

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 9, 1990 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Randy Marshall
	Tom Gurganus
	Hilliard Caldwell
	Frances Shetley
	Jacquelyn Gist
	Jay Bryan
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE MINUTES OF DECEMBER 17 AND 21, 1989 BE APPROVED. VOTE: AFFIRMATIVE ALL

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CHARGES ISSUED TO BOARD APPOINTEES

The Town Clerk issued "charges" to Curtis McLaughlin, a recent appointee to the Planning Board, and to Nancy Ruppert, Andrew Jones and Sidney Martin, recent appointees to the Downtown Development Commission.

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REQUEST FOR SOUND BARRIERS ON 54 BYPASS

Jane Baird, a resident of 101 Cedarwood Lane, requested that the town consider requiring N.C.DOT to install noise barriers along 54 Bypass from Jones Ferry Road to Westbrook Drive in conjunction with the widening of the Bypass.

It was the consensus of the Board to request the town staff to investigate whether noise barriers will be provided along 54 Bypass, options to provide for barriers, the cost of those options, and what the noise levels are currently at Canterbury, Weatherhill, Windwood and Old Well Apts.

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REQUEST TO ENCOURAGE ALL TOWN EMPLOYEES TO LEARN TO READ

Ruth Royster requested that the town adopt a policy to encourage all town employees to learn to read. In addition, Ms. Royster requested that the town encourage Carrboro businesses to establish such a policy. Ms. Royster also requested that the town include a library in the community center.

It was the consensus of the Board to request that the town staff develop a reading program for those town employees needing assistance and encourage Carrboro businesses to develop similar programs.

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TRIANGLE RAIL SERVICE

Peter Todd, with the Research Triangle Sierra Club, read a resolution speaking in favor of the proposed Triangle Express Rail Service.

It was the consensus of the Board to request that this resolution be placed on the Board's agenda for consideration on January 23, 1990.

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PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/MEADOW RUN SUBDIVISION

Helen Waldrop, Zoning Administrator, was sworn in. Ms. Waldrop stated that Keith R. Bowman had requested a conditional use permit that would allow Meadow Run Subdivision to be subdivided into 13 single-family house lots. The property is located at the west side of Rogers Road south of its intersection with Eubanks Road and is zoned RR. The parcel is identified as Tax Map 23, Block C, Lot 3.

Ms. Waldrop presented the site plan and the staff's proposed recommendations for conditions.

Robin Lackey, Chair of the Planning Board, was sworn in. Ms. Lackey presented the Planning Board's recommendations for conditions.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL 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 TOM GURGANUS THAT, YES, THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE APPLICATION BE GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

3) That the drainage easements shall be the responsibility of the developer or the homeowner's association with the understanding that they may enter into contract agreements with the NC Department of Transportation for maintenance purposes.

4) That residential structures shall not be constructed below the 25 year floodplain line. This line shall be delineated and identified on the Final Plat.

5) That the cul-de-sacs shall be constructed with a pavement width of eighteen feet, and that the islands inside the cul-de-sacs shall be surrounded by curb and gutter. Final design and construction plans for the cul-de-sacs shall be approved by the

Public Works Director and the NC Dept. of Transportation.

6) That in accordance with section 15-203 of the Land Use Ordinance, payment in lieu for active recreational facilities shall be made prior to final plat approval. Payment shall be determined by multiplying the appropriate number of recreational points by the number of units in the subdivision times the dollar amount per point established by the Miscellaneous Fees and Charges Schedule in effect at the time of plat approval.

7) That the developer shall demonstrate compliance (satisfactory to the Town Attorney) with Section 15-199, "Ownership and Maintenance of Recreational Areas and Required Open Space", of the Carrboro Land Use Ordinance prior to issuance of the Conditional Use Permit.

8) That existing deciduous trees on either side of the street shall be retained to comply with Land Use Ordinance section 15-315. Applicable trees shall be located on construction plans.

9) That all driveway/street connections shall be constructed in accordance with Appendix C-14 of the Carrboro Land Use Ordinance. This section currently requires that: (a) all driveways be constructed with fifteen foot asphalt or concrete drive aprons; and (b) all driveway culverts shall be reinforced concrete, and shall be properly sized (minimum size of 15") at the time of construction plan approval.

10) That prior to issuance of building permits for individual lots, accurately scaled plot plans with the following information shall be submitted to and approved by the Zoning Division:

- a. septic fields and well sites;
- b. property lines;
- c. proposed house and driveway locations (including location and size of driveway culverts);
- d. existing and proposed topography and grading;
- e. clearing limit lines;
- f. stream buffer lines;
- g. 25 year floodplain limit;
- h. roof drain locations; and
- i. drainage and utility easements and facilities

VOTE: AFFIRMATIVE ALL

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PUBLIC HEARING/VOLUNTARY ANNEXATION/WILLOW SPRINGS LONG TERM CARE FACILITY

Roy Williford, Planning Director, stated that Andrew McDougald, owner and president of the Willow Springs Long Term Care Facility, Inc., had submitted a petition requesting the annexation of the Willow Springs Long Term Care Facility into the corporate limits of Carrboro. This property is contiguous to the town limits and is located at 624 Jones Ferry Road, and contains 3.4 acres.

Mr. Williford stated that the administration recommended adoption of an ordinance annexing this property, effective January 31, 1990.

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

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING WILLOW SPRINGS LONG TERM CARE FACILITY," BE ADOPTED. VOTE: AFFIRMATIVE ALL

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ANNUAL REPORTS: PLANNING BOARD AND DOWNTOWN DEVELOPMENT

COMMISSION

The Board received annual reports from the Planning Board and Downtown Development Commission.

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AMENDMENT TO TOWN CODE TO EXEMPT 10K RUN FROM PUBLIC HEARING REQUIREMENTS

For the past seven years, the annual 10K and Fun Run Event has been held on the first Sunday in November. Because certain streets must be closed, a public hearing has been held. Since no negative comments have been brought forth during the hearings, the administration recommended that an ordinance amendment be approved to exempt this event from the public hearing requirements applicable to regulations for the closing a town street.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO EXEMPT THE ANNUAL 10K AND FUN RUN EVENT FROM THE PUBLIC HEARING REQUIREMENTS OTHERWISE APPLICABLE TO STREET EVENTS THAT REQUIRE THE CLOSING OF A TOWN STREET," BE ADOPTED. VOTE: AFFIRMATIVE ALL

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AWARD OF BID/AERIAL PUMPER

Robert Swiger, Fire Chief, stated that on August 15, 1989, the Board of Aldermen voted to authorize the town staff to advertise for bids for an aerial pumper. Bids were received from three companies: Emergency One - \$389,154, Seagrave Fire Apparatus - \$403,461, and Simon Ladder Towers, Inc. -\$404,543. Chief Swiger stated that the administration recommended that the bid be awarded to Emergency One, Inc. for a total cost of \$339,560. In addition, the administration requested authorization to pursue lease-purchase financing for the aerial pumper.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE BID BE AWARDED TO EMERGENCY ONE FOR A TOTAL COST OF \$339,560 AND THAT THE ADMINISTRATION BE AUTHORIZED TO PURSUE LEASE-PURCHASE FINANCING. VOTE: AFFIRMATIVE ALL

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RESPONSE TO BOARD'S CONCERNS RE. CEMETERY ORDINANCE

Chris Peterson, Public Works Director, stated that on May 2, 1989, the Board of Aldermen approved revisions to Chapter 13 of the Town Code, dealing with Cemeteries, which had been recommended by Cemetery Commission. However, the Board expressed several concerns with the revisions. In response to those concerns, the administration mailed out surveys to other municipalities to ascertain their requirements on those items of concern.

Mr. Peterson stated that the administration and Cemetery Commission recommended that Chapter 13 remain unchanged at the present time.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE RECOMMENDATION OF THE CEMETERY COMMISSION AND ADMINISTRATION BE ACCEPTED AND THAT THE BOARD RELATE ITS APPRECIATION TO THE TOWN STAFF AND CEMETERY COMMISSION FOR ITS WORK ON THIS MATTER. VOTE: AFFIRMATIVE ALL

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COMMUNITY CENTER REPORT

Doris Murrell, Chair of the Parks & Recreation Commission, presented information to the Board on the increased participation levels for 1988-89 in the recreation programs and information on the possibility of losing use of some school facilities.

Richard Kinney, Recreation Director, stated that the Board of

Aldermen requested that a report be developed to clarify certain concerns that exist in regards to the development of a community center. Mr. Kinney presented a report on the community center and stated that the administration requested direction from the Board regarding the setting of a public hearing on this project.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT DISCUSSION OF THE COMMUNITY CENTER BE CONTINUED AT THE ANNUAL RETREAT AND BE PLACED BACK ON THE BOARD'S AGENDA FOLLOWING THE RETREAT. VOTE: AFFIRMATIVE ALL

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APPOINTMENTS TO APPEARANCE COMMISSION

The Chair of the Appearance Commission recommended the appointment of William McKenzie and John Dunkle to the Appearance Commission.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT WILLIAM MCKENZIE AND JOHN DUNKLE BE APPOINTED TO THE APPEARANCE COMMISSION. VOTE: AFFIRMATIVE ALL

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APPOINTMENTS TO TRANSPORTATION ADVISORY BOARD

The Chair of the Transportation Advisory Board recommended the appointment of Michael Nelson and Alexander Zaffron to the Transportation Advisory Board.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT MICHAEL NELSON AND ALEXANDER ZAFFRON BE APPOINTED TO THE TRANSPORTATION ADVISORY BOARD. VOTE: AFFIRMATIVE ALL

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MODEL T'S REVOLVING LOAN FUND APPLICATION

Mike Brough informed the Board that during the process of preparing the revolving loan fund documents for Model T's Restaurant, he had discovered that Mr. Feriorentino had incorporated. Mr. Brough recommended that the loan documents be made to the corporation rather than Mr. Feriorentino.

It was the consensus of the Board to accept the recommendation of the Town Attorney.

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54 BYPASS MEDIAN WIDTH

Mayor Kinnaird requested that she did not feel the 24-foot median proposed for 54 Bypass were needed and requested that the Board reconsider this matter.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY FRANCES SHETLEY THAT CONSIDERATION OF THE 24-FOOT MEDIAN ON 54 BYPASS BE PLACED ON THE BOARD'S AGENDA FOR DISCUSSION. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (CALDWELL, GURGANUS, MARSHALL)

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INTERSECTION OF OLD FAYETTEVILLE ROAD AND 54 BYPASS

Alderman Caldwell requested that the town staff requested that N.C. DOT look at the intersection of Old Fayetteville Road and 54 Bypass to determine if any safety improvements can be made to that intersection.

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MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE

BOARD GO INTO EXECUTIVE SESSION TO DISCUSS ACQUISITION OF PROPERTY.  
VOTE: AFFIRMATIVE ALL

Dean J. Kinsard  
Mayor

Sarah C. Williamson  
Town Clerk