

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

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 HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE MINUTES OF APRIL 5, 1988 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION OF APPRECIATION/JOHNNY HOWARD

The following resolution was introduced by Tom Gurganus and duly seconded by Jay Bryan.

A RESOLUTION EXPRESSING THE TOWN OF CARRBORO'S
APPRECIATION TO JOHNNY HOWARD
FOR HIS DONATION OF DUCKS FOR THE COMMUNITY PARK LAKE
Resolution No. 44/87-88

WHEREAS, Johnny Howard has generously donated to the Town of Carrboro 14 ducks; and

WHEREAS, these ducks were placed on the Community Park Lake.

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

Section 1. On behalf of the Town of Carrboro and its citizens, the Board of Aldermen hereby expresses its sincere thanks and gratitude to Mr. Johnny Howard for his generous donation to the town.

Section 2. This resolution shall be spread upon the official minutes of the Board of Aldermen and a copy thereof shall be delivered to Mr. Johnny Howard.

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 12th day of April, 1988:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Judith Wegner, Jay Bryan

Noes: None

Absent or Excused: None

PROCLAMATIONS ISSUED

Mayor Kinnaird issued proclamations proclaiming April 2-9 Community Development Week in the town and April 24th as Hunger Fighting Day in the town.

PUBLIC HEARINGS SET

(1) Conditional Use Permit Request/Quarterpath Trace

H.J. Gilleece & Associates have applied for a conditional use permit that would permit an architecturally integrated subdivision of 80 lots to be known as Quarterpath Trace. The 27.71-acre parcel is identified as Tax Map 30, Lot 2 and is zoned R-SIR-2. The administration recommended that a public hearing be set for April 26, 1988.

(2) Land Use Ordinance Text Amendment to Raise the Civil Penalty for Land Use Ordinance Violations

The administration requested that a public hearing be set for April 26, 1988 to consider an amendment to the Land Use Ordinance which would raise the civil penalty for land use ordinance violations from \$25.00 to \$250.00.

(3) Voluntary Annexation/Weatherhill Pointe, Phases I and II

The administration requested that a public hearing be set for April 26, 1988 to consider the voluntary annexation of Weatherhill Pointe, Phases I and II. A public hearing was originally set for April 5, 1988 on this request, but was inadvertently omitted from that agenda.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE REQUESTED PUBLIC HEARINGS ON (1) AND (3) BE SET. VOTE; AFFIRMATIVE ALL

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

A RESOLUTION RESETTNG A PUBLIC HEARING TO CONSIDER THE
ANNEXATION OF WEATHERHILL POINTE, PHASES I AND II
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 45/87-88

WHEREAS, the Town of Carrboro has received a petition from the owners of Weatherhill Pointe, Phases I and II requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is 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 26, 1988 to consider the voluntary annexation of Weatherhill Pointe, Phases I and II.

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 12th day of April, 1988:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Judith Wegner, Jay Bryan

Noes: None

Absent or Excused: None

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JAY BRYAN THAT (2) BE PLACED ON THE APRIL 26TH DISCUSSION AGENDA WITH FURTHER STAFF CLARIFICATION ON ITS PURPOSE. VOTE: AFFIRMATIVE ALL

ENVIRONMENTAL IMPACT ORDINANCE

At the 1988 Planning Retreat, the Board requested the Town Attorney to modify the Orange County draft environmental impact statement to make it applicable to the Town of Carrboro. The Town Attorney has prepared that ordinance for the Board's consideration.

Mr. Brough explained the proposed ordinance.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JUDITH WEGNER THAT THE ORDINANCE BE REFERRED TO THE PLANNING BOARD FOR CONSIDERATION, THAT IT BE RETURNED TO THE BOARD OF ALDERMEN PRIOR TO THE ALDERMEN'S SUMMER VACATION, AND THAT A JOINT WORKSESSION BETWEEN THE BOARD OF ALDERMEN AND PLANNING BOARD BE HELD. VOTE: AFFIRMATIVE ALL

ZONING MAP AMENDMENT TO REZONE R-SIR AND R-SIR-2 PROPERTIES TO R-10 AND THE THE REZONING OF TWO R-SIR PROPERTIES TO R-20

The Board of Aldermen at its meeting of April 5, 1988, requested the staff to revise the proposed ordinance rezoning R-SIR and R-SIR-2 properties to R-10, removing Bolin Forest, Spring Valley, Fair Oaks, Highland Hills, The Villages Apartments, Rock Creek Apartments, the Chapel Hill Tennis Club, and the portions of Weatherhill Pointe that are zoned R-SIR. In addition, the Board deleted the P.H. Craig property (Tax Map 30, Lots 2A and 4) from the ordinance adopted on April 5, 1988, which rezoned all R-R properties to R-20 and rezoned the portion of a property zoned R-3 to R-20. The Board requested this rezoning be considered at tonight's meeting.

Ann Weeks, the town's senior planner, briefly explained the proposals for rezoning.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE PROPERTIES OR PORTIONS OF PROPERTIES FROM R-SIR (RESIDENTIAL, SUITABLE FOR INTENSIVE RESIDENTIAL) AND R-SIR-2 TO R-10 (RESIDENTIAL, 10,000 SQUARE FOOT MINIMUM LOT SIZE), R-10 BEING THE BASE ZONE OF THE R-SIR AND R-SIR-2 ZONING DISTRICTS, AND THESE PROPERTIES OR PORTIONS OF PROPERTIES BEING ALL THOSE CURRENTLY ZONED R-SIR AND R-SIR-2 WITHIN THE TOWN'S PLANNING JURISDICTION," BE ADOPTED. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (CALDWELL, SHETLEY)

PUBLIC HEARING/COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

James Harris, the town's community developer coordinator, stated that this was a public hearing to receive citizen comments and suggestions on the 1988 Community Development Block Grant Application. Mr. Harris stated that the town staff had identified two target areas that could be eligible for funding. The first area is the Davie Road area to include the 500-700 blocks of Davie Road as well as all of Neville Road, Bert Street and Colson Street. Twenty-nine homes in this area are in need of rehabilitation--no water and sewer improvements have been identified. The second area, the Roberts Street area, includes Roberts Street and the 700 block of Merritt Mill Road, requiring rehabilitation of ten homes and the replacemnt of four septic tanks with public sewer.

Brodie Edwards, a resident of 504 Davie Road, stated that he was experiencing drainage problems coming from the town's cemetery.

Wilbert Jones, President of the Alabama Avenue/Davie Road Homeowners' Association, spoke in favor of the community development program, but cautioned the Board to have proper supervision of community development projects to assure acceptable improvements.

Catherine Johnson, a resident of Bert Street, spoke in favor of having Bert Street paved.

Braxton Foushee, a resident of 115 Alabama Avenue, spoke in support of both target areas.

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

DISCUSSION OF MOTOR VEHICLE TAX

The administration requested the Board instruct the Town Attorney to prepare an amendment to the Town Code which would eliminate the need to issue vehicle tags and the requirement to display such tags, but to continue the \$5.00 vehicle tax based upon the Orange County tax listing.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT THE TOWN ATTORNEY BE INSTRUCTED TO PREPARE THE REQUESTED AMENDMENT TO THE TOWN CODE FOR THE BOARD'S CONSIDERATION. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (MARSHALL, CALDWELL)

SOLID WASTE RECYCLING REPORT

Blair Pollack, Recycling Coordinator for the Town of Chapel Hill, presented a report on the recycling program for Orange County. (See Town Clerk's file of this meeting for a copy of report.)

QUESTIONS FOR OWASA REPRESENTATIVES

The Board was asked to hand in to the town staff any questions to be addressed to the town's representatives on the OWASA Board.

CONSIDERATION OF CANCELING MAY 3RD BOARD MEETING

The administration requested direction from the Board on whether the Board wished to cancel or reschedule the May 3rd Board meeting. This request was made due to May 3rd being election day.

It was the consensus of the Board to have the Agenda Planning Committee consider this matter.

A RESOLUTION REQUESTING ORANGE COUNTY TO ADOPT CARRBORO'S LAND USE ORDINANCE AS PART OF THE JOINT PLANNING AGREEMENT

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

A RESOLUTION REQUESTING ORANGE COUNTY TO ADOPT CARRBORO'S
LAND USE ORDINANCE AS PART OF THE JOINT PLANNING AGREEMENT
Resolution No. 46/87-88

WHEREAS, Orange County and the Town of Carrboro have signed a Joint Planning Agreement; and

WHEREAS, Section 2.1 of that agreement calls on Orange County to adopt by reference the Carrboro Land Use Ordinance and make its provisions applicable to that portion of the Transition Area located with the Carrboro Joint Development Review Area; and

WHEREAS, Section 2.6.C of that agreement specifies procedures by which subsequent amendments to the Carrboro Land Use Ordinance may be incorporated further by reference by Orange County for application in transition areas.

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

Section 1. The Orange County Board of Commissioners is hereby requested to take the action specified in Section 2.1 of the Joint Planning Agreement, adopting by reference the Carrboro Land Use Ordinance for application to that portion of the Joint Planning Area's Transition Area located within the Town of Carrboro Joint Development Review Area.

Section 2. The Orange County Board of Commissioners is hereby requested to consider this action action at a public hearing scheduled for April 13, 1988.

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 12th day of April, 1988:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Judith Wegner, Jay Bryan

Noes: None

Absent or Excused: None

RESCHEDULING OF PUBLIC HEARING

Roy Williford, Planning Director, requested the Board consider rescheduling the following public hearings to April 26, 1988:

- (1) Land Use Ordinance Text Amendment/Street Access
- (2) Land Use Ordinance Text Amendment To Limit Use of Septic Tanks in Watershed
- (3) Land Use Ordinance Text Amendment/OWASA Certification

Mr. Williford stated that this request was being made due to the newspaper failing to publish the proper notices to hold the public hearings on April 19, 1988.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE REQUESTED PUBLIC HEARINGS BE RESCHEDULED FOR APRIL 26, 1988. VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.

Edward Kimball
Mayor

Sam C. Williamson
Town Clerk