

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 2, 1991 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent:

Alderman	Tom Gurganus
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APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE MINUTES OF MARCH 26, 1991, BE APPROVED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GURGANUS)

PROCLAMATION ISSUED

Mayor Kinnaird read a proclamation proclaiming the week of April 21 - 27, 1991 as Transportation Alternatives Week in the Town of Carrboro.

REQUEST FOR SPONSORSHIP OF TRANSPORTATION ALTERNATIVES WEEK

Peter Todd asked that the Board of Aldermen be a sponsor of the Transportation Alternatives Week. Mr. Todd stated that the town would not be asked to contribute monetarily as a sponsor.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN THAT THE TOWN OF CARRBORO BE A CO-SPONSOR OF THE TRANSPORTATION ALTERNATIVES WEEK. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GURGANUS)

PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/TEAL PROPERTY

Ralph and Harlene Teal submitted a petition for annexation of their property located at the southeast corner of Smith Level Road and Culbreth Road. This property is non-contiguous to the Town of Carrboro and contains 1.2 acres. The administration recommended that the Board of Aldermen adopt an ordinance annexing the Teal property into the Town of Carrboro, effective April 30, 1991.

Ralph Teal requested that the annexation be approved.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GURGANUS)

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING RALPH AND HARLENE TEAL PROPERTY," BE ADOPTED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GURGANUS)

PUBLIC HEARING/REQUEST FOR REZONING/RALPH AND HARLENE TEAL PROPERTY

Julia Trevarthen, the town's Senior Planner, stated that Ralph and Harlene Teal had submitted a petition for change of zoning of their property located on Tax Map 122, Block B, Lot 23 and containing approximately 1.2 acres. This property is currently zoned residential by Chapel Hill; however, now that it has been annexed into Carrboro, the property must be rezoned to a Carrboro zoning district. Ms. Trevarthen stated that the town staff was recommending it be rezoned from Chapel Hill R-2 to Carrboro R-10.

Robin Lackey, representing the Planning Board, stated that the Planning Board recommended approval of the rezoning request. Ms. Lackey stated that Margaret Brown had cast a negative vote for this rezoning.

Alex Zaffron, Chair of the Transportation Advisory Board, stated that the TAB had discussed the rezoning of this property. Mr. Zaffron stated that he had concerns with the size of this lot and the access onto either Smith Level or Culbreth Road.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GURGANUS)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 1.2 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF SMITH LEVEL ROAD AND CULBRETH ROAD, FROM CARRBORO R-10 AND CHAPEL HILL R-2 TO CARRBORO R-10," BE ADOPTED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GURGANUS)

PUBLIC HEARING/THOROUGHFARE PLAN MODIFICATION/REMOVAL OF OLD FAYETTEVILLE ROAD EXTENSION

This was a public hearing to receive citizen input on whether to remove the Old Fayetteville Road Extension from the Thoroughfare Plan.

Sarah Burdick, the town's Transportation Planner, stated that the administration recommended that the Old Fayetteville Road Extension remain on the Thoroughfare Plan because by doing so, it will meet the town's basic philosophy on the design of a roadway system, as reflected in the 2000 Task Force Policies and the Connector Roads Plan. In addition, by supporting the Southern Connector Roads Plan, of which Old Fayetteville Road Extension is an integral part, the delivery of service is enhanced, particularly bus service, while cost are minimized through greater efficiency.

Roy Williford, the town's Planning Director, explained that an alternative to extending the Old Fayetteville Road Extension the entire distance to Smith Level Road, would be to connect it with BPW Club Road or Rock Haven Road to provide a connection with Smith Level Road.

Blake Norwood, with the N.C. Department of Transportation, stated that Chapel Hill had not taken official action on a revised plan to remove Laurel Hill Parkway from the Thoroughfare Plan. Mr. Norwood stated that the bridge over Morgan Creek would cost between \$400,000 and \$500,000. Mr. Norwood encouraged the Board to leave the Thoroughfare Plan as it is proposed to connect Old Fayetteville Road Extension with Smith Level Road. Mr. Norwood stated that the Laurel Hill Parkway (Old Fayetteville Road Extension) would be a state-built road.

Roy Williford stated that the Town of Carrboro would not be responsible for constructing the bridge over Morgan Creek.

Alex Zaffron, chair of the Transportation Advisory Board, stated that the TAB recommended that the Old Fayetteville Road Extension be dropped from the proposed 1989 Thoroughfare Plan, but that the connector roads between Woodbridge II and Westbrook Drive and the portion of the Thoroughfare between Rock Haven and BPW Club Road be retained as connector roads in order to improve mass transit as these areas are developed.

Julia Trevarthen, the town's Senior Planner, stated that the Planning Board recommended that the Old Fayetteville Road be deleted from the Thoroughfare Plan.

Teresa Clanton, Manager of Woodbridge Apartments, read a letter from Dean DeVillers, Vice-President of Charter Properties, managing agent and managing general partner for the owners of Woodbridge II. Mr. DeVillers stated that Woodbridge II had been required to construct a portion of the Old Fayetteville Road Extension at a cost of approximately \$200,000. In addition, Woodbridge II placed its front entry on the Old Fayetteville Road Extension rather than Jones Ferry Road because the town said it would be a highly traveled road upon completion to Smith Level Road. Mr. DeVillers urged the town to keep the Old Fayetteville Road Extension on the Thoroughfare Plan.

Steve Chandler, a resident of Ray Road, stated that as a business owner in the area of the proposed Old Fayetteville Road Extension, he would like to see the road built, but that he would prefer to have this pristine area

remain undisturbed. Mr. Chandler stated that he felt if this extension were built, it would kill business in downtown Carrboro.

Peter Todd, a former resident of Carrboro and a member of the Research Triangle Chapter of the Sierra Club, stated that he feels the extension of Old Fayetteville Road has lost its function since Chapel Hill has taken the Laurel Hill Parkway off the Thoroughfare Plan. Mr. Todd stated that he does not feel the Old Fayetteville Road Extension will relieve congestion on Smith Level Road since most of the rush hour traffic goes east or west, not north and south. Mr. Todd stated that he agrees with OWASA that the Old Fayetteville Road Extension would increase traffic and development pressures in the watershed.

Mary Jane Baker, a resident of Ray Road, stated that she does not feel Old Fayetteville Road Extension is needed. Ms. Baker stated that she feels another access to Frank Porter Graham School is what is needed to relieve traffic congestion on Smith Level Road.

Olivia Ludington, a resident of Ray Road, stated that she does not feel the congestion on Smith Level Road would be alleviated by the Old Fayetteville Road Extension--that the problem could be alleviated by the addition of a third lane on Smith Level Road. Ms. Ludington read portions of a letter from Pearson Stewart, with the Triangle Land Conservancy, asking that the Old Fayetteville Road Extension not be built in order to retain the rhododendron bluffs and hardwoods in that area.

John Kent, with the New Hope Audubon Chapter, and a resident of Old Lystra Road, stated his opposition to the construction of the Old Fayetteville Road Extension because it would disturb the rhododendron bluffs and natural areas.

Darlene McKimmon, Manager of Willow Creek Shopping Center, stated that the merchants at Willow Creek would like to see the Old Fayetteville Road Extension remain on the Thoroughfare Plan.

Marilyn Mooney, a resident of Stoneybrook, stated that she does not see a lot of traffic on Old Fayetteville and that it is a rural buffer. Ms. Mooney stated if the traffic projections made by DOT are correct are this area, then the Old Fayetteville Road Extension should be built.

Steve Majors, a resident of Ray Road, pointed out OWASA's recommendation against construction of the Old Fayetteville Road Extension.

Ken Moore, a resident of Old Fayetteville Road, stated that the traffic on Old Fayetteville Road is most heavy in the morning and afternoon. Mr. Moore spoke against the Old Fayetteville Road Extension since another major thoroughfare is only one block away from Old Fayetteville Road.

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 FRANCES SHETLEY AND SECONDED BY JACQUELYN GIST THAT THE OLD FAYETTEVILLE ROAD EXTENSION BE DELETED FROM THE 1991 TRANSPORTATION IMPROVEMENT PROGRAM, THAT THE CONNECTOR ROAD BETWEEN WOODBRIDGE II AND WESTBROOK DRIVE REMAIN ON THE CONNECTOR ROADS PLAN, AND THAT THE PORTION OF THE OLD FAYETTEVILLE ROAD EXTENSION BETWEEN ROCK HAVEN ROAD AND BPW CLUB ROAD BE CHANGED TO A CONNECTOR ROAD STATUS. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (MARSHALL, CALDWELL), ABSENT ONE (GURGANUS)

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JACQUELYN GIST THAT N.C. DOT BE REQUESTED TO REMOVE THE OLD FAYETTEVILLE ROAD EXTENSION FROM THE PROPOSED DURHAM-CHAPEL HILL-CARRBORO THOROUGHFARE PLAN. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (MARSHALL, CALDWELL), ABSENT ONE (GURGANUS)

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JACQUELYN GIST THAT N.C. DOT BE REQUESTED TO REMOVE THE PORTION OF THE SOUTHERN LOOP BETWEEN JONES FERRY ROAD AND SMITH LEVEL ROAD (OLD FAYETTEVILLE ROAD EXTENSION/LAUREL HILL PARKWAY) FROM THE 1984 THOROUGHFARE PLAN. VOTE: AFFIRMATIVE SIX, ABSENT ONE (GURGANUS)

1991-92 TRANSPORTATION IMPROVEMENTS

The administration presented a 1991-92 priority list of highway projects needed in Carrboro for the Board's review on March 12, 1991. The Board of Aldermen requested that action on this matter be delayed until following tonight's public hearing on modification to the Thoroughfare Plan.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE #4 UNDER URBAN (WIDEN JONES FERRY ROAD TO FIVE LANES FROM OLD FAYETTEVILLE ROAD TO NC 54 AND INCLUDE BIKELANES AND GRADE FOR SIDEWALKS) BE LEFT IN THE TIP. VOTE: AFFIRMATIVE TWO, NEGATIVE FOUR (KINNAIRD, SHETLEY, GIST, BRYAN), ABSENT ONE (GURGANUS)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN THAT #4 UNDER URBAN (WIDEN JONES FERRY ROAD TO FIVE LANES FROM OLD FAYETTEVILLE ROAD TO NC 54 AND INCLUDE BIKELANES AND GRADE FOR SIDEWALKS) BE CHANGED FROM FIVE LANES TO THREE LANES. (MOTION WITHDRAWN)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE 1991-92 TRANSPORTATION IMPROVEMENTS PROGRAM BE ADOPTED AS PRESENTED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (KINNAIRD), ABSENT ONE (GURGANUS)

RESOLUTION CHANGING BANK SIGNATURE CARD AUTHORIZATION

The administration requested adoption of a resolution changing the bank signature card authorization to allow the Town Manager to sign bank transactions.

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

A RESOLUTION OPENING AND MAINTAINING A DEPOSIT ACCOUNT
AND/OR CERTIFICATES OF DEPOSIT
Resolution No. 40/90-91

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. North Carolina National Bank is hereby designated as a depository of the Town of Carrboro and a deposit account and/or certificates of deposit are opened and maintained in the name of the Town of Carrboro in accordance with the applicable rules and/or certificates of deposit be opened and maintained in the name of the Town of Carrboro with said Bank in accordance with the applicable rules and regulations for such an account; that any one of the following officers or employees of the Town of Carrboro:

Robert W. Morgan, Town Manager

William Laurence Gibson, Jr., Assistant Town Manager/Finance Director

is hereby authorized, on behalf of the Town of Carrboro, and in its name to sign checks, drafts, notes, bills of exchange, acceptances, certificates of deposit or other orders for the payment of money; to endorse checks, notes, bills, certificates of deposit, or other instruments, owned or held by the Town of Carrboro for deposit with said Bank or for collection or discount by said Bank; to accept drafts, acceptances, and other instruments payable at said Bank; to place orders with said Bank for the purchase and sale of foreign currencies on behalf of the Town of Carrboro; to execute and deliver an electronic funds transfer agreement and to appoint and delegate, from time to time, such persons who may request transfers on behalf of the Town of Carrboro; to establish and maintain a night deposit relationship; to waive presentment, demand, protest, and notice of protest, or dishonor of any check, note, bill, draft, or other instrument made, drawn, or endorsed by the Town of Carrboro;

Section 2. North Carolina National Bank is hereby authorized to honor, receive, certify, or pay all instruments signed in accordance with this resolution even though drawn or endorsed to the order of any officer or employee signing the same or tendered by him for cashing, or in payment of the individual obligation of such officer or employee, or for deposit to his personal account, and said Bank shall not be required or be under any obligation to inquire as to the circumstances of the issuance or use of any instrument signed in accordance with the foregoing resolution, or the application or disposition of such instrument or the proceeds thereof.

Section 3. North Carolina National Bank is hereby requested, authorized, and directed to honor checks, drafts, or other orders for the payment of money drawn in the Town of Carrboro's name, including those payable to the individual order of any person or persons whose name or names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signature of the specified number of the foregoing officers or employees of the Town of Carrboro and North Carolina National Bank shall be entitled to honor and to charge the Town of Carrboro for such checks, drafts or other orders, regardless of by whom or by what means the

actual or purported signature or signatures thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimen duly certified to or filed with North Carolina National Bank by the Town Clerk.

Section 4. The Town Clerk of the Town of Carrboro shall certify to said Bank the name of the persons who are at present authorized to act on behalf of the Town of Carrboro under the foregoing resolution and shall from time to time hereafter, as changes in the personnel of said officers and employees are made, immediately certify such changes to said Bank, and said Bank shall be fully protected in relying on such certifications of the Town Clerk and shall be indemnified and saved harmless from any claims, demands, expenses, loss, or damage resulting from, or growing out of, honoring the signature of any officer or employee so certified, or refusing to honor any signature not so certified.

Section 5. This resolution shall remain in full force and effect until written notice of its amendment or rescission shall have been received by said Bank, and that receipt of such notice shall not affect any action taken by said Bank prior thereto.

Section 6. All transactions by any of the officers or employees of the Town of Carrboro on its behalf, and in its name, with North Carolina National Bank prior to the delivery to said Bank of a certified copy of this resolution is in all respects hereby ratified, confirmed, approved and adopted.

Section 7. The Town Clerk is hereby authorized and directed to certify this resolution to North Carolina National Bank and that the provisions thereof are in conformity with the Charter of the Town of Carrboro.

Section 8. 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 2nd day of April, 1991:

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

Noes: None

Absent or Excused: Tom Gurganus

RESOLUTION REQUESTING INCREASE IN TOBACCO TAX

Mayor Kinnaird requested that the Board consider adoption of a resolution requesting that the tax on tobacco products be increased.

It was the consensus of the Board to consider this resolution at its next meeting.

REQUEST FOR REPORT ON NOTIFICATION OF SCHEDULE CHANGES FOR PICK-UP OF ROLL-OUT CONTAINERS AND RECYCLING BINS

Alderman Marshall requested a report on how citizens are notified of schedule changes for pick-up of roll-out containers and recycling bins.

Mr. Morgan stated that a report would be provided.

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



Mayor



Town Clerk