

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 18, 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	William Morgan for Michael Brough

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF AUGUST 11, 1992 BE APPROVED. VOTE: AFFIRMATIVE ALL

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**REQUEST TO SET PUBLIC HEARING/LAND USE REGULATIONS CONCERNING AUTOMATIC TELLER MACHINES**

The administration requested that a public hearing be scheduled for September 1, 1992 on a proposed amendment to the Land Use Ordinance dealing with automatic teller machines. The administration also requested that this proposed amendment be referred to the Planning Board for its review and recommendation.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT A PUBLIC HEARING BE SCHEDULED FOR SEPTEMBER 1, 1992. VOTE: AFFIRMATIVE ALL

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**PUBLIC HEARING SET/VOLUNTARY ANNEXATION OF WAVERLY FOREST**

Homescape Development Co., Inc. has submitted a petition for annexation of Waverly Forest (previously known as Fair Oaks, Phase 5). This property is located at the end of Hanford Road on the east side, consists of 6.9 acres and will contain 23 lots.

The administration recommended that a public hearing be set for September 15, 1992.

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

**A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE  
ANNEXATION OF WAVERLY FOREST UPON THE  
REQUEST OF THE PROPERTY OWNERS  
Resolution No. 8/92-93**

WHEREAS, the Town of Carrboro has received a petition from Homescape Development Co. requesting that Waverly Forest be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31.

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

Section 1. The Board of Aldermen shall hold a public hearing on September 15, 1992 to consider the voluntary annexation of Waverly Forest.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in The Chapel Hill Newspaper at least ten (10) days prior to the date of the public hearing.

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 18th day of August, 1992:

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

NOES: None

ABSENT/EXCUSED: None

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UPDATE ON SMALL AREA PLANNING PROCESS

Julia Trevarthen, the town's Senior Planner, presented a report on the small area planning process and planning work group selection. Ms. Trevarthen stated that the town staff was seeking clarification on the composition of the work group, who the work group would be appointed by, to whom the work group would report, and whether the work group would be task force of the Board of Aldermen or an advisory committee or even a subcommittee of the Planning Board.

It was the consensus of the Board to have the Planning Board make a recommendation on the structure of the work group. In addition, the Board requested that the town staff prepare an outline of the small area planning process, objectives and goals for presentation to the Board of Aldermen.

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DISCUSSION OF NEIGHBORHOOD PRESERVATION DISTRICT OVERLY ZONE

Wayne King, one of the town's zoning development specialists, presented the map of the Carrboro Neighborhood Preservation District and the significance report along with the Design Guidelines and requested direction from the Board of Aldermen on this matter.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE AGENDA PLANNING COMMITTEE BE REQUESTED TO SCHEDULE A PUBLIC HEARING ON THIS MATER.  
VOTE: AFFIRMATIVE ALL

Bill McKenzie, Chair of the Appearance Commission, stated that the Appearance Commission/Neighborhood Preservation District Commission recommended that the guidelines include a glossary and that the affected property owners/residents be sent a one-page summary of the proposed guidelines prior to the public hearing.

It was the consensus of the Board that the property owners/residents be sent the one-page summary of the guidelines prior to the public hearing.

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STATUS REPORT ON CARR MILL MALL BIKEPATH PROJECT

Roy Williford, Planning Director, presented a status report on the Carr Mill Mall Bikepath project as information to the Board.

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WORKSESSION ON REVISED ANIMAL CONTROL ORDINANCE

Capt. Carolyn Hutchison, stated that the proposed animal control ordinance which was presented to the Board of Aldermen in March, 1992 had been revised by the Town Attorney as follows:

- (1) Section 10-6 has been rewritten to allow replacements for existing livestock as well as animals born to such livestock;
- (2) A new subsection (d) has been added to Section 10-12 to require that the administrator be notified of the new location of animals removed as a nuisance;
- (3) Section 10-11 has been modified to exempt cats from the prohibition on running at large, so long as they have the proper tags; and
- (4) A new subsection 10-12(a)(6) has been added to specify additional reasons why cats on another person's property may be regarded as a nuisance.

In addition, Capt. Hutchison stated that the Town Attorney had found no state law dealing with the issued raised by Section 10-26 (notice required when an animal is injured).

It was the consensus of the Board that Section 10-26 be amended to read: "Any person who, as the operator of a motor vehicle or bicycle, causes injury to any domestic animals or livestock, shall stop at once and render such

assistance as may be possible and shall immediately notify at least one of the following:".

In addition, it was the consensus of the Board to request the Agenda Planning Committee to schedule adoption of the proposed ordinance.

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RESOLUTION REQUESTING THE CHAPEL HILL-CARRBORO SCHOOL BOARD TO NAME THE NEW MIDDLE SCHOOL THE CARRBORO MIDDLE SCHOOL

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION REQUESTING THE CHAPEL HILL-CARRBORO  
SCHOOL BOARD TO NAME THE NEW MIDDLE SCHOOL  
THE CARRBORO MIDDLE SCHOOL  
Resolution No. 7/92-93

WHEREAS, the Chapel Hill-Carrboro School Board plans to construct a middle school on Old Fayetteville Road located within the corporate limits of the Town of Carrboro; and

WHEREAS, a community's identity is enhanced by its public structures;  
and

WHEREAS, the Town of Carrboro has always been very supportive of Carrboro Elementary School and the town feels that this support has greatly benefitted the Elementary School and would like to build upon that support by asking that the new Middle School be called the Carrboro Middle School.

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

Section 1. The Board of Aldermen respectfully requests that the Chapel Hill-Carrboro School Board consider naming the new Middle School the Carrboro Middle School.

Section 2. A copy of this resolution shall be sent to the Mrs. Mary Bushnell, Chair of the Chapel Hill-Carrboro School Board.

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 18th day of August, 1992:

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

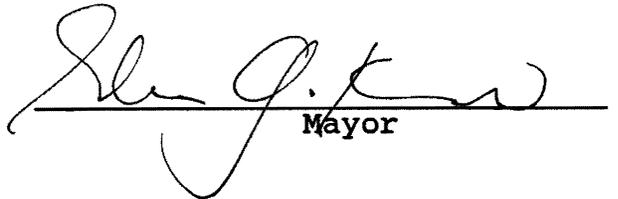
Noes: None

Absent or Excused: None

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EXECUTIVE SESSION

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE BOARD ADJOURN INTO AN EXECUTIVE SESSION TO DISCUSSION ACQUISITION OF PROPERTIES AT 9:27 P.M. VOTE: AFFIRMATIVE ALL

  
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Mayor

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Town Clerk