property.
- (g) Willful and wanton acts that endanger the lives and property of others.
- (h) Possession of unauthorized firearms or other lethal weapons on the job.
- (i) Brutality in the performance of duties.
- (j) Unjustified refusal to follow reasonable instruction or to obey a reasonable order of a superior.
- (k) Engaging in an incompatible employment or serving a conflicting interest.

(l) Acceptance of gifts in exchange for "favors" or "influence."

(m) Engaging in political activity prohibited by Section 14.

The Town Manager shall report every suspension, demotion or dismissal to the Board of Aldermen prior to the next Board meeting following the action. 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 period of the suspension or for any part thereof.

(f) Right of Appeal. Any employee who is suspended, demoted, or dismissed by his department head or the Town Manager may appeal the action within thirty (30) calendar days by giving written notice of the appeal to the Town Clerk. The Clerk shall arrange a hearing before the Advisory Personnel Board within ten (10) days, and the employee and the department head or Town Manager from whom such appeal is taken shall be notified in writing by registered mail or personal delivery of the time and place of the hearing. The employee, the Town Manager, or the department head may be accompanied by one or more persons of his own choosing.

The Advisory Personnel Board shall have all powers necessary to investigate all facts concerning the action and the appeal. The Board shall conduct a public hearing and may call and examine witnesses and papers, and may conduct its deliberations in executive session. Within ten (10) days the Advisory Board shall inform the employee and the Town Manager in writing of its findings and recommendations. After receiving the recommendation of the Advisory Personnel Board, the Town Manager shall by investigation satisfy himself as to the facts of the case and shall, within five working days, transmit in writing to the employee, the department head, and to members of the Board of Aldermen his decision which shall be final.

SECTION 3. All Ordinance or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. This Ordinance shall become effective as of June 1, 1970.

At 5:30 P.M., Alderman Scroggs asked to be excused and Mayor Lee granted permission.

STREET RESURFACING

The Board looked at pictures showing streets without curb and gutter. The pictures showed what could be done on streets without curb and gutter, but it also showed what could happen to streets if they were not well kept where there was not curb and gutter. Alderman Coxhead moved to refer this matter to the street committee for their recommendation after discussion with appropriate Town officials. This was seconded by Alderman Smith and was carried unanimously.

POLLUTION AND TOWN AND GOWN COMMISSION

Mayor Lee asked that these two items be placed on the next afternoon meeting agenda.

RTRPC

There seemed to be a lack of information concerning a letter from the Research Triangle Regional Planning Commission concerning finances so Alderman Smith moved to defer this item to the next meeting and to have copies of the memorandum sent to all Aldermen. This was seconded by Alderman Coxhead. Alderman Smith asked that Mr. Pearson Stewart be requested to attend the meeting. The motion passed unanimously.

WATER RATES

Mayor Lee reported on the meeting between University officials and Town officials. The Mayor said that one of the possibilities discussed was that of the Town buying the water system. He said that the citizens needed a clearer explanation of what was going on in this matter. He said that no satisfaction had been received. He said that the committee had asked for a detailed explanation but

was unsatisfied at the letter which appeared in the Chapel Hill Weekly last week. He said that the question faces the Board still of what happens now. He said that he was still concerned about this matter and hoped that the Town and Gown Commission will do something but until it is formed the Board would have to do something. Alderman Smith asked which avenues were open to the Board to get rates reduced. Town Attorney Denny said that he was not able to report that there is one. He said that the Board could appeal to the trustees or the method has been using of meeting with officials is one way to try to get things done. Mayor Lee said that he saw a moral question in this matter and that it was not just the right to raise the rates that was questioned. He said that the people have a right to have a say in their destiny. Mayor Lee pointed out that if the Town owned the utilities there would be control on the Town. Also if a private company owned the utilities there would be control on the private utilities. The University does not seem to have such controls placed upon it. Alderman Nassif agreed. He said that he opposed the way things were being done. He said that there was no account by the University for funds brought into the system for the past twenty years. Alderman Smith said that the Board should contact each member of the Board of Trustees. Mayor Lee said that the Board should meet with the executive committee of the Board of Trustees. Alderman Nassif said that there ought to be a letter from this Board to the Chairman of the Board of Trustees, that is, Governor Scott. This letter would point out the situation to the Governor and ask that this be discussed. He said that the matter of the airport should also be discussed. He said that it would be desirable for the University to delay improvements of the airport until reports are received from the Planning Board. He said also that a committee might be formed to visit the Governor so that all persons involved could see both sides. He said that if it takes going to legislature then the Board should do that also. He recommended writing letters and forming a committee to see the Governor. He did not want to see further development of the airport but would like to see the Governor first. Alderman Nassif moved that a delegation be formed to visit the Governor concerning water rates and the airport and a letter be written to the Governor. Alderman Smith seconded the motion. Alderman Smith asked to amend the motion to request to meet with the executive committee at a later date. He withdrew this amendment. Alderman Coxhead disagreed with Alderman Nassif on the airport matter because of the safety factor involved. He felt that the two items should be brought up separately. Alderman Nassif said that the good and bad of the airport situation should be considered. The airport was started not for hospital planes but for airplanes in general. The Board should try to solve the problem for the Town and areas around the Town. The motion carried by a vote of three (3) to one (1) with Alderman Coxhead opposing. Alderman Bernholz asked if the Board should ask for a public hearing. Mayor Lee said that Mr. Eagles reply was the answer to the water rates question. Alderman Nassif said that a committee could be appointed after hearing from the Governor. Alderman Bernholz felt that the full Board of Aldermen should attend a meeting with the Governor. The Board agreed.

NCNB

Alderman Bernholz read a letter which he felt should be sent from the Board to John Wettach with carbon copies to Addison-Reece, Hakan-Best & Associates and Mr. Samuel M. Longiotti. The letter from the Board expressed appreciation for what the Board considered to be a major step in the development of the CBD of Chapel Hill. Alderman Coxhead moved, seconded by Alderman Nassif that the letter be sent to the indicated persons. This was carried by a vote of four (4) to nothing (0).

MARVIN NORWOOD PETITION

In answer to a petition by Marvin Norwood which was presented at the May 25, 1970 meeting, Assistant Town Manager Honeycutt showed on maps of the area that there was a street light 240 feet from the Norwood house, also that there were three fire hydrants in the area less than 1,000 feet from the Norwood house. It also showed

proposed sanitary sewer lines which could be laid to solve the outhouse problem. He explained that the Board had two alternatives one of which was to condemn the house and move the family out, the other alternative would be to lay a sanitary sewer line into the area and assess it against the property owners. Alderman Bernholz asked if septic tanks could be used. Town Attorney Denny said that septic tanks could not be put in if sewer was available. Alderman Nassif asked if Ridgefield housing was available for the tenants. No one knew. Alderman Nassif felt that the Board shouldn't defer this matter until they found out if Ridgefield housing was available. Mayor Lee asked Mr. Little, his assistant, to check on this.

LIGHTING

Alderman Smith said that he had received a letter from Mr. Geer concerning street lighting. Alderman Coxhead said that this had been referred to the street committee but nothing had been done yet.

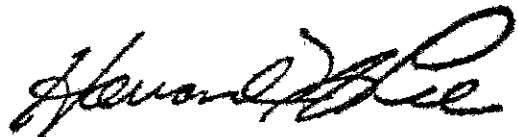
JOBS FOR TEENAGERS

Alderman Smith said that someone should look into the possibility of jobs for teenagers during the summer months.

EVERY MAN'S COMPANY

Miss Hill from Every Man's Company, approached the Board petitioning to have Henderson Street blocked off for a play as was done in May. The play would be given on June 27, 1970. Alderman Coxhead asked how the last play was carried out. Miss Hill said that two hundred people attended the first performance and about six hundred people at the last performance. She said there was not much litter. Mayor Lee said that the reports from citizens were favorable. Alderman Nassif moved, seconded by Alderman Bernholz to allow Every Man's Company to use Henderson Street and that Henderson Street be blocked from 1:00 P.M. on June 27, 1970, 10:00 A.M. on Sunday morning or when they finished with it earlier. The motion passed by a vote of four (4) to nothing (0).

The meeting adjourned at 6:40 P.M.



Mayor



Town Clerk, David Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on June 8, 1970 at 7:30 P.M. with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Coxhead, Bernholz and Nassif. Alderman Prothro was absent. Also present were Assistant Town Manager Honeycutt, Town Clerk Roberts, Town Attorney Denny and Town Planner Palmer. Town Manager Peck was absent.

MINUTES

Alderman Coxhead moved, seconded by Alderman Smith to approve the minutes of the meeting of June 1, 1970 as corrected. This passed unanimously.

DRAINAGE

A letter of petition from Melvin Clark concerning drainage on his property on Gomains Avenue was read by Mayor Lee. Alderman Nassif moved, seconded by Alderman Smith to receive the petition and place it at the end of the agenda. This passed unanimously.