

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 10, 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 RANDY MARSHALL THAT THE MINUTES OF SEPTEMBER 3, 1991 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION SENDING REGRETS TO THE FAMILY OF JIMMY HEARN

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Jay Bryan.

A RESOLUTION SENDING REGRETS TO THE FAMILY
OF JIMMY HEARN
Resolution No. 9/91-91

WHEREAS, John Hearn opened a grocery store located on Carrboro's Main Street in 1918; and

WHEREAS, Jimmy Hearn was the third generation of the Hearn family to continue to operate this grocery until 1986; and

WHEREAS, the Mayor and Board of Aldermen greatly regret Mr. Hearn's passing away recently.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Mayor and Board of Aldermen sends this memorial resolution to Jimmy Hearn's family expressing the Town of Carrboro's regrets.

Section 2. This resolution shall be spread upon the minutes of the Board of Aldermen and a copy shall be delivered to Mr. Hearn's family.

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 10th 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

PETITION FOR CHANGE OF ZONING/MARGARET DAVIS

Margaret Davis submitted a petition to the Board requesting that her property located on Tax Map 98, Block K, Lot 5 be rezoned from R-7.5 to B-2.

The Board received the report and referred it to the town staff.

PROCLAMATION ISSUED

Mayor Kinnaird proclaimed the week of September 8-14, 1991 as Celebrate Literacy Week in the Town of Carrboro.

PUBLIC HEARING SET/CONDITIONAL USE PERMIT REQUEST/CARRBORO POST OFFICE 163

The administration requested that the Board of Aldermen reschedule the public hearing on the conditional use permit request for the Post Office from September 17, 1991 to October 15, 1991.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE PUBLIC HEARING BE RESCHEDULED FROM SEPTEMBER 17, 1991 TO OCTOBER 15, 1991.
VOTE: AFFIRMATIVE ALL

STATE STREET PROJECT U-2002

Madalyn Hollowell, a resident of 1603 N. Greensboro Street, expressed concern over the condition in which her property was left as a result of the street improvements on North Greensboro Street.

The Board requested that the town staff work with N.C. DOT and Mrs. Hollowell in resolving any problems associated with Project U-2002.

PUBLIC HEARING SET/LAND USE ORDINANCE TEXT AMENDMENT/VESTED RIGHTS

The administration recommended that a public hearing be scheduled for September 24, 1991 to consider an amendment to the Land Use Ordinance to provide for the vesting of rights with respect to developments that are approved through the issuance of zoning or special or conditional use permits.

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

COMMUNITY CENTER BOND REFERENDUM BROCHURE

Richard Kinney, the Recreation & Parks Director, presented a draft version of a brochure detailing pertinent information regarding the subject of the community center bond referendum. Mr. Kinney asked for further direction from the Board of Aldermen in proceeding with this project.

The Board made revisions to the brochure and requested that it be brought back on September 17th for final approval. In addition, the Board requested that the town staff obtain cost estimates for publishing the brochure in The Chapel Hill Newspaper, Chapel Hill Herald and Village Advocate. Mayor Kinnaird requested that notice of the bond referendum be published in The Village View.

REPORT FROM SUBCOMMITTEE ON DOING BUSINESS WITH CARRBORO

Alderman Gurganus, speaking for the Subcommittee of the Board of Aldermen reviewing the "Doing Business in Carrboro Report" presented a report to the Board.

It was the consensus of the Board to request the town staff to bring back recommendations to the Board of Aldermen on "Rules and Regulations Problems #1, 2 and 3 and Staff Problem #5 as soon as possible.

GUIDELINES FOR SPEAKERS ADDRESSING THE BOARD OF ALDERMEN

Alderman Gurganus, speaking for the Agenda Planning Committee, presented a list of guidelines for speakers addressing the Board of Aldermen for consideration.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE GUIDELINES FOR SPEAKERS ADDRESSING THE BOARD OF ALDERMEN BE ADOPTED WITH REVISIONS.
VOTE: AFFIRMATIVE ALL

REQUEST FROM TOWN OF CHAPEL HILL AND NEW COVENANT CHRISTIAN CHURCH TO AMEND THE ETJ BOUNDARY

Roy Williford, the town's Planning Director, stated that the New Covenant Christian Church has requested the Town of Chapel Hill to review and approve a land use permit for the construction of housing and a new church on property located northeast of the intersection of Culbreth Road and Smith Level Road. Part of this property is within Carrboro's jurisdiction and part is within's Chapel Hill's jurisdiction.

Mr. Williford stated that the administration recommended that the Board of Aldermen adopt a resolution which would authorize the Mayor to sign a mutual written agreement with the Town of Chapel Hill to adjust the Extraterritorial Jurisdiction line running through the New Covenant Christian Church property to coincide more or less with the center of Smith Level Road.

Alderman Caldwell informed the Board that he is Chair of the Board of Trustees for the New Covenant Christian Church, but that he has no financial interest in the matter at hand; therefore, he stated that he would not be asked to be excused from voting on this matter.

The following resolution was introduced by Alderman Tom Gurganus and duly seconded by Alderman Hilliard Caldwell.

A RESOLUTION OF INTENT TO ENTER INTO A MUTUAL AGREEMENT
WITH THE TOWN OF CHAPEL HILL CONCERNING THE
EXTRATERRITORIAL JURISDICTION LINE
Resolution No. 5/91-92

WHEREAS, the New Covenant Christian Church, as the property owner of Tax Map 122.B.22, requests that the Town of Carrboro and the Town of Chapel Hill adjust the Extraterritorial Jurisdiction line as it affects their property; and

WHEREAS, Section 9-1(b) of the Charter of the Town of Carrboro allows relocation of the division line between the extraterritorial jurisdiction of the Town of Carrboro and the Town of Chapel Hill by mutual written agreement of said municipalities.

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

Section 1. The Board indicates its agreement to adjust the Extraterritorial Jurisdiction line on Tax Map 122.B.22 westward to the centerline of Smith Level Road.

Section 2. The Board of Aldermen authorizes the Mayor to sign a mutual written agreement with the Town of Chapel Hill to effect such a change.

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 10th 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

PROPOSAL TO ESTABLISH AN ANNEXATION BOUNDARY

Roy Williford, the town's Planning Director, stated that he and the Planning Director of Chapel Hill feel that it would be desirable for the Towns of Carrboro and Chapel Hill to negotiate and execute an annexation agreement within the extraterritorial planning jurisdiction.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE BOARD SET IN MOTION THE PROCESS TO DISCUSS AN ANNEXATION AGREEMENT WITH CHAPEL HILL BY REQUESTING FURTHER INFORMATION FROM THE TOWN STAFF ABOUT THE ISSUES INVOLVED IN ANNEXATION OF THE AREA IN QUESTION AND OTHER JOINT PLANNING ISSUES, INCLUDING THE WATERSHED. IN ADDITION, FOLLOWING THE REPORT FROM THE TOWN STAFF, THAT THE BOARD WOULD APPOINT THREE REPRESENTATIVES TO SERVE ON A WORK GROUP WITH REPRESENTATIVES FROM CHAPEL HILL TO FURTHER DEVELOP THE TOWN

STAFF'S IDEAS, AND THAT INPUT FROM THE CHAPEL HILL SMALL AREA PLANNING GROUP
BE CONSIDERED BY THE BOARD. VOTE: AFFIRMATIVE ALL

165

DATE SET FOR ADVISORY BOARD RECOGNITION DINNER

It was the consensus of the Board to set Wednesday, October 23, 1991 at 6:30 p.m. as the date and time for the advisory board recognition dinner.

REPORT ON "DONUT HOLES" ANNEXATIONS

Alderman Gurganus requested a status report on the donut holes annexations.

REQUEST FOR ADDRESS CHANGE

Alderman Bryan requested that the town staff look at options for correcting the problems associated with extensions of streets; i.e., Oak Avenue Extension, to determine what would be the best course of action to take.

REVIEW OF DOWNTOWN DESIGN GUIDELINES

It was the consensus of the Board to ask the Agenda Planning Committee to schedule a worksession of the Board to discuss the downtown design guidelines.


TOPICS FOR DISCUSSION AT OWASA'S ANNUAL MEETING


It was the consensus of the Board to request that OWASA schedule a discussion of OWASA's fees on housing, including tap-on fees, interpretation of policies, rate schedule, and the extension policy. The Board requested that Donna Dyer with Orange Community Housing be allowed to address the OWASA board on these issues.

APPOINTMENT TO ORANGE COUNTY VISITOR'S BUREAU BOARD

It was the consensus of the Board to appoint Alderman Marshall to serve as its representative on this board.

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


Town Clerk


Mayor