

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 28, 1989 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Randy Marshall
	Hilliard Caldwell
	Frances Shetley
	Judith Wegner
	Jay Bryan
Town Manager	Robert Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	Tom Gurganus
----------	--------------

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE MINUTES OF FEBRUARY 21, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

CHARGE ISSUED

The Town Clerk issued a "charge" to Roland Wrenn, a recent re-appointee to the Cemetery Commission.

REQUEST TO SET PUBLIC HEARING/FY'89-90 UMTA GRANT

As part of the application process for an Urban Mass Transportation grant, a public hearing must be held to solicit citizen comments. The administration requested that a public hearing be set for March 14, 1989 to receive public comments on the town's proposed FY'89-90 grant.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT A PUBLIC HEARING BE SET FOR MARCH 14, 1989. VOTE: AFFIRMATIVE ALL

EXTENSION OF LEASE AGREEMENT FOR THE FARMERS' MARKET SITE

Mr. Morgan stated that the owners of the property on which the Farmers' Market is located have agreed to a one-year extension of the lease for this property at a cost of \$2,000. The town has previously paid the owners \$1,000 to lease this property. The Chapel Hill-Carrboro Farmers' Market have been contacted concerning this increase and have agreed to pay \$500 of the increased lease payment.

Mr. Morgan stated that the administration requested adoption of a budget ordinance amendment authorizing \$500 from the General Fund contingency and \$500 from the Chapel Hill/Carrboro Farmers' Market towards the \$2,000 lease payment for the Farmers' Market.

Charlie Thompson, representing the Chapel Hill/Carrboro Farmers Market, requested the Board consider funding the \$1,000 increase. Mr. Thompson stated that several members of the Board of Directors feel the town should continue paying the entire cost of the property rental although they had reluctantly agreed to offer paying \$500 toward the increase.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'88-89 BUDGET ORDINANCE" BE ADOPTED, AS AMENDED TRANSFERRING \$1,000 FROM THE GENERAL FUND CONTINGENCY TO THE FARMERS' MARKET LEASE. VOTE: AFFIRMATIVE ALL

REFINANCING OF RECREATION AND FIRE STATION BONDS

Larry Gibson, Assistant Town Manager, stated that the Farmers Home Administration was offering a second bond buy-back program, giving local governments another opportunity to buy back their bonds at a reduced or discounted rate.

Mr. Gibson stated that the administration had received several proposals for refinancing the Recreation and Fire Stations bonds at the discounted rate, which would save the town a considerable amount in future years by shortening the term of our debt from 32 years to 20 years, while keeping our annual payments at their present level.

Mr. Gibson stated that the administration recommended the Board's approval of the town's participation in this buy-back program by introducing the bond order, designating the Finance Officer as the officer whose duty it shall be to make and file with the Town Clerk the sworn statement of debt, fix a public hearing for March 14, 1989, authorize the Town Manager to file all necessary applications and forms associated with the refunding, authorize the Finance Officer to apply the current budget appropriation to the 5% deposit due to Farmer's Home by March 9th, and select First Union National Bank as the preferred financing party.

Alderman Wegner introduced the following order authorizing bonds which was read:

ORDER AUTHORIZING \$1,671,500
REFUNDING BONDS

BE IT ORDERED by the Board of Aldermen of the Town of Carrboro:

1. That, pursuant to The Local Government Bond Act, as amended, the Town of Carrboro, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said Town may now or hereafter have power or authority to contract, and in evidence thereof to issue Refunding Bonds in an aggregate principal amount not exceeding \$1,671,500 for the purpose of providing funds, including related issuance expenses, the following bonds of said Town currently outstanding:

\$ 257,500 Fire Station Building Bonds, dated March 9, 1981

\$1,414,000 Recreation Facilities Bonds, dated December 7, 1981

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said Refunding Bonds.

3. That a sworn statement of debt of said Town has been filed with the Town Clerk and is open to public inspection.

4. That this order shall take effect upon its adoption.

The Board of Aldermen thereupon designated the Finance Officer as the officer whose duty it shall be to make and file with the Town Clerk the sworn statement of debt of said Town which is required by The Local Government Bond Act, as amended, to be filed after the bond order has been introduced and before the public hearing thereon.

Thereupon, the Finance Officer filed with the Town Clerk, in the presence of the Board of Aldermen, the sworn statement of debt as so required.

Thereupon, the order entitled: "ORDER AUTHORIZING \$1,671,500 REFUNDING BONDS" was passed on first reading.

On motion duly made, seconded and unanimously carried, the Board of Aldermen fixed 7:30 P.M., March 14, 1989 in the Carrboro Town Hall Board Room in Carrboro, North Carolina as the hour, day and place for the public hearing upon the foregoing order and directed the Town Clerk to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Chapel Hill Newspaper, a newspaper qualified and used for legal publications of said Town, not later than the sixth day before said date.

Upon motion of Alderman Wegner, seconded by Alderman Bryan, the meeting was adjourned until the public hearing upon the foregoing order at 7:30 p.m. on March 14, 1989, in the Carrboro Town Hall Board Room in Carrboro, North Carolina.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE TOWN MANAGER BE AUTHORIZED TO FILE ALL NECESSARY APPLICATIONS AND FORMS ASSOCIATED WITH THE REFUNDING OF THESE BONDS, AND AUTHORIZED THE FINANCE OFFICER TO APPLY THE CURRENT BUDGET APPROPRIATION FOR DEBT SERVICE TO A 5 PERCENT (\$83,575) DEPOSIT DUE TO THE FARMER'S HOME ADMINISTRATION BY MARCH 9, 1989. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT FIRST UNION NATIONAL BANK BE SELECTED AS THE PREFERRED FINANCING PARTY. VOTE: AFFIRMATIVE ALL

NEW CARRBORO ELEMENTARY SCHOOL GYMNASIUM

Richard Kinney, Recreation Director, stated that the Board of Aldermen authorized the administration to explore the potential for a Town-School venture to expand the size of a new gymnasium to be built at Carrboro Elementary School. Expansion of the gymnasium would be required to better accommodate Town programs above the present plans for the building by the Chapel Hill-Carrboro City School System.

Mr. Kinney stated that because of the costs associated with the project and the uncertainties coupled with the time demand imposed by the construction schedule, the administration requested the Board of Aldermen determine whether or not the administration should further investigate this matter.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT DISCUSSION BE CONTINUED ON THIS MATTER ON MARCH 14, 1989 IN ORDER TO RECEIVE A REPORT FROM THE TOWN STAFF ON FINANCING OPTIONS. VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (BRYAN, SHETLEY, CALDWELL)

RESOLUTION DESIGNATING INSTALLMENT PURCHASE CONTRACT AS A TAX-EXEMPT OBLIGATION OF THE TOWN

The town will be entering into a lease purchase contract with Southern National Leasing Corporation for the installment purchase of several vehicles scheduled for replacement in the current budget year. Under the new tax law, the town is required

to pass a resolution designating the contract with Southern National as a tax-exempt obligation of the town.

The administration recommended adoption of a resolution designating an installment purchase contract as a tax-exempt obligation of the town.

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

A RESOLUTION DESIGNATING AN INSTALLMENT PURCHASE CONTRACT
AS A TAX-EXEMPT OBLIGATION OF THE TOWN
Resolution No. 33/88-89

WHEREAS, the Town of Carrboro, through its duly elected Mayor, with the consent and approval of the Board of Aldermen, has entered into a contract with Southern National Leasing Corporation for the purchase of:

One - 3/4 Ton Chevrolet Crew Cab

One 1-Ton Chevrolet Truck

Three - Ford LTD Crown Victorias

One - 3/4 Ton Van

and;

WHEREAS, the said contract, bearing the date March 1, 1989, qualifies as a tax-exempt obligation of the town, pursuant to the Internal Revenue Code of 1986.

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

Section 1. The aforesaid contract, bearing the date March 1, 1989, by and between the Town of Carrboro and Southern National Leasing Corporation, together with the amounts to be paid thereunder, be and the same are hereby designated as a qualified tax-exempt obligation of the town for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986.

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 28th day of February, 1989:

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

Noes: None

Absent or Excused: Tom Gurganus

1989-90 UNIFIED PLANNING WORK PROGRAM

Jim Dunlop, the town's Transportation Planner, stated that each year, the N.C. Department of Transportation and the Urban Mass Transportation Administration requires each urban area to adopt a planning work program. This document lists the planning projects that each jurisdiction will undertake in the next year.

Mr. Dunlop reviewed the planning projects and stated that the

74
administration recommended approval of the 1989-90 Unified Planning Work program.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT THE 1989-90 UNIFIED PLANNING WORK PROGRAM BE APPROVED.
VOTE: AFFIRMATIVE ALL

1989-90 TRANSPORTATION IMPROVEMENTS PROGRAM PRIORITY LIST

Jim Dunlop, the town's Transportation Planner, stated that each year, the N.C. Department of Transportation solicits proposals for highway improvements from jurisdictions throughout the state for inclusion in the state's Transportation Improvements program. Mr. Dunlop presented for the Board's review the 1988-89 priority list of highway projects needed for Carrboro.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE TRANSPORTATION ADVISORY BOARD BE REQUESTED TO DEVELOP A PUBLIC PARTICIPATION PROCESS. VOTE: AFFIRMATIVE ALL

CONTROL OF SPEEDING ON CARRBORO STREETS

The Board of Aldermen received a report on Methods of Traffic Controls on Local Streets in 1988, and directed the town staff to review and recommend measures for Carrboro streets. Jim Dunlop, the town's Transportation Planner, presented a report on the town staff's recommendations.

(No action was taken on this matter.)

CARRBORO BICYCLE AND SIDEWALK POLICIES

Jim Dunlop, the town's Transportation Planner, stated that in order to assist the town staff and developers in determining locations and details for bicycle and pedestrian travel in the town, the Board directed the town staff to develop bicycle and sidewalk plans for the town. Mr. Dunlop then presented the bicycle and Sidewalk Policies, as recommended by the Transportation Advisory Board. Mr. Dunlop stated that the Transportation Advisory Board agreed that a bicycle ordinance was not necessary. In addition, the Transportation Advisory Board recommended that the bicycle and sidewalk policies and proposed plans be adopted separately. Mr. Dunlop stated that the Transportation Advisory Board also recommended that an ordinance amendment be drafted prohibiting bicycle riding on the sidewalk on Main Street between Greensboro and Jones Ferry and on Jones Ferry between Main Street and Davie Road.

MOTION WAS MADE BY FRANCES SHETLEY THAT THE BICYCLE AND SIDEWALK POLICIES BE ACCEPTED WITH CONSIDERATION BEING GIVEN TO THE BOARD'S CONCERNS. (MOTION WITHDRAWN)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE BICYCLE AND SIDEWALK POLICIES BE ADOPTED AS AMENDED AS FOLLOWS:

SIDEWALK POLICY

THAT THE FIRST SENTENCE UNDER REQUIREMENTS BE REWRITTEN AS FOLLOWS: "CONSIDERATION WILL BE GIVEN TO CONSTRUCTION OF SIDEWALKS ON ALL EXISTING ARTERIALS AND COLLECTOR STREETS."

THAT THE FIRST SENTENCE OF PARAGRAPH TWO UNDER REQUIREMENTS BE REWRITTEN AS FOLLOWS: "SIDEWALKS IN NEW DEVELOPMENTS WILL BE REQUIRED TO BE CONSTRUCTED ON THE FOLLOWING TYPES OF STREETS, AS CLASSIFIED IN SECTION 15-210(B) OF THE CARRBORO LAND USE ORDINANCE:"

ADD A NEW FIRST PARAGRAPH UNDER CONSTRUCTION STANDARDS TO READ AS FOLLOWS: "THE FOLLOWING PRESUMPTIVE STANDARDS SHALL APPLY UNLESS MODIFIED IN A PARTICULAR CASE BY THE PERMIT-ISSUING AUTHORITY IN LIGHT OF ENVIRONMENTAL OR OTHER PUBLIC WELFARE CONSIDERATIONS."

BICYCLE POLICY

THAT THE FIRST PARAGRAPH UNDER REQUIREMENTS BE REWRITTEN AS FOLLOWS: "CONSIDERATION WILL BE GIVEN TO CONSTRUCTION OF BICYCLE LANES ON ALL EXISTING ARTERIALS AND COLLECTOR STREETS."

THAT THE FIRST PARAGRAPH UNDER CONSTRUCTION STANDARDS BE REWRITTEN THE SAME AS UNDER THE SIDEWALK POLICY.

VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (BRYAN, CALDWELL, SHETLEY)

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY HILLIARD CALDWELL THAT THE TOWN STAFF BE DIRECTED TO PREPARE AN AMENDMENT TO THE TOWN CODE TO PROHIBIT BICYCLE RIDING ON THE SIDEWALK ON MAIN STREET BETWEEN GREENSBORO AND JONES FERRY, AND ON JONES FERRY BETWEEN MAIN STREET AND DAVIE ROAD, AND THAT A GENERAL POLICY ON BICYCLE RIDING ON SIDEWALKS BE REFERRED TO THE TRANSPORTATION ADVISORY BOARD FOR CONSIDERATION. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (KINNAIRD)

RESOLUTION COMMENDING DAVID MEDLOCK

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

A RESOLUTION COMMENDING DAVID MEDLOCK
Resolution No. 34/88-89

WHEREAS, David Medlock has served with great distinction as the news director of WCHL radio; and

WHEREAS, David has gained remarkable insights into the problems, personalities and priorities of Carrboro and nearby communities; and

WHEREAS, David has worked diligently to identify, understand, and articulate issues of concern to Carrboro, its elected officials and its citizens; and

WHEREAS, David has maintained a sense of humor, a sense of proportion, and common sense in the face of difficult odds as he has become a well-known celebrity throughout Orange County and its environs; and

WHEREAS, David has done his level best to ensure that local politicians follow in his footsteps in this regard; and

WHEREAS, The Board of Aldermen will now be left to face our late-night meetings without the comfort and knowledge that David is wide-awake at home, taking in our deliberations and sharing the agony of our decisions.

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

Section 1. The Mayor and Board of Aldermen commend and thank David Medlock for his outstanding service as WCHL's news director, community leader and political pundit.

Section 2. The citizens of Carrboro wish Mr. Medlock the best of success and happiness in the years ahead, and hope that he may grace their radio sets again at some time in the future.

Section 3. This resolution shall be spread upon the minutes of the Board of Aldermen and a copy thereof shall be delivered to David Medlock.

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 the 28th day of February, 1989:

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

Noes: None

Absent or Excused: Tom Gurganus

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION. VOTE: AFFIRMATIVE ALL.

Sarah C. Williamson
Town Clerk

Eleanor Kinnaird
Mayor