

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, December 11, 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	Robert Hagemann representing Michael Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE MINUTES OF DECEMBER 4, 1990 BE APPROVED. VOTE: AFFIRMATIVE ALL

REQUEST FOR LAND USE ORDINANCE TEXT AMENDMENT

Francis Chan requested that the Board consider amending the Land Use Ordinance to allow restaurants with drive-in windows in the B-1(c) zoning district. Mr. Chan stated that he wanted to open a restaurant in First Union National Bank building located at the corner of North Greensboro and Weaver Streets.

It was the consensus of the Board to request the town staff to prepare the necessary Land Use Ordinance amendment and that the amendment be reviewed by the Transportation Advisory Board, Appearance Commission and Planning Board.

REQUEST FOR UPDATE ON RIGHT TURN FROM SHELTON STREET

James Stanford urged the Board to have the right turn only sign removed at the intersection of Shelton Street and Hillsborough Road.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JACQUELYN GIST THAT THE SIGN BE REMOVED. (MOTION WITHDRAWN)

Melanie See urged the Board to keep the sign up until further study is done to find a solution to the traffic problem at this intersection.

It was the consensus of the Board to request that the language on the current sign be revised to say "Right Turn Only When a Traffic Officer is Present."

Mr. Morgan stated that he would contact the N.C. Department of Transportation to determine the status of its report on this intersection.

PUBLIC HEARING/VOLUNTARY ANNEXATION/CHAPEL HILL TENNIS CLUB

The Chapel Hill Tennis Club has submitted a petition for annexation of the Chapel Hill Tennis Club property. This property is contiguous to the town limits and is located on the southern end of Westbrook Drive adjacent to the Weatherhill Subdivision and contains 19.138 acres.

The administration recommended that the Board of Aldermen adopt an ordinance annexing this property, effective December 31, 1990.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE PUBLIC HEARING BE CLOSED AS NO ONE WISHED TO SPEAK. VOTE:

AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING THE CHAPEL HILL TENNIS CLUB", BE ADOPTED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST THAT THE CHAPEL HILL TENNIS CLUB BE REQUESTED TO CONSIDER CHANGING ITS NAME TO THE CHAPEL HILL-CARRBORO TENNIS CLUB. (MOTION DIED FOR THE LACK OF A SECOND.)

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT ALLOWING DAY CARE CENTERS IN B-1(G) ZONING DISTRICT WITH A ZONING PERMIT

This was a public hearing to receive public comment on a proposed amendment to the Land Use Ordinance which would allow day care centers in the B-1(g) zoning district with a zoning permit.

Julia Trevarthen, the town's Senior Planner, explained the proposed amendment.

The administration recommended adoption of the proposed amendment.

MOTION WAS MADE BY HILLIARD CALDWELL 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 RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ALLOW DAY CARE CENTERS IN THE B-1(G) ZONING DISTRICT WITH A ZONING PERMIT," BE ADOPTED. VOTE: AFFIRMATIVE ALL

Alderman Bryan requested a status report on his request for a report on dealing with non-conforming uses without amending the Land Use Ordinance.

PUBLIC HEARING/FUNDING FOR ARTSCENTER

This was a public hearing to receive public input on future funding of the ArtsCenter.

Fred Good requested that the Board consider the question, Does Carrboro want to keep the ArtsCenter? Mr. Good stated that the ArtsCenter's financial records are now computerized and very accurate.

Sherry Ontjes read a statement speaking in support of the ArtsCenter.

Susan Hansel, representing the Carrboro Business Association, stated that 30 Carrboro businesses responding to a survey, wanted the Business Association to support the ArtsCenter. Two businesses who responded did not wish for the Carrboro Business Association to become involved in the matter.

Jay Miller, owner of the Music Loft, stated that the ArtsCenter is one of the reasons he had located his business in Carrboro. Mr. Miller stated that the Music Loft had written off a \$7,000 debt owed it by the ArtsCenter.

Scott Bertram, with Townshend Bertram Company, stated that Carrboro needs the culture provided by the ArtsCenter. Mr. Bertram stated that he felt Chapel Hill would be happy to get the ArtsCenter.

Jane Surling, a Carrboro resident, spoke in support of the ArtsCenter.

Andrew Cohen, a Carrboro resident, questioned whether municipal support of the ArtsCenter is appropriate since not all citizens use the services offered by it. Mr. Cohen stated that he did not feel taxpayers should have to subsidize it when there are people who attend the ArtsCenter who are willing to subsidize it. Mr. Cohen

stated that he feels the ArtsCenter should be self-supportive.

Melanie See, a resident of 616 W. Main Street, and representing three other Carrboro families, spoke in support of the ArtsCenter. Ms. See read a statement from Ruffin Slater of the Weaver Market speaking in support of the ArtsCenter.

Jim Porto, a resident of Walters Road, stating that Carrboro is setting itself up for an economic disaster if it funds the ArtsCenter when the country is going into an economic recession. Mr. Porto stated that the town should not be using money from the fund balance to balance its budget. Mr. Porto stated that he had been a member of the Capital Improvements Task Force, who had recommended that the ArtsCenter become self-supportive.

Richard Ellington, a resident of 109 Bruton Drive, stated that he did not feel \$11,400 will make or break the ArtsCenter and that he sees the good the ArtsCenter provides to Carrboro. Mr. Ellington stated that Carrboro should support the ArtsCenter with a statement that it become self-supportive. Mr. Ellington stated that the support of the entire community will rescue the ArtsCenter.

Michelle Powers, President of Center Gallery, presented 170 letters from children of the community speaking in support of the ArtsCenter.

Dougald McMillan, a resident of 300 S. Greensboro Street and publisher of Signal Books, questioned whether people over 50 and 10 years of age use the programs offered by the town's recreation department. Mr. McMillan stated that he feels that a commensurate amount should be allocated to the segment of the population that uses the services of the ArtsCenter as is allocated to the town's recreation program.

Henry Andrews, a Carrboro homeowner and former chair of the ArtsCenter Board of Directors, stated that the ArtsCenter is not asking for a handout, it is asking for moral and financial support. Mr. Andrews stated that the arts are needed in people's lives. The ArtsCenter has come a long way--the debt is much less and the budget is tighter than it has been in the past. Mr. Andrews stated that arts organizations are traditionally not self-supportive.

Glen Greenstreet, a resident of Chapel Hill, spoke in favor of funding the ArtsCenter. Mr. Greenstreet stated that the ArtsCenter is not asking for a bailout and that there is a lot of good will for the ArtsCenter. Mr. Greenstreet stated that the ArtsCenter has to continue to retain that good will by paying its creditors.

Wayne Hodges, President of Elmo's Diner, stated that the ArtsCenter is one of the reasons he is opening his business in Carr Mill. The ArtsCenter provides an anchor for downtown Carrboro. Mr. Hodges urged the Board to continue to support the ArtsCenter.

Joe Robbins, a resident of 104 Spring Valley Road, stated that he is a casual user of the ArtsCenter. Mr. Robbins urged the Board to look at its priorities before making a decision on further funding of the ArtsCenter.

Gene Mangelo, a resident of 116 Bim Street, questioned how the Artscenter can continue to ignore ex-employees of the ArtsCenter. Mr. Mangelo stated that they need to address the expenses owed to people before additional funds are allocated to them.

Fred Good stated that there are five former employees of the ArtsCenter are owed payment for services rendered for a total amount of \$6,000. Mr. Good stated that these debts will be paid, with a goal of full payment by the end of December, 1990.

A.C. Bushnell, a resident of 112 Pine Street, stated that he feels the town should allocate the requested funds to the ArtsCenter.

Malcolm Wills, a resident of Durham, stated that he is one of the five former employees of the ArtsCenter who is owed money. Mr. Wills stated that he believes fully in the arts but is torn between that and the fact that he was given a bad pay check by the ArtsCenter.

Larry Hayes, owner of Broad Street, stated that the community needs the ArtsCenter and it needs to be run like any other business. The community needs to support the ArtsCenter and get it back on its feet.

Francis Chan, a former member of the ArtsCenter Board of Directors, and one of its guarantors, stated that the ArtsCenter should try to communicate with its former employees. Mr. Chan stated that he supports the arts.

Soleman Gibson, a resident of Hatch Road, stated that he has been involved with the ArtsCenter for the part 10 years. Mr. Gibson stated that he does not feel anything would replace the ArtsCenter if it were to close. Mr. Gibson urged the support of the Artscenter. Mr. Gibson stated that he has not felt alienated at the ArtsCenter because he is Black. Mr. Gibson stated that he believes in the Artscenter.

Charles Held, a resident of Bim Street, stated that he did not feel \$11,500 would make or break the ArtsCenter. Mr. Held stated that there are other venues in the Triangle area available to people wanting to attend or participate in programs offered by the ArtsCenter. Mr. Held stated that he would like to see the community support the ArtsCenter rather than governmental support of it.

Bob Proctor, a resident of Carrboro, spoke in support of the ArtsCenter. Mr. Proctor stated that the ArtsCenter is the only facility in this area that provides the kind of arts requested in the Chapel Hill-Carrboro area.

Julie Tomkovic, a resident of 300 Oleander Road, gave information on the dollars paid out by the ArtsCenter and stated that this was a direct return on the town's investment.

Jef, a resident of 300 Stony Hill Road in Chapel Hill, stated that the Transactors will never get their money. Jef stated that the Board needs to take into account the fact that the ArtsCenter did not pay the Transactors with State-allocated funds.

Randy Gregory, a resident of Chapel Hill, stated that he was active in the ArtsCenter in the past but had differences with the past director but that he is active once again because of the current director. Mr. Gregory stated that he believes in the ArtsCenter and feels the ArtsCenter will survive without public support.

Starnes Weaver, a resident of 613 Hillsborough Road, stated that he feels the ArtsCenter has had adequate time to get their house in order and have not done so. Mr. Weaver stated that he feels it is wrong not to pay employees money owed them. Mr. Weaver stated that as long as there is mismanagement of funds, further funding should not take place.

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

Alderman Shetley presented a resolution for the Board's consideration in support of the ArtsCenter.

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION OF SUPPORT FOR THE ARTSCENTER
Resolution No. 23/90-91

WHEREAS, the ArtsCenter has enriched, and continues to enrich, the cultural lives of all who seek the services thereof; and

WHEREAS, the ArtsCenter has ministered, without favor to all people; and

WHEREAS, the ArtsCenter has, from its inception, been a corporate citizen of the Town of Carrboro; and

WHEREAS, the ArtsCenter has become in the public mind most commonly associated with the Carrboro community; and

WHEREAS, the ArtsCenter has been an object of corporate pride to the Town of Carrboro and of individual pride to citizens thereof.

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

Section 1. The ArtsCenter is a worthy endeavor and the ArtsCenter is a valuable asset to the cultural life and to the economic life of this community.

Section 2. We desire the long continuation of the ArtsCenter and will continue to honor and to support the ArtsCenter.

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 11th day of December, 1990:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT FUNDING BE PROVIDED TO THE ARTSCENTER SUFFICIENT TO COVER RENT PAYMENTS TO MAIN STREET PARTNERS FOR THE PERIOD OCTOBER, 1990 THROUGH MARCH, 1991 FOR A TOTAL AMOUNT OF \$7,500 BASED ON THE FOLLOWING CONDITIONS:

1. That the ArtsCenter provide to the town a status report on the purchase the ArtsCenter building from Main Street Partners or the resolution of that debt;
2. That the ArtsCenter provide to the town a report on restructuring the debt owed to the Mary Reynolds Babcock Foundation or the resolution of that debt;
3. That any requests for additional funds be based on a showing of the justifications required by the human service organizations that ask the town for funds, including the number of Carrboro residents proposed to be benefitted by the funds, the type of programs to which the money would be allocated, and the breakdown of how the funds would be spent;
4. That the ArtsCenter provide to the town an up-to-date financial statement, which should be made available to the town staff for their analysis prior to a request for additional funding in March, 1991 and that the ArtsCenter provide any additional information requested by the town staff during their analysis;
5. That the ArtsCenter consider conducting a survey of the spending habits of users of the ArtsCenter to see what percentage spend money at Carrboro businesses when they come to ArtsCenter activities;
6. That the ArtsCenter provide to the town a balance sheet showing separate accounting for funds received from foundations during Fiscal 1990-91 with documentation on how the ArtsCenter will prevent a deficit if grants are not received; and
7. That the ArtsCenter expedite payment to former employees of the ArtsCenter who have not forgiven the debt owed them by the ArtsCenter.

IN ADDITION, THAT A PUBLIC HEARING NOT BE HELD IN MARCH, 1991 WHEN THE ARTSCENTER REQUESTS ADDITIONAL FUNDING. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (GURGANUS, CALDWELL, SHETLEY)

OVERVIEW OF BUDGET PROCESSES AND BUDGET CALENDAR FOR FY'91-92

This item was rescheduled for the Board's meeting on December 18, 1990.

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

Sarah C. Williamson
Town Clerk

Dean J. Kinross
Mayor