

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL  
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,  
MONDAY, JANUARY 9, 1984, 7:30 P.M.

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

Marilyn Boulton  
Winston Broadfoot  
Jonathan Howes  
Beverly Kawalec  
David Pasquini  
Nancy Preston  
R. D. Smith  
Bill Thorpe

Also present were David R. Taylor, Town Manager; Sonna Loewenthal and Ron Secrist, Assistant Town Managers; and Grainger Barrett, Town Attorney.

Recognition of Six Retiring Town Employees

Mayor Nassif presented the following resolutions to retiring Town employees:

MAJOR COY DURHAM

WHEREAS, Coy Durham has served the citizens of the Town of Chapel Hill as an employee in the Police Department for 37 years; and

WHEREAS, the Town Council and staff wish to acknowledge and recognize the good work and dedicated service of Mr. Durham; and

WHEREAS, Mr. Durham retired from Town service on December 30, 1983;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expressed its sincere gratitude and appreciation to Coy Durham for his years of faithful service to the community through his work with the Town, and wishes him the best of luck in his retirement.

This the 9th day of January, 1984.

DAVID B. ROBERTS

WHEREAS, David Roberts has served the citizens of the Town of Chapel Hill as an employee in the Police, Fire, Tax Collections, Clerk, and Revenue Department for 37 years; and

WHEREAS, the Town Council and staff wish to acknowledge and recognize the good work and dedicated service of Mr. Roberts; and

WHEREAS, Mr. Roberts retired from Town service on December 30, 1983;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expressed its sincere gratitude and appreciation to David Roberts for his years of faithful service to the community through his work with the Town, and wishes him the best of luck in his retirement.

This the 9th day of January, 1984.



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CHARLIE L. EDMONDS

WHEREAS, Charlie L. Edmonds has served the citizens of the Town of Chapel Hill as an employee in the Police Department for 31 years; and

WHEREAS, the Town Council and staff wish to acknowledge and recognize the good work and dedicated service of Mr. Edmonds; and

WHEREAS, Mr. Edmonds retired from Town service as a Law Enforcement Officer on July 31, 1983;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expressed its sincere gratitude and appreciation to Charlie L. Edmonds for his years of faithful service to the community through his work with the Town, and wishes him the best of luck in his endeavors.

This the 9th day of January, 1984.

CHARLES DURHAM

WHEREAS, Charles Durham has served the citizens of the Town of Chapel Hill as an employee in the Fire Department as a Call Firefighter for 28 years; and

WHEREAS, the Town Council and staff wish to acknowledge and recognize the good work and dedicated service of Mr. Durham; and

WHEREAS, Mr. Durham retired from Town service on November 7, 1983;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expressed its sincere gratitude and appreciation to Charles Durham for his years of faithful service to the community through his work with the Town, and wishes him the best of luck in his retirement.

This the 9th day of January, 1984.

PEGGY RIEBEL

WHEREAS, Peggy Riebel has served the citizens of the Town of Chapel Hill as an employee in the Chapel Hill Public Library for 20 years; and

WHEREAS, the Town Council and staff wish to acknowledge and recognize the good work and dedicated service of Mrs. Riebel; and

WHEREAS, Mrs. Riebel retired from Town service on October 10, 1983;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expressed its sincere gratitude and appreciation to Peggy Riebel for her years of faithful service to the community through her work with the Town, and wishes her the best of luck in her retirement.

This the 9th day of January, 1984.

## EUGENE COZART

WHEREAS, Eugene Cozart has served the citizens of the Town of Chapel Hill as an employee in the Police and Revenue Departments for 20 years; and

WHEREAS, the Town Council and staff wish to acknowledge and recognize the good work and dedicated service of Mr. Cozart; and

WHEREAS, Mr. Cozart retired from Town service on August 31, 1983;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby expressed its sincere gratitude and appreciation to Eugene Cozart for his years of faithful service to the community through his work with the Town, and wishes him the best of luck in his retirement.

This the 9th day of January, 1984.

Presentation of Gift to Mayor from Lord Mayor of Trafford, England

Councilmember Kawalec welcomed Ms. Betsy Hatch and Ms. Donna Hazucha, and introduced Mr. Bruce Stone.

Mr. Stone stated that a group of 10 students and he visited the Borough of Trafford, England, living with families and attending school for several weeks in October and November. During their visit, they met the Lord Mayor of the Borough of Trafford.

Ms. Betsy Hatch, an Exchange Student, stated that the Lord Mayor gave the students a shield bearing the Trafford emblem which he wished to have presented to the Mayor of Chapel Hill. Mr. Stone also presented Mayor Nassif with a picture of the Lord Mayor, Jonathan Taylor, and his wife, Barbara, in ceremonial costume.

Mayor Nassif expressed his appreciation for these gifts, and stated that he looked forward to meeting the students from Trafford when they visited Chapel Hill and invited them to visit the Council during their visit.

Petitions

--Mr. John Brooks, a resident of 707 Merritt Mill Road, requested information re any future plans for sidewalks on South Merritt Mill Road, as these sidewalks were dangerous and in poor condition.

Mayor Nassif responded to Mr. Brooks that he would be happy to discuss the Town's plans with him at any time, but that the redesign of Merritt Mill Road had been budgeted for 1984. After reconstruction of the road, sidewalks would be constructed.

Councilmember Boulton added that, because of this long-standing need for improvements, the Town of Chapel Hill had decided to make improvements, rather than wait for the State to do them.

COUNCILMEMBER THORPE MOVED, SECONDED BY COUNCILMEMBER PRESTON, TO RECEIVE THE PETITION AND REFER IT TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

--According to past Council practice, and in response to Councilmember Broadfoot's request, Councilmember Kawalec stated that she would schedule the annual work sessions with each of the Town's advisory boards.

Minutes (December 5, and December 12, 1983)

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER PRESTON, ADOPTION OF THE MINUTES OF DECEMBER 5, 1983, AS AMENDED. THE MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER HOWES, ADOPTION OF THE MINUTES OF DECEMBER 12, 1983, AS CIRCULATED. THE MOTION CARRIED UNANIMOUSLY.

Resolution Establishing a Task Force on Greenways

Ms. Lynn Cox, Chair of the Parks and Recreation Commission, stated that the proposed resolution was in response to requests by some Councilmembers and townspersons. The Commission wished to receive direction from the Council re review of dedicated open space and to know whether there was a commitment to greenways in Chapel Hill.

The Commission felt that, if the Council desired, the Task Force could study the proposed greenway as outlined in the proposed resolution; appointments would be made by the Council.

Councilmember Smith felt that there should be minority representation on this Task Force and on the Entranceways Task Force.

Ms. Cox responded to Councilmember Smith that a Task Force of 10 to 15 members would be large enough to divide into small groups to study specific areas and make recommendations.

Councilmember Broadfoot opposed the wording of the proposed resolution as being too defined, and not just a suggestion for Council's consideration. Mayor Nassif asserted that the proposed resolution was a recommended resolution for Council to consider.

Councilmember Broadfoot stated that use of open space should be for more than just active recreation. Ms. Cox felt that use of greenways as an alternative form of transportation would be desirable. Councilmember Broadfoot supported non-use of open space, and that open space be kept on a neighborhood basis. He opposed the proposed resolution.

Councilmember Howes stated that the language of the proposed resolution should be changed as follows:

In the "NOW, THEREFORE, BE IT RESOLVED" paragraph, change:

FROM: "...members shall be appointed by the Town Council and consist of the following or their official designee - ...."

TO: "...members shall be appointed by the Town Council and may consist of representatives of the following organizations: ...."

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER THORPE, THAT THESE WORDS BE SUBSTITUTED, AS PROPOSED BY COUNCILMEMBER HOWES IN THE PROPOSED RESOLUTION.

Councilmember Thorpe requested clarification re the intent of the proposed Task Force on Greenways. Ms. Cox confirmed that the intent was to study the greenway system in Chapel Hill.

Councilmember Smith stated that the adopted greenway system had never been completed since the efforts of Ms. Jean Stewart many years ago. He felt that the Town had an obligation to complete the system.

THE MOTION TO ADOPT THE FOLLOWING RESOLUTION CARRIED 8 TO 1 WITH COUNCILMEMBERS BOULTON, HOWES, KAWALEC, PASQUINI, PRESTON, SMITH, THORPE, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBER BROADFOOT OPPOSING:

A RESOLUTION ESTABLISHING A TASK FORCE ON GREENWAYS (84-R-1)

WHEREAS, the demand for recreational opportunities has been increasing at an ever-growing rate; and

WHEREAS, recreation has been recognized more and more as contributing to the mental as well as the physical well-being of residents of a community; and

WHEREAS, there is a heightened need to ensure that a portion of the land is reserved for athletic, environmental and recreational purpose; and

WHEREAS, the Town's Community Facilities Report adopts policies to "provide a full complement of community-wide recreational facilities accessible to the community as a whole" and "connect recreational areas with an open space network"; and

WHEREAS, the Town's Community Facilities Report defines greenways as "an open space network which provides trails for pedestrian and non-motorized vehicle use and which connects residential areas with neighborhood and community level parks as well as with other destination points throughout the urban area; and

WHEREAS, greenway systems can serve as viable transportation routes for pedestrians and non-motorized vehicles; and

WHEREAS, the Town presently has an informal greenway system from Hargraves Park through Umstead Park along Bolin Creek to the Muirhead Soccer Field; from Cedar Falls Park along Booker Creek to the Muirhead Soccer Field; and along Battle Branch from Weaver Road to University Mall; and

WHEREAS, the Town's Community Facilities Report calls for the expansion of the greenways system to provide an open space network which will connect all residential areas with parks and recreation facilities;

NOW, THEREFORE, BE IT RESOLVED that the Town Council establishes a Task Force on Greenways for the purpose of studying the proposed greenway system as identified in the Community Facilities Report adopted in March, 1979; the members shall be appointed by the Town Council and may consist of representatives of the following organizations: the Parks and Recreation Commission, the Planning Board, the Appearance Commission, the Transportation Board, the Orange Water and Sewer Authority Board, the Chapel Hill Board of Realtors, the League of Women Voters, the University of North Carolina at Chapel Hill Planning Office, the Chamber of Commerce and the local Sierra Club; the Task Force's charge shall be to make recommendations on:

1. Positive and negative aspects of urban greenway systems;
2. Problems encountered in establishing greenway systems;
3. Areas of concern in maintaining greenway systems;
4. Methods of dealing with problems associated with establishing and operating a greenway system;
5. The design of the specific greenway system for Chapel Hill with a recommended timetable for its completion; and
6. Methods for presenting the greenway system concept to the citizens of Chapel Hill.

The Task Force shall make an initial report to Council by July 9, 1984, and a final recommendation by September 24, 1984.

This the 9th day of January, 1984.

The Council elected to receive recommendations for appointment from the groups outlined in the resolution and to make nominations and appointments on January 23, 1984.

The Mayor's office or Manager's office would contact the proposed groups re the Greenways Task Force and request recommendations.

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Resolution Authorizing Extension of the Submittal Deadline in the  
October 24, 1983, Request for Proposals for Town Center Public/Private  
Joint Development

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

A RESOLUTION AUTHORIZING EXTENSION OF THE SUBMITTAL DEADLINE IN THE  
OCTOBER 24, 1983, REQUEST FOR PROPOSALS FOR TOWN CENTER  
PUBLIC/PRIVATE JOINT DEVELOPMENT (84-R-2)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council  
hereby authorizes the Town Manager to amend the Request for Proposals for  
the joint public/private development of Town-owned property in the Town  
Center (Tax Map 80A, Lot 10 and the northern third of Lot 12), as  
approved by the Council on October 24, 1983, to change the submittal  
deadline date on page 1 from "Wednesday, February 1, 1984" to "Thursday,  
March 1, 1984."

This the 9th day of January, 1984.

THE MOTION CARRIED UNANIMOUSLY.

Ordinance Amending the Chapel Hill Development Ordinance (re Durham  
County representation on the Chapel Hill Planning Board, and the Chapel  
Hill Board of Adjustment)

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER BOULTON,  
ADOPTION OF ORDINANCE 83-O-75a.

Councilmember Kawalec stated that she had contacted the Orange County  
Board of Commissioners Chair, Don Willhoit, re the change from an Orange  
County appointed position on the Planning Board to a Durham County  
appointed position. She stated that Mr. Willhoit had indicated that the  
Commissioners had no objection. Councilmembers Smith and Boulton wished  
to be assured that the Commissioners were indeed aware of this proposed  
change in county-appointed positions. Councilmember Howes stated that it  
was his belief that the Commissioners had taken official action on this  
matter.

THE FOLLOWING ORDINANCE WAS ADOPTED 8 TO 1 WITH COUNCILMEMBERS  
BOULTON, BROADFOOT, HOWES, KAWALEC, PASQUINI, PRESTON, THORPE, AND  
MAYOR NASSIF SUPPORTING, AND COUNCILMEMBER SMITH OPPOSING:

AN ORDINANCE AMENDING THE CHAPEL HILL DEVELOPMENT ORDINANCE  
(83-O-75a)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel  
Hill Development Ordinance be amended as follows:

SECTION I  
(Planning Board)

AMEND Section 2.2.1 (Establishment of the Board; Qualifications) to read  
as follows:

A Planning Board, consisting of ten (10) members, is hereby established.  
Seven (7) members, appointed by the Council, shall reside within the  
corporate limits of Chapel Hill. Two (2) members, appointed by the Orange  
County Board of Commissioners, shall reside in the Town's Orange County  
extraterritorial planning jurisdiction. One (1) member, appointed by the  
Durham County Board of Commissioners, shall reside within the Town's  
Durham County extraterritorial planning jurisdiction. Members shall serve  
without compensation, but may be reimbursed for actual expenses  
incidental to the performance of their duties within the limit of funds  
available to the Board.

## SECTION II

AMEND Section 2.2.7 Quorum and Voting to read as follows:

A quorum of the Board, necessary to take any official action, shall consist of five (5) members.

SECTION III  
(Board of Adjustment)

AMEND the first paragraph of Section 2.3.1 (Establishment of the Board; Qualifications) to read as follows:

The Board of Adjustment, consisting of ten (10) members, is hereby established. Seven (7) members, appointed by the Council, shall reside within the corporate limits of Chapel Hill. Three (3) members, appointed by the Orange County Board of Commissioners, shall reside within the Town's Orange County extraterritorial planning jurisdiction. There shall be two (2) alternate members, one appointed by the Orange County Board of Commissioners who shall reside in the Orange County extraterritorial planning jurisdiction, and one appointed by the Durham County Board of Commissioners who shall reside in the Durham County extraterritorial planning jurisdiction, each of whom shall sit as regular members on any matter arising out their respective extraterritorial areas, and who may sit as regular members on any matter in the absence of a regular member. The Council may provide for the appointment of such additional number of alternate members as it may in its discretion deem appropriate.

## SECTION IV

AMEND the first paragraph of Section 2.3.7 (Quorum and Voting) to read as follows:

A quorum of the Board, necessary to take any official action, shall consist of six (6) members.

## SECTION V

That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 9th day of January, 1984.

Resolution Authorizing the Manager to Enter Into a Lease Agreement for the Use of the Basement of the Hargraves Recreation Center as a Day Care Center

Mr. Taylor informed the Council that after the advertisement of intent to lease a portion of the Hargraves Recreation Center for a Day Care Center, no offers other than the Holmes Day Care Center, Inc., were received. Adoption of the proposed resolution was recommended.

COUNCILMEMBER PRESTON MOVED, SECONDED BY COUNCILMEMBER KAWALEC, ADOPTION OF RESOLUTION 84-R-3.

Councilmember Smith reminded those concerned of the historical significance of this building and its original intended use. He felt that this should always be remembered and given priority.

THE MOTION TO ADOPT THE FOLLOWING RESOLUTION CARRIED UNANIMOUSLY:

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A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO A LEASE AGREEMENT FOR THE USE OF THE BASEMENT OF THE HARGRAVES RECREATION CENTER AS A DAY CARE CENTER (84-R-3)

WHEREAS, Holmes Day Care Center, Inc., has operated a day care program in the basement of the Hargraves Recreation Center since approximately 1948; and

WHEREAS, Holmes provides quality state licensed and federally certified child care services to approximately 50 children from predominantly low-income households; and

WHEREAS, the Council has determined that the basement of the Hargraves Recreation Center will not be needed by the Town for the 5-year term of the lease during the hours of operation detailed in the lease as provided; and

WHEREAS, pursuant to General Statute 160A-272, a notice of intent to enter into a lease agreement with Holmes Day Care Center, Inc., was published on December 22, 1983;

THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town Manager is hereby authorized to enter into, and to sign on behalf of the Town, a lease with Holmes Day Care Center, Inc., for approximately 3850 sq.ft. in the basement of the Hargraves Recreation Center at 216 N. Roberson Street for the operation of a day care center, said lease being substantially in the form as presented by the Manager on December 12, 1983, and as described in the Manager's report of January 9, 1984 on this matter, for a period of five years.

This the 9th day of January, 1984.

#### Request for Reports

--Problem of Utility Cut-Offs in Chapel Hill. Councilmember Broadfoot felt that there was a need to study the problem of utility cut-offs in Chapel Hill: how cut-offs were handled by different utilities, what was the nature and difficulty of affected individuals, etc.

COUNCILMEMBER BROADFOOT MOVED, SECONDED BY COUNCILMEMBER SMITH, TO REQUEST THE MANAGER TO INVESTIGATE THE PROBLEM OF UTILITY CUT-OFFS AND PREPARE A REPORT FOR THE COUNCIL.

THE MOTION CARRIED UNANIMOUSLY.

--Problem of Homeless People in Chapel Hill. Councilmember Broadfoot expressed concern for the nature and risk of homeless people in Chapel Hill.

COUNCILMEMBER BROADFOOT MOVED, SECONDED BY COUNCILMEMBER THORPE, THAT THE MANAGER PREPARE A DETAILED REPORT RE THE NATURE AND SIZE OF THE PROBLEM OF HOMELESS PEOPLE IN CHAPEL HILL, AND POSSIBLE SOLUTIONS TO THE PROBLEM.

Mayor Nassif stated that the Human Services Advisory Board had considered this problem with the Inter-Faith Council and could probably offer much information to the Manager.

THE MOTION CARRIED UNANIMOUSLY.

#### Resolution Ratifying an Agreement for Legal Services

Mayor Nassif stated that this resolution would authorize legal services in the Wendy's Restaurant suit re denial of a Special Use application.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER PRESTON, TO ADOPT RESOLUTION 84-R-4.

Councilmember Thorpe felt that there should be a budgeted amount for these services instead of per hour fees.



Councilmember Kawalec concurred with Councilmember Thorpe. She stated that she felt uncomfortable with what she felt was a "totally open-ended legal budget." She suggested that during upcoming budget deliberations, the Council might discuss ways to deal with this expenditure, even if it were to hire two full-time Town attorneys.

Mayor Nassif stated that in the past this was the way legal matters had been handled. Mr. Denny's salary did not include court cases and the Town was charged by the case and by the hour. He recommended that the current method be used, as monthly statements were received and the Council could terminate services at any time.

THE FOLLOWING RESOLUTION CARRIED 8 TO 1 WITH COUNCILMEMBERS BOULTON, BROADFOOT, HOWES, KAWALEC, PASQUINI, PRESTON, SMITH, AND MAYOR NASSIF SUPORTING, AND COUNCILMEMBER THORPE OPPOSING:

A RESOLUTION RATIFYING AN AGREEMENT FOR LEGAL SERVICES (84-R-4)

BE IT RESOLVED, that the Council of the Town of Chapel Hill approves, and authorizes the Mayor to sign on behalf of the Town, an agreement with Haywood, Denny and Miller for legal services under terms described in Mr. Michael W. Patrick's letter of December 15, 1983.

This the 9th day of January, 1984.

#### Consent Agenda

Councilmember Thorpe requested that Consent Agenda "a" (Resolution to Elect a Tax Shelter of Employees' Contributions Payable as Members of the North Carolina Law Enforcement Officers' Retirement System) be removed from the Consent Agenda.

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

A RESOLUTION APPROVING A RESOLUTION AND AN ORDINANCE (84-R-5)

BE IT RESOLVED by the Chapel Hill Town Council that the Council hereby adopts the following resolutions and ordinance as submitted by the Manager:

- b. An ordinance rescheduling three regular Council meetings in 1984 (due to Easter and Memorial Day Holidays and National League of Cities' annual meeting)(84-O-1).
- c. A resolution awarding a contract for shelters at 11 bus stops in Carrboro (financed with grant funds and local matching share from Carrboro)(84-R-7)

This the 9th day of January, 1984.

#### Resolution and Ordinance Adopted on the Consent Agenda

The following ordinance and resolution were adopted on the Consent Agenda:

AN ORDINANCE CHANGING THE DATES OF CERTAIN REGULAR MEETINGS OF THE TOWN COUNCIL IN 1984 (84-O-1)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the schedule of meetings in 1984 as follows:

Monday, April 23 meeting rescheduled to Tuesday, April 24;

Monday, May 28 meeting rescheduled to Tuesday, May 29;

Monday, November 26 meeting rescheduled to Monday, December 3.

This the 9th day of January, 1984.

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RESOLUTION REJECTING AND ACCEPTING BIDS AND AWARDING A CONTRACT FOR CONSTRUCTION OF ELEVEN (11) BUS SHELTERS (84-R-7)

WHEREAS, the Town of Chapel Hill has solicited formal bids on November 2, 1983, and the following bids have been received:

<u>Bidder</u>	<u>Fixed Price Bid</u>
Gaither Contractors, Raleigh	\$39,317.00
Security Building Company, Chapel Hill	44,350.00
Triad, Incorporated, Durham	32,725.00
Tri-State Consultants, Greensboro	30,498.00
Cleora Sterling Corporation, Chapel Hill	34,500.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town rejects the bids of Triad, Incorporated in the amount of \$32,725.00 and Tri-State Consultants in the amount of \$30,498.00 as non-responsive; and accepts the low responsive bid of, and awards a contract to the Cleora Sterling Corporation in the amount of \$34,500.00.

This the 9th day of January, 1984.

Resolution to Elect a Tax Shelter of Employees' Contributions Payable as Members of the North Carolina Law Enforcement Officers' Retirement System

Mr. Taylor explained to Councilmember Thorpe that one year ago a tax shelter was made available to Town employees under the Local Government System. At that time, however, the LEO Retirement System for police officers did not as a tax shelter. Since then, necessary documents and changes had been made and on December 19, 1983, the IRS issued a ruling that LEO now qualified as a tax shelter.

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

A RESOLUTION TO ELECT A TAX SHELTER OF EMPLOYEES' CONTRIBUTIONS PAYABLE AS MEMBERS OF THE NORTH CAROLINA LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM (84-R-6)

WHEREAS, the 1983 Session of the North Carolina General Assembly, by a duly ratified bill, enacted on June 8, North Carolina General Statute 143-166(i1), effective upon receipt of favorable determination by the Internal Revenue Service, which under the conditions specified therein permits an employer participating in the North Carolina Law Enforcement Officers' Retirement System to tax shelter the contributions payable to this System by its employees who are members of this System; and

WHEREAS, IRS approval was received by the Law Enforcement Officers' Retirement System December 19, 1983; and

WHEREAS, the Town of Chapel Hill is an employer participating in the North Carolina Law Enforcement Officers' Retirement system with respect to its eligible employees; and

WHEREAS, the Town of Chapel Hill deems it desirable to tax shelter the contributions payable by its employees as members of the North Carolina Law Enforcement Officers' Retirement System;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill in regular session, that effective the first day of January, 1984, the Town of Chapel Hill elects pursuant to the provisions of North Carolina General Statute 143-166(i1) to pick up and pay to the North Carolina Law Enforcement Officers' Retirement System the contributions which would be otherwise payable to this System by its employees who are members of this

System and to treat in all respects such contributions in the manner specified in said North Carolina General Statute 143-166(i1); and

BE IT FURTHER RESOLVED that the Town Manager is authorized and directed to implement the tax-sheltering elected by this resolution, and to forward this resolution to the North Carolina Law Enforcement Officers' Retirement System as evidencing the Council's action herein.

This the 9th day of January, 1984.

THE MOTION CARRIED UNANIMOUSLY.

Notification of Vacancy--Parks and Recreation Commission

The Council was notified by the Clerk's Office of the resignation of Ms. Chick White from the Parks and Recreation Commission.

Nominations--Entranceways Task Force

Councilmember Howes placed the following names in nomination for appointment to the Entranceways Task Force:

- Gina Cunningham--Planning Board
- Ray Burby--Parks and Recreation Commission
- Jon Condoret--Community Appearance Commission
- Rita Berman--Transportation Board

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER SMITH, TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION. THE MOTION CARRIED UNANIMOUSLY.

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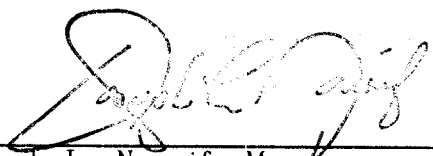
At 9:55 P.M., the Council adjourned from Executive Session to the Regular Meeting.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER PRESTON, THAT THE MEETING BE ADJOURNED TO THURSDAY, JANUARY 12, 1984, at 4:00 P.M. IN THE MEETING ROOM OF THE MUNICIPAL BUILDING, TO CONTINUE THE EXECUTIVE SESSION TO DISCUSS LITIGATION.

THE MOTION CARRIED UNANIMOUSLY (9 TO 0).

At 10:00 P.M., the meeting was adjourned to Thursday, January 12, 1984, at 4:00 P.M. in the Municipal Building Meeting Room.\*

\*On January 12, 1984, the Adjourned Meeting was cancelled by the Mayor.




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Joseph L. Nassif, Mayor

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James M. Baker, Interim Town Clerk