

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 23, 1993 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

Absent:

Alderman	Hilliard Caldwell
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APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF NOVEMBER 16, 1993 BE APPROVED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GIST)

PROCLAMATION ISSUED

Mayor Kinnaird read a proclamation proclaiming the week of November 28th - December 4th as Home Care Week in the Town of Carrboro.

INTRODUCTION OF A NEW EMPLOYEE

Richard Kinney, Recreation and Parks Director, introduced Bruce Haring, the town's new Recreation Specialist.

AMENDMENT TO RESOLUTION REGARDING THE PROPOSED ORANGE COUNTY WATERSHED PROTECTION ORDINANCE

Allen Spalt, a resident of 300 James Street, requested that the Board of Aldermen consider an amendment to the resolution it adopted on November 16, 1993 regarding the proposed Orange County watershed protection ordinance. Mr. Spalt specifically requested that a section be added requesting that structural BMP's not be allowed in the Cane Creek Watershed.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT AN ADDITIONAL SECTION BE ADDED TO THE RESOLUTION PREVIOUSLY ADOPTED BY THE BOARD OF ALDERMEN ON NOVEMBER 16, 1993 ENTITLED, "A RESOLUTION REGARDING THE PROPOSED ORANGE COUNTY WATERSHED PROTECTION ORDINANCE," WHICH WOULD READ: "IN KEEPING WITH THE CAMP, DRESSER, MCKEE REPORT, THE BOARD OF ALDERMEN REQUESTS THAT STRUCTURAL BMP'S NOT BE ALLOWED IN THE CANE CREEK WATERSHED." VOTE: AFFIRMATIVE ALL

The Board requested that the Town Manager provide the Board of Aldermen with a copy of the agenda for the County Commissioners' agenda when it next considers the Cane Creek Watershed protection ordinance.

PUBLIC HEARINGS SET

- (1) LAND USE ORDINANCE TEXT AMENDMENT DEFINING WATER DEPENDENT STRUCTURES AND EXEMPTING THEM FROM SETBACK REGULATIONS WITHIN WATERSHED BUFFER AREAS IN THE WATERSHED ZONING DISTRICTS

The administration requested that a public hearing be set for December 14, 1993 to consider an amendment to the Land Use Ordinance which would define water dependent structures and exempt them from setback requirements in watershed zoning districts.

- (2) CONDITIONAL USE PERMIT REQUEST/OWASA

The administration requested that a public hearing be set for December 14, 1993 on a conditional use permit request from the Orange Water and Sewer

Authority which would allow the construction of a warden's office in the University Lake Watershed.

(3) VOLUNTARY ANNEXATION OF CATES FARM, PHASES 1 AND 2

The administration requested that a public hearing be set for December 7, 1993 to consider a petition for voluntary annexation of Phases 1 and 2 of the Cates Farm Subdivision.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE REQUESTED PUBLIC HEARINGS BE SET. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Tom Gurganus.

A RESOLUTION SETTING A PUBLIC HEARING
TO CONSIDER THE ANNEXATION OF CATES FARM, PHASES 1 AND 2
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 26/93-94

WHEREAS, the Town of Carrboro has received a petition from the owners of the Cates Farm Subdivision, Phases 1 and 2 requesting that their property 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 December 7, 1993 to consider the voluntary annexation of the Cates Farm, Phases 1 and 2.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in The Chapel Hill News at least ten 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 23rd day of November, 1993:

Ayes: Randy Marshall, Tom Gurganus, Eleanor Kinniard, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: Hilliard Caldwell

PUBLIC HEARING/VOLUNTARY ANNEXATION OF WEXFORD, PHASE 3

This was a public hearing to receive citizen comments regarding the proposed annexation of Phase 3 of the Wexford Subdivision into the town limits of Carrboro.

[No one spoke at the public hearing.]

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING WEXFORD, PHASE 3," BE ADOPTED. VOTE: AFFIRMATIVE ALL

AWARD OF CONTRACT/RECREATION AND PARKS MASTER PLAN

Richard Kinney, Recreation and Parks Director, stated that the Board of Aldermen authorized funds to hire a consulting planning firm to develop a comprehensive recreation and parks master plan. During August, 1993, the Board further authorized the Master Plan Management Group to direct this overall effort. The Management Group has recommended that the bid be awarded to Woolpert of Charlotte, N.C. for a total of \$24,965.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JAY BRYAN THAT THE CONTRACT BE AWARDED TO WOOLPERT FOR A TOTAL COST OF \$24,965 AND THAT THE TOWN MANAGER BE AUTHORIZED TO SIGN A CONTRACT WITH THIS FIRM. VOTE: AFFIRMATIVE ALL

REPORT ON TRAFFIC CALMING DEVICES - LOCAL AND COLLECTOR ROADS

Kenneth Withrow, the town's Transportation Planner, presented a report on various traffic calming devices that are able to discourage high speeds and high volumes of traffic.

Alderman Gist requested that the town staff find out from Portland, Oregon if they have had any problems with children playing on undulations.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT THE TOWN STAFF INVESTIGATE WHETHER THERE IS A FEDERAL GRANT AVAILABLE THAT COULD FUND A TRAFFIC CALMING DEVICE STUDY FOR THE TOWN. VOTE: AFFIRMATIVE ALL

APPROVAL OF 1994-95 TRANSPORTATION IMPROVEMENT PLAN

Kenneth Withrow, the town's Transportation Planner, presented the proposed 1994-95 Transportation Improvement Plan (TIP) for adoption by the Board of Aldermen.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT THE FOLLOWING 1994-95 TIP BE ADOPTED. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (BRYAN AND GIST--Alderman Gist voted against this motion because she does not agree with NCDOT's standards for road widths.)

**TOWN OF CARRBORO
1994 - 1995
TRANSPORTATION IMPROVEMENT PROGRAM**

1. Widen Hillsborough Road to 36 feet with curb & gutter, bikelanes and a sidewalk from where the U-2002 project ends (Lorraine Street) to the intersection of Old Fayetteville Road (SR 1009), and along the northern portion of Old Fayetteville Road to tie in with improvements being made as part of the new Middle School.
2. Widen Smith Level Road to five lanes from NC 54 Bypass to Rock Haven Road with bike lanes and grade for sidewalks.
3. Widen North Greensboro Street at the intersection of Estes Drive to provide a "right turn only" lane.
4. Widen Estes Drive to three lanes from the Carrboro Town Limits to North Greensboro Street, and include bike lanes as an incidental project, and a right turn lane.
5. Widen and improve Old Fayetteville Road to 36 feet roadway with curb, gutter, and sidewalks from its intersection at NC 54 Bypass northward to Hillsborough Road.
6. Widen Highway Old 86 to 36 feet roadway with curb and gutter, bikelanes, and a sidewalk for the intersection of Old Fayetteville/Hillsborough Road to Calvander.
7. Widen Homestead Road to a three lane section between Seawell Road and High School Road. Include widening shoulders to provide four-foot bikelanes.
8. Improve Eubanks Road from Rogers Road to Highway Old 86 to provide for better capacity as well as traffic movement.

**BICYCLE PROGRAM
URBAN**

1. Construct a bike path around Carr Mill Mall to get bicyclists from North Greensboro Street to Main Street to connect with the Libba Cotton Bike Path begins.
2. Provide pedestrian and bicycle access from the BPW Club Road area to Westbrook Drive by building a pedestrian/bicycle bridge over Morga Creek behind the Bluffs Apartments.

PETITION FORM FOR AMENDMENTS TO STREET REGULATIONS

Kenneth Withrow, the town's Transportation Planner, presented a proposed petition form for the Board's consideration. This petition would be used when citizens request amendments to existing street ordinances.

The Board suggested several changes to the petition form and requested that the town staff amend the petition and bring it back to the Board for approval.

REPORT ON THREE-WAY STOP SIGNS ON OLD PITTSBORO ROAD

Kenneth Withrow, the town's Transportation Planner, presented the Transportation Advisory Board's recommendation for three-way stop signs on Old Pittsboro Road. Mr. Withrow stated that the TAB was recommending that a three-way stop be installed at the intersection of Old Pittsboro Road and entrance to the Whispering Hills Subdivision.

Alex Zaffron, Chair of the TAB, requested that action on this matter be delayed.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT ACTION BE DELAYED ON INSTALLATION OF THREE-WAY STOPS ON OLD PITTSBORO ROAD AND THAT THE RESIDENTS OF OLD PITTSBORO ROAD CIRCULATE A PETITION AMONG AFFECTED RESIDENTS TO DETERMINE THE INTEREST IN HAVING THE THREE-WAY STOPS INSTALLED.
VOTE: AFFIRMATIVE ALL

PASS THROUGH AGREEMENT - TOWN OF CARRBORO AND CITY OF DURHAM

Kenneth Withrow, the town's Transportation Planner, informed the Board of Aldermen of the recent change within the Federal Highway Administration Section 104(f) Pass Through Agreement between the City of Durham and the Town of Carrboro.

The following resolution was introduced by Randy Marshall and duly seconded by Tom Gurganus.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO
ENTER INTO AGREEMENT WITH THE CITY OF DURHAM
FOR FHWA PL FUNDS
Resolution No. 30/93-94

WHEREAS, the Carrboro Board of Aldermen entered into the Memorandum of Understanding for cooperative, comprehensive, and continuing transportation planning; and

WHEREAS, as part of this agreement the TAC approves the Planning Work Program (PWP) annually, which lists the activities that each jurisdiction will undertake during the year, and the anticipated amount of funds necessary to accomplish each project; and

WHEREAS, Federal PL Funds are made available to offset the cost of these activities; and

WHEREAS, the Town of Carrboro enters into an annual agreement with the City of Durham to receive an allocation of grant assistance provided with PL Funds that will continue over the twelve (12) year period; and

WHEREAS, the Town of Carrboro's allocation for the fiscal year are estimated to be approximately \$18,000 in PL Funds.

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

Section 1. The Board of Aldermen hereby authorizes the Town Manager to enter into agreements with the City of Durham to receive the allocation of PL Funds.

Section 2. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote this 23rd day of November, 1993:

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

Noes: None

Absent or Excused: Hilliard Caldwell

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'93-94 BUDGET ORDINANCE," BE ADOPTED WHICH RECOGNIZES \$18,000 IN PL GRANT FUNDS. VOTE: AFFIRMATIVE ALL

The Board requested that the agreement be amended to add a stipulation that the agreement can be terminated by either party with a one year written notification.

FINAL APPROVAL/CHAS

James Harris, the town's Community and Economic Development Officer, presented the Comprehensive Housing Affordability Strategy (CHAS) to the Board which contained the comments from the two required public hearings and requested its adoption and approval to submit the document to HUD.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION AUTHORIZING THE SUBMISSION OF A FIVE-YEAR COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY Resolution No. 27/93-94

WHEREAS, the Town of Carrboro participates as a member of the Orange County Housing Consortium; and

WHEREAS, the Consortium is required to prepare and submit a Comprehensive Housing Affordability Strategy (CHAS); and

WHEREAS, the preparation and submittal of a CHAS is required by the U.S. Department of Housing and Urban Development in order to receive Community Development Block Grant funds or any funds appropriated by the 1990 Affordable Housing Act.

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

Section 1. The Board authorizes Orange County to submit the Five-Year Comprehensive Housing Affordability Strategy to the Department of Housing and Urban Development, including all understandings, assurances and certifications required herein.

Section 2. That the Manager is hereby designated as the authorized representative of the town to act in connection with the CHAS and provide such additional information as may be required by HUD.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of November, 1993:

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

Noes: None

Absent or Excused: Hilliard Caldwell

REVOLVING LOAN REQUEST/CATS CRADLE

James Harris, the town's Community and Economic Development Officer, stated that Round About Midnight, Inc. (Cat's Cradle) had submitted an application for a Revolving Loan in the amount of \$35,000 for three years at 6% interest. The loan will allow the Cradle to establish itself in Carrboro in the ArtsCenter complex located on E. Main Street.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY FRANCES SHETLEY THAT THE LOAN BE APPROVED AS RECOMMENDED WITH THE CONDITIONS THAT THE ENTRANCE AND EXIT SIGNS BE REVISED IN ACCORDANCE WITH THE RECOMMENDATION OF THE PUBLIC WORKS DIRECTOR TO PROVIDE CLEARER NOTIFICATION OF THE LIMITATIONS ON TRAFFIC

MOVEMENTS ENTERING AND EXITING THE PROPERTY, AND THAT THE VEHICLES BEING SERVICED BY A BETTER WRENCH WILL NO LONGER BE ALLOWED TO PARK IN THE PARKING LOT OWNED BY MAIN STREET PARTNERS. VOTE: AFFIRMATIVE ALL

Alderman Gurganus requested that the loan summary sheet be revised in the future to add an additional column to indicate when loans will be paid off.

PROCEDURE FOR INDIVIDUALS TO ADDRESS BOARD CONCERNING ITEMS ON THE AGENDA

The Board requested that a procedure for individuals to address the Board about items on the regular agenda be discussed at the 1994 Retreat.

RESOLUTION OF APPRECIATION TO KEITH LANKFORD AND ROBERT SIMPSON

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Jay Bryan.

A RESOLUTION EXPRESSING
THE TOWN OF CARRBORO'S
APPRECIATION TO INDIVIDUALS WHO DONATED FUNDS
TO THE CARR COURT COMMUNITY CENTER
Resolution No. 25/93-94

WHEREAS, Keith Lankford and Robert Simpson have generously donated funds to the Carr Court Community Center; and

WHEREAS, their donation assisted in the effort to get the Carr Court Community Center up and running.

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

Section 1. On behalf of the Town of Carrboro and its citizens, the Board of Aldermen hereby expresses its sincere thanks and gratitude to Keith Lankford and Robert Simpson for their generous donation to the town.

Section 2. This resolution shall be entered into the official minutes of the Board of Aldermen and a copy thereof shall be delivered to Mr. Lankford and Mr. Simpson.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of November, 1993:

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

Noes: None

Absent or Excused: Hilliard Caldwell

CROSSWALK AT POPLAR AND NORTH GREENSBORO STREETS

Alderman Bryan requested that the town staff determine whether a traffic control device could be installed to assist pedestrians in crossing the street at the crosswalk at Poplar and North Greensboro Streets.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN THAT THE MEETING BE ADJOURNED AT 10:28 P.M. VOTE: AFFIRMATIVE ALL


Town Clerk


Mayor