A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 5, 1988, at 7:30 p.m. in the Town Hall Board Room, the regular place of meeting.

Present and presiding:

Mayor Eleanor Kinnaird
Aldermen Randy Marshall
Tom Gurganus
Hilliard Caldwell
Frances Shetley

Judith Wegner Jay Bryan

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 JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF DECEMBER 15, 1987, BE APPROVED. VOTE: AFFIRMATIVE ALL

FUNDING REQUEST/ORANGE COUNTY MENTAL HEALTH ASSOCIATION

Ms. Verla Insko, representing the Orange County Mental Health Association, requested the Board of Aldermen consider making a one-time grant in the amount of \$500 to help underwrite the expenses of a workshop entitled, "The Humane Workplace: Employee Supportive Programs" being sponsored by the Mental Health Association.

It was the consensus of the Board to defer discussion of this request until the Board's worksession.

FUNDING REQUEST/ORANGE COUNTY RAPE CRISIS CENTER

Julie Linehan, representing the Orange County Rape Crisis Center, requested the Board of Aldermen consider providing \$800 in emergency funds to the Orange County Rape Crisis Center to help offset a \$20,000 budget shortfall for FY'88.

It was the consensus of the Board to defer discussion of this request until the Board's worksession.

CHARGE ISSUED TO NEW BOARD APPOINTEE

The Town Clerk issued a "charge" to John Boone, a recent appointee to the Recreation & Parks Commission.

REQUEST FOR EXTENSION OF CONDITIONAL USE PERMIT/BERRYHILL PROPERTY

Helen Waldrop, the town's Zoning Administrator, stated that the Margaret Johnston heirs had requested a one-year extension of the conditional use permit for the Berryhill property located on the west side of Smith Level Road between BPW Club Road and Morgan Creek, which will otherwise expire on January 8, 1988. Ms. Waldrop stated that the original conditional use permit was issued on January 8, 1985 with an extension being granted on December 16, 1986. Ms. Waldrop stated that the administration recommended that the one-year extension not be granted based on the fact that there has not been any development activity on the site in accordance with the approved conditional use permit. Ms. Waldrop stated that the information presented by the permit

246 recipient does not adequately demonstrate due diligence by the applicant. In addition, Ms. Waldrop stated that in accordance with direction from the Board of Aldermen, the town staff was examining the current R-SIR zoning of this property

Robert Midgette, representing the owners of this property, stated that the sale of this property is pending. Mr. Midgette stated that they were concerned that if the conditional use permit expires on this property, the property value could decline. Mr. Midgette stated his clients wish to sell this property in order to pay death taxes on the property.

Shawn Sloan, representing Allenton Realty, stated that it was his opinion that the marketability of this property will decrease if the current conditional use permit expires.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY FRANCES SHETLEY THAT THE REQUESTED CONDITIONAL USE PERMIT EXTENSION BE DENIED BASED ON THE RECOMMENDATION OF THE TOWN STAFF. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (CALDWELL)

2010 THOROUGHFARE PLAN - REQUESTED ATTENDANCE

The Mayor and Board of Aldermen have been invited to attend a meeting on January 28, 1988 to hear the recommended 2010 Thoroughfare Plan for the Durham-Chapel Hill-Carrboro Urban Area. If a majority of the members of the Board are going to attend this meeting, it will be necessary to call a special worksession of the Board in order to comply with the Open Meetings Law.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT A SPECIAL WORKSESSION BE SCHEDULED FOR JANUARY 28, 1988 AT 7:30 P.M. AT JORDAN HIGH SCHOOL. VOTE: AFFIRMATIVE ALL

SPECIAL WORKSESSION SCHEDULED/INTERJURISDICTIONAL SEMINAR

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT A SPECIAL WORKSESSION BE SCHEDULED FOR JANUARY 23, 1988 AT 10:00 AT THE INSTITUTE OF GOVERNMENT IN ORDER FOR BOARD MEMBERS TO ATTEND THE INTERJURISDICTIONAL SEMINAR. VOTE: AFFIRMATIVE ALL

CANCELLATION OF JANUARY 19TH BOARD MEETING

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE JANUARY 19, 1988 MEETING OF THE BOARD OF ALDERMEN BE CANCELED. VOTE: AFFIRMATIVE ALL

AMBERLY SUIT

Mike Brough informed the Board that the plaintiffs in the Amberly suit had chosen not to appeal the Superior Court's decision.

RETREAT COMMITTEE

Mayor Kinnaird stated that Aldermen Gurganus, Wegner, Shetley and Bryan would be serving on the Planning Retreat Committee. Mayor Kinnaird requested that the members contact the Town Clerk to arrange a meeting of the Committee.

There being no further business, the meeting was adjourned.

Mayor

Sarah C. Williamson

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 12, 1988 at 7:30 p.m. in the Town Hall Board Room.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT THE MINUTES OF JANUARY 5, 1988 BE APPROVED, AS AMENDED. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/RECREATION STANDARDS

As it is currently written, the Land Use Ordinance describes requirements for land use permits for public and private recreation facilities. However, the ordinance does not address the question of what permits are required when a public-private partnership is involved in developing recreational facilities. In addition, the ordinance does not describe a community center such as the town is considering. An ordinance addressing these current shortcomings was presented.

The administration requested that a public hearing be set for February 2, 1988.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT A PUBLIC HEARING BE SET FOR FEBRUARY 2, 1988. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENTS/IMPLEMENTATION OF JOINT PLANNING AGREEMENT

In order to implement the Joint Planning Agreement between Orange County and Carrboro the Land Use Ordinance must be amended to add members from the Transition Areas to the Carrboro Planning Board and Board of Adjustment. In addition, the staff is pursuing text amendments concerning site development in naturally constrained areas. These amendments include more stringent floodplain development regulations, required vegetative buffers along perennial and intermittent streams which do not have regulatory floodplains, and limitations on development in steeply sloped areas.

The administration had originally requested that a public hearing be set for January 26, 1988 on these proposed amendments, but requested that action on this matter be delayed until a later date.

REQUEST TO SET PUBLIC HEARING/JOINT PLANNING AREA PROPOSED ZONING

In order to implement the Joint Planning Agreement between Orange County and Carrboro, the town must prepare a zoning map for Carrboro's Joint Planning Transition Areas.

The administration had originally recommended that a public hearing be set for January 26, 1988 to consider the proposed zoning map, but requested that action on this matter be delayed until a later date.

REQUEST TO SET PUBLIC HEARING/CONDITIONAL USE PERMIT/SEATON DENTAL OFFICE

Dr. Debra L. Seaton has applied for a conditional use permit that would permit a dental office to be located at 203 N. Greensboro Street. The parcel is identified as Map 98, Block H, Lot 6 and is zoned B-1(c).

The administration recommended that a public hearing be set for January 26, 1988.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT A PUBLIC HEARING BE SET FOR JANUARY 26, 1988. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO CABLE T.V. COMMITTEE

The Chair of the Cable T.V. Committee recommended the appointment of Mr. Steven Small to the Cable T.V. Committee.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JUDITH WEGNER THAT STEVEN SMALL BE APPOINTED TO THE CABLE T.V. COMMITTEE. VOTE: AFFIRMATIVE ALL

RELEASE OF ECONOMIC DEVELOPMENT FUNDS TO TRIANGLE J COUNCIL OF GOVERNMENTS

Triangle J Council of Governments requested adoption of a resolution releasing funds from the N.C. State Budget Office that were appropriated to lead regional organizations by the General Assembly at its 1987 Session. These funds are to be used for economic development activities as determined by each Council of Governments and member governments. The Town of Carrboro's share of these funds amounts to \$724.45.

The administration recommended adoption of the resolution releasing the town's share of these funds to Triangle J Council of Governments.

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

A RESOLUTION RELEASING \$724.45 IN ECONOMIC DEVELOPMENT FUNDS TO TRIANGLE J COUNCIL OF GOVERNMENTS Resolution No. 29/87-88

WHEREAS, in North Carolina the Lead Regional Organizations, as voluntary organizations serving municipal and county governments, have established productive working relationships with the cities and counties across the state; and

WHEREAS, many counties and cities continue to need assistance in pursuing economic and community development opportunities, but federal assistance in the form of intergovernmental revenues has been severely curtailed in recent years; and

WHEREAS, the 1987 General Assembly has again recognized this need through the appropriation of \$990,000 each year of this biennium to help the Lead Regional Organizations assist local governments with grant applications, economic development, community development, support of local industrial development and other activities as deemed appropriate by their local governments; and

WHEREAS, these funds are not intended to be used for payment for release of these funds to our Regional Council, the available funds will revert to the state's General Fund; and

WHEREAS, in Region J funds in the amount of \$55,000 will be used to carry out the economic development plan approved by the COG Board of Delegates and especially to improve the economy of the counties and towns of the Region by strengthening ties to and consequently benefits of the Research Triangle Park.

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

Section 1. The Town of Carrboro requests the release of its \$724.45 share of these funds to the Triangle J Council of Governments at the earliest possible time in accordance with the provisions of Chapter 830 of the 1987 Session Laws (HB 1515).

Section 2. 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 12th day of January, 1988:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor

Kinnaird, Frances Shetley, Judith Wegner, Jay Bryan

Noes: None

Absent or Excused: None

PLANNING WORK PROGRAM AGREEMENT

Jim Dunlop, the town's transportation planner, stated that in order for the Town of Carrboro to be reimbursed with grant funds for work performed as part of the Planning Work program, the town must enter into an agreement with the City of Durham, as lead recipient agency.

Mr. Dunlop stated that the administration recommended that the proposed agreement be approved.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE TOWN MANAGER BE AUTHORIZED TO ENTER INTO THE AGREEMENT. VOTE: AFFIRMATIVE ALL

FUNDING REQUESTS FROM ORANGE COUNTY MENTAL HEALTH ASSOCIATION AND ORANGE COUNTY RAPE CRISIS CENTER

At the January 5, 1988, meeting of the Board of Aldermen requests were received from the Orange County. Mental Health Association for funding in the amount of \$500 and from the Orange County. Rape Crisis Center in the amount of \$800. The Board requested that these requests be considered further at tonight's meeting.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'87-88 BUDGET ORDINANCE," BE ADOPTED TRANSFERRING \$500.00 FROM CONTINGENCY TO THE ORANGE COUNTY MENTAL HEALTH ASSOCIATION. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (GURGANUS, SHETLEY, BRYAN)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED "AN ORDINANCE AMENDING FY'87-88 BUDGET ORDINANCE," BE ADOPTED TRANSFERRING \$800.00 FROM CONTINGENCY TO THE ORANGE COUNTY RAPE CRISIS CENTER. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (MARSHALL, GURGANUS, BRYAN)

REGIONAL TRANSPORTATION STUDY

Mr. Morgan stated that the town has received a request from the Chamber of Commerce to assist in funding a Regional Transportation Study. The Chamber has requested the town contribute \$500 toward this study.

Eugene Swecker, Chair of the Chamber Sub-Committee on Regional Development, spoke in favor of the Chamber's request for funding.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'87-88

BUDGET ORDINANCE," BE ADOPTED TRANSFERRING \$500 FROM CONTINGENCY TO THE REGIONAL TRANSPORTATION STUDY. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (GURGANUS, SHETLEY, BRYAN)

BUDGET AMENDMENT/PURCHASE OF PRINTER FOR TOWN CLERK'S OFFICE

The administration requested adoption of a budget ordinance amendment in the amount of \$400 to purchase a computer printer for the Town Clerk's Office.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JAY BRYAN THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'87-88 BUDGET ORDINANCE," BE ADOPTED TRANSFERRING \$400 FROM CONTINGENCY TO THE TOWN CLERK'S FURNITURE AND EQUIPMENT ACCOUNT. VOTE: AFFIRMATIVE ALL

COMMENDATION TO TOWN EMPLOYEES

The Board commended town employees for a job well done during the recent snow storm.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE BOARD ADJOURN TO WORKSESSION. VOTE: AFFIRMATIVE ALL

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