

A regular meeting of the Carrboro Board of Aldermen was held on March 24, 1987 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor Pro Tem	John Boone
Aldermen	Tom Gurganus
	Hilliard Caldwell
	Judith Wegner
	Zona Norwood
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Mayor	James V. Porto, Jr.
Alderman	Randy Marshall

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF MARCH 17, 1987 BE APPROVED.
VOTE: AFFIRMATIVE ALL

PROCLAMATION ISSUED

Mayor Pro Tem Boone proclaimed March 24th as Freedom of Information Day in the Town of Carrboro.

RESOLUTION CONGRATULATING THE CHAPEL HILL HIGH SCHOOL BOY'S BASKETBALL TEAM FOR WINNING THE 4-A STATE CHAMPIONSHIP

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Tom Gurganus.

A RESOLUTION CONGRATULATING THE
CHAPEL HILL HIGH SCHOOL BOY'S BASKETBALL TEAM
FOR WINNING THE 4-A STATE CHAMPIONSHIP
Resolution No. 25/86-87

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. On behalf of the citizens of Town of Carrboro, the Board of Aldermen hereby extends its congratulations and best wishes to the Chapel Hill High School Tigers for winning the 4-A State Championship this past weekend.

Section 2. A copy of this resolution shall be spread upon the official minutes of the Board of Aldermen and a copy shall be forwarded to Coach Ken Miller.

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 24th day of March, 1987:

Ayes: Hilliard Caldwell, Tom Gurganus, John Boone, Judith Wegner, Zona Norwood

Noes: None

Absent or Excused: Randy Marshall, James V. Porto, Jr.

REQUESTS TO SET PUBLIC HEARINGS

(1) Voluntary Annexation/Amberly Lands

The Town of Carrboro has received six petitions for annexation from property owners associated with the proposed Amberly Subdivision. Those property owners are:

Myron & Christine Lloyd, Tax Map 108, Lot 39E (7.09 acres)

Mary Cheek, Tax Map 108, Lots 39D and 39F (8.5 acres)

Elizabeth Cheek and Lacy Neville, Tax Map 108, Lot 39C (7.66 acres)

The M.C. Strowd Heirs, Tax Map 108, Lot 40 (131 acres)

John & Rebecca Bland, Tax Map 108, Lot 39B (7.66 acres)

Edgar Kenneth & Hazel Lloyd, Tax Map 114, Lot 1A (35.53 acres)

The petitioners have requested that the annexation become effective upon the approval of a conditional use permit for the proposed Amberly project.

The administration recommended that the Board of Aldermen accept the petitions for annexation and adopt a resolution setting a public hearing for April 14, 1987.

(2) Land Use Ordinance Map Amendment/Amberly Lands

The administration requested that a public hearing be set for April 14, 1987 to determine whether to zone approximately 200 acres of land lying north of Highway 54 West, east of Morgan Creek, and west of S.R. 1107. The zoning would be contingent on the property being annexed by the Town of Carrboro.

(3) Conditional Use Permit Request/Amberly

Philip Szostak has applied for a conditional use permit which would allow the construction of 157 units of single-family, cluster-style residences to be known as Amberly. The 215 acres comprise several contiguous lots located in both Carrboro's and Orange County's planning jurisdictions. The land is identified as Tax Map 108, Lots 39B, 39C, 39D, 39E, 39F, 40 and a portion of Tax Map 114, Lot 1B. The land located in Carrboro planning jurisdiction is zoned R-40.

The administration recommended that a public hearing be set for April 14, 1987 to consider this request.

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Zona Norwood.

A RESOLUTION SETTING A PUBLIC HEARING TO
CONSIDER THE ANNEXATION OF
THE "AMBERLY SUBDIVISION"
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 29/86-87

WHEREAS, the Town of Carrboro has received petitions from the owners of the proposed "Amberly Subdivision"

1. Myron & Christine Lloyd, Tax Map 108, Lot 39E
2. Mary W. Cheek, Tax Map 108, Lots 39D and F
3. Elizabeth Cheek and Lacy B. Neville, Tax Map 108, Lot 39C

4. The M.C. Strowd Heirs, Tax Ma 108, Lot 40
5. John & Rebecca Bland, Tax Map 108, Lot 39B
6. Edgar Kenneth & Hazel Lloyd, Tax Map 114, Lot 1A

requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petitions requesting the annexation of this property are 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 April 14, 1987 to consider the voluntary annexation of the "Amberly Subdivision".

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 24th day of March, 1987:

Ayes: Tom Gurganus, Hilliard Caldwell, John Boone, Judith Wegner, Zona Norwood

Noes: None

Absent or Excused: James V. Porto, Jr., Randy Marshall

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ZONA NORWOOD THAT THE REMAINING PUBLIC HEARINGS BE SET. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CHARTER REVISIONS

This was a public hearing to consider views of the public on a proposed comprehensive revision of the town's charter. The proposed charter consists primarily of a reorganization of existing local legislation applicable to the town, but the charter does contain new authority to (i) engage in voluntary annexation of property located within 10 miles of the primary corporate limits of the town; (ii) adopt a privilege license tax ordinance free from the applicable restrictions and limitations of general law; (iii) include in street paving assessment projects the cost of lateral connections from utility lines lying underneath the street, and (iv) require the construction of traffic control devices at railroad intersections inside the town or within 500 yards of its corporate limits (primarily at the railroad's expense).

Jef, a resident of Calvander, requested that the provision to allow satellite annexation of property located within 10 miles of the corporate limits be stricken.

Randy Danziger, Route 4, Box 201, Chapel Hill, requested to know the time limits for providing services to voluntarily annexed areas.

Mike Brough stated that the General Statutes do not state when services are to be provided to areas voluntarily annexed.

Mr. Danziger requested information on the relative costs of providing services three miles out versus ten miles out.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER

THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT THE PROPOSED CHARTER REVISIONS BE FORWARDED TO THE GENERAL ASSEMBLY FOR APPROVAL. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO BOARD OF ADJUSTMENT

Margaret Brown, Chair of the Board of Adjustment, recommended that Jacquelyn M. Gist, a resident of 505 E. Poplar Avenue, be appointed to the Board of Adjustment.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY ZONA NORWOOD THAT JACQUELYN GIST BE APPOINTED TO THE BOARD OF ADJUSTMENT. VOTE: AFFIRMATIVE ALL

REQUEST FOR SUPPORT OF CLEAN DETERGENT LEGISLATION

The North Carolina League of Municipalities requested the town's support of Senate Bill 164, which would ban phosphate detergents.

The following resolution was introduced by Alderman Judith Wegner and duly seconded by Alderman Zona Norwood.

A RESOLUTION ENDORSING LEGISLATION
TO BAN PHOSPHATE DETERGENTS
Resolution No. 26/86-87

WHEREAS, phosphorus is a nutrient which can cause algae growth in rivers and lakes, which can accelerate the eutrophication process in such rivers and lakes; and

WHEREAS, the Environmental Management Commission has classified the Jordan Lake Watershed, among other watersheds as nutrient sensitive; and

WHEREAS, phosphate detergents contribute a significant portion of the phosphorus going into wastewater treatment plants; and

WHEREAS, the need to remove excessive phosphorus from wastewater substantially increases the operating costs of publicly owned and operated wastewater treatment plants; and

WHEREAS, the banning of phosphate detergents constitutes one important element in a comprehensive strategy to reduce the phosphorus content in rivers and streams; and

WHEREAS, a phosphate detergent ban imposed in several states has proved effective in improving water quality; and

WHEREAS, legislation has been introduced in the 1987 Session of the North Carolina General Assembly to ban phosphate detergents.

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

Section 1. The Board endorses the enactment of the Clean Detergent Bill to ban phosphate detergents in North Carolina and urges the members of the delegation representing Orange County to support this legislation.

Section 2. A copy of this resolution shall be forwarded to the North Carolina League of Municipalities and sent to the members of the town's legislative delegation.

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 24th day of March, 1987:

Ayes: Tom Gurganus, Hilliard Caldwell, John Boone, Zona Norwood

Noes: None

Absent or Excused: James V. Porto, Jr., Randy Marshall

1984 STREET IMPROVEMENT FINANCING

Don Casper, Assistant Town Manager, stated that bond anticipation notes used to finance construction of the first portion of the 1984 Street Improvement projects are due July 1, 1987. This first portion is primarily associated with resurfacing, sidewalks and drainage. Mr. Casper stated that the staff estimates the final cost of this first portion to be \$939,290. This includes everything except the bikeway and the state projects. Mr. Casper stated that the Local Government Commission had recommended that the town sell \$1,000,000 in bonds, which would include the amount necessary for the bikeway. Mr. Casper stated that the Local Government Commission feels the town could sell the bonds at a better rate if it were to sell \$1,000,000 rather than \$939,290 in bonds. When the town is ready to construct the state projects, then it would sell the remaining \$500,000 in bonds. Mr. Casper stated that it will cost the town approximately \$30,000 to sell the bonds.

Mr. Casper stated that the administration recommended that the Board authorize the Town Manager to begin the processes necessary for the sale of bonds totalling \$1,000,000.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE TOWN MANAGER BE AUTHORIZED TO BEGIN THE PROCESSES NECESSARY TO SELL \$1,000,000 IN BONDS. VOTE: AFFIRMATIVE ALL

STATUS REPORT/STATE STREET PROJECTS

Mr. Morgan stated that he had met with representatives of the N.C. Department of Transportation concerning the status of Project U-2002. Following this meeting a letter was sent to the town which stated that the project is on hold. The reason for this is that the D.O.T. staff is concerned over the increased costs of the project and the need to clarify the town's ability to participate in up to 35% of the construction cost as well as sharing in the cost of purchasing rights-of-way. The present cost projection for the project is \$2,650,000, which includes \$800,000 for rights-of-way. D.O.T. is of the opinion that additional right-of-way will be necessary.

Mr. Morgan stated that the town staff is willing to accept the cost estimates until additional information is provided through legal research and completion of road design. In order to move the project along, the town needs to quickly negotiate a municipal agreement. And, before negotiating this agreement, it is recommended that the town determine the following: i) actual rights-of-way available, ii) priority of the separate streets, iii) amount of bond funds available; and iv) availability of other funds.

Mr. Morgan recommended that the Town Attorney be authorized to proceed with title searches to certify existing rights-of-way within existing project limits, to request the staff and the Transportation Advisory Board to recommend a priority ranking for the individual streets, and to consult with the town's representative on the Board of Transportation to determine the town's options in funding the project.

Mike Brough explained that the work his firm will be doing will only determine existing rights-of-way and until street design is available, more accurate cost estimates are not feasible.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT THE TOWN ATTORNEY BE AUTHORIZED TO PROCEED WITH TITLE SEARCHES, THAT THE TOWN STAFF AND TRANSPORTATION ADVISORY BOARD RECOMMEND A PRIORITY RANKING FOR THE INDIVIDUAL STREETS, THAT THE TOWN STAFF CONSULT WITH THE TOWN'S REPRESENTATIVE ON THE BOARD OF TRANSPORTATION TO DETERMINE THE TOWN'S OPTIONS IN FUNDING THE PROJECT, AND THAT THE TOWN MANAGER OBTAIN COST ESTIMATES FOR THE SURVEY WORK. VOTE: AFFIRMATIVE ALL

THOROUGHFARE PLANNING/HOUSING AND EMPLOYMENT PROJECTIONS

Jim Dunlop, the town's transportation planner, stated that to help generate travel demand for the next 25 years, housing and employment projections were done for the Durham-Chapel Hill-Carrboro urban area by the local planning staffs. These projections will be used to identify deficiencies in the street network and help develop a unified thoroughfare plan. Prior to using the projections to predict travel demand, the thoroughfare planning division of N.C. DOT requests that each local jurisdiction approve the projections for its area.

Mr. Dunlop stated that the administration recommended that the Board of Aldermen approve the housing and employment projections for the Carrboro area for use in the thoroughfare planning process.

Jay Bryan requested that the Board not adopt the projections and requested that the Transportation Advisory Board review the projections.

Randy Danziger stated that Jerry Davenport, the town's former planner, had told him that he had taken direction from the 2000 Task Force on criteria for achieving housing units per acre.

Roy Williford, Planning Director, stated that the projections presented to the Board tonight had been generated by Jerry Davenport. With the policies given by the 2000 Task Force, population projections were obtained under various housing mixes and well as growth rates. Ultimately, the 2000 Task Force agreed on a growth rate of 4%. Mr. Williford stated that the projections presented are based on regression analysis looking at such things as migration into and out of the community, birth and death rates in the community, using CPI adjusted information to be sensitive to the economy and to the rate in which houses are built in terms of new construction and availability of loans, and the peaks and valleys which the town has had in its growth rate over the past.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT THE TOWN STAFF BE AUTHORIZED TO FORWARD THE HOUSING AND EMPLOYMENT PROJECTIONS TO THE N.C. DEPARTMENT OF TRANSPORTATION WITH A NOTATION THAT THE PROJECTIONS WERE NEITHER APPROVED OR DISAPPROVED BY THE BOARD OF ALDERMEN AND THAT THE INFORMATION BE FORWARDED TO THE TRANSPORTATION ADVISORY BOARD FOR REVIEW. VOTE: AFFIRMATIVE ALL

EMERGENCY SHELTER GRANTS PROGRAM

James Harris, the town's community development director, stated that the N.C. Department of Natural Resources and Community Development was soliciting applications for a pool of Emergency Shelter monies allocated to it by the federal government. The purpose of the N.C. Emergency Shelter Grant

Program is to assist families and individuals who are homeless primarily due to the economic circumstances. The Town of Carrboro is eligible for up to \$5,000.00 on a competitive basis. Because the Interfaith Council for Social Services, Inc. presently serves the Carrboro homeless population at its shelter in the old Chapel Hill Police Station and the Soup Kitchen, this agency has been selected as the town's recipient of these funds. If the town receives these funds, it would in turn award them to the Interfaith Council.

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Judith Wegner.

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR EMERGENCY SHELTER GRANT PROGRAM FUNDS TO THE NORTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT
Resolution No. 28/86-87

WHEREAS, the needs of the homeless are a significant community concern; and

WHEREAS, the Town is supportive of the efforts of the Inter-Faith Council to operate an emergency shelter for the homeless.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO that the Board hereby authorizes the Mayor to submit a grant application for \$5,000.00 to the North Carolina Department of Natural Resources and Community Development for the Emergency Shelter Grant Program, including all understandings and assurances contained therein; and

BE IT FURTHER RESOLVED that the Board of Aldermen directs and authorizes the Town Manager to act as the official representative of the Town in connection with the application and to provide such additional information as may be required.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March, 1987:

Ayes: Tom Gurganus, Hilliard Caldwell, John Boone, Judith Wegner, Zona Norwood

Noes: None

Absent or Excused: James V. Porto, Jr., Randy Marshall

RESOLUTION SUPPORTING EXPLORING ALTERNATIVE SOURCES OF ADDITIONAL REVENUES

Mr. Morgan presented a resolution for the Board's consideration which would support the Orange County Commissioners exploring alternative sources of revenue, i.e., the property transfer tax, that could be shared among the governmental jurisdictions in Orange County.

MOTION WAS MADE BY JUDITH WEGNER THAT THE RESOLUTION BE ADOPTED. (MOTION DIED FOR THE LACK OF A SECOND.)

REQUEST FOR EXECUTIVE SESSION TO CONSULT WITH THE ATTORNEY ON LEGAL MATTERS

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY ZONA NORWOOD THAT THE BOARD GO INTO EXECUTIVE SESSION. VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

John D. Boone
Mayor Pro Tem