

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 02, 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 Attorney	Michael B. Brough
Deputy Town Clerk	James E. Spivey

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY MICHAEL NELSON THAT THE MINUTES OF APRIL 25, 1995 BE APPROVED WITH THE CORRECTION OF THE SPELLING OF "GUALTIERI". VOTE: AFFIRMATIVE ALL.

RESOLUTION PRESENTED TO THE ANDREWS FAMILY

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

CHARGE ISSUED

The Deputy Town Clerk issued a charge to Catherine Binder, a recent appointee to the Cable T.V. Committee.

RESOLUTION REGARDING THE PARK AND RECREATION TRUST FUND

Doris Murrell, Chair of the Parks and Recreation Commission, informed the Board of the Park and Recreation Trust Fund and impending State legislation and the effect of the legislation on the Trust Fund.

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Hank Anderson.

FUNDING OF PARK AND RECREATION TRUST FUND

Resolution No. 50/94-95

WHEREAS, the 1991 session of the General Assembly enacted a bill that increased the excise tax on land transfers by one dollar per thousand; and

WHEREAS, 85 percent of the revenues from this increase on excise tax went into the general fund of the State; and

WHEREAS, local governments in North Carolina need almost one billion dollars to meet national standards in providing land and facilities for leisure opportunities for citizens and visitors; and

WHEREAS, in 1994 79 grant requests from local governments were received totaling \$2,438,419 and only \$200,000 was available, thereby further demonstrating the need for such a program.

WHEREAS, funding from the Federal Land and Water Conservation Fund, which was major source of support for State and Local Parks Systems for the last 27 years, has decreased considerably since 1979; and

WHEREAS, the North Carolina Recreation and Park Society has requested support for funding the Park and Recreation Trust Fund and Natural Heritage Trust Fund from revenues associated with 1991 increase on the land transfer for use by local and state park systems.

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

Section 1. To call on members of the General Assembly to dedicate revenues generated by the increase of the land transfer tax which was approved by the 1991 General Assembly to the Park and Recreation Trust Fund and Natural Heritage Trust Fund during the 1995 session.

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 2nd day of May, 1995.

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

NOES:

ABSENT/EXCUSED:

PUBLIC HEARING - "NO PARKING" ON OAK AVENUE

Kenneth Withrow, the town's Transportation Planner, explained that this is a public hearing to receive citizens' comments on whether to adopt an ordinance enforcing the existing "No Parking" signs on Oak Avenue.

Carly Pardington, resident of 307 Oak Avenue, spoke in favor of the proposed "no parking" on Oak Avenue and stated that limiting "no parking" to one side of Oak Avenue is acceptable.

The following names were entered into the record in support of the proposed "no parking": Kathy Mann, Gwen Durham, Nellie Morrison, and Phil Suitt.

Paul Brewer-Jensen, resident of 406 Oak Avenue, stated that enforcement of the speed limit on Oak Avenue should be the main priority in comparison to the "no parking" issue. Mr. Brewer-Jensen stated that "no parking" on one side of Oak Avenue is an acceptable compromise..

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY FRANCES SHETLEY THAT AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE PROHIBITING PARKING ALONG OAK AVENUE FROM ITS INTERSECTION WITH WEAVER STREET TO ITS INTERSECTION WITH NORTH GREENSBORO STREET", BE APPROVED. VOTE: AYES 6 (Nelson, Marshall, Anderson, Shetley, Gist, Bryan); NOES 1 (Kinnaird); ABSENT/EXCUSED 0.

The Board requested that Michael Brough, Town Attorney, draft an ordinance which would prohibit parking on one side of Oak Avenue only, the draft ordinance should contain provisions of limiting the time that parking will be allowed; and requested that comments from the fire chief and police chief be submitted regarding this issue.

CONTINUED PUBLIC HEARING- - NEWSOME SUBDIVISION CONDITIONAL USE PERMIT

This is a continuation of the April 25, 1995 public hearing to review the application for a conditional use permit for the Newsome Subdivision. Citizens who did not get an opportunity to speak on April 25, 1995 will be heard at this meeting.

Alex Zaffron, resident of 619 West Main Street, voiced opposition to the proposed development stating that the affordable housing issue had not been addressed considering the developer's price quote for a house in the proposed development. Mr. Zaffron urged the Board to address the affordable housing issue as expeditiously as possible.

Rosemary Simpson, resident of 105 Bruton Drive, voiced opposition to the proposed development citing the negative impact of run-off onto her property from the proposed development.

Stephanie Padilla, resident of 103 Autumn Drive, voiced opposition to the proposed development stating that the creek on her property is presently being ruined by run-off from the Wexford and Arcadia Subdivisions. Ms. Padilla displayed slides and distributed photographs of her property along the creek and stated that additional development, as proposed, would only exacerbate the problem.

Katherine Cole, resident of 208 Barington Hills Road, voiced opposition to the proposed development stating that the proposed development does not protect or preserve the existing creek. Ms. Cole quoted from the North Carolina Administrative Code on Sedimentation Control, the Sedimentation Pollution Control Act, and the North Carolina Stormwater Management Guidance Manual and stated that the proposed development does not adhere to policies cited in these documents. Ms. Cole stated that the developer should re-design the proposed development and implement all measures possible to preserve the creek. Ms. Cole stated that there are laws that exist that need to be invoked to protect environmentally sensitive land.

Steven Garfinkle, resident of 203 Barington Hills Road, stated that Barington Hills residents do not oppose the development of the Newsome Subdivision, but they do oppose poor design. Mr. Garfinkle stated that as the Newsome Subdivision is proposed, it is poorly design and is not sensitive to environmentally sensitive areas. Mr. Garfinkle encouraged the Board to deny the development as it is presently proposed.

Giles Blunden, an Arcadia resident, voiced concern regarding the detention pond in the stream buffer which would clear the trees in the buffer.

Jim Polo DeBernabe, resident of 111 Barington Hills Road, voiced concern regarding the insensitivity shown to preserving the creek and wildlife.

Debi Bird, a future resident of Arcadia, stated that the proposed plan should be re-designed with special emphasis given to creek and wildlife preservation and with a 65% open space plan.

Phyllis Beeson, resident of 113 Bruton Drive, stated that the proposed plan should have a green corridor connecting the Homescape Subdivision and Wexford.

Gloria Faley, resident of 1002 Tallyho Trail, urged the Board to consider the negative impact the proposed development will have on the school system which is presently overcrowded.

Carolyn Miller, resident of 400 Stoney Hill Road and member of SOS (Stop Overcrowding Schools), encouraged the Board to deny the proposed development because of the impact it would have on the already over-crowded school system.

Lori Hoyt, future resident of Arcadia, stated the proposed plan should be re-designed to preserve the creek and wildlife along the corridor.

Nancy Radloff, future resident of Arcadia, stated that the proposed plan should have a 65% open space requirement.

Julie Margolis, resident of 1510 Umstead Road, urged the Board to be aware of the impact the proposed development would have on a school system that is already over-crowded.

The Board directed staff to supply the following information to assist in the Board's deliberation of the requested conditional use permit:

1. The town engineer submit calculations of the amount of impervious surface which would not require a detention pond.
2. Compiled list of new development which has transpired in the last five years and a list of the non-compliance with conditional use permit requirements.
3. Cost estimate of the cost of services to the average house verses the anticipated tax dollars from the average house.
4. Report on flooding along Bolin Creek down to University Mall.
5. What is the percentage of open space if the pond and dam is not considered as open space.

6. What is the percentage of open space if the perimeter strips (back yards) are not considered as open space.
7. Review information submitted by the developer for correct percentages.
8. Submit a diagram of a dam and detention pond. Schedule a tour to show where dams and detention ponds are located and determine if they work.
9. The creek is a breeding ground for salamanders; a determination is requested of how much land is needed for salamanders to breed.
10. Submit a definition of "wildlife corridor" and what is the size.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE PUBLIC HEARING BE CONTINUED UNTIL JUNE 06, 1995. VOTE: AFFIRMATIVE ALL.

GUN CONTROL STUDY COMMITTEE REPORT

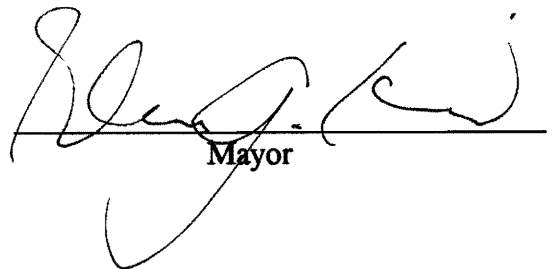
The purpose of this item is for the Board of Aldermen to receive the majority and minority reports of the Gun Control Study Committee and consider what action should next be taken.

The Board received the report and directed staff to schedule a worksession for the next Board meeting.

STOP LIGHT AT OLD FAYETTEVILLE AND HILLSBOROUGH ROADS

The Board directed staff to request NCDOT to install a stop light at the intersection of Old Fayetteville Road and Hillsborough Road.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST THAT THE MEETING BE ADJOURNED AT 11:02 P.M. VOTE: AFFIRMATIVE ALL.



 Mayor

 Town Clerk