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A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 24, 1992 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor Eleanor Kinnaird 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 MARCH 17, 1992 BE APPROVED. VOTE: AFFIRMATIVE ALL

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## RESOLUTION OF APPRECIATION

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION EXPRESSING THE TOWN OF CARRBORO'S APPRECIATION TO ANDY JONES, OWNER OF AUTO LOGIC FOR DONATING TO THE TOWN \$140.00 FOR A BATTING CAGE PROTECTOR Resolution No. 35/91-92

WHEREAS, Andy Jones, Owner of Auto Logic has generously donated to the Town of Carrboro \$140.00 towards a batting cage protector;

WHEREAS, these funds have been specifically earmarked for the batting cage protector.

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

- Section 1. On behalf of the Town of Carrboro and its citizens, the Board of Aldermen hereby expresses its sincere thanks and gratitude to Andy Jones for his generous donation to the Town.
- Section 2. This resolution shall be entered into the official minutes of the Board of Aldermen and a copy thereof shall be delivered to Andy Jones.
  - 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 24th 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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## OATH OF OFFICE ISSUED TO BOARD OF ADJUSTMENT MEMBER

The Town Clerk issued an oath of office to John Althoff, a recent appointee to the Board of Adjustment.

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# CITIZEN REQUEST

Bob Proctor thanked the Board for the Libba Cotten Bikepath, but expressed concern over the trees that were planted along the bikepath. Mr. Proctor suggested that the town talk with bikers prior to making future improvements along the bikepath.

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Weaver Street Market has requested the closing of Weaver Street from the Main Street intersection to the North Greensboro Street intersection from 10:00 a.m. to 5:00 p.m. on Saturday, April 25, 1992 (rain date: May 2nd) to accommodate 1992 Earth Day activities. The administration requested that a public hearing be set for April 14, 1992 to consider this street closing request.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT A PUBLIC HEARING BE SET FOR APRIL 14, 1992. VOTE: AFFIRMATIVE ALL

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#### 1992 COMMUNITY DEVELOPMENT BLOCK GRANT

The administration requested that the public hearing on the 1992 Community Development Block Grant originally scheduled for May 5, 1992, be rescheduled for April 28, 1992.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE PUBLIC HEARING BE RESCHEDULED FOR APRIL 28, 1992. VOTE: AFFIRMATIVE ALL

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#### REPORT FROM OWASA REPRESENTATIVES/BOLIN CREEK SEWER MORATORIUM

The town's representatives on the OWASA Board of Directors (Hank Anderson and Bill Aderholt) were in attendance to answer any questions the Board had concerning the impact of the Bolin Creek sewer moratorium on the Town of Carrboro. Dr. David Moreau presented a report on the Bolin Creek sewer moratorium. Everett Billingsley was also present and answered questions concerning OWASA's budget.

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# PRESENTATION OF ANIMAL CONTROL ORDINANCE

Capt. Ben Callahan, representing the Animal Control Ordinance Review Committee, presented the revised animal control ordinance to the Board of Aldermen for its review and consideration.

Richard Ellington, a member of the Animal Control Ordinance Review Committee, spoke in favor of restraining cats, which is included as part of the proposed ordinance.

David Griffiths, a member of the Animal Control Ordinance Review Committee, stated that he feels the licensing fee for unneutered and unspayed cats and dogs should be double that of neutered and spayed cats and dogs. Mr. Griffiths asked that the town identify additional leash free areas around town.

Randee Link, the town's Animal Control Officer, stated that cats should be addressed in the proposed ordinance.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT A PUBLIC HEARING BE SET FOR APRIL 28, 1992 ON THE PROPOSED ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE TOWN STAFF BRING BACK A RECOMMENDATION ON ADDITIONAL LEASH FREE AREAS IN TOWN. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (MARSHALL, GURGANUS, CALDWELL)

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT THE TOWN ATTORNEY BE REQUESTED TO REVISE THE PROPOSED ORDINANCE TO INCLUDE GRANDFATHERING LIVESTOCK. VOTE: AFFIRMATIVE ALL

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# SECOND READING/ORDINANCE PROHIBITING PANHANDLING ON TOWN STREETS, SIDEWALKS AND BIKEWAYS

This ordinance was adopted on first reading by the Board of Aldermen on March 17, 1992. Because the ordinance did not receive an affirmative vote of at least two-thirds of the Board membership, a second reading was required.

Sherri Toller spoke against the proposed ordinance.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY FRANCES SHETLEY 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 THREE, NEGATIVE FOUR (CALDWELL, KINNAIRD, GIST, BRYAN)

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# REPORT ON DELETION OF EXTENSIONS FROM STREET NAMES

Roy Williford, Planning Director, presented a report on the deletion of extensions from street names within the town. Mr. Williford stated that the administration recommended that Shelton Street Extension become Shelton Street, that Town Hall Drive Extension become Town Hall Drive, and that West Poplar Avenue Extension become Ellington Road. Mr. Williford stated that the town staff recommended that Estes Drive Extension be retained.

Alderman Bryan stated that a resident of West Poplar Avenue Extension had spoken against the change of that street name to Ellington Road.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY TOM GURGANUS THAT SHELTON STREET EXTENSION BE RENAMED TO SHELTON STREET AND THAT TOWN HALL DRIVE EXTENSION BE RENAMED TO TOWN HALL DRIVE. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to request that the town staff make a recommendation on street name changes for Cobblestone Place and Cobblestone Drive and Bolin Creek Drive and Bolin Forest Drive.

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#### RESOLUTION AMENDING PAY PLAN

Larry Gibson, the town's Assistant Town Manager, stated that the administration was requesting adoption of a resolution amending the Pay Plan to delete the Police Officer II Investigator classification, to eliminate the probationary period for promotions, and the automatic salary increase at the completion of such periods.

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

A RESOLUTION AMENDING THE PAY PLAN
TO DELETE THE POLICE OFFICER II INVESTIGATOR CLASSIFICATION,
TO ELIMINATE THE PROBATIONARY PERIOD FOR PROMOTIONS AND THE
AUTOMATIC SALARY INCREASE AT THE COMPLETION OF SUCH PERIODS
Resolution No. 36/91-92

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Town of Carrboro 1991-92 Pay Plan is amended by deleting the classification Police Officer II (Investigator) from Section B, Table I, Pay Grade 14, and from Section B, Table IV, Section I.G. (Police Department). The parenthetical designation (Patrol) is similarly deleted from such reference to Police Officer II (Patrol). The intent of this section is to eliminate the classification distinction between Police Officer II (Patrol) and Police Officer II (Investigations) and to recognize only one position classification--Police Officer II, which shall be assigned to salary grade number 13. This change shall not be regarded as a reclassification for purposes of Section A.4, paragraph D of the Pay Plan.

Section 2. In accordance with existing policy, assignment by the Police Chief of a Police Officer II to the function of an Investigator shall be regarded as a temporary assignment, not a promotion, and reassignment to other duties shall not be regarded as a demotion. However, in recognition of the additional responsibilities and duties that accompany this special assignment, any Police Officer II so assigned shall, for the duration of the assignment, receive additional pay in the amount of 5% of such officer's regular salary.

Section 3. Section A-4, paragraph A of the Pay Plan is amended by deleting the second and third sentence, which presently reads as follows:

"Employees receiving promotions will serve a six-month adjustment in the new classification. Upon satisfactory completion, the employee will receive an additional five percent (5%) salary increase (if not already at the top of the new salary range.)"

Section 4. All provisions of any ordinance or resolution in conflict with this resolution are repealed.

Section 5. This resolution shall become effective upon adoption, except that Section 3 shall not apply to anyone who has received a promotion within six months prior to the effective date of this resolution.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March, 1992:

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

Noes: Jay Bryan, Hilliard Caldwell, Tom Gurganus

Absent or Excused: None

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### REQUEST TO USE SALES TAX PROCEEDS

The administration requested adoption of a resolution seeking approval from the Local Government Commission to use all of the revenues from the two onehalf percent sales tax levies for general purposes other than water and sewer capital needs.

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

A RESOLUTION REQUESTING APPROVAL FROM THE LOCAL GOVERNMENT COMMISSION FOR THE TOWN TO USE ALL OF THE REVENUES FROM BOTH ADDITIONAL ONE-HALF PERCENT SALES TAXES FOR PURPOSES OTHER THAN WATER OR SEWER FACILITIES

Resolution No. 40/94-92.

WHEREAS, the Town of Carrboro has not operated a water or sewer system since 1977; and

WHEREAS, water and sewer facilities are provided to the Town of Carrboro and other areas within southern Orange County by the Orange Water and Sewer Authority (OWASA), a separate, incorporated unit of local government duly constituted under G.S. Chapter 162A; and

WHEREAS, OWASA, not the Town of Carrboro, is responsible for meeting the projected capital needs for water and wastewater within OWASA's service area; and

WHEREAS, OWASA has the financial resources through its rate structure and bonding authority to meet the water and wastewater capital needs of its service area; and

WHEREAS, it clearly appears that OWASA can meet all of its capital needs during the petition period;

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

Section 1. This petition shall apply to the period beginning July 1, 1992 - June 30, 1994.

Section 2. During the petition period, as set forth in Section 1, the Board of Aldermen requests that the Local Government Commission authorize the town to use all of the revenues generated by the additional one-half percent sales tax for purposes other than water and sewer facilities.

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 24th 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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## RESOLUTION AUTHORIZING SALE OF ITEMS OF TOWN SURPLUS PERSONAL PROPERTY BY PUBLIC AUCTION

Tim Blake, the town Purchasing Officer, stated that the administration was requesting adoption of a resolution authorizing the sale by public auction or private negotiated sale of surplus town property and unclaimed property in the possession of the Police Department.

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

A RESOLUTION AUTHORIZING THE SALE BY PUBLIC AUCTION OR PRIVATE NEGOTIATED SALE OF SURPLUS TOWN PROPERTY AND UNCLAIMED PROPERTY IN THE POSSESSION OF THE POLICE DEPARTMENT RESOLUTION NO. 38/91-92

WHEREAS, Article 12 of the General Statutes, Chapter 160A, authorize the town to dispose of personal property; and

WHEREAS, the town is authorized to dispose of unclaimed property in the possession of the police department pursuant to G.S. 15-12; and

WHEREAS, the town desires to dispose of certain items of surplus property and unclaimed personal property in the possession of the police department.

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

Sec	ction 1.	The following items of town property ar	e declared	surpl
QUA	ANTITY	<u>DESCRIPTION</u>	<u>s</u> ;	ALE #
	each	Cassette/Am-Fm Radio		1
	each	Pocket Camera		2
	each	Desk Calculator		3
	each	Earphone Headset		4
	each	Staple Gun		5
	each	Stop Watches		6
	each	Jewelry Kiln		2 3 4 5 6 7 8 9
	each	Tire Machine		8
	each	Ford Hydraulic Pump		
	each	STIHL Chain Saw #031		10
	each	Homelite Pipe Saw #03722		11
	each	Motorola HT-220 Portable Radio		12
	each	Radio Shack Cordless Telephone		13
	each	Toshiba P321 Printer S/N 2C13734		14
	each	NCR PC4 Computer, S/N 17-17063628		15
	each	SAMSUNG Monitor, Amber #MD-1252A		16
	each	Jackets, Dress Blazer		17
	each	Shirts, Longsleeve, Blue		18
	each	Shirts, Shortsleeve, Blue		19
	each each	Shirts, Longsleeve, White		20
	each	Shirts, Shortsleeve, White		21 22
	each	Pants, Dress Pike Poles		23
	each	Water Pump		23 24
	each	Rope		25
	each	Hard Suction Hose, 2 1/2"		26
	each	Hose Bed Covers		27 27
	each	Toolbox, Red		28
	each	Hose Tray, Metal		29
	each	SCBA Bottles, Silver, Globe		30
	each	Airpacks, Scott, Complete with		31
		bottles and facepieces		
6	each	SCBA Bottles, Scott		32
	each	Master Cylinder		33
2	each	Hose, Soft Suction, 5" x 10'		34
1	each	SCBA Bottle, Survivair		35
4	each	Elbow Brackets		36
1	each	Axe, Red Handled		37
1	each	Hose, 3" x 50', No Couplings		38
2	each	Hose, Garden, Black		39
2	each	Spool of Wire		40
1	each	Ladder, 10' Roof		41
1	each	Hose Cleaner		42
	each	Brackets, Air Pack		43
	each	Couplings, Aluminum, 1 1/2"		44
	each	Couplings, Brass, 2 1/2"		45
	each	Couplings, Brass, 1 1/2"		46
9	each	Pants, Turnout		47

each	Coats, Turnout	48
each	Helmets	49
each	Helmet Liners	50
each	Chin Straps	51
each	Suspenders	52
pair	Boots, steel toe	53
each	Indian Pack Water Extinguisher	54
each	Hose Tower (minimum bid 1,000)	55
each	Computer, CPU, Keyboard, ITT	56
	XTRA/101, XTRA Professional	
each	NEC P2200 S/N 602105834 Printer	57
each	Shirts, Longsleeve	58
each	Shirts, Shortsleeve	59
each	Jackets, Miscellaneous	60
each	Clarke Upright Vacuum, Model 576	61
	each each each pair each each each each each each	each Helmets each Helmet Liners each Chin Straps each Suspenders pair Boots, steel toe each Indian Pack Water Extinguisher each Hose Tower (minimum bid 1,000) each Computer, CPU, Keyboard, ITT XTRA/101, XTRA Professional each NEC P2200 S/N 602105834 Printer each Shirts, Longsleeve each Shirts, Shortsleeve each Jackets, Miscellaneous

Section 2. The following items are in the possession of the Carrboro Police Department and have remained unclaimed for a period of at least 180 days. All persons who claim any interest in the following property shall present such claim to the police department within thirty days after the publication of this notice. If not claimed, such property shall be sold as provided in this resolution.

	<u>ANTITY</u> each	<u>Description</u> Jackets	<u>SALE #</u> 62
	each	Articles of Misc. Women's Clothing	63
	each	Shirts/Sweaters	64
	each	Shoes	65
	each	Cassettes	66
	each	Compact Discs	67
	each	Cassette Cases	68
	each	Umbrellas	69
	each	Toys, Miscellaneous	70
	each	Sports Equipment	70
	each		72
		Auto Equipment	73
	each	Wallets/Purses	
	each	Articles of Jewelry	74 75
	each	Decks of Cards	75 76
	each	Video Tapes	76
	each	Miscellaneous Kitchen Supplies	77
	each	Sewing Supplies	78
	each	Flashlights	79
	each	Mailbox	80
	each	Book	81
	each	Cash Drawer	82
	each	Lawn Mower, Murray 20"	83
	each	Baby Stroller	84
_ 2	each	Suitcases	85
1	each	Sony Mega Bass Boom Box CFS-D20	86
1	each	Technics RSB12 Tape Player	87
1	each	Hitachi Del Tape Player	88
1	each	Nautilus N688 Bathroom Fan	89
1	each	Sunhill Cool Sounds Radio/Cooler	90
1	each	Gran Prix Am/Fm A2090 Pocket Radio	91
1	each	International Radio, Red	92
1	each	Lenox Sound, Portable Cassette	93
1	each	Cosmo Time, Alarm Clock	94
1	each	TI 1766 Calculator	95
1	each	Toshiba RTK S1 Portable Cassette	96
1	each	Kodak Star 110 Camera	97
1	each	TI 30 SLR+ Calculator	98
	each	Sony WM-A12 Walkman	99
	each	GE3-5979A 40 Channel CB	100
	each	Audio vox RX-2 Radar Detector	101
	each	Realistic TRC-99C CB	102
	each	Speakers, 10A-5	103
	each	Jensen 3033 Triax Speaker	104
	lot	Jensen/Craig Speaker Plates/Wire	105
	each	Preamp 500-B Amplifier	106
_	each	Craig T-521 Auto Tape Deck	107
	each	Realistic Equalizer, 40 Watt	107
	each	Heathkit Elect. GD-18, Siren	109
	each	•	110
	each	Sanyo FTU5 Tape Deck	111
		Craig 9423 Speaker	112
	each	Lasonic TRC-920 Boom Box	112
	each	Sony XS-691 Speaker	113
T	each	Sony WMF31/F41 Walkman	114

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1 eac		25
1 eac		26
1 eac		
1 eac		.28
1 eac		.29
1 eac		.30
1 eac	Bicycle-Motobecane, 10 speed (men's) 1	31
1 eac	Bicycle-Schwinn Racer, 3 speed (men's) 1	.32
1 eac	Bicycle-Penney, 10 speed (men's) 1	.33
1 eac	Bicycle-Huffy S2000, 10 speed (girl's) 1	.34
1 eac	Bicycle-Free Spirit, 10 speed (men's) 1	.35
1 eac		.36
1 eac		.37
1 eac		38
1 eac	Bicycle-Raleigh Sprite 27, 5 speed (men's) 1	.39
1 eac		40
1 eac		41
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Section 3. The Town Manager shall be and is hereby authorized to dispose of the surplus personal property listed in Section 1 and the unclaimed property listed in Section 2 at public auction in accordance with statutory requirements.

Section 4. A public auction shall take place on Saturday, May 30, 1992 (raindate: June 6, 1992) at 10:00 am at the Carrboro Public Works facility.

Section 5. The terms of sale shall be to the highest bidder for cash (items specifying a minimum bid price shall be to the highest bidder equaling or exceeding the established minimum). All sales shall be designated final on the day of the auction.

Section 6. All items shall be sold on an "as is" and "where is" basis and the town makes no guarantee of and assumes no responsibility for any of the items.

Section 7. It shall be a condition of sale that all items purchased shall be picked up and removed from the premises of the Public Works Facility by 1:30 pm on the day of the auction. Purchasers shall bear sole risk of loss of any items remaining on said premises past such time.

Section 8. If any of the property listed in this resolution is not sold at the public auction, the Purchasing Officer is hereby authorized to sell said surplus property by private negotiated sale or dispose of said property in any other appropriate manner as authorized by the Town Manager.

Section 9. 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 24th day of March, 1992:

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

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Noes: None

Absent or Excused: None

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## CANCELLATION OF APRIL 7TH BOARD MEETING

The administration requested that the Board of Aldermen cancel its meeting scheduled for April 7, 1992 due to the lack of agenda items.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY RANDY MARSHALL THAT THE APRIL 7TH BOARD MEETING BE CANCELED. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (SHETLEY, JACQUELYN GIST, JAY BRYAN)

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#### MEETING WITH SCHOOL BOARD

Mayor Kinnaird stated that a meeting had been arranged for April 15th at 5:00 p.m. at the Lincoln Center in order for the Board members to meet with the School Board to discuss the proposed new school.

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# APPOINTMENT TO NATIONAL ORGANIZATION ON DISABILITY COMMUNITY PARTNERSHIP PROGRAM

It was the consensus of the Board to authorize the Mayor to designate a town representative to serve on this organization.

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## **EXECUTIVE SESSION**

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE BOARD ADJOURN TO AN EXECUTIVE SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY/CLIENT PRIVILEGE AND A PERSONNEL MATTER. VOTE: AFFIRMATIVE ALL

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Town Clerk

Mayor