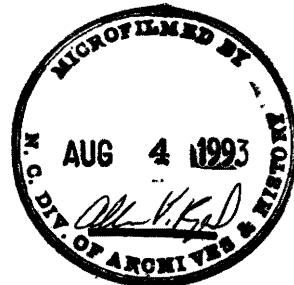


A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 25, 1990 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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



APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE MINUTES OF SEPTEMBER 18, 1990 BE APPROVED. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/ENGINEERING REQUIREMENTS FOR CONSTRUCTION DRAWINGS

The administration requested that a public hearing be set for October 9, 1990 to consider an amendment to the Land Use Ordinance (Section 15-187(a) relating to construction drawing submittal requirements. In addition, the administration requested that this amendment be referred to the Planning Board for its review and recommendation.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT A PUBLIC HEARING BE SET FOR OCTOBER 9, 1990. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT REQUIRING AN OATH OF OFFICE BE ADMINISTERED TO MEMBERS OF THE BOARD OF ADJUSTMENT AND APPEARANCE COMMISSION

Due to problems encountered with the advertisement of this amendment, the administration recommended that this public hearing be continued until October 9, 1990.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THIS PUBLIC HEARING BE CONTINUED UNTIL OCTOBER 9, 1990. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/NO PARKING ON A PORTION OF PLEASANT DRIVE

Sarah Burdick, the town's Transportation Planner, stated that at its meeting on August 28, 1990, the Board of Aldermen requested that a public hearing be scheduled to consider adoption of an ordinance prohibiting parking on the north side of Pleasant Drive from its intersection with Crest Street to the end of pavement. Ms. Burdick stated that the administration recommended adoption of the proposed ordinance.

Alex Zaffron, Chair of the Transportation Advisory Board, stated that the TAB recommended approval of the proposed ordinance.

Marguerite Huggins, a resident of 400 Pleasant Drive, spoke in favor of the proposed ordinance stating that it is often times very difficult for she and her husband to get out of their driveway because of cars parking directly across their driveway and at the end of Pleasant Drive.

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 FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE TOWN CODE TO PROHIBIT PARKING

ON THE NORTH SIDE OF PLEASANT DRIVE FROM ITS INTERSECTION WITH CREST STREET TO THE END OF PAVEMENT," BE ADOPTED. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO PARKS & RECREATION COMMISSION

The Chair of the Parks & Recreation Commission recommend the appointment of Evie Odom to the vacant out-of-town seat on the Commission.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT EVIE ODUM BE APPOINTED TO AN OUT-OF-TOWN SEAT ON THE PARKS AND RECREATION COMMISSION. VOTE: AFFIRMATIVE ALL

LAND USE ORDINANCE TEXT AMENDMENT/CHANGES IN PERMIT REQUIREMENTS FOR USES WITHIN THE B-5, WM-3 AND C ZONING DISTRICTS

At the public hearing held on this matter on August 21, 1990, the Board of Aldermen requested that the Planning Board (with a quorum present) review and make a recommendation on this text amendment. The Planning Board reviewed this matter at its meeting on September 6, 1990 and recommended approval of the proposed amendment.

The administration recommended that the Board not adopt the proposed text amendment because it is felt that it will not provide any additional protection for the University Lake watershed and it will remove what limited flexibility the town staff currently has for dealing with small business uses in the C, B-5 and WM-3 zoning districts.

Diana Woolley, Chair of the Planning Board, stated that the Planning Board recommended approval of the proposed amendment.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REQUIRE A CONDITIONAL USE PERMIT FOR CERTAIN USES IN THE C, B-5 AND WM-3 DISTRICTS," BE ADOPTED. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (MARSHALL, GURGANUS, CALDWELL)

UPDATE ON COMPUTERIZED TRAFFIC SIGNALIZATION

Sarah Burdick, the town's Transportation Planner, presented a report on a computerized traffic signalization system which would serve both Chapel Hill and Carrboro. Ms. Burdick stated that the town staff is currently working with the Town of Chapel Hill in preparing an interlocal agreement between Chapel Hill and Carrboro for the operation of the system which lies within Carrboro.

Roy Williford, Planning Director, stated that if Carrboro wanted to add additional lights to the system, Carrboro would have to pay for those lights.

[No action was taken by the Board on this item.]

APPOINTMENT TO PLANNING BOARD

The Chair of the Planning Board recommended the appointment of Judith Williams to the vacant ETJ position on the Planning Board.

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

A RESOLUTION REQUESTING AN APPOINTMENT TO AN
EXTRATERRITORIAL SEAT ON THE CARRBORO PLANNING BOARD
Resolution No. 11/90-91

WHEREAS, as a result of a resignation, it is necessary to appoint a person to a seat reserved on the Carrboro Planning Board for persons residing within the town's extraterritorial planning jurisdiction; and

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint extraterritorial members to the town's Planning Board.

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

Section 1. The Orange County Board of Commissioners is respectfully requested to appoint the following individual to an out-of-town seat on the Carrboro Planning Board:

Ms. Judith Williams, 1510 Homestead Road, Chapel Hill, N.C. 27516, to the out-of-town seat expiring in February, 1992.

Section 2. If the Orange County Board of Commissioners fails to appoint persons willing to serve in the capacity described above within 90 days after receiving this resolution, then the Carrboro Board of Aldermen may make this appointment.

Section 3. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

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 25th day of September, 1990:

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

Noes: None

Absent or Excused: None

SALE OF SURPLUS FIRE TRUCK

In March, 1990, the Board approved a resolution declaring the 1967 Ford Pumper surplus personal property and authorized the sale of the truck by sealed bids with a minimum bid of \$15,000. The Stem Volunteer Fire Department has made an offer of \$10,015 for this truck and the administration recommends that the Board accept this offer. Because this bid is below the minimum bid amount of \$15,000, the Town Attorney has recommended that the Board treat the bid submitted by Stem Fire Department as an offer to purchase pursuant to G.S. 160A-269. This would require the bidder to make a 5% deposit of the bid amount and the bid would need to be advertised. If an upset bid is not received within 10 days, the Board could authorize the sale to the Stem Fire Department.

The administration requests adoption of a resolution authorizing the administration to proceed with the sale of the truck.

The following resolution was introduced by Alderman Frances Shetley and duly seconded by Alderman Randy Marshall.

A RESOLUTION AUTHORIZING OF THE SALE OF A 1967 FORD PUMPER
Resolution No. 13/90-91

WHEREAS, the Board of Aldermen adopted a resolution declaring the 1967 Ford Pumper (#C85KUB42814) surplus property and authorized the sale of this truck by sealed bids, setting forth a minimum of \$15,000 for these bids; and

WHEREAS, the town advertised for sealed bids on two occasions with bid openings on June 1, 1990 and July 11, 1990; and

WHEREAS, no bids in response to these two advertisements were received; and

WHEREAS, on September 17, 1990, the Stem Volunteer Fire Department made an offer of \$10,015 to purchase the truck. This offer falls below the minimum set forth in the town's advertisements, but the Fire Chief and the town administration have found it to be acceptable.

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

Section 1. In accordance with G.S. 160A-269, the Board hereby proposes to accept the offer of \$10,015 made by the Stem Volunteer Fire Department for the purpose of the 1967 Ford Pumper.

Section 2. Before the sale of this truck is transacted, the Stem Volunteer Fire Department must deposit with the Town Clerk 5% of the offer amount and the town must publish a notice of the offer in The Chapel Hill Newspaper indicating that within 10 days any person may raise by not less than 10% of the first one thousand dollars and 5% of the remainder. If no upset bids as outlined herein are received, the Board hereby authorizes the town administration to proceed with the sale of the fire truck to the Stem Volunteer Fire Department in accordance with the offer submitted.

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 25th day of September, 1990:

Ayes: Randy Marshall, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist

Noes: Tom Gurganus, Jay Bryan

Absent or Excused: None

DISCUSSION OF STEEP SLOPE POLICY

Julia Trevarthen, the town's Senior Planner, presented a report on options available for steep slope development control including total prohibition of steep slope development, slope density ordinances, and steep slopes development guidelines.

[The Board took no action on this item.]

ACCESS TO RICHARD BIRGEL PROPERTY

Roy Williford, Planning Director, presented the Board with a copy of an agreement between Richard Birgel and Wilbert Jones, representative of the Alabama Avenue Neighborhood Association, in regard to the realignment of Alabama Avenue to serve the Birgel property.

[This was provided as information to the Board.]

DAVIE ROAD WATERLINE

It was the consensus of the Board to request the Town Manager to work out a schedule to have the improvements to Davie Road and Glosson Circle completed as soon as possible.

REPORT FROM OWASA REPRESENTATIVES

It was the consensus of the Board to request a report from the town's OWASA representatives on OWASA's proposal to take over the sewer system at Cole Park Plaza.

TRAFFIC SIGNAL AT INTERSECTION OF ESTES DRIVE AND NORTH GREENSBORO STREET

It was the consensus of the Board to request that the town staff check into the possibility of having the timing adjusted on the p.m. left turn light at the intersection of N. Greensboro and Estes Drive.

TRAFFIC IMPROVEMENTS AT THE INTERSECTION OF ESTES DRIVE AND NORTH GREENSBORO STREET

It was the consensus of the Board to request that the town staff check into the possibility of purchasing the right-of-way necessary to construct a right turn lane on Estes Drive at its intersection with N. Greensboro Street.

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

Saul C. Williamson
Town Clerk

Dean J. Kirwood
Mayor