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MINUTES OF A MEETING OF THE MAYOR AND COUNCIL OF THE TOWN OF CHAPEL HILL,
MUNICIPAL BUILDING, MONDAY, MAY 9, 1983, 7:30 P.M.

Mayor Joseph L. Nassif called the meeting to order. Councilmembers present were:

Marilyn Boulton
Winston Broadfoot
Beverly Kawalec
David Pasquini
R. D. Smith
Joe Straley
Jim Wallace

Councilmember Howes was absent, excused. Also present were Town Manager, David R. Taylor; Assistant Town Manager, Sonna Loewenthal; and Town Attorney, Grainger Barrett.

Mayor Nassif informed the Council that the Orange County Board of Commissioners would meet on May 23, 1983, to discuss recommendations to be submitted to the Water Resources Task Force re minimum lot sizes and other standards designated for protected watersheds. The meeting would be held in the Orange County Court House Court Room in Hillsborough, North Carolina at 7:30 P.M. and the Commissioners encouraged the attendance and comments of the Mayor and Council. As this meeting would conflict with a previously scheduled meeting of the Chapel Hill Town Council, Councilmember Smith suggested that the Council submit the same statement that had been sent to the Carrboro Town Aldermen (see Council minutes dated March 28, 1983 for a copy of the statement). Councilmember Smith suggested that a designee of the Town Manager present the statement to the Orange County Commissioners at their May 23, 1983, meeting. There were no objections from the Council.

Petitions

There were no petitions from citizens or the Town Manager.

COUNCILMEMBER STRALEY MOVED, SECONDED BY COUNCILMEMBER WALLACE, THAT AGENDA ITEM #4 (re the Human Services budget and staff person) BE REMOVED FROM THE AGENDA. Councilmember Straley preferred the presence of the entire Council for discussion of this issue.

Councilmember Broadfoot opposed the motion. Councilmember Boulton felt it was standard procedure to allow a Councilmember to remove an item from the agenda if that Councilmember had placed that item on the agenda. She did not feel a vote was necessary. Since it was an agenda item and not a petition item, Councilmember Wallace felt that the request was in order.

Mr. Barrett advised the Council that requests to withdraw an agenda item had been granted in the past. Since there was objection to the request, a vote could be taken.

Lacking a concrete policy, and as removal of an agenda item had been allowed in the past, MAYOR NASSIF RULED THAT THE MOTION BE STRUCK, permitting Councilmember Straley to withdraw the agenda item and resubmit it to the Council at a later date. Mayor Nassif also felt that the importance of the issue warranted the presence of the entire Council.

Councilmember Broadfoot felt that the request to consider a budget item at this time was premature. Councilmember Straley responded that he would be willing to delay consideration of this issue until the evening scheduled for budget adoption. Councilmembers Wallace, Boulton, and Smith did not agree with the suggested delay to consider budget items.

Mayor Nassif asserted that any Councilmember could put any item on the Agenda at any time. In addition, any Councilmember could also request to defer action on any Agenda item.

Councilmember Smith felt that Councilmembers should consider budget issues during budget work sessions. Addressing budget issues at the last minute would not allow sufficient time for the Manager and his staff to make adjustments in the material submitted for Council's consideration.

Councilmember Wallace concurred with Mayor Nassif's reasons to permit withdrawal of the Agenda item, but felt it might be wise to submit the question to a vote to remove doubt.

Mayor Nassif stated that a policy should be formulated to address this procedure, but for now the motion and the second to the motion had been ruled out of order because there was no set procedure and such requests had been granted in the past. He asserted again that it was very important for all members of the Council to be present for budget votes, thus indicating the will of the entire Council.

Councilmember Broadfoot concurred with the Mayor's ruling to allow the postponement of discussion of the agenda item. He stated that there were many issues contained in the budget which he also wished to address before final adoption.

Councilmember Kawalec asserted that Councilmembers could submit budget ordinances at the meeting scheduled for budget adoption. Individual budget items were considered at length during budget work sessions but the final budget should be adopted as a whole document. She felt that this practice should be continued.

Councilmember Straley did not concur. He felt that the evening of the budget adoption would not provide sufficient time for lengthy consideration of individual items. He felt it would be far better to consider items prior to the adoption.

Councilmember Wallace felt that even though last minute proposals could be made, it would not be practical to present them at the last minute and they would probably be voted down.

Minutes (April 25, 1983)

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BOULTON, ADOPTION OF THE MINUTES OF APRIL 25, 1983, AS CORRECTED. THE MOTION CARRIED UNANIMOUSLY.

Approval of the Minutes of April 11, 1983, would be delayed until May 23, 1983.

Manager's Recommended Budget, 1983-84; Capital Improvements Program, 1983-88

Mr. Taylor submitted the Manager's Recommended Budget for 1983-84, recommending no tax increase. He stated that he felt that the budget would meet the needs of the community as had been expressed by citizens at the various meetings since the budget process began in 1982.

The budget was divided into three documents: (1) Operations Budget, (2) Management Information System (MIS), and (3) Capital Improvements Program (CIP).

The Manager's Budget Message contained a detailed response to each recommendation submitted by the McManis Associates' Management Assessment. Line item detail and other supplemental information was included in the MIS.

Total Budget expenditures consisted of Public Safety (25%), Public Works (22%), Transportation (16%), Leisure (Recreation and Library--10%), Debt Service (8%), General Government (8%), Community Development (4%), Other (5%), and Capital Improvements (2%) for total budget expenditures of \$12,747,018.

Sources of revenue included property taxes (51%), state shared revenues (29%), grants (2%), transfers (7%), fees (6%), Fund Balance (2%), licenses, etc. (2%), and investments (1%), for a total General Fund of \$9,849,911.

General Revenue Sharing funds were set to expire on September 30, 1983. The budget reflected an assumption that General Revenue Sharing funds would be re-enacted and, therefore, proposed to transfer \$129,000 to the Capital Improvement Reserve. If the funds were not re-enacted, there would be a shortfall of approximately \$200,000 and miscellaneous expenditures of approximately \$200,000 would be put "on hold" until the outcome of the General Revenue Sharing funds was known.

With the proposed increase in recreation fees, a total of approximately \$188,000 would be generated. Coupled with funds from Orange County, the Recreation Department could generate approximately 31% of its total cost or approximately 54% of the cost of general recreation and the athletics portion of the Recommended Budget. It was felt that any additional increase would discourage participation and affect revenues. The Parks and Recreation Commission submitted a recommendation for policies for setting fees. This recommendation was contained in the budget for Council's consideration.

With the proposed increase in development fees, approximately \$30,000 would be generated in 1983-84, representing approximately $\frac{1}{2}$ of the estimated cost of reviewing applications.

Revenue needed to balance the General Fund would come from unexpended savings from prior years called Fund Balance. The appropriation needed for 1983-84 would be \$300,000. The long-term financial goal of the Town should be to base expenditures for current year operation on actual revenues available during the same year without relying on surplus funds.

Expenditures in the General Fund consisted of Public Safety (33%), Public Works (28%), Parks and Recreation, and Library (13%), Debt Service (8%), General Government (10%), and Other (Community Development and Non-Department (8%).

The budget showed a net increase of 2.6% in expenditures. This figure represented the institution of some of the recommendations of the recent Management Assessment by McManis Associates, Inc. The budget contained a listing of expenditures by department with comparisons of prior years.

Public safety programs and services would continue at the same level as 1982-83. Two positions in the Police Department had been eliminated and study of possible reorganization of the Police Department would continue.

Public Works operations would continue at the same level. Street resurfacing and reconstruction costs would now be listed in the operating budget.

Redesign of solid waste collection routes and reduction in personnel through normal attrition would effect a savings of approximately \$18,000 in 1983-84 and an approximate savings of \$36,000-\$40,000 in 1984-85.

Parks and Recreation services would remain at the current level. Revised fees and charges were recommended.

The addition of a Library Assistant I was proposed due to a 15% increase in book circulation during the past year. Other service levels would be maintained.

As recommended in the McManis Associates' Management Assessment, the three police social workers would be supervised by the Police Department, with one worker being designated as lead worker.

It was proposed that the Assistant Town Manager over Human Services would be responsible for working with the Human Services Advisory Board in making recommendations to the Council. The Human Services Advisory Board would continue to address human service needs through specific recommendations for performance contracts. The budget included funds to increase the contracts from \$20,000 (1982-83) to \$45,000 (1983-84). The budget also recommended placing Human Services under the supervision of the Town Manager. In addition, it was recommended to allocate \$12,277 to Orange County for RSVP.

Reorganization of the Planning, Inspection, and Engineering Departments would effect the loss of one secretary. The position of Deputy Town Attorney had been eliminated. The Offices of the Clerk, Revenue Collector, Legal, Finance Department and Staff Services would remain unchanged. The current Personnel Analyst would be upgraded from part-time to full-time.

The Manager's Office would be reorganized as recommended in the Management Assessment to provide stronger management capabilities. In addition, the Manager's budget included funding for a secretarial position (January 1984) to assist the Town Attorney and Assistant Town Manager's.

Overall personnel costs would include merit increases for eligible employees. Increases in social security, retirement, and health benefits would be partially offset by deletion of eight Town positions. No market adjustments or across-the-board increases were included in the Recommended Budget. Mr. Taylor stated that approximately 25% of the Town's employees were at the top step of their salary range and would not be eligible for a salary increase in the coming year. Since the performance-based merit increases would not begin until 1984-85, the current budget included funds for traditional merit increases for eligible employees.

There was the possibility of changing insurance carriers for Town employees due to recent increases in coverage costs. A recommendation on changes in coverage would be forthcoming.

There would be sufficient funds from the Federal Operating Assistance Program to cover Transportation operations subsidy for four years, unless changes occurred during the four years. Few program and service level changes were anticipated. An increase in pass prices had been recommended, but all other fare prices, as recommended by the Manager, would remain the same. (The Manager's Budget Message contained recommendations for fares from both the Manager and the Transportation Board.) The Transportation tax would remain at 5¢/\$100. A part-time E-Z Rider driver was recommended. The Transportation budget would be approximately \$2,127,496.

The total Debt Service requirement was \$985,549 (OWASA would pay \$162,000; the Transportation Fund would pay \$42,000, leaving \$779,000 for General Operations.)

The overall financial condition, as defined by North Carolina General Statutes, was very good, with a net debt ratio of 1.0% of the assessed property values.

The Debt Service was due. After next year, the Town would be in a position to consider an additional bond referendum and to retire bonds and maintain a fairly level debt retirement.

No change was anticipated in the Solid Waste Disposal Fund. The landfill continued to operate in a sound financial condition, with revenues sufficient to account for operations, with a contingency of approximately \$25,000.

The Parking Facilities Fund consisted of three self-supporting off-street parking lots, supported by revenues from rental fees for parking spaces. Estimated revenues would be adequate to cover expenditures with a contingency of \$37,000.

A Parking Facilities Study would be submitted to the Council within the week, with a recommendation to increase parking fees to help address parking needs.

The Library would continue to operate at the current level with the addition of one Library Assistant. In 1983-84, the Library would become a part of the General Fund, rather than considered a separate fund, as had been done in the past.

Approximately \$28,000 of the Fund Balance of the Capital Improvements Fund would be used to pay expenses for a roof for the Lincoln Center Gym.

Mr. Taylor stated that another item in the Capital Improvements Program was the proposed expenditure of \$6,000 from the Transportation Fund to be used with a matching grant for buying additional vehicles for the Transportation Department.

A total of \$29,000 was proposed to purchase land for Fire Station South.

The remainder of the Capital Improvements Program was a listing of needs. Plans should be formulated to identify funding sources for these needs.

Mr. Taylor reviewed the Management's response to the Management Assessment (see pages 39-46, Manager's Recommended Budget in the permanent files in the Clerk's Office).

Mr. Taylor responded to questions from the Council:

Mr. Taylor informed Mayor Nassif that an analysis on absenteeism would be conducted by the Personnel Office. The report would consider the amount of absenteeism, how it could be reduced, and what caused absenteeism.

Re the Management Assessment's recommendation to eliminate eight positions in the Public Works Department, Mr. Taylor explained to Mayor Nassif that one Construction Division position had been eliminated. An additional three positions were proposed for elimination in the budget. It was felt at this time that further reductions would alter current service levels. Mr. Taylor stated that computation of vacation and sick leave by McManis Associates had not adequately reflected leave that could be taken and still maintain sufficient crew staff to maintain adequate service levels. An analysis was underway for both garbage and trash collection. The staff would attempt to maintain a level of flexibility that would still provide a high level of service in this area.

Mr. Taylor responded to Councilmember Broadfoot that the Manager's recommendation was to eliminate the position of Assistant Fire Chief over a period of three years, but not at this time, as had been recommended in the Management Assessment. He felt that this position could be expanded to do work in the home inspection and training areas. Currently, Inspections and the Planning Department were too overworked to take over the house numbering project from the Fire Department. This project was currently well underway in the Fire Department.

Mr. Taylor responded to Councilmember Broadfoot that the expected total amount of funds that would be expended by the Town for interim assistance to the Housing Authority could be estimated at approximately \$20,000-\$25,000 to cover a 5-month cost of Mr. Secrist's salary as Interim Director, as well as the cost of Personnel time to review applications.

Mr. Taylor concluded his remarks that there was need for concern on how to meet revenue needs for 1984-85 and 1985-86. One option would be to increase taxes. Another option would be the enactment of an additional 1¢ local option sales tax by the N.C. Legislature. This tax would be shared equitably with cities. He explained that if $\frac{1}{2}$ of the 1¢ became available to local governments, revenues could be increased by approximately \$500,000/year.

If predictions were accurate, there would be a serious revenue/expenditure imbalance for 1983-84, 1984-85, and 1985-86. A modest tax increase for 1983-84 should be seriously considered to improve the long-term financial stability of the Town and to reduce dependency on General Revenue Sharing funds.

Mr. Taylor stated that a tax increase was not needed to balance the 1982-83 budget, but "it would be prudent and extremely wise for the Council to adopt a 1½¢ tax increase this year, with the generated funds used to allow an additional \$115,000 of General Revenue Sharing funds to be transferred to the Capital Improvements reserve. This certainly would go a long way in helping us wean ourselves from General Revenue Sharing funds as a source of funds in the operating budget."

Mr. Taylor summarized that the Town of Chapel Hill was in a good financial condition. But the Council should agree on a long-term strategy to ensure a sound financial future.

Mr. Taylor informed Councilmember Pasquini that a resolution setting development fees would be submitted to the Council on the evening of the budget adoption. In addition, a resolution on a policy for calculating user fees would also be submitted to the Council.

Councilmembers expressed their appreciation for the format and for the readability of the Manager's Recommended Budget.

Councilmember Broadfoot felt that the recommended policy on setting user fees should be extracted from the budget and considered separately.

Councilmember Kawalec felt issuing new bonds might make the CIP a more meaningful planning document for the future. Mr. Taylor stated that plans to address future needs were under consideration. It would be a few years before issuing new bonds would be feasible.

Councilmember Kawalec felt the budget should contain a renewal of the Greenway program. She felt that work to clear the property on the Greenway system could be done by Public Works crews or citizen groups. She also suggested that maps be drawn up to identify Town-owned land as well as land needed to complete the Greenway system.

Councilmember Kawalec questioned the proposed use of funds for the design and construction of a shelter patio at the Chapel Hill Cemetery, when the current patio needed to be torn up. She proposed that the Public Works Department tend to this project during accrued time.

Councilmember Kawalec asked how much money could be saved by using the \$25,000 left over from the bond issue for building Fire Station North to retire the debt. She felt pre-payment of bonds could save a considerable amount of money.

Mr. Taylor responded that some bonds could be prepaid and some could not. He would check this out.

Councilmember Kawalec felt that using General Revenue Sharing Funds for general operating expenses was a valid use of citizens money.

The Council agreed to schedule two budget work sessions, one on Tuesday, May 17, 1983, at 7:30 P.M., and a second work session on Tuesday, May 24, 1983, at 7:30 P.M. Councilmember Smith stated that he would not be able to attend the work session scheduled for May 17, 1983.

Councilmember Straley felt that General Revenue Sharing funds should supplement items "other than day-to-day operations of the Town."

Councilmember Smith felt that the Town should not become dependent on General Revenue Sharing funds. If it did and the funds were discontinued, it would mean increased taxes or decreased personnel.

Mayor Nassif expressed appreciation to the Manager and staff for the thorough and comprehensive budget documents.

Mr. Taylor expressed his appreciation to Mr. Baker and the staff for compilation of the budget.

Resolution Amending the Town Council Procedures Manual

Mayor Pro-Tem Marilyn Boulton stated that the intent of the proposed changes was for clarification and better management of Council meetings.

The first proposed change (Sec. 1.C.4: change the word "consent" to "ruling") would make it clear that Councilmembers could appeal the decision of the chair by majority vote.

The second proposed change (Sec. 1.C.6) would make it easier to manage the meeting by allowing the Mayor and Council to grant permission to a citizen to address an agenda item.

The third proposed change (Sec. 1.C.7) established a procedure for placing petitions on an agenda and a time limit that petitioners would be allowed to speak. This would provide better control of a meeting.

Councilmember Smith felt that the Council should not allow discussion of issues by petitioners after a public hearing had been held, as the Council could not consider information received after the public hearing as the basis of a decision.

COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER BROADFOOT, ADOPTION OF RESOLUTION 83-R-68.

Councilmember Straley felt that the Council should be more permissive of people speaking after a public hearing than it had been recently. He felt that citizens often did not become actively involved in an issue until after a public hearing. He felt strongly that the Council should maintain an open-door policy to the public.

Mayor Nassif felt that citizens had never been denied the chance to petition the Council. What the Council needed to define was if the petitioner should be heard during the petition time or at a later time.

Councilmember Wallace felt that proposed change #2 would allow the Council to decide whether or not to allow citizen participation in discussions of agenda items. Proposed change #3 related to citizens addressing the Council by petition on items not on the agenda. Hopefully, citizens would contact the Manager's Office to indicate the desire to petition so that the agenda would reflect the petition request. A time limit on the petition would be set, and if necessary, the Council could vote by 2/3 to extend the time limit.

Councilmember Wallace felt that the proposed changes were reasonable and could be changed.

VOTE ON THE FOLLOWING RESOLUTION CARRIED UNANIMOUSLY:

A RESOLUTION AMENDING THE TOWN COUNCIL PROCEDURES MANUAL (83-R-68)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby amends the Town Council Procedures Manual as follows:

1. Amend Section 1.C.4 by rewriting the third sentence thereof as follows:

Persons other than the Mayor and Council members may enter into discussion on a matter only by ruling of the Chair.

2. Delete the present Section 1.C.6 and insert the following in its place:

6. Public Participation. By ruling of the Chair, persons other than the Mayor and Council members may participate in the discussion of a matter.

Citizens who wish to speak to a matter on the agenda may request permission during petition time to be heard at the point in the agenda when the particular matter is to be discussed.

3. Amend Section 1.C.7 by inserting the following new subsection "a" and relettering the present subsections as "b" and "c," respectively:

Citizens may petition the Council regarding matters germane to town policies or business but not appearing on the agenda at petition time. Citizens desiring to present such petitions are strongly encouraged to contact the Mayor's or Town Manager's Office by the Tuesday before a Monday night meeting to indicate their desire to petition Council and so that the agenda distributed to Council members will reflect their petition under the "petition" heading of the agenda. Generally, petitions will be limited to two minutes per speaker and a total of six minutes per subject. The Council may, by a two-thirds vote of those present, extend the time for petitions on any subject.

The Council strongly discourages petitions regarding a matter which recently has been, or which soon will be before the Council as a public hearing item. Petition time is not intended to substitute for public hearings.

This the 9th day of May, 1983.

Resolution Opposing the Designation of U.S. 15-501 Between U.S. 64 and Interstate 85 as a Route for Tandem Trailers

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION OPPOSING THE DESIGNATION OF U.S. 15-501 BETWEEN U.S. 64 AND INTERSTATE-85 AS A ROUTE FOR TANDEM TRAILERS (83-R-69)

WHEREAS, U.S. 15-501 is, for the most part, a two-lane road on which the traffic significantly exceeds its design capacity, especially in the area of the Bypass around Chapel Hill; and

WHEREAS, tandem truck trailers would not be able to maintain adequate speeds up steep grades; and

WHEREAS, tandem truck trailers, because of their greater weight, could be expected to severely damage the roadbeds on the road which is essential to the traffic-carrying capacity of our road network;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby opposes the designation of U.S. 15-501 between U.S. 64 in Pittsboro and Interstate-85 in Durham as a route for tandem trailers.

This the 9th day of May, 1983.

THE MOTION CARRIED UNANIMOUSLY.

Resolution Declaring Eighty-Eight Items of Personal Property to be Surplus and Authorizing the Sale of Said Property by Public Auction or Private Negotiated Sale

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION DECLARING EIGHTY-EIGHT ITEMS OF PERSONAL PROPERTY TO BE SURPLUS AND AUTHORIZING THE SALE OF SAID PROPERTY BY PUBLIC AUCTION OR PRIVATE NEGOTIATED SALE (83-R-70)

WHEREAS, Article 12 of the General Statutes, Chapter 160A, and Section 4.16 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 items of surplus personal property;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill:

1. That the following items of personal property are hereby declared surplus and, where indicated, the minimum bids across from items shall apply:

| | <u>Items</u> | <u>Minimum Bid</u> |
|-------|--|--------------------|
| One | GMC Dump Truck (1968) | \$800.00 |
| One | Chevrolet Dump Truck (1970) | \$800.00 |
| One | GMC Garbage Truck (1975) | \$800.00 |
| One | Chevrolet Cab/Chassis (1972) | \$200.00 |
| One | Dodge Pick-up Truck (1974) | \$200.00 |
| One | Chevrolet Pick-Up Truck (1972) | |
| One | Pontiac 4-door Car (1977) | |
| Two | Ford Courier Cab/Chassis (1975) | |
| One | Chevrolet 4-door Car (1980) | \$200.00 |
| One | Dodge 4-door (1974) | |
| One | Plymouth 4-door (1978) | \$300.00 |
| One | Ford 477 C.I. Gas Engine (1968) with 4-speed transmission | \$200.00 |
| One | Air Compressor (1965) | \$100.00 |
| One | Equipment Steam "Jenny" | \$100.00 |
| Two | Power Lawn Mowers | |
| One | Air Ratchet 3/8" | |
| One | Arc Welder | |
| One | Electric Range | |
| One | Window Air Conditioner | |
| Four | Calculators | |
| One | Adding Machine | |
| Two | Mimeograph Machines | |
| One | A.B. Dick Photo Copier | |
| One | Electric Pencil Sharpener | |
| One | Dict-A-Phone | |
| One | Paper Cutter | |
| Three | Electric Typewriters | |
| Two | Manual Typewriters | |
| One | Dictaphone | |
| Two | Reel to Reel Tape Recorders | |
| One | Polaroid SX-70 | |
| One | Record Player | |
| One | Movie Screen, Tripod Type | |
| Five | Executive Swivel Chairs | |
| Two | Secretary Swivel Chairs | |
| One | Wood Table | |
| One | Sofa | |
| One | Lounge Chair | |
| One | Metal Dresser | |
| Two | Chair Dollies | |
| One | Electric Pencil Sharpener | |

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|----------|-------------------------|
| One | Cash Register |
| One | Paper Cutter |
| Two | Metal Doors |
| Twenty | Wooden Doors |
| Three | Overhead Light Fixtures |
| Five | Toilet Bowls |
| Nine | Sinks |
| Assorted | Metal Plumbing Fixtures |

2. That the Purchasing Agent shall be and is hereby authorized to dispose of this surplus personal property at public auction in accordance with statutory requirements.
3. That the public auction shall take place on Saturday, June 4, 1983 at 10:00 a.m. at the Municipal Operations Facility, 1099 Airport Road, Chapel Hill, N. C. (rain date: June 11, 1983 at the same time and place).
4. That the terms of sale shall be to the highest bidder for cash or other form of cash-equivalent acceptable to the Purchasing Agent (items specifying a minimum bid price shall be to the highest bidder equalling or exceeding the established minimum). All sales shall be designated final on the day of the auction.
5. That all items shall be sold on an "as is" and "where is" basis and the Town makes no guarantee of and assumes no responsibility for any of the items.
6. That it shall be a condition of sale that all items purchased shall be picked up and removed from the premises of the Municipal Operations Facility by 3:30 p.m. on the day of the auction. Purchasers shall bear sole risk of loss of any items remaining on said premises past such time.

BE IT FURTHER RESOLVED that if any of the surplus property is not sold at the public auction, the Purchasing Agent is hereby authorized to sell said surplus property by private negotiated sale under the provisions of General Statute 160A-267.

This the 9th day of May, 1983.

THE MOTION CARRIED UNANIMOUSLY.

Resolution Approving Change Order #2 for Mitchell Lane Widening Project

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER WALLACE, ADOPTION OF RESOLUTION 83-R-71.

Mr. Taylor responded to Councilmember Straley that Community Development funds would be used and would be sufficient to complete this project.

VOTE ON ADOPTION OF THE FOLLOWING RESOLUTION CARRIED UNANIMOUSLY:

A RESOLUTION APPROVING CHANGE ORDER NUMBER 2 FOR MITCHELL LANE WIDENING PROJECT (83-R-71)

WHEREAS, the Town of Chapel Hill on March 30, 1983 entered into a contract #8303 with Kirkpatrick Brothers, Inc., for the widening of Mitchell Lane in the amount of \$33,422.55; and

WHEREAS, the Change Order Number 1 was issued by the Manager on April 29, 1983 for french drains amending the contract amount of \$36,708.85; and

WHEREAS, Council approval of Change Order Number 2 in the amount of \$6,298 has been requested by the Manager for additional storm drainage, walkways, and drives;

BE IT RESOLVED that the Town Council approves, and authorizes the Town Manager to execute on behalf of the Town, Change Order Number 2 in the amount of \$6,507.58, for the Mitchell Lane Widening Project for a total amended contract amount of \$43,216.43.

This the 9th day of May, 1983.

Nominations: Various Town Boards/Commissions

Board of Adjustment. The Council placed the following names in nomination to fill three vacancies:

- Walter Baum (INCUMBENT; Councilmember Pasquini)
- Robert Joesting (INCUMBENT; Councilmember Straley)
- Lewis Roland (INCUMBENT; Councilmember Smith)

Appointment to one alternate position on the Board of Adjustment was also under consideration. The Council placed the following name in nomination:

- Charles House (Councilmember Boulton)

Community Appearance Commission. Mr. Barrett responded to Councilmember Straley that the business community was represented on the Community Appearance Commission.

The Council placed the following names in nomination to fill three vacancies:

- Ralph Bass (Councilmember Broadfoot)
- Josh Gurlitz (INCUMBENT; Councilmember Straley)
- Ann Hamby (Councilmember Boulton)
- Marjorie Perl (INCUMBENT; Councilmember Straley)
- Karen Davidson (Councilmember Smith)
- Sarah Campbell (Councilmember Smith)
- Peter Daswick (Councilmember Smith)

Human Services Advisory Board. The following names were placed in nomination to fill two vacancies on the Board:

- Katherine D. Savage (INCUMBENT; Councilmember Straley)
- Al Mebane (INCUMBENT; Councilmember Pasquini)
- Dorothy Gamble (Councilmember Straley)
- George Price (Councilmember Boulton)
- Gordon Dragt (Councilmember Boulton)

Library Board. The Council placed the following names in nomination to fill two vacancies:

- Waldo Haisley (Councilmember Straley)
- Mrs. Edward Yaggy, Jr. (Councilmember Smith)
- Lisa Price (INCUMBENT; Councilmember Smith)

OWASA. Mayor Nassif informed the Council that Mr. Grey Culbreth would not be able to be renominated as an incumbent due to health reasons. The Council placed the following names in nomination to fill three vacancies:

- J. Wade Degraffenreidt (INCUMBENT; Councilmember Wallace)
- Harold Langenderfer (INCUMBENT; Councilmember Wallace)
- A. H. Laube (Councilmember Straley)

Parks and Recreation Commission. The following names were placed in nomination by Councilmembers to fill three vacancies:

- Florence Soltys (INCUMBENT; Councilmember Straley)
- Lynn Cox (INCUMBENT; Councilmember Straley)

Personnel Appeals Committee. Councilmembers placed the following names in nomination to fill two vacancies:

- Rebecca Clark (INCUMBENT; Councilmember Pasquini)
- Shann Tracy (Councilmember Smith)


Planning Board. The following names were placed in nomination to fill two vacancies:

- Pat Evans (INCUMBENT; Councilmember Straley)
- Bill Rohe (INCUMBENT; Councilmember Straley)
- Aarne Vesilind (Councilmember Wallace)
- Thomas McCurdy (Councilmember Boulton)
- Arthur Werner (Councilmember Straley)

Transportation Board. There will be three vacancies on the Board and the following names were placed in nomination:

- Lawrence Lanset (Councilmember Pasquini)
- Rita Berman (INCUMBENT; Councilmember Straley)
- Dianne Byrne (INCUMBENT; Councilmember Straley)

As there was no further business to come before the Council, COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER SMITH, TO ADJOURN TO THE EXECUTIVE SESSION. The meeting was adjourned at 10:00 P.M.



Joseph L. Nassif, Mayor



David B. Roberts, Clerk