

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 26, 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 RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE MINUTES OF APRIL 19, 1994 BE APPROVED. VOTE: AFFIRMATIVE ALL

PROCLAMATIONS ISSUED

Mayor Kinnaird issued proclamations proclaiming May 7 - 14, 1994 as Disability Awareness Week and urging the Congress to enact anti-crime legislation.

CHARGE ISSUED TO NEW BOARD APPOINTEE

The Town Clerk issued a "charge" to Jeannie Garten, a recent appointee to the Human Services Commission.

CARR MILL MALL ACCESS ONTO WEAVER STREET

Colleen McCulloch, representing Carr Mill Mall Limited Partnership, requested the Board's assistance in resolving the access and parking problems for Carr Mill. Ms. McCulloch stated that these problems need to be resolved in order for Carr Mill to complete its refinancing. Ms. McCulloch also requested that the town pursue construction of the Carr Mill Bikepath to prevent bicycles from cutting through the Carr Mill parking lot.

It was the consensus of the Board to refer this matter to the town staff for study.

PUBLIC HEARINGS/1994 COMMUNITY REVITALIZATION GRANT

James Harris, the town's Community and Economic Development Officer, stated that this was a public hearing to receive public comments for inclusion in the 1994 Community Development Block Grant application. Mr. Harris recommended that the Board establish a Community Education Committee on Lead-Based Paint and an Advisory Committee for the 1994 CDBG Target Area. In addition, Mr. Harris requested that the Board adopt a resolution stating that refusal by occupants, owners, and/or tenants of any home which was constructed prior to 1978 and is suspected to contain lead-based paint would constitute the town's refusal to rehabilitate such dwelling with CDBG funds.

[No one spoke at this public hearing, but Mr. Harris stated that the comments made by citizens at previous CDBG public hearings would be used in formulating the 1994 application.]

Alderman Gist volunteered to serve on the Community Education Committee on Lead-Based Paint and on the Advisory Committee.

Alderman Anderson requested that the town staff check into the possibility of using CDBG funds to establish a community policing facility.

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

A RESOLUTION CONCERNING LEAD-BASED PAINT
Resolution No. 50/93-94

WHEREAS, the Town of Carrboro is applying for a Community Development Block Grant within the town limits in order to make housing improvements; and

WHEREAS, housing units constructed prior to 1978 may contain contents of lead-based paint; and

WHEREAS, children under the age of 7 living in these homes may be affected by lead-based paint poisoning; and

WHEREAS, the State of North Carolina, Department of Commerce, Division of Community Assistance, has received additional federal funding towards the reduction, removal, and abatement of lead-based paint in homes where there are children under the age of 7; and

WHEREAS, the Town of Carrboro intends to apply for additional funds toward the reduction, removal, and abatement of lead-based paint in such dwellings.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO adopts as a formal resolution that refusal by occupants, owners, and/or tenants of any home which was constructed prior to 1978 and is suspected to contained lead-based paint would constitute the town's refusal to rehabilitate such a dwelling with Community Development Block Grant Funds.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of April, 1994:

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

Noes: None

Absent or Excused: None

STATUS REPORT ON TOWN COMMONS PROJECT AND OPTIONS FOR CONSTRUCTION

James Harris, the town's Community and Economic Development Officer presented a brief status report on the Town Commons project. Mr. Harris stated that the town has raised \$247,000 for this project which is not sufficient to complete the entire project. The fund-raising committee has been talking to people about donations of material or labor. The town staff has reviewed two options for addressing costs--the first was to discuss with the U.S. Army the possibility of doing a portion of the construction as a training exercise, and the second option would be for the town to request proposals for a construction manager who would act as the town's agent either subcontracting the work or working with volunteers.

Alderman Nelson questioned who would be liable if a volunteer was hurt while working on the Town Commons project.

REQUEST FOR FOUR-WAY STOP SIGN/SPRING VALLEY ROAD AND PATHWAY DRIVE

Kenneth Withrow, the town's Transportation Planner, stated that the Board of Directors of Spring Valley Homeowners Association have requested that the town install a four-way stop sign at the intersection of Spring Valley Drive and Pathway Drive. The administration recommended that the Board adopt an ordinance amending the Town Code to add a four-way stop at the Pathway Drive/Spring Valley Drive intersection.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE DESIGNATING FOUR-WAY STOPS SIGNS AT THE INTERSECTION OF SPRING VALLEY DRIVE AND PATHWAY DRIVE," BE ADOPTED. VOTE: AFFIRMATIVE ALL

Alderman Marshall requested that the town staff have signs installed warning motorists of the stops signs.

RESOLUTION SUPPORTING ENACTMENT OF THE TAX FAIRNESS FOR MAIN STREET BUSINESS ACT OF 1994

Mayor Kinnaird requested that the Board of Aldermen consider adopting a resolution supporting the enactment of the "Tax Fairness for Main Street Business Act of 1994."

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Hank Anderson.

A RESOLUTION SUPPORTING ENACTMENT OF
TAX FAIRNESS FOR MAIN STREET BUSINESS ACT OF 1994
Resolution No. 46/93-94

WHEREAS, our local retailers are suffering an unfair competitive burden because of a sales tax loophole which exempts out-of-state retailers, such as catalog sales and tele-marketing companies; and

WHEREAS, our local retailers who serve the local market must collect this tax; and

WHEREAS, our local governments have to pay to landfill or recycle thousands of tons of discarded catalogs each year; and

WHEREAS, our local citizens pay for this inequity both by losing the benefits of the sales tax and by paying the cost to recycle the discarded catalogs; and

WHEREAS, our local citizens also pay through higher taxes to landfill or recycle the discarded catalogs; and

WHEREAS, by using recent advances in computer technology, several states already collect sales taxes on out-of-state catalog and tele-marketing sales showing that it is not burdensome to the out-of-state companies; and

WHEREAS, this fairness in collecting sales taxes will relieve local taxpayers, including businesses; and

WHEREAS, the Federal Advisory Commission on Intergovernmental Relations estimates that \$650 million in additional local tax would have been generated if it had been in effect in 1992; and

WHEREAS, the "Tax Fairness for Main Street Business Act", introduced by Senator Dale Bumpers will allow state and local governments to collect sales taxes from out-of-state firms on purchases made by their residents; and

WHEREAS, out-of-state vendors use the facilities and resources of the states to which they send goods, including roads, landfills and recycling centers and bank and court systems.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro supports the enactment of the "Tax Fairness for Main Street Business Act of 1994" for equitable tax collection and join our local businesses in seeking relief from their unfair competitive situation.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of April, 1994:

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

Noes: None

Absent or Excused: None

CONCRETE MEDIAN ON JONES FERRY ROAD

Roy Williford, the town's Planning Director, stated that the N.C. 54 Bypass project included construction of a median to be built along Jones Ferry Road in front of the Willow Creek Shopping Center. The median was to be constructed to allow for landscaping within the median. As of April 21, 1994, NCDOT completed construction of a concrete median.

Jim Parker, Project Engineer for NCDOT, was present and stated that he had made the decision to construct a concrete median because during the construction it became apparent that if the median was landscaped, motorists would experience site distance problems exiting off the Bypass onto Jones Ferry Road if the motorists were turning left into town or going straight across Jones Ferry Road back onto the Bypass. Mr. Parker stated that NCDOT had authorized him to offer to install plantings at the eastbound access and exit ramps onto Jones Ferry Road valued at \$3,800 in exchange for the median plantings.

Chris Gerry, the town's Landscaping and Grounds Supervisor, discussed the plantings that were proposed for the median and answered the Board's questions concerning the plantings being proposed by NCDOT.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT THE TOWN ACCEPT NCDOT'S PROPOSAL TO INSTALL PLANTINGS AT THE EASTBOUND ACCESS AND EXIT RAMPS ONTO JONES FERRY ROAD VALUED AT \$3,800 AND AS ILLUSTRATED ON THE DRAWING PRESENTED TO THE BOARD BY JIM PARKER, PROJECT ENGINEER FOR NCDOT
VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (KINNAIRD, NELSON)

DISCUSSION OF PRIVATIZATION OF SERVICES

Alderman Bryan presented information concerning privatization of services for the Board's review.

It was the consensus of the Board to ask the town staff to review the information presented by Alderman Bryan to determine if any of the techniques could be applied to Carrboro and that the Agenda Planning Committee schedule a further discussion of this matter following the Board's summer break.

REFERRAL OF CABLE T.V. FRANCHISE TO CABLE T.V. COMMITTEE

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT THE CABLE T.V. FRANCHISE WITH CVI BE FORMALLY REFERRED TO THE CABLE T.V. COMMITTEE FOR CONSIDERATION. VOTE: AFFIRMATIVE ALL

DISCUSSION OF TIME DOLLAR CONCEPT/REFERRAL TO HUMAN SERVICES COMMISSION

At the request of Alderman Bryan, the Board of Aldermen placed this item on the 1994 Planning Retreat Action Agenda to briefly discuss the "Time Dollar" concept and refer the matter to the Human Services Commission for their consideration.

It was the consensus of the Board to refer this matter to the Human Services Commission.

Alderman Gist requested that seven copies of the report be forwarded to her and she would distribute it to the Human Services Commission members.

ADOPTION OF 1994 ACTION AGENDA

Mr. Morgan requested that the Board adopted the 1994 Planning Retreat Action Agenda.

It was the consensus of the Board to request that the town staff develop project worksheets for a conceptual review plan for proposed developments and a conditional zoning plan and that the timetable for Worksheets 34 (Townwide Design Guidelines), 38 (Subdivision Standards Review) and 53 (Neighborhood Preservation District) be revised.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Michael Nelson.

A RESOLUTION ADOPTING THE 1994 PLANNING RETREAT ACTION AGENDA
Resolution No. 49/93-94

WHEREAS, the Town of Carrboro has found it productive and effective to set an annual action agenda; and

WHEREAS, the town staff has used this annual action agenda to establish priorities for departmental annual work plans; and

WHEREAS, the elected officials of the town met on February 13 and 14, 1994 to review their progress on the 1993 Action Agenda and to establish a 1994 Action Agenda.

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

Section 1. The attached list entitled, 1994 Planning Retreat Action Agenda" will be the established priorities of the town staff and Board of Aldermen for 1994.

Section 2. The Town Manager will direct the town resources to accomplish these priorities.

Section 3. This action agenda may be amended by the Mayor and Board of Aldermen as priorities need to be changed or added.

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 26th day of April, 1994:

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

Noes: None

Absent or Excused: None

TOWN OF CARRBORO
1994 PLANNING RETREAT ACTION AGENDA

DESCRIPTION OF PROJECT	ASSIGNED/ BOARD RANKING	PROPOSED DEADLINE
<u>BOARD OF ALDERMAN</u>		
1. Resolution of support for library	Q1	Complete
2. Referral of cable t.v. franchise to Cable t.v. Committee	Q1	
3. Discussion of Time Dollar concept and determine whether to send to Human Services Commission for review	Q1	
4. Worksession on citizen involvement	Q2	
a. establishment of a citizen environmental review commission		
b. neighborhood councils		
c. citizen input on crime		
d. establishment of citizen		
e. advisory committee for public works and public safety		
5. Domestic Partner Issues	Q2	
a. registration of domestic partners		
b. extending benefits to domestic partners		
c. adding domestic partners to the financial disclosures		

6.	Starting quarterly worksessions	Q2	
7.	Community Dispute Resolution	Q2	
	a. recommendations of Leadership Committee of Task Force on Violent Crime and Drug Abuse		
	b. dispute resolution training in troubled neighborhoods		
	c. youth coordinator		
8.	Quarterly Worksessions	Q2	
9.	Assembly of Government Meeting on Equity: recreation, library and fire service	Q2	
10.	Issues involving the Board meeting process	Q3	
11.	No t.v. day	Q3	
12.	Funding and space needs for library	Q4	Q2

ADMINISTRATION

13.	Citizen's newsletter	93 AA	May 94
14.	Memorandum of Understanding with OWASA	90 AA	May 94
15.	Employee Incentive and Award Program	93 AA	Sept. 94
16.	Housing stipend for town employees	Q2	Complete
17.	Increasing fund balance	Q2	May 94
18.	Extending benefits to domestic partners	Q2	May 94
19.	Midway strategies	Q2	June 94
20.	Space needs/recreation and municipal services complex	Q2	Q3
21.	Funding for Town Hall space expansion projects	Q2	Q3
22.	Review of N.C. Community Trust Principals and how they apply to CHAS	Q3	Sept. 94
24.	Unfunded mandates	Q3	Sept. 94
25.	Purchasing policy/minority and female	Q2	June 94

FIRE

26.	Review evacuation plans for problems at Shearon Harris	92 AA	Sept. 94
27.	Presentation of Fire Department Issues	Q2	May 94

PLANNING

28. Energy efficient construction	93 AA	June 94
29. Capital Improvement Plan	93 AA	June 94
30. Meet with UNC regarding traffic problems	93 AA	Sept.94
31. Pine, Oak, High and Cheek Streets/Traffic	92 AA	Ongoing
32. Entranceway beautification and protection	92 AA	Sept.94
33. Address changes for northern Carrboro	92 AA	Dec. 94
34. Townwide design guidelines	92 AA	March 95
35. Review table of permissible uses	-	On Hold
36. Park and ride lot	93 AA	Sept.94
37. Chapel Hill/ Carrboro Annexation Boundary Agreement	93 AA	Oct. 94
38. Subdivision standards review	93 AA	Sept. 94
39. Small area planning	93 AA	Jan. 95
40. Report on townwide traffic controls and neighborhood protection	93 AA	Ongoing
41. Report on bikepath projects	93 AA	Ongoing
42. Hillsborough Road and Old Fayetteville Road Improvements	93 AA	Ongoing
43. Traffic plans/Quail Roost Drive	Q1	Complete
44. Youth transportation issues	Q2	Complete
45. Review of AIS/open space infill issues	Q2	May 94
a. review of AIS zoning and open space		
b. infill densities		
46. Options for protecting and preserving Bolin Creek Corridor	Q2	June 94
47. Pedestrian program	Q4	Nov. 94
a. sidewalk connections/Bypass and Hillsborough		
b. sidewalk issues		
c. pedestrian overpass on 54 Bypass		
d. crosswalk on N. Greensboro St.		
48. Annexation of doughnut holes	Q3	Dec. 94
49. Sewer service in joint planning area and rural buffer	Q4	Dec. 94
50. Historic preservation revolving loan fund	Q4	Dec. 94
51. Day care centers allowed in all residential zones	Q4	Jan. 95
52. Affordable housing	Q6	March 95

53. Neighborhood preservation district	Q3	Dec. 94
54. Conditional Zoning	4/26/94	Sept. 94
55. Conceptual Plan Review and CUP Process	4/26/94	May, 1994

POLICE

56. Discussion of Community Policing	Q3	Ongoing
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PUBLIC WORKS

57. Public works space needs	Q2	Dec. 94
58. Waste Reduction	Q3	June 95

RECREATION

59. Discussion of a structure for Carrboro day	93 AA	TBD
60. Recreation and parks capital and program needs	Q2	Nov. 94

DUES TO TRIANGLE J COUNCIL OF GOVERNMENTS

Mr. Morgan stated that during last year's budget process the Board had discussed not continuing the town's membership in Triangle J COG, but that discussion had taken place too late to give the required 60-day notice to discontinue the membership. Mr. Morgan informed the Board that if it wished to consider this issue during the 1994-95 budget deliberations, the town should give notice prior to May 1, 1994 to Triangle J COG.

[The Board took no action in regard to this matter.]

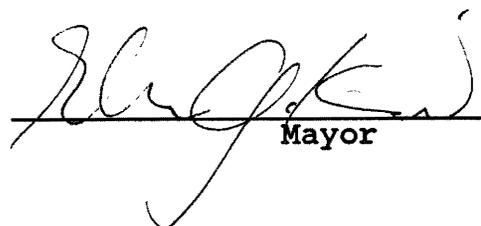
STATUS REPORT ON CONDITIONAL USE PERMIT COMPLIANCE/WEXFORD AND CATES FARM

Alderman Gist requested a status report on the compliance of Wexford, Cates Farm Subdivisions and reminded the staff that the Board had requested monthly status reports on compliance of other subdivisions with their conditional use permits.

Mr. Morgan informed the Board had the status report would be included in the Board's agenda packets on Friday, April 29th.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE BOARD ADJOURN TO AN EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE BOARD ADJOURN AT 11:35 P.M. VOTE: AFFIRMATIVE ALL



 Mayor

 Town Clerk