

The regular meeting of the Board of Aldermen of the Town of Carrboro was convened in the Board Room of the Town Hall on December 14, 1982

PRESENT AND PRESIDING:

Mayor Pro Tem  
Aldermen

John Boone  
Steve Rose  
Jim White  
Joyce Garrett  
Ernie Patterson  
Hilliard Caldwell (arrived 8:10)  
Richard F. Hunter  
Sarah C. Williamson  
Michael Brough

Town Manager  
Town Clerk  
Town Attorney

ABSENT:

Mayor Robert Drakeford

Approval of Minutes of Previous Meeting

MOTION WAS MADE BY ERNIE PATTERSON AND SECONDED BY STEVE ROSE THAT THE MINUTES OF NOVEMBER 23, 1982 BE APPROVED. VOTE: AFFIRMATIVE ALL.

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Public Hearing/Land Use Ordinance Amendment/ABC Stores

At its meeting of November 23, 1982, the Board of Aldermen requested a Land Use Ordinance amendment which would allow ABC stores in the B-4 zone with a conditional use permit.

Roy Williford, Planning Director, stated that this amendment would change the text of the land use ordinance to allow an ABC store in any B-3 or B-4 zone, but it would not change the zoning map.

Mr. Williford stated that the administration was recommending that ABC stores be permitted in the B-4 zone but not in the B-3 district. An ABC store would not be compatible with surrounding residential uses if it were a permissible use in a B-3 zone.

Mr. Williford stated that the Planning Board was recommending that the proposed resolution not be passed, but an ordinance be drafted to allow ABC stores in a B-4 zone. The Planning Board felt that an ABC store was inappropriate in the B-4 zone and should be allowed.

MOTION WAS MADE BY ERNIE PATTERSON AND SECONDED BY JIM WHITE THAT THIS PUBLIC HEARING BE CLOSED AS NO ONE WAS PRESENT TO SPEAK FOR OR AGAINST THIS PROPOSAL. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY ERNIE PATTERSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO AUTHORIZED ABC STORES IN THE B-4 ZONING DISTRICT WITH A CONDITIONAL USE PERMIT", BE ADOPTED. VOTE: AFFIRMATIVE ALL.

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Christmas Gifts for Town Employees

The Board of Aldermen at its work session on December 6, 1982 requested that this matter be considered by the Board at its meeting tonight.

Alderman White requested that he be excused from voting.

Alderman Caldwell proposed giving a \$25.00 cash gift to town employees.

Alderman Rose proposed making merit raises available to deserving employees.

Alderman Garrett proposed that the Aldermen, Town Manager, and department heads contribute personal money to make gifts available to town employees.

Alderman White requested that he be allowed to withdraw from voting. The Board did not allow Alderman White to withdraw from voting as this matter was not a conflict of interest.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ERNIE PATTERSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'82-83 BUDGET ORDINANCE" BE ADOPTED TRANSFERRING \$2,650.00 FROM ALERT FRANCHISE FEES TO CONTINGENCY AND FROM CONTINGENCY TO VARIOUS TOWN DEPARTMENTS IN ORDER TO ALLOW TOWN EMPLOYEES TO RECEIVE \$25.00 CASH GIFTS FOR CHRISTMAS. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT).

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Status Report on Farmers's Market Operations

The Law & Finance Committee (excluding Aldermen White, Patterson, and Jerry Koontz) at its meeting of December 7, 1982 directed the Town Attorney to get together with the representatives of the Farmers Fair to prepare a revised set of more explicit guidelines for the operation of the Farmers Market. Upon the completion of these guidelines, this matter would go back to the Law & Finance Committee for further consideration.

This was provided as information to the Board.

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Request for Final Plat Approval/Wildwood Springs Subdivision

David Kale, President of Wildwood Springs Development Corporation, is requesting final plat approval for this subdivision. A conditional Use permit authorizing this development was approved by this Board on May 11, 1982. The property is located on Highway 54 Bypass between Carolina Apartments and Royal Park Apartments.

This final plat does not substantially differ from the plans approved as part of the conditional use permit.

Roy Williford, Planning Director, stated that the administration was recommending approval of the final plat with the following conditions:

1. That a performance bond or other surety be posted to cover the cost of completing the following items:
  - a. park picnic table
  - b. park swing
  - c. path to open space
  - d. wooden guard rail
  - e. graveled parking areas
  - f. stabilizing the road shoulders
2. That the performance bond or other surety posted guarantee protection against defects in accordance with Section 15-82 of the Land Use Ordinance.

MOTION WAS MADE BY ERNIE PATTERSON AND SECONDED BY STEVE ROSE THAT FINAL PLAT APPROVAL BE GIVEN WITH THE CONDITIONS RECOMMENDED BY THE ADMINISTRATION PLUS THE FOLLOWING:

1. THAT APPROVAL OF THE MAINTENANCE DOCUMENT BE APPROVED BY THE TOWN ATTORNEY SPECIFYING THE CONDITIONS FOR MAINTENANCE OF THE COMMON AREA.
2. THAT THE FINAL PLAT BE AMENDED TO CHANGE THE WORDING FROM COMMON AREA TO PRIVATE ROAD FOR THE DRIVEWAY AREA AND DESIGNATE ALL OTHER AREAS AS COMMON AREAS.

VOTE: AFFIRMATIVE ALL.

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Presentation of proposed Thoroughfare Plan

The administration, along with the Transportation Planner from the N.C. Department of Transportation, Mr. Ed Johnson, presented the proposed Chapel Hill-Carrboro Thoroughfare Plan.

Will Denning, town planner, requested that the the town staff be authorized to hold a public forum on the thoroughfare plan at the Carrboro Elementary School for January 6th.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY ERNIE PATTERSON THAT THE ADMINISTRATION BE AUTHORIZED TO HOLD A PUBLIC FORUM ON THE THOROUGHFARE PLAN ON JANUARY 6, 1983. VOTE: AFFIRMATIVE ALL.

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Resolution Accepting and Appropriating the Town's Community Development Grant

The Town of Carrboro has been awarded a Community Development Block Grant in the amount of \$125,000 by the Department of Natural Resources and Community Development to carry out an economic development project (\$100,000) and local option activities (\$25,000).

The administration recommended adoption of a resolution which would accept this grant and allow the administration to proceed with implementing the Ametek Retention/Expansion Project. The administration further recommended adoption of a budget amendment accepting these funds. In addition the administration recommended adoption of an ordinance transferring \$10,000.00 from fund balance to the Community Development Contingency Fund.

Mr. Hunter informed the Board that the grant agreement had not yet been received from the Department of Natural Resources and Community Development and therefore recommended that the Board schedule a special meeting before December 31st in order to adopt the necessary documents to officially accept this grant and proceed with implementing the Ametek Retention/Expansion Project.

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It was the concensus of the Board to set aside December 29th for a special meeting to adopt the necessary documents to accept the C.D. Grant and implement the Ametek project.

It was also the concensus of the Board to refer the ordinance accepting the \$10,000 repayment loan from the Chapel Hill Housing Authority to the Law & Finance Committee.

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#### Assistance to Recycling Programs

The administration recommended adoption of a resolution authorizing agreements between the Orange Regional Landfill and non-profit recycling organizations.

The following resolution was introduced by Alderman Ernie Patterson and duly seconded by Alderman Hilliard Caldwell.

#### A RESOLUTION AUTHORIZING AGREEMENTS BETWEEN THE ORANGE REGIONAL LANDFILL AND NON-PROFIT RECYCLING ORGANIZATIONS

WHEREAS, many citizens of the Towns of Chapel Hill and Carrboro and of the County of Orange support recycling as a method of resource conservation; and

WHEREAS, the Board of Aldermen of the Town of Carrboro desires to support and assist the development of non-profit programs for recycling of paper, glass, aluminum, and plastic from Orange County and the municipalities therein; and

WHEREAS, the Board of Aldermen finds that recycling of the above materials furthers the public safety, health and welfare; benefits the Orange Regional Landfill; and is complementary to the Lanfill's public purpose of removing waste materials from the community;

NOW, THEREFORE, BE RESOLVED:

Section 1. The Board of Aldermen of the Town of Carrboro approves and authorizes the Orange Regional Landfill to approve and enter into Agreements for Collection and Recycling Services between non-profit, tax-exempt organizations and the Orange Regional Landfill in the form presented in this meeting and filed with the permanent records of this meeting, and in accord with the attached policy statement.

Section 2. The Board of Aldermen authorizes the Orange Regional Landfill pursuant to that certain agreement dated November 30, 1972, between the Town of Chapel Hill, the Town of Carrboro, and the County of Orange, to execute said Agreements for Collection and Recycling Services on behalf of the Orange Regional Landfill upon review by the Landfill Task Force representing the co-owners of the Landfill.

Section 3. The Board of Aldermen authorizes the Chapel Hill Town Manager, as administrator of the Orange Regional Landfill to approve and enter into Agreements for Collection and Recycling Services between non-profit, tax-exempt organizations and Orange Regional Landfill in the form presented in this meeting and filed with the permanent records of this meeting, and in accord with the attached policy statement.

Section 4. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 14th day of December, 1982:

AYES: Joyce Garrett, Ernie Patterson, Hilliard Caldwell, John Boone, Jim White, Steve Rose

NOES: NONE

ABSENT OR EXCUSE: NONE

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#### Appointment to Commercial Rezoning Ad Hoc Committee

The Carrboro Business Association has requested that Tony Cornacchione be appointed as one of the Association's representatives on the Commercial Rezoning Ad Hoc Committee. The Association is making this request in lieu of the fact that the Downtown Revitalization Task Fore requested Jim Hodgins to serve as one of its representatives on the Commercial Rezoning Ad Hoc Committee, thereby reducing the Association's representation on this Committee to two members.

MOTION WAS MADE BY STEVE ROSE AND SECONDED BY HILLIARD CALDWELL THAT TONY CORNACCHIONE BE APPOINTED TO THE COMMERCIAL REZONING AD HOC COMMITTEE. VOTE: AFFIRMATIVE ALL.

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Request to fill Police Supervisor and Patrol Officer positions

Mr. Hunter requested authorization to fill the two vacant positions within the police department, which include a supervisor's position and a patrol officer's position.

MOTION WAS MADE BY STEVE ROSE AND SECONDED BY HILLIARD CALDWELL THAT THE ADMINISTRATION BE AUTHORIZED TO FILL THE VACANT POLICE SUPERVISOR'S POSITION AND THE VACANT PATROL OFFICER'S POSITION. VOTE: AFFIRMATIVE ALL.

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Establishment of an Orange County Economic Development Commission

Mr. Hunter presented the Board with information to be considered by the Orange County Commissioners concerning the establishment of an Orange County Economic Development Commission.

It was the concensus of the Board to wait for the County Commissioners' action on this matter before taking any action.

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Request to Close Alley off Lloyd Street

Mr. Brough stated that he had been requested to propose to the Board the possible closing of a 10-foot wide alley running between Lloyd Street and the Southern Railway property to clear up title difficulties caused by the platting of this alley.

The following resolution was introduced by Alderman Ernie Patterson and duly seconded by Alderman Steve Rose.

A RESOLUTION DECLARING THE INTENT OF THE BOARD OF ALDERMEN TO CLOSE A 10-FOOT WIDE ALLEY RUNNING BETWEEN LLOYD STREET AND THE SOUTHERN RAILWAY PROPERTY

WHEREAS, an alley 10 feet in width and approximately 67 feet in length, running in an east/west direction between Lloyd Street and the Southern Railway property appears on a subdivision plat recorded in Plat Book A, Page 24 of the Orange County Registry, and the recording of this instrument constitutes an offer of dedication to the town of this alley; and

WHEREAS, the Town of Carrboro has never formally accepted the offer of dedication of this alley, nor has this alley ever been open or maintained by the town, and

WHEREAS, the town desires to clear up the title difficulties caused by the platting of this alley to the extent that it is in the power to do so by using the street closing procedures set forth in G.S. 160A-299;

NOW, THEREFORE THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The offer of dedication made by the platting of an alley 10 feet in width and approximately 67 feet in length, running between Lloyd Street and the Southern Railway property (see Plat Book A, Page 24, Orange County Registry) is hereby accepted.

Section 2. The Board of Aldermen hereby declares its intention to close the alley. 10 feet in width and approximately 67 feet in length running between Lloyd Street and the Southern Railway property, as shown on the subdivision plat recorded in Plat Book A, Page 24, of the Orange County Registry.

Section 3. The Board of Aldermen shall hold a public hearing on January 25, 1983 in the Town Hall to consider the closing of the above-described alley.

Section 4. This resolution shall be published once a week for four successive weeks prior to the public hearing and a copy shall be sent by certified mail to the persons who, according to the county tax records, own property adjoining the alley that is proposed to be closed. In addition, a notice of the proposed closing and the public hearing thereon shall be prominently posted at the Lloyd Street and Southern Railway entrances to this alley.

Section 5. Should the alley be closed as proposed, then all right, title, and interest in the alley right-of-way shall be conclusively, presumed to be vested in those persons owning lots adjacent to the closed portion of said alley, and the title of such adjoining land owners, for the width of the abutting land owned by them, shall extend to the central line of this alley.

Section 6. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 14th day of December, 1982

AYES: Joyce Garrett, Ernie Patterson, Hilliard Caldwell, John Boone, Jim White,  
Steve Rose

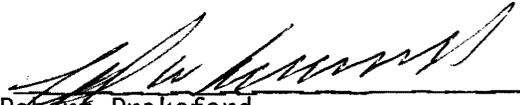
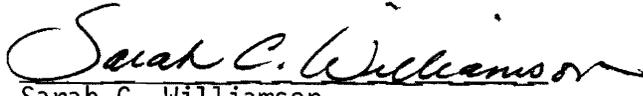
NOES: NONE

ABSENT OR EXCUSED: NONE

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There being no further business, the meeting was adjourned.

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Robert Drakeford  
Mayor  
Sarah C. Williamson  
Town Clerk