The regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 26, 1991 at 7:30 P.M. in the Town Hall Board Room.

Present and presiding:

Mayor Eleanor G. Kinnaird

Aldermen Randy Marshall
Tom Gurganus
Hilliard Caldwell
Frances Shetley
Jacquelyn Gist

Jay Bryan

Town Manager Robert W. Morgan
Town Attorney Michael B. Brough
Deputy Town Clerk James E. Spivey

### APPROVAL OF MINUTES

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE MINUTES OF NOVEMBER 19, 1991 BE APPROVED WITH NOTED CHANGES. VOTE: AFFIRMATIVE ALL.

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## CUP MODIFICATION/FAIROAKS, PHASES 5 & 6/REMOVAL OF BARRICADE

Helen Waldrop, Zoning Administrator, made the staff report stating that the Fairoaks Subdivision currently has two active conditional use permits for phases 5 and 6. On both permits, a condition was made requiring that a temporary barricade be placed on Pathway Drive between the Spring Valley and Fairoaks neighborhoods. The purpose of the barrier was to prevent construction traffic from using the streets in the Webbwood and Spring Valley subdivisions.

Ms. Waldrop explained that the conditional use permit states that the barricade must remain across Pathway Drive until 80% of the project has received Certificates of Occupancy. Additionally, if the remaining phases are to be developed with single family housing, this would mean that 131 homes must receive a Certificate of Occupancy. Fairoaks would not reach the 80% build out requirement until 14 houses, in the presently undeveloped phases, are built.

Jim Brandewie, developer of Phases 5 & 6 of the Fairoaks Subdivision, addressed the Board. Mr. Brandewie explained that he is a resident of Spring Valley thus making this situation of personal interest beside just a business interest. He stated that he would verbally and in writing inform the builders that all construction traffic is to use the Parkview Avenue entrance.

Richard Carpenter, 1901 Pathway Drive resident, proposed that the street be used as a parking lot, bikepaths should be left open, and T-intersections should be created to slow traffic.

Genie Mylett, 1909 Pathway Drive resident, supported leaving the barricade up until the 80% build out requirement is achieved.

Mike Mylett, 1909 Pathway Drive resident, supported leaving the barricade up until the 80% build out requirement is achieved. Mr. Mylett also submitted a petition to "Keep Pathway Drive Closed" which contained fifty-six (56) signatures.

Robert Fiks, Webbwood resident, supported leaving the barricade up until the build out requirement is met on the present permit.

Jan Elliott, 1902 Pathway Drive resident, supported leaving the barricade up until the build out requirement is met, but re-construct the barricade so it can be more stable and allow access along the bikelanes only.

Dan Jones, 2101 Pathway Drive resident, voiced support for removal of the barricade. Mr. Jones stated that removal of the barricade would make the neighborhood more easily accessible and timely to emergency vehicles.

Steve Oglesbee, 327 Blueridge Road resident, stated that the barricade should be left up to fulfill the build out requirement of the permit which would in effect fulfill the promise made to the residents when the conditional use permit was granted by the Board.

It was requested that the Minutes show that the Town had received letters from the following citizens that supported leaving the barricade up: Donna Howell, Phillip Rigazzo, Terri Noah, Harriett Warner, and Carol Rives. The

following citizen and town department supported the removal of the barricade: Debbie Nichols and the Fire Department. The Public Works Department supported removal or reconstruction of the barricade.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY FRANCES SHETLEY TO MODIFY CONDITION #14 ON THE CONDITIONAL USE PERMIT IN ORDER THAT THE BARRICADE ON PATHWAY DRIVE BE REMOVED AT THIS TIME RATHER THAN WHEN 80% OF ALL CERTIFICATES OF OCCUPANCY ARE ISSUED FOR THE FAIROAKS SUBDIVISION; ONCE THE DATE FOR THE REMOVAL OF THE BARRICADE IS SET BY THE TOWN STAFF, NOTICE SHALL BE SENT AT LEAST A WEEK PRIOR TO THAT DATE TO THE RESIDENTS OF SPRING VALLEY, FAIROAKS, AND WEBBWOOD SUBDIVISIONS INFORMING THEM OF THE IMPENDING REMOVAL OF THE BARRICADE; THAT ALL CONSTRUCTION TRAFFIC SHALL BE ROUTED TO PARKVIEW AVENUE; AND THE TOWN STAFF SHALL REVIEW THE SPRING VALLEY AND PATHWAY DRIVE INTERSECTION TO DEVELOP RECOMMENDATIONS TO MAKE THE INTERSECTION SAFER. VOTE: AYES 5 (Marshall, Gurganus, Caldwell, Shetley, Gist); NOES 2 (Kinnaird, Bryan).

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#### REPORT ON STORMWATER MANAGEMENT ISSUES

Julia Trevarthen, Senior Planner, presented a report on the proposed regulations for storm drainage systems and the affect of those regulations on the Town of Carrboro. Ms. Trevarthen informed the Board that the EPA has not yet released the regulations for cities smaller than 100,000 population; but more than likely, the regulations would be materially similar to those which have already been enacted for cities of greater than 100,000 population.

The Board received the report.

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### HOMEBUYER'S GUIDE

Roy Williford, Planning Director, presented a proposed homebuyer's guide for the Board's review and approval. As part of the Board's 1991 Retreat Action Agenda, staff had been requested to develop a homebuyer's guide. The purpose of the guide would provide the prospective homebuyer with a tool to systematically evaluate their purchase in advance.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE HOMEBUYER'S GUIDE BE APPROVED WITH THE FOLLOWING CHANGES:

- On page 1, delete the sentence, "We appreciate your interest in our community; and wish you success in your homebuying efforts."
  On page 2, delete "School Districts" and substitute the language "School 1.
- Attendance Areas".
- On page 3, under "Active Recreational Facilities" delete "Carrboro Recreation" and "Chapel Hill Recreation" and replace with "Public Recreation Facilities" and "Private Recreation Facilities".
- On page 5, change #10 to read: "Are there any pending right-of-way easements, or tax assessments?" 4.
- Add a question #15 to read: "What is the current assessed tax evaluation 5. and when is the next re-evaluation?"

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# AMENDMENT TO MISCELLANEOUS FEES AND CHARGES SCHEDULE

Staff proposed a resolution which would amend the Miscellaneous Fees and Charges Schedule to reduce scrap tire disposal fees from \$1.00 per tire or \$100 per ton to zero charges.

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

> A RESOLUTION AMENDING THE MISCELLANEOUS FEES AND CHARGES SCHEDULE TO ELIMINATE THE FEE FOR DISPOSAL OF TIRES Resolution No. 19/91-92

WHEREAS, the Orange Regional Landfill presently charges for disposal of tires based on fees of \$1.00 per tire or \$100 per ton as established in th budget for Fiscal 1991-92; and

WHEREAS, the State of North Carolina's Department of Environment, Health and Natural Resources shares revenues to cover costs of scrap tire disposal; and

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WHEREAS, such State-shared revenues are adequate to cover actual costs for tire disposal at the Orange Regional Landfill.

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

Section 1. The Miscellaneous Fees and Charges Schedule is amended to revise the fee for disposal of tires from \$1.00 per tire or \$100 per ton to \$0, effective January 1, 1992.

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 26th day of November, 1991:

Ayes: Marshall, Gurganus, Caldwell, Kinnaird, Shetley, Gist, Bryan

Noes: NONE

Absent or Excused: NONE

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### THORCO, INC. - REVOLVING LOAN FUND REQUEST

James Harris, Community and Economic Development Officer, informed the Board that the Town had received an application from Thorco, Inc. for a loan in the amount of \$30,000. The loan would be used to purchase the existing business and expand to a larger location. The term of the loan would be for 10 years at 8% interest with a balloon payment in 5 years. Mr. Harris informed the Board that the Downtown Development Commission had reviewed the application and made its recommendations. Mr. Harris reviewed the recommendations for the Board.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE LOAN REQUEST BE APPROVED FOR THORCO, INC. WITH THE FOLLOWING CONDITIONS:

- 1. Lender's commitment of \$10,000 second mortgage on the owner's residence.
- 2. Lender's commitment for a \$50,000 equipment based loan.
- 3. Partner's commitment to purchase the screen printing portion of the business at \$20,000.
- 4. Owner's commitment to finance \$30,000 of purchase at \$500 per month with a balloon payment in one year, at 0% interest.
- 5. Signed, satisfactory purchase agreement.
- 6. Landlord's waiver as to fixtures.
- All applicable licenses and permits.
- 8. Articles of incorporation files.
- 9. Employer ID number and privilege license.
- 10. That the town not collect any interest on the principal for the first six (6) months of the loan.

VOTE: AFFIRMATIVE ALL.

The Board of Aldermen requested that the Downtown Development Commission report to the Board on its methodology of analyzing the impact of incoming businesses on existing businesses within town.

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### PTA THRIFT SHOP BIKEPATH

Alderman Shetley requested that the town staff prepare a status report on the PTA Thrift Shop bikepath. The Board requested that the town staff determine when the next meeting of the PTA Thrift Shop Board of Directors will be held and that Mayor Kinnaird, Jay Bryan, and Frances Shetley would attend that meeting. Additionally, the Board requested a list of the Board of Directors for the PTA Thrift Shop. Mr. Brough stated that he would get the list from the attorney with whom he has been negotiating the bikepath.

Ms. Shetley stated that she would like to talk with the NCDOT Bicycle Coordinator regarding this project.

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# IMPROVEMENTS TO JAMES AND LORRAINE STREETS

The Board discussed the format for the Board to receive input from citizens regarding improvements to James and Lorraine Streets.

[Alderman Caldwell left the meeting at 11:00 P.M.]

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE BOARD RECEIVE INPUT FROM CITIZENS REGARDING STOP SIGNS AND TRAFFIC CONTROL IN THE JAMES AND LORRAINE STREET NEIGHBORHOOD AT THE DECEMBER 03, 1991 MEETING, BUT THAT THE BOARD WOULD NOT TAKE ACTION AT THAT MEETING. THE BOARD WILL CONSIDER TAKING ACTION ON (I) THE TURNING RADIUS FOR THE JAMES/MAIN STREET INTERSECTION; (II) THE RE-ALIGNMENT OF LORRAINE WITH JAMES STREET; (III) THE LOCATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF JAMES AND MAIN STREETS AND (IV) THE PLACEMENT OF PEDESTRIAN CROSSWALK AT JAMES AND MAIN STREETS VOTE: AYES 4 (Marshall, Gurganus, Caldwell, Kinnaird); NOES 3 (Shetley, Gist, Bryan).

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### SCHEDULE FOR RECYCLING

Alderman Marshall requested that the town staff notify town residents of the schedule for recycling in conjunction with the refuse collection schedule.

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There being no further business, the meeting was adjourned.

Mayor

Deputy Town Clerk