

A regular meeting of the Carrboro Board of Aldermen was held on May 5, 1987 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

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE MINUTES OF APRIL 21, 1987 BE APPROVED. VOTE: AFFIRMATIVE SIX, ONE ABSTENTION (WEGNER)

PROCLAMATION - DISABILITIES AWARENESS DAY

Mayor Porto issued a proclamation proclaiming May 4, 1987 Disabilities Awareness Day.

REQUEST TO SET PUBLIC HEARING/REZONING OF HODGIN PROPERTY

The Town of Carrboro has received a petition from James L. Hodgin to rezone 0.076 of an acre located on the western corner of Roberts Street and Merritt Mill Road from R-7.5 to M-1. This property is referenced as Tax Map 100, Block C, Lot 23.

The administration recommended that the Board of Aldermen set a public hearing for June 9, 1987.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT A PUBLIC HEARING BE SET FOR JUNE 9, 1987. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE MAP AMENDMENT/BASNIGHT PROPERTY

Ann Weeks, Senior Planner, stated that S.H. Basnight and Sons had submitted an application to rezone approximately 0.704 of an acre, which is a portion of a lot shown on Tax Map 103, Block E, Lot 8, from R-10 to B-1(g). The property is located near the intersection of West Main Street and West Poplar Avenue on the north side of West Poplar Avenue and the south side of Main Street.

Ms. Weeks stated that the Development Review Committee recommended approval of the rezoning request.

Robert Morgan, Executive Director of the Downtown Development Commission, stated that the Downtown Development Commission recommended approval of the rezoning request, provided the neighboring property owners' concerns are taken into consideration.

Robin Lackey, Chair of the Planning Board, stated that the Planning Board recommended approval of the rezoning request. Ms. Lackey stated that two of the Planning Board members felt the property should not be rezoned.

Bill Basnight, part-owner of the property in question, spoke in favor of the rezoning and stated that his company would like to expand their business onto the property in question if it was rezoned.

Jesse Basnight, part-owner of the of the property in question, spoke in favor of the proposed rezoning. Mr Basnight stated that S.H. Basnight & Sons was a family business and they would like to continue their business at its current location.

Eleanor Kinnaird, a resident of 207 W. Poplar Avenue, spoke against the proposed rezoning. Ms. Kinnaird stated that she felt it was a bad principal to rezone one lot at a time on an on-demand basis, the expansion of S.H. Basnight & Sons at this location could pose a danger to school children, and if rezoned, this property could be sold to new owners who could put a variety of uses on the property.

Mr. Morgan read a letter from Betty and Erwin Danziger of 710 Caswell Road in Chapel Hill, speaking in support of the requested rezoning.

Roy Williford, Planning Director, stated that the current use made of S.H. Basnight & Sons falls under the 4.000 classification in the Land Use Ordinance and an expansion of the current use would require a conditional use permit.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

Mike Brough reminded the Board that contract zoning is inappropriate and that the Board should base its decision on whether to rezone this property based on all uses which could be made of the property.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 0.704 ACRES OF LAND LOCATED ON THE NORTH SIDE OF WEST POPLAR AVENUE AND THE SOUTH SIDE OF WEST MAN STREET JUST WEST OF THEIR INTERSECTION, FROM R-10 TO B-1(G)," BE ADOPTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/VOLUNTARY ANNEXATION/FAIROAKS TRACT "A"

Roy Williford, Planning Director, stated that The Westminster Company had submitted a petition requesting the annexation of Fair Oaks, Tract "A" located at Old NC 86 and State Road 1009. This property contains 25.55 acres and 158 units.

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING FAIROAKS, TRACT "A", BE ADOPTED, EFFECTIVE MAY 31, 1987. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/VOLUNTARY ANNEXATION/HIGHLAND HILLS

Roy Williford, Planning Director, stated that Highland Hills, Ltd. had submitted a petition requesting the annexation of Highland Hills. This property is located adjacent to the satellite annexation area containing The Villages and Rock Creek Apartments, and as such will also be considered a satellite or non-contiguous annexation. This property contains 46.054 acres and 270 apartment units.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING HIGHLAND HILLS," BE ADOPTED, EFFECTIVE MAY 31, 1987. VOTE: AFFIRMATIVE ALL

REQUEST FOR ORANGE COUNTY MUNICIPAL SUPPORT FUNDING

Richard Kinney, Recreation Director, stated that the administration recommended that the Board of Aldermen adopt a resolution requesting municipal support funding for recreation services in an amount equal to 29% of the budget for the Town of Carrboro's parks and recreation budget for a total of \$69,339 for Fiscal 1987-88. Mr Kinney requested that the Board encourage Orange County to establish a set formula for the provision of municipal support funding that is user-sensitive and would be used as the future foundation or basis for equitable distribution of county recreation dollars in future years.

The following resolution was introduced by Alderman John Boone and duly seconded by Alderman Judith Wegner.

A RESOLUTION REQUESTING ORANGE COUNTY
MUNICIPAL SUPPORT FUNDING
Resolution No. 34/86-87

WHEREAS, the Orange County Board of Commissioners has supported the public recreation programs in southern Orange County and provided partial funding over several years; and

WHEREAS, this funding has assisted in providing a diverse leisure system within the Town of Carrboro of which services are equally available to all county residents, whether or not they reside within the Town of Carrboro; and

WHEREAS, the Carrboro Board of Aldermen expresses its appreciation for such county support and believe this support to be highly recommendable.

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

Section 1. The county should continue municipal support funding for recreation services which provides a competent, attractive recreation program for county/town residents.

Section 2. Such funding could equal 29% of the budget for the town's parks and recreation budget projected for each fiscal year. This percentage represents, at the least, the participation by registered users of the town's recreation program who reside outside of the town's incorporated limits.

Section 3. The town encourages the county to establish a set formula for the provision of municipal support funding that is user-sensitive and would be used as the future foundation or basis for equitable distribution of county recreation dollars in future years.

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 5th day of May, 1987:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, James V. Porto, Jr., John Boone, Judith Wegner, Zona Norwood

Noes: None

Absent or Excused: None

1987-88 TRANSPORTATION IMPROVEMENTS PROGRAM PRIORITY LIST

Jim Dunlop, Transportation Planner, stated that the administration recommended approval of the proposed priority list of highway projects in Carrboro for inclusion in the State's Transportation Improvement Program and requested authorization for the town staff to forward this list to the regional Transportation Advisory Committee and the N.C. Board of Transportation for their review.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE ADMINISTRATION BE AUTHORIZED TO SUBMIT THE PROPOSED PRIORITY LIST OF HIGHWAY PROJECTS TO THE N.C. DEPARTMENT OF TRANSPORTATION. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO HUMAN SERVICES COMMISSION

The chair of the Human Services Commission requested that Charles Weaver be appointed to the Human Services Commission.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT CHARLES WEAVER BE APPOINTED TO THE HUMAN SERVICES COMMISSION. VOTE: AFFIRMATIVE ALL

TRAFFIC SAFETY IMPROVEMENTS ON NC 54 BETWEEN SMITH LEVEL ROAD AND JONES FERRY ROAD

Jim Dunlop stated that the N.C. Department of Transportation has developed a safety improvement plan for NC 54 between Smith Level Road and Jones Ferry Road in response to a request for a traffic signal at NC 54 and Westbrook Drive. NCDOT requests the Board's support for the improvements before installation. Mr. Dunlop stated that DOT had determined that traffic signal warrants were met at the intersection of NC 54 and Westbrook Drive, but due to the proximity of the intersection to the on-ramp from Jones Ferry Road to the bypass, a traffic signal would not be recommended because of potential safety hazards. Mr. Dunlop stated that DOT proposes to install a median island on NC 54 between Jones Ferry Road and Smith Level Road and install traffic signals at the intersection of Jones Ferry Road and the westbound off-ramp from the bypass and at the intersection of Smith Level Road and the eastbound off-ramp from NC 54. The median island would permit only right-in and right-out movements for all motorists exiting the apartment complexes on NC 54 in this section as well as motorists turning from Westbrook Drive.

Mr. Dunlop stated that the administration supports the proposed traffic and safety improvements to NC 54 between Jones Ferry Road and Smith Level Road in principle. However, questions raised by the Fire Chief concerning fire safety and by the Transportation Advisory Board regarding potential traffic problems warrant further study before a final recommendation can be made.

Steve Oglesbee, Chair of the Transportation Advisory Board, stated that the TAB had recommended against installation of the median island on NC 54 between Smith Level Road and Jones Ferry Road and traffic signals at NC 54 and Smith Level Road and at NC 54 and Jones Ferry Road at this time because:

1. It is unclear as to the impact of these changes to the Downtown Circulation plan;
2. It is unclear as to the impact of these changes to the Smith Level Road intersection; and
3. It is unclear as to the impact of these changes to

the proposed widening of NC 54.

In addition, Mr. Oglesbee stated that the TAB recommended that a traffic signal not be placed at the intersection of NC 54 and Westbrook Drive.

Mr. Oglesbee stated that the TAB recommended further analysis of the proposal be made before a final decision is made on the matter.

Ed Johnson, with the N.C. Department of Transportation Planning and Research Division, stated that there would be a public meeting on May 6, 1987 at 7:30 p.m. in the Lincoln Center Gymnasium to allow citizens to offer suggestions on how NC 54 should be built. Mr. Johnson stated that the median would be a very desirable attribute as far as taking traffic out of the downtown. Mr. Johnson stated that he was of the opinion that the traffic signal at Jones Ferry Road would be installed as part of the Bypass project, if not, as this separate improvement. Mr. Johnson stated that the town might wish to request that a wider median be installed for the protection of pedestrians.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THIS MATTER BE REFERRED BACK TO THE TRANSPORTATION ADVISORY BOARD FOR FURTHER STUDY. VOTE: AFFIRMATIVE ALL

STATUS REPORT/PLANTATION PLAZA CONDITIONAL USE PERMIT

Roy Williford, Planning Director, stated that to date occupancy permits have been issued for 80% of this project and the owners are requesting permission to allow the remaining 20% to be occupied. Mr. Williford stated that there are several improvements which have not been completed at the project and stated that the administration recommended that the Board approve occupancy of the remaining 20%, but that the current owner be required to post a bond in an amount sufficient to cover all incomplete improvements.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE ADMINISTRATION BE AUTHORIZED TO ISSUE OCCUPANCY PERMITS FOR THE REMAINING 20% OF THE SHOPPING CENTER CONTINGENT ON THE OWNER PROVIDING SECURITY IN THE AMOUNT OF \$70,000 TO COVER INCOMPLETE IMPROVEMENTS. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GURGANUS)

RESOLUTION ENDORSING OWASA'S PROPOSED WATER QUALITY STUDY

The following resolution was introduced by Alderman Judith Wegner and duly seconded by Alderman Randy Marshall.

A RESOLUTION ENDORSING OWASA'S PROPOSED
WATER QUALITY STUDY OF UNIVERSITY LAKE AND
CANE CREEK RESERVOIR PUBLIC WATER SUPPLY WATERSHEDS AND
RECOMMENDATIONS FOR MAINTAINING DRINKING WATER QUALITY
Resolution No. 35/86-87

WHEREAS, development activities and pressures within the University Lake and Cane Creek Reservoir Public Water Supply Watersheds are increasing; and

WHEREAS, increased development within these watersheds may result in increased pollution of the drinking water supply, thereby presenting increased threats to public health, safety and welfare; and

WHEREAS, there is a need for a comprehensive water quality assessment of University Lake and Cane Creek Water Supply Watersheds and recommendations for maintaining the quality of

local drinking water supplies; and

WHEREAS, as the organization responsible for treating and providing a safe, reliable supply of drinking water withdrawn from University Lake, Orange Water and Sewer Authority is the governmental unit most appropriate to commission the study of the University Lake watershed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Town of Carrboro hereby endorses Orange Water and Sewer Authority's proposed study of the University Lake and Cane Creek Reservoir Public Water Supply Watersheds.

Section 2. That the study efforts should initially address the University Lake watershed as development pressures are more intense in that watershed.

Section 3. That the findings and recommendations of said study should be carefully reviewed and considered in the development and further refinement of local water supply protection programs by all appropriate local governing bodies having planning and zoning jurisdiction in these watersheds.

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 5th day of May, 1987:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, James V. Porto, Jr., John Boone, Judith Wegner, Zona Norwood

Noes: None

Absent or Excused: None

Mayor Porto stated that he had appointed Randy Marshall as the town's representative on OWASA's Local Government Liasion Committee and Judith Wegner would serve as the town's alternate representative.

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

J. Porto

Mayor