

A regular meeting of the Carrboro Board of Aldermen was held on November 22, 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
Deputy Town Clerk	Beth McFarland
Town Attorney	Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE MINUTES OF NOVEMBER 15, 1988 BE APPROVED. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/VOLUNTARY ANNEXATION OF BERRYHILL

Bradgate Associates, Inc. and the Berryhill heirs have submitted a petition requesting the annexation of Berryhill into the corporate limits of Carrboro. This property is contiguous to the Town of Carrboro and is located in the northwest quadrant of the intersection of BPW Road and Smith Level Road and contains 85.59 acres.

The administration recommended that the Board of Aldermen accept the petition for annexation and adopt a resolution setting a public hearing for January 10, 1989.

The following resolution was introduced by Alderman Tom Gurganus and duly seconded by Alderman Randy Marshall.

A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE
ANNEXATION OF BERRYHILL UPON
THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 7/88-89

WHEREAS, the Town of Carrboro has received a petition from the owners of the Berryhill property requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Deputy 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 January 10, 1989 to consider the voluntary annexation of Berryhill.

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 22nd day of November, 1988:

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

Absent or Excused: None

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/SOUTH ORANGE RESCUE SQUAD

Helen Waldrop, the town's Zoning Administrator, was sworn in. Ms. Waldrop stated that John C. Williams, representing the South Orange Rescue Squad, had applied for a conditional use permit that would allow the expansion of an existing non-conforming rescue squad building (use 13.300) to be located on the south side of Roberson Street between Greensboro Street and Maple Street. The parcel is identified as Tax Map 99, Block D, Lot 19A and zoned B-1-G. Ms. Waldrop presented slides on the site and overheads with site plans, and landscape plans. Ms. Waldrop stated that the administration recommended approval of the permit with the following conditions:

1) That the anticipated use of the facility at this time as an emergency services building (rescue squad) for five or less emergency services personnel does not give rise to a need of more than six parking spaces; therefore, 17 parking spaces as required by the Land Use Ordinance for this use are waived during the hours of 7:00 a.m. and 6:00 p.m.

2) That all landscape plants shown on the plan shall have a minimum size of 5-7 gallons at time of planting.

Ms. Waldrop stated that the Planning Board recommended approval of the permit with staff recommendation #1 in addition to the following conditions:

1) That written verification indicating that the applicant has been granted the use of 17 satellite spaces between the hours of 6:00 p.m. and 7:00 a.m. be submitted to the town prior to issuance of the permit.

2) Due to the Ordinance requirement that a Type A screening be used in the B-1-G zoning district, it is recommended that a vegetated buffer be used along the west side of the building or this screening requirement, along the side of the building, be waived and no screening be used along the side of the building.

Ms. Waldrop stated that the Appearance Commission recommended approval of the permit with the following condition:

1) That a wax myrtle screen be installed from the southwest corner of the lot along the western property border to the corner of the building and that a cedar screen be installed along the western property border from the southwest corner of the building to the northwest corner of the lot. Understory plantings shall be installed within the screen. The town landscaping and grounds supervisor shall be given the opportunity to review the proposed landscape plans.

Ken Gibson, Chair of the Transportation Advisory Board, was sworn in. Mr. Gibson stated that the TAB recommended approval of the permit with the staff's condition #1 and the Planning Board's condition #1.

Ray Defrees, Chief of the South Orange Rescue Squad, was sworn in. Mr. Defrees stated that the rescue squad needed to expand in order to provide for additional bedrooms, training facilities and study areas.

Jim Rumfelt, an adjoining property owner, was sworn in. Mr. Rumfelt requested that the air conditioning unit be placed on the top of the building. Mr. Rumfelt also requested that gas and oil be contained and not drained in the sewer drain.

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 JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION BE GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

3) That the anticipated use of the facility at this time as an emergency services building (rescue squad) for five or less emergency services personnel does not give rise to a need of more than six parking spaces; therefore, 17 parking spaces as required by the Land Use Ordinance for this use are waived between the hours of 7:00 a.m. and 6:00 p.m.

4) That written verification indicating that the applicant has been granted the use of 17 satellite spaces between the hours of 6:00 p.m. and 7:00 a.m. be submitted to the Town of Carrboro prior to issuance of the conditional use permit.

5) That all landscape plants shown on the plan have a minimum size of 5-7 gallons at the time of planting.

6) That a wax myrtle screen be installed from the southwest corner of the lot along the western property border to the corner of the building and that a cedar screen be installed along the western property border from the southwest corner of the building to the northwest corner of the lot. Understory plantings shall be installed within the screen. The Town of Carrboro's Landscaping/Grounds Supervisor shall be given the opportunity to review the proposed landscape plans.

7) That the site plan be modified to show a fence running along the western edge of the parcel up to the right-of-way between the proposed vegetation and the right-of-way.

8) That the architect make every effort to locate the air conditioning unit on the roof so as to minimize the noise and visual impact on the property to the west.

VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/POLICE AND FIRE COMMUNICATIONS TOWER

Helen Waldrop, the town's Zoning Administrator, was sworn in. Ms. Waldrop stated that the Carrboro Police and Fire Departments were requesting an extension of the existing public safety communications tower located in the rear of the Fire Department. This tower needs to be elevated an additional 80 feet in order to guarantee that signals sent from the tower will be received in all parts of town. The parcel is identified as Tax map 98, Lot 2 and is zoned B-1-G.

Ms. Waldrop stated that the administration recommended approval

of the permit with the condition that the base of the proposed tower and adjacent air conditioning units be screened with plantings or fencing.

Robert Swiger, Fire Chief, was sworn in. Chief Swiger explained the need for expansion of the tower.

Robbie Williby, with Mobile Communications Service, was sworn in. Mr. Williby answered the Board's questions and explained the reasons for the 150-foot tower.

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

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT THE APPLICATION BE GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

3) That the base of the proposed tower and adjacent air conditioning units be screened with plantings or fencing.

VOTE: AFFIRMATIVE ALL

PRESENTATION ON THE REGIONAL TRANSPORTATION AUTHORITY REPORT

Pat Simmons, with the Public Transportation Division of the N.C. Department of Transportation, presented the Regional Transportation Authority Report being prepared by the Department of Transportation.

FAIROAKS SEWER EASEMENT

Helen Waldrop, the town's Zoning Administrator, stated that the Westminster Company had requested that the town grant an easement through the municipal park property located on the northeast side of the Fair Oaks Subdivision. Ms. Waldrop stated that the administration recommended that the easement be granted.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE EASEMENT BE GRANTED. (MOTION WITHDRAWN)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE EASEMENT BE GRANTED TO OWASA. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (GURGANUS, CALDWELL)

REPORT ON STREET BOND IMPROVEMENTS PROJECT

Jim Dunlop, the town's Transportation Planner, present responses to concerns raised at the October 25, 1988 public hearing on the

design of the Main-Hillsborough-Greensboro Road Widening Project.

Ken Gibson, Chair of the Transportation Advisory Board, stated that the TAB made the following recommendations with regard to this project:

1) That the cross-section of Hillsborough Road remain as designed by NCDOT, as amended in section six of this recommendation.

2) That the design of the Greensboro Street curve at Hanna Street be as in the preferred design shown by NCDOT.

3) That the design of the Main Street-Simpson Street intersection be as shown, and that a sidewalk be installed where the current eastern roadway of Simpson Street is to be removed, as shown in the attached drawing.

4) That sidewalks be built on these three streets in the following order:

- a. On the east side of Hillsborough Road
- b. On the north side of Greensboro Street
- c. On the south side of Main Street

5) That the Board of Aldermen take whatever steps possible to save trees and landscaping and minimize clearing within the construction limits of this project, including hiring a full-time construction inspector for the duration of this project.

6) That the berms be reduced to four feet on the sides of these streets without sidewalks.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE N.C. DEPARTMENT OF TRANSPORTATION BE ADVISED TO PROCEED WITH THE GREENSBORO STREET, MAIN STREET AND HILLSBOROUGH ROAD (FROM GREENSBORO STREET TO LORRAINE STREET) ROAD IMPROVEMENTS WITH THE RECOMMENDED CROSS SECTIONS WITH THE FOLLOWING RECOMMENDATIONS:

1) That the 4-foot berm be used where no sidewalk is proposed and that a 8-foot berm be used where a sidewalk is proposed;

2) That the environmental impact of the project be minimized by preserving trees to the maximum possible extent and that the acquisition of rights-of-way be minimized for perpendicular intersection improvements, particularly at the intersections of Pine, Oak and Cheek Streets;

3) That the design of the Greensboro Street curve be approved with the outside curve alignment, as in the preferred design shown by N.C. DOT;

4) That the N.C. DOT design for Simpson Street (with the intersection realigned on the western side of the park) be approved with the removed existing eastern roadway segment being graded to accommodate a sidewalk or pedestrian path; and

5) That the drainage problems be minimized along the project, such as at the intersections of Hanna and Pine Streets.

VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (BRYAN, SHETLEY)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE N.C. DEPARTMENT OF TRANSPORTATION BE ADVISED TO PROCEED WITH THE HILLSBOROUGH ROAD WIDENING PROJECT, FROM MAIN STREET TO

GREENSBORO STREET, WITH THE RECOMMENDED CROSS SECTIONS WITH THE FOLLOWING RECOMMENDATIONS:

1) That the 4-foot berm be used where no sidewalk is proposed and that a 8-foot berm be used where a sidewalk is

proposed.

2) That Aldermen Gurganus, Shetley and Bryan meet with the town's Board of Transportation representative (Bill Buchanan) to discuss the proposed design modifications.

VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (SHETLEY, BRYAN)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE BOARD COMMIT IN PRINCIPLE TO:

1) Discussing setting aside funds in the FY'89-90 budget for construction of sidewalks along the streets included in this road improvement project; and

2) Establishing a street tree planting program beginning with consideration in the FY'89-90 budget and future budgets towards setting aside funds for tree planting on the streets included in this road improvement project as well as others, giving priority to these streets.

IN ADDITION, THAT A STAFF PERSON BE DESIGNATED TO SERVE AS A CONTACT PERSON DURING THE CONSTRUCTION PROCESS. VOTE: AFFIRMATIVE ALL

AMENDED MUNICIPAL AGREEMENT WITH N.C. DEPARTMENT OF TRANSPORTATION/STREET BOND IMPROVEMENTS PROJECT

Mr. Morgan stated that in July, 1987, the Town of Carrboro and the N.C. Department of Transportation entered into a municipal agreement for the Street Bond Improvements Project (Project U-2002). The latest estimate for the town's share of the right-of-way costs is considerably higher than the previous estimate, therefore, the Town Manager requested a longer repayment schedule in order to stay within the original budget projections. The N.C. Department of Transportation has proposed a five-year repayment schedule with no interest charges for the Board's consideration.

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

A RESOLUTION AUTHORIZING THE MAYOR AND TOWN CLERK
TO EXECUTE A MUNICIPAL AGREEMENT WITH THE
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR PROJECT U-2002
Resolution No. 20/88-89

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within the Town of Carrboro under Project 8.1500701, Orange County, said plans consisting of the constructions and improvements within Carrboro 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; and SR 1772 (North Greensboro Street) from SR 1009 to SR 1780 (Estes Drive) to include curb and gutter and bicycle lanes in Carrboro; and

WHEREAS, the Department and the Town of Carrboro now wish to amend the Agreement to add the following provisions:

2(b) The Municipality shall pay its proportionate part of the right-of-way costs for this project in five (5) equal installments with the due dates of said installments being October 15, 1988, October 15, 1989, October 15, 1990, October 15, 1991, and October 15, 1992. The Municipality agrees that the payments of its proportionate part of the right-of-way costs will be based upon cost estimates made shortly before the first installment is due and based on the best information then available, and that said payment shall be only a tentative payment subject to adjustment when actual cost figures are known.

within five years, no interest will be charged.

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

Section 1. That Project 8.1500701 (U-2002), Orange County, is formally approved by the Board of Aldermen of the Municipality of Carrboro and the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

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 22nd day of November, 1988:

Ayes: Randy Marshall, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Judith Wegner

Noes: Tom Gurganus, Jay Bryan

Absent or Excused: None

MUTUAL AID COMPACT FOR WATER SUPPLY EMERGENCIES

Mr. Morgan stated that on October 18, 1988, the Board of Aldermen voted to endorse Triangle J Council of Government's policy establishing common local policies for mutual aid during water supply emergencies in Region J of North Carolina. Triangle J has prepared a final version of a joint resolution for the Board's consideration.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE BOARD AGREE TO BE A PARTY TO THE JOINT RESOLUTION AND AUTHORIZE THE MAYOR TO SIGN THE RESOLUTION AT A SIGNING CEREMONY ON DECEMBER 1, 1988. VOTE: AFFIRMATIVE ALL

RESOLUTION HONORING ROLAND WRENN

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

A RESOLUTION HONORING ROLAND WRENN
Resolution No. 17/88-89

WHEREAS, Roland Wrenn is no ordinary bird but a soaring eagle who is rarely seen but often heard; and

WHEREAS, Mrs. Wrenn is a loud, clear voice for democracy for the oppressed, the elderly and the young, who is not afraid to speak her mind to anyone; and

WHEREAS, Mrs. Wrenn has been known to have the gift of reading lips and has an ear as keen as an eagle's eyes for ferreting out hypocrisy, cover-ups and mismanagement in government; and

WHEREAS, nevertheless, Mrs. Wrenn has contributed, and continues to contribute, her time, wisdom, sense of humor and integrity to the political careers of countless people in our community, all for the end of good, fair and honest government; and

WHEREAS, Mrs. Wrenn is a grassroots organizer without equal; and

WHEREAS, even though she has worked for people serving in

public office, Mrs. Wrenn has never been afraid to tell each of the politicians she has helped what she thinks, particularly when they, with the institution of government, have become too absorbed with their own power and self-importance; and

WHEREAS, Mrs. Wrenn also knows our city and our county and its people better than anyone and as its uncrowned poet laureate, sings beautifully and realistically of its history and its achievements; and

WHEREAS, Carrboro has benefited from Roland Wrenn's insights, her sense of fair play and fun, and her appreciation of and interest in those who have come before us on the Board of Aldermen and in this community.

WHEREAS, Roland Wrenn exemplifies the best of Carrboro's spirit and sense of neighborliness, in her staying in touch with people, in her sweet potato pies, and in the end, when all is said and done, in her abiding compassion for others; and

WHEREAS, it is hoped for all of these reasons and for all her gifts that though she has moved into the great County and deep woods of Orange, Roland Wrenn's allegiance will remain in Carrboro, that she will continue to share with us her insightful observances of daily life and politics and her hopes for a better world, and that she will be first and always a citizen of Carrboro.

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

Section 1. The Board of Aldermen hereby expresses its sincere gratitude to Roland Wrenn for all her contributions to the community by declaring December 3, 1988 to be Roland Wrenn Day in Carrboro.

Section 2. A copy of this resolution shall be spread upon the official minutes of the Board of Aldermen and a copy shall be delivered to Roland Wrenn.

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 22nd day of November, 1988

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

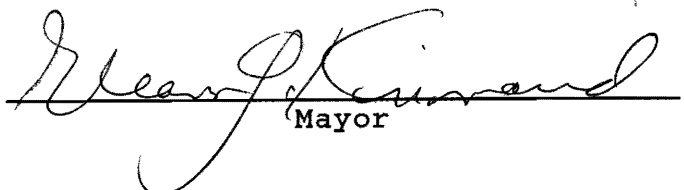
Noes: None

Absent or Excused: None

EXECUTIVE SESSION

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS ACQUISITION OF PROPERTY. VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.


Mayor


Deputy Town Clerk