

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

Present and presiding:

|               |                     |
|---------------|---------------------|
| Mayor         | Eleanor Kinnaird    |
| Aldermen      | Tom Gurganus        |
|               | Hilliard Caldwell   |
|               | Frances Shetley     |
|               | Jacquelyn Gist      |
|               | Jay Bryan           |
| Town Manager  | Robert W. Morgan    |
| Town Clerk    | Sarah C. Williamson |
| Town Attorney | Michael B. Brough   |

Absent:  
Alderman Randy Marshall

#### APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF NOVEMBER 17, 1992 BE APPROVED WITH CORRECTIONS. VOTE: AFFIRMATIVE ALL

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#### CERTIFICATE OF APPRECIATION ISSUED

Mayor Kinnaird presented a certificate of appreciation to Gary Phillips for his service to the town while serving on the Downtown Development Commission.

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#### A RESOLUTION ENDORSING EFFORTS TO PRESERVE ALL HIGHWAY RAILROAD GRADE SEPARATIONS WITHIN DURHAM, ORANGE, AND WAKE COUNTIES

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

#### **A RESOLUTION ENDORSING EFFORTS TO PRESERVE ALL HIGHWAY RAILROAD GRADE SEPARATIONS WITHIN DURHAM, ORANGE, AND WAKE COUNTIES** Resolution No. 16/92-93

WHEREAS, the Triangle Transit Authority was created to finance, provide, operate and maintain a safe, clean, reliable, convenient, energy efficient, economical and environmentally sound public transportation system for Durham, Orange and Wake Counties; and

WHEREAS, with support and funding of the State and local units of government, the Triangle Transit Authority will be receiving a Federal Transit Administration grant to initiate planning for a future fixed guideway transit system as a component of a multi-modal public transportation system; and

WHEREAS, the removal of grade separated crossings in corridors and potential rights-of-way diminishes the ability and value of the corridor or right-of-way to function within the network.

WHEREAS, the Board of Trustees of the Triangle Transit Authority adopted the following endorsement and directive on June 18, 1992:

1. The Triangle Transit Authority fully endorses efforts to preserve all highway railroad grade separations for all active and inactive rail lines within Durham, Wake, and Orange Counties.

2. The General Manager is directed to work with North Carolina Railroad, the CSX Transportation Company, the Norfolk and Southern Railroad Company and the North Carolina Department of Transportation to preserve current grade separations and to discourage new at-grade crossings of rail lines.

Now, therefore, the Board of Aldermen of the Town of Carrboro resolves:

Section 1. The Town of Carrboro endorses the efforts of the Triangle Transit Authority to preserve all highway railroad grade separations within Durham, Orange, and Wake Counties.

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 24th day of November, 1992:

AYES: Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jay Bryan

NOES: None

ABSENT/EXCUSED: Randy Marshall

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**A RESOLUTION ENDORSING EFFORTS TO PRESERVE ALL RAIL CORRIDORS WITHIN DURHAM, ORANGE AND WAKE COUNTIES**

The following resolution was introduced by Alderman Frances Shetley and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION ENDORSING EFFORTS TO PRESERVE ALL RAIL  
CORRIDORS WITHIN DURHAM, ORANGE AND WAKE COUNTIES**

Resolution No. 17/92-93

WHEREAS, the Town of Carrboro endorses the efforts and activities of the Triangle Transit Authority directed toward the creation and furtherance of a multi-modal transportation system in Durham, Wake and Orange Counties.

WHEREAS, all active and inactive rail corridors throughout the three county area have the potential of functioning as part of the network for the multi-modal public transportation system, and

WHEREAS, the removal of grade separated crossings in corridors and potential rights-of-way diminishes the ability and value of the corridor or right-of-way to function with the network.

Now, therefore, the Board of Aldermen of the Town of Carrboro resolves:

Section 1. The Town fully endorses the efforts of the Triangle Transit Authority to preserve all rail corridors within Durham, Wake, and Orange Counties.

Section 2. The Public Transportation and Rail Division of the North Carolina Department of Transportation is commended for their current efforts and encouraged to continue to work on the preservation of all active and inactive rail corridors for use as part of the network of the multi-modal public transportation system.

Section 3. The North Carolina Board of Transportation is encouraged to use Enhancement funds authorized by the Intermodal Surface Transportation Efficiency Act of 1991 to purchase the Durham to Timberlake and Durham to I-40 (including the American Tobacco Lead) corridors for future expansion of the public transportation system.

Section 4. The Town of Carrboro agrees to participate with State agencies and other units of local government in the preservation of rail corridors to which may provide current and future pedestrian access and non-motorized vehicular linkages to the multi-modal public transportation system.

Section 5. 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 November, 1992:

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

NOES: None

ABSENT/EXCUSED: Randy Marshall

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**RESIDENCY REQUIREMENT FOR FIRE CHIEF**

This was the second reading on an ordinance amending the Town Code to allow the fire chief to reside within the town's planning jurisdiction or transition area.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JACQUELYN GIST THAT THE PROPOSED ORDINANCE BE ADOPTED. (ALDERMAN GIST WITHDREW HER SECOND AND THEN ALDERMAN SHETLEY WITHDREW HER MOTION.)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO DELETE THE REQUIREMENT THAT THE FIRE CHIEF RESIDE WITHIN THE TOWN LIMITS BE ADOPTED," AND THAT SECTION 1(b)(2) BE REWRITTEN TO READ: "THE FIRE CHIEF SHALL RESIDE WITHIN THE CHAPEL HILL TOWNSHIP." VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (SHETLEY)

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#### HENRY W. BALDWIN PARK PLAY EQUIPMENT

Richard Kinney, the town's Recreation and Parks Director, stated that in conducting a safety audit of town-owned play equipment it was recommended that the play equipment at Baldwin Park be removed. The Board of Aldermen received this recommendation on September 22, 1992 and deferred action until input from the surrounding neighborhood could be obtained. Several meetings were held with the residents of the Broad Street neighborhood and as a result, it was the consensus of those attending that the old equipment needed to be removed and new equipment be installed as soon as possible. Mr. Kinney stated that several different styles of equipment were discussed and viewed by the neighborhoods at the meetings. They recommended that a play unit similar to the equipment in the Gametime, Inc. catalog (the Durascape accessible system) be used along with a game table with a checkerboard inlay. The neighbors compromised on a new basketball toss hoop in sand or on the grass. Mr. Kinney stated that cost estimates were received from Gametime, Inc. for the Durascape accessible system. Purchasing this equipment over a four-year period would cost \$16,217.

Mr. Kinney stated that the administration recommended that the Board of Aldermen authorize the removal of all existing play equipment at Baldwin Park, that the administration be authorized to enter into a lease purchase arrangement to acquire and install the above equipment this fiscal year, and that a budget amendment transferring \$6,000 from the Contingency Fund be approved to be used as a first payment on a three-year purchase contract.

Danny Foushee asked for a commitment from the Board on what will be done as far as replacing the existing play equipment. Mr. Foushee stated that the neighborhood did not want to have the park remain vacant.

Joe Parrish thanked the Board for the drug enforcement in this neighborhood.

Mr. Morgan stated that the town had removed the most dangerous play equipment from the park.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE ADMINISTRATION BE AUTHORIZED THE PURCHASE FROM GAMETIME, INC. A DURASCAPE ACCESSIBLE SYSTEM (#LE9813) FOR A COST OF \$8,940 IN ADDITION TO THE INSTALLATION OF A PERMANENT GAME TABLE (\$600), A BASKETBALL GAME HOOP (\$600), AND A THREE-SEAT SWING (\$440) TO REPLACE THE EXISTING PLAY EQUIPMENT AT BALDWIN PARK. THAT THE EXISTING EQUIPMENT NOT BE REMOVED UNTIL THE NEW EQUIPMENT ARRIVES, AND THAT A BUDGET AMENDMENT TRANSFERRING \$6,000 FROM THE CONTINGENCY FUND AS A FIRST PAYMENT ON THE THREE-YEAR PURCHASE CONTRACT FOR THIS EQUIPMENT BE ADOPTED. VOTE: AFFIRMATIVE ALL

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#### PAYMENT IN LIEU OF RECREATION FUNDS

Richard Kinney, the town's Recreation and Parks Director, stated that the Board of Aldermen at its meeting held on September 22, 1992 asked that the administration present a report on the status of payments in lieu of private recreation facilities and receive a report from the Town Attorney regarding the legal flexibility of using these funds for recreation purposes. Mr. Kinney presented a report and asked for further direction from the Board of Aldermen regarding use of these funds and stated that the Recreation and Parks Commission had suggested that an informal worksession of the Commission and the Board of Aldermen be held to discuss the use of these funds.

It was the consensus of the Board to have the Agenda Planning Committee schedule a worksession with the Recreation and Parks Commission to discuss use of the payment in lieu of recreation funds and the overall goals for recreation for the town.

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**PARK NAMING PROCEDURE**

Richard Kinney, the town's Recreation and Parks Director, stated that at present there does not exist a procedure to name park and recreation facilities. Mr. Kinney presented a proposal for naming procedure for the town's park system for the Board's consideration.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE PROPOSED PARKS NAMING PROCEDURE BE ADOPTED, CHANGING ANY WORDING OF "OPPOSITION" TO "OBJECTION THROUGH THE PROCEDURE. VOTE: AFFIRMATIVE ALL

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**REPORT ON CEMETERY VANDALISM**

Chris Peterson, the town's Public Works Director, presented a report on vandalism within the town's cemeteries.

Mayor Kinnaird suggested that the town consider setting up a reserve fund to repair monuments damaged by vandals.

It was the consensus of the Board to request the Cemetery Committee to review the proposed suggested by Mayor Kinnaird.

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**PARKING ON CENTER STREET**

Kenneth Withrow, the town's Transportation Planner, presented a report on the result of a survey of the residents of Center Street on whether parking should be prohibited. Mr. Withrow stated that half the residents of Center Street want parking and the other half do not want parking on Center Street. Mr. Withrow stated that since Section 6-18 of the Town Code disallows parking on the travel way, then no further ordinance amendment is necessary, but that the administration recommended that the existing signage along Center Street be changed to read, "No Parking on Pavement."

It was the consensus of the Board to request the town staff to have the signage on Center Street changed to read: "No Parking on Pavement."

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**DISCUSSION OF COALITION FOR PUBLIC TRANSPORTATION**

Mayor Kinnaird requested that the Board of Aldermen discuss this matter.

Alex Zaffron, Chair of the Transportation Advisory Board, briefly explained what the Coalition for Public Transportation will do.

The following resolution was introduced by Alderman Frances Shetley and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION ENDORSING IN CONCEPT THE GOALS OF  
THE NORTH CAROLINA COALITION FOR PUBLIC TRANSPORTATION  
Resolution No. 14/92-93

WHEREAS, the Town of Carrboro has supported full implementation of the 1991 Intermodal Surface Transportation Efficiency Act and increased funding for public transportation; and

WHEREAS, the purpose of the Coalition for Public Transportation would be to develop an agenda of legislative and administrative goals and then pursue those goals in the North Carolina General Assembly and the North Carolina Department of Transportation; and

WHEREAS, those goals are consistent with the town's desire to promote a balanced transportation system.

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

Section 1. The Board of Aldermen endorses in concept the goals of the North Carolina Coalition for Public Transportation and requests that the Coalition present the Board of Aldermen with a proposed specific work program for the Board's consideration.

Section 2. That the Board of Aldermen adopts this resolution with the understanding that the North Carolina Coalition for Public Transportation

will not be involved with any endorsement of political candidates.

Section 3. That the Board of Aldermen adopts this resolution with the understanding that the North Carolina Coalition for Public Transportation will have a limited existence.

Section 4. 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 November, 1992:

Ayes: Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: Tom Gurganus

Absent or Excused: Randy Marshall

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN THAT ALDERMAN SHETLEY SERVE AS THE TOWN'S REPRESENTATIVE ON THE N.C. COALITION FOR PUBLIC TRANSPORTATION. VOTE: AFFIRMATIVE ALL

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#### DISCUSSION OF ARTICLE BY JOHN GARDNER ENTITLED, "BUILDING COMMUNITY"

The Board of Aldermen discussed an article written by John Gardner entitled, "Building Community."

It was a consensus of the Board to schedule a worksession to discuss community building.

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#### CHARTER AMENDMENT TO PROVIDE FOR RECALL OF ELECTED OFFICIALS

At the request of the Board, the Town Attorney presented a report on the issues to be resolved if the Board desires to proceed further with an amendment to the Town Charter to provide for recall of elected officials.

It was a consensus of the Board to wait to see what legislation the Town of Chapel Hill proposes before proceeding further with this matter. The Board requested the Town Attorney to investigate what other town's have used as grounds for recall.

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#### REVIEW OF LAND USE ORDINANCE TABLE OF PERMISSIBLE USES

Mr. Morgan asked if the Board would be interested in having the town staff prepare a review of the table of permissible uses.

It was a consensus of the Board to request the town staff to propose a process to review the table of permissible uses.

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#### BOLIN CREEK GREENWAYS

Alderman Bryan volunteered to prepare a resolution for the Board's consideration expressing the Board's concerns about paving of the Bolin Creek greenways.

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#### PROCEDURE FOR NAMING TOWN FACILITIES

Alderman Shetley requested that the town staff prepare a procedure for naming town facilities, which would include naming of cemeteries.

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#### TOWN MANAGER'S EVALUATION

It was a consensus of the Board that it would set a date to evaluate the Town Manager at its worksession on December 1st.

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