

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 3, 1991 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 HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE MINUTES OF JULY 16, 1991 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION SENDING REGRETS TO THE TOWN OF HAMLET

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

A RESOLUTION SENDING REGRETS TO THE TOWN OF HAMLET
Resolution No. 6/91-92

WHEREAS, the Town of Hamlet suffered a tragedy on September 3, 1991 when fire broke out at the Imperial Food Products plant; and

WHEREAS, many lives were lost and many injuries were suffered as a result of that fire.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO, NORTH CAROLINA HEREBY RESOLVES:

Section 1. The Board sends its regrets to the Town of Hamlet and to the families of those who suffered losses as a result of the fire.

Section 2. The Board hereby requests that the Town of Carrboro's flags at the Town Hall and Public Works Facility be lowered to half-staff through Friday, September 6th in honor of those whose lives were lost.

Section 3. That a copy of this resolution be sent to the Mayor of the Town of Hamlet.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 3rd day of September, 1991:

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

Noes: None

Absent or Excused: None

PUBLIC HEARING SET/CONDITIONAL USE PERMIT REQUEST/FRANCIS CHAN

Francis Chan is requesting a conditional use permit which would allow high volume retail sales, restaurants and office use at 201 N. Greensboro Street. The parcel is identified as Tax 98, Block H, Lots 1 and 7, and is zoned B-1(c). The administration recommended that a public hearing be set for September 24, 1991.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT A PUBLIC HEARING BE SET FOR SEPTEMBER 24, 1991. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING SET/HOMESTEAD ROAD'S DESIGNATION ON THE THOROUGHFARE PLAN

The administration recommended that the Board of Aldermen hold a public hearing on October 1, 1991 to receive public comment on whether Homestead Road should be designated as a major thoroughfare on the current 1984 Thoroughfare Plan. The administration also requested guidance from the Board on the advertisement for this public hearing.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT A PUBLIC HEARING BE SET FOR OCTOBER 1, 1991, THAT DIANE ZIMMERMAN WITH N.C. DOT BE INVITED TO ATTEND THE PUBLIC HEARING ALONG WITH THE DEVELOPERS OF THE WEXFORD SUBDIVISION, THAT WRITTEN NOTIFICATION OF THE PUBLIC HEARING (TO INCLUDE A DEFINITION OF MAJOR AND MINOR THOROUGHFARE) BE SENT TO THE AFFECTED PROPERTY OWNERS ALONG HOMESTEAD ROAD, THAT NOTICES BE POSTED AT THE GARAGE AND SERVICE STATION AT THE INTERSECTION OF HOMESTEAD AND OLD 86, AND THAT THE CITIZENS WHO SPOKE AT THE FEBRUARY 6, 1990 PUBLIC HEARING ON MODIFICATIONS TO THE THOROUGHFARE PLAN RELATING TO HOMESTEAD ROAD BE NOTIFIED OF THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

REQUEST TO SET JOINT PUBLIC HEARINGS

The administration requested that a joint public hearing involving Carrboro, Chapel Hill, and Orange County be set for Thursday, October 10, 1991 at 7:30 p.m. (location not yet determined) to consider an amendment to the Joint Planning Area Land Use Plan Map to expand the "Extractive Use" designation as it relates to the request submitted by American Stone to expand its Quarry located off NC Highway 54. In addition, an initial presentation and discussion of the New Hope Corridor Open Space Master Plan is included on that agenda. The administration also requested that the Board of Aldermen refer this matter to the Carrboro Planning Board for its recommendation. In addition, the administration requested that the Board schedule the 1992 Joint Public Hearing dates for April 8th or 15th and October 14th or 21st.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT A JOINT PUBLIC HEARING BE SCHEDULED FOR OCTOBER 10, 1991 AT 7:30 P.M., AND THAT OWASA BE REQUESTED TO SUBMIT A REPORT BY OCTOBER 1ST ON OWASA'S ROLE IN THE EXPANSION OF THE AMERICAN STONE QUARRY AND THE LEGAL COMMITMENTS MADE BY OWASA TO THE STONE QUARRY TO EXPEDITE THE RELOCATION OF THE QUARRY AND ITS ASPHALT PLANT. VOTE: AFFIRMATIVE ALL

Alderman Bryan requested that the town staff determine if an environmental impact statement has been prepared for the move and expansion of the Stone Quarry on the watershed.

[The Board took no action on scheduling the joint public hearings for 1992.]

PUBLIC HEARING/COMMUNITY CENTER BOND REFERENDUM

At 8:15 p.m., the Mayor convened the public hearing with respect to the Bond Order introduced before this Board on July 9, 1991, concerning the issuance of \$2,150,000 General Obligation Public Improvement Bonds (1991 Community Recreation Center Project) of the Town of Carrboro pursuant thereto. A description of the comments made at the hearing follows:

Richard Kinney, the town's Recreation and Parks Director, explained the need for a community center and the process which had been followed in reaching the present proposal for a community recreation facility which would cost approximately \$2,150,000. Mr. Kinney also informed the Board that the brochure for the bond referendum would be brought back to the Board of Aldermen for approval prior to distribution.

Ben Grantham, a resident of Lindsay Street, spoke against paying for a community center--that it will overburden taxpayers. Homeowners are being

strapped by rising costs of other essential services. There should be a more equitable means other than through taxation to pay for a community center.

Richard Ellington, a resident of 109 Bruton Drive, questioned why a capital reserve fund had not been established for a community center based on the recommendation of the Bond Task Force. The town is currently spending fund balance to pay for essential services and taxes will need to be raised when that fund balance is exhausted. If this bond referendum is passed, it will commit all taxpayers to tax increases in the future. Mr. Ellington stated that he did not like the fact that concrete plans for the purchase of land and construction of a community center are not available at this time. That he is not sure the town will lose use of school facilities. Maintenance costs of the community facility are going to be very expensive. Finally, Mr. Ellington discouraged a bond referendum at this time.

David Griffiths, a resident of N. Greensboro Street, stated that through his experience on the Parks & Recreation Commission there is a definite need for a community center. The real issue is not the need for the facility but whether the town can afford it.

Charles Riggsbee, a resident of 103 Quail Roost Drive, stated that only 35% of the participants in the town's recreation programs are Carrboro residents. That according to his calculations there could be a 21.5% tax increase in a very short time based on the current fund balance, and that the Board should not put the bond referendum on a ballot at this time.

Steven Caldwell, a resident of the Carrboro community, stated that the children of Carrboro need a facility to call their own. A community center would keep kids off the streets and out of trouble. Mr. Caldwell stated that he is a coach at Grey Culbreth Middle School and that there are scheduling conflicts with the coaches trying to hold practice sessions and the town's recreation programs being held at the same gyms. Mr. Caldwell stated that a community center is needed along with other essential town services.

The public hearing was closed at 9:05 p.m. After consideration of the public hearing, Alderman Gist moved the passage of the 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" without amendment from the form introduced on July 9, 1991, and Alderman Marshall seconded the motion and the Bond Order was passed and the motion and the Bond Order was passed and adopted by the following vote:

Ayes: Aldermen Marshall, Caldwell, Kinnaird, and Gist

Nays: Aldermen Gurganus, Shetley, and Bryan

Not Voting: None

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

RESOLUTION CALLING FOR REFERENDUM ON
\$2,150,000 GENERAL OBLIGATION PUBLIC
IMPROVEMENT BONDS (1991 COMMUNITY RECREATION
CENTER PROJECT), PROVIDING FOR NOTICES OF
SUCH REFERENDUM, FORM OF BALLOT
AND PUBLICATION OF BOND ORDER AS ADOPTED
Resolution No. 8/91-92

WHEREAS, the Board of Aldermen of the Town of Carrboro has adopted 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 159-58 provides for publication of the Bond Order as adopted and G.S. Section 159-61 requires this Board to fix the date of the referendum on the Bond Order, notify the board of elections thereof and provide for notices of the referendum to be published.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro, meeting in regular session at Carrboro, North Carolina, on September 3, 1991, do the following:

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

1. The Town Manager and the Town Clerk shall cause the Bond Order, with a statement appended in form described by G.S. Section 159-58, to be published in The Chapel Hill Newspaper.

2. This Board hereby calls for a referendum with respect to the Bond Order and fixes the date thereof as November 5, 1991.

3. The form of the question on the ballots shall be as follows:

Shall the order authorizing \$2,150,000 in maximum aggregate principal amount of General Obligation Public Improvement Bonds (1991 Community Recreation Center Project) of the Town of Carrboro for financing, in part, the acquisition, construction, installation and equipping of a community recreation center facility in the Town of Carrboro be approved?

[] YES [] NO

4. The Town Clerk and the Town Manager shall mail or deliver a copy of this resolution to the Orange County Board of Elections prior to September 6, 1991.

5. The Town Clerk and the Town Manager shall provide for publication of notice of the referendum as required by G.S. Section 159-61(c) in The Chapel Hill Newspaper.

6. This resolution shall take effect immediately.

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

Ayes: Randy Marshall, Hilliard Caldwell, Eleanor Kinnaird, and Jacquelyn Gist

Nays: Tom Gurganus, Frances Shetley, and Jay Bryan

Not Voting: None

APPOINTMENT TO PLANNING BOARD

The chair of the Planning Board recommended that John Hartley be appointed to the vacant Transition Area seat on the Planning Board. The administration recommended that a resolution be adopted recommending that the Orange County Board of Commissioners make this appointment.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Tom Gurganus.

A RESOLUTION REQUESTING THE ORANGE COUNTY BOARD OF
COMMISSIONERS TO APPOINT A RESIDENT OF THE CARRBORO JOINT
PLANNING TRANSITION AREA TO SERVE ON THE
CARRBORO PLANNING BOARD
Resolution No. 4/91-92

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro entered into a Joint Planning Agreement on November 2, 1987; and

WHEREAS, the provisions of the Joint Planning Agreement were put into effect on November 14, 1988; and

WHEREAS, Section 2.7 of the Agreement requires that at least one Joint Planning Transition Area representative be appointed to the towns' Planning Boards and Boards of Adjustment in the same manner as representation of extraterritorial planning area residents is provided for; and

WHEREAS, Sections 15-21 and 15-29 of the Carrboro Land Use Ordinance require that the appointment of a Transition Area representative to the town's Planning Board and Board of Adjustment be made by the Orange County Commissioners within 90 days of receiving a resolution from the Board of Aldermen that they make such appointments, else the Board of Aldermen may make them.

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

Section 1. The Board of Aldermen hereby requests that the Orange County Board of Commissioners appoint John Hartley, 408 Stony Hill Road, Chapel Hill, N.C., 27516 of the Carrboro Joint Planning Transition Area to sit on the Carrboro Planning Board (to replace Curtis McLaughlin) for an unexpired, three-year term that shall expire on February 29, 1992.

Section 2. 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 3rd day of September, 1991:

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

Noes: None

Absent or Excused: None

APPOINTMENT OF SUBCOMMITTEE TO REVIEW PROCESS FOR EVALUATION OF TOWN MANAGER

It was the consensus of the Board that Aldermen Gist, Shetley and Gurganus would serve as a subcommittee to review the process for the Town Manager's evaluation.

STATUS REPORT ON STATE STREET PROJECT

Mr. Morgan informed the Board that Project U-2002 is expected to be completed by mid-October, 1991.

RESOLUTION IN MEMORY OF JIMMY HEARNE

Alderman Gist requested that the town staff prepare a resolution in memory of Mr. Jimmy Hearne for consideration by the Board of September 10th.

WATER CONSERVATION MEASURES

Alderman Bryan requested a status report on revisions to the State Building Code concerning water conservation measures.

REPORT ON TARHEEL MANOR

Mayor Kinnaird requested a status report on concerns raised by the residents Tarheel Manor.

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

Sarah C. Williamson
Town Clerk

Alan J. Kinnaird
Mayor