

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF CHAPEL HILL HELD IN THE MUNICIPAL BUILDING, MONDAY,
NOVEMBER 25, 1974 AT 7:30 P.M.

The Board of Aldermen met for a regular meeting on November 25, 1974 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

Present: Howard N. Lee, Mayor
Gerald A. Cohen
Thomas Gardner
Shirley E. Marshall
R. D. Smith
Sid Rancer
Alice Welsh

Absent: None

A quorum of the Board was present and in attendance at the meeting. Also present were Town Manager C. Kendzior, Town Clerk D. Roberts and Town Attorney E. Denny. Alderman Smith moved, seconded by Alderman Marshall, that minutes of the meeting of November 18, 1974 be approved as corrected. Said motion was unanimously carried.

Petitions and Requests

Alderman Marshall petitioned the Board that a short report from COG meeting in reference to A-95 review of Community Development application be placed on agenda under 5e. Alderman Welsh petitioned the Board to receive a petition from North Street residents in regard to bus system. Alderman Welsh moved, seconded by Alderman Marshall, that the petition from North Street residents be received and referred to Transportation Advisory Commission for consideration, action and report back to the Board. Alderman Marshall said that TAC is beginning to formulate guidelines on how to respond to this type of petition. Alderman Welsh said that she wishes to be sure that the complaints from Kings Mill residents and this petition come before the TAC and become part of the record. Said motion was unanimously carried. Alderman Cohen said that, since the Budget Ordinance on Recreation Department was passed by a vote of three to two at the November 11, 1974 meeting, it will need to be revoted and should be put on agenda under 9a. Alderman Marshall said that the report on a Grantsman scheduled under 10b, should also include a Public Information Officer. Alderman Welsh moved, seconded by Alderman Marshall, that the petitions be received and placed on agenda where indicated. Said motion was unanimously carried.

Mayor Lee said that Mr. Vogel requests that his report be the first heard. Alderman Marshall moved, seconded by Alderman Smith, that the report from Mr. Vogel in reference to Foxcroft Apartments be moved to 5a of the agenda. Said motion was unanimously carried.

Mr. Melvin Whitfield--
Resolution

Mayor Lee asked Mr. Whitfield to step forward, and read the following resolution:

R E S O L U T I O N

WHEREAS, Mr. Melvin Whitfield has served as a member of the Orange County Board of Commissioners from September, 1973, to December, 1974; and

WHEREAS, Mr. Melvin Whitfield was appointed to an unexpired term and asked to assume this responsibility during a very difficult time; and

WHEREAS, during said period, Mr. Melvin Whitfield has served the citizens of Orange County with understanding, sincerity, and complete devotion; and

WHEREAS, Mr. Melvin Whitfield will be concluding his term of service on the Orange County Board of Commissioners, December, 1974; NOW

THEREFORE BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Chapel Hill on behalf of all its citizens expresses deep appreciation to Mr. Melvin Whitfield for his faithful and devoted service and interest, while serving on the Orange County Board of Commissioners;

BE IT FURTHER RESOLVED that this resolution be signed and sealed by the Mayor and each member of the Board of Aldermen and a copy filed with the permanent records of the Town of Chapel Hill.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon its adoption.

This the twenty-fifth day of November, 1974.

Alderman Marshall moved, seconded by Alderman Welsh, that the resolution be adopted as read. Said motion was unanimously carried.

Mr. Henry Walker--Resolution Mayor Lee asked Mr. Walker to step forward, and read the following resolution:

R E S O L U T I O N

WHEREAS, Mr. Henry Walker has devoted unlimited time and energy as a member of the Orange County Board of Commissioners from November, 1954 to December, 1974; and

WHEREAS, Mr. Henry Walker has served four terms constituting a period of twenty years which is the longest service on this board since its inception in 1752; and

WHEREAS, during this period, Mr. Walker has served Orange County and its citizens with integrity, honor and complete devotion; and

WHEREAS, Mr. Walker has exercised excellent and consistent judgement in providing leadership beyond reproach and always in the best interest of the entire citizenry of Orange County; and

WHEREAS, Mr. Henry Walker is retiring from the Orange County Board of Commissioners in December, 1974;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of Chapel Hill on behalf of all the citizens of Chapel Hill express deep appreciation to Mr. Henry Walker for the tremendous contributions made toward the improvement of Orange County and its quality of government;

BE IT FURTHER RESOLVED that this resolution be signed and sealed by the Mayor and each member of the Board of Aldermen and a copy filed with the permanent records of the Town of Chapel Hill;

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon adoption.

This the twenty-fifth day of November, 1974.

Alderman Welsh moved, seconded by Alderman Gardner, that the resolution be adopted as read. Said motion was unanimously carried.

Foxcroft Apartments--Special Use Permit Mr. Dan Vogel, developer of Foxcroft Apartments, said that he has been notified about the memo, dated November 6, 1974, from Public Works Director to Town Manager listing a

number of uncompleted items in the project. The only items that actually are not completed to date are a drainage ditch, which is supposed to be completed by August, 1975, and the paving of Old Oxford Road from entrance of Foxcroft Apartments to the end of Booker Creek Subdivision, which has to be done in conjunction with the developers of Booker Creek Apartments. A delay in paving was caused by an extensive delay in getting plans that Booker Creek developers had already submitted to Town; when these were finally obtained, it was found that they are not adequate for Mr. Vogel's part of paving and the road needs to be resurveyed. Although the paving has not been done in the time allotted, it will be done as soon as the engineering plans are approved and permission to pave is given by State.

In reply to questions from Alderman Welsh, Mr. Vogel said that Cameron Brown has sent a letter to Mr. Rose regarding the required easements, so he assumes they have been granted. He has obtained a permanent loan, but the project is now in the process of being re-financed. Alderman Welsh said that the Board has been very lenient in the length of time given to complete the required stipulations, and that the Board can take the drastic action of revoking the Certificate of Occupancy if the rest of stipulations are not completed. Mr. Vogel said that the other items, listed in the memo as not finished, have in fact been finished before the memo was written; he will be happy to have the Board inspect the project. In response to a question from Alderman Smith, Mr. Vogel said that Old Oxford Road is presently surfaced by Chapel Hill gravel and is fairly stable because of the heavy equipment use of the road. In response to a question from Alderman Cohen, Mr. Vogel said that Foxcroft Apartment's entrance to Old Oxford Road is blocked off, so residents do not use this road at the present time. In response to questions from Alderman Welsh, Mr. Vogel said that he has not posted a paving bond. He will provide a timetable for paving of Old Oxford Road within ten days, as soon as surveying is completed. Alderman Welsh moved, seconded by Alderman Gardner, that Board delay action on this matter until December 9, 1974 meeting to obtain more information from Mr. Vogel regarding the paving of Old Oxford Road and completion of other items that have not been finished. Alderman Smith asked if Mr. Rose has discussed the non-completion of the items listed in the memo with Mr. Vogel. Mr. Vogel said no. Said motion was unanimously carried.

Transportation Advisory
Commission--Report

Mayor Lee said that the Board must hear a report from Transportation Advisory Commission in reference

to the status of operation of bus system and scheduled routes. Alderman Marshall said that when the decision to start a bus system was made, it was realized that the August 1, 1974 commitment to University would have to be kept and this has proved to be costly because of inflation and gas shortages. The continuous delay of the bus referendum date may have been the critical factor that forced Town to start the bus system with old buses and without an equipped and stocked garage, but even with new buses and a new garage the system would have been insufficient causing added expenses. It is necessary to realize that various changes in and expansion of the bus system will increase the cost of operating and maintenance. It is also necessary to emphasize that the route extension possibilities have evolved from problems seen in the present system and represents only Mr. Pappas's response to these problems. The minutes of the TAC meeting distributed to Board list some of these problems. Department of State Treasurer and Local Government Commission have issued a booklet, "Insurance and Risk Management," which shows that state is concerned with the treatment of insurance by counties and cities. Dr. Marvin Silver said that at the last TAC meeting financial status, possible major revisions in bus routes and parking problems were discussed. The TAC also stated its policy: "Service of the total system and not neighborhood inequities should be the principal problems addressed in the first year." Town Manager Kendzior said that TAC has prepared an ordinance amendment to reallocate funds within Transportation Department to cover the unexpectedly high maintenance costs and insurance costs. It is estimated that the ordinance, as presented, will carry

the system through the year. Some of the unexpected maintenance costs are due to the fact that it was not anticipated that twenty buses would be needed on the streets at peak times. The buses are maintained with a view of improving them, providing greater safety to the passengers and maintaining schedules. Alderman Welsh said that she finds it difficult to deal with the ordinance since Board does not have current operation costs. Town Manager Kendzior said that the total cost is still within the budgeted amount. The projected cost to the end of the fiscal year shows \$61-63,000 operating deficit. The \$48,000 placed in contingency fund from Consumer Utility Corporation is still available. The projected deficit does not consider possible costs in the operation of new buses, since this is impossible to determine ahead of time. The old buses get very heavy usage, since they are driven long routes daily by a number of drivers on roads that are not designed for buses. Alderman Cohen said that he attended the TAC meeting and he feels that the budget estimates are remarkably close with the exception of maintenance and insurance costs. Given the situation of how the bus system was set up, the maintenance costs are not unreasonable. He feels that the insurance rates set in the state are out of line with the national standards. Alderman Marshall said that the system is presently operating not only with old buses but also with no garage space. She is concerned that a garage be built as soon as possible so that the buses can be maintained properly and so that the new buses will not get worn out too quickly by improper maintenance conditions. Alderman Gardner asked if any of the funds requested have already been spent. Town Manager Kendzior explained that the line item 40-810-17, maintenance of vehicles, has been spent; this consists of any purchase of parts or repairs. The Transportation Department budget is made up of Salaries and Personnel Services, Operation and Maintenance, Capital Outlay, and Debt Service; these categories cannot be intermingled without Board's approval. Many items in the Operation and Maintenance section that were not going to be spent were reassigned to maintenance of buses; for example, the uniform fund has been used for maintenance but will be replenished when funds are available. Alderman Gardner said that a report made to the Finance Committee meeting several months ago stated that the amount budgeted for maintenance has already been spent. Town Manager said that this is correct, and that at that meeting he indicated that a report would be made as close to the end of the year as possible to review any additional necessary line item changes. In response to questions from Alderman Gardner, Mr. John Pappas, Transportation Director, said that the Town chartered five buses on a Saturday to take members of Civitan Club to football game; the charge was \$15 per hour per bus and Town received over \$250. An attempt was also made to provide full bus schedule on football Saturdays, but the income did not cover the expenses and so service was cut back to regular Saturday schedule. About 25 minor accidents, one personal injury accident involving a bicycle, and two property damage accidents have occurred to date. The buses are driving a total of about 3,000 miles a day, with 2,700 originally estimated. The fuel consumption is about 4.5 miles per gallon, and the fuel costs have been lower than anticipated. TAC will consider advertising as revenue raising after the more urgent matters have been taken care of. Alderman Marshall said that the budget amendment had to be presented at this meeting so that the budget could be kept balanced. The minutes of the November 21, 1974 TAC meeting show the following recommendations: 1) that Finance Officer calculate how much money is needed to bring certain critical funds to balance with the present and projected encumbrances until the end of present calendar year and then transfer from contingency, utilities and rent enough monies to cover; 2) that TAC work with Transportation Director to see where savings might be found; and 3) that uniform rental be delayed until TAC and Board have additional figures for service costs and study the system and its future service levels for this spring in depth. Alderman Marshall said that the TAC members feel that the bus system is operating as well as can be expected. Alderman Smith said that driving a bus takes a large amount of time and training and that minor accidents are inescapable even with experienced drivers. The Town can also expect that major breakdowns with buses will occur. He

feels that the Transportation System has done a good job. Alderman Gardner said that he would like to have monthly reports from the Transportation System. Mayor Lee said that once the TAC gets well established, the Board may wish to get monthly reports from them. Alderman Rancer asked whether the federal grant permits chartering of buses. Town Attorney Denny said that Town requested a clarification of the chartering clause in the grant. It was clarified that Town can charter within its area of operation. The provision was put in the grant contract because federal government had indicated in the past that it does not wish publicly supported buses to be in competition with private ones. The grant contract does have a provision that, if Congress passes an act eliminating such a provision, it will be removed from the grant contract. Alderman Cohen said that the act has been passed, permitting out of town chartering as long as the rates of other bus charters are not undercut. In response to questions from Alderman Rancer, Mr. Pappas said that on Saturdays, Town can provide the necessary bus maintenance and still charter buses, since only a limited number of buses can be worked on at one time. Saturday schedule has nine buses on streets and two on the shuttle service, leaving five for charter and ten for maintenance work. The charter buses would not need extra maintenance work, because low mileage is involved. Chartering is more profitable and easier to obtain than advertising on buses. The buses are on a monthly maintenance cycle, with proper maintenance once a month, brake adjustment once a week and small adjustments daily as reported needed by the drivers. The buses are on a tight schedule only during the peak hours of day, leaving about six hours a day for maintenance work. Mayor Lee commended Mr. Pappas and TAC members for their work. The bus system started with less than 1,000 riders per day and now the number is approaching 11,000, leaving it in second place in state behind Charlotte. Other North Carolina towns with buses have sent representatives to Chapel Hill to find out how the bus system works. It is yet too early to make a decision about adjustments in bus routes, and, while the requests from citizens in regard to the bus system will be taken into account, the final decisions will be made on basis of information on safety, on logic and on facts available to TAC. Alderman Cohen said that it is possible that federal funds may be available to mass transport systems this fiscal year; also State DOT has money to allocate to mass transit systems in state. Mr. Pappas said that the number of riders is averaging at about 10,600 on weekdays, 3,800 on Saturdays and 1,600 on Sundays. Alderman Smith moved, seconded by Alderman Marshall, that the following ordinance amending the budget ordinance for the fiscal year beginning July 1, 1974 and ending June 30, 1975 be adopted:

O R D I N A N C E

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1974 AND ENDING JUNE 30, 1975.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That the Budget Ordinance of the Town of Chapel Hill entitled "An Ordinance to Appropriate Funds and to Raise Revenue for the Fiscal Year Beginning July 1, 1974 and Ending June 30, 1975" as duly adopted on July 15, 1974 be and the same is hereby amended as follows:

<u>Transportation Fund (40)</u>	<u>Increase/Decrease</u>	<u>Total</u>
40-810-04 (Professional Service)	\$ 4,000	\$ 4,000
40-810-11 (Telephone & Postage)	1,000	3,000
40-810-13 (Utilities)	(3,500)	0
40-810-14 (Travel)	500	1,500
40-810-16 (M&R Equipment)	500	1,000
40-810-17 (M&R Vehicles)	42,936	81,586

<u>Transportation Fund (40) (cont.)</u>	<u>Increase/Decrease</u>	<u>Total</u>
40-810-1701 (M&R Vehicles)	800	800
40-810-21 (Building Rent)	(8,000)	0
40-810-33 (Supplies)	1,250	5,200
40-810-45 (Contract Services)	8,000	8,000
40-810-74 (Capital Equipment)	2,700	6,700
40-669-00 (Contingency)	(18,038)	0
40-660-07 (Retirement)	(3,000)	12,600
40-329-00 (Interest Earnings)	(6,000)	8,000
40-397-50 (Contribution from Revenue Sharing)	(23,148)	175,000

SECTION II

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

This the 25th of November, 1974.

Said motion was unanimously carried. Dr. Silver requested that the Board consider the proposed route changes; a more formal recommendation on these will be made in January, 1975. Mr. Pappas presented the route changes which involve three major specific changes. Route L and N would exchange the western portion of their routes, with Route N extended to University Mall, and a new Route B would be established, covering the North Lake Shore area and continuing westward to, as yet, undetermined area. Also, a number of minor route changes and street improvements will be needed to provide better service in some areas of Town. Mayor Lee requested that the possibility of extending buses deeper within Knolls area be considered. Mr. Pappas said that there is no cost estimate for these proposed changes, but at least one additional bus would be needed for the N-Route and two for the B-Route. The new small buses will be able to carry a maximum of 35 persons as opposed to 70 on the large buses, so it will be necessary to determine which routes can use the small buses to better advantage. Alderman Marshall asked how many new buses will be covered by the amended Capital Grant. Mr. Pappas said seven 42-seat buses; the amended grant will be ready this week and the Board will be asked to act on it at their December 9, 1974 meeting. Alderman Marshall said that the route changes were presented at this meeting so that students would have some idea about what kind of bus service they can expect for next year and make their plans accordingly. In response to a question from Alderman Gardner, Dr. Silver said that TAC is considering methods of how best to get information to and from public on the bus system; a public meeting might be scheduled in late spring. Town Manager Kendzior announced that Town will schedule free bus rides on Saturdays, December 14 and 20, 1974 as a gesture from Town to merchants. Alderman Welsh asked if TAC is replying to all the petitions and complaints received from residents. Dr. Silver said that these are answered either by letters or by telephone calls. Alderman Welsh requested that the letters referred to TAC by Board be answered by a letter. Mayor Lee said that Town will need to provide secretarial assistance in this.

Capital Reserve Fund--
Report

Town Attorney Denny said that the Board has requested in past the information on Capital Reserve

Funds. Now it is legal for Town to use this method of funding large projects and the purpose of this report is to bring this fact to Board's attention. Capital Reserve Funding is a vehicle generally used either to accumulate funds out of current tax levies for the financing of major capital projects without having to reappropriate the funds each year, or to build up a large fund from small annual increments to accomplish a major project. The Board needs to decide

which method it wishes to use, considering the current interest rates and inflation. To establish a fund, it is necessary to determine the reason for the creation of the fund, the period of time needed to accumulate funds, total amount necessary to accumulate, and the source from which funds are to be derived (capital reserve, general, tax or non-tax levies or bonds). The closest that Town has come to having a Capital Reserve Fund is the Housing Trust Fund. Alderman Welsh said that she feels the interest earned on money allocated for sidewalk construction, which was carried over from 1973-74 fiscal year and which will not be spent until June, 1975, should be placed back in the sidewalk fund and not in the general fund. Alderman Cohen said that he agrees that if a large project is delayed, the accumulated interest should be reassigned to the project. This is a good way to raise money except where increase in construction costs is larger than the interest earned on the account. Town Attorney Denny said that replacing interest in a Capital Fund for a major project is a policy matter and differs from Capital Reserve Fund. Mayor Lee suggested that Board either adopt a policy crediting interest earned to Sidewalk Improvement Fund or set up Sidewalk Capital Reserve Fund. Alderman Welsh moved, seconded by Alderman Marshall, that the matter be referred to Sidewalk Committee for their consideration and recommendation back to the Board sixty days before budget time. Said motion was unanimously carried.

Land Acquisition by Housing Authority--Report

Town Manager Kendzior reported that at the November 9, 1974 work session the fact was brought out

that Housing Authority is considering the purchase of three parcels of land; if these are not acquired before January, 1975, it is possible that funds will not be available. The Executive Director of Housing Authority has indicated that there is no danger of losing these funds, but Housing Authority is unable to have even appraisal of the land made, since their budget has not yet been approved. Town Manager recommends that Board allocate \$450 from Federal Revenue Sharing Fund to get the land appraised prior to December 31, 1974. The budget amendment has not yet been drawn and would have to be approved at the December 2, 1974 meeting, if the Board approves this expenditure. Town Attorney Denny said that this money would be loaned to the Housing Authority. HUD requires two appraisals with a review by a third appraiser and, because of the time element involved, these and title examination should be done as soon as possible. If the Housing Authority waits until the budget is approved, it will not be able to meet the December 31, 1974 deadline. Alderman Welsh asked if a deadline should be set for receiving the appraisals. Town Attorney Denny said that if the Board approves the expenditure, appraisers will be contacted immediately and the appraisals should be received in two weeks. Alderman Smith asked if the Community Development process will be affected if the approval does not come until the new year. Town Attorney Denny said that according to the current best information, CD processes will not be affected, but this cannot be established definitely. Alderman Smith moved, seconded by Alderman Welsh, that the Board authorize Town Manager to prepare a budget amendment loaning \$450 to the Housing Authority for appraisal of property. Said motion was unanimously carried.

A-95 Review--Report

Alderman Marshall reported that at the last COG meeting A-95

approval was discussed, and it was the general understanding that A-95 Review has to be approved before CD Application is submitted to HUD. COG feels that it will need to meet at least once a week during this time to get the A-95 Reviews approved as soon as possible, so that the CD Applications can be submitted by the deadline.

Recreation Commission--Vacancy

Mayor Lee announced that the Recreation Commission has a vacancy created by the resignation of Mr.

Paul Ragland, whose term will expire December, 1974. The Recreation Commission recommends Dr. George R. Holcomb, 302 Burlage Drive, Dean

of Resource Administration, and Professor of Anthropology to fill this vacancy. Additional nominations for the position will be received on December 2, 1974 and appointment will be made on December 9, 1974.

Zoning Board of Adjustment
--Appointment

Mayor Lee announced that the Zoning Board of Adjustment recommends two persons to fill a term

expiring July 31, 1976: Dr. E. Jeff Burkes, Associate Professor at the UNC Dental School and Mr. Charles G. Foskey, Associate Director of UNC Administrative Data Processing. Alderman Cohen nominated Ms. Monica Kalo, a resident of Briarcliff interested in zoning and planning. Alderman Smith moved, seconded by Alderman Marshall, that the nominations be closed with the three persons nominated. Said motion was unanimously carried. The Board voted by a secret ballot. Mr. Foskey received three votes; Ms. Kalo two; and Dr. Burkes, one. On revoting the two top positions, Mr. Foskey received three votes and Ms. Kalo received three votes. On a third vote, Ms. Kalo was appointed by a vote of four to three.

Citizens' Advisory Committee
--Vacancies

Mayor Lee announced that seventeen persons need to be appointed to fill existing vacancies and terms

expiring December 31, 1974. Mayor Lee asked that the necessity for this committee be reconsidered by Town Manager, Assistant Town Manager for Community Development and Services, and Town Attorney whether this committee is still required by federal legislation for the reception of federal funds under the new CD legislation as it was required under the previous federal programs.

Boards and Commissions--
Vacancies

Mayor Lee announced that, as of December 31, 1974, vacancies will exist on the following Boards and

Commissions: 1) Community Appearance Commission, two vacancies for 3-year terms; 2) Council for Aging, six vacancies for 3-year terms; 3) Mayor's Committee on Employment of the Handicapped, seven vacancies for 3-year terms; 4) Housing Board of Appeals, one vacancy for a 3-year term; 5) Human Relations Commissions, six vacancies for 3-year terms; 6) Recreation Commission, five vacancies for 3-year terms; and 7) Open Space Committee, a vacancy for a position to be filled by Board member. The chairmen of all Boards and Commissions will need to forward recommendations to fill these vacancies to the Board within the next two weeks. Mayor Lee said that Human Relations Commission may need to be reconsidered, and that its acting Chairman wishes to appear before the Board in the near future to discuss this.

Releases and Refunds

Alderman Smith moved, seconded by Alderman Marshall, that the following

resolutions granting releases and refunds be adopted:

RESOLUTION - TAX RELEASES

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

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
John S. Phillips	4827	\$ 15.22	Property located at I-J Royal Park Apt., Carrboro
Debra Lynn Wheless	6379	9.94	Was living at Tar Heel Motor Park Airport Rd.
Fred Albert Bell	8012	46.90	Double listed. Same as Rec. #405.

(cont.)

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
H. Raymond Andrews	125	36.08	County reduced value from 29,300 to 25,400
Mary L. Thornton	5946	210.48	Property was listed in wrong name. Should have been Elizabeth A. Fowler.
Richard C. Phillips	4832	36.00	Sewer charged in error. Only a lot.
John H. Deford	7790 (1973)	90.00	Sewer was charged in error. Only a lot.
Stanley R. Mandel	7435	118.28	Sewer was charged in error. Only a lot.

WHEREAS, the above list of persons 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 the taxes on the above listed persons 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:

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Richard C. Phillips	5030 (1973)	\$ 36.00	Sewer charged in error. Paid 12-27-73.
Thyraza C. Cadmus	883	12.21	Due to Home Exemption. County changed to zero after she paid 11-1-74.

WHEREAS, the above listed persons 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 persons 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.

Said motion was unanimously carried.

Budget Ordinance-- Recreation Department

Alderman Smith moved, seconded by Alderman Welsh, that the ordinance amending the budget ordinance for the Recreation Department for the fiscal year beginning July 1, 1974 and ending June 30, 1975 be adopted as presented at the November 18, 1974 Board meeting. Said motion passed by a vote of four to two, with Aldermen Cohen and Gardner opposing.

Charter Commission
Recommendations--Public
Hearing

Mayor Lee said that the Board must consider scheduling a date for a public hearing to consider Charter Commission recommendations. Alder-

man Smith moved, seconded by Alderman Marshall, that a Public Hearing to consider Charter Commission recommendations be set for January 20, 1975 at 7:30 p.m. in the Municipal Building Meeting Room. Said motion was unanimously carried. Alderman Cohen recommended that the advertising for the public hearing include more than just the specific recommendations made by the Charter Commission, since under law only those items advertised can be considered at the Public Hearing. Town Attorney Denny said that if the Public Hearing is intended to be part of the decision making process then this is true; however, if the public hearing is intended to get public reaction to proposals, then the public hearing can be informal and another formal hearing can be held after the public reaction has been considered. Mayor Lee said that he will discuss the matter with the Charter Commission Chairman, although he thinks that the Commission intends this to be an informal hearing.

Grantsman--Public Informa-
tion Officer

Town Manager Kendzior announced that a proposal for this will be presented to the Board at the

December 9, 1974 meeting.

Town Christmas Party

Town Manager Kendzior requested authorization from the Board to

approve the expenditure of \$350 for Town Christmas Party to include all Town officials, Commission and Board members, Town staff and Town employees. The authorization is needed to make the attendance at the party free; last year persons attending the party were assessed, with the money collected reimbursing Town for expenses. Alderman Marshall moved, seconded by Alderman Smith, that Board authorize Town Manager to appropriate \$350 for Town Christmas Party. Alderman Welsh offered a substitute motion, seconded by Alderman Gardner, that the money to pay for the party be raised through donations and through a minimum charge from those attending. Said substitute motion passed by a vote of four to two, with Alderman Marshall and Smith opposing.

Horace Williams Airport
Study Committee--
Appointment

Mayor Lee announced the following structure for the Horace Williams Airport Study Committee: two Town Representatives, Aldermen

Gardner and Welsh; two general citizens, Dr. Jeffry Andresen and Mr. Frederick DeSerres; two University Medical Flying Service representatives, Col. Earl Provancha and Dr. Haslem; UNC Student Government representatives, to be appointed by President; and UNC representatives, to be appointed by Chancellor. Alderman Gardner will act as chairman to convene the group. Mayor Lee said that he discussed the airport situation with Mr. John Temple, Assistant Vice-Chancellor for the University, and the administration is prepared to discuss the commercial activity of the airport and the future plans of the air medical service to provide direct service to the hospital. The committee represents a cross section of the community; it does not have any authoritative power but will advise the Board and work with the University administration to point out areas that need attention. Alderman Marshall moved, seconded by Alderman Smith, that the structure of the Horace Williams Airport study Committee be accepted as outlined. Said motion was unanimously carried.

Sewer and Water Authority--
Meeting

Town Manager Kendzior announced that a dinner meeting on the Sewer and Water Authority with

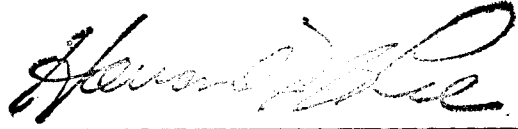
the local governments commission has been scheduled for December 11, 1974 at 6:30 p.m. at the Colonial Inn in Hillsborough. The local administrative officers of Chapel Hill, Carrboro, and Orange County are scheduling two other meetings prior to this to study the possibilities and prepare recommendations.

National League of Cities Meeting

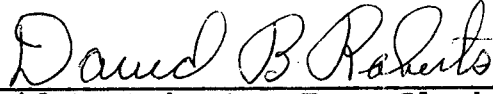
Mayor Lee announced that Alderman Marshall will be attending the National League of Cities meeting

in Houston next week.

There being no further business to come before the Mayor and Board of Aldermen, said meeting adjourned at 10:30 p.m.



Mayor



David B. Roberts, Town Clerk