

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 01, 1991 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Randy Marshall
	Frances Shetley
	Jacquelyn Gist
	Jay Bryan
Town Manager	Robert W. Morgan
Town Attorney	Michael B. Brough
Depty. Town Clerk	James E. Spivey

Absent:

Aldermen	Hilliard Caldwell
	Tom Gurganus

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JACQUELYN GIST THAT THE MINUTES OF SEPTEMBER 24, 1991 BE APPROVED. VOTE: AFFIRMATIVE ALL.

RESOLUTION HONORING EMMA WILLIAMS

The following resolution was introduced by Alderman Frances Shetley and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION HONORING EMMA WILLIAMS

Resolution No. 11/91-92

WHEREAS, Mistress Emma Williams, a venerable citizen of Carrboro did, on the first day of October, 1991, reach the age of ninety-two (92) years; and

WHEREAS, Emma Williams has been a resident of Carrboro for eighty-four (84) years; and

WHEREAS, Emma Williams did spend seventy-one (71) years as a wife and mother in this community, said activity having resulted in nineteen (19) living descendants; and

WHEREAS, Emma Williams has been an active participant in the:

- (a) Carrboro PTA
- (b) Carrboro Civic Club
- (c) Council on Aging
- (d) Carrboro Appearance Commission; and

WHEREAS, Emma Williams, did, when such conduct was held to be seditious, openly speak for fair treatment of women; and

WHEREAS, Emma Williams, did, in the year of Our Lord One Thousand Nine Hundred and Twenty-Three (1923) suffer the pain of public censure by the godly deacons of her church for the sin of patronizing the first public swimming pool in Carrboro.

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

Section 1. That Emma Williams is a living treasure of our community and that the undying gratitude of the people of Carrboro is expressed in these presents.

Section 2. This resolution shall be entered into the minutes of this meeting.

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 1st day of October, 1991:

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

Noes: None

Absent or Excused: Tom Gurganus, Hilliard Caldwell

PUBLIC HEARING SET/LAND USE ORDINANCE TEXT AMENDMENT/DOWNTOWN PERMIT PROCEDURE

The administration recommended that a public hearing be set for October 22, 1991 to receive comments on a proposed amendment to the Land Use Ordinance to make the ordinance more "friendly" to small businesses. The administration also recommended that the proposed amendment be referred to the Planning Board and the Downtown Development Commission for their review and recommendations.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT A PUBLIC HEARING BE SET FOR OCTOBER 22, 1991 AND THE PROPOSED AMENDMENT BE REFERRED TO THE PLANNING BOARD, APPEARANCE COMMISSION, AND THE DOWNTOWN DEVELOPMENT COMMISSION FOR THEIR REVIEW AND RECOMMENDATION. VOTE: AFFIRMATIVE ALL.

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

Sarah Burdick, Transportation Planner, made the staff presentation stating that the proposed resolution would delete Homestead Road from the Thoroughfare Plan and would change the designation of Homestead Road from a minor thoroughfare to a major thoroughfare. Ms. Burdick explained that a major thoroughfare serves trips traveling long distances and through trips, whereas a minor thoroughfare is a facility which primarily serves local traffic.

Linda Roberts, a Calvander resident, questioned whether the change in Homestead Road's designation on the Thoroughfare Plan would re-instate the old Northern Loop of the earlier Thoroughfare Plan.

Ms. Roberts was assured that the designation changes would not have this effect.

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.

The following resolution was introduced by Alderman Frances Shetley and duly seconded by Alderman Randy Marshall.

A RESOLUTION CHANGING THE DESIGNATION OF HOMESTEAD ROAD ON THE THOROUGHFARE PLAN

Resolution No. 12/91-92

WHEREAS, the Town of Carrboro and the North Carolina Department of Transportation did mutually adopt a thoroughfare plan for the urban area; and

WHEREAS, North Carolina General Statutes 136-66-2(d) provide that either the Municipality or Department of Transportation may propose changes in an adopted plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the Municipal Governing Board; and

WHEREAS, it is recognized that the proper movement of traffic within and through the Town of Carrboro and its jurisdiction is a highly desirable element of the thoroughfare plan for the orderly growth and development of the urban area; and

WHEREAS, land use has changed in the area between Homestead Road and Hillsborough Road; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO, NORTH CAROLINA:

Section 1. That the Chapel Hill-Carrboro Thoroughfare Plan, dated January 31, 1984, be revised as follows, subject to the approval of the Department of Transportation:

1. Delete Homestead Road Extension from Homestead Road to Hillsborough Road.
2. Change the designation of Homestead Road in Carrboro's jurisdiction from a minor thoroughfare to a major thoroughfare.

Section 2. 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 1st day of October, 1991:

AYES: Randy Marshall, Eleanor Kinnaird, Jacquelyn Gist, Frances Shetley, Jay Bryan

NOES: None

ABSENT/EXCUSED: Tom Gurganus, Hilliard Caldwell

PUBLIC HEARING/COMPREHENSIVE HOUSING ASSISTANCE STRATEGY

James Harris, Community and Economic Development Officer, made the staff presentation regarding the proposed Comprehensive Housing Affordability Strategy.

Diana Woolley, member of the Board of Directors of the Orange County Housing Corporation, addressed the Board. Ms. Woolley urged the Aldermen to thoroughly review the goals and objectives of the CHAS and to support the proposed CHAS.

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

MOTION WAS MADE BY JACQUELYN GIST AND DULY SECONDED BY JAY BRYAN THAT THE CHAS REPORT BE ACCEPTED. VOTE: AFFIRMATIVE ALL.

REPORT FROM FRIENDS OF CARRBORO PUBLIC LIBRARY

Barbara Dewey, Co-Chairman of the Committee, made a status report regarding their activities to date.

The status report was accepted and the Committee was thanked for its efforts in pursuing a Carrboro Public Library.

FIVE-YEAR ECONOMIC DEVELOPMENT PLAN

James Harris, Community and Economic Development Officer, made the staff presentation regarding the town's proposed comprehensive set of economic development goals and objectives.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT THE REPORT BE REFERRED TO THE PLANNING BOARD AND THE DOWNTOWN DEVELOPMENT COMMISSION FOR THEIR COMMENTS/RECOMMENDATIONS AND THAT THE AGENDA PLANNING COMMITTEE SCHEDULE A WORKSESSION FOR THE ALDERMEN TO DISCUSS THE REPORT. VOTE: AFFIRMATIVE ALL.

MODIFICATION OF MUNICIPAL ORDINANCE WITH NCDOT

Sarah Burdick, Transportation Planner, stated that the State of North Carolina and the Town must have identical descriptions for the speed zone to be legal and that the ordinances need to be updated to correctly define Old Fayetteville Road and NC 54. The administration recommended that the Aldermen adopted the proposed ordinance which would amend the Town Code with the aforementioned changes.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE BOARD OF ALDERMEN ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CARRBORO TOWN CODE SECTION 6-16(B)(6) - SPEED LIMITS". VOTE: AFFIRMATIVE ALL.

TOWN CODE AMENDMENT/NO PARKING ON HILLSBOROUGH ROAD, GREENSBORO STREET, AND MAIN STREET

Sarah Burdick, Transportation Planner, made the staff presentation and reviewed the proposed ordinance which would prohibit parking in the new bike lanes along Main Street, Hillsborough Road and Greensboro Street.

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MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE BOARD OF ALDERMEN ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CARRBORO TOWN CODE SECTION 6-19(B)(1)" AND THAT "DIAMONDS" BE PAINTED IN THE LANES. VOTE: AFFIRMATIVE ALL.

APPOINTMENT TO THE APPEARANCE COMMISSION/NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT GILES BLUNDEN BE APPOINTED TO THE APPEARANCE COMMISSION/NEIGHBORHOOD PRESERVATION DISTRICT COMMISSION. VOTE: AFFIRMATIVE ALL.

APPOINTMENT TO CABLE T.V. COMMITTEE

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT WILLIAM HARRAR BE APPOINTED TO THE CABLE T.V. COMMITTEE. VOTE: AFFIRMATIVE ALL.

LAND USE ORDINANCE TEXT AMENDMENT/VESTED RIGHTS

Michael Brough, Town Attorney, drafted and reviewed the proposed ordinance for the Board of Aldermen's consideration that would provide for the vesting of rights with respect to developments that are approved through the issuance of zoning, special or conditional use permits.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY FRANCES SHETLEY THAT THE BOARD OF ALDERMEN ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO 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" WITH THE FOLLOWING AMENDMENTS:

1. Add to 15-128.2(b), second sentence, following "therefore" the phrase "subject to subsection 15-148(b).
2. Add a new section to section 15-148 by making the existing section subsection (a) and adding a new subsection (b) to read as follows:

(b) A special use permit shall be required for any use that is otherwise permissible with a zoning permit if the administrator concludes that, given the impact of the proposed use on neighboring properties or the general public, the vested right conferred upon the permit recipient pursuant to Section 15-128.2 should not be conferred without an opportunity for public input. However, if the zoning administrator makes this determination, the permit applicant may require that the application be returned to the zoning permit process by submitted to the administrator a written waiver of the vested right normally acquired under Section 15-128 upon the issuance of a zoning permit.

3. The town attorney draft an ordinance amending Section 15-148 to give the zoning administrator authority to determine conditional use permit and special use permit criteria.

VOTE: AFFIRMATIVE ALL.

AMENDMENT TO 1991-92 MISCELLANEOUS FEES AND CHARGES SCHEDULE

The administration requested that the Board of Aldermen amend the 1991-92 Miscellaneous Fees and Charges Schedule to add the required \$5.00 Homeowners Recovery Fund fee for the construction or alteration of single-family residential dwelling units, including townhomes and condominium units.

MOTION WAS MADE BY JAY BRYAN THAT PURSUANT TO THE 1991 GENERAL ASSEMBLY HOUSE BILL 37 (CHAPTER 0547) THE TOWN OF CARRBORO 1991-92 MISCELLANEOUS FEES AND CHARGES SCHEDULE BE AMENDED TO ADD THE HOMEOWNERS RECOVERY FUND FEE UNDER ITEM 8. CONSTRUCTION PERMIT FEES. SECONDED BY RANDY MARSHALL. VOTE: AFFIRMATIVE ALL.

REPORT FROM TOWN STAFF - CLEAN AIR ACT

Frances Shetley requested that this matter be placed on one of the Aldermen's future agendas for discussion.

WORKSESSION - DESIGN GUIDELINES

The Board of Aldermen will have a worksession on Wednesday, November 06, 1991 to discuss the Design Guidelines.

EUGENE STREET SECURITY

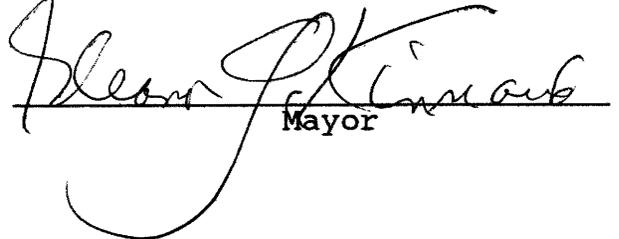
The Aldermen requested that staff investigate the reported dangerous and illegal activity transpiring on Eugene Street. It was also requested that staff investigated ways of improving the lighting along Eugene Street; i.e., solar lights, etc.

CROSSWALKS IN CARRBORO

It was requested that staff investigate placing marked crosswalks on Fidelity Street, Poplar Avenue, North and South Greensboro Street Robinson Street, and at Harris Teeter Grocery.

EXECUTIVE SESSION

MOTION WAS MADE BY RANDY MARSHAL AND SECONDED BY JACQUELYN GIST THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS POSSIBLE LITIGATION. VOTE: AFFIRMATIVE ALL.



Mayor



Deputy Town Clerk