

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 10, 1989 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 Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF JANUARY 3, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

PRESENTATION OF MODEL OF THE TOWN COMMONS PROJECT

Mike Hollerbach, representing the Town Commons Task Force, presented a model of the Town Commons project for the Board's perusal.

It was the consensus of the Board to have the town staff present a status report on this project at the January 17, 1989 meeting of the Board of Aldermen.

Charlie Thompson, representing the Farmers' Market group, requested that the funds donated by the Farmers' Market be used for the construction of the farmers' market shelters.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE FUNDS DONATED BY THE FARMERS' MARKET GROUP BE USED FOR THE CONSTRUCTION OF THE FARMERS' MARKET SHELTERS. VOTE: AFFIRMATIVE ALL

PROCLAMATION/MARTIN LUTHER KING DAY

Alderman Caldwell read a proclamation proclaiming Monday, January 16, 1988 as Martin Luther King Day in the Town of Carrboro.

PUBLIC HEARING/VOLUNTARY ANNEXATION OF BERRYHILL

Roy Williford, Planning Director, stated that Bradgate Associates, Inc. and the Berryhill heirs had 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 Club Road and Smith Level Road. The property contains 85.59 acres, 113 single-family dwelling units and 144 multi-family dwelling units.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE PUBLIC HEARING BE CLOSED AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING BERRYHILL", BE ADOPTED WITH AN EFFECTIVE DATE OF JANUARY 31, 1989. VOTE: AFFIRMATIVE ALL

REPORT FROM CABLE T.V. COMMITTEE

Barry Jaeger, former Chair of the Cable T.V. Committee, presented a report on the activities of Cable T.V. Committee during the past six months. Mr. Jaeger stated explained the service changes for Alert Cable, stated that three complaints on Alert were being investigated, stated that Alert had been sold to Cablevision Industries, and stated that Alert was proposing a \$1.50 rate increase.

The Board requested that the Cable T.V. Committee investigate improving the quality of the Board meeting coverage.

Mayor Kinnaird presented a certificate of appreciation to Barry Jaeger for service to the town while serving on the Cable T.V. Committee.

The Town Clerk issued a charge to A.C. Bushnell, a recent appointee to the Cable T.V. Committee.

REPORT FROM DOWNTOWN DEVELOPMENT COMMISSION

Gary Phillips, Chair of the Downtown Development Commission, presented a report on the activities of the Downtown Development Commission during the past six months. Mr. Phillips stated that the Downtown Development Commission had discussed reorganization of the Carrboro Business Association, had

been working with the Chapel Hill/Carrboro Downtown Commission Corp. proposal, had considered the downtown commercial guidelines and had worked on obtaining a downtown parking agreement.

The Board requested that the Downtown Development Commission review the Transportation Advisory Board's proposed downtown circulation plan and the Historic Preservation Task Force's proposed historic district proposal.

REPORT FROM OWASA REPRESENTATIVES

Bill Aderholt, one of the town's representatives on the OWASA Board of Directors, presented a report on the activities of OWASA during the past six months. Mr. Aderholt stated that the Cane Creek Dam and Reservoir water impoundment was commenced on December 21, 1988, OWASA has received a 10 million gallon per day allocation from Jordan Lake, the Stone Quarry expansion would provide 3 billion gallons of water at a low cost to OWASA. The following projects are being undertaken: Barrington Hills sewer main, Oak Avenue sewer line replacement, Lindsay Street water line replacement, water plant capacity expansion, phosphorus removal system improvements at Mason Farm wastewater plant, Cane Creek raw water main, phase II to water plant. The University Lake Watershed Study draft was submitted to OWASA in December, 1988, and was mailed to local elected officials and others in January, 1989. The report is currently under review by the watershed study advisory committees and the OWASA Board of

Directors will consider the recommendations in the final report and request implementation by local governments. There was a rate increase imposed by OWASA on November 1, 1988.

REQUEST FOR ACCEPTANCE OF STREET DEDICATION/CHESWICK COURT

Chris Peterson, Public Works Director, stated that Dennis Howell had requested that the town accept the offer of dedication of Cheswick Court as part of the town's street maintenance system. A performance bond providing a warranty against defects for a one-year period has been posted by the developer.

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

A RESOLUTION ACCEPTING THE OFFER OF DEDICATION
OF CHESWICK COURT
Resolution No. 27/88-89

WHEREAS, an offer of dedication to town of Cheswick Court has been made by virtue of the fact that a plat of the street has been recorded; and

WHEREAS, the Director of Public Works has certified that these streets have been completed by the developer in accordance with the town's specifications.

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

Section 1. The offer of dedication of Cheswick Court is hereby accepted and this street shall hereafter be maintained by the Town of Carrboro, subject to the warranty of the developer that no defects in workmanship or materials will appear in this street within one year after the date this street is accepted.

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 10th day of January, 1989:

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

Noes: Tom Gurganus, Frances Shetley

Absent or Excused: None

The Board requested that the town staff develop a revised policy for accepting streets, addressing the Board's concerns relating to construction damage.

ORDINANCE REGULATING HOUSE MOVING ON PUBLIC STREETS

Mike Brough stated that at the request of the Board of Aldermen, he drafted an ordinance requiring a permit to be issued before a house is moved on public streets in Carrboro. Two alternatives have been prepared. Alternative #1 provides for the permit to be issued administratively and Alternative #2 provides for the permit to be issued by the Board of Aldermen.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE REGULATING HOUSE

MOVING ON PUBLIC STREETS, ALTERNATIVE #1, BE ADOPTED. VOTE:
AFFIRMATIVE ALL

RESOLUTION REQUESTING THE ORANGE COUNTY COMMISSIONERS TO MAKE
TRANSITION AREA APPOINTMENTS TO THE PLANNING BOARD AND BOARD OF
ADJUSTMENT

Pursuant to the Joint Planning Agreement, which became effective on November 14, 1988, the administration recommended adoption of a resolution requesting the County Commissioners appoint David Rutter to the transition area seat on the Planning Board and Elise Sloan to the transition area seat on the Board of Adjustment.

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

A RESOLUTION REQUESTING THE ORANGE COUNTY BOARD OF
COMMISSIONERS TO APPOINT TWO RESIDENTS OF THE CARRBORO JOINT
PLANNING TRANSITION AREA TO SERVE ON VARIOUS CARRBORO BOARDS:
ONE ON THE TOWN'S PLANNING BOARD AND ONE ON THE TOWN'S
BOARD OF ADJUSTMENT
Resolution No. 24/88-89

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro entered into a Joint Planning Agreement on November 2, 1987; and

WHEREAS, the provisions of the Joint Planning Agreement were put into effect on November 14, 1988; and

WHEREAS, Section 2.7 of the Agreement requires that at least one Joint Planning Transition Area representative be appointed to the towns' Planning Boards and Boards of Adjustment in the same manner as representation of extraterritorial planning area residents is provided for; and

WHEREAS, the appointment of Transition Area representatives to Carrboro's Planning Board and Board of Adjustment is the only remaining action that must be taken in order for the Agreement to become fully effective; and

WHEREAS, Sections 15-21 and 15-29 of the Carrboro Land Use Ordinance require that the appointment of a Transition Area representative to the town's Planning Board and Board of Adjustment be made by the Orange County Commissioners within 90 days of receiving a resolution from the Board of Aldermen that they make such appointments, else the Board of Aldermen may make them.

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

Section 1. The Board of Aldermen hereby requests that the Orange County Board of Commissioners appoint David Rutter, 8714 Old NC 86, Chapel Hill, N.C., of the Carrboro Joint Planning Transition Area to sit on the Carrboro Planning Board for a three-year term that shall expire on February 29, 1992.

Section 2. The Board of Aldermen hereby requests that the Orange County Board of Commissioners appoint Elise Sloan, 217 Stony Hill Road, Chapel Hill, N.C., of the Carrboro Joint Planning Transition Area to sit on the Carrboro Board of Adjustment, to sit on the Carrboro Board of Adjustment for a three-year term to expire on February 29, 1992.

Section 3. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

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 10th day of January, 1989:

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

Noes: None

Absent or Excused: None

AMENDMENT TO CHAPTER 11 OF THE TOWN CODE DEALING WITH JUNK VEHICLES

Robert Swiger, Fire Chief, stated that the fire department was experiencing problems in enforcing Chapter 11 of the Town Code as it applies to junk vehicles. Chief Swiger stated that the Town Attorney had prepared an amendment to Chapter 11 addressing these problems for the Board's consideration.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE REGULATING THE OUTSIDE STORAGE OF UNLICENSED MOTOR VEHICLES," BE ADOPTED. VOTE: AFFIRMATIVE ALL

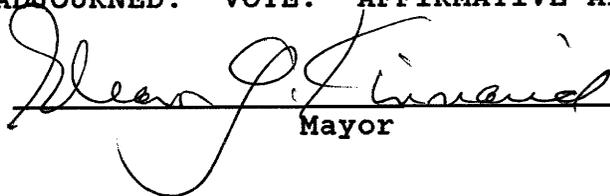
COUNTY-WIDE MUTUAL AID FIRE AGREEMENT

Robert Swiger, Fire Chief, stated that in keeping with the Orange County Command Team concept and the need for resources in case of a disaster, the administration was recommending that the Board authorize the Town Manager to execute the a mutual aid agreement between the Carrboro Fire Department and all other fire departments within Orange County.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE TOWN MANAGER BE AUTHORIZED TO ENTER INTO THE MUTUAL AID AGREEMENT. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE MEETING BE ADJOURNED. VOTE: AFFIRMATIVE ALL


Town Clerk


Mayor