

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 11, 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
	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 MICHAEL NELSON AND SECONDED BY JAY BRYAN THAT THE MINUTES OF APRIL 4, 1995 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION IN MEMORY OF WILLIAM LLOYD (BILLY) ANDREWS

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

A RESOLUTION IN MEMORY OF WILLIAM LLOYD "BILLY" ANDREWS Resolution No. 43/94-95

WHEREAS, Billy Andrews is considered a native son of the Town of Carrboro; and

WHEREAS, Billy Andrews actively expressed his dedication for the people of his community by involvement in the town's Recreation and Parks Program; and

WHEREAS, Billy Andrews gave unselfishly thousands of hours, for more than fifteen years, serving as a youth coach to an enormous number of young people in our community; and

WHEREAS, Billy Andrews constantly concerned himself with the psychological and emotional needs of children participating on his teams and provided for them a positive, energetic, and loving adult role model.

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

Section 1. The Mayor and Board of Aldermen sends this memorial resolution to Billy Andrews' family expressing the Town of Carrboro's appreciation and value for all that Billy Andrews did for the community.

Section 2. The Mayor and Board of Aldermen wish to assure the family of Billy Andrews that Billy gave that most special gift to his community as a dedicated volunteer. His laughter and positive support on and off the fields and courts will forever remain in the memories of the youth and young adults he coached, and all others who were fortunate to have known him.

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 11th day of April, 1995:

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

Noes: None

Absent or Excused: None

INTRODUCTION OF CARRBORO LIBRARIANS

Barbara Dewey introduced Melina Brown, McDougale Middle School Librarian and Shelly Warman, the public services librarian.

UPDATE ON COMMUNITY FORUM

Diana Bloom gave an update on the Community Forum scheduled for April 29, 1995. Ms. Bloom stated that the speaker will be Doug Kelbough.

REQUEST FROM TRIANGLE FREE-NET

William Hutchins, president of Triangle Free-Net, a local computer information system, requested financial assistance (\$4,500) in supplying Orange County residents with local information, electronic mail, a public forum and ask-an-expert services.

[The Board took no action on this matter.]

INTRODUCTION OF CVI MANAGER

Mr. Morgan introduced Tony Jordan, the new manager of CVI to the Board.

REQUEST TO SET PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/NEWSOME PROPERTY

The town staff requested that the Board of Aldermen set a public hearing for April 25, 1995 to consider a request by Jim Brandewie of Homescape Development Company for a conditional use permit that would allow for the construction of 71 single-family detached homes in three phases on 40.59 acres located east of Old N.C. Highway 86 just north of the convergence of Hillsborough Road and Old Fayetteville Road.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE PUBLIC HEARING BE SET FOR APRIL 25, 1995. VOTE: AFFIRMATIVE ALL

APPROVAL OF MUNICIPAL AGREEMENT WITH NCDOT FOR PTA/CARR STREET AND ESTES DRIVE/ELM STREET BIKEPATHS

Kenneth Withrow, the town's Transportation Planner, stated that the town has received agreements from NCDOT for the PTA/Carr Street Bikepath and the Estes Drive/Elm Street Bikepath. In order to proceed with these projects, the town staff requests that the Board adopt the attached resolution authorizing the Town Manager to execute the agreements, as well as authorize the town staff to contract for engineering services for the preparation of bid documents.

Alderman Marshall requested that the Recreation and Parks Department be included in discussion concerning the Estes Drive/Elm Street Bikepath to connect with the Carrboro Elementary School playground.

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

A RESOLUTION APPROVING A MUNICIPAL AGREEMENT
TO CONSTRUCT A 425-FOOT BICYCLE PATH
FOR PROJECT E-2937 (8.2500601)
Resolution No. 44/94-95

WHEREAS, the N.C. Department of Transportation and the Town of Carrboro have agreed to construct a 425-foot bicycle path extending from the PTA Thrift Shop property near the intersection of Jones Ferry Road and Main Street on the north end, to near the end of Carr Street on the south end; and

WHEREAS, the Town of Carrboro shall be responsible for the construction of the bike path and the installation of signing subject to the review and approval of the N.C. Department of Transportation; and

WHEREAS, upon completion of the project, the N.C. Department of Transportation agrees to participate in the cost of the project for actual not to exceed \$50,000.00 for the work performed by the Town of Carrboro.

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

Section 1. This Agreement is hereby formally approved by the Board of Aldermen and the Town Manager and Town Clerk are hereby empowered to sign and execute the Agreement with the N.C. Department of Transportation.

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 11th day of April, 1995:

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

Noes: None

Absent or Excused: None

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

A RESOLUTION APPROVING A MUNICIPAL AGREEMENT
TO CONSTRUCT A 1400-FOOT BICYCLE PATH FOR PROJECT E-3112
Resolution No. 45/94-95

WHEREAS, the N.C. Department of Transportation and the Town of Carrboro have agreed to the construction of a 1400-foot bicycle path from the intersection of Estes Drive (SR 1780) with North Greensboro Street (SR 1772) to the intersection of Elm Street with Shelton Street; and

WHEREAS, the Town of Carrboro shall be responsible for the construction of the bicycle path and installation of said signing subject to the review and approval of the N.C. Department of Transportation; and

WHEREAS, upon completion of the project, the N.C. Department of Transportation agrees to participate in the cost of the project up to an amount of \$100,000 toward the cost of the work performed by the Town of Carrboro.

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

Section 1. This Agreement is hereby formally approved by the Board of Aldermen and the Town Manager and the Town Clerk are hereby empowered to sign and execute the Agreement with the N.C. Department of Transportation.

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 11th day of April, 1995:

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

Noes: None

Absent or Excused: None

DISCUSSION OF REGULATION/ABANDONED VEHICLES

On February 21, 1995, Mayor Kinnaird requested that the Agenda Planning Committee schedule a discussion of the provisions of the Town Code dealing with the length of time junked cars can be left on a site. The purpose of this agenda item is to provide the Board with the information requested and present an overview and past history of the town's efforts to enforce Chapter 11 of the Town Code.

Rodney Murray, Fire Chief, gave a report on enforcement of Chapter 11 of the Town Code concerning enforcement of junked motor vehicles.. Chief Murray stated that he was recommending that the Town Code amended to require that vehicles display a valid inspection sticker in addition to a current license plate.

Alderman Bryan suggested that that an appeals process be set up for this ordinance.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY FRANCES SHETLEY TO ADOPT THE ORDINANCE. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (GIST, ANDERSON, NELSON)

MOTION WAS MADE BY JAY BRYAN AND SECONDED JACQUELYN GIST BY TO ASK THE TOWN ATTORNEY TO DEVELOP AN APPEALS PROCESS FOR THIS ORDINANCE TO ALLOW INDIVIDUALS TO APPEAL THE ORDINANCE AFTER ONE YEAR. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (NELSON, KINNAIRD)

WORKSESSION/TOWN HALL SPACE NEEDS STUDY

James Harris, the town's Community and Economic Development Officer, stated that the administration recommended that the Board of Aldermen accept the study and not proceed with the option to have the architect review an alternate site. The architect should not proceed at this time with the schematic design for the police department which is estimated to cost \$3,200. Scheme A is the preferred solution to the space needs at Town Hall. The schematic drawing for Scheme A would cost approximately \$40,000. Because the schematic design for Scheme A is considerably higher than the \$3,200 budgeted, it is recommended that the schematic drawing not be done at this time. The town staff will bring a recommended funding approach to the Board during the budget process. This approach will address funding the renovation of the existing building, constructing the proposed addition, and design Phase II.

Dan Huffman, with the architectural firm of Cherry Huffman Architects, PA, presented the findings of the Town Hall Space Needs Study and answered the Board's questions.

MOTION WAS MADE BY JAY BRYAN AND SECOND BY JACQUELYN GIST TO ACCEPT THE STUDY. VOTE: AFFIRMATIVE ALL

Alderman Bryan requested that the town staff check into the process required to have the Town Hall building listed on the National Register of Historic Places.

RESOLUTION OPPOSING HS 597 (PROPERTY RIGHTS BILL)

The following resolution was introduced by Alderman Michael Nelson and duly seconded by Jacquelyn Gist.

A RESOLUTION OPPOSING HB 597 (PROPERTY RIGHTS ACT)
Resolution No. 46/94-95

WHEREAS, the Property Rights Act was introduced by Representative John Nichols of Craven County; and

WHEREAS, this bill establishes a statutory right to compensation for any diminution in property value caused by a land use regulation adopted by the state or local government; and

WHEREAS, this bill, if enacted, would have a serious and costly impact on local government land use and other regulations; and

WHEREAS, if this act had been in effect during the last decade, many community initiatives would not have taken place and the residents of Carrboro would not be enjoying the present quality of life; and

WHEREAS, the North Carolina League of Municipalities has a long-standing policy, supported by the membership, which states that local land use decisions should be made by local elected officials and should not be overridden by the General Assembly without compelling necessity.

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

Section 1. The Board of Aldermen opposes HB597 (Property Rights Act).

Section 2. Copies of this resolution shall be sent to the Town of Carrboro's legislative delegation.

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 11th day of April, 1995:

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

Noes: None

Absent or Excused: None

REZONING OF THOMAS WALKER PROPERTY

Mr. Morgan requested that the Board consider meeting jointly with the County Commissioners at its quarterly public hearing on May 31, 1995 to consider a request to rezone property owned by Thomas Walker, whose property is located in Carrboro's Transition Area I

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL TO HOLD A JOINT PUBLIC HEARING WITH THE ORANGE COUNTY BOARD OF COMMISSIONERS ON MAY 31, 1995 TO RECEIVE COMMENTS ON A REQUEST TO REZONE PROPERTY OWNED BY THOMAS WALKER. VOTE: AFFIRMATIVE ALL

ASSEMBLY OF GOVERNMENTS MEETING

The Board requested that the Assembly of Governments meeting to discuss solid waste matters be held on Thursday, June 29, 1995.

APPOINTMENT TO COMMITTEE TO NAME THE NEW HIGH SCHOOL AND ELEMENTARY SCHOOL

Alderman Anderson agreed to serve as the Town of Carrboro's representative on the School System's committee to name the new high school and elementary school.

DUST FROM CONCRETE PLANT

Mayor Kinnaird brought to the Board's attention a complaint from Rebecca Clark, a resident of Crest Street, about vehicles from the Concrete Plant using the Merritt Mill Road exit and causing a tremendous amount of dust.

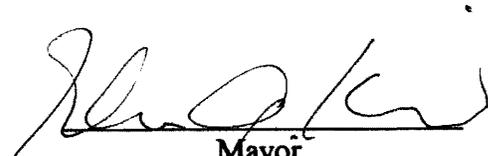
This matter was referred to the Town Manager.

FOLLOW-UP ON JOINT MEETING WITH SCHOOL BOARD

Alderman Bryan requested that the Mayor forward a letter to the School Board thanking them for meeting jointly with the Board of Aldermen on April 11, 1995. In addition, Alderman Bryan requested that the Save Our Schools group make a presentation to the Board of Aldermen and that following this report that the Board of Aldermen look at a site preservation authority, the impact of development on schools, and request information from the School System on their bonds needs and how the Town of Carrboro might be able to share recreation facilities to cut down on the costs of such facilities.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN TO ADJOURN TO CLOSED SESSION TO DISCUSS ACQUISITION OF PROPERTY. AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN TO ADJOURN AT 10:30 P.M. VOTE: AFFIRMATIVE ALL



Mayor

Town Clerk