

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, December 16, 1986 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

|               |                     |
|---------------|---------------------|
| Mayor         | James V. Porto, Jr. |
| Aldermen      | Randy Marshall      |
|               | Tom Gurganus        |
|               | Hilliard Caldwell   |
|               | John Boone          |
|               | Judith Wegner       |
|               | Zona Norwood        |
| Town Manager  | Robert W. Morgan    |
| Town Clerk    | Sarah C. Williamson |
| Town Attorney | Michael B. Brough   |

APPROVAL OF MINUTES OF PREVIOUS MEETING: DECEMBER 9, 1986

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF DECEMBER 9, 1986 BE APPROVED. VOTE: AFFIRMATIVE ALL

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PUBLIC HEARING/LAND USE ORDINANCE AMENDMENT/QUORUM FOR BOARD OF ADJUSTMENT

Mike Brough explained that this was a public hearing to receive citizen input on a proposed amendment to the Land Use Ordinance which reduces the number of members of the Board of Adjustment necessary for a quorum to a majority of the non vacant seats.

Steve Oglesbee, a member of the Board of Adjustment, asked that the Board consider amending the ordinance to require that a quorum consist of at least four members.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JUDITH WEGNER THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE THAT A QUORUM OF THE BOARD OF ADJUSTMENT SHALL CONSIST OF THE NUMBER OF MEMBERS EQUAL TO A MAJORITY OF NON-VACANT SEATS ON THE BOARD," BE ADOPTED AS AMENDED TO REQUIRE THAT A QUORUM CONSIST OF AT LEAST FOUR MEMBERS. VOTE: AFFIRMATIVE ALL

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QUARTERLY REPORT/APPEARANCE COMMISSION

The Chair of the Appearance Commission, Dan Leonard, stated that during the past quarter the Appearance Commission had reviewed conditional use permit requests, had considered an ordinance amendment concerning protection of trees on building sites, had planted a tree at Westwood Cemetery on Arbor Day. Mr. Leonard stated that the Appearance Commission was currently planning plantings at Plantation Plaza for the summer of 1987 in connection with the Olympic Festival and are considering annual commendation awards to new developments for outstanding landscaping.

Kathy Buck, former chair of the Appearance Commission, presented the results of the Citizen's Survey conducted by the Appearance Commission in March, 1985. (A copy of the survey and its results can be found in the Town Clerk's file of this meeting.)

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APPOINTMENTS TO BOARD OF ADJUSTMENT

The Chair of the Adjustment recommended that Stephen Williams and John Musgrove be appointed to the Board of Adjustment.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT STEPHEN WILLIAMS AND JOHN MUSGROVE BE APPOINTED TO THE BOARD OF ADJUSTMENT. VOTE: AFFIRMATIVE ALL

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REQUEST FOR EXTENSION OF CONDITIONAL USE PERMIT/BERRYHILL

Greg Shepard, Zoning Administrator, stated that The Margaret Johnston Heirs have requested an extension of the conditional use permit for the Berryhill property, which will expire on January 8, 1987.

Mr. Shepard stated that the administration recommended approval of a one-year extension of the conditional use permit.

Robert Midgette, representing The Margaret Johnston Heirs, spoke in favor of the one-year extension.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT A ONE-YEAR EXTENSION BE GRANTED (THE PERMIT WILL NOW EXPIRE ON JANUARY 8, 1988.) VOTE: AFFIRMATIVE ALL

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REQUEST FOR PERFORMANCE BOND ACCEPTANCE/THE VILLAGES, PHASE V

Greg Shepard, Zoning Administrator, stated that Hunt Properties, Inc. have requested acceptance of performance security to warrant completion of landscaping improvements for Buildings P, R and S at The Villages Apartments.

Mr. Shepard stated that the administration recommended acceptance of performance security to ensure completion the landscaping improvements for Buildings P, R, and S after issuance of certificates of occupancy with the following conditions:

- a. That the applicant/owner inform each tenant prior to occupancy of the proposed schedule for completing the landscape improvements.
- b. That all other requirements of the Carrboro Land Use Ordinance and approved construction plans be completed prior to issuance of certificates of occupancy.
- c. That the performance security be reviewed and approved by the Town Attorney.

Al Justice, representing the developer, stated that they would like to include completion of the fitness trail in the performance security.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT PERFORMANCE SECURITY IN THE AMOUNT OF \$23,100 BE ACCEPTED TO ENSURE COMPLETION OF LANDSCAPING IMPROVEMENTS FOR BUILDINGS P, R AND S AND COMPLETION OF THE FITNESS TRAIL, SUBJECT TO THE CONDITIONS RECOMMENDED BY THE ADMINISTRATION. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (CALDWELL)

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RESOLUTION IN SUPPORT OF BRITISH ISLE GATEWAY AT RDU

Mr. Morgan stated that Triangle J Council of Governments was requesting adoption of a resolution in support of a British Isle Gateway at Raleigh-Durham Airport.

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Randy Marshall.

A RESOLUTION IN SUPPORT OF A BRITISH ISLE GATEWAY AT RALEIGH-DURHAM AIRPORT  
Resolution No. 15/86-87

WHEREAS, the economy of North Carolina and of the Triangle Region is strongly tied to international markets; and

WHEREAS, the Research Triangle Park of North Carolina is the U.S. headquarters for several major firms with parent companies in the United Kingdom employing hundreds of United Kingdom citizens; e.g., Glaxo and Burroughs Wellcome; and

WHEREAS, in the Triangle Marketing Region (eleven counties) and the Eastern half of N.C. served by the Raleigh-Durham Airport are located approximately twenty-five British-owned firms; and

WHEREAS, there exists a well-staffed Customs Service at the Port of Durham, RDU Airport, to process international freight and passenger flights, it is a logical next step for the Triangle area to be provided with international passenger service;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Aldermen of the Town of Carrboro endorses the designation of the Raleigh-Durham, Airport as a British Isle Gateway.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of December, 1986:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Jim Porto, John Boone, Judith Wegner, Zona Norwood

Noes: None

Absent or Excused: None

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REQUEST FOR PERFORMANCE BOND ACCEPTANCE/RAMSGATE APARTMENTS

Greg Shepard, Zoning Administrator, stated that Harmon Associates, Inc. had requested acceptance of performance security to warrant completion of landscaping improvements for the clubhouse and Buildings 1-14 at Ramsgate Apartments.

Mr. Shepard stated that the administration was recommending acceptance of performance security to ensure completion of landscaping improvements for the Clubhouse and Buildings 1-14 after issuance of certificates of occupancy with the following conditions:

- a. That the applicant/owner inform each tenant prior to occupancy of the proposed schedule for completing the landscaping improvements.
- b. That all other requirements of the Carrboro Land Use Ordinance and approved construction plans be completed prior to issuance of certificates of occupancy.
- c. That the performance security be reviewed and approved by the Town Attorney.

Phil Post, representing the developer, requested acceptance of the performance security due to adverse weather conditions.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT PERFORMANCE SECURITY IN THE AMOUNT OF \$90,000 BE ACCEPTED TO ENSURE COMPLETION OF LANDSCAPING IMPROVEMENTS

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FOR THE CLUBHOUSE AND BUILDINGS 1-14, SUBJECT TO THE  
CONDITIONS RECOMMENDED BY THE ADMINISTRATION. VOTE:  
AFFIRMATIVE ALL

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There being no further business, the meeting was adjourned.

Sarah C. Williamson  
Town Clerk

J. W. Potts  
Mayor