

A regular meeting of the Carrboro Board of Aldermen was held on <sup>247</sup>Tuesday, March 17, 1992 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 JACQUELYN GIST THAT THE MINUTES OF MARCH 10, 1992 BE APPROVED. VOTE: AFFIRMATIVE ALL

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**RESOLUTION OF APPRECIATION/CHIEF SID HERJE**

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

**A RESOLUTION EXPRESSING THE TOWN OF CARRBORO'S APPRECIATION  
TO RETIRING POLICE CHIEF A. SID HERJE  
Resolution No. 41/92-92**

**WHEREAS**, Sid Herje has served the Town of Carrboro as Chief of Police since 1979 and has brought his valuable experience in the criminal justice system to raise the level of police work to that of the highest professionalism; and

**WHEREAS**, Chief Herje knows the Criminal Justice System from his years of working in every capacity, beginning his career in 1952 as a patrol officer of the 6th and 24th Police Precincts and as a member of the staff of the New York City Police Academy; and

**WHEREAS**, after serving honorably in the New York City Police Department for 20 years, he retired to our area and in 1972 accepted a position with the North Carolina Human Relations Department; and

**WHEREAS**, Chief Herje brought his great experience and wisdom as a teacher of law enforcement for the Basic Police-Community Relations; and

**WHEREAS**, Chief Herje then took a position with the North Carolina Justice Academy, serving the State of North Carolina; and

**WHEREAS**, Chief Herje continued to contribute to our community through membership in the North Carolina Association of Chiefs of Police, the North Carolina Police Executives Association, and the North Carolina Law Enforcement Officers Association, and as a board member for the Community Penalties Program in Orange County; and

**WHEREAS**, Chief Herje has shown concern for and sensitivity to all members of our community and has carried out his duties in the best interest of all our people; and

**WHEREAS**, Chief Herje has been particularly concerned with representation of all people on the force, hiring minorities and women to positions on the force and of responsibility.

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

Section 1. That the Board on behalf of the whole Town of Carrboro, expresses its thanks and appreciation to Chief Herje for his high standards, his concern for all citizens, and his staff, and the degree of professionalism and respect he has brought to our police force and the Town of Carrboro.

Section 2. This resolution shall be entered into the official minutes and a copy given to Chief Herje.

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 17th day of March, 1992:

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

Noes: None

Absent or Excused: None

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**CHARGE ISSUED**

The Town Clerk issued a "charge" to John Rintoul, a recent appointee to the Planning Board.

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**PUBLIC HEARING/COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

James Harris, the town's Community and Economic Developer Officer, stated that this was a public hearing to obtain community revitalization requests from citizens in the target neighborhoods for the 1992 Community Development Block Grant application. Mr. Harris stated that the target area would be the Davie Road community.

There was a show of hands from approximately 10 individuals in the audience in favor of the proposed application.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

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**ANNUAL REPORT: PARKS AND RECREATION COMMISSION**

Doris Murrell, chair of the Parks & Recreation Commission, presented an annual report on the activities of the Commission during the past year.

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**COMMUNITY SPIRIT/RECREATION AND PARKS MASTER PLAN**

Richard Kinney, Recreation and Parks Director, stated that the Parks & Recreation Commission in its discussion on community spirit had incorporated that and other concepts into Section VIII of the Recreation and Parks Master Plan for the Board's consideration.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT SECTION VIII AND APPENDIX C OF THE RECREATION AND PARKS MASTER PLAN BE ADOPTED, AS AMENDED. VOTE: AFFIRMATIVE ALL

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**NATIONAL YOUTH SPORTS STUDY**

Richard Kinney, Recreation and Parks Director, stated that the Athletic Footwear Association had conducted what is believed to be the first national study on what factors determine whether youth participants stay involved in sports or join the ranks of non-participants. Mr. Kinney stated that the results of the study indicated the following:

<u>Carrboro Results</u>	<u>"Why do you play basketball"</u>	<u>National Results</u>
100%	To have fun	88%
78%	To make new friends	68%
78%	To improve skills	86%
67%	For the competitive challenge	80%
62%	For the exercise	86%
50%	To win	78%
39%	Someone you admire plays	44%
39%	To receive a trophy	60%
28%	Parents/Friends want you to	46%

[This was provided as information to the Board of Aldermen.]

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TOWN CODE AMENDMENT PROHIBITING BEGGING OR PANHANDLING ON TOWN STREETS,  
SIDEWALKS AND BIKEWAYS

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Capt. Ben Callahan stated that the Board of Aldermen had received a proposed ordinance amending the Town Code to prohibit begging or panhandling on town streets, sidewalks and bikeways at its meeting held on June 17, 1991. At that meeting, the Board referred the proposed ordinance to the Downtown Development Commission and Carrboro Business Association for their review and recommendations. Both of these organizations have reviewed the proposed ordinance and recommend its adoption. Capt. Callahan stated that if the ordinance was adopted, it would be used as a last resort to deal with offenders.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO PROHIBIT BEGGING OR PANHANDLING ON TOWN STREETS, SIDEWALKS AND BIKEWAYS," BE ADOPTED. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (GIST, KINNAIRD, BRYAN)

Mike Brough informed the Board that this ordinance would require a second reading to become effective since it did not receive an affirmative vote equal to two-thirds of the membership on the Board on first reading.

It was the consensus of the Board to have this ordinance placed on the agenda for the March 24, 1992 meeting of the Board of Aldermen for second reading.

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REPORT ON BOLIN CREEK SEWER MORATORIUM

Roy Williford, Planning Director, presented a report on the impact of the Bolin Creek sewer moratorium on the town. Mr. Williford stated that with respect to the town's responsibilities, the following would be suggested:

1. For projects that have not received CUP approval, we continue to process the application if the applicant so desires with the understanding that the permit cannot actually be issued until OWASA approves the line extension.
2. If the CUP has previously been issued, construction plan approval shall be given if we have from OWASA the letter we normally receive saying that DEM has approved the extension.
3. When building permit applications come in for lots adjacent to existing lines, we issue the permits.
4. In each of the foregoing situations, we should provide to the permit applicant or recipient a copy of the Mouberry letter with our own disclaimer setting forth our understanding of the moratorium but advising them that we are not in control of how the moratorium is interpreted or enforced and that they should check with OWASA before proceeding.

Alderman Bryan requested further clarification of statements contained in the letter from Arthur Mouberry and in the memorandum from Everett Billingsley.

Mr. Morgan informed the Board that the town's OWASA representatives would be making a report to the Board concerning the moratorium March 24, 1992.

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MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER. VOTE: AFFIRMATIVE ALL

  
Town Clerk

  
Mayor