

A regular meeting of the Carrboro Board of Aldermen was held on October 21, 1986 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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| Mayor | James V. Porto, Jr. |
| Aldermen | Randy Marshall |
| | Tom Gurganus |
| | Hilliard Caldwell |
| | John Boone |
| | Judith Wegner |
| | Zona Norwood |
| Town Manager | Robert W. Morgan |
| Deputy Town Clerk | Ellen G. Hughes |
| Town Attorney | Michael B. Brough |

- Absent:
- | | |
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| Town Clerk | Sarah C. Williamson |
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APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JOHN BOONE THAT THE MINUTES OF OCTOBER 14, 1986 BE APPROVED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/STATUS OF SIMPSON STREET TRIANGLE

Jim Dunlop, the town's transportation planner, stated that the North Carolina Department of Transportation had requested that the town make a determination on the significance of the Simpson Street park so that it may continue with the planning and design of the widening of Main Street, for which funding was approved by the voters of Carrboro in a bond referendum in November of 1984. Mr. Dunlop stated that the widening of Main Street may involve the disturbance or elimination of this area.

Mr. Dunlop stated that the Board of Aldermen at its meeting of September 23, 1986 had set a public hearing for tonight to receive public comment on this matter.

Doris Murrell, Chair of the Parks & Recreation Commission, stated that the Parks & Recreation Commission had considered the implications of the possible work which may be needed in regard to the impact upon the Simpson Street Triangle and made the following motion, which carried unanimously: "Unless substantial local opposition arises from the future public hearing (October 21, 1986) to the re-alignment of the area's perimeter or potential loss of the area altogether, the Commission has no objections to the State's plans for this area, since we do not consider the park to be of significant value to the recreational needs of the community."

Wallace Womble, residing at 101 Simpson Street, stated that C.J. Simpson had left the triangle area to the homeowners to be used as a park for family gatherings. Mr. Womble stated that residents of Simpson Street do not want the park disturbed.

C.J. Simpson, developer of Plantation Acres, stated that in the 1950's when Plantation Acres was developed, the Department of Transportation advised him to have two entrances. Mr. Simpson stated that he told buyers of the lots on Simpson Street had the triangle area would be a park area for use of the residents of the area.

Beverly Sanders, residing at 206 Simpson Street, requested that the triangle be retained because the town needs to preserve as many green spaces as possible.

Marjorie Riddle, residing at 217 Simpson Street, stated that she would like to see the triangle remain a green space.

Mrs. Burkes, residing at 300 Simpson Street, stated that the triangle area is used for picnics, children play there and people waiting for buses wait in this area.

Richard Kinney, Recreation Director, stated that the town does not classify parkland in Carrboro significant or not significant. The Parks & Recreation Commission felt the triangle is a common area and was actually distributed for maintenance under the parks division. Mr. Kinney stated that the town gets very little use from this area because there is very little that can be done with it.

Tom Goodrich, residing at 215 Simpson Street, stated that the residents of the Simpson Street neighborhood maintained the triangle until the town annexed the area. Mr. Goodrich stated that the residents of this neighborhood would like to keep the triangle as is.

Whit Webb, Project Engineer with the N.C. Department of Transportation, stated that the Federal Department of Transportation Act of 1966 included Section 4(F) states that: "It is the policy of the United States Government that special effort be made to preserve the natural beauty of the countryside and public park and recreational lands, wildlife and waterfowl refuges and historic sites....The Secretary of Transportation (the federal Secretary) may approve a transportation program or project requiring the use of publicly owned of a public park or recreation area or wildlife or waterfowl refuge or land of a historic site or national state of local significance as determined by the federal, state or local officials having jurisdiction over the park only if there is no prudent and feasible alternative to using that land." Mr. Webb read from a document published by the Federal Highway Administration: "Insignificant does not mean that the land is not important. Significance means that in comparing the availability and use of the recreation area with the recreation and park needs of the community, the land in question plays an important role in meeting those needs. Mr. Webb stated that if the town determines that the Simpson Street Triangle is significant, then D.O.T. cannot use the land for easement or fee simple acquisition of right-of-way. If the town determines that the land is not significant, then D.O.T. can proceed with the project and use part or all of the land for the highway project. Mr. Webb stated that the surveys are incomplete but preliminary surveys indicate that D.O.T. will need to use approximately 37 feet back from the centerline of Main Street.

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 JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE SIMPSON STREET TRIANGLE IS INSIGNIFICANT FOR PURPOSES OF SECTION 4(F) OF THE DEPARTMENT OF TRANSPORTATION ACT WITH THE FOLLOWING FINDINGS: (1) THE SIZE OF THE PARK IS VERY SMALL; AND (2) THE DESIGN OF THE PARK INSOFAR AS IT IS BETWEEN THREE DIFFERENT ROADS PRECLUDES ITS USE FOR A BROAD VARIETY OF PURPOSES WHICH IS GENERALLY DONE WITH OTHER TOWN PARKS. VOTE: AFFIRMATIVE ALL

RESEARCH TRIANGLE PUBLIC TRANSPORTATION STUDY

Mr. John Stone, Professor of Civil Engineering with N.C. State University, presented the preliminary research findings on the reports entitled, "Travel in the Triangle: Choices" and "Travel in the Triangle: Implementation." (See Town Clerk's file on this meeting for a copy of the reports.)

PRESENTATION OF AUDIT REPORT FOR FY'85-86

Sam McNary and James Speed of the town's audit firm Deliotte, Haskins & Sells, presented the audit report for FY'85-86

REIMBURSEMENT TO TOWN OF CHAPEL HILL

Don Casper, Assistant Town Manager/Finance Director, stated that while transporting a prisoner, a scuffle occurred between a Carrboro police officer and the officer's prisoner. The incident occurred in the parking lot of the Chapel Hill Police Department. During the incident a vehicle owned by an innocent bystander was damaged to the extent of \$135.00. The Town of Chapel Hill made the initial reimbursement and has requested the Town of Carrboro reimburse it.

Mr. Casper stated that the administration recommended reimbursement be made and adoption of a budget amendment transferring \$135.00 from contingency to the appropriate line item.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'86-87 BUDGET ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

ORDINANCE AMENDING THE TOWN CODE TO PROVIDE FOR THE REMOVAL OF RECREATION COMMISSION MEMBERS FOR FAILURE TO ATTEND MEETINGS

On May 27, 1986, the Board of Aldermen amended various provisions of the Town Code to provide for a uniform policy affecting all appointed boards and commissions relating to removal of members for failure to attend meetings. Inadvertently, the ordinance did not include the Recreation Commission, and the Town Attorney has prepared an amendment to correct this oversight.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE TO PROVIDE FOR THE REMOVAL OF RECREATION COMMISSION MEMBERS FOR FAILURE TO ATTEND MEETINGS," BE ADOPTED. VOTE: AFFIRMATIVE ALL

CANCELLATION OF NOVEMBER 4TH BOARD MEETING

The administration requested the Board's consideration on whether it wished to cancel the Board meeting scheduled for November 4, 1986, as this is Election Day

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE NOVEMBER 4, 1986 MEETING BE CANCELLED. VOTE: AFFIRMATIVE ALL

RESCHEDULING OF PUBLIC HEARING/LAND USE ORDINANCE AMENDMENTS: MISCELLANEOUS I

Mr. Morgan informed the Board that due to an error in advertisement, the administration was requesting that the public hearing scheduled for October 28, 1986 to consider amendments to the Land Use Ordinance be rescheduled to November 11, 1986.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JUDITH WEGNER THAT THE PUBLIC HEARING BE RESCHEDULED TO NOVEMBER 11, 1986. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO DOWNTOWN DEVELOPMENT COMMISSION

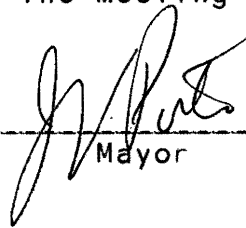
There is currently one vacancy on the Downtown Development Commission. The Town Clerk has advertised this vacancy and has received a response from Steven Fisher, who resides at 202-A Maple Avenue. Mr. Fisher has attended a meeting of the Downtown Development Commission and wishes to be appointed to that commission. The Chairman of the Downtown Development has recommended Mr. Fisher's appointment

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JUDITH WEGNER THAT STEVEN FISHER BE APPOINTED TO THE DOWNTOWN DEVELOPMENT COMMISSION. VOTE: AFFIRMATIVE ALL

Mr. Morgan informed the Board that there are currently vacancies on the Board of Adjustment, Appearance Commission, Parks & Recreation Commission, Human Services Commission and Cemetery Commission and requested the Board's assistance in obtaining applicants for these positions.

Mr. Morgan also pointed out to the Board that the Human Services Commission currently does not have a Chair

There being no further business, the meeting was adjourned



Mayor



Deputy Town Clerk