

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 26, 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 TOM GURGANUS THAT THE MINUTES OF OCTOBER 12, 1993 BE APPROVED. VOTE: AFFIRMATIVE ALL

INTRODUCTION OF NEW STAFF PERSON

Larry Gibson, the town's Assistant Town Manager, introduced Tim Romocki, the town's new Accounting Officer.

PRESENTATION OF DONATIONS FOR TOWN COMMONS PROJECT

Mel Rashkis, President of The Village Companies Foundation, Inc., presented the town with a check for \$4,000 to go towards the Town Commons project. In addition, representatives from Central Carolina Bank presented the town with a check for \$1,000 to go towards the Town Commons project.

COALITION FOR BATTERED WOMEN

Betty Wolfe, a member of the Coalition for Battered Women, thanked the Board of Aldermen for the town's contribution to the Coalition during the past two years.

REPORT FROM CHAPEL HILL-CARRBORO SISTER CITIES

Mary Bushnell, a member of the Board of Directors of the Chapel Hill-Carrboro Sister Cities, introduced Diana McDuffee and Dorothy Cansler with the Sister Cities project and stated that they would like to make the sister cities project better known in the community.

Dorothy Cansler, President of the Chapel Hill-Carrboro Sister Cities, Inc., showed slides of the two sister cities - San Jorge, Nicaragua and Saratov, Russia.

CONDITIONAL USE PERMIT MODIFICATION/FAIROAKS, PHASE 6

Roy Williford, Planning Director, stated that Homescape Development Co. had requested a minor modification of the existing conditional use permit for Phase 6 of the Fair Oaks Subdivision. This modification would allow for the deletion of two lots (from 23 lots to 21 lots), the creation of additional open space, and the creation of a cul-de-sac which will avoid a road crossing of a sensitive drainage area. Two of the 21 lots will have driveways on Pathway Drive, while the remaining 19 will have driveways onto the cul-de-sac road. In addition, the modification seeks to reduce the road width from the approved 27 feet to 21 feet.

Diana McDuffee, a resident of 2226 Pathway Drive, stated that she is negotiating with the developer on where her driveway will be relocated.

Roy Williford stated that there is a condition in the conditional use permit amendment dated September 11, 1990 which addresses Ms. McDuffee's concern.

Dale Coker, the developer's engineer, stated that the open space will collect water during storms. Mr. Coker stated that they feel the wider street would serve the neighborhood better which would allow on-street parking, but the developer has reluctantly agreed to a 21 foot road width. Mr. Coker stated that the developer would advise against allowing on-street parking because of the narrow road width. Mr. Coker stated that the lots will have deep front yards and the homes will have garages so there should not be a problem with parking. Mr. Coker stated that the developer will maintain as many trees as possible on the fill lots. Mr. Coker also stated that installation of the sidewalk would benefit the residents of the town.

Rich Henderson, a resident of 2216 Pathway Drive, stated that he feels the modification is a better plan than the approved plan, but still it is not a good one. Mr. Henderson expressed concern about the drainage behind the duplexes on Pathway Drive, that all the trees will be removed from the fill lots, and that there will not be a buffer between existing homes and new homes.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE MODIFICATION BE APPROVED WITH 21 LOTS, THE ADDITIONAL OPEN SPACE, THE CUL-DE-SAC ROAD CONFIGURATION WITH A 21-FOOT ROADWAY AT THE ENTRANCE TAPERING TO A 27-FOOT ROAD WIDTH, WITH THE ENTRANCE ALIGNMENT AS IT CURRENTLY EXISTS IN THE FIELD, RETENTION OF THE SIDEWALK, THAT NO PARKING SIGNS BE ERECTED ALONG THE SECTION OF ROADWAY WHICH IS 21 FEET, AND THAT THE TOWN STAFF REVIEW THE CONCERNS RELATING TO DRAINAGE IN THE AREA OF LOT 4 AND ACROSS THE STREET FROM LOT 4. [MOTION WITHDRAWN]

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY HILLIARD CALDWELL THAT THE MODIFICATION BE APPROVED WITH A 27-FOOT ROAD WIDTH, THAT THE DRAINAGE CONCERNS BE ADDRESSED BY THE TOWN STAFF. [SECOND WITHDRAWN, THEREFORE MOTION DIED FOR THE LACK OF A SECOND]

It was the consensus of the Board to invite the developer to attend the next meeting of the Board of Aldermen to discuss the road width and drainage problems.

REPORT ON REVISIONS TO TABLE OF PERMISSIBLE USES

Julia Trevarthen, the town's Senior Planner, presented a brief summary of the history of the current Table of Permissible Uses for the Board to refer to while discussing problems, concerns and possible changes to the Table of Permissible Uses.

It was the consensus of the Board to ask the Agenda Planning Committee to schedule worksessions to discuss possible changes to the Table of Permissible Uses.

REVISION TO CARRBORO-CHAPEL HILL THOROUGHFARE PLAN

Kenneth Withrow presented a draft letter addressed to Dan Thomas with the State-Wide Planning Branch of the N.C. Department of Transportation requesting that the Old Fayetteville Road Extension be removed from the Thoroughfare Plan as previously requested by the Board of Aldermen.

Alderman Shetley suggested some revisions to the letter addressed to Dan Thomas.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT THE LETTER ADDRESSED TO DAN THOMAS BE REVISED AS SUGGESTED BY ALDERMAN SHETLEY AND FORWARDED TO MR. THOMAS. VOTE: AFFIRMATIVE ALL

RESOLUTION RELEASING ECONOMIC DEVELOPMENT FUNDS TO TRIANGLE J COUNCIL OF GOVERNMENTS

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

A RESOLUTION RELEASING \$943.13 IN ECONOMIC DEVELOPMENT FUNDS
TO TRIANGLE J COUNCIL OF GOVERNMENTS
Resolution No. 17/93-94

WHEREAS, in North Carolina the Lead Regional Organizations, as voluntary organizations serving municipal and county governments, have established

productive working relationships with the cities and counties across the state; and

WHEREAS, many counties and cities continue to need assistance in pursuing economic and community development opportunities, but federal assistance in the form of intergovernmental revenues has been severely curtailed in recent years; and

WHEREAS, the 1993 General Assembly recognized this need through the appropriation of \$864,270 to help the Lead Regional Organizations assist local governments with grant applications, economic development, community development, support of local industrial development and other activities as deemed appropriate by their local governments; and

WHEREAS, these funds are not intended to be used for payment of members' dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

WHEREAS, in the event that a request is not made by a unit of government for release of these funds to our Regional Council, the available funds will revert to the State's General Fund; and

WHEREAS, in Region J funds in the amount of \$48,015 will be used to carry out the economic development plan approved by the COG Board of Delegates and especially to improve the economy of the counties and towns of the Region by strengthening ties to and consequently benefits of the Research Triangle Park.

NOW, THEREFORE BE IT RESOLVED that the Town of Carrboro requests the release of its \$943.13 share of these funds to the Triangle J Council of Governments at the earliest possible time in accordance with the provisions of Chapter 321, Senate Bill 27, section 39 of the 1993 Session Laws.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of October, 1993:

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

Noes: None

Absent or Excused: None

DISCUSSION OF POLICY ON TAKING ACTION ON THE NIGHT OF PUBLIC HEARINGS

The Board discussed adopting a formal policy on whether it would take action on items before the Board on the same night as the public hearing.

It was the consensus of the Board to ask the town staff to contact the Town of Chapel Hill and Orange County to determine what policies they follow.

REPORT FROM COMMUNITY BUILDING SUBCOMMITTEE

Alderman Bryan presented a report from the Community Building Subcommittee which consists of he and Alderman Gist.

Alderman Bryan stated that the subcommittee was asking the Board to endorse the general principles and approaches as outlined in his memorandum to the committee dated April 23, 1993 which were to:

1. Establish a set of guidelines for discussion by the Board of any and all matters, but particularly matters that are controversial and matters involving public hearings.
2. Establish a yearly time as part of the Town Charter when the community, the Board and the staff examine what each is doing to build or nurture community along the lines of John Gardner's model and to look for ways to improve these ways as well as accomplish the on-going goal of community building.
3. Establish a Carrboro Day.
4. Establish and set aside specific days each year when fourth and fifth graders from Carrboro Elementary School and sixth graders from Culbreth

Middle School come and visit Town Hall and/or staff and Board members visit classes and discuss town government and civics.

5. Identify projects and groups that might be involved in effecting the following principles: wholeness incorporating diversity, a reasonable base of shared values, caring, trust and teamwork, effective internal communication, participation, affirmation, links beyond the community, development of young people, a forward view,
6. Identify and reach consensus on what a successful community should consist of.
7. Establish a council of representatives from the town's subdivisions and neighborhoods.

It was the consensus of the Board to endorse the principles outlined by Alderman Bryan.

RESOLUTION OPENING AND MAINTAINING A DEPOSIT ACCOUNT AND/OR CERTIFICATES OF DEPOSIT

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

A RESOLUTION OPENING AND MAINTAINING A DEPOSIT ACCOUNT
AND/OR CERTIFICATES OF DEPOSIT
Resolution No. 20/93-94

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. Nations Bank of North Carolina is hereby designated as a depository of the Town of Carrboro and a deposit account and/or certificates of deposit are opened and maintained in the name of the Town of Carrboro in accordance with the applicable rules and/or certificates of deposit be opened and maintained in the name of the Town of Carrboro with said Bank in accordance with the applicable rules and regulations for such an account; that any one of the following officers or employees of the Town of Carrboro:

Robert W. Morgan, Town Manager

William Laurence Gibson, Jr., Assistant Town Manager

Timothy L. Romocki, Accounting Officer

is hereby authorized, on behalf of the Town of Carrboro, and in its name to sign checks, drafts, notes, bills of exchange, acceptances, certificates of deposit or other orders for the payment of money; to endorse checks, notes, bills, certificates of deposit, or other instruments, owned or held by the Town of Carrboro for deposit with said Bank or for collection or discount by said Bank; to accept drafts, acceptances, and other instruments payable at said Bank; to place orders with said Bank for the purchase and sale of foreign currencies on behalf of the Town of Carrboro; to execute and deliver an electronic funds transfer agreement and to appoint and delegate, from time to time, such persons who may request transfers on behalf of the Town of Carrboro; to establish and maintain a night deposit relationship; to waive presentment, demand, protest, and notice of protest, or dishonor of any check, note, bill, draft, or other instrument made, drawn, or endorsed by the Town of Carrboro;

Section 2. Nations Bank of North Carolina is hereby authorized to honor, receive, certify, or pay all instruments signed in accordance with this resolution even though drawn or endorsed to the order of any officer or employee signing the same or tendered by him for cashing, or in payment of the individual obligation of such officer or employee, or for deposit to his personal account, and said Bank shall not be required or be under any obligation to inquire as to the circumstances of the issuance or use of any instrument signed in accordance with the foregoing resolution, or the application or disposition of such instrument or the proceeds thereof.

Section 3. Nations Bank is hereby requested, authorized, and directed to honor checks, drafts, or other orders for the payment of money drawn in the Town of Carrboro's name, including those payable to the individual order of any person or persons whose name or names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signature of the specified number of the foregoing officers or employees of the Town of Carrboro and Nations Bank shall be entitled to honor and to charge the Town

of Carrboro for such checks, drafts or other orders, regardless of by whom or by what means the actual or purported signature or signatures thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimen duly certified to or filed with Nations Bank by the Town Clerk.

Section 4. The Town Clerk of the Town of Carrboro shall certify to said Bank the name of the persons who are at present authorized to act on behalf of the Town of Carrboro under the foregoing resolution and shall from time to time hereafter, as changes in the personnel of said officers and employees are made, immediately certify such changes to said Bank, and said Bank shall be fully protected in relying on such certifications of the Town Clerk and shall be indemnified and saved harmless from any claims, demands, expenses, loss, or damage resulting from, or growing out of, honoring the signature of any officer or employee so certified, or refusing to honor any signature not so certified.

Section 5. This resolution shall remain in full force and effect until written notice of its amendment or rescission shall have been received by said Bank, and that receipt of such notice shall not affect any action taken by said Bank prior thereto.

Section 6. All transactions by any of the officers or employees of the Town of Carrboro on its behalf, and in its name, with Nations Bank prior to the delivery to said Bank of a certified copy of this resolution is in all respects hereby ratified, confirmed, approved and adopted.

Section 7. The Town Clerk is hereby authorized and directed to certify this resolution to Nations Bank and that the provisions thereof are in conformity with the Charter of the Town of Carrboro.

Section 8. 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 26th day of October, 1993:

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

Noes: None

Absent or Excused: None

MEETING DATE FOR GUN CONTROL STUDY COMMITTEE

Alderman Gist suggested that the Gun Control Study Committee hold its first meeting on November 15, 1993 at 7:00 p.m. at the Town Hall.

The Board agreed with this date.

LOOSE LEAF COLLECTION

Alderman Marshall questioned whether the town was still offering loose leaf collection.

Mr. Morgan stated that he would check on this and respond to Alderman Marshall's request.

REQUEST FOR STATUS REPORT ON NEW POST OFFICE

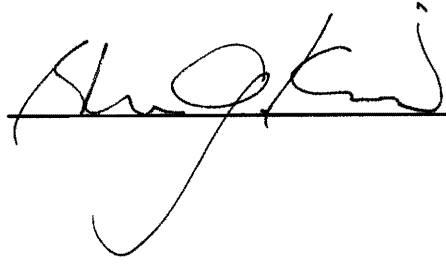
Alderman Bryan requested a status report on the new post office.

Alderman Caldwell suggested that Mayor Kinnaird contact Congressman Price's office regarding this matter.

HISTORICAL GRANT FUNDS

Alderman Bryan extended his appreciation to Wayne King, one of the town's Zoning Development Specialists, for preparing the grant application to the Division of Archives and History.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE MEETING BE ADJOURNED AT 10:55 P.M. VOTE: AFFIRMATIVE ALL



Mayor

Town Clerk