

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 2, 1989, at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor G. 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 JUDITH WEGNER THAT THE MINUTES OF APRIL 25, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

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PRESENTATION OF MANAGER'S 1989-90 BUDGET

Mr. Morgan presented his proposed budget for Fiscal 1989-90 and requested that a public hearing be set for May 23, 1989 to receive citizen comments on the proposed budget.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT A PUBLIC HEARING BE SET FOR MAY 23, 1989. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to hold budget worksessions on May 18th and June 1st.

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RESPONSE TO POSTAL SERVICE'S PROPOSAL TO PURCHASE A PORTION OF THE WESTWOOD CEMETERY PROPERTY

James Harris, the town's Special Projects Coordinator, stated that the U.S. Postal Service has responded to the town's offer to sale of two acres of the Westwood Cemetery property by submitting to the town an offer of sale agreement.

Mr. Harris stated that the administration recommended that the two acres be sold to the Postal Service with the following modifications to the original proposal:

1) That only the original two acres be sold to the Postal Service at a cost of \$5.51 per square foot, contingent upon confirmation by a review appraisal;

2) That Postal Service would be asked to restrict trucks from using Davie Road from Jones Ferry Road to Fidelity Street; and

3) That driveway access will not be allowed from Davie Road to the new post office site.

Mike Brough stated that the administration recommended the following additional modification to the original proposal:

4) That to ensure maximum protection to the remaining cemetery property and surrounding properties, the Postal Service agrees to comply with all requirements of the Carrboro Land Use Ordinance applicable to B-3 property used for post office purposes, and further agrees that it will submit plans to the town that will be reviewed by the town as if the Postal Service were submitting a request for a conditional use permit for a post office. In the course of this review, the Postal Service shall

consult with the town in a good faith effort to reach agreement with the town on an acceptable design for the project.

Mr. Brough also suggested that a two-foot strip of land remain in ownership of the town connecting the remaining cemetery property with the 30-foot strip retained to provide access to the Firemen's Hut.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE TOWN OFFER TO SELL THE TWO ACRES OF WESTWOOD CEMETERY PROPERTY TO THE POSTAL SERVICE WITH THE FOLLOWING MODIFICATIONS TO THE OFFER TO SELL:

- a. That only the original two acres be sold to the Postal Service at a cost of \$5.51 per square foot, contingent upon confirmation by a review appraisal.
- b. To ensure maximum protection to the remaining cemetery property and surrounding properties, the Postal Service agrees to comply with all requirements of the Carrboro Land Use Ordinance applicable to B-3 property used for post office purposes, and further agrees that it will submit plans to the town that will be reviewed by the town as if the Postal Service were submitting a request for a conditional use permit for a post office. In the course of this review, the Postal Service shall consult with the town in a good faith effort to reach agreement with the town on an acceptable design for the project.
- c. Driveway access will not be allowed from Davie Road to the new post office site.
- d. That a two-foot strip of land remain in ownership of the Town of Carrboro connecting the remaining cemetery property with the 30-foot strip retained to provide access to the Firemen's Hut.

VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (KINNAIRD)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE TOWN ADMINISTRATION INFORM THE POSTAL SERVICE THAT AT THE TIME THE CONDITIONAL USE PERMIT IS REVIEWED, THAT THE BOARD WILL REQUEST THAT POSTAL SERVICE RESTRICT TRUCKS FROM USING DAVIE

ROAD FROM JONES FERRY ROAD TO TO FIDELITY STREET. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GURGANUS)

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REVISIONS TO CHAPTER 13 (CEMETERIES) OF THE TOWN CODE

Chris Peterson, Public Works Director, stated that the Public Works Department, Cemetery Commission and Town Attorney had reviewed Chapter 13 of the Town Code dealing with cemeteries and recommend several changes. Mr. Peterson explained the proposed changes.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 13 OF THE TOWN CODE (CEMETERIES)" BE ADOPTED. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (BRYAN, KINNAIRD, CALDWELL)

Mike Brough informed the Board that this ordinance would require a second reading due to the fact that it failed to receive an affirmative vote of two-thirds of the Board membership on first reading.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE BOARD'S CONCERNS ABOUT THE EXPENSES ASSOCIATED WITH THE NEW ORDINANCE PROVISIONS BE REFERRED TO THE CEMETERY COMMISSION, AND THAT ANY RECOMMENDATIONS THE CEMETERY COMMISSION SHOULD HAVE

FOR CHANGES BE BROUGHT BACK BEFORE THE BOARD OF ALDERMEN FOR CONSIDERATION. VOTE: AFFIRMATIVE ALL

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RESOLUTION REQUESTING AN APPOINTMENT TO THE PLANNING BOARD

Robin Lackey, Chair of the Planning Board, requested the Board adopt a resolution recommending the Orange County Board of Commissioners appoint Mickey Edwards to the vacant out-of-town seat on the Planning Board.

The following resolution was introduced by Alderman Judith Wegner and duly seconded by Alderman Randy Marshall.

A RESOLUTION REQUESTING AN APPOINTMENT TO THE EXTRATERRITORIAL SEAT ON THE CARRBORO PLANNING BOARD  
Resolution No. 49/88-89

WHEREAS, as a result of the expiration of a term, it is necessary to appoint a person to a seat reserved on the Carrboro Planning Board for persons residing within the town's extraterritorial planning jurisdiction; and

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint extraterritorial members to the town's Planning Board.

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

Section 1. The Orange County Board of Commissioners is respectfully requested to appoint Ms. Mickey Edwards, 103 Bennington Drive, Chapel Hill, N.C. 27516, to the out-of-town seat expiring in February, 1992.

Section 2. If the Orange County Board of Commissioners fails to appoint persons willing to serve in the capacity described above within 90 days after receiving this resolution, then the Carrboro Board of Aldermen may make this appointment.

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 2nd day of May, 1989:

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

Noes: None

Absent or Excused: None

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EXECUTIVE SESSION

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

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

George J. Howard  
Mayor

Samuel C. Williamson  
Town Clerk