

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 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	Zona Norwood
	Jim White
	John Boone
	Hilliard Caldwell
	Joyce Garrett
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	Doug Anderson
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APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF NOVEMBER 7, AND NOVEMBER 13, 1984 BE APPROVED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/STREET CLOSING REQUEST/ANNUAL CHRISTMAS PARADE

The Chapel Hill-Carrboro Chamber of Commerce requested permission to close Main Street, from West Franklin Street to Fidelity Street, to conduct its Annual Christmas Parade. This event was scheduled for Saturday, December 1, 1984 from 10:00 a.m. to 12:00 p.m. The applicant was requesting that the Town of Carrboro provide police protection for the affected area.

Ed Vaughn, representing the Chamber of Commerce, requested the Board's favorable consideration of this request.

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

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF MAIN STREET FOR THE 1984 ANNUAL CHRISTMAS PARADE
RESOLUTION NO. 18/84-85

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The following street shall be temporarily closed on Saturday, December 1, 1984 from 10:00 a.m. to 12:00 p.m. to accommodate the 1984 Annual Christmas Parade. 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.

Main Street from the West Franklin Street intersection to the Fidelity Street intersection.

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.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of November, 1984:

Ayes: Joyce Garrett, Hilliard Caldwell, John Boone, Jim White, Zona Norwood

Noes: None

Absent or Excused: Doug Anderson

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/TENNIS CLUB ESTATES, SECTION V

Wells Management Group applied for a conditional use permit which would allow construction of 11 single-family detached residences in an architecturally integrated subdivision on a 1.6-acre site located on the southwest corner of Westbrook Drive and Beechwood Drive. The property is identified as Tax Map 116A, Block B, Lots 9 and 10 and is zoned Residential-3.

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard explained briefly the proposal. Mr. Shepard stated that the administration, Planning Board, and Transportation Advisory Board were recommending approval of the conditional use permit as submitted. Mr. Shepard stated that the Appearance Commission was recommending approval with the condition that any of the existing trees indicated to remain on the site plan are lost due to construction or negligence must be replaced by a tree of similar species with the same center siting and beat least 2" caliper size. Mr. Shepard pointed out that the administration was requesting that the developer submit a request for annexation prior to final plat approval.

Robin Dorf, representing Wells Management, was sworn in. Mr. Dorf explained the proposal and stated that they were most willing to request voluntary annexation.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE 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 ZONA NORWOOD 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;

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE DEVELOPER REQUEST VOLUNTARY ANNEXATION PRIOR TO FINAL PLAT APPROVAL; AND IF ANY OF THE EXISTING TREES INDICATED TO REMAIN ON THE SITE PLAN ARE LOST DUE TO CONSTRUCTION OR NEGLIGENCE, THEY MUST BE REPLACED BY TREES OF SIMILAR SPECIES WITH THE SAME CENTER SITING AND BE FOUR TO SIX INCHES IN CALIPER SIZE. VOTE: AFFIRMATIVE FOUR, NEGATIVE ONE (GARRETT)

PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/SPRING VALLEY SUBDIVISION, PHASE I, SECTIONS 1 & 2

Prairie Development, Ltd. has requested that the property described as Phase I, Sections 1 & 2 of the Spring Valley Subdivision be annexed by the Town of Carrboro. This property is generally located north of the Webbwood Subdivision and contains approximately 6.5 acres.

The administration recommended adoption of the annexation Roy Williford, Planning Director, explained briefly the area proposed for annexation and pointed out that 1.3 of the 7.8 acres included in this annexation has been dedicated to the Town of Carrboro. Mr. Williford stated that the administration was recommending adoption of annexation ordinance.

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 ZONA NORWOOD THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING PHASE I, SECTIONS 1 & 2, SPRING VALLEY SUBDIVISION" BE ADOPTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/MISCELLANEOUS LAND USE ORDINANCE AMENDMENTS

The staff requested that the Board of Aldermen amend the Land Use Ordinance to make several miscellaneous changes.

MOTION WAS MADE BY JIM WHITE AND SECEDED BY ZONA NORWOOD THAT THIS PUBLIC HEARING BE CONTINUED ON JANUARY 22, 1985 AND THAT THIS MATTER BE REFERRED TO THE JANUARY 2, 1985 WORKSESSION OF THE BOARD OF ALDERMEN. VOTE: AFFIRMATIVE ALL

APPOINTMENTS TO HUMAN SERVICES ADVISORY COMMISSION

Pursuant to the Board's request, the Town Clerk advertised for applicants to serve on the newly established Human Services Advisory Commission.

The Board of Aldermen at its worksession held on November 21, 1984 recommended the following appointments:

Two-Year Terms

- Lida Coleman
- Randy Marshall
- Richard Edens
- Lillie Atwater

One-Year Terms

- Susan Levine
- Timothy Stevens
- Nanette Ogostino

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE ABOVE APPOINTMENTS BE MADE AND THAT RANDY MARSHALL BE APPOINTED CHAIRPERSON AND LILLIE ATWATER BE APPOINTED VICE-CHAIRPERSON OF THIS COMMISSION. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO BOARD OF ADJUSTMENT

Pursuant to the Board's request, the Town Clerk advertised the out-of-town vacancy on the Board of Adjustment. No responses had been received at agenda deadline.

Mr. Morgan stated that Mr. Will Ward, residing on Blueridge Road had expressed his interest in serving in this position.

AMENDMENT TO EMPLOYEES' INSURANCE AGREEMENT

The N.C. League of Municipalities is requesting approval of all participating municipalities in the League's health and life insurance company (Municipal Insurance Trust of North Carolina) for an amendment to the Municipal Insurance Trust Agreement. The administration recommended approval of the proposed amendment.

The Board of Aldermen at its worksession held on November 21, 1984 concurred with the administration's recommendation.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE PROPOSED AMENDMENTS BE APPROVED. VOTE: AFFIRMATIVE ALL

REPORT FROM THE CHARGE COMMITTEE FOR THE CARRBORO 2000 TASK FORCE

At the September Planning Workshop, the Mayor and Board of Aldermen determined the need to establish a Carrboro 2000 Task Force. A charge committee was appointed to make recommendations to the Board as to the Task Force's charge and make up.

The administration requested the Board of Aldermen to appoint a Chairman Search Committee and authorize the Town Manager to contact advisory boards, agencies, groups, etc. listed to provide for a representative on the 2000 Task Force.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT A CHAIRMAN SEARCH COMMITTEE BE ESTABLISHED COMPOSED OF MAYOR PORTO, ALDERMAN WHITE AND ALDERMEN CALDWELL AND THAT THE TOWN MANAGER BE DIRECTED TO CONTACT THE VARIOUS GROUPS LISTED ON THE REPORT FROM THE CHARGE COMMITTEE TO PROVIDE FOR A REPRESENTATIVE ON THE 2000 TASK FORCE. VOTE: AFFIRMATIVE ALL

AMENDMENT TO CHAPTER 12 OF TOWN CODE (FIRE PROTECTION)

The administration recommended that the Board of Aldermen adopt an amendment to the Town Code, which adopts by reference the NFPA Fire Prevention Code and authorizes the fire chief to exercise some discretion in determining how fire lanes should be marked.

The Board of Aldermen at its worksession held on November 21, 1984 concurred with the administration's recommendation.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER TWELVE OF THE TOWN CODE TO ADOPT BY REFERENCE THE NFPA FIRE PREVENTION CODE AND PROVIDE SOME DISCRETION IN THE TYPE OF SIGNS REQUIRED IN FIRE LANES" BE ADOPTED. VOTE: AFFIRMATIVE ALL

VENDING MACHINE OPERATIONS

Recent state legislation requires local governments to deposit, budget, appropriate, and expend vending receipts in accordance with the provisions of the Local Government Budget and Fiscal Control Act. The administration recommended adoption of a budget ordinance.

The Board of Aldermen at its worksession held on November 21, 1984 concurred with the administration's recommendation.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'84-85 BUDGET ORDINANCE" BE ADOPTED. VOTE: AFFIRMATIVE ALL

PLANTATION PLAZA CONDITIONAL USE PERMIT MODIFICATION

Plantation Partnership has requested further modification to both a conditional use permit granted February 22, 1983 and a conditional use permit modification granted July 24, 1984 for construction of a shopping plaza on a 23.5-acre parcel located on the southwest corner of Highway 54 and Highway 54 Bypass. The parcel is identified as Tax Map 108, Part of Lot 35 and Tax Map 114, Lot 30 and is zoned Business-4.

Greg Shepard, Zoning Administrator, explained the proposed modification. Mr. Shepard stated that the administration was recommending approval of the modification request, subject to submission of a final plat showing the division of land as indicated on the approved plans and subject to the developer correcting existing sign violations.

Kimberly Murray, representing Plantation Partnership, spoke in favor of the proposed modification and asked for the Board's approval of the modification. Ms. Murray also requested that the developer not be required to plant trees along Highway 54.

Roy Williford, Planning Director, stated that this modification should not affect the Section 9A grant the town has received for the park and ride lot to be located on this property.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE DEVELOPER BE REQUIRED TO CORRECT ALL SIGN VIOLATIONS PRIOR TO THE ISSUANCE OF THE CONDITIONAL USE PERMIT. IN ADDITION, A FINAL PLT MUST BE SUBMITTED AND APPROVED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE FINAL PLAT SHALL SPECIFY THAT ACCESS TO THE OUT PARCELS SHALL ONLY BE INTERNAL WITH NO DIRECT ACCESS ALLOWED OFF OF HIGHWAY 54 AND S.R. 1937 (OLD FAYETTEVILLE ROAD). IN ADDITION, ALL POINTS OF INTERNAL ACCESS TO THE OUT PARCELS MUST BE LOCATED A MINIMUM DISTANCE OF 140 FEET FROM THE RIGHT-OF-WAY OF HIGHWAY 54 AND S.R. 1937. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOYCE GARRETT AND SECONDED BY ZONA NORWOOD THAT TREE PLANTINGS SHALL BE REQUIRED ALONG HIGHWAY 54 FROM S.R 1937 TO THE WESTERN MOST DRIVE ACCORDING TO TYPE "C" SCREENING REQUIREMENTS OF THE LAND USE ORDINANCE AND BE PLANTED 40 FEET ON CENTER. THESE TREES SHALL BE PLANTED WITHIN ONE YEAR OF THE ISSUANCE OF A BUILDING PERMIT FOR PHASE IV OF THIS DEVELOPMENT. VOTE: AFFIRMATIVE THREE, NEGATIVE TWO (BOONE, CALDWELL)

MOTION WAS MADE BY JIM WHITE AND SECONDED BY ZONA NORWOOD THAT THE CONDITIONAL USE PERMIT MODIFICATION BE GRANTED, SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE ALL

RECOMMENDATIONS FROM CEMETERY ADVISORY COMMITTEE

The Cemetery Advisory Committee met and reviewed Chapter 13 of the Town Code, with deals with the town cemeteries. This review revealed that the town does not require the use of grave liners nor does the town provide for more than one cremation burial per grave space.

The Cemetery Advisory Committee recommended that grave liners be required when vaults are not used for all burials in Westwood Cemetery and that up to four cremation burials be allowed in each grave space. In addition, the Committee recommended that one upright grave marker or four flat markers be allowed per grave space.

The administration concurred with the recommendations of the Cemetery Advisory Committee and recommended adoption of the attached ordinance.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 13 OF THE TOWN CODE (CEMETERIES) TO REQUIRE CONCRETE GRAVE LINERS OR VAULTS FOR ALL BURIALS AND TO AUTHORIZE THE USE OF CEMETERY SPACES FOR CREMATED REMAINS" BE ADOPTED. VOTE: AFFIRMATIVE THREE, NEGATIVE TWO (GARRETT, CALDWELL)

Mike Brough noted that as this ordinance did not receive a two-thirds vote of the Board on first reading, it would require a second reading before it could become effective.

RESULTS OF BOND REFERENDUM

The General Statutes of North Carolina require the Board of Aldermen to certify and declare the results of the November 6, 1984 Bond Referendum. The issue known as the "1984 Street and Bikeways Project" received an affirmative majority vote. The second issue known as the "Franklin Street Extension Project" did not receive a majority affirmative vote.

The administration recommended adoption of the attached resolution certifying the results of the bond referendum.

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

RESOLUTION CERTIFYING AND DECLARING RESULTS OF
REFERENDUM ON 1984 STREET AND BIKEWAYS PROJECTS
BOND ISSUE AND PROVIDING FOR PUBLICATION THEREOF
RESOLUTION NO. 20/84-85

WHEREAS, the Board of Aldermen of the Town of Carrboro desires to certify and declare the results of the referendum held November 6, 1984;

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro, meeting in regular session at Carrboro, North Carolina, on November 27, 1984, do the following:

BE IT RESOLVED BY THE BOARD OF ALDERMEN FOR THE TOWN OF CARRBORO:

1. The Board of Aldermen hereby certifies and declares the result of the referendum held on November 6, 1984, with respect to the proposed \$1,500,000 General Obligation Capital Improvement Bonds (1984 Street and Bikeways Projects), to be 2,632 votes "For" approval of the Bond Order and 1,363 votes "Against" approval of the Bond Order.

2. The affirmative vote of a majority of those voting having been received, the Board of Aldermen hereby certifies and declares that the Bond Order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS (1984 STREET AND BIKEWAYS PROJECTS) OF THE TOWN OF CARRBORO

FOR THE PURPOSE OF FINANCING, IN PART, THE ACQUISITION OF RIGHTS-OF-WAY AND DOING WIDENING, PAVING, LANDSCAPING AND CURB AND GUTTER WORK IN CONNECTION WITH PAVING AND REPAVING CERTAIN STREETS AND CREATING CERTAIN BIKEWAYS AND SIDEWALKS, CUL-DE-SACS AND DRAINAGE IMPROVEMENTS ADJACENT TO STREETS IN THE TOWN OF CARRBORO' is now in effect.

3. The Town Manager and the Town Clerk shall cause the statements attached as Exhibit A to be published in The Chapel Hill Newspaper.

4. This resolution shall take effect immediately.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of November, 1984:

Ayes: Zona Norwood, Jim White, John Boone, Hilliard Caldwell, Joyce Garrett

Noes: None

Absent or Excused: Doug Anderson

BOARD ROOM IMPROVEMENTS

Mr. Morgan informed the Board that, pursuant to the Board's request, he had received estimates to install sheet rock in the Board Room would cost approximately \$800 and \$1,320 to install wallpaper.

It was the consensus of the Board to paint the existing paneled walls.

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

J. V. Post
Mayor