

A regular meeting of the Carrboro Board of Aldermen was held on March 27, 1984 at 7:30 p.m. in the Town Hall Board Room, the regular place of meeting.

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	Hilliard Caldwell
	Doug Anderson
	John Boone
	Jim White
	Zona Norwood
	Joyce Garrett (arrived at 7:40 p.m.)
Interim Town Manager	Don W. Casper
Town Clerk	Sarah C. Williamson

Absent:

Town Attorney	Michael B. Brough
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APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE MINUTES OF MARCH 13, 1984 BE APPROVED WITH ANY NECESSARY CORRECTIONS. VOTE: AFFIRMATIVE ALL

REQUESTS TO SET PUBLIC HEARINGS

- (1) Subject: Charter Amendment to Allow Mayor to Vote on All Issues

The Board of Aldermen at its worksession held on March 21, 1984 requested that a public hearing be scheduled for April 10, 1984 to receive citizen input on whether to amend the Town Charter to allow the Mayor to vote on all issues.

- (2) Subject: Town Code Amendment Concerning Joggers

The Board of Aldermen at its worksession held on March 21, 1984 requested that a public hearing be scheduled for April 10, 1984 to receive citizen input on a proposed amendment to the Town Code requiring joggers to wear reflective clothing or devices at night.

- (3) Subject: Conditional Use Permit Amendment Request/Saffelle, Inc.

Saffelle, Inc. is applying for a conditional use permit amendment which will allow construction of an additional 4,000 square feet of warehouse space for wholesaling janitorial supplies. The facility is located on a 2.65 acre parcel on the north side of Highway 54 West approximately 1,000 feet west of its intersection with State Road 1944. The parcel is presently zoned WM-3.

The administration requested that a public hearing be scheduled for April 10, 1984.

- (4) Subject: Proposed Use of General Revenue Sharing Funds

The administration requested that a public hearing be scheduled for April 10, 1984 to receive citizen input on the use of Federal General Revenue Sharing funds during Fiscal 1984-85.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE REQUESTED PUBLIC HEARINGS BE SCHEDULED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/ORANGE FEDERAL SAVINGS AND LOAN

Orange Federal Savings and Loan has re-applied for a conditional use permit which will allow construction of a branch banking facility with

drive-in windows on a 0.44-acre parcel located on the northwest corner of the intersection of West Weaver Street and Oak Avenue.

Greg Shepard, Zoning Administrator, was sworn in.

Mr. Shepard reviewed the proposed project and stated that the administration was recommending approval of the project with the condition that a four foot sidewalk to town standards be constructed along Oak Avenue, that the developer dedicate to the Town an easement along Oak Avenue to encompass the area from the existing property line to a line parallel with and two feet behind the rear edge of the sidewalk referenced above and that the dedication shall be made by completion of Phase I.

Mr. Shepard stated that the Planning Board was recommending approval of the project with the following conditions: (1) That the staff recommendations be met; (2) That additional screening be provided along the northern property line of the subject property to meet the ordinance requirements; and (3) That at such time the applicant wishes to construct Phase II, a major amendment will be required with a waiver of application fee.

Mr. Shepard stated that the Transportation Advisory Board was recommending approval of the project with the following conditions: (1) That the staff recommendations be met; (2) That the developer agree to accept a prohibition on left turns out of the facility if the Town so requests within three years following completion of Phase I; (3) That the developer dedicate to the Town right-of-way along Oak Avenue sufficient to accommodate a 4-foot sidewalk; (4) That a 4-foot paved (concrete or gravel) sidewalk be added along Oak Avenue; and (5) That the bicycle rack be located next to the building.

Mr. Shepard stated that the Appearance Commission was recommending approval of the project with the following conditions: (1) If the existing fence along the northern property line is included in meeting the screening requirements of the ordinance and said fence is removed at some future date, it shall be replaced or the type screening shall be maintained to meet the screening requirements of the ordinance; (2) Brick used in the construction of the building shall be similar to the brick facade of Carr Mill; (3) Three street trees shall be planted, two along Weaver Street and one along Oak Avenue adjacent to the employees' lounge to be selected from the street tree list included in the Ordinance; (4) The bike rack shall remain where designated on the site plan; (5) All outdoor lights shall have shields to prevent light from shining on adjacent residential properties; (6) The existing stone wall along Weaver Street shall be preserved and maintained. If necessary, the to-be-constructed sidewalk shall be reduced in width to not endanger said stone wall; (7) A sidewalk along Oak Avenue shall be constructed, four feet in width and constructed with Chapel Hill gravel; and (8) Four crepe myrtles shall be planted equally spaced along the northern edge of the parking lot.

Edward Mann, President of Orange Federal Savings & Loan and Glen Corley, architect, were sworn in.

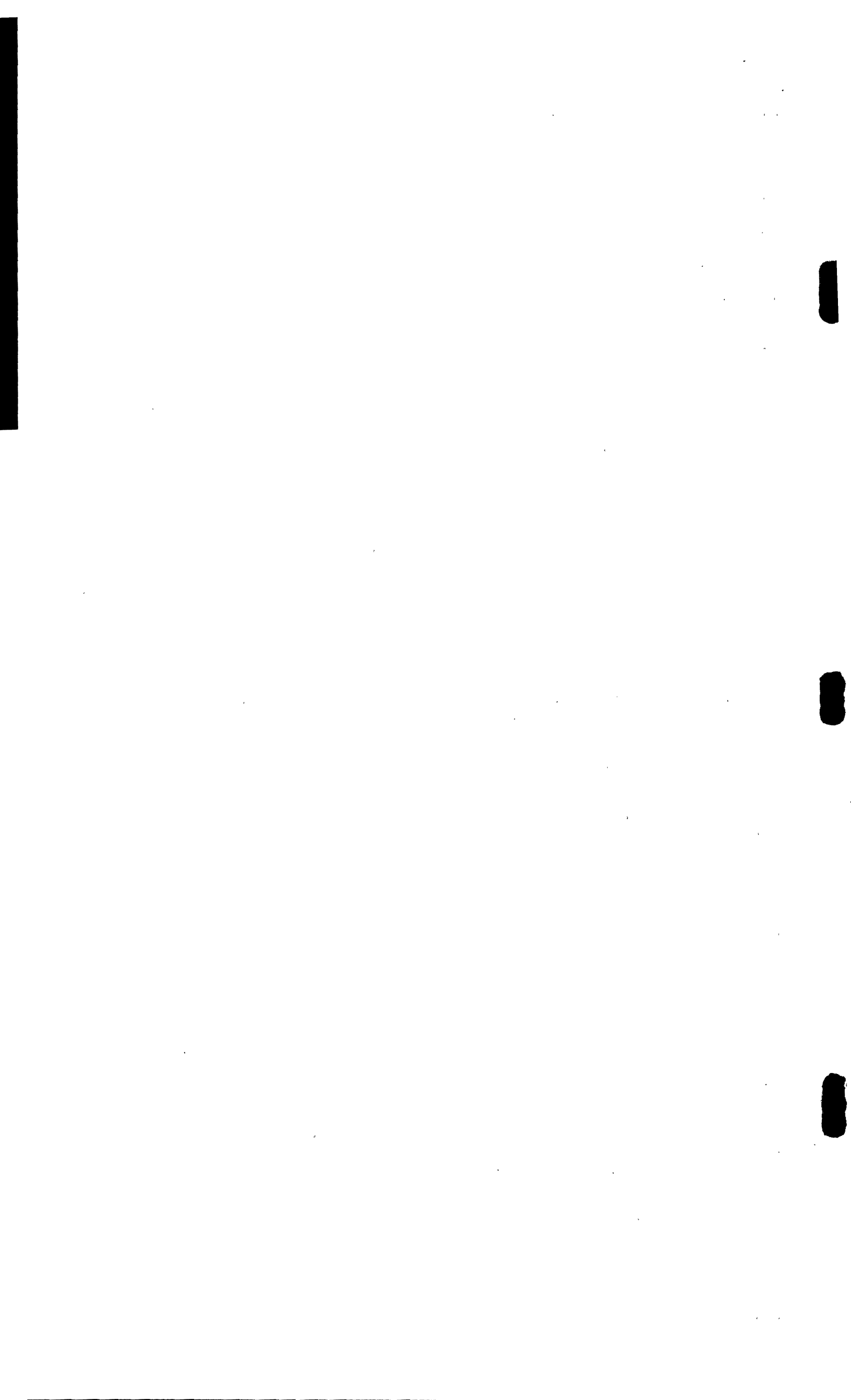
Mr. Mann requested that he not be required to dedicate the right-of-way for the sidewalk along Oak Avenue due to the size of the lot.

Mr. Corley requested that they not be required to replace the fence or hedgerow along the north property line.

Jay Bryan, residing on Oak Avenue, was sworn in. Mr. Bryan requested that the drive-in window not be allowed and requested that the developer be required to replace the existing fence with a minimum height screen or fence.

Sherry Jones, residing at 110 Elm Street, was sworn in. Ms. Jones expressed her concern that the area proposed for this development is developing into a commercial zone, expressed her concern over drive-in windows in this area, and encouraged the Board to take action on the proposed commercial rezoning plan.

Chris Peterson, Public Works Director, was sworn in. Mr. Peterson



stated that he did not think a three foot sidewalk along this development would cause any serious problems.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THIS PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT, YES, THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE APPLICATION BE GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

- (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) That a four-foot sidewalk be constructed to town standards along Oak Avenue. That the developer dedicate to the town an easement along Oak Avenue to encompass the area from the existing property line to a line parallel with and two feet behind the rear edge of the sidewalk referenced above.
- (4) That the second phase be subject to phasing review by the Board of Aldermen, with waiver of fee.
- (5) That the stone wall along Weaver Street be preserved and maintained.
- (6) That additional plantings be provided along the northwestern property line to screen adjacent properties.

VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/TEMPORARY STREET CLOSING REQUEST/ANNUAL FOURTH OF JULY CELEBRATION

The Carrboro Recreation and Parks Department has requested the temporary closing of Laurel Avenue for Wednesday, July 4th, from 9:00 a.m. to 10:30 p.m. to accommodate the town's Annual Fourth of July Celebration.

Richard Kinney, Recreation Director, explained the proposed street closing request.

Alderman White requested that the town staff work with the property owners along Laurel Avenue to make sure they have access to their property at all times.

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

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF PART OF LAUREL AVENUE TO ACCOMMODATE THE TOWN'S ANNUAL 4TH OF JULY CELEBRATION

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following street shall be temporarily closed Wednesday, July 4, 1984, from 9:00 a.m. to 10:30 p.m. to accommodate the 4th of July Celebration. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

- a. Laurel Avenue from Main Street to the end of the Town Hall ballfield.

Section 2. The town administration shall install appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

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 the 27th day of March, 1984:

Ayes: Garrett, Anderson, Caldwell, Boone, White, Norwood
Noes: None
Absent or Excused: None

PUBLIC HEARING/COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR COMMUNITY REVITALIZATION

The Board of Aldermen heard citizens' views on an application to the N.C. Department of Natural Resources and Community Development for the purpose of promoting the revitalization of the Lloyd/Broad Street neighborhood. The amount of funds requested total \$750,000 and includes \$150,000 in Local Option funds for the extension of Parker Street and \$600,000 to carry out the following activities in the Lloyd/Broad Street neighborhood: (1) a Housing Rehabilitation Program, (2) a Home Ownership Development Program, (3) street improvements, including the extension of Broad Street to connect with Main Street, (4) the construction of new sidewalks, (5) drainage improvements, (6) land acquisition, (7) relocation assistance payments, (8) demolition, and (9) program administration.

The administration requests authorization to submit a \$750,000 Community Revitalization Grant Application for the Lloyd/Broad Street neighborhood and that the attached resolution and assurances be adopted.

Roy Williford, Planning Director, stated that one of the tenants of the affected area had requested continuation of this public hearing until April 10th.

Mr. Williford explained the proposed project.

Ed Hamland, owner of the Foreign Car Service property, stated that he would be opposed to the Broad Street Extension portion of the proposal.

Roberta Marshall, part owner of the Foreign Car Service, stated that she was opposed to the extension of Broad Street.

Randy Marshall, part owner of the Foreign Car Service, also stated that he was opposed to the extension of Broad Street.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THIS PUBLIC HEARING BE CONTINUED UNTIL APRIL 10TH. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/TOWN CODE AMENDMENT TO PROHIBIT THE SELLING OF GOODS OR SOLICITATION OF BUSINESS FROM PERSONS DRIVING MOTOR VEHICLES ON CERTAIN STREETS

Alderman Norwood requested the Town Attorney to draft an amendment to the Town Code prohibiting the sale of goods to or solicitation of business from persons driving motor vehicles on certain streets.

The Board of Aldermen at its meeting of March 13, 1984 requested that a public hearing be scheduled to receive citizen comments on this proposed ordinance.

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

Alderman Garrett requested that all junctions and interchanges to Highway 54 be included in the proposed ordinance.

MOTION WAS MADE BY ZONA NORWOOD AND SECONDED BY DOUG ANDERSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE TO PROHIBIT THE SELLING OF GOODS TO OR SOLICITATION OF BUSINESS FROM PERSONS DRIVING MOTOR VEHICLES ON CERTAIN STREETS," AS AMENDED AT THE REQUEST OF ALDERMEN GARRETT BE APPROVED. VOTE: AFFIRMATIVE ALL

FINAL PLAT APPROVAL REQUEST/HARRIS SUBDIVISION

Joe M. Harris is applying for final plat approval for the Harris Subdivision. A conditional use permit was granted by the Board of Aldermen on February 28, 1984 to allow subdivision of the Harris, Inc. property into three lots. The property is located at 308 Highway 54 Bypass, directly across from the Windwood Subdivision, and is zoned Business-4.

Greg Shepard, Zoning Administrator, stated that a performance bond had been secured by the developer to insure that the landscape screen and private drive extension will be completed within ten months as required by the Land Use Ordinance.

Mr. Shepard further stated that the developer has filed a petition for voluntary annexation pursuant to the February 28, 1984 conditional use permit.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE FINAL PLAT BE APPROVED WITH NO ADDITIONAL CONDITIONS. VOTE: AFFIRMATIVE ALL

FINAL PLAT APPROVAL/POPLAR WEST TOWNHOUSES, PHASES I AND II

Eastern Equities Development Group has applied for final plat approval for Poplar West Townhouses, Phases I and II. A conditional use permit was granted by the Board of Aldermen on April 26, 1983 to allow construction of 22 dwelling units in an architecturally integrated subdivision. The property is located at 502 West Poplar Avenue directly across from Lilac Drive, and is zoned Residential-10.

Greg Shepard, Zoning Administrator, stated that the administration was recommending approval, subject to receipt of a performance bond or other security to insure that all site improvements will be completed within ten months as required by Section 15-60 of the Land Use Ordinance.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE FINAL PLAT FOR POPLAR WEST TOWNHOUSES, PHASES I AND II BE APPROVED SUBJECT TO THE DEVELOPER POSTING A PERFORMANCE BOND OR OTHER SECURITY TO ENSURE THAT ALL SITE IMPROVEMENTS WILL BE COMPLETED WITHIN TEN MONTHS. VOTE: AFFIRMATIVE ALL

LWCF REQUIREMENT

A standard requirement to receive and use federal Land and Water Conservation funds is that the properties be limited to public recreation uses. The Board of Aldermen have been aware of this

requirement when entering into agreements for LWCF participation in several park properties (Wilson, Baldwin, and Community Parks). The attached resolution will satisfy recent requests by the State to ensure that this requirement be met in future years.

The administration recommended that a resolution be adopted so all parties are made aware of this requirement and that official notification is made in the Orange County Register of Deeds' Office.

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

A RESOLUTION ACKNOWLEDGING THE TOWN'S ACCEPTANCE OF THE FEDERAL LIMITATION OF USE REQUIREMENTS APPLICABLE TO TOWN-OWNED PARK PROPERTY ACQUIRED OR IMPROVED WITH FEDERAL FUNDS

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen acknowledges that the properties identified in Section 2 have been acquired or developed with federal financial assistance provided by the National Park Service (formerly the Heritage Conservation Recreation Service) of the Department of Interior in accordance with the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. Section 4601-5 et seq. (1970 ed.). Pursuant to a requirement of that law, the Board has previously acknowledged that this property may not be converted to other than public recreation uses (whether by transfer, sale, or in any other manner) without the express written approval of the Secretary of the Interior. By law, the Secretary shall approve such conversion only if he finds it to be in accord with the then existing state-wide recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

Section 2. The limitation of use set forth in subsection (1) of this resolution applies to the following three town park properties:

- (a) The Community Park, being all of the land described in the deed recorded in Book 314, Page 157 of the Orange County Registry;
(b) The Wilson Park, being all of the land described in the deed recorded in Book 252, Page 186 of the Orange County Registry; and
(c) The Baldwin Park, being all of the land described in Book 263, Page 395 of the Orange County Registry.

Section 3. The Town Clerk shall cause a copy of this resolution to be recorded in the Office of the Orange County Register of Deeds and indexed in the Grantor Index under the name of the Town of Carrboro and indexed in the Grantee Index under the name of the United States Department of the Interior.

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 27th day of March, 1984:

Ayes: Garrett, Anderson, Caldwell, Boone, White, Norwood
Noes: None
Absent or Excused: None

DISCUSSION OF STAFF REORGANIZATION

Alderman White presented a recommendation for a possible staff reorganization, which would include the following:

- 1) That an Administrative Services Division be created combining the present responsibilities of the Finance Division, Personnel Division, and purchasing and grants administration;

2) That the Administrative Services Division be staffed as follows: Assistant Town Manager/Finance Officer (Pay Grade 22), Accounting Technician (Pay Grade 10), Personnel Technician (Pay Grade 8), Accounting Clerk (Pay Grade 6), and Clerk/Receptionist (Pay Grade 1);

3) That the position of Finance Director be eliminated and replaced with a new position to be known as Assistant Town Manager/Finance Officer (Pay Grade 22); and

4) That the position of Personnel Director (Pay Grade 18) and the position of Administrative Assistant (Pay Grade 10) be eliminated effective June 30, 1984.

Caroline Stuck, presently serving in the Administrative Assistant position, spoke in behalf of maintaining this position with the town.

Edith Hubbard, presently serving in the Personnel Director's position, spoke in behalf of maintaining this position with the town.

Rev. Willis Wilson, James Belk, Hank Anderson, and Fred Battle spoke in favor of retaining these two positions.

(No action was taken on this matter.)

202 Housing

Alderman White stated that 2 1/2 to 3 acres of land is needed to provide 30 units of 202 Housing in the Town of Carrboro. Alderman White stated that a portion of the cemetery property would be very suitable for this project and requested the Board to set a public hearing to receive citizen comments on the possibility of selling a portion of the cemetery property for this purpose.

It was the consensus of the Board to refer this matter to the Planning Committee to schedule a public hearing.

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

James V. Peterson
Mayor