

A regular meeting of the Carrboro Board of Aldermen was held on May 21, 1985 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	Doug Anderson
	Hilliard Caldwell
	Jim White
	John Boone
	Zona Norwood
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman Joyce Garrett

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY DOUG ANDERSON THAT THE MINUTES OF MAY 14, 1985 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION OF APPRECIATION/CHARLIE WEBB

The following resolution was introduced by Alderman Hilliard Caldwell and seconded by Alderman Jim White.

A RESOLUTION COMMENDING CHARLIE WEBB FOR HIS SERVICE TO THE CARRBORO PLANNING BOARD Resolution No. 41/84-85

WHEREAS, Charlie Webb has served as a member of the Carrboro Planning Board with diligence and dedication from February, 1980 to March, 1985; and

WHEREAS, Charlie Webb has made significant contribution to the work of the Planning Board;

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

Section 1. The Board expresses its sincere gratitude and appreciation to Charlie Webb for his contribution to the Carrboro Planning Board.

Section 2. This resolution shall be spread upon the official minutes of the Board of Aldermen and a copy shall be delivered to Charlie Webb.

Section 3. This resolution shall become effective upon adoption.

This resolution having been submitted to a vote, received the following vote and was duly adopted this 21st day of May, 1985:

Ayes: Doug Anderson, Hilliard Caldwell, John Boone, Jim White, Zona Norwood

Noes: None

Absent or Excused: Joyce Garrett

ANNUAL AND SICK LEAVE PROVISIONS

The purpose of this agenda item was to correct ambiguities in the town's personnel policy. The administration recommended that Section 4-22(c) be rewritten to clarify the right of an employee to earn sick leave and annual leave during periods in which the employee receives payments under the provisions of the Workmen's Compensation Act.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER FOUR OF THE CARRBORO TOWN CODE TO CLARIFY THAT EMPLOYEES ON WORKER'S COMPENSATION LEAVE CONTINUE TO EARN SICK LEAVE AND ANNUAL LEAVE", BE ADOPTED. VOTE: AFFIRMATIVE ALL

ACCUMULATION OF ANNUAL LEAVE BY EMPLOYEES

Currently, town employees who have accumulated 30 days of annual leave lose earned time every two weeks if annual leave is not taken during that same two-week period. The administration recommended adoption of an ordinance which would permit the accumulation of annual leave without any maximum until December 31st of each calendar year. However, on December 31st any employee with more than 30 days of accumulated leave shall have the excess accumulation cancelled so that only 30 days are carried forward to January 1st of the next calendar year.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER FOUR OF THE TOWN CODE (THE PERSONNEL ORDINANCE) DEALING WITH ACCUMULATION OF ANNUAL LEAVE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

RETIREMENT CONTRIBUTIONS

Presently, employees who receive salary payments under the provisions of Workmen's Compensation receive no credit during that period for retirement purposes. The presented an ordinance which would permit the town to contribute an amount equal to the normal payment during that period for the employee's retirement. The town's contribution would be contingent upon a request by the employee and the willingness of the employee to pay the normal employee match.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER FOUR OF THE TOWN CODE (THE PERSONNEL ORDINANCE) DEALING WITH PAYMENT OF RETIREMENT BENEFITS TO EMPLOYEES ON WORKER'S COMPENSATION LEAVE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

DESIGNATION OF A PERSONAL HOLIDAY

Town employees have asked that consideration be given to an additional annual holiday. This holiday would permit individual employees to recognize or celebrate a day of their choice. The administration felt this could take place without any adverse effect and would have a positive effect on productivity by increasing employee moral. The administration recommended adoption of an ordinance which would accomplish this objective.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 4 OF THE TOWN CODE TO PROVIDE FOR A PERSONAL HOLIDAY FOR ALL EMPLOYEES," BE ADOPTED. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO ORANGE COUNTY ECONOMIC DEVELOPMENT COMMISSION

The Chairman of the Orange County Economic Development Commission, Mr. John Gastineau, has requested that Norman Weatherly be re-appointed as Carrboro's representative on the Orange County Economic Development Commission.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT NORMAN WEATHERLY BE RE-APPOINTED AS THE TOWN OF CARRBORO'S REPRESENTATIVE ON THE ORANGE COUNTY ECONOMIC DEVELOPMENT COMMISSION. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/PHASE I, SECTION 3/SPRING VALLEY SUBDIVISION

Roy Williford, Planning Director, stated that Prairie Development, Ltd. has requested that the property described as Phase I, Section 3 of the Spring Valley Subdivision be annexed by the Town of Carrboro. The property is generally located north of the Webbwood Subdivision and contains approximately 2.4 acres.

The administration recommended adoption of the ordinance annexing this property.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING PHASE I, SECTION 3 OF THE SPRING VALLEY SUBDIVISION," BE ADOPTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/DOWNTOWN AND COMMERCIAL REZONING PLAN

The administration requested that the Board of Aldermen review the proposed Downtown and Commercial Rezoning Plan, consisting of policies, implementation strategies, text amendments to the Carrboro Land Use Ordinance, and major amendments to the Zoning Map, and determine if the Plan, or parts of it, should be adopted, modified, or rejected.

Jerry Davenport, the town's planner, presented the revised downtown and commercial rezoning plan and presented a slide show of examples of various heights of buildings in the Chapel Hill-Carrboro area.

Diana Woolley, Chairman of the Planning Board, stated that the Planning Board recommended approval of the revised plan with the exception of a revision to Page 3, line 8 of the ordinance, which would change the minimum building height from 24 feet to 18 feet.

Bill Basnight, part-owner of S.H. Basnight & Sons, and owner of Area "A", stated that it was very important that Area "A" remain zoned for business as his company was planning on expanding on this property.

Jesse Basnight, part-owner of S.H. Basnight & Sons, also spoke in favor of keeping Area "A" zoned for business.

Calvin Mellott, representing the Carrboro Business Association, presented a petition from Carrboro businessmen requesting the zoning of downtown remain as is and that each request for zoning change be adjudged by the Board of Aldermen on its individual merits taking into consideration the ultimate objective of the downtown revitalization.

Ralph Teal, owner of Triangle Tire Co, objected to the B-1(g) zone because it does not allow 8.000 or 9.000 uses, but if these uses are not allowed with the zoning, at least allow these uses in this zone with a special or conditional use permit.

Bob Anderson, owner of property on Main Street, urged the Board not to get so idealistic in zoning as to discourage development. Mr. Anderson wanted to know if his property located in Area "I" would be allowed to manufacture picture frames under the proposed plan as it does now. Mr. Anderson stated that he thought disallowing restaurants in the western part of Carrboro was very inappropriate. Mr. Anderson requested that citizens be allowed to view a final copy of the proposed ordinance before the Board votes on the ordinance.

Jerry Davenport stated that the town has received petitions protesting the rezoning of Areas "M", "N", "Q", and "S". Mike Brough explained that these petitions would require a vote of three-fourths of the Board to enact these proposed rezonings.

Brett Sutton, residing at 204 Maple Avenue, stated that the revised plan is much better than the previous plan. Mr. Sutton stated that his neighborhood had asked that Area "S" be rezoned to B-2. Rather than rezone this area to B-2, the town staff has removed bars and restaurants from the proposed B-2(g) zone. Mr. Sutton expressed his concern that this is not adequate protection for his neighborhood. Mr. Sutton stated that the primary problem of the B-1(g) zone is the high automotive volume commercial near a residential neighborhood. Mr. Sutton stated his neighborhood was being compromised, the proposed ordinance has more B-1(g) areas than the original plan, the shape of the zone dips down into residential areas, and stated that B-2 is a more appropriate zone for this area. Mr. Sutton presented a petition from the residents of Carr Street and Maple Avenue objecting to the placement of the B-1(g) zone directly across the street and adjacent to their neighborhood. The petition stated that this plan is wholly inappropriate and unnecessary, contrary to stated town policy, and potentially damaging, not just to this particular neighborhood, but to the cause of Carrboro neighborhoods in general, and therefore to Carrboro itself. The petition requested that the proposed B-1(g) zone in this area be changed to B-2.

J.W. French, owner of Carr Mill, stated that although his property had been down-zoned from B-1 to B-2(g), he did not harshly object. Dr. French stated that at the time he had originally designed his proposed building to be located on the Farmers's Market Lot, he was told by the town staff that they would be suggesting an increased height limitation to 50 feet. Dr. French stated that several adjustments in building plans have been made to his proposal to protect Carr and Maple Street residents, and that the 44-foot height limitation now proposed does not make his proposed project feasible. Dr. French proposed that for each additional 10-foot in setback offered, a building could be increased by 1 foot up to a maximum of 50 feet.

Dougald McMillan, property owner on Main Street, requested that uses be assigned to the B-1(g) zone.

Jane Hamborsky, residing at 105 Center Street, urged the Board not to vote on this matter at this time and requested that a buffer zone be created to protect residential neighborhoods.

Ray Allen Butler, owner of Butler's Garage, spoke in opposition to the rezoning of his property from business to R-2.

Julie Andresen, owner of property on Carr Street, requested that a buffer zone be created to protect residential neighborhoods.

Mac Fitch, residing at 1066 Canterbury Lane, requested that the Fitch Lumber Company property remain zoned M-1.

Sherry Jones, residing at 110 Elm Street, stated that the town needs an overall zoning plan and stated that Area "J" should remain zoned B-2.

Betsy Holland, residing at 103 Walden Drive, spoke in favor of the proposed plan.

Steve Fisher, residing at 202 Maple Street, asked if there were incentives that would encourage developers to locate downtown and construct buildings of distinction.

Jay Bryan, residing at 301 Oak Avenue, expressed his concern that any rezoning retain Carrboro's identity. Mr. Bryan expressed his concern about the height limits, urged the Board not to zone lot-by-lot, and asked that Fitch Lumber Co.

