

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 9, 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 HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF MAY 2, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

STREET BOND IMPROVEMENTS PROJECT

Dave Griffiths, a resident of North Greensboro Street, made the the Board aware that what the town had approved in connection with the street bond improvements project might not be what the N.C. Department of Transportation plans to do on North Greensboro Street. Mr. Griffiths stated that D.O.T. had decided that the plans would need to be revised at his property in order to move a drainage pipe, which was not shown on the plans approved by the town.

The Board requested that the town staff continue to monitor this project very closely.

REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT DEALING WITH SETBACKS IN THE R-R ZONE ADJACENT TO COUNTY PUBLIC INTEREST DISTRICT

On April 25, 1989, the Board of Aldermen requested the town staff pursue a land use ordinance text amendment to require an undisturbed vegetative setback along R-R property boundaries adjacent to Duke Forest properties designated PID on the Joint Planning Land Use Plan. An ordinance reflecting the administration's recommendation was presented.

The administration requested that a public hearing be scheduled for May 23, 1989 on this proposed amendment.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JUDITH WEGNER THAT A PUBLIC HEARING BE SCHEDULED FOR MAY 23, 1989. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO DESCRIBE THE CONSTRUCTION PLAN APPROVAL PROCESS AND PROCESS FOR STREET ACCEPTANCE BY THE TOWN

As a result of the ongoing process of working on revised versions of Appendix C of the Land Use Ordinance, the Zoning staff comments have indicated a need to clarify the text of the ordinance dealing with the construction plan approval process and the procedure for the acceptance of new streets by the town. An ordinance clarifying these processes was presented. The administration requested that a public hearing be set for June 6, 1989 to consider these proposed amendments.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT A PUBLIC HEARING BE SET FOR JUNE 6, 1989. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/DURHAM-CHAPEL HILL-CARRBORO URBANIZED AREA THOROUGHFARE PLAN

The administration recommended that the Board of Aldermen set a public hearing for June 6, 1989 to hear comments on the proposed Durham-Chapel Hill-Carrboro Urbanized Area Thoroughfare Plan. In addition, the administration requested authorization to send copies of the thoroughfare plan reports to the local news media, as well as to all homeowners' associations, neighborhood groups and identifiable community organization in the area in preparation for this public hearing.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JUDITH WEGNER THAT A PUBLIC HEARING BE SET FOR JUNE 6, 1989 AND THAT THE ADMINISTRATION BE AUTHORIZED TO DISTRIBUTE COPIES OF THE THOROUGHFARE PLAN REPORT. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

James Harris, Special Projects Coordinator, stated that this public hearing was scheduled to present the 1989 application for Community Development funds, but due to the fact that the town staff had been unable to complete close-out of the 1988 grant, the 1989 application could not be submitted.

(No action was taken on this matter.)

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO ALLOW PENNANTS ADVERTISING FUNCTIONS CONDUCTED BY GOVERNMENTAL OR NON-PROFIT AGENCIES TO BE DISPLAYED WITHIN PUBLIC RIGHTS-OF-WAY WHEN AUTHORIZED BY THE BOARD OF ALDERMEN

Roy Williford, Planning Director, stated that the Chapel Hill-Carrboro Downtown Commission Corp. is seeking the ability to hang pennants advertising various events over the public rights-of-way. The Land Use Ordinance currently prohibits such pennants, and a text amendment is necessary to allow them. The proposed text amendment would exempt from our sign ordinance pennants, flags and insignia of governmental and non-profit organizations which are displayed to advertise functions, so long as they are not hung in connection with commercial promotions. Mr. Williford stated that the administration recommended adoption of the proposed amendment.

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

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ALLOW PENNANTS ADVERTISING FUNCTIONS CONDUCTED BY GOVERNMENTAL OR NON-PROFIT AGENCIES TO BE DISPLAYED WITHIN PUBLIC RIGHTS-OF-WAY WHEN AUTHORIZED BY THE BOARD OF ALDERMEN," BE ADOPTED. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Judith Wegner and duly seconded by Tom Gurganus.

A RESOLUTION AUTHORIZING THE CHAPEL HILL-CARRBORO DOWNTOWN COMMISSION CORPORATION PERMISSION TO HANG PENNANTS ALONG WEAVER AND MAIN STREETS
Resolution No. 50/88-89

WHEREAS, the Chapel Hill-Carrboro Downtown Commission Corporation is requesting authority to hang three (3) to five (5) pennants along portions of Weaver and Main Streets in front of Carr Mill Mall from May 15, 1989 to May 22, 1989; and

WHEREAS, the pennants will not be displayed in connection with a commercial promotion; and

WHEREAS, the Chapel Hill-Carrboro Downtown Commission Corporation is a non-profit corporation; and

WHEREAS, Subsection 15-272(4) of the Carrboro Land Use Ordinance allows a non-profit organization to hang pennants authorized by a resolution adopted by the Board of Aldermen.

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

Section 1. The Chapel Hill-Carrboro Downtown Commission Corporation is hereby authorized to hang three (3) to five (5) pennants along portions of Main and Weaver Streets in the vicinity of Carr Mill Mall.

Section 2. The pennants shall be authorized to hang in this vicinity from May 15, 1989 to May 22, 1989 in support of the "Arts Downtown Festival."

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 9th 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

REQUEST TO ESTABLISH A MUNICIPAL SERVICE DISTRICT

James Harris, Special Projects Coordinator, stated that the Downtown Development Commission had sent out a survey to 336 downtown property and business owners asking whether a tax district to support the efforts of the Chapel Hill-Carrboro Downtown Development Commission Corp. was needed and whether the business people would be willing to pay for such a service district tax. Mr. Harris stated that there were 71 responses to the survey, 60 of the responses stated that they would not support such a tax district.

Gary Phillips, Chair of the Downtown Development Commission, stated that the Commission did not recommend the establishment of a municipal service district, but that the Commission would like to continue working with the Chapel Hill-Carrboro Downtown Commission Corp.

Joe Hakan stated that he would like to continue a joint working relationship with the Town of Carrboro.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE BOARD DECLINE TO PROCEED WITH THE ESTABLISHMENT OF A MUNICIPAL SERVICE DISTRICT AND REQUEST THE TOWN STAFF AND DOWNTOWN DEVELOPMENT COMMISSION TO WORK WITH THE CHAPEL HILL-CARRBORO DOWNTOWN COMMISSION CORP. DURING THE NEXT TWO TO THREE WEEK TO EXPLORE ALTERNATIVE PROPOSALS RELATING TO DOWNTOWN ACTIVITIES. VOTE: AFFIRMATIVE ALL

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BUDGET RECOMMENDATIONS FROM HUMAN SERVICES COMMISSION

Maribel Carrion, Chair of the Human Services Commission presented a report from the Human Services Commission on its recommendations for funding for Fiscal 1989-90.

Susan Levine, Vice-Chair of the Human Services Commission, presented a report on why Carrboro should continue supporting human services. Ms. Levine stated that the Board of Aldermen should carefully consider the town's relation to human service needs. That eliminating human services contracts from the budget would send a negative message to the town's residents and neighbors as well. If Carrboro ceases its human service grants, the motivation to provide service directly to Carrboro citizens will be diminished as would the town's standing as a full partner in area civic and development efforts.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE HUMAN SERVICES COMMISSION REPORT BE ACCEPTED, AND THAT THE BOARD CONVEY ITS APPRECIATION TO THE COMMISSION FOR ITS WORK IN PUTTING TOGETHER ITS RECOMMENDATIONS. VOTE: AFFIRMATIVE ALL

REQUEST TO SET BUDGET WORKSESSION SCHEDULE

The administration requested the Board consider adopting the following budget worksession schedule:

May 18th

Five-Year Plan - CIP
Public Works
Recreation
Transportation
Planning & Zoning

June 1st

Police
Fire
Governance
Administrative Services
Town Manager
Town Clerk

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE BUDGET WORKSESSION SCHEDULE BE ADOPTED AS PROPOSED. VOTE: AFFIRMATIVE ALL

REVISIONS TO CHAPTER 13 (CEMETERIES) OF THE TOWN CODE

The Board of Aldermen at its meeting held on May 2, 1989, adopted on first reading an ordinance amending Chapter 13 of the Town Code dealing with cemeteries. Because the ordinance did not receive an affirmative vote of two-thirds of the Board membership, a second reading was required for the ordinance to become effective.

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

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE CEMETERY COMMISSION REVIEW THE EXPENSE RELATED TO BURIAL IN GENERAL AND SPECIFICALLY THE MAKE-UP OF MARKERS, THE TIMING OF PLACEMENT OF MARKERS, THE USE OF LINERS, REPAIR OF MONUMENTS, THE REQUIREMENT OF IN-CEMETERY BURIAL AND OTHER MATTERS RELATING TO REQUESTS FOR FINANCIAL ASSISTANCE WITH BURIALS. IN ADDITION,

THAT THE CEMETERY COMMISSION REVIEW THE HEIGHT OF MONUMENTS AND THE POSSIBLE NEED FOR AESTHETIC CONSIDERATIONS ON HOW MONUMENTS ARE DESIGNED. VOTE: AFFIRMATIVE ALL

IMPLEMENTATION OF RESULTS OF WATERSHED STUDY

Alderman Wegner requested that the Board consider how to proceed with the recommendations contained in OWASA's University Lake Watershed Study.

It was the consensus of the Board to delegate Alderman Wegner to draft a proposal for the Board's consideration on May 16, 1989.

EXECUTIVE SESSION

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

There being no further business, the meeting was adjourned.

Carol C. Williamson
Town Clerk

Henry J. Kinard
Mayor