

A regular meeting of the Board of Aldermen was convened at 7:30 p.m. on June 28, 1983.

PRESENT AND PUSIDING:

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

Approval of Minutes of Previous Meetings

MOTION WAS MADE BY JIM WHITE AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF JUNE 8 AND JUNE 14, 1983 BE APPROVED WITH NECESSARY CORRECTIONS. VOTE: AFFIRMATIVE ALL.

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Oakwood Public Housing Project

Steven Clapp requested the Board's assistance in obtaining a copy of the artists' renderings or colored drawings that were presented to the Board with the original plans for the Oakwood Public Housing Project.

The Board instructed the Town Manager to contact the CHHA to see if such plans exist, and if they do, to make sure Mr. Clapp has access to them.

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Public Hearing/Conditional Use Permit/Carr Mill

Dr. J.W. and Patricia Ann French are applying for a conditional use permit amendment which will allow the construction of a three-story office building containing 23,100 square feet on the Carr Mill property. The proposed building site is directly to the north of the intersection of Weaver Street and West Main Street. The property is zoned Business-1.

Greg Shepard, Zoning Administrator, was sworn in.

Mr. Shepard presented the site plan for the proposed project. Mr. Shepard also presented letters from the N.C. D.O.T.; Hammer, Siler and George, the town's market study consultant; and Kimley-Horn & Associates. (See Town Clerk's file of this meeting for a copy of these letters.)

Karl Doerre, the developer's architect, was sworn in by the Town Clerk. Mr. Doerre spoke in favor of the project and described the proposed building. Mr. Doerre stated they would have no problem placing the air conditioning units on top of the proposed building if the land use ordinance was amended to extend building heights above 35 feet.

Mr. J.W. French, owner, was sworn in by the Town Clerk. Mr. French spoke in favor of the proposed building stating that he thought it would add much to the town. Mr. French also stated that he did not think the parking would cause a problem as he has kept a check on the parking situation during the day and there is not a shortage of parking.

Kim Maitland was sworn in. Ms. Maitland asked that the air conditioning units be placed on top of the building, and that the appearance of the building be constructed to be more compatible with the Carr Mill building.

Deborah Warner, representing the Orient Express, read a letter from the operator of the Orient Express requesting that the new building be built to blend in with the existing building, requested that the green space in front of Carr Mill not be disturbed, and requested that the air conditioning units be placed on top of the building.

Jane Haborsky, residing on Center Street, was sworn in. Ms. Haborsky expressed her concern about the traffic problem which will be created by this additional building.

Tony Cornachionne, representing the Carrboro Business Association, was sworn in. Mr. Cornachionne spoke in favor of the proposal.

Bob Brogden, with the A.C., was sworn in. Mr. Brogden stated that the Appearance Commission was recommending the air conditioning units not be placed along the side of the building.

Ralph Teal, with Triangle Tire Co., was sworn in. Mr. Teal spoke in favor on the project.

Lacy Farrell, a property owner on Lorraine Street and a Carrboro resident, was sworn in. Mr. Farrell requested that the windows in the proposed building be constructed in the same manner as those in the old building.

MOTION WAS MADE BY J.B. AND SECONDED BY H.C. THAT THIS PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE APPLICATION IS COMPLETED. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE APPLICATION COMPLIES WITH ALL APPLICIATE REQUIREMENTS OF THE LUO. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY ERNIE PATTERSON AND SECONDED BY STEVE ROSE THAT:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in section 15-64 of the land use ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. If changes in permissible uses occur which require additional parking, the developer shall be required to meet the parking requirements applicable to the resulting uses.
4. That a covenant be placed in the lease for the tenants of the office building which will require parking for the tenants to be in the satellite parking facility located on the Farmer's Market parcel.
5. The building shall be red in color to blend with the existing downtown architecture.
6. Windows panes shall be cream or brown in color.
7. Exterior light fixtures shall match those of Carr Mill in appearance.
8. Ten air conditioning units shall be located along the northern facade with 2 remaining units located along the south facade.
9. A lawn area shall be maintained on the southern portion of the site.
10. Foundation plantings shall consist of low growing plants beneath the windows (i.e., Junipers) and higher growing plants between the windows (i.e., Photinia).
11. The proposed Pin Oak to be planted adjacent to the southside of the building shall be 2" or greater in caliper.
12. Along the sidewalk radiating from the west entrance shall be planted "pedestrian traffic control" vegetation (i.e., Barberry), in lieu of said planting, along one side of the sidewalk a bike rack may be installed.
13. The north and south end parking spaces of the center parking aisle of the adjacent parking lot shall each be planted with a 2" or greater caliper deciduous tree and curbed with railroad ties.
14. If the land Use Ordinance is amended with 45 days from the date of this permit, the owner shall be required to place the air conditioning units on top of the building. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE CUP BE GRANTED. VOTE: AFFIRMATIVE ALL.

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Uncollectable Tax and Water Assessments

The Town of Carrboro has uncollected ad valorem taxes for 1971 totalling \$1,942.14 and for 1972 totalling \$2,770.04. All reasonable efforts have failed to bring about collection of these funds. The statute of limitations has now expired and the town has no legal recourse. In addition, the town has \$6,713.07 in uncollectable water bills covering a period from 1969 through 1977. Also, the town has a total of \$1,472.73 of customer water deposits. All reasonable efforts have failed to collect these unpaid bills and to locate the individuals to whom the water deposits are due. In line with our auditors' recommendation, the administration recommends that the Board of Aldermen permit the "write-off" of these accounts.

The Law & Finance Committee at its meeting of June 21, 1983 concurred with the administration's recommendation.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY HILLIARD CALDWELL THAT THE RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE AND ADMINISTRATION BE ACCEPTED. VOTE: AFFIRMATIVE ALL.

Community Development Block Grant Ordinance

The North Carolina Department of Natural Resources and Community Development has approved a grant to the Town of Carrboro totalling \$138,125. Program income (repayment of loans) is projected to be \$25,026. This ordinance would recognize and appropriate these funds as follows: Cleora Sterling \$100,000, Balloons and Tunes \$10,995, Administration \$24,531 and Local Option-Contingency \$27,625. The administration recommends the approval of this ordinance.

The Law & Finance Committee at its meeting of June 21, 1983 concurred with the administration's recommendation.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY HILLIARD CALDWELL THAT THE RECOMMENDATION OF THE LAW & FINANCE COMMITTEE AND ADMINISTRATION BE ACCEPTED. VOTE: AFFIRMATIVE ALL.  
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Appropriation Transfer

The purpose of this portion of the ordinance is to align appropriations with actual requirements. This alignment does not increase the total appropriation in the General Fund. Two departments, Fire and Town Clerk, have experienced funding requirements that exceed appropriations for those departments. These are items that the departments are unable to control. Additional appropriations are required in the Fire Department to meet unforeseen costs associated with utilities, rents, and repair of equipment. A similar situation exists in the Town Clerk's office and those unappropriated costs are primarily associated with printing and advertising. The administration recommends that unused appropriations be transferred from the budgets of the Town Manager, Personnel Department and Police Department for this purpose.

In addition, in the transportation fund, this ordinance would re-align revenues appropriated to reflect actual revenues realized during Fiscal 1982-83. It would also appropriate an additional \$1,530 to cover the costs of underestimated requirements to fund E-Z Rider and Shared-Ride programs during 1982-83. The administration recommends the adoption of the ordinance.

The Law & Finance Committee at its meeting of June 21, 1983 concurred with the administration's recommendations.

MOTION WAS MADE BY ERNIE PATTERSON AND SECONDED BY JOHN BOONE THAT THE RECOMMENDATIONS OF THE LAW & FINANCE COMMITTEE AND ADMINISTRATION BE ACCEPTED. VOTE: AFFIRMATIVE ALL.  
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Final Plat Approval/Bolin Forest-Cluster "C", Phases III, IV, and V

Bolin Forest Investment Group is applying for Final Plat approval for their architecturally integrated subdivision located on Forest Court at its intersection with Bolin Creek Drive. A conditional use permit for this development was granted by Board of Aldermen on July 28, 1981. Final plat approval for Phase I was granted on September 28, 1982. Final plat approval for Phase II was granted on March 22, 1983.

Mr. Bob Neal requested that Bolin Forest Drive and Bolin Creek Road with the Bolin Forest subdivision be officially accepted by the town.

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

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A RESOLUTION ACCEPTING THE OFFER OF DEDICATION OF THE STREETS IN  
BOLIN FOREST SUBDIVISION

WHEREAS, an offer of dedication to the Town of the streets within Bolin Forest Subdivision, Bolin Creek Road and Bolin Forest Drive has been made by virtue of the fact that a plat of this subdivision, showing these streets as public streets, has heretofore been recorded; and

WHEREAS, the Director of Public Works has certified that these streets have been completed by the subdivider in accordance with the Town's specifications;

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

Section 1. The offer of dedication of the public streets within Bolin Forest Subdivision (Bolin Creek Road and Bolin Forest Drive), is hereby accepted and these streets shall hereafter be maintained by the Town of Carrboro.

Section 2. 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 the 28th day of June, 1983:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY ERNIE PATTERSON AND SECONDED BY JOHN BOONE THAT THE FINAL PLAT BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That a performance bond or other surety be posted to cover the cost of completing utilities, paving, sidewalks, landscaping and recreation equipment in accordance with Section 15-60 of the Land Use Ordinance.
  2. That the performance bond or other surety posted shall guarantee protection against defects in accordance with Section 15-82 of the Land use Ordinance.
- VOTE: AFFIRMATIVE ALL.

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Resolution Authorizing the Town Manager to Sign and Submit an EDA Grant Application

The purpose of this resolution is to approve a grant application to the Economic Development Administration for channel improvements along Tom's Creek and to authorize the Town Manager to sign and submit the application.

The administration recommended that the Board of Aldermen adopt the attached resolution authorizing the Town Manager to sign and submit an application to EDA for grant assistance to reduce flood hazards along Tom's Creek.

Robert Fisher, with the John R. McAdams Co., presented a summary of the "Engineer's Report on Tom's Creek Drainage Improvements" dated June, 1983. (See the Town Clerk's file for a copy of this report.) Mr. Fisher stated that he was recommending that Lorraine Street be lowered in the vicinity of the Tom's Creek culvert and that channel improvements be made to that section of Tom's Creek between Poplar Street and Main Street. Mr. Fisher further stated that they were recommending the installation of debris catchers upstream from the culverts at Main Street, Lorraine Street, Carol Street, Rainbow Drive and James Street. Mr. Fisher did point out that there are 3 houses along Lorraine Street that would not be affected by the proposed improvements.

It was the concensus of the Board to require that construction easements be granted by affected property owners to the Town in order for the necessary drainage improvements to be made.

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

A RESOLUTION TO APPLY FOR PUBLIC WORKS GRANT FUNDS UNDER THE EMERGENCY JOBS ACT AUTHORIZED UNDER THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965, AS AMENDED AND TO ADOPT A PROGRAM THEREFORE

WHEREAS, the Town of Carrboro is interested in making itself an excellent place for living and working for all its citizens and is anxious to work for the removal of all factors that make the accomplishment of such

a goal difficult, including any factors which pose a danger to the health, safety, or welfare of its citizens; and

WHEREAS, the Town of Carrboro has experienced flooding properties along Tom's Creek and with the assistance of the U.S. Army Corps of Engineers, has developed a project to reduce flooding along Tom's Creek;

WHEREAS, the Economic Development Administration provides grant assistance for improving facilities which serve the public through the Emergency Jobs Act;

NOW, THEREFORE, be it resolved by the Board of Aldermen of the Town of Carrboro that the application to the Economic Development Administration for public works assistance, and the contents therein (including all assurances) are hereby adopted and, the Town of Carrboro will work diligently to implement the proposed program if these requested grant funds are awarded; and

BE IT FURTHER RESOLVED that Richard Hunter, Town Manager, is authorized to act as the official representative of the Town of Carrboro in connection with this application and is further authorized to sign and submit this application.

Adopted this the 28th day of June, 1983 with the following vote:

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

NOES: None

ABSENT OR EXCUSED: None

Resolution Authorizing the Administration to Apply for a State Water Resources Development project Administered by the N.C. Department of Natural Resources and Community Development

This assistance will provide 2/3rds of the town's share required for the Economic Development Administration's jobs bill grant.

The administration recommends that this resolution be adopted.

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

A RESOLUTION TO APPLY FOR A STATE WATER RESOURCES DEVELOPMENT PROJECT ADMINISTERED BY THE N.C. DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT

WHEREAS, the Town of Carrboro is interested in making itself an excellent place for living and working for all its citizens and is anxious to work for the removal of all factors that make the accomplishments of such a goal difficult, including any factors which pose a danger to the health, safety, or welfare of its citizens; and

WHEREAS, the Town of Carrboro has experienced flooding of properties along Tom's Creek and with the assistance of the U.S. Army Corps of Engineers, has developed a project to reduce flooding along Tom's Creek;

WHEREAS, the Town of Carrboro has requested a Public Works grant from the Economic Development Administration to fund 50% of the cost for implementing a project to reduce flooding along Tom's Creek;

WHEREAS, the Town's share of the project improvements is estimated to be \$53,350; and

WHEREAS, the State of North Carolina through its Water Resources Development Project Grants will provide 66 2/3% (\$35,567) of the nonfederal cost.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro hereby respectfully request the State of North Carolina to participate in the project to reduce flooding along Tom's Creek.

BE IT FURTHER RESOLVED, that the Town of Carrboro accepts responsibility to:

1. Hold the State of North Carolina harmless from any damages that might occur due to the construction or operation of the project;
2. Provide 33 1/3 percent of the total non-federal project cost, except if total project costs exceed \$53,350, then pay \$17,783 plus 100 percent of project costs in excess of \$53,350;
3. Obtain any State and/or Federal permits necessary for the work and assure that the permit conditions are met;

- 4. Obtain any land rights or permission to cross or deposit material on lands needed for the project, without any cost or liability to the State;
- 5. Keep project cost records as a basic for determining the amount of State funds due the County;
- 6. Deduct the salvage value of any equipment purchased for the project from the project cost before determining the State's 66 2/3 percent cost share.

Adopted this the 28th day of June, 1983 with the following vote:

Ayes; Rose, White, Boone, Caldwell, Patterson, Garrett

Noes: None

Absent or Excused: None

MOTION WAS MADE BY JIM WHITE AND SECONDED BY HILLIARD CALDWELL THAT THE BUDGET ORDINANCE FOR 1983-84 BE ADOPTED AS WRITTEN.

Aldermen Rose presented a list of modifications to Aldermen White's proposed budget. (See Town Clerk's file for a copy of this list.) Mr. Rose's propos called for an increase in the tax rate of 9/10 cent.

MOTION WAS MADE BY STEVE ROSE AND SECONDED BY ERNIE PATTERSON THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS. VOTE: AFFIRMATIVE ALL.

It was the concensus of the Board to award a 5% merit increase to the Town Manager and Town Attorney.

A substitute motion was made by Steve Rose and seconded by Ernie Patterson that the 3% reduction proposed by Aldermen White be added back in the budget and that \$8,000 be added to the budget for the salary of an additional fire fighter for one-half year. VOTE: AFFIRMATIVE TWO, NEGATIVE FOUR (White, Boone, Caldwell, Garrett)

An amended motion was made by Jim White and seconded by Hilliard Caldwell that the vehicle license fee be raised from \$1.00 to \$5.00. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (Rose, Patterson)

A vote was taken on the original motion by Aldermen White and seconded by Aldermen Caldwell to adopt the budget ordinance. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO. (Rose, Patterson)

The following resolution was introduced by Aldermen John Boone and duly seconded by Aldermen Hilliard Caldwell.

A RESOLUTION ADOPTING THE CLASSIFICATION AND PAY PLAN, FISCAL YEAR 1983-1984.

WHEREAS, the Board of Aldermen have adopted a comprehensive position Classification and Pay Plan; and

WHEREAS, the Town staff has prepared the 1983-84 Pay Plan;

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

Section 1. The Pay Plan, dated July 1, 1983 - June 30, 1984, a copy of which is attached to this resolution, is hereby adopted as the official Pay Plan for the 1983-1984 fiscal year.

Section 2. All previously adopted versions of the classification and Pay Plans which conflict with this resolution is hereby repealed.

Section 3. This resolution shall become effective on July 1, 1983.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of June, 1983.

Ayes; Jim White, Steve Rose, John Boone, Hilliard Caldwell, Ernie Patterson, Joyce Garrett

Noes: None

Asbent or Excused: None

Ordinance Raising License Tax on Motor Vehicles

MOTION WAS MADE BY JIM WHITE AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE TO RAISE THE LICENSE TAX ON MOTOR VEHICLES FROM \$1.00 TO \$5.00," BE ADOPTED. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (Rose, Patterson)

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Ordinance Amending the Land Use Ordinance Concerning Recycling Operations

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO ALLOW ALUMIMUN RECYCLING OPERATIONS IN THE B-1, B-4, M-1 and M-4 DISTRICTS WITH A SPECIAL USE PERMIT," BE ADOPTED. VOTE: AFFIRMATIVE ALL.

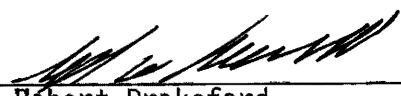
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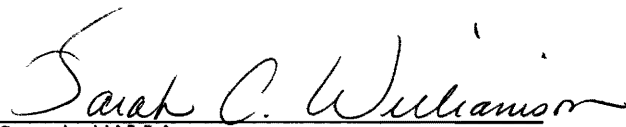
Executive Session

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ERNIE PATTERSON THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS LITIGATION. VOTE: AFFIRMATIVE ALL.

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There being no further business, the meeting was adjourned.

  
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Robert Drakeford  
Mayor

  
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Sarah Williamson  
Town Clerk

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July 6, 1983

A special meeting of the Board of Aldermen was convened in the Board Room of the Town Hall on July 6, 1983.

Present and Presiding:

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|---------------|---------------------|
| Mayor Pro Tem | John Boone          |
| Aldermen      | Steve Rose          |
|               | Jim White           |
|               | Hilliard Caldwell   |
|               | Ernie Patterson     |
|               | Joyce Garrett       |
| Town Manager  | Richard F. Hunter   |
| Town Clerk    | Sarah C. Williamson |
| Town Attorney | Michael B. Brough   |

Absebt: Mayor Robert W. Drakeford

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Public Hearing/Conditional Use Permit Request/Oakwood Apartments Public Housing Project

The Chapel Hill Housing Authority is requesting approval of a landscape plan for the Oakwood Apartments Public Housing Development. The Board of Aldermen granted the original conditional use permit on March 23, 1982 and an amendment to that permit on June 8, 1983. The Oakwood Apartments development consists of 30 units of public housing on a 6.6 acre tract at 614 North Greensboro St.

Greg Shepard, Zoning Administrator, was sworn in by the Town Clerk. Mr. Shepard explained the shading requirements under the Land Use Ordinance.

Kenneth R. Coulter, CHHA's Landscape architect, was sworn in by the Town Clerk. Mr. Coulter presented the Landscape plan, a slide show of the type and size trees that will be planted at Oakwood Apartments. Mr. Coulter stated that he is presently having the topsoil analyzed, but the contractor would be required to bring in topsoil if what is currently on the site is not suitable.