

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 4, 1989, at 7:30 p.m. in the Board Room of Town Hall.

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 JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF MARCH 28, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION COMMENDING

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

A RESOLUTION COMMENDING GEORGE RANDY BROWN
Resolution No. 41/88-89

WHEREAS, George Randy Brown has served as cameraman for t.v. coverage of the Carrboro Board of Aldermen's meetings since 1985; and

WHEREAS, Mr. Brown has helped to capture for our t.v. audience the problems and personalities of Carrboro for the past four years.

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

Section 1. The Mayor and Board of Aldermen commend Mr. Brown for his professionalism, patience and endurance while operating the t.v. camera during the Carrboro Board of Aldermen's meeting for Alert Cable T.V. during the past four years.

Section 2. The Board wishes Mr. Brown the best of success and happiness in his future endeavors.

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

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 4th day of April, 1989:

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

Noes: None

Absent or Excused: None

PROCLAMATION ISSUED

Mayor Kinnaird issued a proclamation proclaiming the week of April 23-29, 1989 as National Consumers Week in the Town of Carrboro.

CHARGE ISSUED

The Town Clerk issued a "charge" to Don Hanks, a recent appointee to the Appearance Commission.

TOWN COMMONS PROJECT

James Harris, Special Projects Coordinator, stated that as requested by the Board of Aldermen, members of the town staff, Town Attorney, Alderman Bryan and Mayor Kinnaird reviewed the Town Commons Project brochure and have addressed a list of issues that needed resolution before final approval could be given by the Board on the Town Commons Project.

Mr. Harris stated that the administration recommended adoption of a resolution endorsing the construction of the Town Commons Project and approval of the fund-raising brochure for printing.

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

A RESOLUTION ENDORSING THE CONSTRUCTION
OF THE TOWN COMMONS PROJECT
Resolution No. 40/88-89

WHEREAS, the Carrboro Board of Aldermen has previously authorized the Town Commons Task Force to solicit contributions necessary to finance the development of schematic drawings for the construction of a Town Commons project; and

WHEREAS, the Board now wishes to formally endorse and authorize the construction of this project, subject to certain conditions and in accordance with the requirements set forth in this resolution.

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

Section 1. The Board endorses and agrees to construct a Town Commons Project subject to and in accordance with the remaining provisions of this resolution.

Section 2. The Town Commons Project shall consist of the following phases:

- Phase I Design phase, including schematic drawings and construction plans and bidding documents
- Phase II Preparation of the Town Commons site (the ball field located adjacent to the Town Hall)
- Phase III Construction or installation of landscaping and park amenities.
- Phase IV Construction of the Farmers Market structures
- Phase V Construction of the bandstand
- Phase VI Amenities (Other)

Section 3. This project is intended to be financed solely by voluntary contributions made to, or intergovernmental grants received by, the Town of Carrboro for the specific purpose of constructing a Town Commons Project.

Section 4. No work on any phase of this project shall be commenced until the town has in hand all funds reasonably expected to be required to complete the work on that phase.

Section 5. Work on this project shall proceed according to the phasing order indicated in Section 2, except that construction of the bandstand (Phase V) may begin before construction of the farmers market structures (Phase IV), if sufficient restricted contributions intended solely for the construction of the bandstand are received so that all funds reasonably expected to be required to complete Phase V are in hand before the town has accumulated all the necessary funds for the completion of Phase IV.

Section 6. The town will accept either restricted or unrestricted contributions or grants. Restricted contributions shall be used by the town only to support the phase or phases that the contributor or grantor intended to support. Unrestricted contributions may be used on any phase, but shall be applied as received to each successive phase for purposes of determining whether each phase has been fully funded (and therefore whether construction of that phase may begin).

Section 7. The town shall have in hand all funds reasonably deemed necessary to complete all phases of the Town Commons Project within three years from the effective date of this resolution. If at the end of that period the funds reasonably deemed necessary to complete any of the phases of the project have not been obtained by the town, the town may (i) scale down the unconstructed phases so as to be able to complete construction of the scaled down project with available funds, (ii) extend the fund raising deadline; (iii) seek funding from additional sources; or (iv) consider any other legally available option.

Section 8. 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 4th day of April, 1989:

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 JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE BROCHURE BE APPROVED FOR PRINTING WITH THE FOLLOWING CHANGES: (i) THAT PARAGRAPH TWO BE AMENDED TO READ, "ALL CONTRIBUTIONS ARE TAX DEDUCTIBLE AND WILL BE USED ONLY FOR THE TOWN COMMONS PROJECT." AND (ii) THAT THE WORD "CONTRIBUTORS" IN PARAGRAPH THREE BE CHANGED TO "CONTRIBUTIONS". VOTE: AFFIRMATIVE ALL

REPLACEMENT OF TOWN VEHICLE

Larry Gibson, Assistant Town Manager, stated that one of the town's vehicles, a 1987 Chevrolet Cavalier, suffered irreparable damage in a motor vehicle accident on March 6, 1989. The insurance for the driver who caused the accident has agreed to consider the town's vehicle a total loss and will pay the town \$6,900. A new 1989 Chevrolet Cavalier purchased on state contract will cost the town \$8,175.

Mr. Gibson stated that the administration requested adoption of a budget ordinance amendment transferring \$1,275 from contingency to cover the cost of replacing this town vehicle.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'88-89 BUDGET ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

REVISED STAFF REPORT/REMOVAL OF 400-FOOT RURAL BUFFER

Ann Weeks, Senior Planner, stated that the staff report describing Carrboro's request to amend the Joint Planning Land Use Plan Map had been changed since the presentation to the Board of Aldermen on March 28, 1989. Ms. Weeks presented the revised report and explained the changes. Ms. Weeks stated that this request will be heard at the joint public hearing on April 6, 1989 at 7:30 p.m. at Phillips Junior High School.

(No action was taken by the Board on this matter.)

REPORT ON PTA THRIFT SHOP CONDITIONAL USE PERMIT REQUEST

Mr. Morgan stated that the town staff had prepared a memorandum outlining the town's concerns about the project and the architect for the PTA Thrift Shop had picked that memorandum up on Friday, March 31st. The town staff discussed with the Planning Board and Appearance to determine whether they would agree to review this project at their mid-month meeting in April. Both boards agree to consider the request at that time. The architect would need to respond to the town's concerns by April 5th in order for the Planning Board and Appearance Commission to review the project in April. If that takes place, the soonest the matter could be brought to public hearing before the Board of Aldermen would be the May 9th meeting.

Sarah Hammon, representing the PTA Thrift Shop, stated that she appreciated the town's attention to this matter.

REQUEST FOR EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION

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

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

Dean J. Howard
Mayor