

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE TOWN
OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, JUNE 23, 1980
7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

Marilyn Boulton
Joe Herzenberg
Beverly Kawalec
R.D. Smith (late)
Joe Straley
Bill Thorpe

Also present were Town Manager E. Shipman and Town Attorney E. Denny. Council members Howes and Wallace were excused.

As there was not a quorum of the Planning Board present yet, Mayor Nassif deferred the public hearing on the recomposition of the Board of Adjustment until later in the evening.

Petitions and Requests

There were no petitions from the audience or Council.

Minutes

On motion by Council member Kawalec, seconded by Council member Boulton, the minutes of May 26, 1980, were approved as submitted.

On motion by Council member Boulton, seconded by Council member Thorpe, the minutes of June 2, 1980, were approved as submitted.

Personnel Policies

Mr. Shipman stated the purpose of changing the personnel grievance committee was to strengthen the grievance procedure. He listed proposed changes.

Council member Boulton inquired whether, since the members would have to be in sympathy with the merit principles, they were specified. They were not but Mr. Shipman explained what was meant by merit principles. Council member Boulton then asked if the employees had been notified of these changes. Mr. Shipman said the changes had been discussed with the department heads, but not employees. The Council discussed how to determine whether someone was in sympathy with merit principles. (Council member Smith arrived.)

Council member Herzenberg objected to eliminating anyone who had actively participated in politics. This seemed to discourage citizen activity. The category as defined could include most citizens. Mr. Shipman responded that the committee was to advise the manager and he believed it should be void of the political process. Mayor Nassif argued that the committee was to advise both the manager and the Council of facts surrounding a grievance. The Council would appoint these members and could choose people who would be objective.

Mayor Nassif asked why lawyers were being excluded. Mr. Shipman explained that in matters involving a policeman, there could be a conflict of interest with lawyers who worked with the police. Mayor Nassif suggested alternative members could serve if a lawyer would have a conflict of interest in a particular case. Council member Kawalec was opposed to alternative members.

Council members Straley questioned the requirement for persons with experience in personnel management. He believed this would severely limit the appointments.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO REVISE AND REWRITE PORTIONS OF CHAPTER 14 CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL WITH RESPECT TO THE ORGANIZATION OF A PERSONNEL APPEALS COMMITTEE AND APPEALS THERETO

BE IT ORDAINED by the Council of the Town of Chapel Hill:

SECTION 1

That the below-stated portions of Chapter 14, Personnel Rules and Regulations, Code of Ordinances, Town of Chapel Hill be, and the same are hereby rewritten to read as follows:

Sec. 14-110 Employee Appeal

Any employee who is disciplined may appeal the disciplinary action in accordance with the grievance procedure; save that an employee who is suspended, demoted or transferred for cause as a disciplinary action, or terminated shall have 15 days from written notice of said disciplinary action to appeal. A decision to rescind a demotion or termination must be approved by the Town Manager before becoming effective.

Sec. 14-112 Grievance - Defined.

A grievance is a claim or complaint based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. A grievance includes, but is not limited to:

- a. Safety or health hazards;
- b. Unsatisfactory physical facilities, surroundings, materials, or equipment.
- c. Unfair or discriminatory disciplinary or supervisory practices;
- d. Unjust treatment by fellow workers;
- e. Unreasonable work quotas; or
- f. Any other grievance related to conditions of employment

Sec. 14-115 Representation

In the presentation of any grievance under this Chapter, any employee may be represented by any person of the employee's choice, including another employee of the Town; save that no employee shall be represented in a grievance under this Chapter by a supervisor in the same department as the employee bringing the grievance.

Sec. 14-117 Compensation.

An employee whose grievance is referred to the Personnel Appeals Committee and is upheld, and who attended meetings scheduled for the purpose of presenting the appeal to the Personnel Appeals Committee during non-working hours, shall be compensated for the time spent in said scheduled meetings at the employee's current salary rate. An employee of the Town requested by the Committee to appear before it during non-working hours shall be compensated for the time required at the employee's current salary rate.

Sec. 14-118 Personnel Appeals Committee

There is hereby created a Personnel Appeals Committee which shall consist of five (5) persons appointed by the governing body of the Town of Chapel Hill. Each member of the Personnel Appeals committee shall be a citizen of the Town. No Town employee or officer shall be eligible to serve on the Personnel Appeals Committee.

Sec. 14-119 Term of Office

Members of the Personnel Appeals Committee shall serve for a term of three (3) years, and members shall not be eligible for more than two (2) consecutive three (3) year terms except; that the first appointment shall be made as follows:

- One (1) member to serve for a one (1) year term;
- Two (2) Members to serve for a two (2) year term;
- Two (2) members to serve for a three (3) year term

Sec. 14-121 Vacancies on the Personnel Appeals Committee.

Vacancies on the Personnel Appeals Committee shall be filled by the Town Council by appointment for the remainder of the term.

Sec. 14-122 Town Clerk

The Town Clerk shall serve ex officio as Secretary to the Committee, and shall perform such duties as the Committee may direct.

Sec. 14-123 Removal of Members.

Members of the Personnel Appeals Committee may be removed by the Town Council only for cause, and after being given a written statement of the charge against the member, and a public hearing thereon if so requested.

Sec. 14-124 Purpose of Personnel Appeals Committee.

The Committee shall:

- (a) conduct grievance and appeal hearings and render advisory opinions to the Manager.
- (b) develop and maintain adequate records of all its proceedings, findings, and recommendations.
- (c) inform the employee(s) and the Manager in writing of its findings and recommendations in all cases referred to it.

Sec. 14-125 Election of Chairperson.

At the first meeting of the Personnel Appeals Committee after its appointment the Committee shall elect one of its members as chairperson for a term of one (1) year to preside at all meetings, and to be responsible for calling all meetings. Thereafter, the Committee shall elect a chairperson annually.

Sec. 14-126 Meetings of the Committee.

Meetings shall be held by the Committee as necessary to complete its investigation, hearing and report on all matters coming before it, but the Committee shall not be required to hold regular meetings.

Sec. 14-127 Quorum.

Three (3) members of the Personnel Appeals Committee shall constitute a quorum. At the first meeting scheduled to hear an appeal, if all members of the Committee are not present, the employee(s) bringing the appeal may request that another date be set for beginning the public hearing.

Sec. 14-128 Representation before Personnel Appeals Committee.

In any proceeding before the Personnel Appeals Committee, the employee may be represented by any person of the employee's choice, including another employee of the Town; save that no employee shall be represented by a Town supervisor in the same department as the employee involved in the proceeding.

Sec. 14-129 Procedure before the Committee.

The procedure for conducting hearings by the Personnel Appeals Committee shall be governed by uniform procedures established from time to time by the Town Council with such supplemental rules as the Committee may adopt, not inconsistent with the Town Code or the procedures established by the Council.

Sec. 14-130 Procedure and Authority.

The Personnel Appeals Committee shall conduct a public hearing within ten (10) days after the action has been referred to it, and shall have all powers necessary to complete investigation of the action taken, including the power to call and examine witnesses and papers. The Committee may conduct its deliberations in executive session. Within five (5) days after the conclusion of the public hearing, the Committee shall inform the employee(s) and the Manager in writing of its findings and recommendations.

After receiving the recommendation of the hearing panel of the Personnel Appeals Committee, the Town Manager shall investigate as to the facts of the case, consider the recommendation of the Committee and within five (5) days transmit in writing to the employee(s) and to the Mayor and members of the Council the recommendation of the Committee, and the Manager's decision which shall be final. In the event the recommendation of the Personnel Appeals Committee is not followed, the Manager shall state in writing the reasons why the recommendation was not followed.

SECTION II

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

SECTION III

This Ordinance shall be effective from and after the 9th day of June, 1980.

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING THE PERSONNEL ORDINANCE (RETIREMENT)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Chapter 14 of the Code of Ordinance, Town of Chapel Hill, as follows:

SECTION I

In Sec. 14-61, ADD the following sentence after the existing sentence:

"Employees who are already members of the North Carolina Local Governmental Employees' Retirement System or North Carolina Teachers' and State Retirement system at the time they are hired may choose to be enrolled in North Carolina local Governmental Employees' Retirement System effective of hire, or may choose to be enrolled in said system effective at the end of six (6) months of their date of employment."

SECTION II

In Sec. 14-62, ADD the following clause to the end of the present third sentence, replacing the existing period with a semi-colon:

"...or, if the employee is already a member of the North Carolina Law Enforcement Officers Benefit Retirement Fund, the North Carolina Local Governmental Employees Retirement system, or the North Carolina Teachers' and State Employees' Retirement system at the time he or she is hired, the employee may elected to be enrolled in the North Carolina Law Officers' Benefit Retirement Fund or the North Carolina Local Governmental Employees' Retirement system effective upon date of hire."

SECTION III

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

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Public Hearing to Consider Recomposition of Board of Adjustment

Mr. Jennings stated the Board of Adjustment had the same difficulties appointing members from the planning area as the Planning Board. The Council had changed the composition of the Planning board. A public hearing was necessary to change the Board of Adjustment because the zoning ordinance would have to be changed.

There were no comments from the audience. Council member Straley asked if the hearing had been publicized. There had been legal notices. Mr. Jennings explained that with annexations the planning area was no longer very large. COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO REFER THE MATTER TO THE PALNNING BOARD FOR RECOMMENDATION. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Jennings announced that the Planning board would hold a short meeting at this time in another room to consider this matter.

Resolution Adopting a Handicapped Mobility Plan

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ADOPTING A HANDICAPPED MOBILITY PLAN FOR TRANSIT SERVICES

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the attached Handicapped Mobility Plan in accordance with Urban Mass Transportation Administration regulations; and

BE IT FURTHER RESOLVED that the Council authorize the Town Manager to submit said Handicapped Mobility Plan to the U.S. Department of Transportation.

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Report re Amendment of Procedures Manual of Town Council

Council member Kawalec had distributed a proposed procedure for amending the Council's manual. COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, TO DIRECT THE MANAGER TO PREPARE A RESOLUTION FOR ADOPTING THE PROCEDURE AT THE NEXT MEETING. THE MOTION WAS CARRIED UNANIMOUSLY.

Council member Herzenberg asked if the procedures discussed by the Protocol Committee would be part of the manual. Council member Boulton thought some of the procedures regarding plaques should be listed. The Council could consider this and reach a consensus at a later time.

Ordinance to Amend "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979"

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO AMEND THE "ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1979."

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 1979" as duly adopted on June 25, 1979, be and the same is hereby amended as follows: →

change to page 98h

Council member Straley asked if the expenses had been more than budgeted. Mr. Shipman said the departmental salary accounts were understated when adopting the budget if a cost of living adjustment was adopted. This was shown as a lump sum in the Sundry Account. THE MOTION WAS CARRIED UNANIMOUSLY.

Housing and Community Development

Mr. Shipman explained that the Council was considering amendments to the Housing Loan Trust Fund which had been discussed in the worksession last week. Mr. Hooper stated the second amendment which would be considered was designed to deal with one particular case for buying property. Death of a mortgagee had created a problem when none of the heirs could assume the loan. Mayor Nassif suggested the amendment should be more general. Mr. Denny said it could encompass land.

Council member Kawalec suggested that as there was not much land available in town, the Town should acquire land for low income housing with the object of annexing the land, so that people could continue living within the corporate limits.

Council member Smith inquired whether the program would help residents leave public housing and own their own homes. Mr. Hooper responded that was the purpose of the original amendment. The cost of housing would be lowered to make it available to lower income families.

Council member Kawalec questioned adopting these ordinances with two Council members not present. Mr. Denny pointed out each individual purchase must come back to the Council.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, ADOPTION OF THE FOLLOWING ORDINANCE.

A RESOLUTION AMENDING THE RESOLUTION AUTHORIZING A LOAN TO THE CHAPEL HILL HOUSING AUTHORITY FOR THE PURPOSE OF ENABLING THE ESTABLISHMENT, IMPLEMENTATION, AND ADMINISTRATION OF A HOUSING LOAN TRUST FUND AS ORIGINALLY ADOPTED the 9th day of NOVEMBER 1973, AND AS SUBSEQUENTLY AMENDED

THAT WHEREAS, there is a shortage of decent, safe, and sanitary single family housing units within the Town of Chapel Hill for owner/occupancy by families with low or moderate income, and

WHEREAS, it is the desire of the Council that a procedure be established whereby single family home acquisition may be implemented through the 235 Housing Program and the Housing Loan Trust Fund, and

WHEREAS, there exists a procedure for interest subsidy and guaranty of permanent financing, but there does not now exist a procedure whereby construction funds can be made available for the construction of such units prior to their acquisition and permanent financing by eligible families, and

WHEREAS, it is desirable that such procedure be established through the use of a portion of the assets of the Housing Loan Trust fund heretofore established.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CHAPEL HILL that the Resolution authorizing a loan to the Chapel Hill Housing Authority for the purpose of enabling the establishment, implementation and the administration of a Housing Loan Trust fund heretofore adopted and as subsequently amended, to further amend as follows:

Paragraph 4. is hereby amended and rewritten to read as follows: Loan Guaranty and Interest Subsidy. The Commissioners of the Chapel Hill Housing Authority shall be authorized and empowered to grant liens against or pledge portions of, or to use portions of said fund for the following purposes:

- a. To guarantee the payment of loans made by financial institutions to individuals for the purpose of home ownership acquisition.
- b. For guaranteeing the payment of loans made by financial institutions to individuals for the purposes of residential property rehabilitation.
- c. To subsidize interest rates on certain of said loans upon the conditions hereinafter set forth, and to pay said interest subsidy from the principal or interest of said fund in such amounts as may be required to carry out purposes herein set forth.
- d. For the payment of all expenses including labor, materials, licenses, permits, etc. during the construction process of single family residences being constructed by the Chapel Hill Housing Authority for sale to qualified families pursuant to the provisions of the 235 Single Family Housing Program or programs of similar import, provided however, that all such funds so advanced shall be repaid in full upon the transfer of title to the qualified individual or individuals, and the closing of the permanent financing loan on said property.

The provisions of paragraphs 5, 6, and 7 of said Resolution to the extent necessary are hereby amended to conform with the modifications of Paragraph 4.

Paragraph 11. of said Resolution is hereby amended to read as follows:

Security Procedures and Loan Conditions. In the event a loan is guaranteed or subsidized, or a construction loan is made by the Housing Loan Trust Fund, the property owner must agree that said construction loan will be secured by a first lien deed of trust on said property during the processes of construction, and except as herein amended the remaining provisions of said paragraph with respect to other types of loans, and the requirements thereof are continued in effect.

	Current Budget	Increase	Decrease	Revised Budget
GENERAL FUND				
Mayor and Council	\$ 94,890	\$ 2,200	-	\$ 97,090
Town Manager/Staff Services	68,100	2,500	-	70,600
Elections	2,700	3,825	-	6,525
Finance				
Administration/Purchasing	55,380	4,000	-	59,380
Tax Office	42,885	8,250	-	51,135
Human Services				
Administration	113,840	2,000	-	115,840
Community Services	138,965	1,000	-	139,965
Planning	134,960	7,800	-	142,760
Inspections	123,735	7,200	-	130,935
Public Works				
Engineering	89,285	3,900	-	93,185
Construction	67,835	1,900	-	69,735
Equipment Services	387,410	35,500	-	422,910
Solid Waste Collection	527,345	20,700	-	548,045
Police				
Administration	104,877	2,000	-	106,877
General Services	108,965	6,700	-	115,665
Patrol	870,593	21,000	-	891,593
Detective	145,025	9,000	-	154,025
Fire				
Suppression	841,180	23,000	-	864,180
Prevention	50,385	2,000	-	52,385
Parks and Recreation				
Administration	56,095	800	-	56,895
General Recreation	165,650	4,800	-	170,450
Athletics	184,180	4,000	-	188,180
Parks and Recreation	114,635	3,800	-	118,435
Contribution to Library	207,495	5,000	-	212,495
Sundry				
Wage/Fringe	1,145,335	-	182,875	962,460
TRANSPORTATION FUND				
Sundry	235,135	-	49,100	186,065
Administration	70,710	19,100	-	89,810
Operations	829,045	30,000	-	859,045
LIBRARY FUND				
	343,025	5,000	-	348,025

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

This the 23rd day of June 1980.

Except as herein amended and as previously amended, the Resolution heretofore referred and all the provisions thereof, and all action taken by the Chapel Hill Housing Authority pursuant thereto shall continue in effect.

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

The second amendment was deferred until the next meeting when the ordinance would be on the agenda.

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A COMMUNITY DEVELOPMENT SMALL CITIES PROGRAM GRANT, 1980-81

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes Raymond E. Shipman, Town Manager, to file with the Department of Housing and Urban Development an application, including all certifications required therein, for the second-year grant of \$700,000 in Community Development Block Grant Small Cities funds; and

BE IT FURTHER RESOLVED that the Town Manager is hereby directed and designated as the authorized representative of the Town to action connection with the application and to provide such additional information as may be required.

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance to Amend "An Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas"

Mr. Jennings stated the Planning Board recommended approval of the change in composition of the Board of Adjustment. COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE REGARDING BOARD OF ADJUSTMENT MEMBERSHIP

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the second sentence of Section 10.A. of the "Ordinance providing for the zoning of Chapel Hill and surrounding areas," to read as follows:

"Seven members shall be citizens and residents of the Town of Chapel Hill and shall be appointed by the Council; three members shall be citizens and residents of the territory surrounding the Town, as described in Chapter 473 of the Session Laws of 1975, and shall be appointed by the Orange Cuncy Board of commissioners."

SECTION II

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

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Regarding Maintenance of Traffic Control Devices

COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER KAWALEC, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING MAINTENANCE OF TRAFFIC CONTROL DEVICES

WHEREAS, the Department of Transportation, an agency of the State of North Carolina, pursuant to the provisions of G.S. 136-41.3 and G.S. 136-18, proposes to contract with the Town of Chapel Hill for the maintenance of certain Traffic Control Devices on the State Highway System streets within the Town in accordance with the policy of the Department and for which the Town shall be reimbursed by the Department of Transportation; and

WHEREAS, in order to promote the general welfare of the Town of Chapel Hill, it is hereby determined to be in the best public interest for the Town to enter into a contract for the maintenance of certain Traffic Control Devices on the State Highway System streets within the Town in accordance with the Policy of the Department.

NOW, THEREFORE, BE IT RESOLVED that the Town of Chapel Hill is hereby formally authorized to enter into a contract with the Department of Transportation for the maintenance of Traffic Control Devices on the State Highway System streets within the Town, and the Mayor and clerk of the Town of Chapel Hill be and they are hereby empowered to execute the required Agreement between the Town and the Department of Transportation.

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Regarding Joint Tax Collection

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING JOINT TAX COLLECTION

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town, under the provision of North Carolina General Statute 160A, Article 20, will contract and agree with the Town of Carrboro, the Town of Hillsborough, and Orange County to provide for centralized and systematized collection of property taxes in Orange County via a joint tax collection system effective for the fiscal year beginning July 1, 1980, and for taxes charged to the County Tax collector for the collection year beginning September 1, 1980, and

BE IT FURTHER RESOLVED that the Council hereby authorizes the Mayor to execute on behalf of the Town such a joint tax collection agreement in quadruplicate originals, which agreement is hereby ratified by the Council.

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Declaring 18 Vehicles Surplus and Authorizing the Sale of Said Property by Public Auction

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER THORPE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION DECLARING SURPLUS EIGHTEEN VEHICLES AND AUTHORIZING THE SALE OF SAID PROPERTY BY PUBLIC AUCTION AND DIRECTING THE SALE OF SAID PROPERTY

WHEREAS, Article 12 of General Statute 160A and Section 4.144 of the Charter of the Town of Chapel Hill authorize the Town to dispose of surplus personal property, and

WHEREAS, the Town desires to dispose of certain articles of personal property no longer needed for Town purposes, NOW THEREFORE,

BE IT RESOLVED by the Council of the Town of Chapel Hill:

SECTION I

That the following articles of personal property are hereby declared surplus property:

Article	Quantity
1974 Plymouths	3
1977 Plymouths	2
1970 Plymouth	1
1968 Plymouth	1
1969 Ford	1
1968 Ford	1
1966 Ford Station Wagon	1
1964 Volkswagon	1
1969 Dodge 1/2 Ton Truck	1
1966 Chevrolet 1/2 Ton Truck	1
1972 Chevrolet 2 Ton Truck	1
1970 Chevrolet 2 Ton Truck	1
1967 Chevrolet 2 Ton Truck	1
1972 Cushman Scooter	1
1961 Ford School Bus	1

SECTION II

That the Town Purchasing Agent be, and is hereby authorized to dispose of any and all articles at the next City of Durham Public Auction according to the applicable procedures for Public Auction thereof with sales made to the highest bidder and designated final on the day of the auction.

SECTION III

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that if any of the above surplus property is not sold at auction, the Purchasing Agent is hereby authorized to sell such surplus property either by advertisement for sealed bids under the provisions of General Statute 160A-268, or by private sale under the provisions of General Statute 160A-267, choice of method to be determined by the value and sales potential of the left-over items.

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Accepting Bids and Awarding a Contract for Janitorial Services

COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER SMITH, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR JANITORIAL SERVICE FOR TWO TOWN FACILITIES

WHEREAS the Town of Chapel Hill has solicited formal bids On June 2, 1980 and the following bids have been received:

BIDDERS AND BIDS

Facilities	Metro Cleaning Service	Hopitt Janitorial Service	Manzie Smith	Southern Building Maintenance Co.	Staunton Sales, Inc.	Sunshine Janitorial Services	Albert Washington
I. Library (per month)	\$1,140.00	\$560.59	\$500.00	\$732.41	<u>\$504.34</u>	\$645.00	No Bid
II. Municipal Building							
Alternate A (per month)	915.60	336.87	400.00	362.70	536.83	445.00	No Bid
Alternate B (per month)	1,401.00	449.18	625.00	533.20	766.70	570.00	No Bid
Wash Windows	180.00	230.00	No Bid	5.50/window	242.55	260.00	No Bid
Steam Clean Carpet	679.80	<u>338.55</u>	124/sq.ft.	74/sq.ft.	325.99	419.13	No Bid
Wash walls (cost/hr./coverage)	250 sq.ft. @ \$6.80/hr.	60 sq.ft. @ <u>\$4.50/hr.</u>	No Bid	1,500 sq.ft. @ \$5.45/hr.	400 sq.ft. @ \$5.36/hr.	1,000 sq.ft. @ \$11.00/hr.	---
III. Employment Security Commission							
Alternate A (per month)	150.00	No Bid	75.00	80.60	118.01	120.00	140.00
Alternate B (per month)	490.00	No Bid	125.00	100.00	138.22	145.00	200.00
Wash Windows	35.00	No Bid	No Bid	5.50/window	20.00	25.00	\$5.00/small window \$6.00 large window
Wash Walls	250 sq.ft. @ \$6.80/hr.	No Bid	No Bid	1,500 sq.ft. @ \$5.45/hr.	400 sq.ft. @ \$5.36/hr.	1,000 sq.ft. @ \$11.00/hr.	---
IV. Transportation Maintenance Facility							
Alternate A (per month)	431.60	272.35	125.00	201.50	300.91	245.00	No Bid
Alternate B (per month)	674.31	363.18	200.00	266.60	405.84	320.00	No Bid
Wash Windows	180.00	125.00	No Bid	5.50/window	36.00	No Bid	No Bid
Steam Clean Carpet	374.80	323.10	124/sq.ft.	74/sq.ft.	150.78	193.86	No Bid
Wash Walls	250 sq.ft. @ \$6.80/hr.	60 sq.ft. @ <u>\$4.50/hr.</u>	No Bid	1,500 sq.ft. @ \$5.45/hr.	400 sq.ft. @ \$5.36/hr.	1,000 sq.ft. @ \$11.00/hr.	No Bid
V. Municipal Operations Facility							
Alternate A (per month)	374.30	213.44	100.00	161.20	300.91	220.00	No Bid
Alternate B (per month)	528.45	284.73	125.00	199.95	405.84	270.00	No Bid
Wash Windows	180.00	115.00	No Bid	5.50	60.00	75.00	No Bid
Steam Clean Carpet	135.00	33.00	No Bid	74/sq.ft.	11.55	14.85	No Bid
Wash Walls	250 sq.ft. @ \$6.80/hr.	60 sq.ft. @ <u>\$4.50/hr.</u>	No Bid	1,500 sq.ft. @ \$5.45/hr.	400 sq.ft. @ \$5.36/hr.	1,000 sq.ft. @ \$11.00/hr.	No Bid

NOTE: Underlined items recommended for acceptance

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bids of Staunton Sales, inc. and Mopit Janitorial Service and for janitorial services at the above listed facilities and in the underlined amounts.

This the 23rd day of June, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Appointing an Acting Town Manager

COUNCIL MEMBER SMITH MOVED, SECONDED BY COUNCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION APPOINTING AN ACTING TOWN MANAGER

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby appoints Charlotte Peddicord, Personnel Director, as Acting Town Manager from July 3 through July 13, 1980, during the absence of the Town Manager and Assistant Town Manager on annual leave.

This the 23rd day of June, 1980.

Council member Thorpe asked why this resolution was being considered. Mr. Shipman explained that although there was a standing resolution appointing Mr. Hooper as Acting Town Manager in Mr. Shipman's absence, both Mr. Shipman and Mr. Hooper would be out of town. THE MOTION WAS CARRIED UNANIMOUSLY. Council member Thorpe asked if the acting manager would be receiving a higher salary. Mr. Shipman said she would not. Mr. Denny explained that the higher salary applied in cases of a vacancy.

Nominations and Appointments

Warren Collier, Jack Evans, Joe Capowski, Kathan haskins, Paul Obrist and Gerry Cohen had been nominated for three seats on the Transportation board. Council member Boulton reminded the Council of its unwritten policy of reappointing members who had not served a full term. Mr. Collier had only served a few months. Council members voted as follows: Boulton - Collier, Evans, Cohen; Herzenberg - Collier, Capoweski, Cohen; Kawalec - Collier, Evans, Haskins; Smith - Collier, Evans, Obrist; Straley - Collier, Haskins, cohen; Thorpe - Collier, Haskins, Cohen; Nassif - Collier, Haskins, Cohen. Mr. Cohen, Mr. Collier and Ms. Haskins were appointed.

Thelma Boyd, Jon Condoret, Mary Sundbeck, Marjorie Perl, and Josh Gurlitz had been nominated for four seats on the Appearance Commission. Council members voted as follows: Boulton - Boyd, Gurlitz; Herzenberg - Sundbeck, Perl, Gurlitz; Kawalec - boyd, Condoret, Perl, Gurlitz; Smith - Boyd, Condoret, Sundbeck, Perl; Straley - Boyd, Sundbeck, Perl, Gurlitz; Thorpe - Boyd, Mr. Gurlitz and Ms. Perl, Gurlitz; Nassif - Boyd, Condoret, Gurlitz. Ms. Boyd, Mr. Gurlitz and Ms. Perl were appointed to three year terms with Mr. Condoret replacing Ms. Stewart.

Walter G. Baum, E. Ruth Leaver, George Snowden and Lewis Roland were nominated for three seats on the Board of Adjustment.

Council members voted as follows: Boulton - Leaver, Snowden, Roland; Herzenberg - Baum, Leaver, Roland; Kawalec - Baum, Leaver, Roland; Smith - Baum, Leaver, roland; Straley - Baum, Leaver, Roland; Thorpe - Baum, Leaver, Roland; Nassif - Baum, Leaver, Roland.

Dr. Roland, Ms. Leaver and Mr. Baum were appointed.

Council member Straley nominated Marvin Silver for a position on the Orange Water and Sewer Authority Board. Council member Thorpe nominated Wade Degraffenreidt for a position. Appointments would be made at the next meeting.

Council member Thorpe commented that he had received a copy of the letter from Mr. Temple regarding a policy of appointing a representative of the University to the OWASA Board. He believed this to be an understanding, never a written policy.

Report on Graham Court

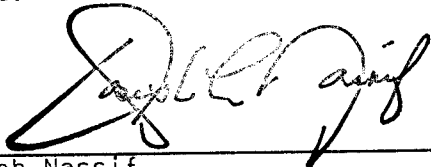
Mr. Denny reported that the matter of Graham Court had been heard in Superior Court in the week on June 16. The Judge had announced what his decision would be. Mr. Denny reviewed the arguments of the case. The Judge had indicated he would enter an order stating that the town of Chapel Hill had no authority under existing state legislation to regulate who owned real estate within the Town. The current owners of the Graham court project would be free to sell units. He inquired whether the Council wished to appeal the decision. Council member Thorpe expressed his desire to pursue the case. Mr. Shipman asked if the decision would mean the owners of Northampton could convert apartments to condominiums without Council review. Mr. Denny was not sure. The case was unique in that Graham Court was a non-conforming and pre-existing use. Northampton was under special use permit, with a condition of the special use that the property remain in undivided ownership. Council member Kawalec informed the Council a committee of the state legislature was considering legislation on conversion of apartments to condominiums. She asked for a report from the staff on possible legislation. Mr. Jennings stated the Attorney General was reviewing the Unit Ownership Act. If the local governments were interested in new legislation, they should so inform the Attorney General and representatives. The Council discussed whether they should appeal the Graham Court decision. The consensus was that Mr. Denny should file a notice of appeal and further action could be discussed after the decision had been written.

Future Agenda Items

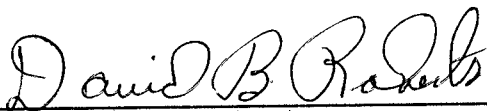
Mayor Nassif reminded the Council of the softball game on July 4 with Carrboro. He also asked all members planning to attend the National League of Cities meeting in Atlanta to make reservations as soon as possible.

Mr. Shipman reminded the Council of the zoning ordinance meeting on Monday, June 30, and the meeting was OWASA on June 26.

There being no further business to come before the Council, the meeting was adjourned.



Mayor Joseph Nassif



Town Clerk David B. Roberts

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, JULY 14, 1980 7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

- Marilyn Boulton
- Joe Herzenberg
- Jonathan Howes
- Beverly Kawalec
- R.D. Smith
- Joe Straley
- Bill Thorpe
- James Wallace

Also present were Town Manager E. Shipman and Assistant Town Attorney T. Hunter.