

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 18, 1986 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	Tom Gurganus
	Doug Anderson
	Hilliard Caldwell
	John Boone
	Judith Wegner
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	Zona Norwood
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APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE MINUTES OF FEBRUARY 11, 1986 BE ADOPTED. VOTE: AFFIRMATIVE ALL

REQUEST FOR LAND USE ORDINANCE TEXT AMENDMENT/WILLIAM BROWN

Mr. William Brown appeared before the Board and requested relief from a decision made by the Board of Adjustment. The matter before the Board of Adjustment had been an appeal of the decision of the Zoning Administrator to allow him to expand his body shop located at 102 Cobb Street.

Mike Brough informed the Board that if it wished to allow Mr. Brown to expand his nonconforming use, it could either amend the zoning map to allow automotive repair shops in the B-1(c) zone or amend the land use ordinance to allow expansion of nonconforming uses.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE TO DIRECT THE TOWN STAFF TO PREPARE AMENDMENTS IN ACCORDANCE WITH THE TWO ALTERNATIVES SUGGESTED BY THE TOWN ATTORNEY ALONG WITH A REPORT ON THE IMPACT OF THESE AMENDMENTS AND HAVE THE PLANNING BOARD REVIEW THE AMENDMENTS BEFORE THEY ARE BROUGHT BACK TO THE BOARD OF ALDERMEN. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (WEGNER)

REQUEST FOR OPERATION OF CAR DEALERSHIP AT 405-B EAST MAIN STREET

Fred Marsh (Brother Peacemaker) appeared before the Board to request approval to obtain a dealer's license for his business located at 405-B East Main Street.

The Board requested the town staff to meet with Mr. Marsh to determine exactly what his business will consist of and whether his business will be allowed at the proposed location. The Board further requested that a report be brought back to it on this matter within two weeks.

Disposition of Starlite Drive Lots

James Harris, the town's Community Development Coordinator, stated that on December 17, 1985 the Board of Aldermen authorized the administration to advertise for bids to dispose of two town-owned lots on Starlite Drive. Two proposals were received--one from Habitat for Humanity and the other from the Joint Orange/Community Action Program.

Mr. Harris stated that the administration recommended that the Board of Aldermen accept the proposal from Habitat for Humanity as their proposal meets all the stipulations set forth in the town's request for proposals. In addition, Mr. Harris stated that the administration recommended adoption of a resolution authorizing the sale of the two lots owned by the town to Habitat for Humanity.

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

A RESOLUTION AUTHORIZING THE SALE OF TWO LOTS OWNED
BY THE TOWN TO HABITAT FOR HUMANITY, ORANGE COUNTY, N.C., INC.
Resolution No. 30/85-86

WHEREAS, pursuant to G.S. 160A-268 and Section 4.144 of the Carrboro Town Charter, the Board of Aldermen advertised on December 31, 1985 in the Chapel Hill Newspaper for bids for the purchase of two lots owned by town as described below; and

WHEREAS, the town received only two bids for the lots, only one of which was responsive; and

WHEREAS, the Board finds that the bid submitted by Habitat for Humanity, Orange County, N.C., Inc. would have a substantially greater beneficial effect on the neighborhood within which the lots are located than the other bid and would facilitate the relocation of persons displaced by the town's community development project to a substantially greater degree than would the other bid.

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

Section 1. The Board accepts the bid of Habitat for Humanity, Orange County, N.C., Inc. for the purchase of lots described in Section 2 for the purchase price of Ten Dollars (\$10.00) for each lot, subject to the terms of the bid proposal submitted by Habitat for Humanity, and subject to the execution by the town and Habitat of an agreement incorporating the substance of the bid proposal in a form satisfactory to the town.

Section 2. Subject to Section 1, the Manager and Clerk are authorized to execute a deed conveying the following lots to Habitat for Humanity, Orange County, N.C., Inc.:

Lot 1: South side of Starlite Drive, Tract No. 701788, Parcel No. 93-H-16 (182 feet by 50 feet)

Lot 2: North side of Starlite Drive, Tract No. 701760, Parcel No. 93-K-27 (165 by 50 feet)

Section 3. The Manager and Clerk are authorized to execute on behalf of the town an agreement incorporating the substance of the bid proposal submitted by Habitat for Humanity.

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 18th day of February, 1986:

Ayes: John Boone, Judith Wegner, Jim Porto, Hilliard Caldwell, Doug Anderson, Tom Gurganus

Noes: None

Absent or Abstained: Zona Norwood

RESOLUTION REQUESTING TRAFFIC SIGNAL AT PLANTATION PLAZA SHOPPING CENTER

The administration recommended adoption of a resolution requesting the installation of a traffic signal at the intersection of Highway 54, Highway 54 Bypass, and the main entrance to Plantation Plaza Shopping Center.

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

A RESOLUTION REQUESTING THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF HIGHWAY 54 AND HIGHWAY 54 BYPASS
Resolution No. 31/85-86

WHEREAS, the development of the Plantation Plaza Shopping Center has increased traffic volumes and changed travel patterns at the intersection of Highway 54 and Highway 54 Bypass; and

WHEREAS, the North Carolina Department of Transportation redesigned the intersection of Highway 54, Highway 54 Bypass and the main entrance to the shopping center; and

WHEREAS, the Town of Carrboro recognizes a serious safety hazard exists at the intersection; and

WHEREAS, a memorandum to Mr. J.W. Watkins, P.E., Division Engineer, from Mr. T.A. Harris, Design Review Engineer, dated April 20, 1983, states that "The entrances intersecting onto State System roadways should be controlled with traffic control devices if deemed appropriate by the Division Traffic Engineer"; and

WHEREAS, since completing the intersection redesigns in November, 1985, there have been five reported accidents totalling \$12,250.00 in damages and one injury; and

WHEREAS, in the town's opinion these five accidents could have been avoided with the installation of a traffic signal; and

WHEREAS, Section 4C-8 of the manual of Uniform Traffic Control Devices, covering Warrent 6 for Traffic Signals states: "The Accident Experience warrant is satisfied when: ...Five or more reported accidents, of types susceptible to correction by traffic signal control, have occurred within a 12-month period".

BE IT THEREFORE RESOLVES:

The Board of Aldermen of the Town of Carrboro requests of the North Carolina Department of Transportation that a traffic control signal be installed at the intersection of Highway 54, Highway 54 Bypass, and the main entrance to the Plantation Plaza Shopping Center, and that this signal be installed as quickly as possible.

The foregoing resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of February, 1986:

Ayes: John Boone, Judith Wegner, Jim Porto, Doug Anderson, Hilliard Caldwell, Tom Gurganus

Noes: None

Absent or Excused: Zona Norwood

RESOLUTION URGING THE VARIOUS COMPONENTS OF THE CRIMINAL JUSTICE SYSTEM TO DEAL SWIFTLY AND FIRMLY WITH DRUG-RELATED VIOLATIONS OF THE CRIMINAL LAW

The Board of Aldermen at its January, 1986 Planning Retreat, requested the Town Attorney to prepare a resolution urging the various components of the criminal justice system to deal swiftly and firmly with drug-related violations of the criminal law. The Town Attorney has prepared this resolution for the Board's consideration.

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

A RESOLUTION URGING THE VARIOUS COMPONENTS
OF THE CRIMINAL JUSTICE SYSTEM TO DEAL
SWIFTLY AND FIRMLY WITH DRUG-RELATED
VIOLATIONS OF THE CRIMINAL LAW

Resolution No. 32/85-86

WHEREAS, the Town of Carrboro and the remainder of Orange County continue to experience serious problems with drug abuse and drug-related crimes; and

WHEREAS, the Town of Carrboro and other local governments within the county have recently participated in a united effort to apprehend persons engaged in the violation of criminal laws relating to the sale and possession of drugs and other drug-related crimes; and

WHEREAS, the Town of Carrboro's police department will continue to place strong emphasis on this area of law enforcement; and

WHEREAS, the Board believes it is imperative that the District Attorney's Office vigorously prosecute those charged with drug-related offenses and that those convicted of such offenses receive sentences reasonably calculated to deter such violations in the future.

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

Section 1. The Board urges the District Attorney's Office to use its full resources to prosecute vigorously those persons who are charged with violations of the criminal law relating to the sale and possession of drugs or other drug-related crimes and urges all judges who are called upon to sentence those convicted of such crimes within Orange County to exercise whatever discretion is vested in them in a manner that recognizes and reflects the seriousness of such violations of the criminal law.

Section 2. The Town Clerk shall forward a copy of this resolution to the governing bodies of each of the other local governments within Orange County as well as to the District Attorney and to the Chief District Judge and Resident Superior Court Judge of this Judicial District.

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 18th day of February, 1986:

Ayes: John Boone, Judith Wegner, Jim Porto, Doug Anderson, Hilliard Caldwell, Tom Gurganus

Noes: None

Absent or Excused: Zona Norwood

RESOLUTION REQUESTING CARRBORO REPRESENTATION ON THE CHAPEL HILL HOUSING AUTHORITY

The Board of Aldermen at its January, 1986 Planning Retreat, requested the Town Attorney to prepare a resolution requesting Carrboro representation on the Chapel Hill Housing Authority. The Town Attorney has prepared such a resolution for the Board's consideration.

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

A RESOLUTION REQUESTING THAT A
RESIDENT OF THE TOWN OF CARRBORO BE
APPOINTED TO THE CHAPEL HILL HOUSING AUTHORITY
Resolution No. 33/85-86

WHEREAS, in 1979 the Town of Carrboro entered into a cooperation agreement with the Chapel Hill Housing Authority, requesting and authorizing that authority to operate 30 units of low-rent housing within the Town of Carrboro; and

WHEREAS, the Board of Aldermen on March 22, 1982 granted a conditional use permit to the Chapel Hill Housing Authority authorizing the construction of the 30-unit development known as Oakwood Apartments on North Greensboro Street in the Town of Carrboro; and

WHEREAS, the Oakwood Apartments are now being operated and managed by the Chapel Hill Housing Authority and the operation of this development, as well as other decisions made by the Housing Authority affect directly and indirectly many residents of the Town of Carrboro; and

WHEREAS, the nine-member Housing Authority Board has never contained and does not now contain a resident of the Town of Carrboro;

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

Section 1. The Board respectfully but firmly requests that a resident of the Town of Carrboro be appointed to the nine member Housing Authority Board as soon as a vacancy appears on that Board.

Section 2. The Town Clerk shall forward a copy of this resolution to the Mayor and Town Council of the Town of Chapel Hill and to the Executive Director of the Chapel Hill Housing Authority.

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 18th day of February, 1986:

Ayes: John Boone, Hilliard Caldwell, Jim Porto, Judith Wegner, Doug Anderson, Tom Gurganus

Noes: None

Absent or Excused: Zona Norwood

FUNDING OPTIONS FOR PAVING GRAVEL PORTION OF PLEASANT DRIVE

After submitting three options for the Board's consideration concerning the paving of the gravel portion of Pleasant Drive, the Board of Aldermen at its worksession held on February 11, 1986, requested the administration to research previous assessments for street improvements.

Chris Peterson, Public Works Director, stated that the town's records indicate that out of 30 projects performed since 1968, there has been some form of assessment to 19 of the 30. The exceptions were: a) In 1974 Mary Street, Kay Street and Starlite Drive were paved for the first time without assessment using Revenue Sharing funds; b) In 1977 Williams Street was paved by the town with no assessments due to the fact that the Board of Aldermen felt this paving would predominantly benefit Wilson Park; c) In 1978 Broad Street, Lloyd Street, Cobb Street, Fowler Street and Hill Street were paved without assessment using Community Development funds; d) In 1980 the town had Jones Ferry Road widened to include curb and gutter for a distance of 2000 feet with no assessments using bikeway bond funds; and e) In 1983 the town paved Laurel Avenue Extension after a petition was received from the residents. An even trade for an assessment was made with the property owner at the cul-de-sac end of the street for street right-of-way.

Mr. Peterson stated that the verbage in the Citizen Information brochure for the 1984 Bond Issue contained no mention of assessment charges to the property owners residing on the streets for the proposed improvements. Mr. Peterson also stated that the chair of the Bond Task Force had indicated to the town staff that there was no formal discussion held by the Task Force regarding any type of assessment charges for any of the proposed projects scheduled for the Street Bond Improvement Program.

Mr. Morgan stated that the administration was recommending that the gravel portion of Pleasant Drive be paved with no assessments.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JOHN BOONE THAT THE GRAVEL PORTION OF PLEASANT DRIVE BE PAVED WITH NO ASSESSMENTS TO THE PROPERTY OWNERS. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (WEGNER)

The Board requested that the town staff contact the property owners on the gravel portion of Pleasant Drive to make sure they have no objections to the proposed street improvements.

REQUEST TO SET PUBLIC HEARING/PLEASANT DRIVE IMPROVEMENTS

The Board of Aldermen at its worksession held on February 11, 1986, requested that a public hearing be set for March 4, 1986 to receive input from citizens on Pleasant Drive regarding the street improvement assessment policy for those property owners whose property might be affected by the street improvements.

(Action on this item was not necessary due to the Board's decision not to assess the property owners for the proposed street improvements.)

MODIFICATION OF ROGERS-TRIEM ECONOMIC DEVELOPMENT LOAN AGREEMENT

The Town of Carrboro, through an economic development grant, made a \$100,000 industrial retention and expansion loan to Rogers-Triem at 5% for 8 years beginning March 16, 1983. Carrboro's loan is secured in a second position to collateral held by Security Pacific Business Credit, Inc. The administration has received a letter from Rogers-Triem requesting that the security agreement be modified to accommodate the consolidation of its manufacturing facilities at the Carrboro site.

Lee Corum, representing Rogers-Triem, requested the town's release of the security interest in the Michigan property. Mr. Corum stated that Carrboro will be in first position on

the Carrboro real estate following the proposed transaction, and that Carrboro will remain secured with a second lien position on the equipment and fixtures.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JOHN BOONE THAT THE MODIFICATION BE APPROVED SUBJECT TO THE CONDITIONS THAT CARRBORO REMAIN IN A SECOND LIEN POSITION ON EQUIPMENT AND FIXTURES, ACCOUNTS RECEIVABLES AND INVENTORY, AND FIRST POSITION ON REAL ESTATE IN CARRBORO, AND THAT THE TOWN RECEIVE A COPY OF THE CLOSING STATEMENT INDICATING DISTRIBUTION OF FUNDS. VOTE: AFFIRMATIVE ALL

BUDGET INFORMATION BROCHURES

Don Casper, Assistant Town Manager, presented the Board with a budget information brochure that the town proposed to send to the town's residents prior to the March 4th public hearing on the budget. Mr. Casper stated that the administration was investigating the alternatives for distribution of the brochure, (i.e, inserts in the Village Advocate, distribution by the Public Works Department, etc.). Mr. Casper stated that the administration was also preparing a 30-minute presentation for cable t.v. which will air on February 25th, 27th and March 3rd.

The Board requested that a statement be added to the chart portion of the handout indicating that the figures listed are estimates and are subject to change, that the schedule for t.v. presentations be listed, and that the town staff find the most acceptable method of distribution of the brochures.

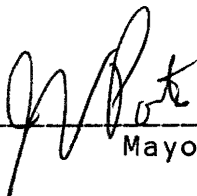
REQUEST FOR EXECUTIVE SESSION TO HEAR REPORT CONCERNING CRIMINAL INVESTIGATIONS

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE BOARD GO INTO EXECUTIVE SESSION TO HEAR A REPORT CONCERNING CRIMINAL INVESTIGATIONS. VOTE: AFFIRMATIVE ALL

BUDGET AMENDMENT

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'85-86 BUDGET ORDINANCE" BE ADOPTED TRANSFERRING \$2,000 FROM THE CONTINGENCY ACCOUNT TO THE POLICE INVESTIGATIONS ACCOUNT. VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.



Mayor



Town Clerk