

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, July 9, 1991 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent:

Alderman	Randy Marshall
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**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF JUNE 25, 1991 BE APPROVED. VOTE: AFFIRMATIVE ALL

Alderman Bryan and Shetley indicated that they were in favor of approving the increase in the motor vehicle tax from \$5.00 to \$10.00, which was acted on by the Board of Aldermen at its meeting on June 25, 1991.

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**RESOLUTION CLARIFYING THE BOARD'S INTENTION TO DELETE THE HOMESTEAD ROAD EXTENSION FROM THE 1984 AND THE 1989 THOROUGHFARE PLANS**

Mike Hughes, developer of the proposed Wexford Subdivision, stated that the town had received notification from the N.C. Department of Transportation that DOT would refrain from issuing conditional approval for access from the Wexford Subdivision onto Homestead Road until DOT and the Town of Carrboro resolves any differences in regard to the 1984 Thoroughfare Plan.

Roy Williford, the town's Planning Director, stated that the Board of Aldermen on two occasions had voted to remove the Homestead Road Extension from the Thoroughfare Plan. Mr. Williford presented a resolution for the Board's consideration which would clarify the Board's intention to delete the Homestead Road Extension from both the 1984 and the 1989 Thoroughfare Plans.

The following resolution was introduced by Alderman Frances Shetley and duly seconded by Alderman Hilliard Caldwell.

**A RESOLUTION CLARIFYING THE BOARD'S INTENTION TO  
DELETE THE HOMESTEAD ROAD EXTENSION FROM BOTH THE  
1984 AND THE PROPOSED THOROUGHFARE PLAN  
Resolution No. 1/91-92**

WHEREAS, the Board of Aldermen adopted the Durham-Chapel Hill-Carrboro Thoroughfare Plan and deleted the proposed Homestead Road Extension at its August 15, 1989 meeting; and

WHEREAS, the Board of Aldermen reaffirmed its intent in a motion made at its February 6, 1990 meeting by rejecting the proposed alternatives to Homestead Road Extension; and

WHEREAS, NCDOT has requested further clarification of the Board's intent to remove Homestead Road from the Thoroughfare Plan;

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

Section 1. The Board of Aldermen resolves to clarify its intention to delete the Homestead Road Extension from both the 1984 Chapel Hill-Carrboro Thoroughfare Plan and the proposed 1989 Durham-Chapel Hill-Carrboro Thoroughfare Plan.

Section 2. This resolution shall be effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 9th day of July, 1991:

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

Noes: None

Absent or Excused: Randy Marshall

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INTRODUCTION OF BOND ORDER AND SETTING OF PUBLIC HEARING/COMMUNITY CENTER BOND REFERENDUM

Richard Kinney, Parks & Recreation Director, stated that at its meeting on May 21, 1991, the Board of Aldermen voted to proceed with a November, 1991 bond referendum for the citizens to vote on whether or not to sell bonds to raise funds for a community center. In following the approved time schedule and to meet Local Government Commission regulations, the administration recommended that the Board introduce the bond order and set the public hearing on this matter for September 3, 1991.

Alderman Gurganus stated that he was voting in favor of introducing the bond order and setting a public hearing date only to allow for this matter to proceed on schedule, not because he was in favor of issuing bonds to construct a community center.

Alderman Jacquelyn Gist introduced the following Bond Order, the title of which was read:

BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS (1991 COMMUNITY RECREATION CENTER PROJECT) OF THE TOWN OF CARRBORO FOR THE PURPOSE OF FINANCING, IN PART, THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF A COMMUNITY RECREATION CENTER FACILITY IN THE TOWN OF CARRBORO

WHEREAS, the Board of Aldermen of the Town of Carrboro (the Board) has decided to pursue the issuance of general obligation bonds in an aggregate principal amount of up to \$2,150,000 under the Local Government Bond Act (the Act) to finance, in part, the acquisition, construction, installation and equipping of a community recreation center facility in the Town of Carrboro; and

WHEREAS, the Board has filed an application with the Local Government Commission of North Carolina for approval of such bonds as required by the Act;

BE IT ORDERED BY THE BOARD OF ALDERMEN FOR THE TOWN OF CARRBORO:

1. It is hereby determined necessary and expedient for the Town of Carrboro to borrow money, and there are hereby authorized to be issued general obligation bonds of the Town of Carrboro for the purpose of providing money, to finance, in part, the acquisition, construction, installation and equipping of a community recreation center facility in the Town of Carrboro.

2. The bonds shall be in an aggregate principal amount not to exceed \$2,150,000.

3. The bonds shall be general obligations of the Town of Carrboro for the payment of principal of and interest on which its full faith and credit shall be irrevocably pledged and taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds.

4. A sworn statement of debt has been filed with the Town Clerk pursuant to G.S. Section 159-55 and is open to public inspection.

5. This Bond Order will take effect when approved by the voters of the Town of Carrboro pursuant to G.S. Section 159-61.

Alderman Jacquelyn Gist then introduced the following resolution, the title of which was read:

RESOLUTION PROVIDING FOR PUBLIC HEARING ON BOND ORDER FOR \$2,150,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS (1991 COMMUNITY RECREATION CENTER PROJECT) AND PUBLICATION OF BOND ORDER AND NOTICE OF HEARING AND OTHER ACTION

WHEREAS, there has been introduced to the Board of Aldermen of the Town of Carrboro a Bond Order entitled, "BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS (1991 COMMUNITY RECREATION

CENTER PROJECT) OF THE TOWN OF CARRBORO FOR THE PURPOSE OF FINANCING, IN PART, THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF A COMMUNITY RECREATION CENTER FACILITY IN THE TOWN OF CARRBORO;" and

WHEREAS, G.S. Section 19-54 provides there shall be a public hearing on each Bond Order and G.S. Section 159-56 provides for publication of the Bond Order and notice of the hearing;

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro, meeting in regular session at Carrboro, North Carolina, on July 9, 1991, do the following:

BE IT RESOLVED BY THE BOARD OF ALDERMEN FOR THE TOWN OF CARRBORO:

- 1. A public hearing on the Bond Order shall be held at 7:30 p.m. in the Board meeting room in the Carrboro Town Hall, Carrboro, North Carolina on September 3, 1991.
- 2. The Town Manager and Town Clerk shall cause the Bond Order, with a statement appended in from described by G.S. Section 159-56, to be published in The Chapel Hill Newspaper.
- 3. The Town Manager is hereby designated to file the statement of debt required by G.S. Section 159-55.
- 4. The completed form of application to the Local Government Commission with respect to the proposed bonds is hereby approved.
- 5. This resolution shall take effect immediately.

Alderman Jacquelyn Gist moved the passage of the foregoing resolution and Alderman Hilliard Caldwell seconded the motion, and the resolution was passed by the following vote:

- Ayes: Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Jacquelyn Gist, Jay Bryan
- Noes: Frances Shetley
- Not Voting: Randy Marshall

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REPORT ON NELLO LINDSAY'S REQUEST TO REMOVE GATE FROM THE SOUTHERN END OF BROAD STREET

James Harris, the town's Community/Economic Development Officer, presented a report to the Board in response to Mr. Nello Lindsay's request to have the gate at the southern end of Broad Street removed. Mr. Harris stated that the administration recommended that the gate remain in place and that it be left open during the day and locked at night, and that the town consider accepting the portion of Broad Street behind the gate.

Mr. Morgan stated that the town would contact the tenants of the Foreign Car Service authorizing them to lock the gate at closing time of their business each day.

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CERTIFICATION OF FIRE DEPARTMENT ROSTER

The N.C. General Statutes require that all certified fire departments certify annually to the N.C. Firemen's Pension Fund a complete roster of its qualified firemen that have completed 36 hours of training as of June 30th of each year.

The administration recommended that the Board authorize the Mayor to sign this year's certification.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE MAYOR BE AUTHORIZED TO SIGN THE CERTIFICATION. VOTE: AFFIRMATIVE ALL

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TOWN CODE AMENDMENT PROHIBITING COMMERCIAL ACTIVITY ON TOWN PROPERTY

In response to the administration's request, the Town Attorney provided a memorandum regarding the sale of merchandise on town property. In addition, the Town Attorney presented an ordinance amending the Town Code which would

provide another exception to the general ban on the sale of goods on town property; specifically, this exception covers merchandise that carries a message that is protected under the First Amendment. The administration recommended adoption of the proposed ordinance.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CARRBORO TOWN CODE SECTION 14 - TOWN PROPERTY," BE ADOPTED. VOTE: AFFIRMATIVE ALL

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ADOPTION OF 1991-92 PAY PLAN AND REVISED HUMAN SERVICES ADVISORY COMMISSION RECOMMENDATIONS

Larry Gibson, Assistant Town Manager, stated that the administration requested that the Board of Aldermen adopt a resolution adopting the classification and pay plan for Fiscal Year 1991-92. In addition, Mr. Gibson stated that the administration requested that the Board of Aldermen officially adopt the Human Services Advisory Commission's revised budget recommendations for 1991-92.

Mr. Gibson stated that several town employees had expressed concern that the pay plan is based on 5% increases as opposed to the maximum 2 1/2% increase now in place. Mr. Gibson stated that the administration will review the pay grid structure and prepare a report to the Mayor and Board of Aldermen for consideration in September, 1991.

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Jay Bryan.

A RESOLUTION ADOPTING THE CLASSIFICATION AND  
PAY PLAN FOR FISCAL YEAR 1991-92  
Resolution No. 2/91-92

WHEREAS, the Board of Aldermen has adopted a comprehensive Position Classification and Pay Plan; and

WHEREAS, the town staff has prepared the 1991-92 Pay Plan.

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

Section 1. The Pay Plan, dated July 1, 1991 - June 30, 1992, a copy of which is attached to this resolution, is hereby adopted as the official Pay Plan for the 1991-92 fiscal year.

Section 2. All previously adopted versions of the Classification and Pay Plans which conflict with this resolution are hereby repealed.

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 9th day of July, 1991:

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

Noes: None

Absent or Excused: Randy Marshall

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE HUMAN SERVICES ADVISORY COMMISSION'S 1991-92 REVISED BUDGET RECOMMENDATIONS BE ADOPTED AND THAT THE BOARD EXTEND ITS THANKS TO THE HUMAN SERVICES COMMISSION FOR ITS HARD WORK IN ADJUSTING ITS TOTAL APPROPRIATION. VOTE: AFFIRMATIVE ALL

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REQUEST FOR CLEAN UP OF NEW MAIN STREET BIKE PATH

Mayor Kinnaird requested that the Public Works Dept. or N.C. DOT clean the debris off the new bike path along Main Street.

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STATUS REPORT ON CLASSIFICATIONS OF CANE CREEK AND UNIVERSITY LAKE WATERSHEDS

Alderman Bryan requested a status report on new water classifications for the Cane Creek and University Lake Watersheds.

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EXECUTIVE SESSION

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HILLIARD CALDWELL THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS. VOTE: AFFIRMATIVE ALL

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COMPENSATION FOR MANAGER AND TOWN ATTORNEY

Board approved a revised contract between the town and Michael Brough & Associates for a total cost of \$56,826. In addition, the Board set the Town Manager's salary at \$64,540.

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There being no further business, the meeting was adjourned.

Sarah C. Williamson  
Town Clerk

Glenn J. Kincaid  
Mayor