

A regular meeting of the Board of Aldermen was held on Tuesday, September 26, 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
Asst. Town Manager	Larry Gibson
Town Clerk	Sarah C. Williamson
Town Attorney	Michael Brough

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF SEPTEMBER 12 AND 19, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

SITE FOR NEW POST OFFICE

John Hopkins, a resident of Fidelity Street, requested that the Board hold a public hearing this Fall on the sale of a portion of the Westwood Cemetery property to the Postal Service.

Bob Proctor, a resident of Fidelity Street, expressed concern that the Fidelity Street residents were not notified of the town's intent to sell the cemetery property to the Postal Service. Mr. Proctor stated that he had talked with officials of the Postal Service and they had said they were not particularly happy with the cemetery property. Mr. Proctor stated that he felt the Fidelity Street neighborhood was being treated differently than other neighborhoods.

PUBLIC HEARING SET/STREET CLOSING/CARRBORO 10K AND FUN RUN

The town's Parks & Recreation Department has requested the temporary street closing of the 100 block of East Weaver Street and the westbound lane of the 100 block of West Weaver Street from Greensboro Street to Oak Avenue on Sunday, November 5th from 12:45 p.m. to 4:00 p.m. to accommodate the Carrboro 10K and Fun Run.

The administration requested that a public hearing be set for October 17, 1989 to consider the street closing request.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT A PUBLIC HEARING BE SET FOR OCTOBER 17, 1989. VOTE: AFFIRMATIVE ALL

PUBLIC HEARINGS:

- (1) LAND USE ORDINANCE TEXT AMENDMENT CREATING A NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION AND PROVIDING FOR NEIGHBORHOOD PRESERVATION DISTRICTS

Ann Weeks, the town's Senior Planner, stated that at the June 20, 1989 public hearing on the proposed historic and neighborhood preservation district ordinance, the Board of Aldermen requested the staff to draw up a new version of the ordinance, providing

only for a neighborhood preservation district commission. The Board of Aldermen requested that the new ordinance be brought back before it at a public hearing. Ms. Weeks briefly explained the proposed ordinance.

(2) LAND USE ORDINANCE TEXT AMENDMENT CREATING A COMBINED HISTORIC AND NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION AND PROVIDING FOR HISTORIC AND NEIGHBORHOOD PRESERVATION DISTRICTS

Ms. Weeks stated that this was public hearing on a proposed Land Use Ordinance text amendment that would create neighborhood preservation and historic district commissions, and provide for neighborhood preservation and historic districts. Ms. Weeks reviewed the major points of the proposed ordinance.

Robin Lackey, Chair of the Planning Board, explained the Planning Board's vote recommending denial of the proposed neighborhood preservation district ordinance.

Dan Leonard, Chair of the Appearance Commission, stated that the Appearance Commission recommended denial of the proposed neighborhood preservation district ordinance and historic district ordinance due to the apparent lack of broad-based community support by residents and property owners within the proposed areas for undertaking the ordinances.

Catherine Lindsay expressed concern that the proposed ordinances would impose unfair restrictions on property owners. Ms. Lindsay also expressed concern about the restrictions on flag lots.

Bill Brinkhaus, owner of the house located at 408 Oak Avenue, urged the Board to think hard about passing the proposed ordinance because the foundations on the old houses are rotting out because of the ground water under them.

Grainger Barrett, representing Carr Mill, asked for a clarification on the affects of the proposed ordinance on Carr Mill and stated that he felt that commercial projects are currently reviewed thoroughly and that no further process is needed.

Carol Kyser, a resident of Oak Avenue, stated that she lives in a 75 year old house and her home has no problems with the foundation. Ms. Kyser spoke in favor of preserving existing neighborhoods.

Jim Porto, a resident of 107 Walters Road, spoke against both proposed ordinances because he feels the majority of citizens do not want the neighborhood and historic districts. Mr. Porto stated that he feels those interested in preservation will proceed on their own without the proposed ordinances, and that he did not feel the ordinances would work without citizen support.

LeRoyce Rice spoke against the proposed ordinances. Mr. Rice stated that he did not feel the residents in the affected areas are in favor of the ordinances. Mr. Rice suggested that a survey be made of affected property owners to determine the interest in a neighborhood preservation district or historic district.

Parker Reist read a statement from his wife, Jan Reist, speaking in favor of the proposed historic district ordinance. Mr. Reist, owner of property on South Greensboro Street, stated a mechanism is needed to preserve neighborhoods and spoke in favor of establishing a neighborhood and historic district.

Dave Griffiths, a resident of North Greensboro Street, stated that without some sort of protection Carrboro is going to end up

losing its present character.

Ron Hyatt, a Carrboro property owner, expressed concern that the restrictions on flag lots are in conflict with OWASA's water and sewer extension policy and asked if additional staff time would not be required if the proposed ordinances were put into effect. Mr. Hyatt also wanted to know if non-conforming structures would be required to be brought up to the standards of the ordinances.

Margaret Middleton, a resident of Carrboro and owner of a Carrboro business, spoke in favor of preserving existing neighborhoods.

Charles Riggsbee, a Carrboro resident and property owner, spoke against both ordinances and stated that he felt a few individuals are trying to impose their standards on all residents. Mr. Riggsbee spoke against adding an additional layer of regulations on residents.

Liz Sherouse, a member of the Appearance Commission, stated that she felt the regulations are not needed to stabilize the homes in the proposed districts because property owners are improving their homes without these regulations. Ms. Sherouse suggested that educational materials be distributed to property owners showing what can be done to improve their homes.

Samuel Holton, Carrboro property owner, stated that he owns a house that will need to be torn down in the near future and he does not feel he should have to wait six months before he can tear it down. Mr. Holton stated that some old houses are not worth preserving.

Dennis Frye, a resident of Lindsay Street, spoke against stringent regulations on property owners and that property owners will tend to sell their property to avoid the regulations in the proposed ordinances.

Sherwood Ward, a resident of 111 Cheek Street, questioned whether the majority of the community will benefit from the proposed ordinances and spoke against the proposed ordinances because they will disrupt the natural evolution of life in Carrboro.

Jane Hamborsky, a resident of Center Street and a member of the Historic Preservation Task Force, stated that she feels the neighborhood preservation ordinance is a positive step toward preserving existing neighborhoods.

Claudia Brown, a member of the staff of the State Historic Preservation Office, explained the process for establishing a historic district and answered the Board's questions.

John Dunkle, a resident of 502 Oak Avenue, stated that he had been required by OWASA to own road frontage on a flag lot to receive water and sewer service. Mr. Dunkle stated that he has a problem with the time delay to do renovations to existing structures and stated concern that if regulations are passed, homeowners will leave their homes as they are and not maintain them.

Roy Brown, a resident of Lindsay Street, spoke against the proposed ordinances.

Scott Simmons, a resident of Oak Avenue and a member of the Historic Preservation Task Force, spoke in favor of the historic district ordinance.

Starnes Weaver, owner of property on Weaver Street, spoke against the proposed ordinance. Mr. Weaver spoke against forcing people to meet regulations.

Mayor Kinnaird presented a letter from 13 Carrboro residents speaking in favor of maintaining the character and integrity of Carrboro's older neighborhoods.

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

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY FRANCES SHETLEY THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND ORDINANCE TO CREATE A NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION AND TO PROVIDE FOR NEIGHBORHOOD PRESERVATION DISTRICTS," BE ADOPTED WITH A CHANGE TO PAGE SIX TO REDUCE THE THE DELAY PERIOD FOR DEMOLITION OF ANY BUILDING FROM 180 DAYS TO 90 DAYS FROM THE DATE THE APPLICATION FOR THE PERMIT IS DETERMINED TO BE COMPLETE. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (CALDWELL, MARSHALL, GURGANUS)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE LAND USE ORDINANCE TEXT AMENDMENT CREATING A HISTORIC PRESERVATION DISTRICT AND COMMISSION BE TABLED. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (CALDWELL, GURGANUS)

FUNDING REQUEST/INTERFAITH COUNCIL

James Harris, the town's Special Projects Coordinator, stated that the Board of Aldermen at its meeting on September 19, 1989 received a request from the Interfaith Council for Social Services for an additional \$5,000 for building renovations. The Board deferred action on this request until tonight's meeting and requested the town staff to investigate funding options. Mr. Harris stated that after reviewing the overall budget for the shelter project it was decided that Interfaith could cover the present \$18,000 deficit mentioned at the September 19th funding request. However, Interfaith does anticipate a budget shortfall on the overall project cost, and the town staff recommended that Interfaith approach the town in January for additional funding for inclusion in the 1990-91 budget.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT INTERFAITH APPROACH THE TOWN IN JANUARY, 1990 IF ADDITIONAL FUNDING IS NEEDED. VOTE: AFFIRMATIVE ALL

RENTAL REHABILITATION MEMORANDUM OF UNDERSTANDING WITH ORANGE COUNTY

James Harris, the town's Special Projects Coordinator, stated that the administration recommended that the Town Manager be authorized to enter into a Memorandum of Understanding with the Orange County Housing and Community Development Department in connection with the Rental Rehabilitation Program.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE TOWN MANAGER BE AUTHORIZED TO ENTER INTO THE MEMORANDUM OF UNDERSTANDING WITH ORANGE COUNTY. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO ORANGE COUNTY EMERGENCY MEDICAL SERVICES COUNCIL

The Agenda Planning Committee requested that the appointment of a Board of Aldermen representative to serve on the Orange County Emergency Medical Services Council be placed on tonight's agenda for consideration.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT FRANCES SHETLEY BE APPOINTED AS THE BOARD'S REPRESENTATIVE ON THE ORANGE COUNTY EMERGENCY MEDICAL SERVICES COUNCIL. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO TRANSPORTATION ADVISORY BOARD

Dazzie Lane, Acting Chair of the Transportation Advisory Board, recommended that Ellen Perry be appointed to one of the vacant seats on the Transportation Advisory Board.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT ELLEN PERRY BE APPOINTED TO THE TRANSPORTATION ADVISORY BOARD. VOTE: AFFIRMATIVE ALL

REQUEST TO SET FEE FOR HISTORIC INVENTORY PUBLICATION

The administration requested the Board of Aldermen amend the 1989-90 Miscellaneous Fees and Charges Schedule to incorporate a fee of \$6.00 per issue of the Carrboro Architectural and Historical Inventory

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE MISCELLANEOUS FEES AND CHARGES SCHEDULE BE AMENDED TO ADD A FEE OF \$600 PER ISSUE OF THE CARRBORO ARCHITECTURAL AND HISTORICAL INVENTORY. VOTE: AFFIRMATIVE ALL

CANCELLATION OF OCTOBER 3RD BOARD MEETING

The administration recommended that the Board of Aldermen consider canceling the October 3rd Board meeting as the administration was able to shift those agenda items scheduled for that date to other meetings.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE OCTOBER 3, 1989 MEETING OF THE BOARD OF ALDERMEN BE CANCELED. VOTE: AFFIRMATIVE ALL

A RESOLUTION HONORING ANN WEEKS

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

A RESOLUTION HONORING ANN BREWSTER WEEKS
Resolution No. 7/89-90

WHEREAS, Ann Brewster Weeks has served for more than two years as Senior Planner for the Town of Carrboro; and

WHEREAS, Ms. Weeks has completed a number of major projects of special significance to the town, including review of the R-SIR zone to address problems related to natural constraints, review of stormwater management issues, implementation of the Orange County Joint Planning Agreement, support for

intergovernmental efforts to address concerns regarding protection of the University Lake Watershed, work in connection with the historic and neighborhood preservation ordinances, and development of proposals for the Board of Aldermen in connection with the 2000 Task Force recommendations; and

WHEREAS, Ms. Weeks has provided significant service in these and other ways to the Planning Board and Board of Aldermen of the Town of Carrboro; and

WHEREAS, Ms. Weeks has displayed many talents, including leadership, creativity and insight, communication skills, intelligence, poise, patience, perspective and stamina; and

WHEREAS, Ms. Weeks will be sorely missed.

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

Section 1. Ann Brewster Weeks is to be commended for a job well done and is wished the very best as she faces new professional challenges with the City of Durham.

Section 2. This resolution shall be spread upon the minutes of the Board of Aldermen and a copy shall be delivered to Ms. Weeks.

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 the 26th day of September, 1989:

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

Noes: None

Absent or Excused: None

A RESOLUTION RELATING TO THE PROPOSED POST OFFICE SITE

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

A RESOLUTION RELATING TO THE PROPOSED POST OFFICE SITE
Resolution No. 8/89-90

WHEREAS, the Board of Aldermen has considered for several years a number of options regarding a location for a post office site in the Carrboro area; and

WHEREAS, the Board has considered the needs of all citizens in trying to resolve this issue; and

WHEREAS, the Board has carefully weighed competing sites and environmental considerations and questions of accessibility; and

WHEREAS, the Board has held public hearings on this question; and

WHEREAS, the Postal Service has not yet acted in reaching a final decision on a site; and

WHEREAS, the Board has determined that a future hearing will be held concerning appropriate steps to mitigate effects on

nearby residents in the event that a post office is sited near to the Westwood Cemetery.

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

Section 1. Citizens who have requested an additional hearing are advised that the Board has previously reached a considered judgment on this difficult question and the Board has determined that a hearing will be held at a future date when it becomes clear that the Postal Services does seek to proceed with this site, and that the hearing will address relevant issues including effects on residents and possible mitigating measures.

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 26th day of September, 1989:

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

Noes: Eleanor Kinnaird

Absent or Excused: None

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

Sarah C. Williamson
Town Clerk

Eleanor J. Kinnaird
Mayor