

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 8, 1994 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Michael Nelson
	Randy Marshall
	Hank Anderson
	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 JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE MINUTES OF MARCH 1, 1994 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION HONORING RETIRING SANITATION SUPERVISOR LARRY MOORE

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Michael Nelson.

A RESOLUTION EXPRESSING APPRECIATION
TO RETIRING SANITATION SUPERVISOR
LARRY B. MOORE
Resolution No. 42/93-94

WHEREAS, Larry Moore has announced his retirement as the Town of Carrboro's Sanitation Supervisor effective April 1, 1994; and

WHEREAS, Larry Moore has distinguished himself and the town by his dedication and loyalty to not only the Sanitation Division and the Public Works Department but to the many citizens of Carrboro over the past thirty years; and

WHEREAS, Larry Moore has been successful during his illustrious career of supervising the collection and disposal of thousands of tons of solid waste for the citizens of Carrboro; and

WHEREAS, Larry Moore has had an integral part in helping to make the roll-out container program successful; and

WHEREAS, with diligence and distinction, Larry Moore has overseen the development of a highly professional Sanitation Division that now includes seven full-time employees and the town and all of its citizens have benefitted greatly from Larry Moore's tireless efforts to serve the town's solid waste needs.

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

Section 1. The Board, on behalf of the Town of Carrboro, expresses its thanks and appreciation to Larry B. Moore for his years of service to the town and its citizens and the professionalism that he has brought to the town's Sanitation Division.

Section 2. This resolution shall be entered into the Board's official minutes and a copy shall be given to Larry Moore.

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 the 8th day of March, 1994:

Ayes: Michael Nelson, Randy Marshall, Hank Anderson, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None *****

CHARGE ISSUED TO NEW BOARD APPOINTEE

The Town Clerk issued a charge to Rudolph Gregory, a recent appointee to the Human Services Commission.

PROCLAMATION ISSUED

Mayor Kinnaird read a proclamation proclaiming March 18th as Arbor Day in the Town of Carrboro.

ORANGE COUNTY'S PROPOSED ZONING ORDINANCE AMENDMENT/WATER SUPPLY AND SEWAGE DISPOSAL FACILITIES

Marti Mandell, representing Protect Our Water, urged the Board to ask that the County Commissioners vote against the proposed amendment the Orange County Zoning Ordinance dealing with water supply and sewage disposal facilities.

It was the consensus of the Board to request that the town staff prepare a resolution opposing the amendment for consideration by the Board on March 15th.

RESOLUTION OF SUPPORT FOR A CARRBORO LIBRARY

The Friends of the Carrboro Library are approaching the Orange County Commissioners for a branch library in Carrboro. Various county officials have raised the question as to the position of the Carrboro Mayor and Board of Aldermen in establishing a branch library. The purpose of this agenda item was for the Board to consider a resolution of support for a branch library in Carrboro.

The following resolution was introduced by Alderman Michael Nelson and duly seconded by Alderman Randy Marshall.

A RESOLUTION FROM THE CARRBORO BOARD OF ALDERMEN
TO THE ORANGE COUNTY BOARD OF COMMISSIONERS
CONCERNING FUNDING FOR IMPROVED LIBRARY SERVICE
TO THE CITIZENS OF CARRBORO
Resolution No. 43/93-94

WHEREAS, Carrboro is the largest town in North Carolina without a library; and

WHEREAS, in one day, 5% of the population of Carrboro signed a petition in support of a library; and

WHEREAS, the location of the new Chapel Hill Town library is beyond the reach of many Carrboro residents, particularly children and senior citizens; and

WHEREAS, Carrboro taxpayers pay--in the form of taxes--for more library service than is currently being provided; and

WHEREAS, Friends of the Carrboro Library have proposed a budget for library service for Carrboro; and

WHEREAS, the County is the funding agent for library service for Carrboro.

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

Section 1. The Carrboro Board of Aldermen asks the Orange County Commissioners to fund a Carrboro branch of the Orange County Library.

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 8th day of March, 1994:

Ayes: Michael Nelson, Randy Marshall, Hank Anderson, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

CONTINUATION OF PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/BEL ARBOR SUBDIVISION

Philip Post and Associates, Inc. have applied for a conditional use permit that would allow for the construction of an architecturally integrated subdivision (30 single-family detached units) on 8.259 acres located on Hillsborough Road near Dillard Street.

Roy Williford, the town's Planning Director, presented a report on a site visit of the stream behind Pine Hill Drive following the recent rain. Mr. Williford stated that there were some areas that were puddling as a result of the recent rain which was the equivalent of a 10-year flood. Mr. Williford presented slides of the stream following last week's rain and overheads showing the results of 10-, 20-, and 100-year floods. Mr. Williford stated that there is some debris in the stream that should be removed by the property along the stream.

Phil Post stated that they will follow the recommendations from S&ME, including installation of detention pond to prevent any changes on downstream properties. The two open space areas in the center of the property have been enlarged, and the walkway from Street A to Street B can be accommodated.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (BRYAN)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (BRYAN)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT 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. 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. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY RANDY MARSHALL THAT THE RECOMMENDATIONS OF S&ME, INC. IN A REPORT TO THE TOWN DATED FEBRUARY 23, 1994, AND THE DEVELOPER'S ENGINEER DATED FEBRUARY 16, 1994, BE ACCEPTED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT CURB CUTS SHOULD BE KEPT TO A MINIMUM NUMBER AND WIDTH WHERE POSSIBLE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY RANDY MARSHALL THAT THE ENLARGED OPEN SPACE AREAS INDICATED ON PLANS SUBMITTED TO THE BOARD OF ALDERMEN BY PHILIP POST ON MARCH 8, 1994, BE THE OPEN SPACE APPROVED BY THE BOARD. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (KINNAIRD, BRYAN)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT PRIOR TO THE FINAL PLAT, THE STAFF AND THE TOWN ATTORNEY APPROVE THE HOMEOWNERS DOCUMENTS AND NOTATIONS ON THE PLAT. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY FRANCES SHETLEY THAT IF RECREATIONAL EQUIPMENT IS DEEMED NECESSARY OR REQUIRED, AT THE DISCRETION OF THE DEVELOPER, THAT ANY RECREATIONAL EQUIPMENT MAY BE "AGE-NEUTRAL". VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY MICHAEL NELSON That a cleared walkway be provided between Lots 22 and 23 to connect the cul-de-sac of Street "B" to Street "A". VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (MARSHALL, GIST)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY FRANCES SHETLEY THAT THE EASEMENT BETWEEN LOTS 13 AND 14 BE DEDICATED TO THE TOWN TO ALLOW THE CONSTRUCTION OF A PEDESTRIAN WALKWAY OR BIKEWAY NOW OR IN THE FUTURE TO CONNECT THIS NEIGHBORHOOD TO THE EASEMENT THAT CONNECTS TO SIMPSON STREET (PHIPPS STREET EXTENSION). VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT THE REAR SETBACK LIMITS BE ADJUSTED TO THE OUTSIDE OF THE WET AREAS AND THE PONDING AREA ALONG THE WESTERN PROPERTY LINE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT EACH HOME SHALL BE SERVED BY A HARD SURFACE DRIVEWAY OF SUFFICIENT DIMENSIONS TO PROVIDE PARKING FOR TWO VEHICLES. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION BE GRANTED, SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (KINNAIRD, BRYAN)

STATUS REPORT/ORANGE COUNTY VISITORS BUREAU

Shelly Green, Director of the Chapel Hill/Orange County Visitors Bureau, presented a status report on the progress of the Chapel Hill/Orange County Visitors Bureau.

DISCUSSION OF ORANGE COUNTY'S PROPOSED CIVIL RIGHTS ORDINANCE

Lucy Lewis, with the Orange County Commission for Women, presented a summary of the changes to Orange County's proposed civil rights ordinance made following the September 21, 1994 Commissioner's public hearing.

Doug Thorne, an associate of Geoffrey Gledhill, answered questions from the Board concerning the proposed ordinance.

MOTION WAS MADE BY MICHAEL NELSON AND SECONDED BY HANK ANDERSON THAT A PUBLIC HEARING BE HELD AT THE EARLIEST CONVENIENT DATE ON THE PROPOSED CIVIL RIGHTS ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MICHAEL NELSON AND SECONDED BY JACQUELYN GIST THAT THE ORANGE COUNTY BOARD OF COMMISSIONERS BE REQUESTED TO GO BACK TO THE GENERAL ASSEMBLY TO REQUEST THAT SEXUAL ORIENTATION BE INCLUDED IN THE COUNTY'S ENABLING LEGISLATION. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (MARSHALL)

Lauren Bicke, a lesbian resident of Carrboro, urged the Board to adopt the civil rights ordinance to prohibit discrimination on the basis of sexual orientation.

PRESENTATION OF COST ESTIMATES FOR POLICY GOALS FOR 1994-95 BUDGET AND DISCUSSION OF FINAL POLICY GOALS

Larry Gibson, the town's Assistant Town Manager, presented the administration's cost estimates for policy goals identified by the Board on February 22nd.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE FOLLOWING FINANCIAL GOAL BE ADOPTED FOR THE 1994-95 BUDGET: THAT THE GENERAL FUND BALANCE BE PRESERVED BY: (A) MAINTAINING AN UNRESERVED FUND BALANCE AT 25% OF THE BUDGETED EXPENDITURES; (B) MOVING TOWARDS A 3% CAP ON ANNUAL FUND BALANCE APPROPRIATIONS FOR GENERAL FUND OPERATIONS; (C) SETTING 6% AS A GOAL FOR ANNUAL BUDGET SAVINGS; AND (D) DESIGNATING ANY FUND BALANCE EXCEEDING THE 25% LEVEL AS A RESERVE FOR CAPITAL IMPROVEMENTS. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JAY BRYAN THAT OPTION 1 (\$5,781,397, NO TAX INCREASE) BE ADOPTED AND THAT THE TOWN MANAGER PRESENT AS A DECISION PACKAGE ANY SALARY INCREASES FOR EMPLOYEES. (MOTION WITHDRAWN)

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY FRANCES SHETLEY THAT OPTION 1 (\$5,781,397, NO TAX INCREASE) BE ADOPTED. VOTE: AFFIRMATIVE THREE, NEGATIVE FOUR (MARSHALL, NELSON, ANDERSON, KINNAIRD)

It was the consensus of the Board to place this item back on the agenda for March 15th for further discussion.

FUNDING OF MEDIATION SERVICES FOR GUN CONTROL STUDY COMMITTEE

Alderman Bryan presented a memorandum of agreement between the Dispute Settlement Center and to the town to provide mediation services for the Gun Control Study Committee. Alderman Bryan stated that under the memorandum of agreement the town would pay \$520 to the Dispute Settlement Center to provide mediation services to the Gun Control Committee for two 2-hour meetings.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN THAT THE MEMORANDUM OF AGREEMENT BE APPROVED UP TO A LIMIT OF \$520.00. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (SHETLEY)

PLANNING BOARD RECOMMENDATION ON AFFORDABLE HOUSING

It was the consensus of the Board to request the town staff to include affordable housing on the 1994 Action Agenda.

ACCESS BY TARHEEL MANOR RESIDENTS TO 54 BYPASS

Alderman Anderson requested that the town staff check with NCDOT to determine whether there will be an access provided from Tarheel Manor to 54 Bypass.

RESPONSE TO RESIDENTS OF FOX MEADOW SUBDIVISION

Alderman Shetley requested that the town staff respond to the citizens of Fox Meadow who have written to the Board opposing the extension of Tallyho Trail.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HANK ANDERSON THAT THE MEETING BE ADJOURNED AT 11:23 P.M. VOTE: AFFIRMATIVE ALL



Mayor

Town Clerk