

Historic District Commission - Appointment

Alderman Howes nominated Fran Verkuil. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN GARDNER, THAT FRAN VERKUIL BE APPOINTED TO THE HISTORIC DISTRICT COMMISSION. Mayor Wallace said that since Mrs. Welsh had declined her appointment to the Commission, he wished to nominate Richard Lamberton to serve that term. ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN SMITH, THAT MR. LAMBERTON BE APPOINTED. THE MOTION WAS CARRIED UNANIMOUSLY.

Requests for Future Agenda Items

1. Report on utilization of County wide facilities for recreation.

Mr. Jenne stated he wished to make two announcements to the Board. In order to bridge the gap between Mr. Anderson's departure from the Recreation Department and the reporting date of the new Recreation Director, he had appointed Frederick Robison, currently athletic specialist, acting Recreation Director. He had also given Mr. Shipman major responsibility for the development and preparation of the 77-78 budget recommendations for the Recreation Department. He expected to begin interviewing selected candidates for the position of Director within the next two weeks and to make his decision by the end of March. He also announced to the Board that he had accepted the resignation, effective April 15, of Sidney Hilliard, Chief of Police. Recruitment to fill the position would begin in the next few weeks.

Alderman Howes moved, seconded by Alderman Gardner, to adjourn to executive session. The motion was carried unanimously, and the meeting was adjourned at 11:35 p.m.

*James C. Wallace*

Mayor, James C. Wallace

*David B. Roberts*

Town Clerk, David B. Roberts

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, MARCH 14, 1977  
7:30 P.M.

Mayor Wallace called the meeting to order at 7:40 p.m. Present were:

Gerald Cohen  
Robert Epting  
Thomas Gardner  
Jonathan Howes  
Shirley Marshall  
Marvin Silver  
R. D. Smith  
Edward Vickery

Also present were Town Manager K. Jenne, Town Attorney E. Denny and Town Clerk D. Roberts.

Resolution of Appreciation to Mr. George Holcomb

ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN COHEN, ADOPTION OF THE FOLLOWING RESOLUTION OF APPRECIATION.

## A RESOLUTION OF APPRECIATION

WHEREAS, George Holcomb served as a member of the Recreation Commission from January 1974 through December 1976, and

WHEREAS, George Holcomb contributed long hours of dedicated service to the Town of Chapel Hill and to all of the citizens, and

WHEREAS, George Holcomb provided distinguished leadership while serving as Vice-Chairman;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Aldermen of the Town of Chapel Hill on behalf of all citizens of Chapel Hill express deep appreciation to George Holcomb for the tremendous contributions he has made toward the improvement of Chapel Hill and its quality of government;

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

This the 14th day of March, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Petitions and Requests

Mr. Bill O'Bryan, a member of the Appearance Commission, requested the Board to give the members of the Town an opportunity to discuss changes or modifications to the Environmental Impact Ordinance. He then listed some projects which he felt should be excluded from the ordinance:

- (1) Remodeling of existing buildings which do not add to the consumption of water or sewer;
- (2) Minor signs;
- (3) New construction under \$15,000 to \$20,000; and
- (4) Projects involving special use permits

He also requested the Board to consider a modification to the zoning ordinance which requires parking in the CBD.

Alderman Cohen stated that the public hearing on the CBD special use permits on the 28th will include a provision for reduction of parking.

Alderman Vickery agreed that a public hearing or some public forum should be held for comment from the Planning Board, the Appearance Commission and other interested agencies. Alderman Marshall said she preferred not to have a general public hearing, but rather a meeting with the Planning Board or other groups who wished to make specific suggestions for changes. Alderman Cohen wanted the changes from the Planning Board or Appearance Commission incorporated as soon as possible. Alderman Silver requested the Planning Board to consider the best implementation scheme for the ordinance. Mr. Page, representing the developers of the Pizza Hut, reviewed the history of the permit for the Pizza Hut, originally applied for in February. They had been approved by the Appearance Commission. The environmental impact ordinance had been passed two days before the Board of Adjustment hearing on the contested decision of the Building Inspector to issue a building permit for the Pizza Hut. The Board of Adjustment had upheld the building inspector, but the building inspector then refused to issue the building permit until the environmental impact ordinance had been complied with. Mr. Page requested the Board of Aldermen to authorize the building inspector to issue the building permit. His reasons were that the ordinance was passed after the decision of the building inspector to issue the permit; and, that ordinance did not completely agree with the

enabling legislation. Alderman Vickery stated the permit should be granted; however, he thought the developers should file the assessment for public relations. Mr. Page stated the owners had made many concessions to the Appearance Commission, and they believed to file an assessment under the circumstances would be to waive some of their rights. Mr. Denny stated the Building Inspector was without authority to deliver the building permit until the provision of the environmental impact ordinance had been complied with. The Board could not authorize issuance of the permit. He said the ordinance was different from the enabling legislation; however, the Board could amend the ordinance to agree with the enabling legislation by deleting the phrase "for residential purposes only", if it wished. Alderman Silver asked if the ordinance as written would hold up in Court. Mr. Denny responded that this had been discussed, and there was a possibility that if the ordinance was challenged in court, the additional words would be stricken. Alderman Vickery requested one of the lawyers on the Board to make a motion to amend the ordinance so there was no question as to its legality. Alderman Epting stated he was aware of the difference when he drafted the ordinance. The statute defines major development projects in terms of area rather than impact. Mr. Page's point was well taken, however, Alderman Epting did not believe there was a certainty that the court would agree with Mr. Page. Alderman Smith thought if the ordinance was under contention, the Board should leave it to the courts to decide if the ordinance was good or bad. Alderman Silver agreed with Alderman Smith. Alderman Vickery said there was good cause for granting the building permit, and he thought to be fair, the Board should make it possible for the Building Inspector to grant the permit. ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN SMITH, THAT MR. PAGE'S PETITION TO AUTHORIZE THE BUILDING INSPECTOR TO ISSUE THE PERMIT BE DENIED. Mr. Denny explained that the Board could amend the ordinance by deleting the words "for building permits" in Section II, which would allow the issuance of the permit without losing control over properties under two acres. He added that if the courts could decide that Section II of the ordinance would not apply to this set of circumstances and never address the question of the acreage. THE MOTION WAS CARRIED UNANIMOUSLY. Mr. Page then requested the Board to amend the ordinance by deleting the words "for residential purposes only." Alderman Smith stated he would prefer to wait for the Planning Board recommendations on the whole ordinance rather than changing it piecemeal. Alderman Epting stated this was a matter which should be reviewed at a joint session with the Planning Board. He felt the amendment proposed by Mr. Page would gut the ordinance. ALDERMAN VICKERY MOVED, SECONDED BY ALDERMAN COHEN, TO AMEND THE ENVIRONMENTAL IMPACT ORDINANCE, BY DELETING IN SECTION II, THE WORDS "building permits." Alderman Epting thought it was unwise to take reactionary action in the face of threats by Mr. Page of a lawsuit. The Board should not pass ordinances dealing with or exempting one particular developer from application of the law. Alderman Vickery stated the reason for passing the ordinance so quickly was reactionary. Alderman Epting had wanted it to help in his appeal against the Pizza Hut. Alderman Marshall stated the ordinance was not passed to stop one particular project, but to gain control of a prototype. Alderman Silver agreed and said the ordinance reflected his thoughts of many months. Alderman Gardner stated that when the Board of Aldermen action on the ordinance, information was presented that copies of the ordinance had been given to the Planning Board and the Planning Board had not had an opportunity to consider it. The timing and circumstances would lead one to believe the ordinance had been adopted for the Pizza Hut matter. THE MOTION WAS DEFEATED BY A VOTE OF SIX TO TWO WITH ALDERMEN GARDNER AND VICKERY SUPPORTING AND ALDERMAN COHEN, EPTING, HOWES, MARSHALL, SILVER AND SMITH OPPOSING. ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN SILVER, THAT THE MATTER BE SENT TO THE PLANNING BOARD AND APPEARANCE COMMISSION FOR RECOMMENDATIONS FOR CHANGES AND IMPLEMENTATION. THE MOTION WAS CARRIED UNANIMOUSLY.

ALDERMAN SMITH MOVED, SECONDED BY ALDERMAN SILVER, THAT THE BOARD DENY MR. PAGE'S PETITION TO DELETE THE WORDS "FOR RESIDENTIAL PURPOSES ONLY." THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Tom Newsom stated that in December he had presented a petition on behalf of residents on North Street, Boundary Street and Glenburnie, to restrict non-residential parking in that area. Although the legislation proposed by the Town would improve the parking situation, although

it would also cause new problems. He asked if the enabling legislation could be broadened to allow permits for residents with inadequate off-street parking and for visitors, as well as a provision to prevent residents from far off using their permits to park closer to town. Alderman Smith suggested there were problems with implementation of the legislation and that perhaps a public hearing should be held on the implementation. Mr. Denny stated the language was intentionally limited so the attorney general's office would approve it. Alderman Marshall asked that when the Planning Board and the Streets Committee consider removing parking from these streets, that they also consider the responsibility of the Town for supplying parking in areas where there is no parking.

Alderman Gardner requested the Board to place on the agenda consideration of a resolution authorizing execution of an audit contract. Hearing no objections, Mayor Wallace said this would be placed at the end of the agenda.

Alderman Silver stated the mayor had received a letter from the youth theater group which he felt was a worthwhile project for the town to be involved with. He requested the Board to send a copy of the letter to the Recreation Commission and refer the matter to them for recommendation. Ms. Boulton said she had received a copy of the letter.

Mayor Wallace said there was a good possibility of another drought this summer. He asked the Board to request Mr. Billingsley and OWASA to give their advise or opinion as to what the Board could do to get stand-by ordinances ready so that when action was required, there would be no delay. Alderman Howes stated Mr. Billingsley was meeting with Mr. Jenne and other to discuss a water allocation policy.

Mr. Jenne petitioned the Board to hold a executive session immediately after the meeting to discuss personnel matters. There were no objections.

Resolution Authorizing the School Art Guild to Hold a Flea Market on the First Sunday in April, May, and June, in Parking Lot #2

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN MARSHALL, ADOPTION OF THE FOLLOWING RESOLUTION.

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby approves the use of Parking Lot #2 by the School Art Guild for flea markets on April 3, May 1, and June 5, 1977 from 1:00 p.m. to 5:00 p.m., or if any of the above dates are rained out, the Sunday immediately following the intended date.

This the 14th day of March, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Request by UNC Fine Arts Festival for Contribution

Ms. Dawn Aberg, treasurer of the UNC Fine Arts Festival Committee, stated the committee had been in existence since World War II, bringing to the community various artistic events. Due to local community support, they had been able to expand their program over the last few years. She was bringing a proposal to the Board to expand the Meredith Monk dance program to include more members in the dance group. They had raised some money but were still short. She asked the Board to contribute \$500 to \$1,000 to the program. Mr. Denny informed the Board that they could not spend tax dollars to make a contribution to a private group. Alderman Howes asked how the support given to the botanical gardens was different. Mr. Denny explained that this was a part of the recreation program. Alderman Vickery suggested the Town Manager consult with the Recreation Department to see if there was any way this could be included as a part of the recreation program. There was agreement of the Board that the Town Manager, the attorney and the Chairman of the Recreation Commission were to work together and were authorized to contribute up to \$1,000 to the program if it was legally possible.

Minutes

On motion by Alderman Howes, seconded by Alderman Smith, the minutes were approved as corrected.

Zoning Ordinance and Special Use Public Hearing Process

Mr. Jenne stated he thought the informal public hearing process now being tried by the Planning Board and the Appearance Commission the most workable alternative to the past procedure without wholesale revision of the ordinance. The Planning Director, Planning Board and Appearance Commission concurred in this opinion. Alderman Howes said the special use process was awkward. He wished the League of Municipalities could request the General Assembly to straighten out the matter. Alderman Marshall suggested taking it to the legislative committee of the League. ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DIRECTING THE COMMUNITY APPEARANCE COMMISSION AND THE PLANNING BOARD TO CONTINUE HOLDING INFORMAL PUBLIC HEARINGS PRIOR TO PUBLIC HEARINGS REQUIRED FOR AMENDMENTS TO THE ZONING ORDINANCE AND REQUESTS FOR SPECIAL USE PERMITS

WHEREAS, the public hearing process should provide the opportunity for public participation and ensure timely consideration of the salient issues of a proposal; and

WHEREAS, the informal public hearing adopted by the Planning Board and Community Appearance Commission as a part of the process appears to be the most effective and economical process to ensure that issues are discussed with ample opportunity for public participation,

NOW, THEREFORE BE IT RESOLVED by the Chapel Hill Board of Aldermen that the Planning Board and Community Appearance Commission be directed to continue use of the informal public hearings as a part of the process in considering amendments to the Zoning Ordinance and requests for special use permits.

This the 14th day of March, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Authorizing Application for CETA Funding

Alderman Cohen stated that at the Plant Road site, there was a backlog of glass. He asked if the CETA funded employees could work with those responsible for the recycling to get the glass processed. Mr. Jenne answered that it might be possible. Alderman Smith asked what could be done about the litter on private property such as that on Sunset Drive. Mr. Jenne said he would talk with Mr. Knight about the problem. ALDERMAN HOWES MOVED, SECONDED BY ALDERMAN GARDNER, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION AUTHORIZING APPLICATION FOR CETA FUNDING

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board hereby authorizes the Town Manager to submit to Durham-Orange Manpower Employment and Training Office an application for funding of the following positions through CETA:

<u>PROJECT</u>	<u>NO. OF POSITIONS</u>	<u>CLASSIFICATION</u>	<u>PAY GRADE (NEW PLAN)</u>
1. Park area	9	Laborer I	5
clean up	1	Crew Chief	10
2. Housing Authority	2	Carpenter Assistants	12 (Housing
Maintenance Prog.	1	Carpenter	18    Authorit
			pay plan.
Ridgefield			
Recreation			
Assistant	1	Recreation Assistant	9
3. Recreation			
Custodian	1	Custodian	5
4. Litter Program	2	Laborer I	5

BE IT FURTHER RESOLVED that the Town Manager is authorized to submit such further documentation and assurances as may be required for processing of the above application.

This the 14th day of March, 1977.

Alderman Gardner stated there were lots of streets and thoroughfares which he would like to see cleaned. He asked if attention could be given to these areas through summer employment for youth. Alderman Gardner also asked for a progress report on the Housing Authority program of maintenance. THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance to Amend Articles II, III, IV and V of Chapter 12, Code of Ordinances, Town of Chapel Hill with Respect to the Department of Recreation

ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN COHEN, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO AMEND ARTICLES II, III, IV, AND V OF CHAPTER 12, CODE OF ORDINANCES, TOWN OF CHAPEL HILL WITH RESPECT TO THE DEPARTMENT OF RECREATION

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

SECTION I

That Articles II, III, IV, and V of Chapter 12 (Section 12-16 through 12-45 inclusive), Code of Ordinances, Town of Chapel Hill, in their entirety, be and the same are hereby amended, revised, and rewritten to read as follows:

ARTICLE II

Recreation Commission

Section 12-16. There is hereby created a Recreation Commission for the Town of Chapel Hill.

Section 12-17. Membership. The commission shall consist of ten (10) commissioners, nine (9) of whom shall be appointed at large, and one (1) of whom shall be officially affiliated with the Chapel Hill-Carrboro school system, and preferably be a member of the Central Office Administration. All members shall be residents and citizens of the Town. The Town Manager, or his designee, shall be ex-officio member of the commission, and shall be entitled to participate in meetings of the commission without voting privileges.

Section 12-18. Appointment. Members of the commission shall be appointed by the Mayor and Board of Aldermen. Commission appointments will be made to become effective as of January 1 of each year. Vacancies shall be filled in the same manner as the original appointments.

Section 12-19. Terms. Each commissioner shall be appointed for a three (3) year term. No commissioner shall serve more than two (2) consecutive terms. No commissioner shall serve more than six (6) consecutive years. The terms of commissioner shall automatically terminate if the commissioner's legal residence is relocated outside the corporate limits of the Town and the term of the member officially affiliated with the Chapel Hill-Carrboro school system shall automatically terminate when no longer so qualified. All commissioners currently serving are continued in office until the expiration of their respective terms.

Section 12-20. Meetings, Chairman. The Recreation Commission shall hold meetings at such time and places as it shall determine, and shall adopt bylaws, rules, and regulations governing its procedures. It shall select from its membership a commissioner to serve as Chairman, and such other officers as it deems appropriate to serve for a term of one (1) year.

Section 12-21. Attendance of Commissioners. A commissioner who, without excuse, misses more than three (3) consecutive regular meetings or a total of four (4) such meetings during the year loses his status as a member of the commission. In such cases, the chairman will immediately request the Board of Aldermen to fill the vacancy. Absences due to sickness, death or other such obligatory emergencies shall be regarded as excused absences and shall not affect the commissioner's status on

169 the commission. However, in the event of long illness, or other such causes for prolonged absence, the commissioner may be replaced.

Section 12-22. Duties, Powers. The Recreation Commission shall have the following powers and duties:

- a. Advise the Board of Aldermen and the Town Manager and his staff concerning all matters relating to the operation of a system of public recreation for the Town of Chapel Hill.
- b. Advise on the establishing and maintaining of a system of organized and supervised recreational activity for the Town within the budgetary levels authorized by the Board of Aldermen.
- c. Recommend to the Board of Aldermen land to be set apart for use of parks, play grounds, recreation centers, water areas, or other recreational areas and structures.
- d. Recommend the use of appropriate lands or buildings owned or leased to the Town.
- e. Recommend upon the needs of appropriate additional lands and structures for the recreational activities of the Town.
- f. Set policies as to the controls and operation of recreational facilities which are owned or controlled by the Town, not inconsistent with the budget ordinance or other ordinances or resolutions adopted by the Board of Aldermen.
- g. Develop regulatory control, rules, and measures, not inconsistent with the budget ordinance or other ordinances or resolutions adopted by the Board of Aldermen.
- h. Determine, with the Recreation Director, the amount of all fees, rentals, and charges, not inconsistent with the budget ordinance and other ordinances or resolutions adopted by the Board of Aldermen.
- i. i. Review the budget for the Recreation Department, and make comments and recommendations to the Board of Aldermen with respect thereto.
- j. Advise the Planning Board on all matters pertaining to recreational planning for the community.
- k. Recommend to and assist the Town Manager in preparing a five (5) year program for the Recreation Department covering both operating and capital plans for the Department.

## SECTION II

All Ordinances and portions of Ordinances including specifically all sections of Chapter 12 of the Code of Ordinances not set forth herein, are hereby repealed.

This the 14th day of March, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Requesting the Right to be Heard by the State Board of Elections

Alderman

Alderman Cohen stated he had distributed copies of the petition filed by Orange County residents to the Board of Elections concerning voter registration. He explained that although Chapel Hill has the authority to hold its own elections, it has signed a contract with Orange County whereby the County administers all of the elections. Chapel Hill is responsible for the additional cost directly attributable to town elections. If the relief sought by the signers of the petition was granted, it would cost the town approximately \$30,000 for registration to be done again. Although the petitioners had only asked for one new election, the circumstances were the same as when Alderman Cohen was elected. The petition therefore would affect Chapel Hill. Alderman Cohen pointed out that under revenue sharing all of the students were included as

residents of Orange County. The county attorney had requested to be heard by the Board of Elections on the issue, as well as Orange Chapter of the NAACP, and the County Young Democrats. He thought it appropriate for the town government of Chapel Hill to request to be heard in opposition to the petition. ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN GARDNER, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REQUESTING THE RIGHT TO BE HEARD BY THE STATE BOARD OF ELECTIONS

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that; if the State Board of Elections considers the matter of the petition of the Orange Committee regarding registration and elections in Orange County, the Board of Aldermen hereby requests that the Town of Chapel Hill be given the right to be heard by the State Board of Elections on the matter; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to transmit a copy of this resolution to the State Board of Elections.

This the 14th day of March, 1977.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Regarding the Orange County Recreation Program

Alderman Silver stated that approximately two years ago a committee was formed to work out some intergovernmental problems in Orange County. One of the major areas was recreation and a study and proposal were made with regard to how the County and the Towns could cooperate on recreation. The proposal had been adopted. Alderman Silver now wished to bring the Board up to date on the progress of the program and to discuss a proposal which was to be presented to Orange County, prepared by the Recreation Departments of Chapel Hill and Carrboro, for the support of recreation in this area by the County. He felt it appropriate that the County Commissioners be apprized that the Board of Aldermen was aware of the report and proposal and supported them. He highlighted some of the points of the report, particularly under the costs of rental of school facilities.

MEMORANDUM

TO: Mayor and Board of Aldermen  
FROM: Marvin Silver, Alderman  
SUBJECT: Report of Inter-Governmental Recreation Sub-Committee  
DATE: March 10, 1977

It is now approximately one year since the recreation subcommittee of the Intergovernmental Task Force (chaired by Orange County Commissioner Norman Gustaveson) delivered its report on a proposal for the county government to provide recreation for all of its citizens.

As you may recall, the recommendations were:

- (1) That the County Recreation Department be the primary provider for recreation in the area outside the Chapel Hill-Carrboro vicinity while the Carrboro and Chapel Hill recreation departments be the primary providers for recreation within the Chapel Hill-Carrboro School district area.
- (2) That the County fund recreational activities on a 50-50 basis between the County recreation departments program and the programs provided by the Carrboro and Chapel Hill Recreation Departments in the Chapel Hill-Carrboro school district areas.
- (3) That the main thrust of the County funds in the Chapel Hill-Carrboro area would be to pay the cost of operating recreation in the school facilities, as needed. Any remaining allocation from the 50-50 formula would be used to help fund additional costs for these programs. The formula for distributing any remaining allocation was to be 70% for Chapel Hill and 30% for Carrboro. This is based on school system data which shows that Chapel Hill recreation population to be approximately 60%, Carrboro's 20% and nearby non-municipal residents 20%. Thus Chapel Hill and Carrboro were each allocated an additional 10% to provide for these non-municipal residents. In exchange for this additional 20% Chapel Hill and Carrboro would not charge out-of-town fees to county residents. (The previous years out-of-town fees was about \$1500 for Chapel Hill while our 10% was expected to provide at least \$5000 of additional funds).



The above recommendations were endorsed by the Chapel Hill Board, the Carrboro Board, the Orange County Commissioners, and the Chapel Hill-Carrboro School System, thereby becoming policy. Further, the Chairperson of the Orange County Commissioners asked that the recreation subcommittee continue to function on an indefinite basis in order to work out problems of cooperation during the period of implementation.

In getting the program started, the county determined that it was able to fund only an approximate 39-61 basis for this first year rather than the 50-50 basis. (It is apparently their intention to build to the 50-50 basis during the next fiscal year). Nevertheless, this program provided \$50,000 for recreation in our area of which Chapel Hill received about \$37,000 and Carrboro received about \$13,000 for facility cost and direct appropriation.

The funds provided Chapel Hill enabled us to expand our program and also paid the cost of moving the stores from the Lincoln Gym-Carrboro, was also able to significantly expand its program. (Comparisons are shown in the accompanying charts). Attachment I

The problems encountered during this first year were primarily in the fiscal area. These problems were:

- (1) The expanded programs put a greater demand on our personnel costs because these extra hours of facility use required additional supervisors.
- (2) We were not receiving the most benefit from these limited funds because the costs involved both a school system supervisor for security reasons, and also a recreation supervisor for program.

Besides the obvious advantage of this program, we should also look at its effect on utilization of public building. The accompanying charts show how six school facilities (1) high school, (2) Culbreth, (3) Phillips, (4) Lincoln, (5) Carrboro and (6) Ephesus are being used both by the schools and the recreation programs. The numbers shown are the total number of hours used and the hours used by the schools. This data was obtained from the school system, and the Carrboro and Chapel Hill recreation departments. Capacity of these schools was figured on a 15-hour per day, 30-day month basis. This means that there is a capacity of about 2700 hours per month. (Since the two elementary schools really cannot be used full-time for recreation, the real capacity is probably more like 2250 hours). The net effect of this program from a utilization point of view is:

School's use of buildings	28%
1976-77 Recreation use	14%
Total Use	<u>42%</u>

Regarding the future, the subcommittee has been working on the personnel problem outlined above. A proposal has been devised jointly by Carrboro-Chapel Hill and school staff.\* (Attachment II) This proposal has been approved by the subcommittee and the Chapel Hill-Carrboro School Board on March 7, 1977. The net effect of this proposal from a fiscal point of view can be seen by examining the costs of the requested number of hours for next year. The two recreation departments have requested a total of 10,824 hours for FY 77-78. Under the present funding, and in anticipation of an increase in the cost of utilities, this would cost \$113,252 (the County recreation departments program for next year is estimated to be in the neighborhood of \$80,000). The breakdown of the cost is shown in the upper attached table. While rent would be about \$84,180, the additional personnel costs would be \$29,072. With a new agreement for

\* The proposal is attached.

the use personnel the rental rate would go down from \$7.50/hour to \$2.50/hour and the total cost of the program would drop to \$86,321. This would then involve a net savings of about \$26,931 and would provide for more experienced and responsible personnel. The breakdown is shown in the lower part of the table. Thus, if the county did go to the 50-50 funding, then we could anticipate that most of the cost of the total facilities program coming from county funds.

From a utilization point of view, the picture would be as follows:

School use	28%
Recreation	31%
Total	<u>59%</u>

ased on the 2250 hours capacity, this means over .70% utilization (I cannot help one editorial comment; this large utilization factor is a very exciting prospect from an energy and total cost effectiveness point of view. With the prospects of "what if" facing us in the area of energy, we are taking the lead in providing close to maximum use of our public buildings).

One can anticipate one additional problem and that is coordination and implementation of such a large program. The recreation subcommittee recognized this problem and will recommend to the County Commissioners that they fund a position as school-community coordinator. (The State may fund 1/2 of such a position).

I suggest that the Board consider sending the following resolution to the County Commissioners which expresses our appreciation to them for their funding of this program, and which urges them to fund the full facilities program for next year.

Attachment I

ESTIMATED COST OF CURRENT ARRANGEMENTS FOR 1977-78

	Chapel Hill	Carrboro	Total	Total Adjusted for Utility Cost Incre
Hours Proposed	8,500	2,324	10,824	10,824
Rental Rate	\$7 per hour	\$7 per hour	\$7 per hour	\$7.50 per hour
Special Events	\$ 3,000.00		\$ 3,000.00	\$ 3,000.00
Total Rent	\$62,500.00	\$16,268.00	\$ 78,768.00	\$ 84,180.00
Rec. Dept. Supervisor	\$22,100.00	\$ 6,972.00	\$ 29,072.00	\$ 29,072.00
Total Cost	\$84,600.00	\$23,240.00	\$107,840.00	\$113,252.00

ESTIMATED COST IF MUTUALLY ACCEPTABLE EMPLOYEE PLAN IS APPROVED

	Chapel Hill	Carrboro	Total	Total Adjusted for Utility Cost Incre
Hours Proposed	8,500	2,324	10,824	10,824
Rental Rate	\$2 per hour	\$2 per hour	\$2 per hour	\$2.50 per hour
Special Events	\$ 3,000.00		\$ 3,000.00	\$ 3,000.00
Total Rent	\$20,000.00	\$ 4,648.00	\$24,648.00	\$30,060.00
Rec. Dept. Supervisor	\$36,000.00	\$ 9,761.00	\$45,761.00	\$45,761.00

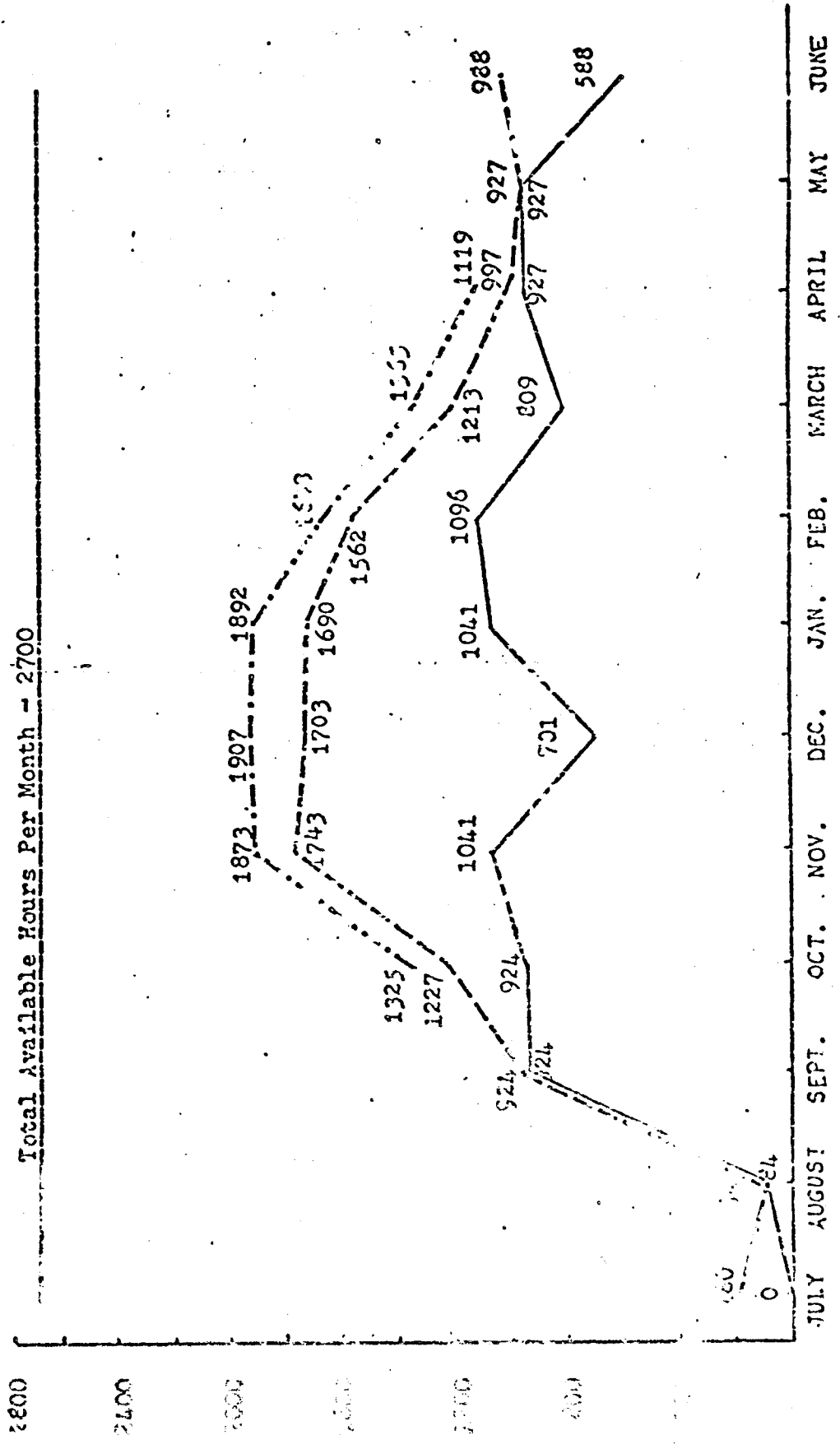
Custodial Services and Maintenance Cost	\$ 7,500.00	\$ 3,000.00	\$10,500.00	\$10,500.00
Total Cost	\$63,500.00	\$17,409.00	\$80,909.00	\$86,321.00
Net Savings	\$21,100.00	\$ 5,831.00	\$26,931.00	\$26,931.00

These net savings would be apparent in personnel costs associated with the present recreation department programs.

2-15-77

CHAPL HILL-CARRBORO CITY SCHOOLS  
and  
TOWN OF CHAPEL HILL  
and  
TOWN OF CARREORO  
1976 - 1977

Combined Chapel Hill, Carrboro, School Use - - - - -  
Combined Chapel Hill and School - - - - -  
School Use - - - - -



TOWN OF CHAPEL HILL  
and  
TOWN OF CARBORO  
1977-1978

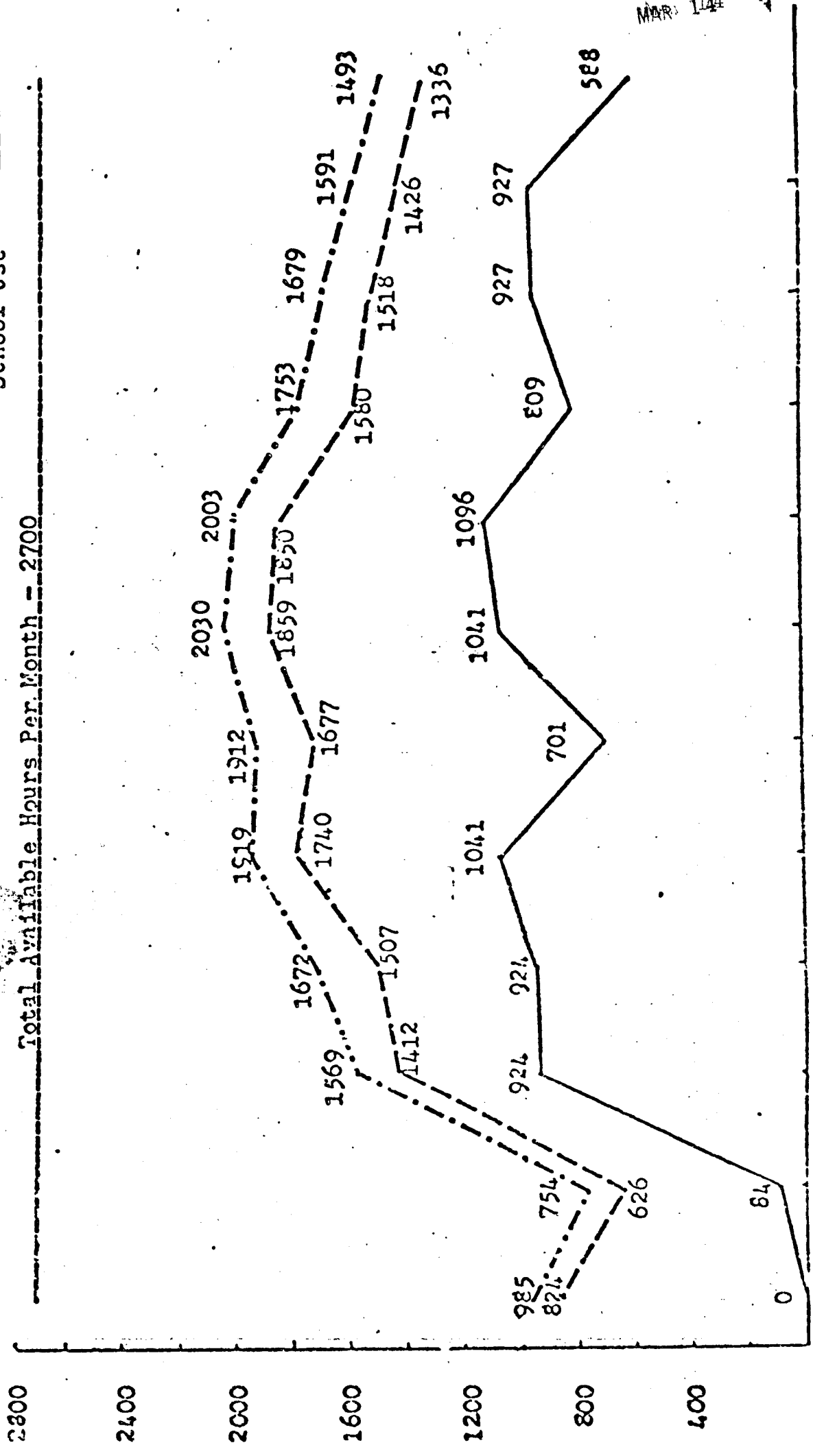
School, Chapel  
Hill, Carboro  
Use

School and  
Chapel Hill Use

School Use

Total Available Hours Per Month = 2700

HOURS  
PER  
MONTH



MAR. 144

PROPOSAL FOR USE  
of  
MUTUALLY ACCEPTABLE EMPLOYEES

A REPORT TO THE INTERGOVERNMENTAL TASK FORCE  
SUBCOMMITTEE ON RECREATION

Introduction

During the November meeting of the Intergovernmental Task Force Subcommittee on Recreation, the idea of using mutually acceptable employees in school facilities was discussed. This discussion evolved as a result of common concerns regarding cost arrangements relative to the current procedures for recreation use of school facilities.

Currently it is the policy of the Chapel Hill-Carrboro schools to require that a representative of the schools be present in all school facilities when they are in use. Any salary for this school representative as well as the estimated utility cost is derived from the rent charged to the user.

The total cost of facility use is not limited to the rental fee however. Users such as the Chapel Hill and Carrboro Recreation Departments must also employ personnel to supervise or oversee their programs. This results in a minimum cost of \$9.00 to \$9.25 per hour for the recreation departments. (Rent plus hourly wage paid to the recreation supervisor.)

In the fall of 1976, attempts were made to avoid dual costs and dual supervision of facilities by offering school personnel jobs as recreation supervisors. These attempts were unsuccessful because the seasonal nature of the work, the irregularity of hours, and the proposed wages did not appeal to the available school personnel. In addition, most school personnel in need of, or wanting additional work were already employed by area department stores or businesses who could offer year-round employment at more appealing wages.

Notwithstanding the lack of success in hiring common supervisors during 1976, the Intergovernmental Task Force Subcommittee on Recreation is of the opinion that a more efficient arrangement can be developed that will eliminate the double supervision, and lower the total costs, thereby resulting in savings for all parties involved.

The ad hoc committee formed to develop this more efficient arrangement included recreation staff members from Chapel Hill and Carrboro, as well as representatives from the school principals and the school administration. This group has developed a description of a mutually acceptable employee as well as a list of prerequisites or preparations necessary for the implementation of a plan using employees that will meet the needs and demands of the Chapel Hill-Carrboro schools and the recreation departments of Chapel Hill and Carrboro.

In addition to the description of the mutually acceptable employee, the list of prerequisites or concerns to be discussed in this report are:

- Announcing and publicizing positions
- Interviewing of applicants
- Hiring of Facility Supervisors
- Supervision of Facility Supervisors
- Recommended procedures for the processing of time sheets and payment of employees
- Need for review of security and storage requirements.
- Recommended procedures for the reporting, repairing and payment of damages

#### JOB DESCRIPTION

**Position Title:** Facility Supervisor

**General Statement of Duties:**

Does professional recreation work in the supervising and conducting of recreation programs and events held in school facilities.

**Distinguishing Features:**

An employee in this position is responsible for the conduct of all recreation programs held in school facilities and all individuals participating in those recreation department activities. In addition, this employee is responsible for maintaining the facility in at least the same condition that it was in prior to the beginning of the Recreation Department use of the facility. The work involves:

- Opening/closing of a facility
- Maintaining facility
- Maintaining contact with school principals
- Controlling use of equipment
- Conducting activities
- Supervising participants
- Supervising employees
- Evaluating programs
- Evaluating employee performance

**Knowledge, Skills, and Abilities**

- Knowledge of the purposes and aims of organized recreation
- Knowledge of rules for all indoor sports
- Knowledge of league and tournament scheduling procedures
- Ability to establish and maintain effective relationships with many publics
- Ability to organize and conduct groups of all sizes and ages
- Ability to work harmoniously with other employees
- Ability to train and supervise other personnel
- Ability to make effective use of volunteers
- Ability to follow written and oral instructions
- Ability to maintain complete records and furnish accurate reports

**Minimum Requirements:**

Graduation from college with a Bachelor's degree in Recreation or related field, or extensive experience in related employment

**Announcing and Publicizing positions**

All announcements and publicity for the Facility Supervisor positions should be done jointly by Chapel Hill, Carrboro, and the school administration. The three agencies will have to determine an appropriate sharing of costs and the calendar for announcing positions, accepting applications, and interviewing applicants.

## 177 Interviewing of applica..ts

All interviews should be conducted by the Recreation Directors. School principals, other recreation staff, and personnel representatives from the school and town administration may be present at the invitation of the Director of Recreation, or as required by the Personnel Ordinance of each town.

### Hiring of Facility Supervisors

All hiring should be done by the Director of Recreation in conjunction with the principal of the school where the employee will work. It is expected that the Recreation Department Directors and the school principals will seek advice and counsel from their respective Personnel Departments as needed.

### Supervision of Facility Supervisors

All facility supervisors will report to the Director of Recreation or his designate for the town in which they are employed. In addition, direct lines of communication must be established between the school principals and the directors of the two Recreation Departments. It is expected that in the daily course of events the school principals will be able to work directly with the facility supervisors.

### Procedures for payment of Facility Supervisors

All Facility Supervisors will be required to complete time sheets weekly. The time sheets should then be submitted to the Director of Recreation for approval and submission to the Finance Department of the town for payment of the employees. The Carrboro and Chapel Hill Finance Officers should meet with the county Finance Officer to agree on a schedule for transfer of the county allocation to each town or a calendar for reimbursement and reconciliation.

### Need for security/storage review

Prior to the implementation of a system using mutually acceptable employees, it is imperative that the Recreation Directors meet with the principals of the various schools to discuss or review the following:

- Need for additional security devices to insure that unused school space is protected from illegal entry
- Access to drinking water
- Access to a telephone
- Access to a small storage area for small recreation equipment and first aid supplies

### Recommended procedures for reporting, repairing and payment of damages

When any damage is discovered by the Facility Supervisors or school personnel, the school principal and the Director of Recreation should be verbally notified immediately. The Facility Supervisor should then send the principal and the Director of Recreation a written statement including:

- Detailed explanation of the damage
- Description of how the damage occurred, if known
- Determination of whether the damage occurred during or as a result of Recreation Department use

After receipt of the written explanation, the principal and the Recreation Director should then meet to discuss the specific procedures for the repair and the payment of damages. The resulting agreement should then be written and signed by both parties.

APPENDIX I

IMPACT OF THE MUTUALLY ACCEPTABLE EMPLOYEE PLAN ON THE TOWN OF CHAPEL HILL BUDGET FOR FY 77-78

Under the current staffing and rental procedures, it would cost the Town of Chapel Hill approximately \$84,600 to open five facilities for a total of 8,500 hours during FY 77-78

8,500	hours
x 7	hourly rent
<u>59,500</u>	
3,000	additional rent for special facilities, etc.
<u>\$62,500</u>	total rent

8,500	
x 2.60	hourly wage
<u>\$22,100</u>	total wage

\$62,500	
<u>22,100</u>	
<u>\$84,600</u>	total cost

If the use of mutually acceptable employees is approved, the total cost to the Town would be approximately \$60,500.

8,500	
x 2.00	utility charge
<u>\$17,000</u>	

8,500	
x 4.20	hourly wage
<u>\$35,700</u>	= \$36,000 total wage

300	facility use days
25	cleaning and maintenance cost
<u>\$7,500</u>	total cleaning and maintenance cost

TOTAL COST:

\$17,000
36,000
<u>7,500</u>
<u>\$60,500</u>

Given the proposed number of hours of facility use, and the resulting salary costs, the Town of Chapel Hill would save approximately \$24,000 under the new plan.

\$84,600	cost using current procedures
- 60,500	cost using mutually acceptable employees
<u>\$24,100</u>	approximate savings

This \$24,000 savings would be apparent in the personnel costs and the rental costs associated with existing athletic programs.

He felt there was duplication of some of the services provided, which if eliminated would reduce the rental rate. He hoped that the County would eventually be fully supporting the recreation throughout the County. e pointed out that next year the school would be used on almost a uniform asis. ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN VICKERY, ADOPTION F THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING THE ORANGE COUNTY RECREATION FACILITIES PROGRAM

WHEREAS, in Fiscal Year 1976-77 Orange County provided \$50,000 worth of facilities rental at public school sites to the Towns of Chapel Hill and Carrboro for recreational purposes; and



WHEREAS, in Fiscal Year 1977-78 the Recreation Departments of the Towns have requested a total of 10,824 hours of facility use which at a reduced rental fee of \$2.50/hour would cost \$86,321 if fully funded;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Board expresses its appreciation to the Board of Commissioners of Orange County for its past support of recreation in Orange County; and

BE IT FURTHER RESOLVED that the Board of Aldermen urges the Board of Commissioners of Orange County to fund the full recreation facilities program for Fiscal Year 1977-78.

This the 14th day of March, 1977.

Alderman Smith asked for clarification on providing services for residents in the school district but outside the corporate limits of the Town. Alderman Silver explained that the Town expected only about 100 families in this situation, and had agreed with the County, in exchange for its support for the recreation program, not to charge an out-of-town fee to Orange County residents. The additional amount allocated to Chapel Hill for these residents exceeded the amount Chapel Hill would have received in non-resident fees. At such time as the County funds did not equitably cover this cost, a new formula for funding the programs would be discussed. THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Accepting Bids and Awarding of Contract for Alterations to the Municipal Building

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN MARSHALL, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR ALTERATIONS TO THE MUNICIPAL BUILDING

WHEREAS the Town of Chapel Hill has solicited formal bids for alterations to the Municipal Building and the following bids have been received:

Bidder

<u>GENERAL CONTRACT</u>	<u>bid</u>	<u>Completion Time</u>
Claney & Theys Const. Co. Raleigh, N. C.	\$14,000	60 days
Delta Construction Co. Durham, N. C.	\$12,621	90 days
	<u>Bid</u>	<u>Completion Time</u>
Durham Construction Co. Durham, N. C.	\$12,850	60 days
Security Building Co, Inc. Chapel Hill, N. C.	\$14,900	90 days
Trout & Riggs Const. Co. Durham, N. C.	\$12,040	60 days
<u>ELECTRICAL CONTRACT</u>		
Electrical Associates, Inc. Raleigh, N. C.	\$ 3,735	
Pendergraph & Thomerson Elec. Co., Inc. Durham, N. C.	\$ 2,125	
Watson Elec. Const. Co. Wilson, N. C.	\$ 3,038	

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Town accepts the bid of Trout and Riggs Construction Company in the amount of \$12,040 and the bid of Pendergraph and Thomerson Electrical Company, Inc. in the amount of \$2,125 and that these firms be awarded the contracts.

This the 14th day of March, 1977.

Alderman Gardner asked if the plans had been distributed to the Aldermen. Mr. Jenne said no but they were available. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH ALDERMEN COHEN, EPTING, HOWES, MARSHALL, SILVER, SMITH AND VICKERY SUPPORTING AND ALDERMAN GARDNER OPPOSING.

Personnel Appeals Committee - Appointments

Mayor Wallace stated the following names had been placed in nomination: Gerald Barrett, C. L. Kindall, Lillian Lee, Nick Holland, Warren Wicker and Rebecca Clark. ALDERMAN GARDNER MOVED, SECONDED BY ALDERMAN SMITH, THAT THESE PERSONS BE APPOINTED TO THE PERSONNEL APPEALS COMMITTEE. THE MOTION WAS CARRIED UNANIMOUSLY.

Setting of Meeting Date, in Lieu of April 11

After some discussion, the Board decided to meet on April 4, rather than April 11, Easter Monday.

Authorization to Purchase Storm Drainage Right-of-Way on Howell Street

ALDERMAN SILVER MOVED, SECONDED BY ALDERMAN GARDNER, THAT THE MANAGER BE AUTHORIZED TO PURCHASE A STORM DRAINAGE RIGHT-OF-WAY ON HOWELL STREET FROM EBEN MERRITT FOR THE AMOUNT OF \$731.70. THE MOTION WAS CARRIED UNANIMOUSLY.

Work Session on March 21.

The session was set for 5:00 p.m. on March 21.

Resolution of Authorization for Execution of an Audit Contract

ALDERMAN MARSHALL MOVED, SECONDED BY ALDERMAN SMITH, ADOPTION OF THE FOLLOWING RESOLUTION.

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Mayor is authorized to enter into a contract with John C. Muse Company for conducting a financial audit for the 1976-77 fiscal year.

THE MOTION WAS CARRIED UNANIMOUSLY.

ALDERMAN COHEN MOVED, SECONDED BY ALDERMAN MARSHALL, THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS.

THE MOTION WAS CARRIED AND THE MEETING ADJOURNED AT 10:14 p.m.

*James C. Wallace*  
\_\_\_\_\_  
Mayor James C. Wallace

*David B. Roberts*  
\_\_\_\_\_  
Town Clerk, David B. Roberts

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR  
AND BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, MARCH 28, 1977  
7:30 P.M.

- MEMBERS PRESENT: Shirley Marshall
- MEMBERS ABSENT: Gerald Cohen  
Robert Epting  
Thomas Gardner  
Jonathan Howes  
Marvin Silver  
R. D. Smith  
Edward Vickery  
James C. Wallace, Mayor

Mayor Pro tem Marshall called the meeting to order. She noted there was less than a quorum of the Board of Aldermen present due to the NCAA Basketball Finals being played at this time.