

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 21, 1995 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
	Jay Bryan
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	Jacquelyn Gist
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APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HANK ANDERSON THAT THE MINUTES OF MARCH 14, 1995 BE APPROVED. VOTE: AFFIRMATIVE ALL

PROCLAMATIONS ISSUED

Mayor Kinnaird read a proclamation proclaiming April 2, 1995 as Memorial Society of the Triangle Day in Carrboro and a proclamation proclaiming March 20, 1995 as Great American Meat Out Day Carrboro.

REPORT ON DISCUSSIONS OF CONSOLIDATION OF TRIANGLE TRANSIT SERVICES

Shirley Marshall addressed the Board concerning the consolidation of Triangle Transit services. Ms. Marshall stated that at this time it is only a proposal that is being discussed. Mayor Broun and Mayor Kerckhoff are enthusiastic about the idea. If the respective boards want this idea explored further, the Triangle Transit Authority will work with the towns to discuss the idea. Ms. Marshall stated that she was the Town of Carrboro's place at the "table" in the discussions regarding this matter. The concern should be the University's continued participation in the bus system. Ms. Marshall stated that she did not feel the Town of Carrboro had anything to fear from the discussions about consolidation.

Ellen Perry expressed concern that if Triangle Transit takes over the bus system, it will cause problems with shared ride, easy rider, etc. Ms. Perry urged the Board not to consolidate the bus systems. Ms. Perry also expressed concern that the cost of bus passes are going up. Ms. Perry stated that there is a waiver system, the Town of Chapel Hill does not have a waiver application in place.

Mayor Kinnaird requested that the Manager provide a report to the Board at its first meeting in April regarding Chapel Hill's waiver system.

CARRBORO DAY REPORT

Dave Griffiths stated that there have been problems in scheduling Carrboro Day. It was originally scheduled to coincide with the opening of the farmer's market in May, but since the opening of the Town Commons has been delayed, Carrboro Day has been set for the third week in September.

PUBLIC HEARING SET/LAND USE ORDINANCE TEXT AMENDMENT TO ALLOW SATELLITE POLICE STATIONS IN ALL ZONING DISTRICTS

The town staff requested that the Board of Aldermen to set a public hearing for April 18, 1995 to consider an amendment to the Land Use Ordinance text that would allow satellite police stations in all zoning districts.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT A PUBLIC HEARING BE SET FOR APRIL 18, 1995 AND THAT THE MATTER BE REFERRED TO THE APPEARANCE COMMISSION FOR REVIEW. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/ESTABLISHMENT OF A RESTAURANT DISTRICT OVERLAY ZONE (EAT) TO ALLOW ON-PREMISES DINING IN THE B-1(G) ZONING DISTRICT

Roy Williford, Planning and Economic Development Director, stated that the purpose of this public hearing was twofold: first, to consider creating a new restaurant district overlay zone allowing on-premises dining (inside and outside) in the B-1(g) General Business District in Carrboro; second, to consider amending the Zoning Map to place the overlay zone (EAT) on property. Mr. Williford presented a map showing the area proposed for the overlay zone.

Mayor Kinnaird stated that the Downtown Development Commission and Planning Board both recommend approval of the proposed ordinances.

Bill Fairbanks stated that he was a little frustrated that the Board would not vote on this matter tonight. Mr. Fairbanks stated that restaurants that provide seating are more appealing and this proposal would make sit down restaurants possible. Mr. Fairbanks requested that the Board not delay voting on this matter.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY MICHAEL NELSON TO ADOPT THE TWO ORDINANCES ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ESTABLISH AN "EAT" RESTAURANT DISTRICT OVERLAY DISTRICT" AND "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO CREATE A RESTAURANT DISTRICT BY PLACING THE RESTAURANT DISTRICT OVERLAY ZONE (EAT) ON THE PROPERTIES SHOWN ON THE ACCOMPANYING MAP". VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (BRYAN), ABSENT ONE (GIST)

Alderman Bryan stated that he was in favor of creating the overlay zone and establishing the overlay zone in the area included in this proposal, but that he was not in favor of expanding the overlay zone to any additional areas.

CONSIDERATION OF ADOPTION OF MASTER PARK PLAN

The Comprehensive Recreation and Parks Master Plan has been developed and presented to the Board of Aldermen. A public hearing was held on the master plan on February 14, 1995. This hearing, other workshops and a worksession have been held with the Recreation and Parks Commission and Board of Aldermen.

Doris Murrell urged the Board to adopted the plan as Carrboro's vision. The Parks & Recreation Commission and Tom High with the Planning Board have worked very hard putting this plan together.

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

**A RESOLUTION ADOPTING THE COMPREHENSIVE
RECREATION AND PARKS MASTER PLAN
Resolution No. 36/94-95**

WHEREAS, the Recreation and Parks Commission was charged by the Board of Aldermen to study and make recommendations regarding a comprehensive study of recreation and park needs over the next twenty years; and,

WHEREAS, the Board authorized a Park Planning Management Group to oversee the hiring of a consulting firm to assist in this effort and for the Park Planning Management Group to oversee the day-to-day development of the plan; and,

WHEREAS, recreation and park planning is necessary to assure quality of life in and for the Town of Carrboro; and,

WHEREAS, the Recreation and Parks Commission has developed and presented to the Board of Aldermen a Comprehensive Recreation and Parks Master Plan to guide the development of these programs and facility developments; and,

WHEREAS, the plan has been developed with enormous opportunity for public input during all phases of its development and review; and,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Comprehensive Recreation and Parks Master Plan shall be used as the Town's "vision" for the future development of its recreation services and park system, and that the concepts and recommendations within the plan be used to guide decision-making in all park and recreation related matters.

Section 2. The Master Plan Proposals and Recommendations shall be reviewed each budget year in connection with the Five-Year Capital Improvements Plan to evaluate the Town's financial ability to fund the actions called for in the plan so that orderly movement may occur to realize the over-all goals for the twenty year planning period.

Section 3. The Comprehensive Recreation and Parks Master Plan shall be reassessed every five years to evaluate objectives achieved or not so as to provide evaluation of the status of recreation and park facility development for each of the five year action plan stages outlined in the plan.

Section 4. The service districts indicated in the Comprehensive Recreation and Parks Master Plan may be modified to accommodate population shifts and new concepts such as sustainable projects and interlocal agreement proposals.

Section 5. The Board hereby adopts the Comprehensive Recreation And Parks Master Plan.

Section 6. 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 21st day of March, 1995:

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

Noes: None

Absent or Excused: Jacquelyn Gist

REQUEST TO WAIVE INTEREST ON LAUREL AVENUE STREET ASSESSMENT

Larry Gibson, the town's Assistant Town Manager, presented to the Board a request from Investors Title Insurance Company that the town waive the interest accruing on the 303 Laurel Avenue street assessment. Mr. Gibson stated that the administration recommended that the Board accept no less than \$1,079.01, which is the original amount of the assessment plus interest less the principal payment of \$196.40 that was due September 1, 1984. This amount will be removed from the assessment as the 10-year limit for legal recourse has been exceeded. This amount consists of \$419.75 interest and \$659.26 in principal.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY FRANCES SHETLEY TO ACCEPT NO LESS THAN \$1,079.01 FOR THIS ASSESSMENT. VOTE: AFFIRMATIVE ALL

BUDGET AMENDMENTS- REVOLVING LOAN, PAYMENTS-IN-LIEU FUNDS, AND PROJECT ORDINANCE FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUND

The purpose of this item was to amend the budgets for the revolving loan, capital reserve and payments-in-lieu funds to reflect increased revenue and expenditures, and to establish a grant project ordinance for a newly-formed Community Development Block Grant (CDBG) fund, establishing a budget for the town's CDBG project.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL TO ADOPT THE ORDINANCES ENTITLED, "AN ORDINANCE AMENDING PROJECT ORDINANCE FOR REVOLVING LOAN FUND," "AN ORDINANCE AMENDING FISCAL YEAR 1994-95 BUDGET ORDINANCE FOR CARRBORO REVITALIZATION GRANT PROJECT ORDINANCE," AND "AN ORDINANCE AMENDING PROJECT ORDINANCE FOR CAPITAL RESERVE PAYMENTS-IN-LIEU FUND". VOTE: AFFIRMATIVE ALL

ADOPTION OF 1995 PLANNING RETREAT ACTION AGENDA

On January 8 and 9, 1995 the Mayor and Board of Aldermen held their Annual Planning Retreat and concluded with an Action Agenda for 1995. The town administration prepared worksheets for each item on the Action Agenda and recommended a completion date based on the Board's priority and the availability of town resources.

Mr. Morgan suggested that the Board delay action on this matter until the next meeting to give the Board an opportunity to review the worksheets.

RESOLUTION APPROVING A REQUEST BY THE CHAMBER OF COMMERCE TO HANG BANNERS IN DOWNTOWN CARRBORO

Mr. Morgan stated that the Chapel Hill-Carrboro Chamber of Commerce had requested permission from the town to hang N.C. High School Athletic Association banners in downtown Carrboro from March 24-27, 1995 to welcome the participants in the high school championship playoffs.

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

**A RESOLUTION APPROVING A REQUEST BY THE
CHAPEL HILL-CARRBORO CHAMBER OF COMMERCE
TO HANG BANNERS IN DOWNTOWN CARRBORO
Resolution No. 40/94-95**

WHEREAS, the Chapel - Hill Carrboro Chamber of Commerce is requesting authority to hang N.C. High School Athletic Association (NCHSAA) banners along portions of Weaver and Main Streets from March 25-27, 1995; and

WHEREAS, the banners will not be displayed in connection with a commercial promotion; and

WHEREAS, the N.C. High School Athletics Association is a non-profit corporation; and

WHEREAS, Subsection 15-272 (4) of the Carrboro Land Use Ordinance allows a non-profit organization to hang banners authorized by a resolution adopted by the Board of Aldermen.

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

Section 1. The Chapel Hill-Carrboro Chamber of Commerce is hereby authorized to hang NCHSAA banners along portions of Main and Weaver Streets in the vicinity of Carr Mill Mall.

Section 2. The banners shall be authorized to hang in this area from March 24, 1995 to March 27, 1995.

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 21st day of March, 1995:

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

Noes: None

Absent or Excused: Jacquelyn Gist

CHANGE ORDER ON TOWN COMMONS

Mr. Morgan requested that the Town Commons Subcommittee (Mayor Kinnaird and Alderman Bryan) be authorized to approve a change order for the Town Commons project involving a structural issue affecting the truss system and authorizing the expenditure of funds from the contingency fund if necessary.

It was the consensus of the Board to authorize the subcommittee to approve a change order.

BREAKFAST MEETING WITH LEGISLATIVE DELEGATION

The Board requested that the town staff arrange an 8:30 a.m. breakfast meeting with the town's legislative delegation to discuss the town's request for special legislation. The Board stressed the importance of having Senator Hobbs and Senator Little at the meeting.

JOINT DISCUSSION WITH SCHOOL SYSTEM ON CUP REVIEW PROCESS

The Board requested that the Town Manager arrange a 6:00 p.m. meeting (with sandwiches served) prior to a Board of Aldermen meeting to meet with School Board representatives to discuss the CUP review process.

SPEED LIMIT SIGN IN CARR COURT

Mayor Kinnaird requested that the town staff check into installing a speed limit sign in Carr Court.

CANCELLATION OF MARCH 28, 1995 MEETING OF THE BOARD OF ALDERMEN

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT THE MARCH 28TH MEETING OF THE BOARD OF ALDERMEN BE CANCELED. VOTE: AFFIRMATIVE ALL

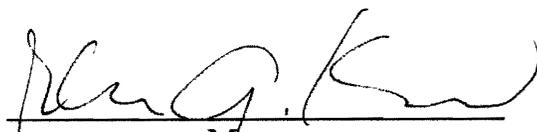
REPORT FROM ALDERMEN NELSON AND ANDERSON/NEVILLE TRACT

Alderman Nelson stated that he and Alderman Anderson had discussed how to proceed with the purchase of the Neville Tract and that they were proposing that he go back to the LOG to ask that LOG explore ways to reach consensus about soil excavation needs and the Neville tract and bring a revised proposal back to the governing boards for their approval to include:

1. Excavate the needed soil from the Green tract. The Green tract is approximately 168 acres located adjacent to the Neville tract. The soil excavation could be on that tract with a very wide buffer between the site and the neighbors.
2. To use alternative covers to minimize the need for soil.
3. Begin dialogue between the governing bodies to develop a vision for the use of the Green and Neville tracts. Some potential uses are already being discussed. These and others could form the basis for developing a plan for the future of this land that enhanced the value of the surrounding property.
4. Explore ways to include the neighbors in these discussions.

Jay requested that the LOG review Chapel Hill's northwest plan.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY MICHAEL NELSON TO ADJOURN AT 9:15 PM VOTE: AFFIRMATIVE ALL



Mayor

Town Clerk