

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 13, 1990 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     |
|               | Jacquelyn Gist      |
|               | 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 FRANCES SHETLEY THAT THE MINUTES OF MARCH 6, 1990 BE APPROVED, AS AMENDED. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

PROCLAMATIONS ISSUED

Mayor Kinnaird read proclamation proclaiming March 16th Arbor Day and March 20th as Freedom of Information Day.

\*\*\*\*\*

REQUEST FROM PHIL SZOSTAK

Phil Szostak presented a letter petitioning the Board to ask the town staff to prepare statements of fact on four issues included in the Camp, Dresser and McKee watershed study. Those issues involve the amount of developable land area in the watershed, existing water quality prior to the opening of the Cane Creek Dam, impervious surface in residential development versus impervious surface in other types of land use, and down zoning land.

It was the consensus of the Board to request that the town staff work with OWASA in responding to Mr. Szostak's petition.

\*\*\*\*\*

REQUEST TO SET PUBLIC HEARING/CONSIDERATION OF REALIGNMENT OF ALABAMA AVENUE TO SERVE THE BIRGEL TRACT

Roy Williford, Planning Director, stated that as part of the Highway 54 Bypass widening project, N.C. DOT incorporated a change in access to the Birgel property from its existing 75' frontage along Jones Ferry Road to new access off of Alabama Avenue. In response to this, Mr. Birgel requested a redesign of Alabama Avenue to show full access to his property with Alabama Avenue intersecting with the access to his property.

The administration requested that a public hearing be scheduled for March 27, 1990 to receive public input on this proposed realignment in order to make a recommendation to N.C. DOT regarding the redesign of Alabama Avenue and access to the Birgel Tract.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY FRANCES SHETLEY THAT A PUBLIC HEARING BE SET FOR MARCH 27, 1990. (MOTION WITHDRAWN)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT A PUBLIC HEARING BE SET FOR MARCH 27, 1990 TO CONSIDER ALTERNATIVE ACCESS TO SERVE THE BIRGEL TRACT FOR THE PURPOSE OF ALLOWING RESIDENTS SURROUNDING THIS PROPERTY TO ADDRESS THEIR CONCERNS TO THE N.C. DEPT. OF TRANSPORTATION AND BOARD OF ALDERMEN. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GURGANUS)

\*\*\*\*\*

REQUEST TO SET PUBLIC HEARING/STREET CLOSING REQUEST/WEAVER STREET MARKET

The administration requested that a public hearing be set for April 3, 1990 to consider a street closing request by Weaver Street Market.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT A PUBLIC HEARING BE SET FOR APRIL 3, 1990, AND THAT THE DOWNTOWN DEVELOPMENT COMMISSION REVIEW THE STREET CLOSING APPLICATION. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO ALLOW MANUFACTURING PROCESSING USES ON LOTS OF LESS THAN ONE ACRE IN THE B-1(G) ZONING DISTRICT

Julia Trevarthen, the town's Senior Planner, stated that this proposed ordinance would allow the issuance of a zoning permit rather than a conditional use permit for 4.100 uses on lots less than one acre in the B-1(g) zoning district. Ms. Trevarthen stated that the administration recommended adoption of the proposed ordinance.

David Knight, representing the Planning Board, stated that the Planning Board recommended approval of the proposed amendment.

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

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ALLOW MANUFACTURING PROCESSING USES ON LOTS OF LESS THAN ONE ACRE IN THE B-1(G) ZONING DISTRICT," BE ADOPTED. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT TO PROVIDE THAT, IN THOSE ZONING DISTRICTS WHERE A POST OFFICE IS NOW A PERMISSIBLE USE, A CONDITIONAL USE PERMIT SHALL BE REQUIRED

Julia Trevarthen, the town's Senior Planner, stated that this proposed amendment to the Land Use Ordinance Table of Permissible Uses would designate post offices a conditional use in all zoning districts where a post office is now a permissible use. Ms. Trevarthen stated that the administration recommended approval of the proposed ordinance.

David Knight, presenting the Planning Board, stated that the Planning Board recommended approval of the proposed amendment.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST 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 JACQUELYN GIST THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE THAT, IN THOSE ZONING DISTRICTS WHERE A POST OFFICE IS NOW A PERMISSIBLE USE, A CONDITIONAL USE PERMIT SHALL BE REQUIRED," BE ADOPTED. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

SHERRI ONTJES' REQUEST TO AMEND THE SIGN ORDINANCE

Mr. Morgan stated that he had received a request from Sherri Ontjes to make several changes to the town's sign regulations. Mr. Morgan stated that the administration requested that the Board refer Mrs. Ontjes' request to the town staff for scheduling along with similar requests made as part of the March 8, 1990 Downtown Business Forum.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THIS MATTER BE REFERRED TO THE TOWN STAFF FOR SCHEDULING ALONG WITH SIMILAR REQUESTS RECEIVED BY THE DOWNTOWN BUSINESS FORUM HELD ON MARCH 8, 1990. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

RENTAL REHABILITATION APPLICATION

James Harris, the town's Special Projects Coordinator, stated that the administration requested authorization to submit a grant application to the N.C. Housing Finance Office for rental rehabilitation funds. The target area for the Rental Rehab Program is the town's corporate limits. The amount available to Carrboro is \$75,000.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE ADMINISTRATION BE AUTHORIZED TO SUBMIT A 1990 GRANT APPLICATION FOR RENTAL REHABILITATION FUNDS IN THE AMOUNT OF \$75,000. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

1990-91 TRANSPORTATION IMPROVEMENTS PROGRAM PRIORITY LIST

Roy Williford, Planning Director, stated that each year, N.C. DOT solicits proposals for highway improvements from jurisdictions throughout the state for inclusion in the state's Transportation Improvements Program (TIP). Mr. Williford presented the 1990-91 priority list of highway projects needed for Carrboro as recommended by the Transportation Advisory Board.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY TOM GURGANUS THAT THE TIP AS RECOMMENDED BY THE TRANSPORTATION ADVISORY BOARD BE APPROVED WITH THE EXCEPTION OF URBAN #3 AND STATE SECONDARY #3, IN ADDITION TO THE FOLLOWING CHANGES:

1. That Transportation System Management #8 be amended to read: "Installation of an actuated signal at Woodbridge and Willow Creek Shopping Center and a pedestrian crossing at this location."
2. That an additional #9 be added under Transportation System Management to read: "Pedestrian crossing at North Greensboro Street and Poplar Street."
3. Under Bicycle Program, Urban, that the order of #2 and #3 be reversed.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY TOM GURGANUS THAT URBAN #3<sup>4</sup> ADDED AND BE AMENDED TO READ: "WIDEN ESTES DRIVE TO THREE LANES FROM THE CARRBORO TOWN LIMITS TO NORTH GREENSBORO STREET, AND INCLUDE BIKE LANES AND A RIGHT TURN LANE." VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (BRYAN, CALDWELL, GIST)

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT STATE SECONDARY #3 BE ADDED, WHICH WOULD STATE "REDESIGN AND IMPROVE THE INTERSECTION OF HOMESTEAD ROAD (SR 1777), DAIRYLAND ROAD (SR 1112), AND OLD NC 86 (SR 1009)." VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (CALDWELL, BRYAN)

\*\*\*\*\*

TRANSPORTATION ADVISORY BOARD TRANSIT SERVICE RECOMMENDATIONS

John Gardner, a member of the Transportation Advisory Board, stated that the Transportation Advisory Board (TAB) held a Public Forum on February 15, 1990 to receive comments regarding transit service for the upcoming fiscal year.

The TAB met again on March 1, and March 12, 1990 to review the comments received and to recommend transit services for FY'90-91. Mr. Gardner stated that the TAB recommended that the Town of Carrboro continue to provide public transportation for its citizens at the 1989-90 service level with following changes:

1) That the F Route schedule be modified during the midday to alternate trips between Carrboro and the Crest Street neighborhood, so that the same number of trips would be provided in each location but they would be more evenly spaced.

2) That the Board of Aldermen consider altering the F Route to alternate between a new path or a new route including Pathway Drive, Spring Valley Drive and Morningside Drive, upon completion of the development; with the Hillsborough Road-Carol Street-Old Fayetteville Road loop during peak hours based on public comment and on the acceptability of the roads for such service. This is considered as a no-cost option and would not add to travel time.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JACQUELYN GIST THAT THE BOARD ACCEPT THE TRANSPORTATION ADVISORY BOARD'S RECOMMENDATION #1 (THAT THE F ROUTE SCHEDULE BE MODIFIED DURING THE MIDDAY TO ALTERNATE TRIPS BETWEEN CARRBORO AND THE CREST STREET NEIGHBORHOOD SO THAT THE SAME NUMBER OF TRIPS WOULD BE PROVIDED IN EACH LOCATION BUT THEY WOULD BE MORE EVENLY SPACED.) AND THAT THE TOWN OF CHAPEL HILL BE REQUESTED TO PREPARE A BUDGET FOR CARRBORO'S 1990-91 TRANSIT SERVICES WHICH REFLECT THE TAB'S RECOMMENDATION #1.  
VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

RESOLUTION DESIGNATING INSTALLMENT PURCHASE CONTRACT AS TAX-EXEMPT OBLIGATION OF THE TOWN

The town will be entering into a lease-purchase contract with Southern National Leasing Corporation for the installment purchase of one (1) Chevrolet pickup truck and one (1) flat bed truck with knuckle boom trash loader scheduled for replacement in the current budget year.

The administration requested the Board adopt the a resolution designating the contract with Southern National Leasing Corp. as a tax-exempt obligation of the town.

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

A RESOLUTION DESIGNATING AN INSTALLMENT PURCHASE CONTRACT  
AS A TAX-EXEMPT OBLIGATION OF THE TOWN  
Resolution No. 37/89-90

WHEREAS, the Town of Carrboro, through its duly elected Mayor, with the consent and approval of the Board of Aldermen, has entered into a contract with Southern National Leasing Corporation for the purchase of:

One (1) Chevrolet Pickup Truck

One (1) Flat Bed Truck with Knuckle Boom Trash Loader

and;

WHEREAS, the said contract, bearing the date March 14, 1990, qualifies as a tax-exempt obligation of the town, pursuant to the Internal Revenue Code of 1986.

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

Section 1. The aforesaid contract, bearing the date March 14, 1990, by and between the Town of Carrboro and Southern National Leasing Corporation, together with the amounts to be paid thereunder, be and the same are hereby designated as a qualified tax-exempt obligation of the town for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986.

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 March, 1990:

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

Noes: None

Absent or Excused: None

\*\*\*\*\*

APPOINTMENT TO LANDFILL SITE SEARCH COMMITTEE

Alderman Gurganus stated that the Orange Regional Landfill Owners Group at its meeting on March 2, 1990, selected ten citizens to serve on the Landfill Site Search Committee. Each of the three participating jurisdictions also have an opportunity to appoint one member each to the committee.

The Board was requested to appoint a citizen to the Landfill Site Search Committee.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY HILLIARD CALDWELL THAT CHRIS DERBY BE APPOINTED TO THE LANDFILL SITE SEARCH COMMITTEE. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

WATERSHED AMENDMENT SCHEDULE

Mr. Morgan presented a revised schedule for the watershed amendments, which would call for a public hearing on the proposed amendments on May 15, 1990.

\*\*\*\*\*

ADVISORY BOARD REVIEW OF CONDITIONAL USE PERMIT REQUESTS

Mayor Kinnaird requested that the town staff look into the possibility of advisory boards forfeiting their right to review requests for conditional use permits when an advisory board does not have a quorum present when the review is scheduled.

\*\*\*\*\*

PLANS FOR AN ARMORY IN CARRBORO

Alderman Marshall requested that the town staff review the status of the possibility of a National Guard Armory locating in Carrboro.

\*\*\*\*\*

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

*Shah C. Williamson*  
Town Clerk

*Eleanor J. Kinnaird*  
Mayor