

March 8, 1983

A regular meeting of the Board of Aldermen was convened in the Board Room, the regular place of meeting on March 8, 1983 at 7:30 p.m.

PRESENT AND PRESIDING:

Mayor	Robert W. Drakeford
Aldermen	Jim White
	Steve Rose
	John Boone
	Hilliard Caldwell
	Ernie Patterson
	Joyce Garrett
Town Manager	Richard Hunter
Town Clerk	Sarah C. Williamson
Town Attorney	Michael Brough

Approval of Minutes of Previous Meeting

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE MINUTES OF FEBRUARY 22, 1983 BE APPROVED WITH NECESSARY CORRECTIONS. VOTE: AFFIRMATIVE ALL.

Request to Set Public Hearing/Weatherhill Patio Homes

Wells Management Group, Inc. has applied for a Conditional Use Permit which will allow a cluster subdivision to be located in the Weatherhill Development on Westbrook Drive. The subdivision will contain 25 lots of at least 5,000 sq. ft. each. Two existing streets will be improved to Town of Carrboro public street standards and one new public street will be constructed; and is requesting a Conditional Use Permit for an architecturally integrated subdivision off Beechwood Drive and Cedar Court in the Weatherhill Development. Proposed are 41 townhouse units, including 12 2-family units, to house a total of 53 families. The development would be completed in 5 phases and would be an extension of Phase I of Weatherhill on Walnut Court.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT A PUBLIC HEARING BE SET FOR March 22, 1983. VOTE: AFFIRMATIVE ALL.

Continuation of Public Hearing/Land Use Ordinance Amendment to Allow Nursing Care Institutions, Etc. in the R-15 Zone

This public hearing was continued from the February 22nd meeting.

The Board of Aldermen were scheduled to hear views of the public on an application from Cecil Butler for a land use ordinance amendment to change the Table of Permissible Uses to allow 7,200 uses in an R-15 residential district.

Mr. Hunter informed the Board that Mr. Butler had requested that action on this request be postponed.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT ACTION ON THIS REQUEST BE POSTPONED INDEFINITELY. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT A PUBLIC HEARING BE SET FOR MARCH 22, 1983 TO CONSIDER ALLOWING NURSING CARE INSTITUTIONS, ETC. IN R-3, R-7.5 and R-SIR. VOTE: AFFIRMATIVE ALL

Continuation of Public Hearing/Capital Improvements Program and Use of LWCF Grant Funds

The public hearing was continued from the February 22nd meeting.

The Board of Aldermen will hear views and receive input from the public on proposed items for inclusion in a Capital Improvements Plan and receive public views as to the desirability of building a community swimming pool, other recreation facilities and/or other elements within the proposed Capital Improvements Plan with remaining LWCF grant funds or grant reimbursement monies.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE PUBLIC HEARING BE CLOSED AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THIS MATTER BE REFERRED TO THE BOARD'S WORKSESSION IN APRIL. VOTE: AFFIRMATIVE ALL.

Budget Amendment

The purpose of this amendment is to transfer appropriations from the Contingency Fund into a line item for salaries of firefighters.

A regular firefighter is in the hospital due to an automobile accident. This transfer will provide salaries for the employment of a temporary firefighter/driver during the absence of a regular firefighter/driver. This will enable the fire department to provide adequate shift coverage.

The Law & Finance Committee at its meeting of March 1, 1983 recommended approval of this budget amendment.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY '82-'83 BUDGET ORDINANCE" TRANSFERRING \$1,796 FROM THE CONTINGENCY FUND TO FIRE SUPPRESSION, BE ADOPTED. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE MAYOR, ON BEHALF OF THE BOARD, SEND A LETTER TO RICKY BAKER EXTENDING ITS WISHES HIS QUICK RECOVERY. VOTE: AFFIRMATIVE ALL.

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Contract with Chapel Hill-Carrboro Farmers Market, Inc.

The administration recommended approval of a proposed contract allowing the Chapel Hill-Carrboro Farmers Market, Inc. to act as the operator of the town's farm and craft market. The Law & Finance Committee at its meeting of March 1, 1983 also recommended approval of this contract subject to changes being made by the Town Attorney.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT SECTION 4(d) OF THE AGREEMENT BE APPROVED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT).

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE CONTRACT, AS AMENDED, BE APPROVED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT BECAUSE OF HER OPPOSITION TO SECTION 4(d).)

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An Ordinance Amending the Alert Cable T.V. Franchise Ordinance

The administration recommended adoption of an ordinance amending the Alert Cable T.V. franchise ordinance to make clear that the town is entitled to 3% of the annual gross revenues of the entire cable television system with the town, including those programs, the signals for which are received by Alert over satellite, and to change the number of franchise payments from two to one per year and change the payment date to March 15th.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE FRANCHISE GRANTED TO ALERT CABLE T.V. OF NORTH CAROLINA, INC.", BE ADOPTED ON FIRST READING. VOTE: AFFIRMATIVE ALL. It was the concensus of the Board to schedule a public forum in April with representatives from Alert Cable TV to hear views and comments from citizens on Alert's system in Carrboro.

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Budget Amendment

The purpose of this amendment is to transfer appropriations from departments which have accumulated funds intended for salaries to departments which have insufficient salary appropriations to complete the fiscal year.

The Law & Finance Committee at its meeting of February 15, 1983 recommended approval of this budget amendment.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY STEVE ROSE THAT THE ORDINANCE ENTITLED; "AN ORDINANCE AMENDING FY '82-'83 BUDGET ORDINANCE", BE ADOPTED. VOTE: AFFIRMATIVE ALL.

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Annual Audit Proposals

The town has requested proposals from audit firms interested in preparing the annual audit report. Five firms responded. After a review of the written proposal and the oral presentation, the Law & Finance Committee at its meeting of February 15, 1983 recommended the firm of Deliotte, Haskins and Sells as a first choice. The firms of Garrett, Sullivan and Touche Ross were considered to be tied for a second choice. The firm of Duncan and Nunn was the fourth choice, while the firm of Strand, Skees and Jones were considered inadequate to meet the needs of the town.

The administration is in concurrence with the recommendation of the Law & Finance Committee.

MOTION WAS MADE BY HILLIARD CALDWELL THAT THE CONTRACT BE GIVEN TO GARRETT AND SULLIVAN. NO SECOND TO THIS MOTION.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOYCE GARRETT THAT THE CONTRACT BE AWARDED TO DELIOTTE, HASKINS AND SELLS. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (CALDWELL BECAUSE HE FELT THE CONTRACT SHOULD BE AWARDED TO A MINORITY FIRM SINCE THE TOWN PRESENTLY HAS NO CONTRACTS WITH MINORITY FIRMS).

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Special Legislation

The administration recommended that the Board consider three (3) pieces of special legislation: (1) A bill to enable the town to charge a vehicle tax of \$5.00 rather than the \$1.00 now provided in the general law; (2) A bill to authorize the town to tow vehicles parked in the farmers market lot on Saturdays; and (3) A bill to enable the town to adopt an ordinance requiring smoke detectors in existing rental dwelling units.

The Board of Aldermen at its worksession on March 2, 1983 recommended these three pieces of special legislation be submitted to the town's legislative representative for introduction in the 1983 General Assembly.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY STEVE ROSE THAT THE BILL CONCERNING RAISING THE VEHICLE TAX TO \$5.00 BE FORWARDED TO THE LEGISLATIVE DELEGATION. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (GARRETT, CALDWELL)

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY STEVE ROSE THAT THE BILL CONCERNING TOWING FROM THE FARMERS MARKET BE FORWARDED TO THE LEGISLATIVE DELEGATION. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY STEVE ROSE THAT THE BILL CONCERNING SMOKE DETECTORS BE FORWARDED TO THE LEGISLATIVE DELEGATION. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT).

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Appointments to Boards and Commissions

The following vacancies exist or will exist in the near future due to term expiration on various town boards and commissions:

- Appearance Commission--three (3) vacancies
- Planning Board--two (2) in-town vacancies
- Transportation Advisory Board--one (1) vacancy
- Board of Adjustment--four (4) in-town vacancies (as of April, 1983)
- Orange County Economic Development Commission--one (1) Carrboro representative

The Board of Aldermen at its worksession of March 2, 1983 recommended the following appointments be made:

- Appearance Commission--Daniel Leonard
- Planning Board--Diana Woolley, Jean Crews
- Board of Adjustment--LeAnn Nease, Mike Riggsbee, Linda Reifsynder
- Orange County Economic Development Commission--Norman Weatherly

The Board of Aldermen requested that the Town Clerk advertise the remaining vacancies.

MOTION WAS MADE BY STEVE ROSE AND SECONDED BY JOHN BOONE THAT DANIEL LEONARD BE RE-APPOINTED TO THE APPEARANCE COMMISSION, THAT DIANA WOOLLEY AND JEAN CREWS BE APPOINTED TO THE PLANNING BOARD, THAT LEANN NEASE, MIKE RIGGSBEE, AND LINDA REIFSYNDER BE RE-APPOINTED TO THE BOARD OF ADJUSTMENT AND THAT NORMAN WEATHERLY BE RECOMMENDED TO THE ORANGE COUNTY COMMISSIONERS FOR APPOINTMENT AS THE TOWN'S REPRESENTATIVE ON THE ORANGE COUNTY ECONOMIC DEVELOPMENT COMMISSION. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THOMASINE BROWN BE APPOINTED TO THE APPEARANCE COMMISSION. VOTE: AFFIRMATIVE ALL.

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Field Rental Fee Policy

The Recreation and Parks Department has received requests to rent athletic fields by individuals/groups for tournaments. Under the current policy, rentals are restricted to two-hour time blocks. The Recreation and Parks Commission has reviewed and recommends that the policy be approved. The administration concurs with this recommendation.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE POLICY, AS PRESENTED, BE APPROVED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT).

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Chapel Hill/Carrboro Thoroughfare Plan

The Carrboro Board of Aldermen will consider the adoption of the Carrboro portion of the Chapel Hill/Carrboro Thoroughfare Plan.

It was the concensus of the Board to delay action on this matter until Chapel Hill makes all the changes to the plan it intends to make.

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Market Study

It was the concensus of the Board that the worksession to consider the proposals for the downtown market study be scheduled for March 30th instead of March 23rd.

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Rezoning Fees

MOTION WAS MADE BY JIM WHITE AND SECONDED BY STEVE ROSE THAT FEES FOR REZONING REQUESTS IN THE DOWNTOWN AREA BE WAIVED UNTIL THE BOARD TAKES ACTION ON THE COMMERCIAL REZONING PROPOSAL. VOTE: AFFIRMATIVE ALL.

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Resolution to Co-Sponsor Horizons Unlimited Conference

Ray Greene, Director of the Triangle J Council of Government, made a presentation at the Joint Review meeting held on February 17, 1983 at which time he described the upcoming conference called Horizons Unlimited scheduled for March 10, 1983. The Joint Review meeting unanimously passed a recommendation that the Town of Carrboro become a co-sponsor of the Horizons Unlimited conference.

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

A RESOLUTION TO CO-SPONSOR THE HORIZONS UNLIMITED CONFERENCE

WHEREAS: the Triangle area, of which Carrboro is a vital part, is the fastest growing area in the State of North Carolina, and

WHEREAS: a rapid growth is expected to continue for several decades, bringing a mixture of opportunities and problems which need to be addressed now if the quality of life in this area is to be preserved, and

WHEREAS, the Triangle J Council of Government has proposed a regional forum on March 10, 1983 to explore development related issues in an effort to assist municipal and county officials in reaching a consensus on goals and strategies for preserving out quality of life,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Aldermen of the Town of Carrboro pledges its cooperation and participation in the regional forum called Horizons Unlimited concerning triangle area development and agrees to be a co-sponsor.

This is the 8th day of March, 1983.

VOTE:

AYES: Patterson, Rose, Boone, Caldwell, Garrett, White

NOES: NONE

ABSENT OR EXCUSED: NONE

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Resolution Accepting Milton Drive

Mike Brough recommended adoption of a resolution accepting Milton Drive into the Town's street system.

The following resolution was introduced by Aldermen John Boone and duly seconded by Alderman Jim White.

A RESOLUTION ACCEPTING MILTON DRIVE

WHEREAS, Milton Drive, a street within the Milton Drive Subdivision, has been completed in accordance with the town's specifications, and

WHEREAS, sufficient surety has been posted with the town to guarantee that the developer will correct any defects that appear in Milton Drive within one (1) year of its acceptance by the Town;

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

Section 1. The town hereby accepts Milton Drive into the town's street system.

Section 2. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 8th day of March, 1983.

AYES: Rose, White, Boone, Caldwell, Patterson, Garrett

NOES: NONE

ABSENT OR EXCUSED: NONE

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There being no further business, the meeting was adjourned.

Sarah C. Williamson
Sarah C. Williamson, Town Clerk

Robert Drakeford, Mayor