

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on January 9, 1973, with the following members present: Mayor Lee; Aldermen Smith, Scroggs, Coxhead, and Nassif. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny. Aldermen Welsh and Marshall were absent.

## MINUTES

Alderman Smith moved, seconded by Alderman Scroggs, to approve the minutes of the meeting of December 18, 1972 as corrected. This motion was unanimously carried.

## UTILITIES STUDY COMMISSION

Mayor Lee read a letter from the University regarding the water and sewer utilities owned by the University and suggesting that a meeting be scheduled during the week of January 22nd in which informal proposals could be made.

## CABLE TELEVISION

Alderman Scroggs requested that this item be added to the end of the agenda. There were no objections.

## REVENUE SHARING

Mayor Lee asked the members of the Board to give their recommendations for Revenue Sharing funds to the Town Manager.

## MARTIN LUTHER KING DAY

Rev. Charles Helton read a resolution requesting that January 15, 1973 be designated as Martin Luther King Day and that a moment of silence at noon be observed. He also described the celebration plan for Sunday, January 14th. Alderman Nassif moved, seconded by Alderman Scroggs, to receive the petition and adopt the resolution designating January 13, 1973 as Martin Luther King Day. This motion was unanimously carried.

## R E S O L U T I O N

WHEREAS, Dr. Martin Luther King, Jr. exemplified in life the great principles of freedom and justice; and

WHEREAS, he devoted his life to the cause of human dignity and equality for Black Americans and the poor; and

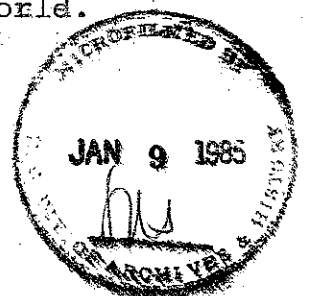
WHEREAS, he espoused a philosophy of non-violence to bring about social and political change; and

WHEREAS, this great humanitarian and man of peace sought to appeal to the conscience of America in seeking to fulfill the American dream that "All men are created equal," and believed that all citizens should have free access to the fruits of this nation; and

WHEREAS, Dr. King's vision and goals of brotherhood and justice have done much to improve the human relations and the reconciliation of all Americans; and

WHEREAS, it seems that in recent years we have moved away from the real philosophy and dream of Dr. Martin Luther King, Jr.; NOW THEREFORE,

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that we call upon all citizens to return to the ideals and great principles which Dr. King espoused and that we continue to work for liberation and freedom of mankind. We deem it fitting and indeed proper that we pay our respect to this noble figure by rendering public commemoration of his life and the dreams he had for America and the world.



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BE IT FURTHER RESOLVED that the Town of Chapel Hill designates January 15, 1973, the birthdate of Martin Luther King, Jr., as MARTIN LUTHER KING DAY and that we encourage observance of a moment of silence at noon on said date by the citizens of Chapel Hill.

#### NEW CAREERS

Town Manager Peck described the proposal for training an electrical inspector, a recreation leader, and a library technician under the New Careers program; and indicating the cost to the Town for the first and second years. Alderman Coxhead asked if the Town would be obligated to hire the trainees at the end of the training period if they were not qualified for the job. Town Manager Peck said no. Alderman Coxhead moved, seconded by Alderman Nassif, to approve the proposal and authorize the Town Manager to sign a contract for training three people under the New Careers program as proposed. This motion was unanimously carried.

#### AUDIT REPORT - PARKING FACILITIES

Mr. Harry Rodenhizer of Rodenhizer and Umstead presented the audit report on parking facilities for the year ending November 30, 1972, and asked for questions. Alderman Smith asked if the insurance coverage itemized in Schedule C-1 was sufficient. Mr. Rodenhizer said yes, as long as daily deposits are made. He said that adjustments to the parking facilities report will be made and revisions will be submitted to the Board.

#### AUDIT - 1973

Mr. Rodenhizer explained the purpose of the uniform accounting system and said that some technical changes would be required to install it, including a system for encumbrance accounting which the Town of Chapel Hill is not presently doing. He said that the Local Government Commission had recommended that the auditor for 1973 be selected early and be available to assist in converting to the new system. Town Manager Peck said that the new accounting system would increase the amount of bookkeeping work required. Alderman Smith asked what kind of person would be needed to handle the extra work. Town Manager Peck said a machine operator would be needed to do it, that the Town's accountant could supervise the person doing the posting. Mr. Rodenhizer said that he did not think that encumbrance accounting would present a problem for the Town. Town Manager Peck said that under the present system, the financial reports which the Board now receives do not show the balance based on purchase orders placed. He said that the new system with encumbrance accounting would provide the Board with a more accurate representation of the accounts. Mayor Lee thanked Mr. Rodenhizer for his report and asked that the selection of an auditor be placed on a later agenda.

#### ACCOUNTING PERSONNEL

Town Manager Peck said that an accounting machine which the Town needs will require several months to get; and that delivery before July 1st would be desirable. He said that an additional person is needed in the accounting section and that there is enough money within the General Government Personnel Account to cover almost the total salary of an additional person for the remainder of this fiscal year. Alderman Smith asked how the Revenue Sharing Committee would feel about the accounting machine. Mayor Lee said that it is a piece of hard equipment and would probably be considered a high priority. Alderman Smith moved, seconded by Alderman Coxhead to proceed with the purchase of a new accounting machine. This motion was unanimously carried.

Town Manager Peck said that CPA assistance proposed would enable the Town to have a CPA advise during the process of setting up the uniform accounting system. He said that it must be in effect by July 1, 1973 and requested the authority to hire a CPA for assistance and a new person to help with the bookkeeping and posting operations. Alderman Coxhead moved, seconded by Alderman Smith, to approve the budget request of \$1,000 for CPA assistance \$3,412 for a bookkeeper-machine operator. Alderman Nassif said that he opposes the hiring of another person because the organizational chart has never been agreed upon.

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He said that he had submitted an organizational chart with a finance section, that the Town Manager did not show it, and that he now opposes adding to the staff piecemeal. Alderman Scroggs said that this is too small a fragment of the organization to oppose. He said that an overall plan is needed, but that there is no reason to object to this small a request. Mayor Lee said that he will call the Board of Aldermen in session in the near future to discuss the reorganization. He asked if the Town would be able to get a well-qualified person for an annual salary of \$6,824. Town Manager Peck said yes. This motion was carried by a vote of three to one with Alderman Nassif opposing.

#### DRAINAGE

Mayor Lee asked if an ordinance authorizing the building inspector to require an engineering study of drainage on lots not in the flood plain, could be approved without more information. Town Manager Peck showed an example of a lot with which there was a problem on Brookview. The building inspector made a recommendation which was not followed when the house was constructed, and serious flooding problems resulted. Alderman Scroggs said that the Town needs to make a study of the drainage problems, that the study done by the Corps of Engineers was done from old maps that are now out-of-date. He said that the study should be done before an ordinance is prepared. Town Manager Peck said that the overall study would not detail the drainage on individual lots. Alderman Scroggs said that if the more up-to-date study is not done the drainage on individual lots can not be properly assessed. Alderman Smith said that Alderman Nassif had asked the Planning Board to study the floodway and flood plains, and that that study may aid this problem. Alderman Nassif said that he went out to the house on Brookview and that the entire site was flooded by the heavy rains. He said that every stream has its own floodway and flood plain, and that these areas should not be platted. He said that the proposal to require an engineering study would mean that people would buy land without knowing before the purchase of the land what potential problems it may have and then they would be required to have an engineering study done. He said that the same drainage problem will occur in Coker Hills West. Alderman Scroggs said that we need to be able to tell the people before they purchase land what problems they may have. Mayor Lee said that he concurred and would like an overall study to be done. Alderman Nassif said that he had no objection to giving the building inspector authority to require engineering studies, but opposes platting the lots on which there will be serious drainage problems. Town Attorney Denny said that a modification of the ordinance for the purpose proposed should classify the lots and that requiring engineering studies should be clearly designated and not left to the discretion of the building inspector. He said that the ordinance needs to set requirements and give the building inspector the authority to waive the requirement under certain conditions but that the ordinance must apply across the board. Mayor Lee suggested that the Town Manager and Town Attorney work out the details for an ordinance amendment and advertise it for the February public hearing. Alderman Smith moved, seconded by Alderman Nassif, to request that an amendment to the Ordinance be prepared and advertised for the February, 1973 public hearing. This motion was unanimously carried.

#### APPOINTMENTS - CITIZENS' ADVISORY COMMITTEE

Alderman Smith moved, seconded by Alderman Nassif, to approve the appointments of the following people to the Citizens' Advisory Committee: Marina Baroff, June, 1974; John Caldwell, June, 1974; Kathy Coolidge, June, 1973; Charles Daye, June, 1974; Alden Lind, June, 1973; Lela Mae Noel, June, 1973; Robert Rosenbacher, June, 1973; and Mary Turnbull, June, 1974. This motion was unanimously carried.

#### RELEASES AND REFUNDS

Mayor Lee referred to a letter from Mr. & Mrs. C. K. Strowd to Mr. Roberts requesting that consideration be given to their tax bill. Town Attorney Denny said that the State law requires that the tax collector pick up taxes when they are found and add the appropriate penal-

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ties. He said that the Board can use its discretion in deciding on appeals. Mayor Lee said that he felt that the penalties were not fair and suggested that six months be given to Mr. & Mrs. Strowd in which to pay their taxes without interest. Alderman Coxhead said it is unreasonable to require interest on taxes about which the property owner does not know about. Alderman Coxhead moved, seconded by Alderman Smith, to adopt the resolution, waiving the tax penalties and waiving the interest on the back taxes for property owned by Mr. & Mrs. C. K. Strowd until May 8, 1973.

#### R E S O L U T I O N

WHEREAS, the Tax Collector of the Town of Chapel Hill pursuant to the provisions of G. S. #105-312 did discover property which had not been previously picked up belonging to Mr. and Mrs. C. K. Strowd, which said real estate has been within the corporate limits of the town of Chapel Hill since prior to the fiscal year beginning July 1, 1969, and

WHEREAS, said property was not listed for taxes in the fiscal year 1969-1970, 1970-1971, 1971-1973, and

WHEREAS, pursuant to the provisions of said Section the Tax Collector did prepare and give notice to the taxpayer that said property has been discovered, and did charge the taxes, penalties and interest as provided and required by said Section, and

WHEREAS, the taxpayer has petitioned the Board of Aldermen pursuant to the provisions of sub-section (K) of said G. S. 105-312 to compromise and adjust Town's claim for taxes arising therefrom, and under the circumstances the Board being of the opinion that such compromise and adjustment should be allowed as hereinafter provided. NOW THEREFORE

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that taxes as set forth above on real property owned by Mr. and Mrs. C. K. Strowd within the corporate limits of the Town of Chapel Hill as discovered for the fiscal years 1969-70, 1970-71, 1971-72 may be paid by said taxpayer without the penalties provided in Sub-section H of G. S. #105-312, and

BE IT FURTHER RESOLVED that in the event said taxes are paid on or before the 8th day of May, 1973, they may be paid by said taxpayers to the Tax Collector without interest.

This the ninth day of January, 1973.

This motion was unanimously carried. Alderman Smith moved, seconded by Alderman Coxhead, to approve the following resolutions.

#### RESOLUTION - TAX RELEASES

WHEREAS, taxes listed below were erroneously levied through clerical error on properties belonging to the following:

G. Paul Carr	1030	\$36.00	Overcharged for sewer
G. Paul Carr	1029	\$36.00	" " "
Security Construction Co.	7527	\$43.74	Double Listed
Caro Russell	5533	\$36.00	Not connected to sewer
Francis West	6757	\$36.00	Not connected to sewer
Caro Russell	5332	\$38.70	Not connected to sewer
F. H. Chamberlain III	1092	\$16.71	Property in Carrboro
Virginia Nicholson	7941	\$ 7.55	Made addition in error
Nanette Taylor	6268	\$36.00	Overcharged for sewer

WHEREAS, the above list of people have made application for release of said taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, that it finds that taxes on the above listed people were levied through clerical error, and in the discretion of the Board should be released to the taxpayer, IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such release.

## RESOLUTION - TAX REFUNDS

WHEREAS, taxes listed below were erroneously levied and collected through clerical error on properties belonging to the following:

G. Paul Carr	(71)	995	18.00	Was charged for a duplex
	(70)	960	18.00	house. Only single houses.
	(69)	911	18.00	
	(71)	910	18.00	
	(70)	959	18.00	
	(69)	994	18.00	
			<u>108.00</u>	Total
Caro Russell	(71)	5300	30.15	Was charged for sewer not
	(70)	5014	18.00	connected
	(69)	4792	18.00	
			<u>66.15</u>	Total
Albert W. Piquet		5098	13.96	County refunded the late listing.

WHEREAS, the above listed people have made application for refund of said taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, that it finds that taxes on the above listed people were levied and collected through clerical error, and in the discretion of the Board should be refunded to the taxpayer, IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such refund.

This motion was unanimously carried.

## COMMITTEES - TERMS AND APPOINTMENTS

Mayor Lee said that he had reviewed the Town's committees, the appointment times and terms, and said that the change in the date of municipal elections should be considered in a reconsideration of committee appointments and terms. He said that the ordinance calls for four year terms and he recommends that this be amended to two year terms. Town Manager Peck said that an ordinance is needed to amend all the committees' appointment times as well as the terms. He said that the term for the Chapel Hill Public Library Board is six years, that the Planning Board is five years, and that the Housing Authority and Redevelopment Commission are each five years. He recommended that December appointments be made for terms beginning January 1. Alderman Nassif said that the new election date means that new persons elected to the Board do not have to face the budget or appointments and recommended keeping the June appointment dates. Mayor Lee said that it would be psychologically good for new members of the Board to be able to make appointments shortly after they are elected. Alderman Scroggs said that he preferred January terms and suggested that all committees have three year terms. Town Attorney Denny said that with regard to the Housing Authority and the Redevelopment Commission that the state law set five year terms which, under the present organization, cannot be changed. Alderman Smith moved, seconded by Alderman Nassif, to request that the Town Attorney and Town Manager work out the terms of appointment and report to the Board. This motion was unanimously carried.

Mayor Lee said he had a letter from Mr. Nelson Parker, Chairman of the Mayor's Committee on the Employment of the Handicapped with recommendations for new appointments. He said that he would refer the letter to the Town Manager and delay action on it until the committees and terms were reconsidered.

## CABLE TELEVISION

Alderman Scroggs said that he needed guidance with regard to the Cable Television ordinance. He said that he had been working with Carrboro and the University in order to have a cooperative cable television franchise arrangement but that it is taking a

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great deal of time and suggested that the Town of Chapel Hill consider proceeding with this on its own. He said that there is a possibility of making a cooperative arrangement with Durham, but he does not think that is a good idea. Mayor Lee said that he concurred. Alderman Scroggs said that the FCC has pre-empted certain areas and has required certain minimum service which must be provided. He said that no franchising entity can require more than the minimum unless they can justify it, and that the Town will have to justify a separate channel for the University. Mayor Lee said that he supports the proposal for the Town of Chapel Hill to proceed by itself. Alderman Scroggs said that he would like to give the University another few weeks and that he is scheduled to participate in a meeting there and would like to use that opportunity and then recall his committee one more time before making a recommendation. The Board concurred.


#### TOWN CARS

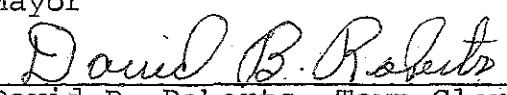
Alderman Scroggs asked why the trucks in the Public Works Department were always very clean and the Police cars were always very dirty. Town Manager Peck said that the Police cars are used 24 hours a day. Alderman Scroggs said that he thinks a way should be found to keep them clean.

#### LANDFILL EQUIPMENT - COMPACTOR

Mayor Lee invited members of the Board to see a new piece of equipment, a compactor, demonstrated at the landfill. Town Manager Peck said that the demonstration could be held on Thursday morning if the weather is decent.

The meeting was adjourned at 5:55 P.M.

  
\_\_\_\_\_  
Mayor

  
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David B. Roberts, Town Clerk

#### MINUTES

January 15, 1973

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on January 15, 1973 with the following members present: Mayor Lee, Aldermen Smith, Welsh, Nassif, and Marshall. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny. Alderman Scroggs was absent.

#### MINUTES

Alderman Smith moved, seconded by Alderman Marshall, to approve the minutes of the meeting of January 15, 1973 as corrected. This motion was unanimously carried.

#### IN-CHU-CO - EXTENSION

Mrs. Ruth Mace of the Inter Church Council requested a one-year extension of the special use permits for In-Chu-Co on Elliott Road and on the Okun property abutting the north side of N. C. Highway By-pass 54. Alderman Welsh moved, seconded by Alderman Marshall, to accept the petition and extend for one year the special use permits for the In-Chu-Co unified housing developments effective on the expiration date of the present special use permits. This motion was unanimously carried.

#### GEORGE COXHEAD

Alderman Welsh moved, seconded by Alderman Marshall, to place this item at the end of the agenda. This motion was unanimously carried.