

A regular meeting of the Carrboro Board of Aldermen was held on July 9, 1985 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY JOHN BOONE THAT THE MINUTES OF JULY 2, 1985 BE APPROVED. VOTE: AFFIRMATIVE ALL

CHARGES ISSUED TO NEW BOARD MEMBERS

The Town Clerk issued charges to Tom Gurganus, a recent appointee to the Board of Adjustment, and Catherine Peele, a recent appointee to the Appearance Commission.

REQUEST TO SET PUBLIC HEARING/DOWNTOWN AND COMMERCIAL REZONING

The administration requested that the Board of Aldermen set a public hearing for July 23, 1985 to hear citizens' comments on the revisions to the Downtown and Commercial Rezoning Plan.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT A PUBLIC HEARING BE SCHEDULED FOR JULY 23, 1985. VOTE: AFFIRMATIVE ALL

AMENDMENT TO TOWN CODE TO ALLOW MAYOR TO VOTE ON ALL ISSUES

Mike Brough stated that on April 24, 1984, the Board of Aldermen, after holding a public hearing on the issue, voted to place the question of whether the Town Charter should be amended to allow the mayor to vote on all issues on the ballot for the November 5, 1985 election. Mr. Brough stated that in order to accomplish this, the Board would need to follow the procedures set forth in his memorandum.

The following resolution was introduced by Alderman John Boone and duly seconded by Alderman Doug Anderson.

A RESOLUTION EXPRESSING THE INTENT OF THE BOARD OF ALDERMEN TO CONSIDER AN AMENDMENT TO THE TOWN CHARTER AUTHORIZING THE MAYOR TO VOTE ON ALL ISSUES BEFORE THE BOARD OF ALDERMEN
Resolution No. 2/85-86

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen hereby expresses its intent to consider the adoption of an ordinance under Section 101(8) and 102 of Chapter 160A of the General Statutes to authorize the Mayor to vote on all issues before the Board of Aldermen. The proposed ordinance, a copy of which is attached hereto and incorporated herein, also makes corresponding changes to the Town Charter provisions dealing with quorum and voting requirements (as authorized by G.S. 160A-106).

Section 2. The Board shall hold a public hearing on the

proposed charter amendments on the 23rd day of July, 1985 at 7:30 p.m. in the Town Hall.

Section 3. The Town Clerk shall cause a notice of the public hearing to be published one time in the Chapel Hill News-paper at least ten days before the date of the hearing. This notice shall contain a summary of the amendment.

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 9th day of July, 1985:

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

Noes: None

Absent or Excused: None

FINAL PLAT APPROVAL/VILLAGE SQUARE, PHASE II

David Curl Building Associates, Inc. has requested final plat approval and authority to occupy Phase II of the Village Square Townhouse development located at 119 Fidelity Street. A conditional use permit was granted for the Village Square development on June 26, 1984. The property is identified as Tax Map 98, Block 1, Lots 2 and 2B and Tax Map 102, Block D, Lot 28. The parcels are zoned Business-3.

Greg Shepard, Zoning Administrator, stated that incomplete site improvements include landscaping and dumpster pad installation with a total value of \$6,050.00. Mr. Shepard stated that the developer had submitted a certified check to cover these improvements.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT FINAL PLAT BE GRANTED AND OCCUPANCY BE AUTHORIZED AS REQUESTED. VOTE: AFFIRMATIVE ALL

Final Plat Approval/Spring Valley Subdivision, Phase II

Prairie Development Ltd. has applied for final plat approval for Spring Valley Subdivision, Phase II. A conditional use permit was granted by the Board of Aldermen on February 28, 1984 to allow construction of 146 single-family and two family lots in an architecturally integrated subdivision. The property is located north of the Webbwood Subdivision and is zoned Residential-S.I.R.-2.

Greg Shepard, Zoning Administrator, stated that the administration was only recommending that final plat approval be granted. Mr. Shepard stated that the developer had submitted a letter of credit to the town sufficient to cover incomplete site improvements totalling \$35,043.00.

Diana Woolley, representing the developer, requested that occupancy be authorized with the condition that each buyer be informed, prior to closing, of the proposed paving schedule and that all information be disclosed as required by Section 15-220(f) of the Carrboro Land Use Ordinance.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT FINAL PLAT APPROVAL BE GRANTED AND THAT OCCUPANCY BE AUTHORIZED WITH THE CONDITION THAT THE APPLICANT INFORM EACH BUYER, PRIOR TO CLOSING, OF THE PROPOSED PAVING SCHEDULE AND DISCLOSE ALL INFORMATION REQUIRED BY SECTION 15-220(F) OF THE CARRBORO LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

CONDITIONAL USE PERMIT MODIFICATION REQUEST/STONE CREEK
SUBDIVISION

David Morris and Tim Holleman have applied for a conditional use permit modification which would allow elimination of Condition #10 of the conditional use permit granted for the Stone Creek development on May 28, 1985, which requires construction of a deceleration lane on Highway 54 Bypass.

Greg Shepard, Zoning Administrator, stated that the administration was recommending that Condition #10 be removed from the original conditional use permit. Mr. Shepard stated that the administration had originally determined that this condition be eliminated for the following reasons:

1) The additional vehicular trips per day generated by this development do not warrant construction of this improvement.

2) A protected left turn lane was constructed by the Harris, Inc. development which is the most critical element for safety at an intersection like this.

3) The N.C. D.O.T. has not gone on record as recommending this improvement for this proposed project.

Roy Williford, Planning Director, stated that the N.C.D.O.T. looks at speed to determine the need for deceleration lanes rather than the amount of traffic. And due to the fact that the speed on Highway 54 Bypass is 45 m.p.h., a deceleration lane is not warranted.

Gordon Brown, representing the developer, stated that if the developer were required to install the deceleration lane, it would require 10 to 12 feet of fill due to the contour of the land. Mr. Brown pointed out that no other large projects along the bypass have taper lanes.

Stewart McAfee, Manager of Harris, Inc. stated that approximately 51 trips per day are generated by delivery vehicles at Harris, Inc. Mr. McAfee stated that this traffic is generated in early morning and late afternoon.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT CONDITION #10 BE ELIMINATED FROM THE STONE CREEK CONDITIONAL USE PERMIT. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (ANDERSON)

OCCUPANCY REQUEST/OLD WELL CONDOMINIUM, PHASE II

Riceville Associates has requested authorization to occupy Phase II of the Old Well Condominium development which was approved by the Board of Aldermen on October 25, 1983 prior to completion of the landscaping requirements. The property is located at 501 Jones Ferry Road and is located on Tax Map 116, Lot 7C and is zoned Residential-7.5.

Greg Shepard, Zoning Administrator, stated that incomplete site improvements include landscaping improvements totalling \$25,383.00. Mr. Shepard stated that the administration was recommending that authorization to occupy Phase II of Old Well Condominiums be approved, so long as all other requirements of the Land Use Ordinance are completed as approved.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT AUTHORIZATION TO OCCUPY BE APPROVED, SO LONG AS ALL OTHER REQUIREMENTS OF THE LAND USE ORDINANCE ARE COMPLETED AS APPROVED. VOTE: AFFIRMATIVE ALL

RAND ROAD ABANDONMENT

Mike Brough stated that the administration was proposing that Rand Road be abandoned and that in return an emergency access easement be granted to the town by Rogers-Triem, Inc. from

South Greensboro Street to the Scarborough Square property. Mr. Brough stated that the administration was recommending that the Board authorize the administration to execute the agreements that affect this transaction and adopt a resolution expressing its intent to close Rand Road.

The following resolution was introduced by Alderman John Boone and duly seconded by Alderman Doug Anderson.

A RESOLUTION DECLARING THE INTENT OF THE
BOARD OF ALDERMEN TO CLOSE THE PUBLIC STREET
KNOWN AS RAND ROAD AND SETTING A PUBLIC HEARING
TO HEAR ALL PERSONS INTERESTED IN THE STREET CLOSING
Resolution No. 3/85-86

WHEREAS, the public street known as Rand Road extends from its intersection with South Greensboro Street into the tract owned by Rogers-Triem, Inc. and serves only that property; and

WHEREAS, it appears to the Board that, subject to any matters that may be revealed at the public hearing, it is in the public interest to close Rand Road;

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

Section 1. The Board hereby declares its intention to close Rand Road.

Section 2. The Board shall hold a public hearing on September 3, 1985 at 7:30 p.m. in the Town Hall to consider the comments of the public on whether or not the closing would be detrimental to the public interest or the property rights of any individual.

Section 3. This resolution shall be published once a week for four successive weeks prior to the hearing and a copy shall be sent by certified mail to all persons owning property adjoining Rand Road. In addition, a notice of the proposed closing and the public hearing thereon shall be prominently posted in at least two places along Rand Road.

Section 4. Should Rand Road be closed, then all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots adjacent to this street, and the title of such adjoining landowners for the width of the abutting land owned by them shall extend to the centerline of said street.

Section 5. 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 9th day of July, 1985:

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

Noes: None

Absent or Excused: None

BUDGET ORDINANCE DISTRIBUTING 6% SALARY INCREASE

Don Casper, Assistant Town Manager/Finance Director, stated that an ordinance needed to be adopted by the Board of Aldermen distributing the 6% salary increase previously authorized. Funding for this was included as a part of the non-departmental budget. This budget amendment would distribute \$92,757 into the various departmental budgets.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING

FY'85-86 BUDGET ORDINANCE" BE ADOPTED. VOTE: AFFIRMATIVE
ALL

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

J. Post
Mayor