

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 15, 1992 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Randy Marshall
	Hilliard Caldwell
	Frances Shetley
	Jacquelyn Gist
	Jay Bryan
Asst. Town Manager	Larry Gibson
Town Clerk	Sarah C. Williamson
Town Attorney	Michael Brough

Absent:  
Alderman Tom Gurganus

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF SEPTEMBER 1, 1992 BE APPROVED. VOTE: AFFIRMATIVE ALL

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PLACQUE PRESENTED TO FIRE DEPARTMENT RETIREE

Chief Swiger presented a plaque to Tommie Joe Ragan for his year's of service with the Carrboro Fire Department.

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CHARGES ISSUED

The Town Clerk issued charges to Melva Okun, a recent appointee to the OWASA Board of Directors, and to Neal Mochel, a recent appointee to the Transportation Advisory Board.

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REQUEST TO SET PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT MAKING AUTOMOBILE REPAIR SHOPS OR BODY SHOPS PERMISSIBLE USES IN THE DOWNTOWN ZONING DISTRICTS

Andy Jones and Al Townsend have requested that the Board consider amending the land use ordinance to make use 9.400 (Automobile Repair Shops or Body Shops) a permissible use in the downtown zoning districts. The administration requested that the Board set a public hearing on this proposed amendment for October 20, 1992, and that this matter be referred to the Planning Board and 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 20, 1992 AND THAT THIS MATTER BE REFERRED TO THE PLANNING BOARD AND DOWNTOWN DEVELOPMENT COMMISSION FOR THEIR REVIEW AND COMMENTS. VOTE: AFFIRMATIVE ALL

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PUBLIC HEARING SET/REZONING REQUEST/610 JONES FERRY ROAD

Mary Ann McDade, owner of the property located at 610 Jones Ferry Road, has requested that the Board consider rezoning her property from R-3 to O. The property is approximately 3.5 acres and has a house on it. The administration requested that the Board set a public hearing on this proposed rezoning be set for October 20, 1992 and that this matter be referred to the Planning Board for its review and recommendation.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT A PUBLIC HEARING BE SET FOR OCTOBER 20, 1992 AND THAT THIS MATTER BE REFERRED TO THE PLANNING BOARD FOR ITS REVIEW AND COMMENTS. VOTE: AFFIRMATIVE ALL

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CONTINUATION OF PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/CARRBORO MIDDLE SCHOOL 3

Steve Bondor has applied for a conditional use permit that would allow construction of a middle school with associated facilities on 40.6 acres. The parcel is identified as Tax Map 108, Lot 31A and is zoned R-20. This public hearing was continued from the September 1st meeting of the Board of Aldermen in to allow OWASA the opportunity to hold a public hearing on this matter.

Helen Waldrop, the town's Zoning Administrator, stated that a resolution had been submitted to the town from OWASA approving the extension of water and sewer service to the proposed school.

Chief Swiger, the town's Fire Chief, was sworn in. Chief Swiger stated that the building does not have to be sprinkled as long as the school can connect to the Old Fayetteville Road waterline. Chief Swiger stated that the building would be safer if it were sprinkled.

Lois Herring, Chair of the OWASA Board of Directors, was sworn in. Ms. Herring thanked the Board for allowing OWASA to review this project and suggested that OWASA be included in the town's development review process.

Ed Holland, an employee of OWASA, answered questions concerning the drainage from this property.

Helen Waldrop stated that due to the amount of drainage work to be done to this property, there will be a large number of trees removed from the site.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE APPLICATION IS COMPLETE. VOTE. AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT IF THE APPLICATION IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Zoning Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That a 8-foot paved bike lane be constructed as indicated on the site plans.
4. That the connecting driveway which links the Hillsborough Road parking lot to the Fayetteville Road parking lot be closed off.
5. That a spur of the bike lane be constructed that continues across the closed space between the two parking lots to the sidewalk between the middle school and the gym and that bike racks be added off the sidewalk near the main middle school building at various convenient locations, covered when possible by extending the covering that is being constructed over the sidewalks, and that bike racks be constructed near the elementary school when it is constructed.
6. That a paved walk be added to the tennis courts when they are constructed.
7. To show the sidewalk included on Fayetteville Road on the side of this property and because bike lanes are being included on Old Fayetteville Road, the Transportation Advisory Board requested that the Board of Aldermen remind the TAC to continue working on the TIP plan in continuing the bike lanes on Hillsborough Road and Old Fayetteville Road to their intersection.
8. That a handicapped parking space be added at the southwest corner of the visitor parking lot near the softball field with paved access added to the field.

9. That bike path accessways onto the campus be added off Quail Roost Drive, Hillsborough Road, and Old Fayetteville Road; that these paths not be dual purpose "sidewalk/bikepath"; and that these bike paths not cross or intersect parking lots or driveways.
10. That the bikepath crossing the property be designated as a 20-foot easement.
11. That 15-foot poles (maximum) be used for lighting fixtures. That as many of the large trees on the site as possible be retained. That screening along the Quail Roost development (eastern) side be as submitted concerning fencing. However that the plantings along the fence vary in type of plant material. That the Appearance Commission have the opportunity to approve the detailed planting plan once it has been completed. That the Appearance Commission have the opportunity to review the signage before it is placed on site. That the Appearance Commission pay special attention to screening of the school property which is adjacent to residential areas to protect property owners from noise and encroachment.
12. That construction plans be approved in accordance with the grading plan submitted to the Board of Aldermen at its meeting on September 15, 1992.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE APPLICATION BE GRANTED, SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE ALL

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**PUBLIC HEARING/VOLUNTARY ANNEXATION OF THE WAVERLY FOREST SUBDIVISION**

This was a public hearing to consider a request from Homescape Development Company, Inc. to annex the Waverly Forest Subdivision (previously known as Fair Oaks, Phase 5). This property consists of 6.9 acres and will contain 23 lots and is currently referenced as Tax Map 108, Lot 9B. The administration recommended adoption of an ordinance annexing this property into the town limits effective September 30, 1992.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THIS PUBLIC HEARING BE CLOSED AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING WAVERLY FOREST SUBDIVISION," BE ADOPTED. VOTE: AFFIRMATIVE ALL

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**PRESENTATION OF EMS STRATEGIC PLAN**

Bob Lockwood, Executive Director of the American Red Cross, Norm Gustaveson and Carol Lorenz presented a status report on Orange County Strategic Plan.

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**APPOINTMENT TO PLANNING BOARD**

The chair of the Planning Board recommended that Dan Leonard be appointed to the vacant seat on the Planning Board. Mr. Leonard has resigned from his seat on the Appearance Commission.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY FRANCES SHETLEY THAT DAN LEONARD BE APPOINTED TO THE PLANNING BOARD. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to review the guidelines for appointing advisory board members at the 1993 Planning Retreat.

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**AMENDMENT TO SMOKE DETECTOR ORDINANCE**

Chief Swiger presented a proposed ordinance amending Section 12-19 of the Town Code to clarify the responsibilities of owners and tenants of rental residential units with respect to smoke detectors.

The managers of two local apartment complexes spoke in favor of the proposed ordinance.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING SECTION 12-19 OF THE CARRBORO TOWN CODE TO CLARIFY THE RESPONSIBILITIES OF OWNERS AND TENANTS OF RENTAL RESIDENTIAL UNITS WITH RESPECT TO SMOKE DETECTORS," BE ADOPTED. VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (BRYAN, GIST, KINNAIRD) 15

It was a consensus of the Board to have this item placed on its September 22nd agenda for a second vote.

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AMENDMENT TO TOWN CODE INCREASING FINES FOR PARKING VIOLATIONS

The administration recommended adoption of an ordinance amending Section 6-41 of the Town Code to increase \$1.00 and \$5.00 civil penalties for traffic-related violations to \$25.00.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CARRBORO TOWN CODE SECTION 6-41(C)," BE ADOPTED. VOTE: AFFIRMATIVE ALL

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REPORT ON STORMWATER MANAGEMENT FOR THE SMALL PLANNING AREA

Roy Williford, Planning Director, presented a stormwater report for the Small Planning Area.

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BUDGET AMENDMENTS, PROJECT ORDINANCES AND AUTHORIZATION TO ENTER INTO LEASE AGREEMENTS FOR THE SOUTH GREENSBORO STREET PARKING LOT

The administration recommended adoption of the following documents:

- a. A budget ordinance amendment re-appropriating funds for prior year encumbrances, and transferring funds from nondepartmental accounts to cover the 2% across-the-board salary increases;
- b. Grant project ordinances updating the budgets for the Revolving Loan Fund, Rental Rehabilitation Program and Transportation Planning Grant Fund.
- c. A budget ordinance appropriating \$18,483 from General Fund Balance to establish the town's new parking lot on South Greensboro Street and creating accounts for revenues and expenditures associated with parking lot operations.

The administration also recommended that the Board authorize the Town Manager to enter into the lease agreement with Durham Laundry Company for the parking lot on South Greensboro Street, in addition to authorizing the Manager to enter into sub-lease agreements.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE ACTIONS RECOMMENDED BY THE TOWN STAFF UNDER A.B. AND C. BE ADOPTED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY FRANCES SHETLEY THAT THE MANAGER BE AUTHORIZED TO ENTER INTO THE AGREEMENT WITH DURHAM LAUNDRY IN ADDITION TO AUTHORIZING THE MANAGER TO ENTER INTO THE SUBLEASE AGREEMENTS. VOTE: AFFIRMATIVE ALL

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STATUS REPORT FROM VIOLENT CRIME AND DRUG TASK FORCE

Alderman Gist presented a status report from the Violent Crime and Drug Task Force.

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RESTAURANTS IN DOWNTOWN AREA

Mayor Kinnaird stated that the Downtown Development Commission would like for the town staff to prepare a report on possibly expanding restaurant uses in the downtown area. It was a consensus of the Board to request the town staff prepare this report for the Board's review.

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APPOINTMENT TO OWASA COMMITTEE TO CONSIDER WATER AND SEWER RELATED ISSUES

Alderman Gist volunteered to serve as the town's representative on this committee.

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NEW POST OFFICE

The Board requested that the town staff determine when the Postal Service's option on the Lloyd property expires.

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PAVING OF QUAIL ROOST DRIVE

The Board requested that the town staff prepare a report on the possibility of paving Quail Roost Drive as recommended by the Planning Board in connection with the conditional use permit for the new middle school.

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ARTICLE BY JOHN GARDNER ENTITLED, "BUILDING COMMUNITY"

Alderman Bryan requested that the Agenda Planning Committee schedule a time to discuss the article he had submitted to the Board by John Gardner on building community.

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ENERGY EFFICIENCY PLAN FOR CONSTRUCTION OF NEW TOWN BUILDINGS

Alderman Bryan requested that the town staff provide direction to the Board on how energy efficiency could be included in construction of new town buildings.

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RIGHT-OF-WAY DEDICATION BY MAC FITCH

Alderman Shetley requested that the Agenda Planning Committee schedule discussion of the right-of-way dedication by Mac Fitch in the vicinity of the proposed Health Center.

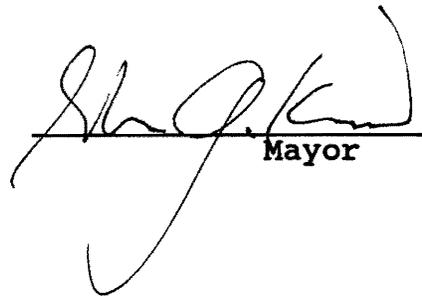
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REVIEW OF DEVELOPMENT PLANS BY OWASA

Alderman Shetley requested the town staff include OWASA in the review process for new developments.

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY FRANCES SHETLEY THAT THE BOARD ADJOURN TO AN EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER AT 10:50 P.M. VOTE: AFFIRMATIVE ALL

  
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Mayor

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Town Clerk