

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 20, 1993 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 B. Brough

#### APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE MINUTES OF APRIL 13, 1993 BE APPROVED. VOTE: AFFIRMATIVE ALL

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#### REQUEST BY CHRISTINE LLOYD TO DE-ANNEX HER PROPERTY

Christine Lloyd requested that the Board of Aldermen de-annex her property located on Old Fayetteville Road from the town limits of Carrboro. Mrs. Lloyd stated that she had requested her property be annexed into the city limits in conjunction with the proposed Amberly development, but her property had not been included in the development. Mrs. Lloyd stated that her property is undevelopable because it will not perk for septic tanks and OWASA will not provide public sewer to it.

Mike Brough informed the Board that the town would have to ask the Legislature to de-annex this property or the town could ask OWASA to provide public sewer to the property.

It was the consensus of the Board to ask the town staff to provide a report on the options available concerning this property, and that the Agenda Planning Committee schedule this matter for the Board's consideration as soon as possible.

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#### UPDATE ON ACTIVITIES OF ORANGE COUNTY HUMAN RELATIONS COMMISSION

Linda Potter, the town's representative on the Orange County Human Relations Commission, presented a report on the activities of Orange County Human Relations Commission during 1992-93 and the activities planned for 1993-94.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JACQUELYN GIST THAT THE REPORT BE ACCEPTED. VOTE: AFFIRMATIVE ALL

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#### ENTRYWAY ENHANCEMENT AND BEAUTIFICATION PLAN

Roy Williford, Planning Director, presented an "Entryway Enhancement and Beautification Plan" for the Board's review and comments. Mayor Kinnaird requested that the Libba Cotton Bikeway be included on the list of corridors.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE ENTRYWAY ENHANCEMENT AND BEAUTIFICATION PLAN BE RECEIVED AND THAT THE APPEARANCE COMMISSION BE REQUESTED TO RECOMMEND AN AGENDA ON HOW TO PROCEED WITH EACH OF THE AREAS CONTAINED IN THE PLAN. VOTE: AFFIRMATIVE ALL

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#### DESIGN GUIDELINES FOR DOWNTOWN BUSINESS DISTRICT

Roy Williford, Planning Director, presented the results of the Appearance Commission and Downtown Development Commission's review of building height and infill development in the downtown. Mr. Williford stated that the Appearance Commission recommended that the following definition of "story" be added to the guidelines: "Story: The habitable level of a building shall be between 9 to 14 feet in height from finished floor to finished ceiling. The first level is measured from the mean elevation of the finished grade." Mr.

Williford stated that the Downtown Development Commission recommended that three stories be allowed with a maximum height of 50 feet in the B-1-C and B-1-G zones, and that no definition of story by feet should be used.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE RECOMMENDATION OF THE APPEARANCE COMMISSION BE ADDED TO THE DOWNTOWN DESIGN GUIDELINES, SPECIFICALLY, THAT THE FOLLOWING DEFINITION OF STORY BE USED: "STORY: THE HABITABLE LEVEL OF A BUILDING SHALL BE BETWEEN 9 TO 14 FEET IN HEIGHT FROM FINISHED FLOOR TO FINISHED CEILING. THE FIRST LEVEL IS MEASURED FROM THE MEAN ELEVATION OF THE FINISHED GRADE." VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (SHETLEY)

Mike Brough reminded the Board that projects could not be denied on the basis that they do not meet the Downtown Design Guidelines because they are only guidelines not requirements.

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#### REPORT ON ADMINISTRATIVE POLICY - CITIZEN COMPLAINT SYSTEM

In response to an item placed on the 1993 Retreat Action Agenda, the Town Manager presented a procedure to deal with requests from customers who are not satisfied with responses received from departments. This procedure was provided to the Board for its review and comments.

The Board members made suggestions for changes to the request for service form.

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#### BUDGET AMENDMENTS/CAPITAL PROJECTS AND REVOLVING LOAN FUNDS

Larry Gibson, Assistant Town Manager, stated that the administration recommended adoption of budget amendments which would update the town's financial statements to correct two weaknesses in the town's financial statements relating to the Revolving Loan Fund and Capital Projects Fund. Mr. Gibson requested that the last section of the proposed ordinance be deleted because the Board had approved this section on April 6, 1993.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'92-93 BUDGET ORDINANCE," BE ADOPTED AS AMENDED. VOTE: AFFIRMATIVE ALL

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#### REVISIONS TO PERSONNEL ORDINANCE

Mr. Morgan presented an ordinance amending the personnel ordinance to revise the grievance and appeals process. Mr. Morgan recommended that the ordinance become effective in 60 days to allow the selection of the Personnel Advisory Committee members and the drafting of an administrative policy to guide the operation of the Personnel Advisory Committee.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 4 OF THE TOWN CODE (PERSONNEL) DEALING WITH GRIEVANCE PROCEDURES AND APPEALS OF DISCIPLINARY ACTIONS," BE ADOPTED, TO BECOME EFFECTIVE ON JUNE 21, 1993. VOTE AFFIRMATIVE ALL

It was a consensus of the Board to review the ordinance after one year.

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#### PUBLIC/PRIVATE PARTNERSHIP CONFERENCE

It was a consensus of the Board that Mayor Kinnaird and Jacquelyn Gist be authorized to attend the Public/Private Partnership Conference scheduled for June 3-5, 1993 in Charlotte, N.C.

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#### ECONOMIC DEVELOPMENT RECRUITING BROCHURE

It was a consensus of the Board to authorize Mayor Kinnaird to request the Orange County Economic Development Commission to revise its Orange County Statistical Abstract to change the statement, "Low wages, few unions, and modest unemployment benefits give North Carolina the best manufacturing climate among the nation's industrial states..." to reflect that Orange County cares about its lowest paid workers.

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1993 and the former owner would not agree to the  
un<sup>24</sup> things improve in the commercial real estate financing markets.

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EXECUTIVE SESSION

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION AND ACQUISITION OF PROPERTY. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE BOARD GO BACK INTO REGULAR SESSION AND THAT THE MEETING BE ADJOURNED AT 10:55 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk

LETTERS TO NCDOT OFFICIALS REFERENCE IMPROVEMENTS TO SMITH LEVEL AND HOMESTEAD ROADS

Alderman Shetley requested that it be noted in the minutes of this meeting that she had prepared letters to Whit Web and Gorman Gilbert for the Mayor's signature thanking these gentlemen for their participation in a meeting at the Town Hall on April 8, 1993 for the purpose of discussing improvements to Homestead Road and Smith Level Roads described in NCDOT's feasibility studies. In addition, the letters requested that the feasibility studies be amended to reflect that the town had not requested that these two roads be improved to five lanes.

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CARR MILL MALL

Alderman Bryan asked how the news of Carr Mill announcing its plan to file for reorganization under Chapter 11 would affect the mall.

Mr. Morgan stated that he did not think the mall would be affected since it is almost completed leased out and the cash flow is good. The reorganization is the result of the fact that a large balloon payment came due on March 1, 1993 and the former owner would not agree to extend the existing arrangement until things improve in the commercial real estate financing markets.

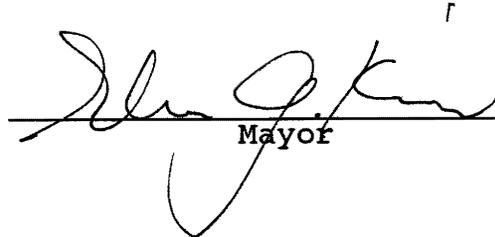
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Mayor

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Town Clerk