

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 20, 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 (arrived at 7:35 p.m.)
	Jay Bryan
Town Manager	Robert Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Bob Hagemann (sitting in for Mike Brough)

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY FRANCES SHETLEY THAT THE MINUTES OF JUNE 13, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

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RESOLUTION OF APPRECIATION/PERFORMANCE BIKE SHOP

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

A RESOLUTION EXPRESSING THE TOWN OF CARRBORO'S APPRECIATION  
TO PERFORMANCE BIKE SHOP FOR DONATING TO THE TOWN  
\$300.00 WORTH OF BICYCLE HELMETS  
Resolution No. 61/88-89

WHEREAS, Performance Bike Shop has generously donated to the Town of Carrboro \$300.00 worth of bicycle helmets to aid the Recreation and Parks Department; and

WHEREAS, these helmets have been specifically earmarked for introducing and educating the town's special population groups in the use of bicycles for transportation and leisure; and

WHEREAS, Performance Bike Shop's donation will enhance this effort and increase the safety of such endeavors.

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

Section 1. On behalf of the Town of Carrboro and its citizens, the Board of Aldermen hereby expresses its sincere thanks and gratitude to Performance Bike Shop for their generous donation to the town.

Section 2. This resolution shall be spread upon the official minutes of the Board of Aldermen and a copy thereof shall be delivered to Performance Bike Shop.

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 20th day of June, 1989:

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

Noes: None

Absent or Excused: Judith Wegner

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RESOLUTION COMMENDING MISS VINNIE PARTIN

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Frances Shetley.

A RESOLUTION COMMENDING MISS VINNIE PARTIN  
Resolution No. 60/88-89

WHEREAS, Miss Vinnie Partin has been a resident of Carrboro for 79 years and is affectionately known as "Miss Vinnie"; and

WHEREAS, Miss Vinnie celebrated her 90th birthday on May 10, 1989, at the Carrboro Baptist Church with a full house of admirers; and

WHEREAS, Miss Vinnie's life of growing up in Carrboro has been partially described in two books, one entitled, "Working Lives: The Southern Exposure History of Labor in the South"; and

WHEREAS, Miss Vinnie was 12 years old when she first went to work in a Burlington mill; and

WHEREAS, Miss Vinnie worked in the Hosiery Mill in Carrboro where she knew everybody, and everyone thought the world of her; and

WHEREAS, as an adult she has raised a magnificent family, all of whom are proud of her and her independence, and has, among other triumphs, saved the house she lives in from collapse and destruction, and been a founding member of the Friends of Old Carrboro; and

WHEREAS, Miss Vinnie now tends her yard and raises the prettiest azaleas and roses in Carrboro; and

WHEREAS, Miss Vinnie is a true neighbor to all who live around her and to this day will make herself available in any way she can to assist others; and

WHEREAS, Miss Vinnie's cheerful outlook epitomizes the spirit of Carrboro.

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

Section 1. On behalf of the Town of Carrboro and its citizens, the Board of Aldermen hereby wishes Miss Vinnie a very happy, though belated, birthday, and expresses its sincere thanks and gratitude for her spirit and life, and the joy she has brought to our community.

Section 2. A copy of this resolution shall be spread upon the official minutes of the Board of Aldermen and a copy thereof shall be delivered to Miss Vinnie.

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 20th day of June, 1989:

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

Noes: None

Absent or Excused: Judith Wegner

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PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO CREATE HISTORIC AND NEIGHBORHOOD PRESERVATION DISTRICT OVERLAY ZONES AND TO CREATE HISTORIC AND NEIGHBORHOOD PRESERVATION DISTRICT COMMISSIONS

Ann Weeks, the town's Senior Planner, stated that the Historic Preservation Task Force has written a new section of the Land Use Ordinance that would create the zoning overlay districts necessary in order to establish an historic district and neighborhood preservation district, create two commissions to review developments in those districts, and make changes to the Land Use ordinance concerning flag lots. Ms. Weeks explained the proposed ordinance.

Ms. Weeks stated that the Planning Board and Appearance Commission reviewed the proposed ordinance amendments and have recommended some changes to the text as proposed. The Planning staff and town attorneys are also proposing some changes be made to the proposed ordinance.

Jane Hamborsky, Chair of the Historic Preservation Task Force, explained the reasons for the proposed ordinance.

Robin Lackey, Chair of the Planning Board, stated that the Planning Board recommended approval of the proposed ordinance with the following changes:

- a. That Section 150-160.2 be deleted;
- b. Amend Subsection 15-332(b) to add the following sentence: "These rules of procedure must be approved by the Board of Aldermen in order to be effective".
- c. Rewrite Subsection 15-332(c) to read as follows: "(c) It is the intention of these regulations, guidelines and procedures to insure, insofar as possible, that buildings or structures in an historic district shall be in harmony with other buildings or structures located therein."
- d. Rewrite Subsection 15-333(c) to read as follows: "(c) The commission shall have no jurisdiction over interior arrangement and shall take no action under this section except for the purpose of preventing the exterior construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or other significant features in the district which would be incongruous with the special character of the district. Nor shall this part be construed to prevent the ordinary maintenance or repair, including paint color, of any exterior architectural feature in an historic district which does not involve a change in design, material, or outer appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving or demolition of any such feature which the building inspector shall certify is required by the public safety because of an unsafe or dangerous condition."
- e. Amend Subsection 15-333(d) to reference the proposed administrative process for approval of a Certificate of Appropriateness.
- f. Amend Subsection 15-336(a)(10) to read as follows: "(10) In the case of an application for any of the permits referenced in subsection (8) which authorize work involving the construction, reconstruction, alteration, removal or restoration of any "exterior feature" of any building within a district, request that the permit-issuing authority delay the issuance of the permit for a period not exceeding 90 days from the application date to provide an opportunity for the commission to negotiate with the applicant and any other parties in an effort to find a means of making the proposed work more consistent with the preservation of the district."

g. That the ordinance be amended to add language defining minor work and establishing that there can be a process by which administrative approval can be sought for such minor work.

h. Add a list of definitions particular to the historic preservation process, including but not limited to a definition of the term "timely request" as it is used in subsection (a) of Section 15-336.

Amy Parker, representing the Appearance Commission, answered questions about Appearance Commission's that additional time required for the administration of the proposed ordinance may overburden existing staff positions, in addition to questions concerning when the Appearance Commission would meet as the Historic District Commission.

Catherine Peele, a member of the Historic Preservation Task Force, stated that she objected to the 180-day delay for renovations.

John Lindsay spoke against the proposed ordinance and requested that the town send out a survey to affected property owners along with a copy of the revised ordinance.

Catherine Lindsay, owner of three mill houses, spoke in opposition to the proposed ordinance. Ms. Lindsay stated that she felt the ordinance would stifle individuality and creativity in addition to imposing financial burdens on those wishing to make alterations. Ms. Lindsay stated that she felt the ordinance should be imposed on a voluntary basis.

Alva Merritt, a resident of 107 Center Street, stated she felt Carrboro should stay as is.

Starnes Weaver, owner of property on Weaver Street, spoke in opposition to the proposed ordinance restricting use of property and that individuals affected should be given an opportunity to vote on whether this ordinance should be adopted.

Albert Marks, a resident of 1315 Brigham Court in Chapel Hill and owner of property in Carrboro, spoke in favor of a historic district, but stated the historic district commission should consist of town-wide residents not just of the historic district.

R.T. Madden, a resident of 217 Vance Street in Chapel Hill and owner of property on Main Street, spoke against the proposed ordinance.

Kathy Darry, a resident of Maple Street, stated that she was glad to see the interest in historic preservation.

Charles Riggsbee, a resident of Quail Roost Drive, owner of property on Center Street and member of the Planning Board, stated that he feels the ordinance is being pushed through the process by a small group of people without adequately surveying the opinions of the people who will eventually be affected by the ordinance. Mr. Riggsbee stated that he felt there would be fewer renovations to property because of the restrictions imposed by the proposed ordinance. Mr. Riggsbee requested that further consideration of this matter be postponed until a survey could be sent to all affected property owners determining their interest in a historic district.

John Anderson, a resident of 100 Oak Avenue, spoke in favor of historic districts.

Ron Hyatt, a Carrboro property owner, spoke against the proposed ordinance. Mr. Hyatt stated he felt the ordinance was anti-business, anti-quality of life and too time consuming and bureaucratic. Mr. Hyatt suggested that the Appearance Commission work with individual property owners to make their properties look nicer.

Samual Holton, a Carrboro property owner, expressed concern over the time constraints of the proposed ordinance. Mr. Holton stated that the ordinance will require additional town staff to administer. Mr. Holton also suggested that affected property owners be surveyed to determine their interest in a historic district.

Mary Cameron, a resident of 307 Lindsay Street and a member of the Historic Preservation Task Force, spoke in favor of the proposed ordinance and stated that any citizen could have served on the task force to formulate the proposed ordinance.

Page Thomas, owner of property on Carrboro Street, spoke against the proposed ordinance.

LeRoyce Rice, a Carrboro property owner, spoke against the proposed ordinance and suggested that affected property owners be surveyed.

John Roberts, a resident of 500 W. Main Street, requested that the guidelines only apply to new buildings or homes not existing structures.

Jane Hamborsky, speaking as a Carrboro resident, stated that the 180-day review period would allow members of the historic district commission to put out feelers when someone wants to demolish a building to possibly try and find some to buy the structure or materials.

Fred Burns, a resident of 406 S. Greensboro Street, spoke in support of historic preservation.

Mark Smith, a resident of 405 S. Greensboro Street, requested that the Board establish a neighborhood preservation district rather than a historic district.

Dave Griffiths, a resident of 1403 N. Greensboro Street and a member of the Historic Preservation Task Force, stated that the members of the task force were all residents of Carrboro.

Melissa Polier, a resident of 513½-C North Greensboro Street, stated that she wants to preserve Carrboro and educate residents.

Charles RRiggsbee stated that she feels this proposal will put neighbor against neighbor.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT THE TOWN ATTORNEY AND STAFF DEVELOP AN ALTERNATIVE DRAFT OF THE ORDINANCE PROVIDING ONLY FOR A NEIGHBORHOOD PRESERVATION DISTRICT WHICH WOULD ADDRESS THE FOLLOWING:

- a. To delete Section 150-160.2;
- b. That the historic district commission should consist of nine members;
- c. That the delay period for issuance of permits shall be limited to 90 days; and
- d. That the guidelines and procedures be reviewed and approved by the Board of Aldermen.

THAT THE ALTERNATIVE DRAFT BE REVIEWED BY THE HISTORIC PRESERVATION TASK FORCE, PLANNING BOARD AND APPEARANCE COMMISSION, AND THAT AN ADDITIONAL PUBLIC HEARING BE HELD ON THE REVISED DRAFT. IN ADDITION, THAT A FACT SHEET BE DEVELOPED EXPLAINING THE PROPOSED ORDINANCE AND BE DISTRIBUTED TO THE HISTORIC DISTRICT NEIGHBORHOOD AND THAT THE TOWN STAFF DEVELOP A

PROPOSED TIMELINE REFERENCE THE ADOPTION OF THE GUIDELINES, MAP AND PROCEDURES. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (KINNAIRD, BRYAN)

MOTION WAS MADE BY JUDITH WEGNER THAT THE CURRENT ORDINANCE BE REVISED TO REFLECT THE PLANNING BOARD AND TOWN ATTORNEY'S RECOMMENDATIONS AND THIS ORDINANCE BE PLACED ON THE AGENDA AT THE SAME MEETING WHEN THE NEIGHBORHOOD PRESERVATION DISTRICT PROPOSAL IS BROUGHT BACK BEFORE THE BOARD OF ALDERMEN. (MOTION WITHDRAWN)

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY FRANCES SHETLEY TO ALLOW A NEW PUBLIC HEARING ON THE REDRAFT OF THE ORDINANCE AT THE SAME TIME THE BOARD CONSIDERS A NEIGHBORHOOD PRESERVATION ORDINANCE. VOTE: AFFIRMATIVE THREE, NEGATIVE FOUR (WEGNER, CALDWELL, GURGANUS, MARSHALL)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE PROPOSAL BEFORE THE BOARD TONIGHT BE TABLED UNTIL A LATER DATE. (MOTION WITHDRAWN)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT DISCUSSION BE CONTINUED ON THE ORDINANCE BEFORE THE BOARD TONIGHT UNTIL A REDRAFTED ORDINANCE IS BROUGHT BACK BEFORE THE BOARD. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (MARSHALL, GURGANUS, CALDWELL)

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ADOPTION OF BUDGET ORDINANCE AND PAY PLAN FOR FISCAL YEAR 1989-90

Mr. Morgan recommended that the Board address the funding questions outlined in Attachment B and then amend and adopt the budget ordinance. Mr. Morgan also in addition, recommended adoption of the attached resolution implementing the 1989-90 Pay Plan.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE BUDGET ORDINANCE BE ADOPTED WITH SEPARATE CONSIDERATION OF THE \$7,500 BUDGETED TO THE CHAPEL HILL-CARRBORO DOWNTOWN

COMMISSION, AND ADDITIONAL FUNDING FOR SERVICE LEVEL BENEFITS AND HUMAN SERVICES. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (BRYAN)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE CLERICAL POSITION IN THE TOWN MANAGER'S OFFICE BE UPGRADED TO ADMINISTRATIVE ASSISTANT, AND THAT PROPOSED CLASSIFICATION AND PAY STUDY SPECIFICALLY REVIEW OTHER ADMINISTRATIVE/CLERICAL POSITIONS. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (GURGANUS, CALDWELL)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT \$2,270 BE ADDED TO FUND HUMAN SERVICES AT THE LEVEL RECOMMENDED BY THE HUMAN SERVICES COMMISSION. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE POSITION OF FIREFIGHTER/DRIVER-LIEUTENANT IN THE FIRE DEPARTMENT BE RETITLED TO FIREFIGHTER/DRIVER-CAPTAIN, WITH NO CHANGE IN RESPONSIBILITY OR SALARY. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (BRYAN, GURGANUS)

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE \$7,500 ALLOCATED TO THE CHAPEL HILL-CARRBORO DOWNTOWN COMMISSION BE PLACED INTO CONTINGENCY. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE FUNDS SET ASIDE IN THE BUDGET FOR SERVICE LEVEL BENEFITS BE HELD UNTIL A LATER TIME WHEN THE BOARD DECIDES HOW THESE FUNDS SHOULD BE DISTRIBUTED. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (KINNAIRD, SHETLEY)

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JUDITH WEGNER THAT \$1,763 BE ADDED TO THE SERVICE LEVEL BENEFITS TO

ALLOW FOR A 30% INCREASE TO OFFSET TAX WITHHOLDINGS AND THAT THESE FUNDS BE ALLOCATED AS RECOMMENDED BY THE ADMINISTRATION. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (BRYAN, GURGANUS)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT \$4,033 BE TRANSFERRED FROM THE CONTINGENCY FUND TO BALANCE THE BUDGET. VOTE: AFFIRMATIVE ALL

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ADOPTION OF MISCELLANEOUS FEES AND CHARGES SCHEDULE

The administration requested adoption of a Miscellaneous Fees and Charges Schedule for Fiscal 1989-90.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE MISCELLANEOUS FEES AND CHARGES SCHEDULE BE ADOPTED WITH THE DELETION OF THE OUT-OF-TOWN CONSTRUCTION PERMIT FEE. VOTE: AFFIRMATIVE ALL

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TOWN CODE AMENDMENT TO PROVIDE FOR SERVICE LEVEL BENEFITS AND REVISIONS TO THE EASTER HOLIDAY SCHEDULE

The administration prepared an amendment to the Town Code to provide for two changes relating to personnel benefits. The first is the addition of service level benefits as proposed in the Manager's budget. The second change would reschedule the town holiday for Easter from the Monday following Easter to the Friday before Easter.

The administration recommended adoption of an ordinance amending the Town Code to provide for the two changes.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, " AN ORDINANCE AMENDING CHAPTER 4 OF THE TOWN CODE TO PROVIDE FOR SERVICE LEVEL BENEFITS AND TO REVISE THE EASTER HOLIDAY," BE ADOPTED, AMENDING SECTION 1(B) TO REFLECT 30% INCREASES IN THE SERVICE LEVEL AMOUNTS. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (BRYAN, GURGANUS)

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PRESENTATION OF DOWNTOWN PARKING STUDY

A UNC student team that recently completed a study on parking in downtown Carrboro presented their report to the Board.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT A COMMITTEE CONSISTING OF ONE STAFF PERSON, TWO MEMBERS OF THE DOWNTOWN DEVELOPMENT COMMISSION, TWO MEMBERS OF THE TRANSPORTATION ADVISORY BOARD, TWO AT-LARGE MEMBERS, AND TWO MEMBERS OF THE BOARD OF ALDERMEN BE ESTABLISHED TO INVESTIGATE PARKING IN THE DOWNTOWN AREA AND TO MAKE APPROPRIATE RECOMMENDATIONS. THIS COMMITTEE SHOULD CONSIDER THE FOLLOWING PRINCIPLES:

- a. To continue free parking in the downtown area;
- b. To make parking available for the general public, both privately and publicly owned;
- c. To improve the quality, accessibility and convenience of parking facilities; and
- d. To encourage re-use of existing structures.

VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (CALDWELL, MARSHALL, WEGNER)

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LIBBA COTTON DAY

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT OCTOBER 28, 1989 BE DESIGNATED AS LIBBA COTTON DAY. VOTE: AFFIRMATIVE ALL

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RESOLUTION CONFIRMING THE BOARD PROPOSAL FOR IMPLEMENTATION OF THE UNIVERSITY LAKE WATERSHED STUDY

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

A RESOLUTION CONFIRMING THE TOWN OF CARRBORO'S APPROVAL OF THE PROPOSAL FOR IMPLEMENTATION OF THE UNIVERSITY LAKE WATERSHED STUDY

Resolution No. 62/88-89

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board confirms its approval of the original proposal for implementation of the University Lake Watershed Study.

Section 2. That the report will be made to the governing boards of those jurisdictions with decision-making power and that the Town of Chapel Hill would participate in an advisory capacity only.

Section 3. This resolution shall be presented at the meeting of the Orange-Chatham Cooperative Planning Work Group scheduled for June 21, 1989.

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 20th day of June, 1989:

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

Noes: Jay Bryan

Absent or Excused: None

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

Sarah C. Williamson  
Town Clerk

Eleanor Kinnaird  
Mayor