

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 10, 1989.

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 RANDY MARSHALL THAT THE MINUTES OF SEPTEMBER 26, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

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FIRE PREVENTION WEEK

Mayor Kinnaird read a proclamation proclaiming the week of October 8 - 15, 1989 as Fire Prevention Week.

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RESOLUTION HONORING JAMES COUNCIL

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

A RESOLUTION EXPRESSING APPRECIATION TO JAMES COUNCIL  
Resolution No. 10/89-90

WHEREAS, James Junior Council has served as a Police Reserve Officer and as a School Crossing Guard with the Town of Carrboro for the past seven years; and

WHEREAS, Mr. Council has served the citizens of Carrboro well, especially the students of Frank Porter Graham Elementary School; and

WHEREAS, Mr. Council has recently been unable to perform his duties due to an illness.

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 appreciation to Mr. Council for his dedicated service to the town, wish Mr. Council a speedy recovery from his recent illness, and look forward to his return to duties with the town.

Section 2. This resolution shall be spread upon the minutes of the Board of Aldermen and a copy thereof shall be delivered to Mr. Council.

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 10th day of October, 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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RESOLUTION HONORING ANN BREWSTER WEEKS

Alderman Wegner presented a resolution to Ann Weeks in appreciation for her service to the Town of Carrboro while serving as Senior Planner.

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LIBBA COTTEN DAY CELEBRATION

Jack Bernhardt, Music Review with the News and Observer; Alice Gerard, who toured with Libba Cotten; and Wayne Martin, with the N.C. Folklife Division; commended the town for honoring Elizabeth Cotten.

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PUBLIC HEARING SET/LAND USE ORDINANCE TEXT AMENDMENT AUTHORIZING LAND USE ADMINISTRATOR TO ISSUE STOP WORK ORDERS

In order to implement legislation authorized by the General Assembly, the administration requested that a public hearing be set for October 24, 1989 to receive citizen comments on a proposed amendment to the Land Use Ordinance which would give the land use administrator stop work authority when violations of the Land Use Ordinance are discovered and the administrator determines that irreparable injury will occur if the activity is not immediately stopped.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT A PUBLIC HEARING BE SET FOR OCTOBER 24, 1989. VOTE: AFFIRMATIVE ALL

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PUBLIC HEARING SET/VOLUNTARY ANNEXATION REQUEST/FAIROAKS, PHASES 2, 3 AND 4

The Westminster Company has submitted a petition requesting the annexation of Fair Oaks, Phases 2, 3 and 4 into the corporate limits of Carrboro. This property is contiguous to the town limits and is located at Pathway Drive and Hanford Road and contains 14.5 acres and 55 dwelling units.

The administration recommended the Board adopt a resolution setting a public hearing on this request for October 24, 1989.

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Tom Gurganus.

A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE  
ANNEXATION OF FAIROAKS, PHASES 2, 3 AND 4  
UPON THE REQUEST OF THE PROPERTY OWNERS  
Resolution No. 9/89-90

WHEREAS, the Town of Carrboro has received a petition from the owners of Fair Oaks, Phases 2, 3 and 4 requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31.

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

Section 1. The Board of Aldermen shall hold a public hearing on October 24, 1989 to consider the voluntary annexation of Fair Oaks, Phases 2, 3 and 4.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in The Chapel Hill Newspaper at least ten days prior to the date of the public hearing.

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 10th day of October, 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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REQUEST FOR LAND USE ORDINANCE TEXT AMENDMENT/READY MIXED CONCRETE COMPANY

Roger Moore, Director of Marketing and Sales with Ready Mixed Concrete Company, requested an amendment to the text of the Land Use Ordinance to allow personnel working on the University Power Plant to park on their property.

The administration recommended that the Board direct the town staff to work on a text amendment dealing with temporary parking, send that amendment to the Planning Board, and to bring back a request to set a public hearing on the proposed amendment.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JUDITH WEGNER THAT THE TOWN STAFF BE DIRECTED TO PREPARE A TEXT AMENDMENT DEALING WITH TEMPORARY PARKING, SEND THAT AMENDMENT TO THE PLANNING BOARD AND REQUEST THE BOARD OF ALDERMEN TO SET A PUBLIC HEARING DATE ON THE PROPOSED AMENDMENT. VOTE: AFFIRMATIVE ALL

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PRESENTATION OF AUDIT REPORT FOR FISCAL 1988-89

Sam McNairy, supervising partner with Deloitte, Haskins & Sells, presented the audit report for Fiscal 1988-89. Mr. McNairy commented that the auditor report contained an unqualified opinion that the town's financial statements were in good order and that all finding from last year's report had been addressed. Mr. McNairy stated that their management letter would only include two recommendations for improving the town's financial system.

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RESOLUTION ESTABLISHING A STUDENT LIAISON TO THE BOARD OF ALDERMEN

Bill Hildebolt, External Affairs Director for the UNC Student Government, requested the Board of Aldermen to adopt a resolution establishing a student liaison to the Board of Aldermen.

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

A RESOLUTION WELCOMING TO THE MEETINGS OF THE BOARD OF ALDERMEN  
A STUDENT LIAISON APPOINTED BY STUDENT GOVERNMENT  
AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL  
Resolution No. 14/89-90

WHEREAS, undergraduate and graduate students at the University of North Carolina at Chapel Hill comprise a significant and important segment of the population of the Town of Carrboro; and

WHEREAS, many of the decisions of the Board of Aldermen affect the quality of life of this significant segment of the Carrboro community; and

WHEREAS, the Board recognizes that a student liaison to the Board may help the Board to be more informed about issues that are of significance to students and may help the Board to communicate more adequately to the student residents of the town;

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

Section 1. The Board of Aldermen welcomes the appointment of a student liaison to the Board of Aldermen.

Section 2. The Town Clerk shall furnish a copy of the Board's agenda to the student liaison before each meeting.

Section 3. The Board invites the student liaison to attend all of the Board's regular meetings and to participate in those meetings to the fullest extent offered to other residents of the town and those interested in the town's business.

Section 4. The Board encourages the student liaison and other student government leaders to request applications of students for town advisory boards.

Section 5. The Board requests that the student liaison report to the Board at the end of one calendar year concerning reactions or recommendations on how to improve town/student interaction.

Section 6. 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 10th day of October, 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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REQUEST BY N.C.DOT TO PURCHASE TOWN RIGHT-OF-WAY

Chris Peterson, Public Works Director, stated that the N.C. Department of Transportation has requested the town sell 475 feet of right-of-way to it for the proposed widening of Main Street. The property is located at the intersection of Main Street and Davie Road. D.O.T. has offered the town \$1.50 per square foot for the property for a total cost of \$725.00.

Mr. Peterson stated that the administration recommended the Board accept DOT's offer to purchase the right-of-way by adoption of a resolution authorizing the transfer of the right-of-way.

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

A RESOLUTION AUTHORIZING THE TRANSFER TO THE  
N.C. DEPARTMENT OF TRANSPORTATION OF TOWN-OWNED RIGHT-OF-WAY  
AT THE INTERSECTION OF MAIN STREET AND DAVIE ROAD  
Resolution No. 4/89-90

WHEREAS, the town has entered into an agreement with the N.C. Department of Transportation for the improvement of portions of West Main Street; and

WHEREAS, in order to complete this project. D.O.T. needs to acquire from the town 475 feet of right-of-way from the lot owned by the town at the intersection of Main Street and Davie Road; and

WHEREAS, the lot in question was conveyed to the town by Charles W. and Helen B. Glosson in a deed recorded April 19, 1979 in Book 308, Page 380 of the Orange County Registry; and

WHEREAS, D.O.T. has agreed to pay to the town \$1.50 per square foot (a total of \$725.00) for this right-of-way.

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

Section 1. The town hereby accepts the offer of compensation from the N.C. Department of Transportation dated 8-17-89, attached to this resolution (Attachment A) and authorizes the Town Manager and Clerk to execute the deed attached to this resolution (Attachment B), which conveys to D.O.T. 425 feet of right-of-way from the town-owned lot at the intersection of Davie Road and Main Street.

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 10th day of October, 1989:

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

Noes:None

Absent or Excused: None

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SALE OF SURPLUS EQUIPMENT

The administration requested authorization for the Town Manager to dispose of surplus equipment in the Fire Department by private sale to other fire departments. The equipment includes two air paks, two air cylinders and eleven 1 1/2-inch nozzles.

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

A RESOLUTION DECLARING ITEMS OF PERSONAL PROPERTY  
TO BE SURPLUS AND AUTHORIZING THE SALE OF  
SAID PROPERTY BY PRIVATE SALE  
Resolution No. 11/89-90

WHEREAS, Article 12 of the N.C. General Statutes, Chapter 160A, authorizes the town to dispose of surplus personal property; and

WHEREAS, the town desires to dispose of certain items of surplus personal property.

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

Section 1. The following items of personal property are hereby declared surplus and may be sold as indicated below:

<u>ITEM</u>	<u>MINIMUM PRICE</u>
Two (2) Globe Air Paks with Cylinders	\$150.00 each

Eleven (11) Arkon 1.5-inch Turbojet Nozzles \$150.00 each

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 10th day of October, 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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ORDINANCE AMENDING FY'89-90 BUDGET ORDINANCE

The administration requested the Board of Aldermen adopt a budget ordinance amendment which would re-appropriate funds for prior year encumbrances.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY JAY BRYAN THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'89-90 BUDGET ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

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PLANNING BOARD RECOMMENDATIONS ON AFFORDABLE HOUSING

Per the Board's request, the administration will present the Planning Board's recommendations on affordable housing for consideration. The administration requested that the Board direct the town staff to draft suggested changes to the Land Use Ordinance that would provide for reduced requirements for site improvements and/or density bonuses, especially for development of single-family housing.

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

A RESOLUTION TO CONSIDER RECOMMENDATIONS TO REVIEW AND REVISE THE LAND USE ORDINANCE TO FURTHER AFFORDABLE HOUSING OPPORTUNITIES AS PART OF THE TOWN'S 1990-91 ANNUAL PLANNING RETREAT  
Resolution No. 17/89-90

WHEREAS considerable effort will be required by the Town to implement the strategy requiring revisions to the Carrboro Land Use Ordinance to further affordable housing opportunities; and

WHEREAS the Carrboro Planning Board has reviewed the housing policies recommended by the 2000 Task Force; and

WHEREAS the Carrboro Planning Board recommended specific strategies which should be used by the Town to achieve its housing policy; and

WHEREAS the Town is working toward achieving all housing opportunities recommended by the Planning Board; and

WHEREAS the Town is working toward achieving all housing opportunities recommended by the Planning Board; and

RESOLVED:

Section 1. That the affordable housing strategy which recommends revisions to the Carrboro Land Use Ordinance be considered as part of the Town's 1990-91 annual planning retreat.

Section 2. This resolution shall become effective upon its adoption.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this the 10th day of October, 1989:

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

NOES:None

ABSENT/EXCUSED: None

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AMENDMENT TO JOINT PLANNING AGREEMENT TO ALLOW PUBLIC WATER AND SEWER EXTENSIONS THROUGH THE RURAL BUFFER IN CERTAIN LIMITED INSTANCES

On September 14, 1989 the Carrboro Board of Aldermen, Chapel Hill Town Council and Orange County Board of Commissioners held a joint public hearing on a proposed amendment to the Joint Planning Agreement which would clarify the three parties' intent regarding public water and sewer extensions through and into the Rural Buffer.

The administration recommended adoption of a resolution supporting the proposed amendment.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT ACTION ON THIS MATTER BE DEFERRED UNTIL THE BOARD'S OCTOBER 17TH MEETING IN ORDER FOR THE TOWN STAFF TO OBTAIN A CONSTRUCTION SCHEDULE FOR THE NEW COUNTY SCHOOL, TO FIND OUT THE IMPACT OF REVISING THE PROPOSED AMENDMENT, AND TO ALLOW THE TOWN STAFF TO RE-DRAFT THE PROPOSED AMENDMENT TO EXCLUDE LANGUAGE REFERENCING EXTENSION OF WATER AND SEWER INTO OR THROUGH THE RURAL BUFFER FOR PURPOSES OTHER THAN ESSENTIAL PUBLIC FACILITIES OR TO REMEDY PUBLIC HEALTH EMERGENCIES. VOTE: AFFIRMATIVE ALL

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NAMING OF BIKEWAY

Mayor Kinnaird previously raised the issue of renaming "B" Street to Libba Cotten Street. At that time some concern was expressed as to what process should be followed in renaming streets.

Mayor Kinnaird requested that the Board consider renaming "B" Street to Libba Cotten Street.

Mr. Morgan suggested that the Board consider naming the bikeway in honor of Ms. Cotten.

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE BIKEWAY BE NAMED IN HONOR OF LIBBA COTTEN AND THAT THE APPROPRIATE SIGNAGE BE INSTALLED. VOTE: AFFIRMATIVE ALL

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WORKSESSION ON DEVELOPMENT REVIEW PROCESS

Helen Waldrop, Zoning Administrator, gave an overview and answered questions about the development review process.

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EXECUTIVE SESSION

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JUDITH WEGNER THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER.  
VOTE: AFFIRMATIVE ALL

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Sarah C. Williamson  
Town Clerk

Dean J. Kinnaird  
Mayor