

A regular meeting of the Carrboro Board of Aldermen was held on June 23, 1987 at 7:30 p.m. in the Town Hall Board Room at 7:30 p.m.

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
Deputy Town Clerk	Ellen G. Hughes
Town Attorney	Michael B. Brough

Absent:

Town Clerk	Sarah C. Williamson
------------	---------------------

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF JUNE 16, 1987 BE APPROVED.
VOTE: AFFIRMATIVE ALL

REQUEST FROM CITIZEN

Richard Ellington, a resident of 109 Bruton Drive, requested that the intersection improvements in the downtown be completed as soon as possible because of the traffic congestion problems being caused by the construction.

Mr. Ellington requested the Board's assistance in improving the mail delivery service in the Barrington Hills area. Mr. Ellington stated that he lives in Carrboro, but has a Chapel Hill mailing address and this creates a problem in mail delivery.

Mr. Morgan stated that the intersection improvements are to be completed by June 26th.

Roy Williford stated that the postal district runs with the town boundary prior to 1980 with everything north of Lorraine Street being in the Chapel Hill delivery area. Mr. Williford stated that the Post Office is currently looking at routes and hopefully improvements will be made between this and when the new Carrboro Post Office is constructed.

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

RESOLUTION
No. 41/86-87

WHEREAS, the Town has had repeated citizen complaints concerning delays in delivery and accuracy of delivery of mail within the Town of Carrboro; and

WHEREAS, there has been evidence that there has been a slow down in the process of finding a new post office site for the Town of Carrboro.

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

Section 1. The Board of Aldermen hereby requests Congressman Price to take whatever steps are necessary to resolve these problems.

Section 2. This resolution shall become effective upon effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of June, 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 would forward this resolution along with a cover letter to Congressman Price.

PUBLIC HEARING/NORTHERN CONNECTOR ROAD PLAN - WEST OF COBBLESTONE

Jim Dunlop, the town's transportation planner, stated that the Board of Aldermen adopted the Northern Connector Roads Plan on March 18, 1986. The Board did not include any portion of the plan west of Parkview Avenue and directed the staff and the Transportation Advisory Board to study the area west of Parkview Avenue to determine future road needs in the area. The Board of Aldermen at a public hearing on November 18, 1986, tabled consideration of this addition. Since that time, a proposed development has been discussed for the area. The potential developer has requested guidance on roads in this area. The Board of Aldermen at its worksession on June 2, 1987, set a public hearing to receive comments on the possible extension of the Northern Connector Roads Plan west of Cobblestone.

Mr. Dunlop stated that the administration recommended that the Connector Roads Plan be amended to include the extension of Pathway Drive and a connection to Hillsborough Road.

Steve Oglesbee, Chair of the Transportation Advisory Board, stated that the Transportation Advisory Board at its meeting of May 21, 1987, recommended that Pathway Drive be extended in the same manner as proposed Northern Connector Roads Plan extension as recommended by the TAB on October 2, 1986, which would include the extension of Pathway Drive.

Joe St. Jean, a resident of Rifflewood, expressed concern that he had not received notice of this public hearing until Friday, requested information on what is connected to the connector road, requested to know if there had been an environmental impact study of the area included in the extension of the connector road, expressed concern over the size of the connector road, expressed concern about the lack of maintenance on Hillsborough Road, and requested this matter be continued.

Paul Farantino, a resident of Rifflewoods, expressed concern that his home will have traffic coming from three sides and asked why this connector road is needed. Mr. Farantino expressed concern about what will happen with the buffer in this area.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THIS PUBLIC HEARING BE CONTINUED ON JULY 7, 1987. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/COUNTRY BAKERY

Helen Waldrop, the town's zoning administrator, was sworn in.

Ms. Waldrop stated that Jackie M. Wolfe has applied for a

conditional use permit which would allow the conversion of an existing residence to an office/business use. The property is located on the south side of Highway 54 West between Hatch Road and Southern Drive. The lot is identified as Tax Map 113, Block B, Lot 24 and is zoned B-5.

Ms. Waldrop stated that the administration recommended approval of the conditional use permit with the condition that the parking area be restricted to the applicant's lot.

Robin Lackey, Chair of the Planning Board, was sworn in. Ms. Lackey stated that the Planning Board recommended approval of the conditional use permit with the following conditions: (i) That a letter from the Orange County Health Department be obtained certifying that the existing septic system is capable of servicing the proposed uses; and (ii) That the parking area be restricted to the applicant's lot.

Steve Oglesbee, Chair of the Transportation Advisory Board, was sworn in. Mr. Oglesbee stated that the Transportation Advisory Board recommended approval of the conditional use permit with the following conditions: (i) That the handicapped space be located on the existing concrete pad on the east side of the building, with necessary adjustments for access to the building; and (ii) That the parking area be restricted to the applicant's lot.

Tony Whitaker, representing Phillip Post & Associates, was sworn in. Mr. Whitaker stated that problems with the septic system are not anticipated.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY RANDY MARSHALL 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 TOM GURGANUS THAT, YES, THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE APPLICATION BE GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) That the parking areas be restricted to the applicant's lot; and
- 2) If the existing wastewater disposal system should malfunction or fail, then the applicant will correct the situation as required by the Orange County Health Department; failure to do so will result in revocation of the conditional use permit.

VOTE: AFFIRMATIVE ALL

REQUEST FOR EXTENSION OF CONDITIONAL USE PERMIT/FIRST CITIZENS BANK

Helen Waldrop, Zoning Administrator, stated that First Citizens Bank had requested an extension of its conditional use permit to allow construction of a branch bank with drive in windows at 205 West Main Street. The conditional use permit will expire on June 25, 1987.

Mr. Waldrop stated that the administration recommended extension of the conditional use permit for one year.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JUDITH WEGNER THAT A ONE-YEAR EXTENSION OF THE CONDITIONAL USE PERMIT BE

STATUS REPORT/WEATHERHILL POINT

Roy Williford, Planning Director, stated that the town has received a report from Barrett Kays & Associates in regard to the Weatherhill Point setting forth several options to the developer in terms of making the pond meet the Class C water quality standards; basically assuring that the bottom of the pond will hold water as well as an option to assure that an adequate supply of water will be provided. In addition, the report stated that the upstream pond should be deepened and elevated to 316 feet (Mr. Williford noted that the developer had already noted this on the plans.) Mr. Williford stated that the developer had submitted construction drawings and had chosen Option #1 as outlined in the report, which states the pond shall consist of compacted 8-inch clay liner using at least 2 4-inch compacted layers and that permeability tests also be conducted. Mr. Williford stated that if this option fails to adequately meet the tests, then the #4 option was given which would consist of a water supply of at least 50 gallons per minute in a 24-hour draw down period would be provided to assure an adequate supply of water to the pond. Mr. Williford stated that the notes included on the construction drawings are satisfactory to the town staff in terms of meeting the requirements of the consultant's report.

Robin Dorf, representing Wells Management Group, stated that Wells Management Group objected to holding up building permits until permeability tests are conducted and submitted to the town. Mr. Dorf stated that this was inconsistent with the phasing plan approved under the conditional use permit. Mr. Dorf stated that Wells Management would like to have flexibility in creating the pond, rather than being tied to one of the consultant's options.

Roy Williford stated that the town staff had informed Wells Management in a memorandum dated June 18, 1987 that the staff was requiring the developer to choose one of the options outlined in the consultant's report and indicated to the developer that if during construction the option chosen becomes infeasible, the developer will be permitted to select another of the five options. If the developer chose to select another option, the developer would be required to submit in writing the requested change in plans which would could be handled administratively, provided that the requested change was in conformance with the consultant's report. Mr. Williford stated that it was imperative to have the bond in hand before plat approval is granted.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JOHN BOONE THAT THE BOARD HAVE A FIVE-MINUTE RECESS. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JOHN BOONE THAT CONSTRUCTION PLAN NOTES #23 AND #25 BE AMENDED AS FOLLOWS: THAT LINE 4 OF NOTE #23 BE AMENDED BY ADDING THE WORDS "FOR PHASE III", AND THAT LINE 11 OF NOTE #25 BE AMENDED BY ADDING THE WORDS "OF THE LAKE". VOTE: AFFIRMATIVE ALL

MUNICIPAL AGREEMENT FOR STATE STREET PROJECTS

The administration has received the municipal agreement from the N.C. Department of Transportation for Project #U-2002. This early draft is being presented to the Board of Aldermen in order that the Board may approve the agreement if it feels it is necessary due to pending legislation that would prohibit municipalities from contributing to State road projects.

Mike Brough stated that he and the town staff had reviewed the proposed agreement and had discovered several areas where clarification was needed. Mr. Brough stated that he had contacted a representative with D.O.T. and discussed these concerns. As a result, Mr. Brough presented a redrafted version of the municipal agreement for the Board's consideration. (See Town Clerk's file of this meeting for a copy of the revised agreement.)

It was the consensus of the Board to authorize the administration to execute the revised agreement as proposed by the Town Attorney and amended and forward to D.O.T. for review.

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

RESOLUTION
No. 42/86-87

WHEREAS, the North Carolina Department of Transportation is preparing plans to make certain street and highway improvements within this municipality under Project 8.1500702, Orange County, said plans consisting of the widening of SR 1010 (West Main Street) from NC 54 to SR 1009 (Hillsborough Road); SR 1009 from Lorraine Street to SR 1010; SR 1772 (North Greensboro Street) from SR 1009 to SR 1780 (Estes Drive) in Carrboro to include curb and gutter and bike lanes; and

WHEREAS, the Department of Transportation and this Municipality propose to enter into an Agreement for the above-captioned project, pursuant to which the Department of Transportation agrees to acquire the right of way and construct the project in accordance with the approved project plans and this Municipality agrees to reimburse the Department of Transportation to the extent of twenty-five percent (25%) of the cost of the right of way for the project, to contribute \$500,000 toward the construction costs of the project, and to undertake other obligations, all as set forth in the attached Agreement.

NOW, THEREFORE, BE IT RESOLVED that Project 8.1500701, Orange County, is hereby formally approved by the Board of Aldermen of the Municipality of Carrboro and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of June, 1987:

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

Noes: None

Absent or Excused: None

UPDATE ON OWASA WATERSHED STUDY

Alderman Wegner stated that the Intergovernmental Work Group had met on June 23, 1987 with Everett Billingsley who informed the Work Group that a meeting of the Governmental Liaison Group and Technical Advisory Committee had been held to review the revised requests for proposal draft and the phase one of the water quality assessment for University Lake and Cane Creek. Mr. Billingsley stated that the study contemplates a year for the consultant to put together a model and then a year to see how that would generate information about what was expected in the watershed.

Alderman Marshall stated that the Local Government Liaison Committee had met and had expressed concerns about the draft

presented by OWASA including the time allotted for receipt of requests for proposals and the time allotted for the consultant to put together a model.

There being no further business, the meeting was adjourned.

Ellen Gray Hughes
Deputy Town Clerk

John Burt
Mayor