

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 13, 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 B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF JUNE 6, 1989 BE APPROVED WITH THE CORRECTION THAT ALDERMAN CALDWELL INTRODUCED BY THE RESOLUTION SENDING REGRETS TO THE FAMILY OF ORVILLE CAMPBELL. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

CHARGE ISSUED TO BOARD APPOINTEE

The Town Clerk issued a "charge" to Elise Sloan, a recent appointee to the Board of Adjustment.

\*\*\*\*\*

REQUEST FOR RECONSIDERATION OF POST OFFICE SITE

Bob Proctor requested that the Board reconsider its decision to sell a portion of the Westwood Cemetery property to the postal service on which to build a post office. Mr. Proctor stated that a post office at this location will permanently detract from the Fidelity Street neighborhood. Mr. Proctor requested that the Board consider appointing a committee to discuss alternative locations.

Andy Bear expressed concern over increased traffic in the Fidelity Street neighborhood and the number of trees that would have to be cut down.

Julie Sanders expressed concern over the increased traffic, felt that a post office was not an appropriate use next to a cemetery and stated that she felt that this natural area should be retained.

Mr. Morgan informed the Board that the town had not received a response from the postal service on the town's offer to sell the land.

\*\*\*\*\*

REQUEST TO SET PUBLIC HEARING/REZONING OF 2.232 ACRES LOCATED AT SMITH LEVEL ROAD AND ROCK HAVEN ROAD FROM B-3 TO R-10

The town is initiating a rezoning of a 2.232-acre parcel described on Tax Map 122, Block A, Lot 5, located at the northwest corner of the intersection of Smith Level Road and Rock Haven Road. The current zoning is B-3. The proposed zone is R-10.

Mr. Morgan stated that the administration recommended that setting a public hearing on this matter be delayed until the town staff develops a revised project schedule for consideration by the Agenda Planning Committee.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY TOM GURGANUS THAT SETTING A PUBLIC HEARING ON THIS MATTER BE POSTPONED UNTIL

THE AGENDA PLANNING COMMITTEE MAKES A RECOMMENDATION ON A PROJECT SCHEDULE. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO ALLOW FINAL PLAT APPROVAL BY THE TOWN MANAGER

The Land Use Ordinance currently requires that final plats for major subdivisions be approved by the Board of Aldermen. This requirement has meant that Board time has been used for administrative approvals. The town staff would like to streamline the process by allowing an administrative approval for final plats unless there are issues that warrant Board review.

The administration recommended that a public hearing be set for June 27, 1989 to receive citizen comments on a proposed ordinance amendment.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT A PUBLIC HEARING BE SET FOR JUNE 27, 1989. VOTE: AFFIRMATIVE ALL.

\*\*\*\*\*

REQUEST BY SOUTH ORANGE RESCUE SQUAD

The Board of Aldermen at its meeting on June 6, 1989, received a request from South Orange Rescue Squad asking that the town oppose the fee being proposed by Orange County for rescue squad services.

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Tom Gurganus.

A RESOLUTION OPPOSING ORANGE COUNTY'S PROPOSED  
EMERGENCY MEDICAL SERVICES FEE  
Resolution No. 57/88-89

WHEREAS, the South Orange Rescue Squad appeared before the Board of Aldermen on June 6, 1989, requesting that the Town of Carrboro oppose the emergency medical services fee being proposed by the Orange County Board of Commissioners; and

WHEREAS, the Board of Aldermen has reviewed the information contained in Orange County's Fee Study and feel that the fee would be detrimental to the current utilization of volunteer services associated with the South Orange Rescue Squad.

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

Section 1. The Board of Aldermen hereby expresses its opposition to the proposed emergency medical services fee and would encourage the Orange County Board of Commissioners to reject the proposed fee.

Section 2. A copy of this resolution shall be forwarded to the Orange County Board of Commissioners.

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 13th day of June, 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 FRANCES SHETLEY AND SECONDED BY JUDITH WEGNER THAT A COVER LETTER FROM THE MAYOR BE SENT TO THE ORANGE COUNTY BOARD OF COMMISSIONERS STATING THAT IF THE COMMISSIONERS INTEND TO PROCEED FURTHER WITH CONSIDERATION OF THE PROPOSED FEE, THAT CITIZEN INPUT BE OBTAINED, AND THAT A THOROUGH STUDY OF THE MATTER BE MADE BEFORE THE FEE IS IMPLEMENTED. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

REPORT ON CLARIFICATION OF RIGHT-OF-WAY REQUIREMENTS FOR CLEO PERRY PROPERTY

Chris Peterson, Public Works Director presented a report clarifying the right-of-way requirements for the Cleo Perry property relating to the street bond improvements project.

The administration recommended that the Board appoint a representative to meet with N.C. DOT officials, Mrs. Perry and Chris Peterson to answer the concerns raised by Mrs. Perry.

Jim Dunlop, the town's Transportation Planner, stated that right-of-way information provided to the Board was available at the public meeting held on October 12, 1988 and at the October 25, 1988 public hearing.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT ALDERMAN BRYAN BE THE BOARD'S LIAISON TO MEET WITH N.C. DOT OFFICIALS, CHRIS PETERSON AND MRS. PERRY TO ANSWER THE CONCERNS RAISED BY MRS. PERRY. VOTE: AFFIRMATIVE ALL

Cleo Perry reviewed her interactions with N.C. DOT officials concerning right-of-way acquisition from her.

\*\*\*\*\*

REPORT FROM DOWNTOWN PLAN COMMITTEE OF THE CHAPEL HILL-CARRBORO DOWNTOWN COMMISSION CORP.

Work statement number five of the Service Agreement between the town and the Chapel Hill-Carrboro Downtown Commission stated that the Commission would develop a conceptual plan showing long-term goals for various commercial uses and the parking required for those uses. The Downtown Plan Committee of the Chapel Hill-Carrboro Downtown Commission has provided a planning document which lists civic concerns.

John Gurlitz, Chair of the Downtown Plan Committee of the Chapel Hill-Carrboro Downtown Commission Corp., stated that his committee had developed the following value statements:

1. We should foster a stimulating, human-scaled, environment and enable our downtowns to mature with vitality;

2. The symbiotic relationship between our towns and UNC-Chapel Hill needs to be maintained and nourished to support a public social, cultural and economic life in our town centers;

3. We should recognize opportunities for solid, careful growth and watchful for sites, plantings or buildings worthy of conservation.

Mr. Gurlitz discussed these three value statements and presented a schematic land use map and conceptual development plan.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE REPORT BE ACCEPTED AND REFERRED TO THE DOWNTOWN DEVELOPMENT COMMISSION, PLANNING BOARD AND TRANSPORTATION ADVISORY BOARD FOR REVIEW, COMMENT AND RECOMMENDED ACTION. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

DOWNTOWN DEVELOPMENT COMMISSION REPORT ON USE OF FUNDS  
APPROPRIATED IN 1989-90 BUDGET

Gary Phillips, Chair of the Downtown Development Commission, stated that the Downtown Development Commission recommended that the \$7,500 in the 1989-90 town budget be used in the following manner:

- a. To support the Trolley, the Commission recommends that a matching grant of up to \$5,000 be provided to the Chapel Hill-Carrboro Downtown Commission Corp. The matching money is to be provided by the Carrboro business owners. The Chapel Hill-Carrboro Downtown Commission Corp. is responsible for identifying and soliciting the private contributions.
- b. The remaining \$2,500 would be retained by the Carrboro Downtown Development Commission to provide for downtown promotional events in Carrboro.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE RECOMMENDATION OF THE DOWNTOWN DEVELOPMENT COMMISSION BE ACCEPTED. VOTE: AFFIRMATIVE THREE, NEGATIVE FOUR (GURGANUS, CALDWELL, SHETLEY, BRYAN)

\*\*\*\*\*

BUDGETARY REPORT ON LANDFILL

Mr. Morgan presented information concerning the cost and funding of the Solid Waste Task Force recommendations and the operation of the landfill. Mr. Morgan requested that the Board appoint a member of the Board of Aldermen to act as Carrboro's representative on the Regional Solid Waste Task Force and the Landfill Users Group, and that this representative and the town staff work on those items in the work plan proposed by the Regional Solid Waste Task Force.

Bruce Heflin, Public Works Director for the Town of Chapel Hill, answered questions from Board members concerning recycling.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT ALDERMAN TOM GURGANUS BE APPOINTED AS CARRBORO'S REPRESENTATIVE ON THE REGIONAL SOLID WASTE TASK FORCE AND LANDFILL USERS GROUP. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT ALDERMAN GURGANUS AND THE TOWN STAFF BE AUTHORIZED TO WORK ON THOSE ITEMS IN THE WORK PLAN PROPOSED BY THE REGIONAL SOLID WASTE TASK FORCE. VOTE: AFFIRMATIVE ALL

The Board expressed its thanks to Alderman Wegner for her hard work and effort while serving as Carrboro's representative on the Regional Solid Waste Task Force and Landfill Users Group.

\*\*\*\*\*

SUPPLEMENTAL MUNICIPAL AGREEMENT FOR PROJECT U-2002

Chris Peterson, Public Works Director, stated that the N.C. Dept. of Transportation is offering to construct sidewalks along one side of the three state-maintained streets designated for road improvements under Project U-2002. The sidewalks would be constructed in the following locations:

- a. North side of North Greensboro Street
- b. North side of Hillsborough Road
- c. South side of West Main Street

The Town of Carrboro will be assessed for 100% of the costs associated with the installation of the sidewalks. The total estimated cost is \$126,940.

Mr. Peterson stated that the administration recommended adoption of a resolution authorizing the town to enter into a Supplemental Municipal Agreement with the N.C. Dept. of Transportation to add the construction of these sidewalks to Project U-20022.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT SIDEWALKS ON THESE THREE STREETS BE CONSTRUCTED NEXT TO THE CURB. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (MARSHALL, WEGNER)

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

A RESOLUTION APPROVING A SUPPLEMENT ADDING SIDEWALKS TO  
PROJECT 8.1500701 (U-2002) AND AUTHORIZING THE MAYOR AND CLERK  
TO EXECUTE THE SUPPLEMENTAL MUNICIPAL AGREEMENT WITH  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
Resolution No. 58/88-89

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Project 8.1500702, Orange County, said plans consisting of the widening of SR 1010 (West Main Street) from NC 54 to SR 1009 (Hillsborough Road); SR 1009 from Lorraine Street to SR 1010; SR 1772 (North Greensboro Street) from SR 1009 to SR 1780 (Estes Drive) in Carrboro to include curb and gutter and bike lanes under Project 8.1500701; and

WHEREAS, the Department and the Municipality now wish to amend the Agreement to add provisions for the installation of sidewalks along the project subject to 100% reimbursement by the Municipality to the Department in one lump-sum payment upon completion of the work.

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

Section 1. That a supplement adding sidewalks to Project 8.1500701, Orange County, is hereby formally approved by the Board of Aldermen of the Municipality of Carrboro and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Supplemental Municipal Agreement with the Department of Transportation.

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 13th day of June, 1989:

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

Noes: None

Absent or Excused: None

\*\*\*\*\*

#### AWARD OF CONTRACT FOR AUDIT

Larry Gibson, Assistant Town Manager, stated that during fiscal year 1986-87, the town solicited proposals for a three-year contract to perform the annual financial audit. The contract was awarded to Deloitte, Haskins & Sells. The proposed fee for FY' 88-89 was \$11,500. A separate fee is paid each year for services related to the single audit. Deloitte, Haskins & Sells are

proposing a fee of \$5,000 for the single audit portion of the FY'88-89 audit.

Mr. Gibson stated that the administration recommended that the Board approve a contract with Deloitte, Haskins & Sells to perform the 1988-89 audit for a fee of \$11,500 and work related to the single audit for a fee of \$5,000.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE CONTRACT FOR THE 1988-89 AUDIT BE AWARDED TO DELOITTE, HASKINS & SELLS FOR A FEE OF \$11,500 AND \$5,000 FOR THE SINGLE AUDIT. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

BUDGET AMENDMENT

Larry Gibson, Assistant Town Manager, stated that this year's budget for non-departmental expenditures includes funds for merit increases. Mr. Gibson presented a budget amendment transferring these funds to the various departments as needed for salaries and benefits. In addition, the 1988-89 budget includes \$5,000 in funds for unanticipated expenses associated with our contract for legal services. The budget amendment would transfer these funds into the legal services account to cover recently incurred legal fees.

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. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

INCREASE IN FIREWORKS DISPLAY

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT THE BUDGET FOR THE FIREWORKS DISPLAY BE INCREASED BY \$336. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

REQUEST FOR STATUS REPORT ON CONDITIONAL USE PERMITS FOR QUARTERPATH TRACE AND CHESWICK

It was the consensus of the Board to request that the town staff present a status report on the conditional use permits for Quarterpath Trace and Cheswick prior to the Board's summer break.

\*\*\*\*\*

APPOINTMENT TO STEERING COMMITTEE TO CONSIDER THE FORMATION OF A NON-PROFIT HOUSING CORPORATION FOR ORANGE COUNTY

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT ALDERMAN CALDWELL AND JACKIE GIST BE APPOINTED TO THE STEERING COMMITTEE TO CONSIDER FORMING A HOUSING CORPORATION FOR ORANGE COUNTY. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

REQUEST FOR STATUS REPORT ON SALE OF WATER TO HILLSBOROUGH AND ORANGE COUNTY'S PROPOSED UTILITY SERVICE DISTRICT

It was the consensus of the Board to request that the town staff present a report at the June 27th meeting on the sale of water to Hillsborough and Orange County's proposed utility service district. The Board also requested that the town's representatives on the OWASA Board of Directors be requested to attend the Board's meeting on June 27th.

\*\*\*\*\*

EXECUTIVE SESSION

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE BOARD GO INTO EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

ATTORNEY'S CONTRACT FOR FISCAL 1989-90

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE ATTORNEY'S CONTRACT FOR 1989-90 BE APPROVED FOR A TOTAL COST OF \$52,800. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

TOWN MANAGER'S SALARY FOR FISCAL 1989-90

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE TOWN MANAGER'S SALARY BE GRANTED A 5% MARKET ADJUSTMENT AND A 5% MERIT INCREASE FOR A TOTAL OF \$59,412 FOR FISCAL 1989-90. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

There being no further business, the meeting was adjourned.

Jack C. Williamson  
Town Clerk

Henry J. Kinward  
Mayor