

A regular meeting of the Carrboro Board of Aldermen was held on September 3, 1985 at 7:30 p.m. in the Board Room of the Town Hall, the regular place of meeting.

Present and presiding:

Mayor Pro Tem
Aldermen

John Boone
Joyce Garrett
Doug Anderson
Hilliard Caldwell
Jim White
Zona Norwood (arrived at 7:45 p.m.)
Robert W. Morgan
Sarah C. Williamson
Michael B. Brough

Town Manager
Town Clerk
Town Attorney

Absent:

Mayor

James V. Porto, Jr.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY DOUG ANDERSON THAT THE MINUTES OF JULY 23, 1985 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION IN SUPPORT OF NAMING ORANGE COUNTY'S PORTION OF I-40 THE HARRIET MOREHEAD BERRY HIGHWAY

Ruth Roster with the Orange County Commission for Women, requested that the Board of Aldermen endorse a resolution naming Orange County's portion of Interstate 40 after Harriet Morehead Berry.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY HILLIARD CALDWELL THAT THE TOWN OF CARRBORO ENDORSE THE RESOLUTION IN SUPPORT OF NAMING ORANGE COUNTY'S PORTION OF I-40 "THE HARRIET MOREHEAD BERRY HIGHWAY." VOTE: AFFIRMATIVE ALL

RESOLUTION COMMENDING CLAUDIA ROBERTS BROWN FOR HER SERVICE TO THE CARRBORO APPEARANCE COMMISSION

The following resolution was introduced by Alderman Hilliard Caldwell and seconded by Alderman Doug Anderson.

A RESOLUTION COMMENDING CLAUDIA ROBERTS BROWN
FOR HER SERVICE TO THE CARRBORO APPEARANCE COMMISSION
Resolution No. 7/85-86

WHEREAS, Claudia Roberts Brown has served as a member of the Carrboro Appearance Commission since May, 1979; and

WHEREAS, Ms. Brown has been a very active member of the Appearance Commission in critiquing building plans coming before the Appearance Commission; and

WHEREAS, Ms. Brown has played an important part in creating the organization known as the Friends of Old Carrboro through the Appearance Commission; and

WHEREAS, Ms. Brown has chaired the Historic District Subcommittee and has been instrumental in the historic preservation movement in the Town of Carrboro and has played an important part in the preparation and publication of the historic inventory of the town; and

WHEREAS, Ms. Brown has been instrumental in providing a tree canopy along the town's streets.

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

Section 1. The Board expresses its sincere gratitude and

appreciation to Claudia Roberts Brown for her contribution to the Carrboro Appearance Commission.

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

Section 3. 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 3rd day of September, 1985:

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

Noes: None

Absent or Excused: Zona Norwood

CHARGES ISSUED TO NEW BOARD MEMBERS

The Town Clerk issued charges to Evlie Odum, Dave Griffiths and Neal Satterwhite, recent appointees to the Parks & Recreation Commission; Dennis Frye, a recent appointee to the Board of Adjustment; John Thomas, a recent appointee to the Orange Water & Sewer Authority Board of Directors; and Olivia Ludington, a recent appointee to the Planning Board.

Alderman Norwood arrived at the meeting.

REQUESTS TO SET PUBLIC HEARINGS

(1) Voluntary Annexation Request/Chambers Ridge Apartments

The owners of the Chambers Ridge Apartments, Preferred Investments, Inc., has submitted a petition requesting the annexation of Chambers Ridge Apartments into the Town of Carrboro.

The administration recommended that the Board of Aldermen accept the petition for annexation and set a public hearing for September 17, 1985.

The following resolution was introduced by Alderman Jim White and seconded by Alderman Doug Anderson.

A RESOLUTION SETTING A PUBLIC HEARING TO
CONSIDER THE ANNEXATION OF CHAMBERS RIDGE APARTMENTS
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 8/85-86

WHEREAS, the Town of Carrboro has received a petition from the owners of Chambers Ridge Apartments requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31;

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

Section 1. The Board of Aldermen shall hold a public hearing on September 17, 1985 to consider the voluntary annexation of Chambers Ridge Apartments.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in the Chapel Hill Newspaper at least ten days prior to the date of the public hearing.

Section 3. 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 3rd day of September, 1985:

Ayes: Joyce Garrett, Doug Anderson, Hilliard Caldwell, Jim White, Zona Norwood, John Boone
Noes: None
Absent or Excused: None

(2) Voluntary Annexation Request/Phase III Canterbury Townhomes

Pine Ridge Development Corporation has submitted a petition requesting the annexation of Phase III of Canterbury Townhomes. Phase III contains 2.45 acres and 38 housing units.

The administration recommended that the Board of Aldermen accept the petition for annexation and set a public hearing for September 17, 1985.

The following resolution was introduced by Alderman Jim White and seconded by Alderman Doug Anderson.

A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE ANNEXATION OF PHASE III, CANTERBURY TOWNHOMES UPON THE REQUEST OF THE OWNER
Resolution No. 9/85-86

WHEREAS, the Town of Carrboro has received a petition from the owners of Phase III, Canterbury Townhomes requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31;

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

Section 1. The Board of Aldermen shall hold a public hearing on September 17, 1985 to consider the voluntary annexation of Phase III, Canterbury Townhomes.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in the Chapel Hill Newspaper at least ten days prior to the date of the public hearing.

Section 3. 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 3rd day of September, 1985:

Ayes: Jim White, John Boone, Zona Norwood, Hilliard Caldwell, Joyce Garrett, Doug Anderson
Noes: None
Absent or Excused: None

(3) Land Use Ordinance Text Amendment/Mobile Homes

The administration requested that the Board of Aldermen set a public hearing for September 24, 1985 to review proposed amendments to the Carrboro Land Use Ordinance dealing with mobile homes.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY DOUG ANDERSON THAT THE REQUESTED PUBLIC HEARINGS BE SET. VOTE: AFFIRMATIVE ALL

APPOINTMENTS TO DOWNTOWN DEVELOPMENT COMMISSION

The Board of Aldermen at its worksession held on July 23, 1985 recommended that the following appointments be made to the Downtown Development Commission:

Three-Year Terms

Gary Phillips
Brett Sutton
David Kale

Two-Year Terms

Carol Drinkard
Tom Kennedy

One-Year Terms

Tony Hennessey
Garry Snook

MOTION WAS MADE BY JIM WHITE AND SECONDED BY DOUG ANDERSON THAT THE RECOMMENDED APPOINTMENTS BE MADE. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/PHASE VI WEATHERHILL TOWNHOUSES

Roy Williford, Planning Director, stated that Weatherhill Limited Partnership has submitted a petition requesting the annexation of Weatherhill Townhouses, Phase VI by the Town of Carrboro.

Mr. Williford stated that the administration recommended that the Board of Aldermen adopt the ordinance which annexes this property into the Town of Carrboro.

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

MOTION WAS MADE BY JIM WHITE AND SECONDED BY DOUG ANDERSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING PHASE VI, WEATHERHILL TOWNHOUSES" BE ADOPTED. VOTE: AFFIRMATIVE ALL

FINAL PLAT APPROVAL/PHASE III VILLAGE SQUARE

Roy Williford, Planning Director, stated that David Curl Building Associates, Inc. has requested final plat approval for Phase III of the Village Square Townhouse development located at 119 Fidelity Street and authority to occupy the townhouse units. A conditional use permit was granted for this 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 zones Business-3.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY HILLIARD CALDWELL THAT FINAL PLAT APPROVAL AND OCCUPANCY BE GRANTED. VOTE: AFFIRMATIVE ALL

FINAL PLAT APPROVAL/PHASE III CANTERBURY TOWNHOUSES

Pineridge Development Corporation has applied for final plat approval for Phase III of Canterbury Townhouses located southwest of the Highway 54 Bypass and Smith Level Road intersection, directly across from Royal Park Apartments. A conditional use permit for this 112-unit townhouse development was granted by the Board of Aldermen on January 24, 1984.

Mr. Morgan informed the Board that the applicant had requested that action on this matter be delayed until September 17, 1985.

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

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. In order to accomplish this, the Board needs to adopt the attached amendment, which makes it effective upon approval by a vote of the people. In addition, the Board needs to adopt the attached resolution calling for a special election on the amendment.

Aldermen Garrett requested that the ordinance be amended to become effective only if approved by a vote of the people at the November 5, 1985 election.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CHARTER TO AUTHORIZE THE MAYOR TO VOTE ON ALL ISSUES BEFORE THE BOARD OF ALDERMEN" AS AMENDED, BE ADOPTED. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (CALDWELL, GARRETT)

The following resolution was introduced by Alderman Jim White and duly seconded by Alderman Doug Anderson.

A RESOLUTION CALLING FOR A SPECIAL ELECTION ON NOVEMBER 5, 1985 TO CONSIDER AN AMENDMENT TO THE CARRBORO TOWN CHARTER AUTHORIZING THE MAYOR TO VOTE ON ALL ISSUES Resolution No. 10/85-86

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

WHEREAS, the Carrboro Board of Aldermen has this day adopted an ordinance amending the Town Charter to authorize the mayor to vote on all issues before the board of aldermen; and

WHEREAS, the Board of Aldermen has specified that this charter amendment is to become effective only if approved by a vote of the people, as provided in G.S. 160A-102.

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

Section 1. The Board of Aldermen hereby calls a special election for November 5, 1985 on the ordinance attached to this resolution and incorporated herein, which ordinance amends the Carrboro Town Charter to authorize the mayor to vote on all issues before the town board and makes corresponding changes to the town charter provisions dealing with quorum and voting requirements.

Section 2. The Orange County Board of Elections is hereby requested to conduct this special election on the requested date and publish legal notice of this special election as provided in G.S. 163-287.

Section 3. A copy of this resolution shall be delivered not later than September 4, 1985 to the Orange County Board of Elections.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of September, 1985:

Ayes: Jim White, Zona Norwood, John Boone, Hilliard Caldwell, Joyce Garrett, Doug Anderson
Noes: None
Absent or Excused: None

RECORDS RETENTION AND DISPOSITION SCHEDULE

The Division of Archives and History has requested the town to adopt the attached Municipal Records Retention and Disposition Schedule. This manual replaces the manual entitled, The Municipal Records Manual, dated 1970.

The administration recommended that the Board of Aldermen authorize the Town Manager, Mayor and Town Clerk to enter into an agreement with the Division of Archives and History. This agreement states that the town agrees to the records

retention and disposition schedule and retention periods listed in the schedule and authorizes the destruction of records pursuant to the schedule without further approval by either the Board of Aldermen or the Division of Archives and History.

MOTION WAS MADE BY HILLIARD CALDWEL AND SECONDED BY DOUG ANDERSON THAT THE MAYOR, TOWN MANAGER, AND TOWN CLERK BE AUTHORIZED TO ENTER INTO THE AGREEMENT. VOTE: AFFIRMATIVE ALL

1984-85 TRANSPORTATION BUDGET AMENDMENT

Don Casper, Assistant Town Manager, stated that actual costs of Shared and E-Z Rider exceed the appropriated budget for 1984-85. The administration made the Board of Aldermen aware of an expected overrun in the spring of 1985, but suggested budget adjustments be delayed until the exact amount was known. Final charges are now available. All costs for Shared and E-Z Rider for 1984-85 amount to \$28,732--\$3,332 more than originally budgeted.

Mr. Casper stated that the administration recommended adoption of the attached budget ordinance amendment increasing the Transportation Budget by \$3,332.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY ZONA NORWOOD THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'84-85 BUDGET ORDINANCE" BE ADOPTED. VOTE: AFFIRMATIVE ALL

REVISIONS TO MISCELLANEOUS FEE SCHEDULE

The administration recommended that the Miscellaneous Fees and Charges Schedule be amended to increase landfill charges from \$2.50 per ton to \$3.00 per ton and to increase the cost of roll-out containers from \$46.00 to \$49.00 per container.

The following resolution was introduced by Alderman Doug Anderson and duly seconded by Alderman Hilliard Caldwell.

A RESOLUTION AMENDING THE MISCELLANEOUS FEES AND CHARGES SCHEDULE
Resolution No. 11/85-86

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Miscellaneous Fees and Charges Schedule is amended to raise the fee for landfill charges from \$2.50 per ton to \$3.00 per ton and raising the fee for roll-out containers from \$46.00 per container to \$49.00 per container.

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 3rd day of September, 1985:

Ayes: Doug Anderson, Hilliard Caldwell, Joyce Garrett, Jim White, John Boone, Zona Norwood
Noes: None
Absent or Excused: None

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

John D. Boone
Mayor Pro Tem